Question No: 603

Program No. Australian Broadcasting Corporation

Hansard Ref: In Writing

Topic: Legal Costs

Senator Ludwig asked:

Since Budget Estimates in June, 2014:

1. List all legal costs incurred by the department or agency
2. 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
3. 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)
4. How was each piece of advice procured? Detail the method of identifying legal advice

Answer:

1. The total legal costs incurred from 1 July 2014 to 30 November 2014 were $541,247.
2. All amounts are external. The ABC's legal division does not keep records of time taken in preparing advice given by in-house lawyers. The costs cover not only advice but also court appearances in the course of litigation. Total costs related to solicitors were $283,064 and barristers $258,183. Of the counsel briefed, approximately 70% were junior counsel and approximately 30% were senior counsel.
3. For cost of counsel, please see the previous answer. Over 95% of the briefing of counsel was direct, with the balance briefed via private legal firms. The gender ratio was approximately 20% female, 80% male.
4. As mentioned in answer to question 2, the costs include both legal advice and litigation. The advice was sought directly from legal firms and, in the case of barristers, either directly or occasionally indirectly via private legal firms. Identifying costs (and therefore advice) was ascertained by reviewing the financial records of the Corporation.