

# QUEENSLAND CIVIL AND ADMINISTRATIVE TRIBUNAL

CITATION: *Tafao v State of Queensland and Ors* [2018] QCAT 425

PARTIES: **LEILANI TAFAO**  
(applicant)  
v  
**STATE OF QUEENSLAND**  
(first respondent)  
**SERCO AUSTRALIA PTY LTD**  
(second respondent)  
**MARK WALTERS**  
(third respondent)

APPLICATION NO/S: ADL075-16

MATTER TYPE: Anti-discrimination matters

DELIVERED ON: 19 December 2018

HEARING DATE: 7 and 8 February 2018

HEARD AT: Brisbane

DECISION OF: Member Fitzpatrick

ORDERS: **Each party must bear their own costs for the proceeding.**

CATCHWORDS: COSTS – Anti-discrimination proceeding  
*Queensland Civil and Administrative Tribunal Act 2009*  
(Qld), ss 100, 102

REPRESENTATION:

Applicant: Ms S Robb of Counsel instructed by Caxton Legal Centre

First Respondent: Mr J Merrell of Counsel instructed by Crown Law

Second Respondent: Mr B Heath, Solicitor of Carter Newell Lawyers

Third Respondent: Mr B Heath, Solicitor of Carter Newell Lawyers

APPEARANCES:

This matter was heard and determined on the papers pursuant to s 32 of the *Queensland Civil and Administrative Tribunal Act 2009* (Qld).

**REASONS FOR DECISION**

- [1] Pursuant to the order made on 16 November 2018 the applicant has filed submissions in relation to costs of the proceeding. The first, second and third respondents have filed no submissions.
- [2] I accept the submissions of the applicant that in this case the ordinary position in relation to costs should prevail. That is, that each party bear their own costs.<sup>1</sup>
- [3] I do not consider it in the interests of justice that an order for costs be made in favour of any party.<sup>2</sup>
- [4] I order that each party bear their own costs of the proceeding. That order is intended to cover all claims for costs raised by the parties during the course of the proceeding.

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<sup>1</sup> S100 *Queensland Civil and Administrative Tribunal Act 2009* (Qld)

<sup>2</sup> S102 *Queensland Civil and Administrative Tribunal Act 2009* (Qld)