

# Index to the Rulings from the: **Kilmore East - Kinglake Bushfire Class Action**



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# Foreword

Modern and complex civil litigation creates special difficulties for judges, practitioners and parties. As the number of parties grows, procedural issues multiply and the volume of evidence expands. In Victoria, we have seen this firsthand with class action proceedings arising out of the Black Saturday bushfires. The first major class action from those bushfires to proceed to trial, *Matthews v SPI Electricity Pty Ltd & Ors*, ran for 16 months with over 100 witnesses.<sup>1</sup> The second, relating to the Murrindindi fire, was expected to take over 12 months, and settlement pending court approval was announced on the day the trial was expected to begin.

Reflecting the magnitude of *Matthews v SPI Electricity Pty Ltd & Ors*, Justices Jack Forrest, John Dixon and Rita Zammit and Associate Justice Mark Derham produced 52 published rulings that run for over 1000 pages. These rulings address many of the issues that arise in modern class action civil litigation. With rulings on case management, discovery, subpoenas, the *Civil Procedure Act 2010* and the *Evidence Act 2008* and expert evidence, the jurisprudence produced during those proceedings will be invaluable for judges and practitioners in the future.

This document, *Index to the Rulings from the Kilmore East-Kinglake Bushfire Class Action*, is a collaborative effort of the Supreme Court of Victoria and the Judicial College of Victoria. It provides a means to navigate the wealth of information contained in those rulings. As the Supreme Court moves to a paperless court, this electronic index records each ruling under its relevant topics, and provides links to take users to a copy of the decisions online. I commend this index to both my fellow judges and to the legal profession and believe that with the continued growth in civil litigation, this index will assist us in preparing for novel issues of law, practice and procedure in civil litigation for years to come.

*Justice Clyde Croft*  
Supreme Court of Victoria



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