

Senate Standing Committee on Economics

ANSWERS TO QUESTIONS ON NOTICE

Treasury Portfolio

Supplementary Budget Estimates

17 October – 18 October 2012

Question: SBT 1363-1370

Topic: Legal Costs (ASIC)

Written: Received from Committee – 26 October 2012

Senator BUSHBY asked:

1363. What sum did each portfolio department and agency spend on legal services for 2011-12? Please provide a list of each service and costs.
1364. What sum did each portfolio department and agency spend on legal services for 2011-12 from the Australian Government Solicitor? Please provide a list of each service and costs.
1365. What sum did each portfolio department and agency spend on legal services for 2011-12 from private firms? Please provide a list of each service and costs.
1366. What sum did each portfolio department and agency spend on legal services for 2011-12 from other sources? Please provide a list of each service and costs.
1367. What sum did each portfolio department and agency spend on legal services for this financial year to date (26 October 2012) within the department/agency? Please provide a list of each service and costs.
1368. What sum did each portfolio department and agency spend on legal services this financial year to date (26 October 2012) from the Australian Government Solicitor? Please provide a list of each service and costs.
1369. What sum did each portfolio department and agency spend on legal services this financial year to date (26 October 2012) from private firms? Please provide a list of each service and costs.
1370. What sum did each portfolio department and agency spend on legal services this financial year to date (26 October 2012) from other sources? Please provide a list of each service and costs.

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Answer:

The figures below include GST (where applicable) and refer to actual amounts paid. ASIC's internal legal services expenditure in item 1367 was calculated for this financial year to 26 October 2012. However, answers to items 1368, 1369 and 1370 were calculated for this financial year to 31 October 2012 due to the parameters of our financial reporting system.

1363. In the financial year 2011-12, ASIC spent the total sum of \$81,435,148.22 on legal services. This sum is comprised of ASIC's internal and external legal services expenditure:

<i>Category</i>	<i>Costs</i>
External legal services expenditure (includes costs from law firms, counsel fees and disbursements)	\$13,939,997.22
Internal legal services expenditure (includes salaries and overheads)	\$67,495,151.00

1364. In the financial year 2011-12, ASIC spent the sum of \$2,159,590.80 on legal services from the Australian Government Solicitor.

The services and relevant costs were:

<i>Services</i>	<i>Costs</i>
• Litigation	\$2,002,794.97
• General advising	\$156,795.93

1365. In the financial year 2011-12, ASIC spent the sum of \$4,125,930.16 on legal services from private firms. We take "private firms" to mean law firms.

The services and relevant costs were:

<i>Services</i>	<i>Costs</i>
Allygroup	
• Litigation	\$ 824,498.92
Ashurst (formerly Blake Dawson)	
• Litigation	\$212,932.24
• Procurement and contracts (including Property)	\$224,997.62
Clayton Utz	
• Litigation	\$494,195.15

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CommIT Law	
• Procurement and contracts	\$141,700.36
Corrs Chambers Westgarth	
• Intellectual property	\$8,856.06
• Litigation	\$1,688,156.03
Henry Davis York	
• General advising	\$25,000.00
Hunt and Hunt	
• Procurement and contracts	\$9,350.00
Johnson Winter & Slattery	
• Litigation	\$20,297.56
King & Wood Mallesons (formerly Mallesons Stephen Jacques)	
• Litigation	\$364,155.97
Minter Ellison	
• General advising	\$44,928.73
• Litigation	\$4,019.40
• Procurement	\$62,842.12
Norton Rose	
• General advising	\$46,511.65

1366. In the financial year 2011-12, ASIC spent the sum of \$7,607,964.50 on legal services from other sources.

The services and relevant costs were:

<i>Services</i>	<i>Costs</i>
Counsel fees	\$ 6,934,995.31
Disbursements (includes court filing fees, court hearing fees and cost assessor fees)	\$ 672,969.21

1367. From 1 July to 26 October 2012, ASIC spent the sum of \$20,008,577 on its internal legal services. This sum is comprised of salaries and overheads.

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1368. From 1 July to 31 October 2012, ASIC spent the sum of \$ \$1,172,374.83 on legal services from the Australian Government Solicitor.

The services and relevant costs were:

<i>Services</i>	<i>Costs</i>
Litigation	\$1,150,302.23
General advising	\$22,072.60

1369. From 1 July to 31 October 2012, ASIC spent the sum of \$2,526,902.59 on legal services from private firms. We take "private firms" to mean law firms.

The services and relevant costs were:

<i>Services</i>	<i>Costs</i>
Allygroup	
• Litigation services	\$274,230.00
Ashurst	
• Litigation	\$277.70
• Procurement and contracts (including Property)	\$33,212.67
Clayton Utz	
• Litigation	\$252,385.60
• General advising	\$16,500.00
CommIT Law	
• Procurement and contracts	\$48,450.20
Corrs Chambers Westgarth	
• Litigation	\$1,809,457.65
• Intellectual property	\$7,846.29
Johnson Winter & Slattery	
• Litigation	\$1,144.00
King & Wood Mallesons	
• Litigation	\$ 16,942.86
Minter Ellison	
• Procurement and contracts (including	\$27,505.17

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Property)	
• Intellectual property	\$7,552.60
Norton Rose	
• General advising	\$31,397.85

1370. From 1 July to 31 October 2012, ASIC spent the sum of \$ 3,516,071.50 on legal services from other sources.

The services and relevant costs were:

<i>Services</i>	<i>Costs</i>
Counsel fees	\$3,388,390.65
Disbursements (includes court filing fees, court hearing fees and cost assessor fees)	\$127,680.93