

Senate Community Affairs Committee

ANSWERS TO ESTIMATES QUESTIONS ON NOTICE

HEALTH PORTFOLIO

Budget Estimates 2014 - 2015, 2/3 June 2014

Ref No: SQ14-000697

OUTCOME: 0 - Whole of Portfolio

Topic: Legal Costs

Type of Question: Written Question on Notice

Senator: Ludwig, Joe

Question:

1. 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:

1. The Department of Health does not have the statistical records to enable answers to be provided to all parts of all questions.
 - a) The total cost of legal services incurred from 1 March 2014 to 30 June 2014 by the Department (including the Therapeutic Goods Administration Trust, the National Industrial Chemicals Notification and Assessment Scheme and the Office of the Gene Technology Regulator) is \$2,647,423 for internal legal expenditure and \$2,667,145 for external legal expenditure. These figures do not include expenditure relating to litigation arising from the Tobacco Plain Packaging Legislation.
 - b) Four female and two male Counsel were engaged during the period. All were engaged by the Department.
 - c) Internal legal advice is routinely provided by lawyers within the department's Legal Services Branch, or by General Counsel, to program areas as the need arises. External legal advice is generally sought through the Legal Services Multi User List.