

Senate Finance and Public Administration Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
ADDITIONAL BUDGET ESTIMATES 2013-2014

Finance Portfolio

Question reference number: F140

Senator: Ludwig

Topic: Legal costs

Type of question: Written

Date set by the committee for the return of answer: Friday, 11 April 2014

Number of pages: 2

Question:

1. List all legal costs incurred by the department or agency since 7 September 2013.
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 spend 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:

Department / Agency	Response
Finance	<p>1.-3. The Department of Finance (Finance) reports annually on its legal service expenditure, as required under the <i>Legal Services Directions 2005</i>. Finance's legal expenditure for the previous financial year is available at http://www.finance.gov.au/publications/index.html.</p> <p>It would involve an unreasonable diversion of resources to compile data on Finance's legal expenditure and costs spent briefing Counsel for the period 7 September 2013 to 31 January 2014 ahead of the mandated annual reporting to the Office of Legal Services Coordination.</p> <p>4. This request would involve an unreasonable diversion of resources to compile data. In general, under the <i>Legal Services Directions 2005</i> Finance is required to obtain its legal services from legal service providers on the Legal Services Multi-Use List established by the Attorney-General's Department. Finance procures legal services consistent with this requirement.</p>
AEC	<p>1 - 4. The Australian Electoral Commission (AEC) reports annually on its legal services expenditure as required under the <i>Legal Services Directions 2005</i>. The AEC's legal expenditure will be published on its website after the financial statements are completed for the 2013-14 financial year. It would involve an unreasonable diversion of resources to compile data on the AEC's current financial year spend ahead of the mandated annual reporting publication.</p>

ComSuper	<p>1.-3. ComSuper reports annually on its legal service expenditure, as required under the <i>Legal Services Directions 2005</i>. Finance's legal expenditure for the previous financial year is available at http://www.comsuper.gov.au/reports/legal_services.shtml.</p> <p>It would involve an unreasonable diversion of resources to compile data on ComSuper's legal expenditure and costs spent briefing Counsel for the period 7 September 2013 to 31 January 2014 ahead of the mandated annual reporting to the Office of Legal Services Coordination.</p> <p>4. This request would involve an unreasonable diversion of resources to compile data. In general, under the <i>Legal Services Directions 2005</i> ComSuper is required to obtain its legal services from legal service providers on the Legal Services Multi-Use List established by the Attorney-General's Department. ComSuper procures legal services consistent with this requirement.</p>
Commonwealth Superannuation Corporation	<p>2.-4. The Australian Electoral Commission (AEC) reports annually on its legal services expenditure as required under the <i>Legal Services Directions 2005</i>. The AEC's legal expenditure will be published on its website after the financial statements are completed for the 2013-14 financial year. It would involve an unreasonable diversion of resources to compile data on the AEC's current financial year spend ahead of the mandated annual reporting publication.</p>
Future Fund Management Agency	<p>1.-4. Reports on legal services expenditure are provided on an annual basis as at 30 June of each year. Compiling this information separately would be an unreasonable diversion of resources.</p>