

Senate Committee: Education and Employment

**QUESTION ON NOTICE
Additional Estimates 2015 - 2016**

Outcome: Agency: ASQA

Department of Education and Training Question No. SQ16-000549

Senator Ludwig, Joe provided in writing

ASQA: Legal Costs

Question

Since the change of Prime Minister on 14 September, 2015:

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 spent 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

The Australian Skills Quality Authority (ASQA) has provided the following response.

1. All legal costs incurred by the agency, from 14 September 2015 to 29 January 2016, are:
 - a. \$18,847.95 - Australian Government Solicitor (AGS) advice on 'Volume of Learning'
 - b. \$9253.75 - AGS advice on Cornerstone Investments
 - c. \$390.50 - AGS advice on Restar Civil Penalties
 - d. \$22,232.10 - AGS advice on KAPS Institute of Management
 - e. TOTAL: \$50,724.30
2. Total cost for the above items (all external), broken down by source of legal advice, hours retained and level of counsel; itemised exactly the same, is as follows:
 - a. 'Volume of Learning' AGS advice:
 - i. Kim Bennet (Senior Executive Lawyer) – 30h:00m (approx.)
 - b. Cornerstone AGS advice:
 - i. Kim Bennet (Senior Executive Lawyer) – 14h:54m
 - ii. Paul Verneesch (Senior Executive Lawyer) M – 00h:48m
 - c. Restar Civil Penalties AGS advice:
 - i. Kim Bennet (Senior Executive Lawyer) – 01h:00m
 - d. KAPS AGS advice:
 - i. David Sutherland (Senior Lawyer) – 52h:06m
 - ii. Matthew Garey (Senior Executive Lawyer) – 00h:30m
3. Nil.

4. Each piece of advice was procured by an initial letter, from one of ASQA's 'informed purchasers' of external legal advice, requesting a quotation for the requested advice before engaging the external provider. The external providers are selected from those pre-approved providers on the Attorney-General's Legal Services multi use list on the basis that the providers have experience of ASQA's legislative framework and the processes involved in representing and advising ASQA.