

Senate Finance and Public Administration Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
BUDGET ESTIMATES 2014

Prime Minister and Cabinet Portfolio

Department/Agency: Australian Public Service Commission

Outcome/Program: Cross Portfolio

Topic: Legal Costs

Senator: Ludwig

Question reference number: 312

Type of question: Written

Date set by the committee for the return of answer: 11 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:

The Commission procures external legal services under the Legal Services Multi Use List (LSMUL) arrangements administered by the Attorney-General's Department.

Between 24 February 2014 and 31 May 2014, the Australian Public Service Commission incurred \$97,125.95 in costs on external legal services based on invoices received and processed in that period.

- a. The external legal services delivered to the Commission between 24 February 2014 and 31 May 2014 were provided by two legal firms: Ashurst and the Australian Government Solicitor. To attempt to provide further detail in relation to time taken to prepare the advice and the level of counsel used would involve an unreasonable diversion of Commission resources and potentially disclose information that is subject to client professional privilege.
- b. The Commission's fees payable to counsel were less than \$1,500 during the same period. These fees were incurred in respect of one matter in which one male counsel was briefed. Counsel was engaged and briefed directly by the Commission's external legal services provider in this matter.
- c. The Commission procures external legal services under the Legal Services Multi Use List (LSMUL) arrangements administered by the Attorney-General's Department.