

Senate Standing Committee on Education and Employment

QUESTIONS ON NOTICE  
Supplementary Budget Estimates 2014-2015

Agency - Fair Work Ombudsman

Department of Employment Question No. EM1599\_15

Senator Day asked on 23 October 2014 on proof Hansard page 44

Question

**FWO - Quest Case**

Senator DAY: Are you able to provide an itemised list of costs of this litigation so far and what your estimate might be for the cost of running the appeal? Ms James: I am sure we can provide some information about the costs. In terms of the estimation I will need to take that on notice. We usually avoid second-guessing things but, given the hearings have actually occurred, I would anticipate we would not have too many more costs other than whatever we have already accrued.

Answer

| FWO external costs in relation to the Federal Court proceedings in <i>FWO v Quest South Perth Holdings Pty Ltd &amp; Ors</i> (Proceedings No. WAD 185 of 2011) including the costs of the interlocutory hearing |                     |
|---|---------------------|
| Expense type  | Cost                |
| External legal provider   | \$233,948.84        |
| Counsel fees  | \$52,584.78         |
| Disbursements (including transcript)  | \$21,345.73         |
| Court fees  | \$4,451.77          |
| <b>TOTAL</b>  | <b>\$312,331.12</b> |

| FWO external costs In relation to the appeal before the Full Federal Court in <i>FWO v Quest South Perth Holdings Pty Ltd &amp; Ors</i> (Proceedings No. WAD 314 of 2013) (including the costs in responding to the Second and Third Respondent's Notice of Contention) |                    |
|---|--------------------|
| Expense type  | Cost               |
| External legal provider fees  | \$30,098.53        |
| Counsel fees  | \$20,263.00        |
| Disbursements (including transcript)  | \$1926.19.         |
| Court fees  | \$13,085.00        |
| <b>TOTAL</b>  | <b>\$65,372.72</b> |