

Senate Standing Committee on Education and Employment

QUESTIONS ON NOTICE  
Budget Estimates 2014-2015

Agency - Fair Work Ombudsman

Department of Employment Question No. EM0239\_15

Senator Ludwig provided in writing.

Question

**FWO - Legal costs**

List all legal costs incurred by the department or agency since Additional Estimates in February, 2014 1. List the total cost for these items, broken down by source of legal advice, hours retained or taken to prepare the advice and the level of counsel used in preparing the advice, whether the advice was internal or external 2. List cost spend briefing Counsel, broken down by hours spend briefing, whether it was direct or indirect briefing, the gender ratio of Counsel, how each Counsel was engaged (departmental, ministerial) 3. How was each piece of advice procured? Detail the method of identifying legal advice

Answer

Expense type		Cost
Counsel	Male	\$153,331.66
	Female	\$172,435.32
	<b>Total</b>	<b>\$325,766.98</b>
Court Fees		\$75,098.00
Process Servers		\$4,987.23
Witness expenses		\$69.54
Miscellaneous		\$1,830.50

External Legal Providers	Cost
AGS	\$28,519.39
Clayton Utz Lawyers	\$250,357.29
Corrs Chambers Westgarth	\$27,623.10
FCB Workplace Law	\$143.83
Baker & McKenzie	\$95,204.41
Total	\$401,848.02

A further breakdown of legal costs is not available in a form that can be produced by our systems.

Legal advice from counsel is procured in accordance with the Legal Services Directions.

In accordance with these Directions, the Fair Work Ombudsman engages a wide range of counsel and ensures an appropriate gender balance when securing suitable expert counsel. The gender ratio of counsel the Fair Work Ombudsman engaged from 1 March 2014 to 31 May 2014 was 66.7 per cent female and 33.3 per cent was male.

All rates paid by the Fair Work Ombudsman are approved by the Office of Legal Services Co-Ordination (OLSC) prior to the agency engaging Counsel.

In line with WoG requirements, the Fair Work Ombudsman engages external firms via the Legal Services Multi-Use List, which is maintained by the OLSC. The FWO engage firms that are included on the List based on the expertise required of the firm.