

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS  
ATTORNEY-GENERAL'S PORTFOLIO

**Program:** General

**Question No. AE17/114**

**Senator Bilyk asked the following question at the hearing on 28 February 2017:**

1. What was the Department's total spend on external legal services (including services provided by the Australian Government Solicitor) (GST inclusive) for calendar year 2016?
2. Can an itemised list of costs of each legal matter (GST inclusive) please be provided?
3. Can a list of relevant Contract Notices published on Austender please be provided?

**The answer to the honourable senator's question is as follows:**

1. Under the *Legal Services Directions 2005*, non-corporate Commonwealth entities are required to publish the details of their legal services expenditure for the previous financial year, including external legal services, by 30 October each year. As such, expenditure by calendar year is not a dataset that is collected by the Attorney-General's Department.

The Department's total legal spend on external legal services for the financial year ending 2016 is available on the department's website.

2. The Department does not hold itemised lists of costs for each legal matter.
3. Contract notices for legal services published on Austender do not accurately reflect legal services expenditure for the following reasons:
  - Reported amounts are usually an estimate of the legal services expenditure at the outset of a matter, and so can be greater or smaller than the actual expenditure on a matter.
  - Expenditure under \$10,000 is not required to be reported.
  - The Department does not publish on Austender amounts paid to Australian Government Solicitor (AGS) since the reintegration of AGS into the department, further diminishing the relevance of Austender contract notices to external legal services expenditure.