



Academy of Law's Patron's Address — 'The Common Law Litigation Process — Time for a Rethink?'

Thursday 23 October 2014
5.30 pm, Banco Court,
Supreme Court of NSW, Level 13,
Law Courts Building, Queen's Square,
Sydney



The Academy of Law (AAL) will be holding the third of its annual Patron's Addresses on Thursday 23 October 2014, to be delivered by The Hon Chief Justice Sundaresh Menon, Chief Justice, Supreme Court of Singapore

The inaugural Patron's Address was delivered in 2012 by the Patron of the AAL, The Hon Chief Justice Robert French AC. The second Patron's Address was delivered in 2013 by The Hon James Spigelman AC QC.

The title of Chief Justice Menon's address is: 'The Common Law Litigation Process – Time for a Rethink?'

In the common law world, litigation has traditionally entailed an adversarial process in which witness testimony is checked against documentary evidence and tested under cross-examination. Is this traditional approach flawed and in need of some new perspectives? First, the explosion of electronic documents in modern society has made litigation much more costly and time-consuming for everyone involved. Second, advances in the science of memory have called into question the reliability of witness testimony. Third, traditional rules of evidence might need to be tweaked to properly receive and evaluate certain kinds of expert evidence. Fourth, the common law litigation process might be unsuitable for certain types of disputes such as matrimonial disputes, where establishing what happened before might not be as important as determining how best to move forward. These are just some issues that need to be addressed in order to ensure that the common law litigation process remains a relevant and useful tool for resolving disputes in today's world.

Chief Justice Menon's address will be followed by drinks and savouries. Registration is essential for catering purposes.

RSVP by **17 October** to: <http://www.academyoflaw.org.au/events?id=32>.

This address may count as MCLE/CPD.