

**Senate Finance and Public Administration Legislation Committee
—Additional Estimates Hearing—February 2016**

Answers to Questions on Notice

Parliamentary departments, Department of Parliamentary Services

Topic: **Legal Costs**

Question: **227**

Written: **Senator Ludwig**

Date set by the committee for the return of answer: 1 April 2016

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

1. Since the change of Prime Minister on 14 September 2015 and up to 31 January 2016 DPS has incurred **\$64,431** on external legal advice and **\$179,087** on internal legal advice.

2. These costs are broken down as follows:

a. Internal advice

The approximate cost of \$179,087 includes salary and superannuation of \$116,087 for in-house Legal Services team members who provided legal advice and \$63,000 for the secondment of an AGS Lawyer as Acting Director to the DPS Legal Services team. It is an approximate cost because of the inclusion of non-legal staff costs in the relevant cost centre). Statistics for costs are not kept on a matter by matter basis for the DPS Legal Services team.

b. External advice

The cost of obtaining external legal advice for the period 14 September 2015 to 31 January 2016 is **\$64,431**, as set put in the following table.

Vendor Name	Costs (\$)	Lawyer Level	Hours/Lawyer (hh:mm)	Cost/Lawyer (\$)	Invoice Adjustment/ Disbursements
Ashurst Australia	4,304.31	Partner	3:06	1,589.00	
		Lawyer	7:18	2,715.31	
		Total	10:24	4,304.31	
Ashurst Australia	1,951.82	Partner	2:18	1,178.93	
		Lawyer	2:00	743.92	
		Total	4:18	1922.85	+28.97 (travel)
Ashurst Australia	2,272.72	Partner	2:12	1,127.69	
		Lawyer	3:54	1,450.64	
		Total	6:06	2,578.33	-305.61 (adjustment)

Vendor Name	Costs (\$)	Lawyer Level	Hours/Lawyer (hh:mm)	Cost/Lawyer (\$)	Invoice Adjustment/ Disbursements
Ashurst Australia	944.88	Partner	0:54	461.33	
		Lawyer	1:18	483.55	
		Total	2:12	944.88	
Ashurst Australia	3,181.80	NA	NA	NA	Fixed Fee
Ashurst Australia	1,544.77	Partner	1:30	768.88	
		Partner	0:36	314.4	
		Lawyer	1:12	446.35	
		Total	3:18	1,529.63	+15.14 (travel)
Australian Government Solicitor	3,901.50	Senior Executive Lawyer	2:18	1,276.50	
		Senior Lawyer	7:00	2,625.00	
		Total	9:18	3,901.50	
Australian Government Solicitor	8,493.50	Senior Executive Lawyer	10:06	5,050.00	
		Senior Lawyer	9:42	3,443.50	
		Total	19:48	8,493.50	
Australian Government Solicitor	1,833.00	Senior Executive Lawyer	3:54	1833.00	
Australian Government Solicitor	9,600.00	Senior Executive Lawyer	10:48	5,400.00	
		Senior Lawyer	11:12	4,200.00	
		Total	22:00	9,600.00	
Australian Government Solicitor	752.00	Senior Executive Lawyer	1:36	752.00	
Australian Government Solicitor	2,147.00	Senior Executive Lawyer	1:06	654.5	
		Senior Lawyer	2:42	1,012.50	
		Graduate Lawyer	2:24	480	
		Total	6:12	2,147.00	
Australian Government Solicitor	3,062.50	Senior Executive Lawyer	5:00	2,500.00	
		Senior Lawyer	1:30	562.50	
		Total	6:30	3,062.50	

Vendor Name	Costs (\$)	Lawyer Level	Hours/Lawyer (hh:mm)	Cost/Lawyer (\$)	Invoice Adjustment/ Disbursements
Australian Government Solicitor	12,737.00	Senior Executive Lawyer	27:06	12,737.00	
HWL Ebsworth Lawyers	921.84	Partner	3:00	921.84	
Maddocks	3,902.00	Partner	0:30	200.00	
		Associate	8:30	2,550.00	
		Solicitor	4:48	1,152.00	
		Total	13:48	3,902.00	
Maddocks	1,580.00	Partner	0:30	200.00	
		Associate	4:36	1,380.00	
		Total	5:06	1,580.00	
Maddocks	1,300.00	Partner	0:24	160.00	
		Associate	4:30	1140.00	
		Total	4:54	1300.00	
	Grand Total			64,430.64	

3. During the period 14 September 2015 to 31 January 2016, Counsel was not engaged by DPS and no expenditure was incurred, in this respect.
4. External legal services are procured through the Legal Services Multi-Use List (LSMUL), managed by the Attorney-General's Department, in accordance with the *Legal Services Directions 2005* and LSMUL Guidance Material issued by Attorney-General's Department. DPS Legal Services team identifies matters that require external legal advice, in consultation with the internal business area