

Senate Community Affairs Legislation Committee

BUDGET ESTIMATES – 5-6 JUNE 2014 ANSWER TO QUESTION ON NOTICE

Department of Human Services

Topic: Legal costs

Question reference number: HS 122

Senator: Ludwig

Type of question: Written

Date set by the committee for the return of answer: 25 July 2014

Number of pages: 1

Question:

List all legal costs incurred by the department or agency since Additional Estimates in February 2014.

- a) 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.
- b) 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 (departmental, ministerial).
- c) How was each piece of advice procured? Detail the method of identifying legal advice.

Answer:

- a) The department is required under the *Legal Services Directions 2005* to report specific information about legal services expenditure to the Office of Legal Services Coordination annually. It would be an unreasonable diversion of resources to provide this information prior to the normal reporting cycle, and to provide additional information which is not required to be reported under the Legal Services Directions.
- b) See answer to question (a).
- c) Legal advice is procured from the department's internal legal division and external legal services providers. Legal advice is identified as being any advice obtained by the department about a legal matter which is provided by a legally qualified professional.