

Senate Finance and Public Administration Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Additional Estimates 24-28 February 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

Senator: Senator the Hon Joe Ludwig

Question reference number: 221

Type of Question: Written

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

Number of pages: 2

Question:

List all legal costs incurred by the department or agency since 7 September 2013

1. 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
2. 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)
3. How was each piece of advice procured? Detail the method of identifying legal advice

Answer:

1 & 2. Commonwealth legal work is governed by the *Legal Service Directions 2005* issued by the Attorney-General. Under these directions, the Department of the Prime Minister and Cabinet (PM&C) is required to report on legal services expenditure to the Office of Legal Services Coordination for each financial year.

PM&C provides information on its website about its total internal and external legal services expenditure, including the total expenditure on counsel. This information is consolidated by the Attorney-General's Department into a published report on legal services expenditure which identifies trends in expenditure across the Commonwealth. To provide the level of detail requested would be an unreasonable diversion of departmental resources.

3. PM&C procures legal services using the Legal Services Multi-Use List, which is administered by the Attorney-General's Department. The list includes legal service providers who have been pre-qualified to provide legal services to the Commonwealth in nominated categories of legal work.