

Class action crackdown 'overkill': Mundine

EXCLUSIVE

JOHN STENSCHOLT

Indigenous advocate and businessman Warren Mundine has launched a defence of the litigation funding industry, labelling the federal government's move to tighten regulations as "an attack on democracy".

The government has moved to bring litigation funders under the Corporations Act in an effort to rein in the fast-growing class action industry and increase protection for company directors and firms, but Mr Mundine described some of the actions as "overkill" and that the people suffering the most are people like the Aboriginal people fighting for stolen wages in Queensland and WA.

Mr Mundine has joined the board of the privately held Litigation Lending Services, which funded the stolen wages class action against the Queensland government that resulted in a \$190m settlement last year on behalf of about 12,000 Aboriginal and Torres Strait Islander people.

LLS last month lodged a Western Australia stolen wages claim along similar lines with the Australian Human Rights Commission that could result in restitution payments of about \$400m from the WA government.

The claim seeks to recover wages withheld from Aboriginal or Torres Strait Islander people who lived and worked in WA between 1936 and 1972, at a time when they were classified as a "controlled native" under now defunct legislation.

The laws allowed for wages of Indigenous people to be held in state government-controlled trust accounts, but in many cases the workers, employed as stockmen, farm hands, labourers, domestic workers and in other roles,



JOHN FEDER

Warren Mundine has joined the board of Litigation Lending Services

never received some or all of the money they were owed.

Mr Mundine told The Australian such action would not have happened without the support of dispute financiers such as LLS and that moves to subject the industry to tighter regulation needed to be carefully considered.

"Australian laws supporting class actions are absolutely necessary to ensure corporations and government are held to account for their actions and any

harm caused," Mr Mundine said. "Any attempt to water down these laws or make class actions more difficult are clearly an attack on our democracy and about protecting the big end of town and the powerful from taking responsibility for their actions.

"I've always fought for the underdog and disadvantaged Australians and I believe LLS has at its core the same characteristics and objectives.

"I look forward to ... taking up

the fight on behalf of disadvantaged people and supporting the class action system, which gives a mechanism for the powerless to fight back."

LLS chief executive Stephen Conrad said Mr Mundine would bring considerable breadth of experience across the public and private sectors.

The firm's chairman, billionaire property landlord Shaun Bonett, said the appointment was a coup for the company.

"The appointment of Warren Mundine to the board of LLS represents a fundamentally important opportunity for LLS to obtain a much deeper cultural awareness and respect for First Nations people in Australia, and to develop and grow our insights into human rights and environmental issues," Mr Bonett said.

"As part of ongoing renewal and succession planning, the board is committed to ensuring a strong and diverse membership."