

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

Prime Minister and Cabinet Portfolio

Department/Agency: Office of the Commonwealth Ombudsman

Outcome/Program:

Outcome 1. Fair and accountable administrative action by Australian Government agencies by investigating complaints, reviewing administrative action and inspecting statutory compliance by law enforcement agencies.

Topic: Legal Costs

Senator: Senator 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:

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

- a. The total external legal costs incurred by the Office for the period 1 September 2013 to 28 February 2014 was \$7,435.70. These costs are broken down as follows:

Vendor		Description	Hours	Level	Amount
Australian Government Solicitor	External	Professional Fees - Update	2.7	Graduate Lawyer	\$4,552.70
		policies and procedures under	6.7	Senior Lawyer	
		Public Service Act amendments	6.2	Snr Exec Lawyer	
	External	FOI Advice	7.2	Senior Lawyer	\$2,883.00
			0.8	Snr Exec Lawyer	
TOTAL					\$7,435.70

The Office employs two (2) (1.0 FTE) part-time on-going Legal Officers at the EL1 level, whose duties include the preparation of legal advice. The Office does not

record internal legal advice data in a way that would readily allow it to answer this question without an unreasonable diversion of resources. Notwithstanding, under paragraph 11.1(ba) of the *Legal Services Directions 2005*, the Office is obliged to make publicly available its legal services expenditure for the previous financial year: the legal services expenditure for the Office may be referred to the Commonwealth Ombudsman's website – www.ombudsman.gov.au.

- b. Nil.
- c. The Office procured legal advice in accordance with the *Legal Services Directions 2005* and the Legal Services Multi-use List as administered by the Office of Legal Services Co-ordination.