

## Senate Standing Committee on Education and Employment

### QUESTIONS ON NOTICE Supplementary Budget Estimates 2014-2015

#### Agency - Fair Work Ombudsman

Department of Employment Question No. EM1069\_15

Senator Ludwig provided in writing.

#### Question

#### FWO - Legal Costs

"Since Budget Estimates in June, 2014: 1. List all legal costs incurred by the department or agency 2. 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 3. List cost spend briefing Counsel, broken down by hours spent briefing, whether it was direct or indirect briefing, the gender ratio of Counsel, how each Counsel was engaged (departmental, ministerial) 4. How was each piece of advice procured? Detail the method of identifying legal advice"

#### Answer

Expense Type	Cost
<b>Counsel</b>	
Direct Briefs – Male	\$192,553
Indirect Briefs – Male	\$107,500
Direct Briefs – Female	\$252,096
Indirect Briefs – Female	\$0
<b>Other</b>	
Court fees	\$47,494
Process Servers	\$5,340
Witness expenses	\$865
Miscellaneous	\$11,515
<b>External Legal Providers</b>	
AGS	\$133,962
Clayton Utz	\$485,737
Corrs Chambers Westgarth	\$1,380
Freehills	\$73,127
Baker & McKenzie	\$152,261
Hunt & Hunt	\$20,900
<b>Total</b>	<b>\$1,484,730</b>

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 2 June 2014 to 31 October 2014 was 54 per cent female and 46 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 Fair Work Ombudsman engage firms that are included on the List based on the expertise required of the firm.