

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

**Portfolio**

**Question No. 81**

**Senator Humphries asked the following question at the hearing on 14 February 2012:**

Legal Costs

1. What sum did each portfolio department and agency spend on legal services for this financial year to date within the department/agency? Please provide a list of each service and costs.
2. What sum did each portfolio department and agency spend on legal services this financial year to date from the Australian Government Solicitor? Please provide a list of each service and costs.
3. What sum did each portfolio department and agency spend on legal services this financial year to date from private firms? Please provide a list of each service and costs.
4. What sum did each portfolio department and agency spend on legal services this financial year to date from other sources? Please provide a list of each service and costs.

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

See tables below:

**Attorney Generals Department**

1.	In December 2011 the department established a Corporate Counsel role with the responsibility for providing legal advice necessary for the operation of the department. The total Legal cost of this role to February YTD was \$103,610. Details of individual matters are not maintained centrally and the cost to provide this information would require an unreasonable diversion of resources.
2.	Total Legal costs for the Attorney General's Department from Australian Government Solicitor (AGS) from 01 July 2011 to 02 March 2012 amounted to \$5,282,088 for legal advice and litigation services. Details of individual matters are not maintained centrally and the cost to provide this information would require an unreasonable diversion of resources.
3.	Total Legal costs for the Attorney General's Department from Private Firms (Blake Dawson) from 01 July 2011 to 02 March 2012 amount to \$408,765 for legal advice and litigation services. Details of individual matters are not maintained centrally and the cost to provide this information would require an unreasonable diversion of resources.
4.	Total Legal costs for the Attorney General's Department from Other Sources from 01 July 2011 to 02 March 2012 amount to \$163,813. Details of individual matters are not maintained centrally and the cost to provide this information would require an unreasonable diversion of resources.

### **Australian Law Reform Commission**

1.	NIL
2.	\$5457.10 from AGS for advice on movement of ALRC to an FMA agency under the Public Service Act.
3.	NIL
4.	NIL

### **Insolvency and Trustee Service Australia**

1.	\$439,529 (internal legal spend). Individual services are not costed. Methodology follows ANAO Better Practice Guide (2006) for costing in-house legal services.
2.	\$405,189 (AGS spend). 1 July 2011 to 31 January 2012.
3.	\$476,593 (Private firms spend). 1 July 2011 to 31 January 2012. Costs for each service cannot be disclosed
4.	\$43,613 (other sources spend). 1 July 2011 to 31 January 2012. Costs for each service cannot be disclosed

### **Australian Government Solicitor (AGS)**

1.	The question appears to be primarily directed at agencies that receive legal advice from in-house and/or outsourced arrangements, rather than AGS which provides legal services to government and its agencies. However, AGS is able to advise that it did not acquire any legal services from external providers for financial year 2011-12 to 29 February 2012. AGS relied on our lawyers for legal services in several operational areas but does not keep a record of the actual costs of these services.
2.	Not applicable.
3.	Not applicable.
4.	Not applicable.

### **Family Court of Australia**

1.	The total sum spent within the Family Court on legal services this financial year to date is \$113,216
2.	Nil

3.	Professional Fees \$7,472.88
4.	Nil

### Federal Court of Australia

1.	Legal Service	11,623.60
2.	Legal Service -AGS	2,477.60
3.	Legal Service – Other Legal	9,146.00
4.	Nil	

### Australian Human Rights Commission

1.	N/A
2.	Professional fees relating to legal advice - \$470.80 Professional fees relating to the complaints management system - \$2,128.50 <b>Total paid to Aust Government Solicitor for legal services - \$2,599.30</b>
3.	Professional fees relating to legal advice - \$16,722 Professional fees relating to legal representation at court - \$26,974.01 Professional fees relating to legal correspondence - \$399 <b>Total paid to private firms for legal services \$44,095.01</b>
4.	N/A

### Federal Magistrates Court

1.	Nil
2.	Australian Government Solicitor expenditure totals \$8,179.16 Disbursements \$16.50 Professional Fees \$8,162.66
3.	Professional Fees \$7,725.65
4.	Nil

### Australian Transaction Reports and Analysis Centre (AUSTRAC)

1.	\$591,996. Expenses comprise salaries and on costs for internal legal team.
2.	\$70,692. Expenses comprise various advices on both internal and external matters.
3.	\$10,591. Expenses comprise various advices on both internal and external matters.
4.	Nil.

### Office of the Australian Information Commissioner

1.	N/A
2.	Professional fees relating to legal advice - \$4,648 (including GST) Professional fees relating to legal representation at court - \$8,408 (including GST) Professional fees relating to legal correspondence - \$14,016 (including GST) <b>Total paid to Australian Government Solicitor for legal fees - \$27,072 (including GST)</b>
3.	N/A
4.	N/A

### Administrative Appeals Tribunal

1.	<b>\$1,004.62</b> Costs associated with filing submitting appearances in judicial review applications in which the Tribunal is named as a party.
2.	<b>\$5,441.80</b> Legal representation in High Court proceeding - \$292.40 Legal advice - \$5,149.40
3.	Nil
4.	Nil

### CrimTrac

1.	Total in-house spend on legal services financial year to date: \$438,783.84 (GST exclusive)
2.	Year to date AGS - \$17 923 (GST exclusive)
3.	Year to date Blake Dawson - \$13 087.50 (GST exclusive)

4.	Thomson Reuters - \$5 019.84 (GST exclusive) CCH Australia Limited (Australian Information Privacy Update) - \$300.00 (GST exclusive)
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### Australian Commission for Law Enforcement Integrity (ACLEI)

1.	Not available. Under the Legal Services Directions 2005, agencies regulated by the Financial Management and Accountability Act 1997 are required to make the records of their legal services expenditure for the financial year public by 30 October each year . It is the normal practice for ACLEI to collate these figures and determine their legal services expenditure closer to the October deadline. To identify the information sought at this early stage would require an unreasonable diversion of resources at this time.
2.	\$9,196.91 (GST inclusive) – individual services and costs cannot be disclosed.
3.	ACLEI has not engaged private legal firms this financial year to date.
4.	ACLEI has not engaged/obtained legal services from other sources this financial year to date.

### National Native Title Tribunal

1.	For this financial year to date: \$53,602.71. The main services provided were in respect of employment, other corporate and operations - related advice.
2.	For this financial year to date, to the Australian Government Solicitor: \$10,322.50
3.	For this financial year to date, to private firms: \$43,280.21
4.	For this financial year to date, no payments to other sources (such as Counsel/Barrister),

### Australian Crime Commission

1.	The cost spent on legal services FYTD to end of February 2012 is listed below. The detailed costs for each service or case cannot be disclosed for operational reasons:  <table style="margin-left: 40px;"> <tr> <td>Internal salaries and on-costs</td> <td style="text-align: right;">2,285,380</td> </tr> <tr> <td>Internal library costs</td> <td style="text-align: right;">127,804</td> </tr> <tr> <td><b>Total</b></td> <td style="text-align: right;"><b>2,413,184</b></td> </tr> </table>	Internal salaries and on-costs	2,285,380	Internal library costs	127,804	<b>Total</b>	<b>2,413,184</b>		
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Internal library costs	127,804								
<b>Total</b>	<b>2,413,184</b>								
2.	The amount spent on legal services FYTD from the Australian Government Solicitor was \$441,668								
3.	The amount spent on legal services FYTD from private firms is listed below.  <table style="margin-left: 40px;"> <tr> <td>Blake, Dawson, Waldron</td> <td style="text-align: right;">19,225</td> </tr> <tr> <td>Meldrum &amp; Hyland</td> <td style="text-align: right;">5,420</td> </tr> <tr> <td>Lennon's</td> <td style="text-align: right;">10,103</td> </tr> <tr> <td>Green's</td> <td style="text-align: right;">3,988</td> </tr> </table>	Blake, Dawson, Waldron	19,225	Meldrum & Hyland	5,420	Lennon's	10,103	Green's	3,988
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	<b>Total</b>	<b>38,736</b>
4.	The amount spent on legal services FYTD from other sources is listed below.	
	Other Counsel	2,549
	Counsel (QC)	183,211
	<b>Total</b>	<b>185,760</b>

### **Australian Institute of Criminology**

1.	Nil
2.	\$14,881 – legal advice pertaining to contractual matters
3.	N/A
4.	N/A

### **Australian Security Intelligence Organisation (ASIO)**

1.	ASIO is not required to report or publish annual legal expenditure
2.	N/A
3.	N/A
4.	N/A

### **Australian Customs and Border Protection Service**

1.	<b>Total \$1,296,614.00</b>
2.	<b>Total \$2,901,942.83</b> Broken down into: \$1,946,400.30 on Professional Fees; \$707,722.04 on Disbursements; \$241,387.31 on Male Counsel; and \$6,433.18 on Female Counsel
3.	<b>Total \$446,363.25</b> Clayton Utz - \$70,881.87 DLA Piper - \$25,469.37 Minter Ellison - \$48,555.60 Norton Rose - \$133,093.70 Sparke Helmore - \$3,426.00 Fellows Medlock & Associates P/L - \$500.00 Essai P/L - \$2,964.00 Thomson Lawyers - \$31,818.18 Proximity Advisory Services - \$129,654.53
4.	<b>Total \$106,418.86</b> Attorney Generals Department - \$84,725.01

	Merrill Corp Aus P/L - \$91.00 Wise McGrath P/L - \$6,485.30 Neil Williams SC Barrister - \$5,541.84 Court fees - \$9,575.71
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**The Office of the Director of Public Prosecutions (CDPP)**

1.	For this financial year to date the CDPP spend on legal services (excluding the handling of criminal prosecutions and related proceedings) is \$327,629 (inc GST).
2.	Each service was provided by Australian Government Solicitor
3.	Nil
4.	Nil

**High Court of Australia**

1.	Nil
2.	34,499 excluding GST for HR, procurement and litigation advice.
3.	Nil
4.	Nil

**Office of Parliamentary Counsel**

1.	Nil legal costs FYTD
2.	Nil
3.	Nil
4.	Nil

### Australian Federal Police

1.	Total Cost \$4,042,406
2.	Australian Government Solicitor - \$1,618,149.55
3.	<b>Total cost \$761,508.33</b> Clayton Utz - \$118,706.52 DLA Piper - \$215,636.96 HWL Ebsworth - \$245,573.69 Blake Dawson - \$168,269.08 Sparke Helmore - \$13,322.08
4.	Airfare for Counsel to attend meeting with AFP investigations in Sydney - \$259.40