

Senate Finance and Public Administration Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Budget Estimates 26 May-6 June 2014

Prime Minister and Cabinet Portfolio

Department/Agency: Department of the Prime Minister and Cabinet

Outcome/Program: 1.1 Prime Minister and Cabinet

Topic: Legal costs - All Agency Indigenous Bodies

Senator: Senator the Hon Joe 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: 3

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:

Responses for the Indigenous Affairs agencies within the Prime Minister and Cabinet portfolio are provided below:

Portfolio Agency	Answer
Aboriginal Hostels Limited	a. Australian Government Solicitor (AGS) - \$71,307.05. AHL does not have an in-house legal counsel and all legal advices are outsourced. AHL has used AGS based on the whole of government legal panel. All advice received from AGS were either emailed or delivered in hard copies.
Anindilyakwa Land Council	\$52,000 Legal advice is sought via direct and indirect

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	briefings for a broader range of matters. To provide this level of detail would involve an unreasonable diversion of Land Council resources at this time.							
Central Land Council	Nil							
Indigenous Business Australia (IBA)	To provide the level of detail requested would involve an unreasonable diversion of agency resources. In accordance with the Legal Services Directions, IBA is to submit a Legal Services Expenditure report to the Attorney-General's Department on 29 August 2014.							
Indigenous Land Corporation								
	Amount	Source	Internal/ External	Level of Counsel	Hrs	Counsel	Gender	Method of Procurement
\$	25,502	Clayton Utz	External	Partner/ Consultant	55	N		Direct Sourcing
\$	8,135	Australian Government	External	Senior General Counsel	9.6	N		Direct Sourcing
\$	12,706	DLA Piper Australia	External	Partner/ Senior Assoc	N/a	N		Direct Sourcing
\$	22,727	Mark C Hoffman QC	External	QC	45	Y	Male	Direct Sourcing
\$	69,070							
Northern Land Council	Information not provided in the timeframe requested							
Outback Stores Pty Ltd	Outback Stores has not paid any legal fees since 1 February 2014.							
Tiwi Land Council	\$4,799.37 Deed with Australian Maritime Safety Authority Mediation re Tiwi Alt v Munupi Wilderness Lodge.							
Torres Strait Regional Authority								
	<i>Source of Advice</i>	<i>Matter</i>						<i>Cost</i>
	Australian Government Solicitor	General Advice						11,355
	Robert Blowes - Barrister	Native Title Matters						12,445
	Bottoms English Lawyers	Native Title Matters						12,217
	Jim Brooks Law - Barrister	Native Title Matters						2,563
	Chalk & Fitzgerald	Native Title Matters						25,546
	Gilkerson Legal	Native Title Matters						218,796
	HWL Ebsworth Lawyers	General Advice						4,448
	P&E Law	Native Title Matters						27,577
	Preston Law	Native Title Matters						16,816
		Total						\$ 331,763

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Wreck Bay Aboriginal Community Council	\$2986.00 a. Costs and disbursements paid to lawyers for Council which includes preparation and filing of court documents, conferences, court attendances. b. Not applicable – Nil c. Not applicable.
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