

Senate Standing Committee on Environment and Communications

Answers to Senate Estimates Questions on Notice

Additional Estimates Hearings February 2014

Communications Portfolio

Department of Communications

Question No: 328

Program No. Legal

Hansard Ref: In Writing

Topic: Legal Costs

Senator Ludwig asked:

List all legal costs incurred by the department or agency since 1 September 2013.

1. List the total cost of 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 (department, ministerial)
3. How was each piece of advice procured? Detail the method of identifying legal advice.

Answer:

1. The Department of Communications total expense for legal services from 1 September 2013 until 31 January 2014 was \$2,190,939 (GST exc) for internal legal services and \$429,871 (GST exc) for external legal services.

Law firms that were engaged for advice were the Australian Government Solicitor, Clayton Utz, DLA Piper, Henry Davis York Lawyers, Meyer Vandenberg and Minter Ellison Lawyers. We do not record the hours the firms worked, were retained or took to prepare advice.

The level of Counsel/lawyer used internally to prepare advise and carry out work includes one General Counsel, one Deputy General Counsel, one Senior Advisor, four Principal Lawyers, eight Senior Lawyers and four Junior Lawyers.

2. The total expense for briefing external counsel was \$118,570 (GST exc) for the period. We do not record the hours spend briefing. There were three Counsel engaged for their services – two Counsel were briefed indirectly and one Counsel was briefed directly. The gender ratio of Counsel is two males and one female. All Counsel were engaged, either directly or indirectly, by the department.
3. Each piece of external advice was procured through the Legal Services Multi Use List after senior internal legal staff identified the need for specialist advice or a need for expertise not available within the division or Tied Work under the *Legal Services Directions 2005*.