

# SCHEDULE

## DEPARTMENTAL BRIEFS BUDGET SUPPLEMENTARY ESTIMATES 2012

### ***Finance and Human Resources***

1.	Department's budget for 2012-2013
2.	Cost saving measures and FTE cap
3.	Overview of the Department of the Senate - workforce profile
4.	Committees: overview and costs (letter + tables)
5.	Cost of running the Senate (e.g. for an extra day's sitting)
6.	Consultancies

### ***Facilities***

7.	Procurement rules (inc country of origin)
8.	Office paper procurement
9.	Filming & Photography Guidelines
10.	Air conditioning
11.	President's suite
12.	Senators' accommodation – work undertaken
13.	Newspapers, clippings and printed materials for Senators

### ***Public Programs***

14.	Parliamentary Education Office - school bookings for the role play
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### ***Governance***

15.	Senators' entitlements (summary)
16.	Printing entitlements & senators' stationery use

### ***Back-pocket***

1.	Claims of bullying
2.	New technology e.g. iPads etc
3.	Supply of Christmas cards for President and Deputy President
4.	Celebrations to mark the 25th anniversary of Parliament House in 2013
5.	Carriage of materials (including flags, helium balloons, koalas and weapons etc) into Parliament House
6.	Implications for joint decision-making of the Speaker "standing aside" [ <i>not written</i> ]
7.	Register of Senators' Interests re newspaper website
8.	Plastic floor chair mats
9.	Workstation assessments for senators in Parliament House

### ***President's Briefs***

1.	Department's budget for 2012-2013
2.	Cost saving measures and FTE cap
3.	President's suite
4.	Senators' accommodation – work undertaken
5.	Legal Costs (Privilege Matter)

Department of the Senate

# Supplementary Budget Estimates

15 October 2012

Released under the Freedom of Information Act 1982 by the Department of the Senate

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**FINANCE & HUMAN RESOURCES****1. DEPARTMENT'S BUDGET FOR 2012-13****Issue 1: What is the department's budget for 2012-13?****TALKING POINTS****DEPARTMENTAL APPROPRIATION**

	<b>\$'000</b>
<b>2012-13 Departmental appropriation</b>	<b>21,141</b>
2011-12 Departmental appropriation	21,569
	-428
<b>Movements:</b>	
Budget Measure:	
Parliamentary Joint Committee on Human Rights	424
Less: Joint Select Committee on Gambling Reform (In 2011-12 received \$0.330m for 2010-11)	-330
Efficiency Dividend	
One-off – Parliamentary Appropriation at 2.5%	-515
– Departmental Capital Appropriation at 20%	-164
Effect of forward year and minor adjustments: parameter adjustments and 1.5% efficiency dividend	157
	-428

1. The department submitted three new policy proposals for the 2012-13 budget year, but only one of these was approved in part: the Parliamentary Joint Committee on Human Rights.
2. The funding for the Parliamentary Joint Committee on Human Rights is \$1.719 million over four financial years.
3. The full effect of the various efficiency dividends to the 2012-13 budget year is \$1.045million.
4. Over the eight financial years from 2008-09 to 2015-16 (the third forward year in the current budget round), the department will lose \$7.0 million as a consequence of the efficiency dividend.

Prepared 09/10/2012  
Joe d'Angelo  
Chief Financial Information Officer

**SPECIAL APPROPRIATION**

<b>2012-13 Budget \$'000</b>	<b>2011-12 Budget \$'000</b>
21,826	18,132

Summary of changes:

1. Increased appropriation to fund the increase in remuneration and allowances as provided for the Remuneration Tribunal decision dated 12 March 2012. Budget Appropriation increased for the last three and half months of 2011-12.
2. From mid 2011-12 the department agreed to process the Ministers of State Allowances. This was formerly processed by the Department of Finance and Deregulation. The appropriation for this is funded under s66 of the *Commonwealth of Australia Constitution Act 1901*.
3. Due to an administrative error between March and August 2012, payments to Shadow Ministers were incorrectly drawn from the appropriation for Ministers (Constitution s.66) rather than from an appropriation authorised by Determination 2012/03 which is managed by the Australian Public Service Commission. The total amount of the funds incorrectly drawn down was \$192,219. No Senators were over-paid as a result of this.

## 2. COST SAVING AND FULL-TIME EQUIVALENT CAP

**Issue:** Cost savings and impact on senators

### TALKING POINTS

1. More than 80% of the Department's budget is used to pay staff salaries. This proportion has been rising for some time.
2. Furthermore, the application for the 2012-13 year of the increased efficiency dividend of 4% for the departmental appropriation (and 20% on capital) will result in a loss of \$873,000 (and an additional \$172,000 of capital). This is a significant impact on a total budget of approximately \$20 million.
3. The department currently has a full-time equivalent staffing complement of approximately 160. In future financial years, and based on the information currently at hand, the department can afford the following full-time equivalents:
  - 2012-2013 – 153;
  - 2013-2014 – 150; and
  - 2014-2015 – 148.
4. To achieve these numbers, the department must reduce its full-time equivalent staffing numbers over the coming years. This will be done by each office working within a defined FTE target and budget.
5. Several positions have been abolished. Some of these positions are currently vacant and remaining duties will either be done by other employees or not done. Few redundancies will occur as reductions in staffing numbers will occur through natural attrition, redeployment and reclassifications.
6. Consultation continues to occur with employees in accordance with the department's enterprise agreement.
7. The department continues to look for more efficient ways of delivering services to the Senate and its committees, particularly in the light of changes to technology.
8. A reduction in staff numbers will impact on services delivered to the Senate and its committees and changes will be made known to as required. There has been regular consultation with the Appropriations and Staffing Committee.

Prepared 9/10/2012  
Brien Hallett  
Usher of the Black Rod

9. In addition to the changes to staffing numbers, the department has agreed to the following measures:
  - The provision of newspapers to employees ceased from 1 July 2012;
  - The provision of printed press clippings for employees ceased from 1 July 2012;
  - The lease on the departmental vehicle was not be renewed and the vehicle returned in April 2012;
  - The number of fridges and printers in departmental suites will be reduced;
  - The furniture replacement project has been put on hold; and
  - Recruitment advertising in newspapers has been stopped with no impact in the quality of candidates applying for departmental positions.
10. The Clerk and the Usher of the Black Rod have briefed the Appropriations and Staffing Committee on the implications of these cost savings measures. Discussions have also been held when required with various senators.
11. The main concern raised has been in relation to newspaper delivery times which has been resolved in consultation with the relevant whip.
12. In relation to the earlier closing of dedicated inquiry services (which are now handled by the duty senior officers), BRO has received no complaints and only a couple of after-hours committee room booking requests being taken.
13. In relation to the Table Office( based on anecdotal evidence) the majority of 'after hours' inquiries have been from members of the press and all inquiries have been responded to within the timeframes established with the request.

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## BACKGROUND

- Changes are required due to:
  - The 4% efficiency dividend on the department's budget from 1 July 2012;
  - Continued increase in staffing costs including salary increases in accordance with enterprise agreements;
  - Limited additional identified productivity and cost savings measures; and
  - Current staffing levels cannot be afforded within future budget projections.
- Under the current Enterprise Agreement the Department has agreed to 3% pay rise each year for a three year agreement. This is the maximum that can be afforded, and minimum required to attract and retain suitable staff; and
- The department's staffing costs are expected to be about \$17m (out of a total budget of \$20 m) for 2012-13.

### 3. OVERVIEW OF THE DEPARTMENT OF THE SENATE – WORKFORCE PROFILE

**Issue: Profile of the Department**

#### TALKING POINTS

1. The number of Full-Time Equivalent (FTE) employees engaged by the department during the period July to 12 September 2012 was **146.4** (this compares to the figure of **161** over the period June 2011 to May 2012).
2. The number of employees supporting Senate and joint committees has **reduced** from **59** (the 2011-2012 FTE) to **54** (2012-2013 FTE as at 12 September 2012).
3. The department implemented in May 2012 staffing measures that including a reduction in Full-Time Equivalent employees due to budgetary constraints.
4. The department's staffing by classification, type and nature is at **Attachment A**.

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#### BACKGROUND

- The department had a FTE staffing level of 146.4 as at 12 September 2012. This compares to the FTE cap imposed by the department for 2012-2013 of 152.9 and the average staffing level in 2011-2012 of 158. The department currently employs 171 operative employees. (**Note:** the figure excludes four inoperative employees who are either on temporary transfer to other departments or agencies, or who are on long-term paid and/or unpaid leave).
- The FTE staffing level caps for future years are:
  - 2013-2014 – 150; and
  - 2014-2015 – 148.
- As at 12 September 2012, ongoing employees made up 82% of the total number of employees. Part-time employees, which includes casual employees, make up 21% of all employees.
- As at 12 September 2012, the median age of ongoing employees is 41 years. This is slightly lower than the comparable 2010-2011 figure for the Australian Public Service (i.e. 42 years). Seventeen per cent of ongoing employees have reached age which may be considered to be the minimum retirement age (i.e. age 55). Eight per cent of ongoing employees are aged 60 and over, which is higher than the comparable figure in the Australian Public Service (i.e. 5.2%).
- As at 12 September 2012, 12% of employees have 20+ years' service, 25% of employees had 10+ years' service with the department. Twenty-

Prepared 21/09//2012 - Anthony Szell, Director, Human Resource Management



nine per cent of employees have less than two years' service with the department. The average length of service for current employees is seven years.

- In August 2012, a new enterprise agreement commenced for non-SES employees. A collective determination made under the Parliamentary Service Act was also finalised for SES officers. Both provide similar terms and conditions including 3% pay increases in May 2013, May 2014 and May 2015. Further other enhancements were made to the terms and conditions of employment due to affordability issues.

## Attachment A

### Departmental staffing as at 12 September 2012

The department currently employs 171 operative employees.

**Note:** the figure does not include 5 inoperative employees who are either on temporary transfer to other departments or agencies, or who are on long-term paid and/or unpaid leave pending retirement.

**Table 1 - Employee numbers, by classification and gender**

Classification	Male	Female	Total
Clerk of the Senate	0	1	1
SES Band 2	1		1
SES Band 1	2	2	4
PEL 2	12	11	23
PEL 1	10	12	22
APS 6	16	24	40
APS 5	4	1	5
APS 4	9	19	28
APS 3	11	22	33
APS 1/2	7	7	14
<b>Total</b>	<b>72</b>	<b>99</b>	<b>171</b>

Prepared 21/09//2012  
 Anthony Szell  
 Director, Human Resource Management

**Table 2 - Employee numbers, by classification and employment category**

Classification	Ongoing	Non-ongoing	Total
Clerk of the Senate	1	0	1
SES Band 2	1	0	1
SES Band 1	4	0	4
PEL 2	23	0	23
PEL 1	20	2	22
APS 6	30	10	40
APS 5	5	0	5
APS 4	27	1	28
APS 3	22	11	33
APS 1/2	7	7	14
<b>Total</b>	<b>140</b>	<b>31</b>	<b>171</b>

**Table 3 - Employee numbers, by classification and participation**

Classification	Full-time	Part-time	Total
Clerk of the Senate	1	0	1
SES Band 2	1	0	1
SES Band 1	4	0	4
PEL 2	21	2	23
PEL 1	17	5	22
APS 6	29	11	40
APS 5	5	0	5
APS 4	23	5	28
APS 3	25	8	33
APS 1/2	8	6	14
<b>Total</b>	<b>134</b>	<b>37</b>	<b>171</b>

**Table 4 - Employees and FTE – by Office**

Program	Number of employees	FTE (year to date)
Clerk's Office	8	8.1
Table Office	17	15.9
Procedure Office	41	33.0
Committee Office	58	53.8
Black Rod's Office	47	35.6
<b>Total</b>	<b>171</b>	<b>146.4</b>

#### **4. COMMITTEES: OVERVIEW & COSTS**

Letter to Secretary Finance & Public Administration Legislation Committee – on the next page.

Prepared 10/10/2012  
Chris Reid  
Clerk Assistant, Committees



AUSTRALIAN SENATE

CLERK OF THE SENATE

PARLIAMENT HOUSE  
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10 October 2012

Ms Christine McDonald  
Secretary  
Finance and Public Administration Legislation Committee  
Parliament House  
Canberra ACT 2600

Dear Ms McDonald

**ESTIMATES HEARING 15 OCTOBER 2012 – DEPARTMENT OF THE SENATE**

In accordance with the usual practice, I attach the latest information, statistics and graphs of recent committee activity and associated costs.

Yours sincerely

(Rosemary Laing)

# SENATE COMMITTEE ACTIVITIES

## REPORT TO THE FINANCE AND PUBLIC ADMINISTRATION LEGISLATION COMMITTEE – ESTIMATES OCTOBER 2012

### RECENT TRENDS

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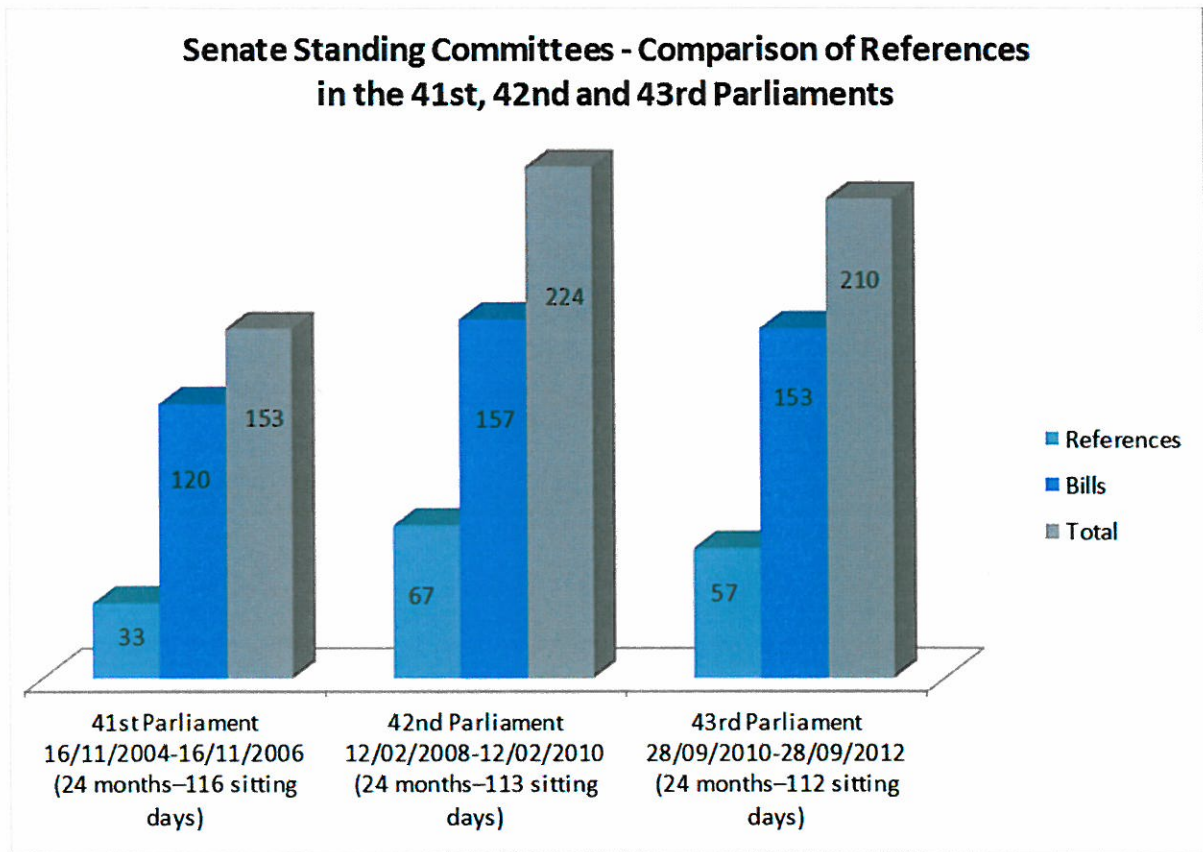
The following data shows trends and comparisons in the activities of Senate committees:

- The 42<sup>nd</sup> parliament experienced an increase in the total number of matters referred to standing committees, increasing from 234 in the 41<sup>st</sup> to 309 in the 42<sup>nd</sup>. So far in the 43<sup>rd</sup> Parliament (at 28 September 2012) there have been 210 matters referred. This compares to 224 matters referred after a similar period in the 42<sup>nd</sup> parliament and 153 in the 41<sup>st</sup> parliament. (see **graph 1**).
- The 42<sup>nd</sup> parliament also experienced an increase in the total number of committee reports tabled, rising from 396 in the 41<sup>st</sup> to 493 in the 42<sup>nd</sup>. Committee reports tabled thus far in the 43<sup>rd</sup> Parliament (at 28 September 2012) total 323. This compares to 322 reports tabled after a similar period in the 42<sup>nd</sup> parliament and 239 in the 41<sup>st</sup> parliament. (see **graph 3**).
- The number of public hearings (excluding estimates hearings) increased in 2011-12 to 144 from 118 in 2010-11. 227 public hearings were held in 2009-10. (see **graph 4**).
- The busiest committees at any one time during the 42<sup>nd</sup> parliament were Economics (maximum of 14 references at one time) and Community Affairs (maximum of 14 references at one time). In the 43<sup>rd</sup> parliament, the Legal and Constitutional Affairs Committees have twice dealt with a maximum of 12 references at one time (in November 2010 and May 2011).
- Thus far in calendar year 2012, the Legal and Constitutional Affairs committees have tabled 25 reports, the Rural and Regional Affairs and Transport committees have tabled 17 reports, and the Education, Employment and Workplace Relations and Community Affairs committees 15 each.
- Currently, two select committees administered by the Senate are in operation (one Senate select committee and one joint select committee).

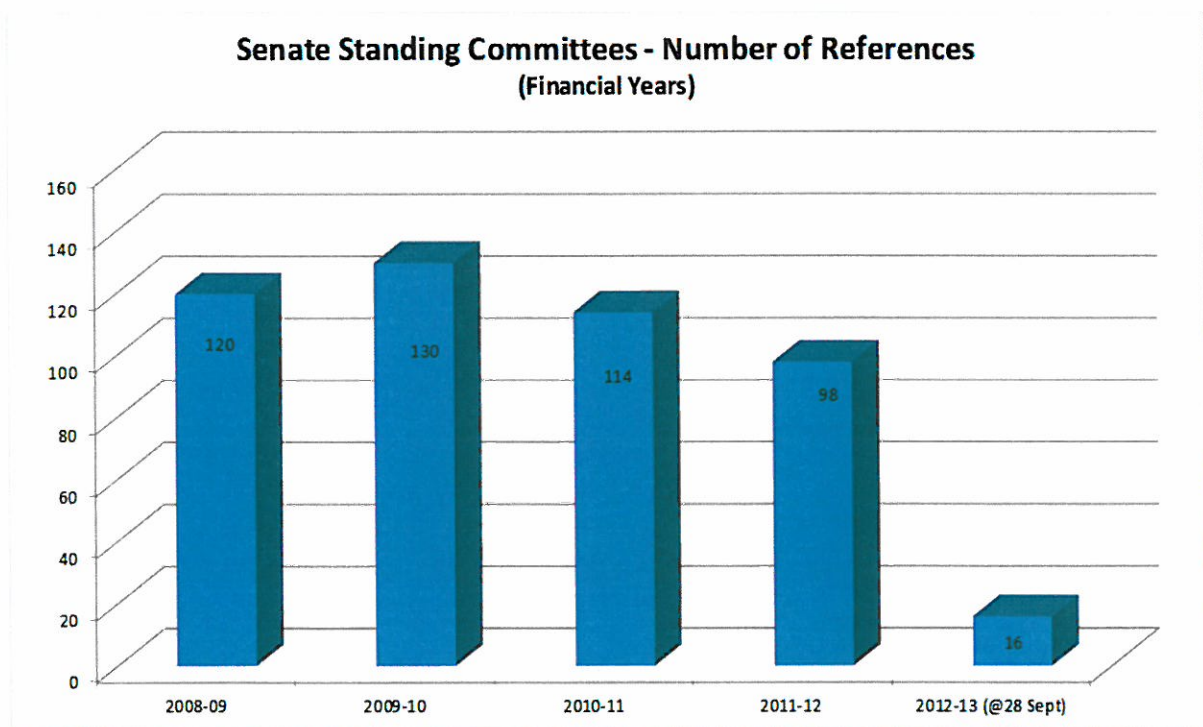
*Staffing:* the committee office FTE staffing level as at 26 September 2012 was 53.9. It was 59 in 2011-12. Minimal recruitment has taken place in 2012 in light of adjustments being made to resourcing the Committee Office, a response, in part, to the Efficiency Dividend imposed on the department.

*Cost of running Senate committees (budget 2011-12):* the operational cost for the past financial year was approximately \$7.1 million, consistent with the budget allocated to this office for that year. The attached financial summaries include the approximate break-down of costs incurred by the Committee Office for the four years 2008-09 to 2011-12.

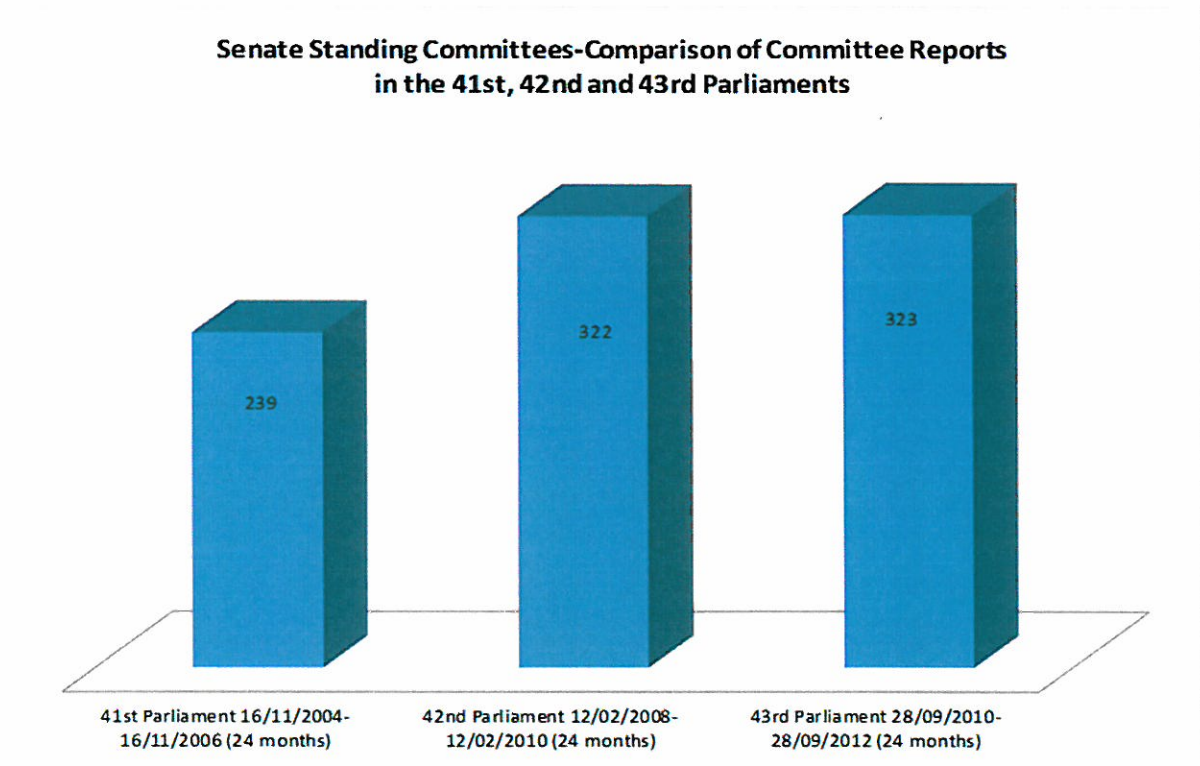
**GRAPH 1**



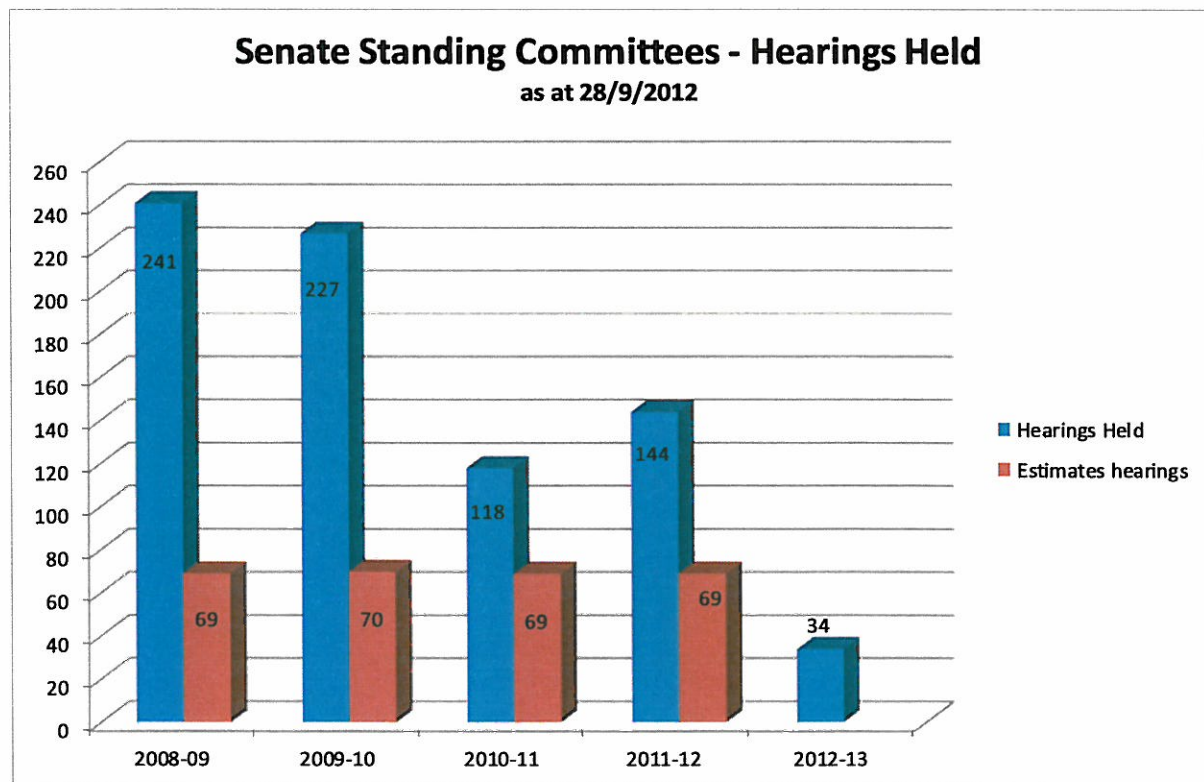
**GRAPH 2**



**GRAPH 3**



**GRAPH 4**





**SUMMARY COMPARISON OF APPROXIMATE COMMITTEE COSTS BY  
STANDING, SELECT AND JOINT COMMITTEES – 2008-09 TO 2011-12**

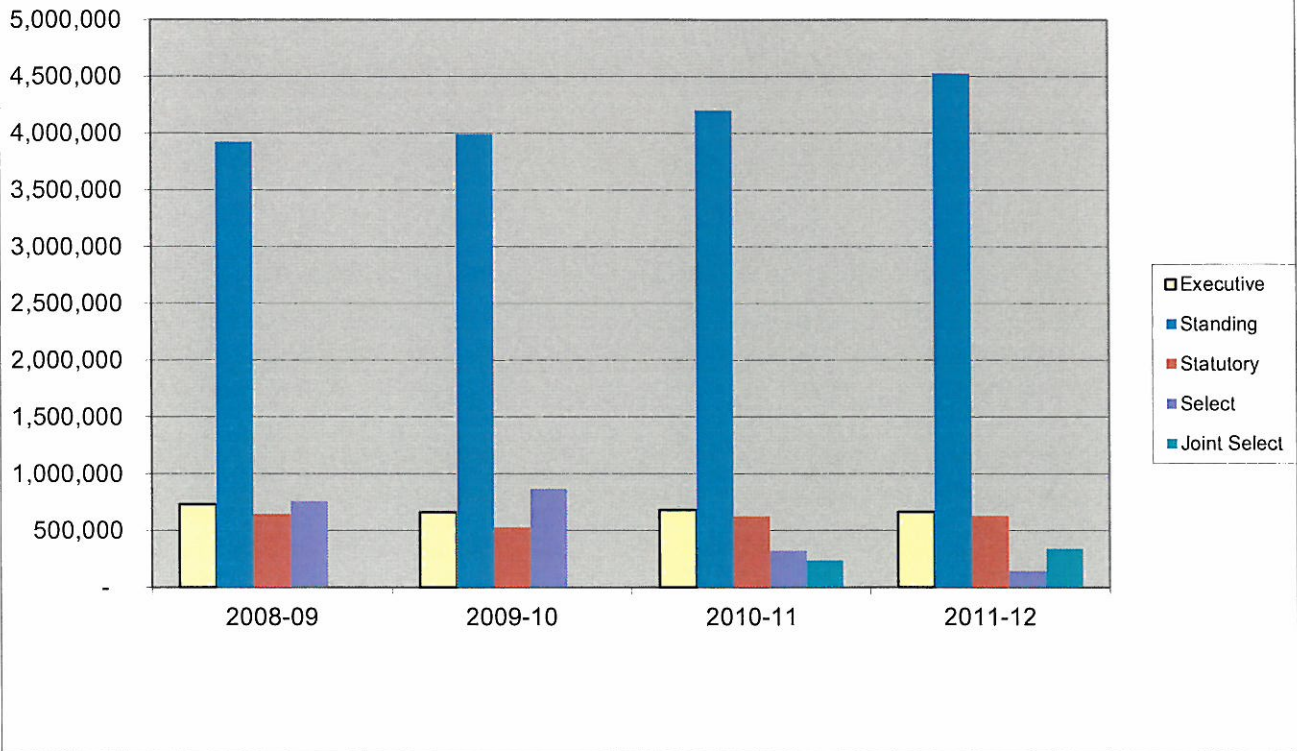
<i>Expenses</i>	<i>2008-09</i>	<i>2009-10</i>	<i>2010-11</i>	<i>2011-12</i>
<b><i>Executive</i></b>				
Staff Costs	730,947	659,811	680,982	662,744
Administrative Costs	31,330	26,418	22,767	18,944
<b><i>Total Expenses</i></b>	<b>762,277</b>	<b>686,228</b>	<b>703,749</b>	<b>681,688</b>
<b><i>Standing</i></b>				
Staff Costs	3,923,416	3,992,496	4,202,414	4,528,798
Administrative Costs	668,702	669,917	390,730	501,025
<b><i>Total Expenses</i></b>	<b>4,592,119</b>	<b>4,662,413</b>	<b>4,593,144</b>	<b>5,029,823</b>
<b><i>Statutory</i></b>				
Staff Costs	644,454	525,235	621,590	627,266
Administrative Costs	99,420	100,171	77,507	117,289
<b><i>Total Expenses</i></b>	<b>743,874</b>	<b>625,407</b>	<b>699,097</b>	<b>744,555</b>
<b><i>Select</i></b>				
Staff Costs	758,461	867,248	321,079	144,071
Administrative Costs	269,857	167,829	64,469	44,869
<b><i>Total Expenses</i></b>	<b>1,028,318</b>	<b>1,035,077</b>	<b>385,549</b>	<b>188,940</b>
<b><i>Joint Select</i></b>				
Staff Costs	-	-	238,050	339,533
Administrative Costs	-	-	49,769	110,244
<b><i>Total Expenses</i></b>	<b>-</b>	<b>-</b>	<b>287,818</b>	<b>449,777</b>
<b><i>Total Program Expense</i></b>	<b><u>7,126,588</u></b>	<b><u>7,009,125</u></b>	<b><u>6,669,357</u></b>	<b><u>7,094,783</u></b>

*Staff costs - the salaries of Senate staff working within the secretariat.*

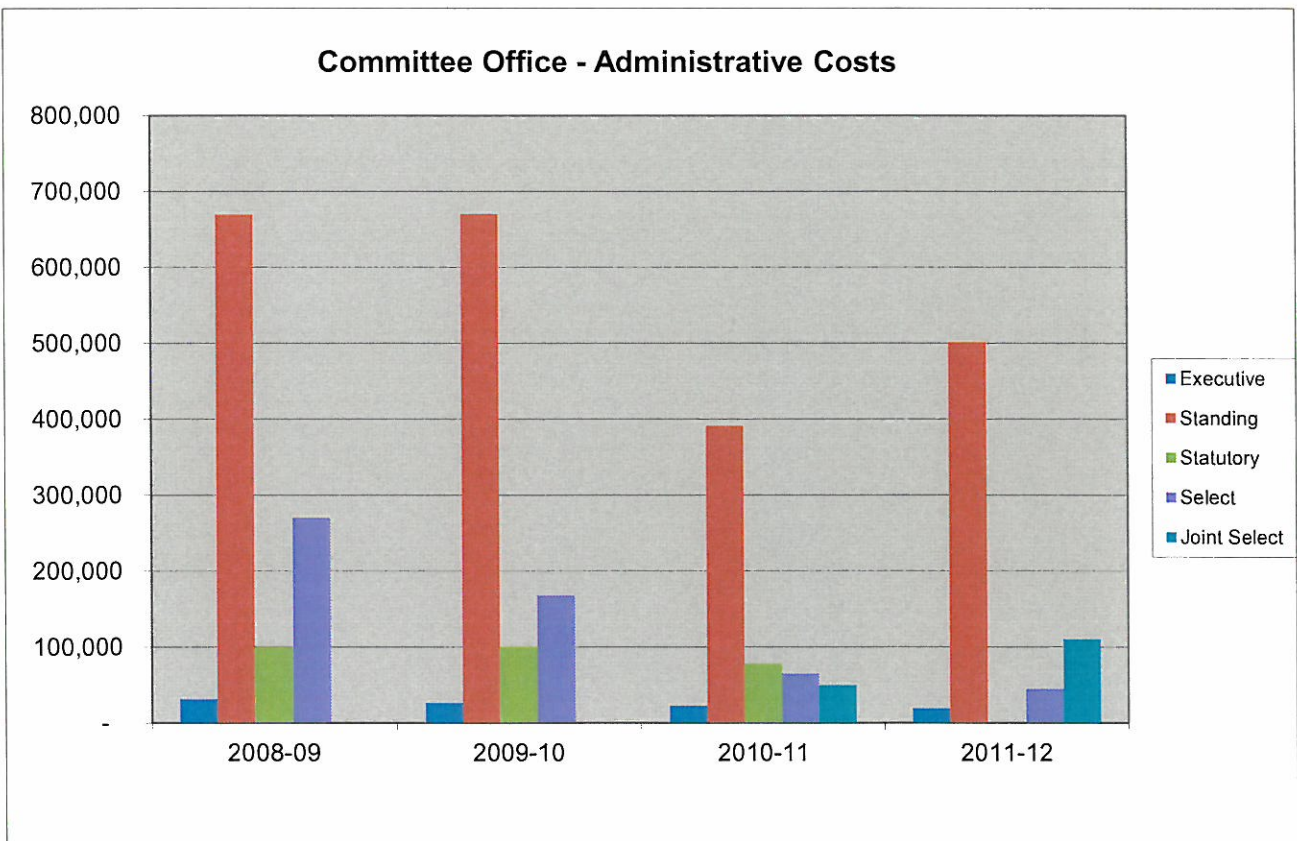
*Administrative costs – includes advertising inquiries, refreshments at hearings, hire of hearing venues, flights and aircraft charters to attend hearings, printing etc.*



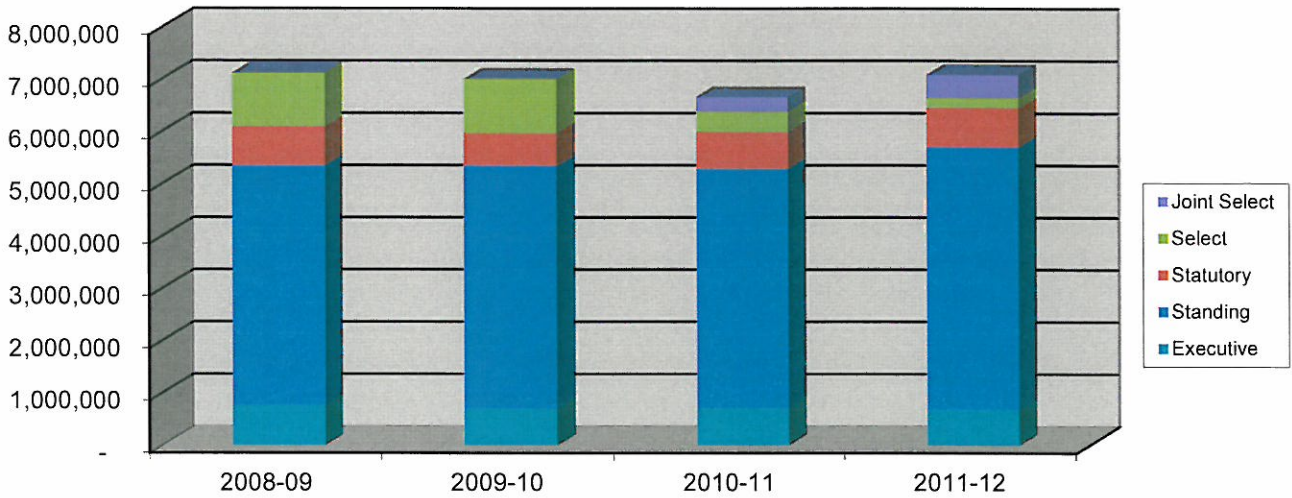
### Committee Office - Staff Costs



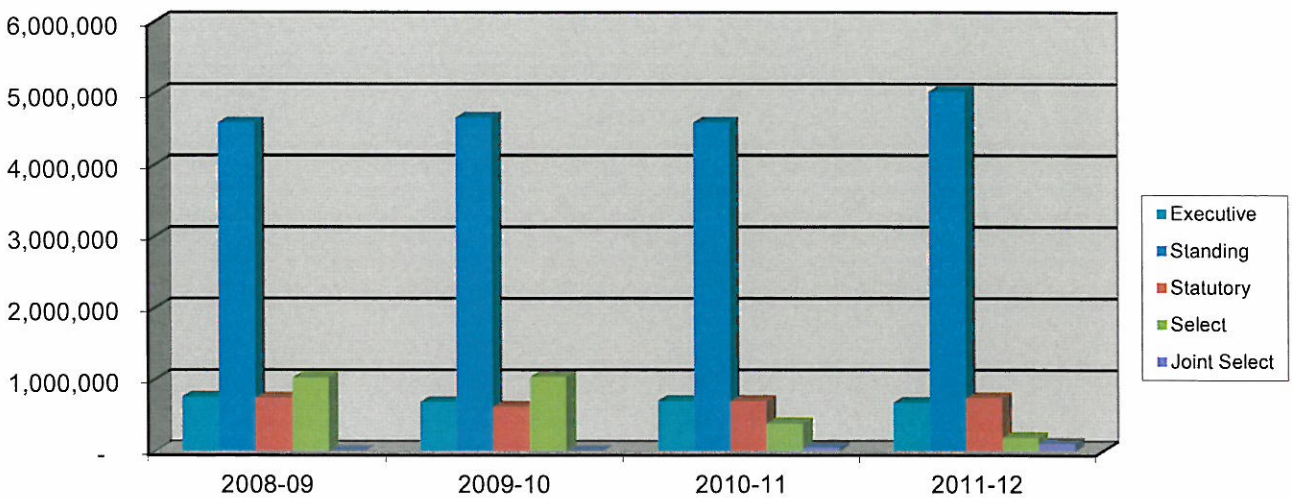
### Committee Office - Administrative Costs



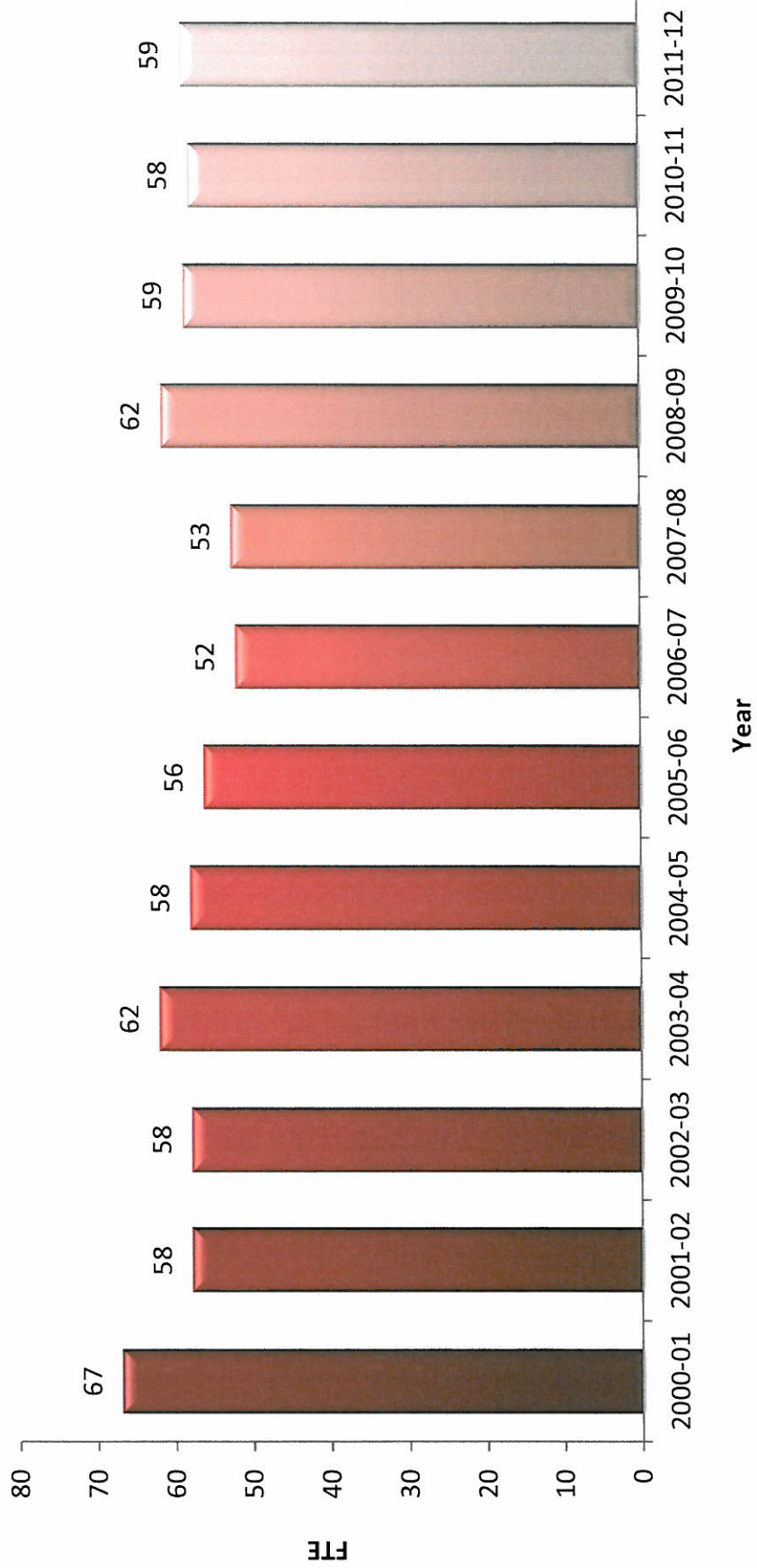
### Committee Office - Total Expenditure



### Committee Office - Total Expenditure



# Committee Office FTE 2000/01 to 2011/12



## 5. COST OF RUNNING THE SENATE (E.G FOR AN EXTRA DAY'S SITTING)

**Issue:** What is the estimated cost of the Senate sitting for one week?

### TALKING POINTS

1. **Attachment A** shows the cost of the Senate sitting for a normal sitting week (based on four days of sittings) over and above the normal day to day running costs of both the Department of the Senate and the Department of Parliamentary Services (DPS), i.e. only marginal costs of each department directly attributable to the chamber's activities have been included, along with the travel costs of senators and staff for the week (this item is paid by the Department of Finance and Deregulation).

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### BACKGROUND

- The marginal cost of a normal sitting week ranges from \$398,121 to \$474,385.
- The daily cost, assuming all costs can be equally allocated across the four days, would range from \$99,530 to \$118,596 per day (note: these costs are current as at 28 September 2012).
- Further to the costs included in **Attachment A**, both the Department of the Senate and DPS incur day to day running costs for activities that directly and indirectly support the functioning of the chamber, but which are not incurred solely because the chamber is sitting. It is difficult to specifically allocate many of these costs to the cost of running the Senate chamber. In addition to this, the cost incurred by other departments in responding to Senate debates and preparing responses to questions on notice is unknown.
- Assumptions for the figures follow after **Attachment D**.



## Attachment A

**COST OF RUNNING THE SENATE**  
**One sitting week (Monday to Thursday)**  
**As of 28 September 2012**

	Estimated cost	
	Minimum	Maximum
<b>Senators and Staff:</b>		
Airfares for 74 Senators from home base to Canberra (return)	\$99,893	\$99,893
Airfares for 74 staff members from home base to Canberra (return)	\$60,579	\$60,579
Accomm. allowance for 74 senators @ \$253 per night x 5n	\$74,888	\$74,888
Accomm. allowance for 74 staff members @ \$253 per night x 5n	\$74,888	\$74,888
Daily allowances for 2 ACT senators @ 79 per day x 4 days	\$632	\$632
Comcar services	\$29,600	\$59,500
Cabcharge	\$31,080	\$41,440
	<u>\$371,560</u>	<u>\$411,820</u>
<b>Department of Parliamentary Services:</b>		
Employees	\$2,099	\$3,673
Printing	\$2,701	\$4,727
Electricity	\$4,867	\$8,517
Water/waste	\$584	\$1,022
Security	\$3,042	\$5,323
	<u>\$13,292</u>	<u>\$23,261</u>
<b>Department of the Senate:</b>		
Sessional chamber staff	\$6,780	\$11,556
Sessional administrative staff	\$3,017	\$7,543
Office Services	\$807	\$1,614
Transport	\$1,109	\$3,326
Table Office	\$807	\$11,679
Procedure Office	\$0	\$1,236
Departmental staff Cabcharge	\$0	\$1,600
Sitting week newspapers	\$450	\$450
Printing Reds	\$300	\$300
	<u>\$13,270</u>	<u>\$39,305</u>
	<u><b>\$398,121</b></u>	<u><b>\$474,385</b></u>

**Issue: What is the estimated cost of recalling the Senate for a special sitting day?**

**TALKING POINTS**

2. **Attachment B** shows the cost of recalling the Senate for a special one day of sitting outside the normal weekly sitting period (3 days including travel to and from Canberra). The cost is over and above the normal day to day running costs of both the Department of the Senate and DPS, i.e. only marginal costs of each department directly attributable to the chamber's activities have been included, along with the travel costs of senators and staff for the week (this item is paid by the Department of Finance and Deregulation).

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**BACKGROUND**

- The marginal cost of recalling the Senate for a special day of sitting ranges from \$270,957 to \$297,909.
- Further to the costs included in **Attachment B**, both the Department of the Senate and DPS incur day to day running costs for activities that directly and indirectly support the functioning of the chamber, but which are not incurred solely because the chamber is sitting. It is difficult to specifically allocate many of these costs to the cost of running the Senate chamber. In addition to this, the cost incurred by other departments in responding to Senate debates and preparing responses to questions on notice is unknown.
- Assumptions for the figures follow after **Attachment D**.

**Attachment B****COST OF RECALLING SENATE**

**Scenario 1: Arrive Sunday evening, leave early Tuesday  
As of 28 September 2012**

	<b>Estimated cost</b>	
	<b>Minimum</b>	<b>Maximum</b>
<b>Senators and Staff:</b>		
Airfares for 74 Senators from home base to Canberra (return)	\$99,893	\$99,893
Airfares for 74 staff members from home base to Canberra (return)	\$60,579	\$60,579
Accommodation allowance for 74 senators @ \$253 per night	\$37,444	\$37,444
Accommodation allowance for 74 staff members @ \$253 per night	\$37,444	\$37,444
Daily allowances for 2 ACT senators @ \$79 per day	\$158	\$158
Comcar services	\$11,840	\$23,800
Cabcharge	\$17,760	\$23,680
	<u>\$265,118</u>	<u>\$282,998</u>
<b>Department of Parliamentary Services:</b>		
Employees	\$420	\$735
Printing	\$540	\$945
Electricity	\$973	\$1,703
Water/waste	\$117	\$204
Guarding	\$608	\$1,065
	<u>\$2,658</u>	<u>\$4,652</u>
<b>Department of the Senate:</b>		
Sessional chamber staff	\$1,695	\$3,390
Sessional administrative staff	\$503	\$1,006
Office Services	\$202	\$403
Transport	\$277	\$1,386
Table Office	\$202	\$2,920
Procedure Office	\$0	\$309
Departmental staff Cabcharge	\$0	\$400
Sitting week newspapers	\$200	\$200
Printing Reds	\$45	\$45
	<u>\$3,124</u>	<u>\$10,059</u>
	<u><b>\$270,900</b></u>	<u><b>\$297,709</b></u>

**Issue: What is the estimated cost of recalling the Senate for an additional day of sitting?**

**TALKING POINTS**

3. **Attachment C** shows the cost of recalling the Senate for an additional day of sitting (a Friday) after the typical weekly 4 days of sitting. The cost is over and above the normal day to day running costs of both the Department of the Senate and DPS, i.e. only marginal costs of each department directly attributable to the chamber's activities have been included, along with the travel costs of senators and staff for the week (this item is paid by the Department of Finance and Deregulation).

---

**BACKGROUND**

- The marginal cost of recalling the Senate for an extra day of sitting ranges from \$53,341 to \$69,856.
- Further to the costs included in **Attachment C**, both the Department of the Senate and DPS incur day to day running costs for activities that directly and indirectly support the functioning of the chamber, but which are not incurred solely because the chamber is sitting. It is difficult to specifically allocate many of these costs to the cost of running the Senate chamber. In addition to this, the cost incurred by other departments in responding to Senate debates and preparing responses to questions on notice is unknown.
- Assumptions for the figures follow after **Attachment C**.



## Attachment C

**COST OF RECALLING SENATE**  
**Scenario 2: Friday after sitting day**  
**As of 28 September 2012**

	Estimated cost	
	Minimum	Maximum
<b>Senators and Staff:</b>		
Accommodation allowance for 74 senators @ \$253 per night	\$18,722	\$18,722
Accommodation allowance for 74 staff members @ \$253 per night	\$18,722	\$18,722
Daily allowances for 2 ACT senators @ \$79 per day	\$158	\$158
Comcar services	\$5,920	\$11,900
Cabcharge	\$4,440	\$5,920
	<u>\$47,962</u>	<u>\$55,422</u>
<b>Department of Parliamentary Services:</b>		
Employees	\$420	\$735
Printing	\$540	\$945
Electricity	\$973	\$1,703
Water/waste	\$117	\$204
Guarding	\$608	\$1,065
	<u>\$2,658</u>	<u>\$4,652</u>
<b>Department of the Senate:</b>		
Sessional chamber staff	\$1,695	\$3,390
Sessional administrative staff	\$503	\$1,006
Office Services	\$0	\$403
Transport	\$277	\$1,109
Table Office	\$0	\$2,920
Procedure Office	\$0	\$309
Departmental staff Cabcharge	\$0	\$400
Sitting week newspapers	\$200	\$200
Printing Reds	\$45	\$45
	<u>\$2,720</u>	<u>\$9,782</u>
	<u><b>\$53,341</b></u>	<u><b>\$69,856</b></u>

**Attachment D****NOTES/ASSUMPTIONS*****Senators and Staff:***

- All 'estimated' costs are based on 'business-day' sitting hours (i.e. until 5:00pm). 'Maximum' costs are based on sitting until 11:00pm. The only exceptions to these assumptions relate to Comcar and Cab charge costs - refer below.
- Comcar 'estimated' cost is based on \$80.00 per travelling senator per day. The 'maximum' cost is based on Comcar daily usage by the Senate.
- Cab charge 'estimated' cost is based on average of \$30.00 per journey - fourteen separate journeys are required in a sitting week (senators and staffers from home base to local airport, staffers to hotel accommodation in Canberra on Sunday, staffers to and from Parliament House on Monday to Thursday, staffers to Canberra Airport on Friday, and Senators and staffers returning home from local airport on Friday). The 'maximum' Cab charge cost is based on \$40.00 per journey.
- Senators' staffers no longer receive overtime as it's not included in the current 2010-2012 *Commonwealth Members of Parliament Staff Enterprise Agreement*.
- Travel costs for senators and staff are paid by the Department of Finance and Deregulation.

***Department of the Senate:***

- Black Rod's Office staff costs are based on one Chamber supervisor APS 4, five chamber sessionals APS 3 and two sessionals at the APS 1 classification (Delivery Services & Committee room support), two transport officers APS 3, and 2 HSAs for 'maximum' cost.
- Table Office staff costs are based on two HSAs, and overtime for four APS6 and three APS4 employees.
- Procedure Office staff costs are based on overtime for one APS4 employee.
- Costs of committees meeting in Canberra on non-sitting weeks and outside Canberra are not included in **Attachment A, B or C**.
- All departmental staff costs are based on top range salary rates for each classification.
- Departmental staff Cab charge cost is based on average of \$40.00 per journey for 10 employees.

## 6. CONSULTANCIES

**Issues:** How much did the department spend in 2009-10, 2010-11 and 2011-12 on consultants?  
How much does the department expect to spend in the next two forward years?

### TALKING POINTS

1. Attachment A contains tables for actual consultancy expenditure for the financial years 2009-10, 2010-11 and 2011-12. It also includes estimated expenditure for the 2012-13, 2013-14 and 2014-15 financial years.
2. The tables include the total expenditure on consultancies for the relevant financial year and expenditure on specific categories of consultants, including ITC consultants, legal consultants, HR consultants and accounting consultants.
3. The figures for 2012-13 to 2014-15 are estimated expenditure based on actual expenditure as at 30 September 2012.

---

### BACKGROUND

- At the Additional Estimates Hearing in February 2009, Senator Coonan asked questions on notice in relation to the agency expenditure on consultancies (reference pages 24-26).
- The attached data duplicates the response to this question, with estimate amounts reviewed as at 30 September 2012.

**Attachment A*****Consultancy expenditure (actual) - GST exclusive***

	<b>2009-10</b>	<b>2010-11</b>	<b>2011-12</b>
Consultants in total*	94,718	172,130	143,611

ITC consultants	0	0	0
Legal consultants*	0	0	0
HR consultants	0	0	0
Accounting Consultants	87,709	144,620	118,133

***Forward year consultancy expenditure (estimated)***

	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>
Consultants in total*	155,000	145,000	150,000

ITC consultants	0	0	0
Legal consultants*	0	0	0
HR consultants	0	0	0
Accounting Consultants	135,000	125,000	130,000

\* These figures do not include the honoraria paid to the advisers to the legislative scrutiny committees.

**FACILITIES****7. PROCUREMENT RULES (INC COUNTRY OF ORIGIN)**

**Issue: Does the Department buy Australian made products?**

**TALKING POINTS**

1. The department aims to achieve best value for money in procurement and does not discriminate for or against Australian made products.
2. The Commonwealth's procurement guidelines are effective from January 2005 and were updated during 2008 to include coordinated procurement activity within the Commonwealth.
3. In July 2012 these guidelines were renamed to the Commonwealth Procurement Rules (CPRs).
4. The core principle underpinning the Commonwealth's procurement guidelines is "value for money".
5. "Value for money" is enhanced by:
  - Encouraging competition;
  - promoting the use of resources in an efficient, effective and ethical manner; and
  - accountability and transparency.
6. Effective competition requires non-discrimination.
7. Generally suppliers must be treated equally regardless of their ownership, location or size.
8. Products or services must be assessed on the basis of their suitability for the intended purpose, not the basis of their origin.

---

**BACKGROUND**

- Periodically senators have raised the topic of Australian made products.
- The following whole of Government contracts are in place:
  - Telecommunications Commodities, Carriage and Associated Services
  - Telecommunications
  - Telecommunications invoice reconciliation services
  - Telecommunications management
  - Internet Based Network Connection Services Panel
  - Microsoft volume sourcing
  - Motor vehicle leasing

Prepared 4/10/2012  
John Baczynski  
Director, Senators' Services

- Government advertising
  - Travel Services:
  - Travel Management Companies;
  - Airfares;
  - Travel and Related Card Services;
  - Accommodation; and
  - Car Rental Services
- Major office machines
- Legal Services
- Desktop hardware
- Secure internet gateway services
- Data Centre Migration Services
- Data Centre Facilities
- Stationery and Office Supplies (recent contract)
- Attorney General's Department Legal Services Multi-Use List

#### INCIDENTS

- Senator Abetz wrote requesting Australian made paper in August 2005.
- Senator Fielding raised the purchase of coffee mugs made in China in the Chamber in September 2006.
- Senator Colbeck wrote in March 2009 requesting Australian made carbon neutral paper.
- Senator Madigan in February 2012 requested information about the country of origin of each of the gift items sold from the Senators' Services gift store.

## 8. OFFICE PAPER PROCUREMENT

**Issue:** Why didn't the department buy Australian made paper? (note: currently buying Reflex Australian made)

### TALKING POINTS

1. The department procures around 8,000 reams of A4 office paper annually at a cost of \$90,000.
2. The department aims to achieve best value for money in procurement and does not discriminate for or against Australian made products.
3. The department's procurement policy is informed by the Commonwealth Procurement Rules (CPR) as published by the Department of Finance and Deregulation.
4. The core principle underpinning the Commonwealth's procurement rules is "value for money".
5. Evaluation of paper for prospective use by the department takes into account a number of indicators - price, performance, environmental impact and availability.
6. This process of evaluation is on-going and revisited on a regular basis. The most recent review was undertaken in December 2011.
7. The Department currently procures Reflex Carbon Neutral paper following the discontinued supply of the previously recommended UPM paper. Reflex Carbon Neutral paper is an FSC certified product.
8. The Department is currently working on a transition to the Whole of Government stationery contract which includes paper products and may impact on the future procurement of paper.

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### BACKGROUND

- Historically, Tasmanian senators have raised the topic of Australian made paper periodically.
- The Usher of the Black Rod responded to Senator Colbeck's request on 27 March 2009 advising that Envi carbon neutral paper and Reflex carbon neutral paper had been investigated but that they did not represent better value for money than the paper currently being procured. Envi carbon neutral paper is a bulk printing product, not an office paper product.

- Reflex carbon neutral paper is the equivalent office paper product marketed by the same company.

#### **INCIDENTS**

- Mr Greg Hunt MP wrote in 2005 claiming that the Department was disadvantaging the Australian paper industry.
- Senator Abetz wrote requesting Australian made paper in August 2005.
- In August 2005 Senator Fielding asked a question in the Chamber on why the Department was purchasing paper imported from the UK rather than Australian made paper.
- Senator Colbeck wrote to the President on 6 March 2009 and the Usher of the Black on 11 March 2009 requesting that the Department purchase Envi carbon neutral paper for use in his Parliament House office.
- Senator Carol Brown's office raised the carbon neutral paper query with the Table Office in April 2009.
- Senator Waters' Office enquired about the use of 100% recycled content paper in September 2012.



## 9. FILMING & PHOTOGRAPHY GUIDELINES

**Issue:** What are the guidelines for filming and photography?

### TALKING POINTS

1. Filming and photography and the general media rules in Parliament House and its precincts are subject to Presiding Officers' guidelines administered by the Usher of the Black Rod and Serjeant-at-Arms.
2. **The rules are currently under review by the Joint Committee on Broadcasting.**
3. The long established principle is that filming and photography are permitted to cover the Parliamentary proceedings and not opportunistic demonstrations and/or inappropriate behaviour.
4. The guidelines were re-issued in December 2008 following discussions with the Federal Press Gallery. Senators were advised of the re-issued guidelines which contained minor clarifications on 2 February 2009.
5. The Usher of the Black Rod and the Serjeant-at-Arms wrote to members of the Press Gallery and to all senators and members on 23 September 2010 to remind them of the guidelines and their purpose. This followed a period of widespread breaches.

---

### BACKGROUND

- The Guidelines aim to achieve a balance between the need to report Parliamentary proceedings and allowing MPs/Senators and their staff to go about their work without being inconvenienced or harassed.
- Filming is permitted in television studios, in private rooms with the explicit permission of the occupants and in rooms/areas in which press conferences are permitted, including courtyards.
- Filming is usually approved for functions in Private Dining Rooms, the Mural Hall, Great Hall and alcoves but is then the responsibility of the person or group who have the booking.
- Black Rod and Serjeant-at-Arms staff or Parliamentary Security respond to reports of unauthorised filming in other private areas.

### INCIDENTS

Multiple incidents have occurred to which the UBR and staff of the BRO react to on a case by case basis.

## 10. AIR CONDITIONING

**Issue: Why is the air conditioning performance unsatisfactory and what is being done to fix it?**

### TALKING POINTS

1. DPS is responsible for the maintenance of the air conditioning system.
2. During the winter months we receive increased levels of complaints relating to temperature and air flow throughout the Senate wing. We believe that there are a couple of related issues:
  - Performance of the air conditioning system, and
  - Effect of outside temperature through windows.
3. The department escalated this issue with DPS Mechanical Services and to DPS senior management and have requested that a comprehensive solution be identified to improve comfort levels.
4. DPS upgraded the temperature controllers in the northern half of the Senate wing which should improve system performance and the ability of DPS to adjust temperatures remotely when required.
5. Security window has been applied to western facing Senate wing windows, the tint in this film may assist in reducing the heat load.
6. DPS can provide further information if required.

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### BACKGROUND

- Complaints about air temperature and air quality have historically been received on a fairly consistent basis.

### INCIDENTS

- On 7 October 2009 a boiler went off line and occupants in the Senate wing experienced cold conditions until around 1100 until it was brought on line and up to operating temperature.
- On 24 January 2010 – air-conditioning system reset and put the Senate wing in "Winter non-sitting mode" on a summer's day this made office spaces very warm until the system was correctly configured.
- During the May 2012 estimates numerous air-conditioning issues were reported in committee rooms, which were a result of incorrect programming and other electrical issues resulting from a major power outage.
- This financial year there have been numerous reported complaints from senators and departmental staff which have been resolved case by case by DPS as they were reported.

## 11. PRESIDENT'S SUITE

**Issue:** What work has been undertaken in the President's suite this financial year?

### TALKING POINTS

In July 2012 new lighting fixtures were installed in the staff offices of the President's suite SG 40 and the remainder of the suite was re lamped.

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### BACKGROUND

- Helpmaster jobs 2012 – President's Suite:

January 2012	Cleaning of Kitchen benches
February 2012	Air-conditioning adjustment to temperature (suite very cold) 2 jobs logged
July 2012	Lighting Issue – lights turning off in staff office.
August 2012	Photocopier issue
September 2012	Fridge ice maker broken

## 12. SENATORS' ACCOMMODATION – WORK UNDERTAKEN

**Issue:** What work/procurement has been undertaken for senators / suites this financial year?

### TALKING POINTS

1. Procurement that has been undertaken for senators' suites this financial year (excluding recurrent consumables like stationery).
  - 2 monitor arms purchased for installation on Senators' desks (as a result of OHS assessments)
2. The work undertaken in senators' suites since last reported is consistent with previous years incorporating maintenance and minor adjustments based on changes to staff and relocations of senators. Since **July 2012**, **204** jobs were logged for works, scheduled maintenance and other ad hoc jobs for repairs of provision of services, within senators' suites. The following table shows a breakdown of the jobs by job type and by month.

## Senators' Suites work July 2012 - Sept 2012 (extracted by job type from helpmaster)

	Jul-12	Aug-12	Sep-12	Oct-12	Nov-12	Dec-12	Jan-13	Feb-13	Mar-13	Apr-13	May-13	Total
Accommodation	0	1	2	0	0	0	0	0	0	0	0	3
Air conditioning	2	2	4	0	0	0	0	0	0	0	0	8
Artworks	0	4	2	0	0	0	0	0	0	0	0	6
Bathroom/Ensuite	0	1	6	0	0	0	0	0	0	0	0	7
Bins	3	8	3	0	0	0	0	0	0	0	0	14
Boxes - packing	1	3	2	0	0	0	0	0	0	0	0	6
Chair	0	3	2	0	0	0	0	0	0	0	0	5
Classified Waste	7	18	18	0	0	0	0	0	0	0	0	43
Cleaning Problem	2	4	3	0	0	0	0	0	0	0	0	9
Desk	2	0	1	0	0	0	0	0	0	0	0	3
Electrical fittings	4	17	20	0	0	0	0	0	0	0	0	41
Fax Machine	0	2	1	0	0	0	0	0	0	0	0	3
Flag Pole	0	1	0	0	0	0	0	0	0	0	0	1
Glassware	0	0	2	0	0	0	0	0	0	0	0	2
Kitchen	0	4	1	0	0	0	0	0	0	0	0	5
Miscellaneous Requests	1	5	2	0	0	0	0	0	0	0	0	8
Office fittings	1	6	6	0	0	0	0	0	0	0	0	13
OHS	1	0	1	0	0	0	0	0	0	0	0	2
Phones	6	8	4	0	0	0	0	0	0	0	0	18
Photocopier	0	5	1	0	0	0	0	0	0	0	0	6
Signs	0	1	0	0	0	0	0	0	0	0	0	1
<b>Total</b>	<b>30</b>	<b>93</b>	<b>81</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>204</b>

Prepared 03/10/2012 Topic 4 President's brief  
 John Baczynski  
 Director, Senators' Services

**BACKGROUND**

All suite maintenance work is undertaken by DPS so the department does not have information on costs relating to those works. Contractors are engaged to hang pictures (non art collection which is done by DPS) and move furniture at a cost of approximately \$66.00 per hour. This financial year to date work in senators' suites totals \$2184.05 (as at 4/10/12).

- Refurbished status B furniture was exchanged in two suites. (Senators' McKenzie S1.33 and Ruston S1.113).
- Senator Whish-Wilson moved into SG.59 in June 2012 following Senator B. Brown's resignation.
- Senator Ruston moved into S1.113 in September 2012 following Senator Fisher's resignation.
- Senator Thorpe moved into S1.29 in June 2012 following Senator Sherry's resignation.
- In July 2012 new lighting fixtures were installed in the staff offices of the President's suite SG 40 and the remainder of the suite was re lamped.
- A vacant senator suite (S1.26) is been temporarily occupied by the Parliamentary Budget Office.

### **13. NEWSPAPERS, CLIPPINGS & PRINTED MATERIALS FOR SENATORS**

#### **Issue 1: Question asked at previous Estimates on the Senate daily newspaper clipping service**

##### TALKING POINTS

1. Since August 2011, news-clippings provided to senators by the department of the Senate have been sourced from the Parliamentary Library (based on key-words provided by the Senate Department). This has resulted in a saving to the department of approximately \$85,000 per annum.
2. The new service has been working well and appears no different to users. The clips provided by the Library are transmitted electronically to the Senate Printing Unit each morning and hard copies are made for distribution.
3. From 1 July hard copy news clippings have not be provided to departmental staff which will result in savings of approximately \$23,000 per annum.
4. It should be noted that the format in which the clippings are provided is a different but related issue. Currently, the cost to the department of printing the clippings for senators and department staff is approximately \$100,000 per annum (comprising \$45,000 in paper and \$55,000 in staff costs).
5. Over the past 12 months, senators have been encourage to access news clips electronically and have been asked to opt in. 30 senators have opted in.
6. The provision of news clips to departmental staff was stopped from 1 July 2012.
7. If no press clippings were provided to senators, this would result in savings of \$77,000 per annum. DPS advise that the news clippings are now available on iPads and the department is expecting this will lead to a further decrease in the number of printed copies.

---

#### **BACKGROUND**

Questions were asked at the May and October 2010 Estimates hearings about the provision of news clippings and the Senate Department undertook to increase the archiving period and look at a way to use the Library service as a means of avoiding duplication.

Prepared 10/10/2012

Brien Hallett and Maureen Weeks, Usher of the Black Rod – Clerk Assistant, Table

**Issue 2: Chamber documents printed for the Chamber and outside the Chamber****TALKING POINTS****Chamber**

During this Parliament, the Chamber distribution of the following documents have been reduced:

- Committee membership
  - Messages from the House of Representatives
  - Petitions (terms)
  - Selection of Bills reports
  - Clerk Documents (lists).
1. The number of the reduction has been in the order of 80 to 90 copies for each document and while this is not significant in one run, the documents are produced on a daily or weekly basis when the Senate is sitting and this would represent savings in paper and human resources in the Print Room. These reductions have been replaced with an email of the lists.
  2. At the commencement of the August sittings, an attempt to reduce the number of amendments and other legislative documents (eg running sheets) circulated in the Chamber was met with strong resistance and therefore was discontinued.

**Outside the Chamber**

3. From the August sittings, the printed version of the *Notice Paper* was further reduced with the two fold aims of assisting those using the *Notice Paper* on a daily basis and reducing printing costs. The new slim line version of the *Notice Paper* has been well received and has achieved savings in the order of \$10,000 for the August and September sittings (based on a comparison with the expenditure in August and September 2011).
4. The other major distribution reduction is the printed version of the *Bills List*, which has been reduced from 120 to 40 copies. The document is substantial and the reduction will be seen in paper and Print Room resources.



**PUBLIC PROGRAMS****14. PARLIAMENTARY EDUCATION OFFICE (PEO) –  
SCHOOL BOOKINGS FOR THE ROLE PLAY**

**Issue :** PEO School Bookings for the Role Play

**TALKING POINTS**

1. The PEO role play program continues to prove extremely popular and remains a highly effective method of parliamentary education.
2. Attendances for the role play program in F/Y 2011/12 reflected high demand and in peak teaching periods PEO educational programs at Parliament House operated at full capacity. (Statistics on PEO Parliament House teaching appear on the next page)
3. Current demand for PEO teaching programs at Parliament House fully utilizes PEO teaching and other resources.
4. In total over 1.6 million students have participated in the PEO teaching program conducted at Parliament House since 1990.
5. The PEO also develops extensive materials on the PEO website, numerous electronic, print and video resources, manages various projects and programs to support parliamentary education for schools throughout Australia and provides parliamentary education support services to senators and members.
6. Website usage and the demand for PEO teaching materials and publications have continued at very high levels.

---

**BACKGROUND**

- Bookings for the PEO role Play program are administered by the Serjeant-at-Arms office. Bookings for 2012 opened on the 1 Jul 2011 and since that Time heavy demand has been experienced. A joint Project Board is evaluating options for the introduction of a more effective booking system.
- The PEO encourages the involvement of senators and members in PEO teaching programs at Parliament House.
- The Parliamentary Education Office Advisory Committee (PEOAC) has recently surveyed senators and members to assess their knowledge of the PEO and to ascertain how the PEO may better support their parliamentary education service needs.

**Education Centre Statistics (as at 30 Sept 2012)**

<b>Current Financial year 1 July 2011 to 30 June 2012</b> <i>(Actual)</i>					
Schools	1,587	Groups	2,669	Students	<b>89,624</b>
<b>Last Financial year 1 July 2010 to 30 June 2011</b> <i>(actual)</i>					
Schools	1,570	Groups	2,698	Students	<b>88,423</b>
<b>Total bookings this calendar year 1 January 2012 to 31 December 2012</b> <b>(actual to 30 Sep 12 plus bookings)</b> <b>(Total Student numbers for year)</b>					
Schools	1,601	Groups	2,747	Students	<b>92,634</b>
<b>Total Student Numbers last calendar year 1 January 2011 to 31</b> <b>December 2011 (actual)</b>					
Schools	1,624	Groups	2,681	Students	<b>90,127</b>

**GOVERNANCE****15. SENATORS' ENTITLEMENTS (SUMMARY)**

**Issue: What entitlements do senators receive and who administers them?**

**TALKING POINTS**

1. Senators receive salary including superannuation, electorate allowance, additional electorate allowance or a private plated vehicle, and salary of office (if applicable), office accommodation and related equipment (electorate and Parliament House), Australian flags and material related to national symbols for presentation to constituents, postage for parliamentary and electorate purposes, letterhead, government publications, photographic services in Parliament House and travel entitlements. Senators may also receive a resettlement allowance if they have been unsuccessful in getting re-elected in some circumstances.
2. The majority of entitlements defined in the *Parliamentary Entitlements Act 1990* and the *Parliamentary Entitlements Regulations 2003* are administered by the Department of Finance and Deregulation.
3. The Department of the Senate administers the following entitlements:
  - The payment of senators' salary, superannuation, electorate allowance, additional electorate allowance and salary of office including two ministers and parliamentary secretaries (if applicable);
  - The payment of a resettlement allowance (if applicable);
  - The stamp allowance portion of the communications allowance;
  - The transfer of bulk papers to and from Parliament House;
  - Business related postage for Opposition Office Holders, the President, Leaders of Minority Parties and Government and Opposition Whips in the Senate;
  - Allocation of cars and drivers associated with the entitlement to Comcar cars; and
  - The Table Office also administers the Publications Scheme and purchases copies of documents (except budget papers) for senators on request.
4. The Department of the Senate administers a number of other facilities, determined by the President of the Senate, these are:
  - Badge of Office and senators' pins, fax machines, newspapers in Parliament House office and office facilities in Parliament House.

## **16. PRINTING ENTITLEMENTS AND SENATORS' STATIONERY USE**

**Issue:** Has there been an increase in the use of stationery or printing by senators?

### **TALKING POINTS**

1. No printing is undertaken for senators by the Departmental Printing Unit.
2. No noticeable increase in the senators' use of stationery supplied by the Department of the Senate for use in Parliament House has occurred.

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### **BACKGROUND**

- Media reports that some parliamentarians had been using Parliamentary House stationery for election-related purposes are occasionally raised.

### **INCIDENTS**

- Nil.

# Back-Pocket Briefs

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NO BRIEF  
PREPARED

## 1. CLAIMS OF BULLYING

**Issue:** Claims of bullying

### TALKING POINTS

1. The department has had a number of incidents (approximately 10 to 20) in recent years (since January 2009) in which employees have alleged being bullied and/or harassed.
2. The department takes such reports seriously and attempts to address matters as they arise through a range of strategies (i.e. informal counselling, performance feedback, formal counselling, Code of Conduct investigations).

---

### BACKGROUND

- As defined by the department's Policy on Workplace Discrimination, Harassment and Bullying (May 2011), workplace bullying is defined as repeated, unreasonable behaviour or conduct directed toward an employee, or group of employees, that may cause harm, including risks to health and safety. Unreasonable behaviour or conduct means behaviour or conduct that a reasonable person having regard to all the circumstances would expect to humiliate, intimidate or threaten the person exposed to the behaviour or conduct. Such behaviour or conduct can include an individual's or group's actions or practices which humiliate, intimidate or threaten another person. Workplace bullying may also amount to unlawful discrimination or unlawful harassment.
- Workplace conflict, including bullying or harassment, may include a number of behaviours or actions. Some behaviours or actions, while not liked by an employee, are 'reasonable management actions' and are attempts to address such issues as underperformance and non-performance of duties.
- The department maintains a group of trained employees who act in the role of Workplace Harassment Contact Officer.
- Employees may also seek help from the department's Employee Assistance Program provider in dealing with a range of issues including workplace conflict.
- Employees additionally have the option to "whistleblow" about behaviour of employees, and the Clerk, including bullying, if it is not in line with the Parliamentary Service Conduct of Conduct. This is provided for under section 16 of the Parliamentary Service Act. No whistleblowing complaints have been received.

Prepared 21/09/2012

Anthony Szell

Director, Human Resource Management

## **2. NEW TECHNOLOGY – IPADS ETC**

**Issue: What is the department doing to keep up with new technology such as iPads?**

### **TALKING POINTS**

1. The Senate Department recognises the changing technological environment and the new ways senators are seeking to access and share information. The Senate Department also has an interest in improving the way its information is published and accessed.
2. Currently the Senate Department provides hardware (mainly desktop PCs and printers) for senators while DPS provides and supports the network (the PCN). The recent review of the ICT needs of the Parliament is likely to lead to changes in these arrangements.
3. Although the department does not provide iPads to senators, it has undertaken a trial of their use to help understand the way they may be used in the parliamentary environment to improve access to documents and reduce reliance on paper copies.
4. Awareness of how iPads may be used has also helped shape IT projects (such as TOPS, SCID and Commdocs), which are all principally about improving the ways parliamentary information is published, accessed and shared.
5. The cost of iPads for these purpose was \$7,150 in the last financial year.

### 3. SUPPLY OF CHRISTMAS CARDS FOR PRESIDENT AND DEPUTY PRESIDENT

**Issue:** What was the cost of Christmas cards supplied to the President and Deputy President?

#### TALKING POINTS

1. The cost of the President's Christmas cards for 2011 was \$551.49.
2. The cost of the Deputy President's Christmas cards for 2011 was \$1,351.35.
3. The Deputy President's Christmas cards were more expensive as they were custom made whereas the President selected a card from a standard catalogue.
4. The table below provides more detail on costs and quantities and a comparison to 2010:

	Quantity	Total
<b>President</b>		
2011	300	\$551.49
2010	300	\$494.40
<b>Deputy President</b>		
2011	500	\$1,351.35
2010	400	\$1,777.52

**Total for 2011 \$1,902.84**

**Total for 2010 \$2,271.92**

5. Six other jobs have been received from the President's office for the period 1 January 2012 to 3 October 2012:

Item	Total
Invitations	\$67.85
Letterhead	\$130.30
Business cards	\$44.10
Envelopes	\$178.20
Business cards	\$28.75
Gallery tickets	\$213.21
Invitations	\$66.49

Prepared 03/10/2012

Glenn Krause

Assistant Director, Delivery Services



#### **4. CELEBRATIONS TO MARK THE 25TH ANNIVERSARY OF PARLIAMENT HOUSE IN 2013**

**Issue: What was planned to mark the 25th anniversary of Parliament House and the Centenary of Canberra in 2013?**

##### **TALKING POINTS**

A working group comprising the Serjeant-at-Arms, the Usher of the Black Rod and the DPS Director Strategy and Communication was formed in May 2011 to prepare a suitable program for consideration by the Presiding Officers.

The working group has received in-principle support from the Presiding Officers for the following matters to be progressed:

1. The Open day due to be held in 2012 will be re-scheduled to 14 September 2013;
2. A book (foreshadowed by former President Ferguson) will be published; and
3. Activities to support the Centenary of the ACT in the same year will be developed.

The Serjeant-at-Arms has attended meetings of the Centenary Inter-governmental Working Group. In addition, the Centenary of Canberra Creative Director, Ms Robyn Archer, (and her staff) have met with the Parliament House Working Group to co-ordinate activities.

In light of the limited resources available, and following consultation with external stakeholders, the focus for activities will be 9 May and 14 September.

In addition, the working group is examining possible public displays and promotion through the APH website. It is also proposed that throughout the year, DPS Art Services will display artwork to reflect the centenary. Discussions are continuing with the Centenary organisers as to whether one of their activities might take place at Parliament House.

Work is well advanced on the preparation of an illustrated a book on the various artworks that were commissioned for Parliament House. The budget for the writing, design and preparation (but not printing) of this book is \$40,000. It is envisaged that this book would be launched at Parliament House on 9 May 2013.

A public conference celebrating Andrew Inglis Clark's contribution to the building of an Australian nation will be held at Parliament House, Canberra, on Friday 8 November 2013. The conference will examine Clark's contribution to Australia's

Prepared 11/10/2012 Brien Hallett Usher of the Black Rod

constitutional system, his vision of the role of law in society and his connections with the intellectual life of Australia and the United States.

The conference is being co-hosted by the Clerk of the Senate, Dr Rosemary Laing, and cultural consultant and historian Dr David Headon.

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## **BACKGROUND**

- The 9 May is the anniversary of the opening of Parliament in 1901 (in Melbourne), in 1927 (in Canberra) and in 1988 in the current Parliament House.
- The 14 September date coincides with the start of Floriade and is expected to attract interest from the large number of visitors to the ACT at that time of the year. It also avoids a clash with various football finals.
- A focus on two days will ensure that scarce funds and staff time are not spread too thinly, while complementing other activities being held in the ACT.

## **Incidents**

- Nil

Prepared 11/10/2012  
Brien Hallett  
Usher of the Black Rod

## **5. CARRIAGE OF VARIOUS MATERIALS I (INCLUDING FLAGS, HELIUM BALLOONS, KOALAS AND WEAPONS ETC) INTO PARLIAMENT HOUSE**

### **TALKING POINTS**

1. In the interests of safety and amenity for all building users, certain items are not permitted in parliament House. These include weapons and protest materials.
2. On certain occasions (e.g. when there is a protest on the Authorised Assembly Area and people from the protest attempt to enter the building), they will be asked to cloak materials such as flags, stickers, banners, posters, etc where they are coming into the building in large numbers which are clearly part of intended protest activity.
3. Ordinarily someone coming into Parliament House with an Australian Flag would not be a concern for security.
4. The PSS have to make judgements about the carriage of other items such as balloons. In recent times, lobby groups have been signed into the building by pass-holders and then attempted to leave protest items (including balloons) on senators' suite doors. They have been asked by UBR to remove these materials and leave the building.
5. Inquiries about particular incidents are generally handled by DPS Security in conjunction with the SAA and UBR.
6. As a general principle, animals are not permitted in Parliament House (with the exception of guide dogs.) However, when enough notice is provided, consideration can be given to permitting animals if there will be no danger to the building occupants or the building fabric.

Incidents on the next page

## Incidents

- Recently, there have been a number of attempts to bring weapons into Parliament House which the UBR has refused. Details are as follows:

Date	Item	Details
13 Aug 2012	Grenade	Person in naval uniform claimed it was a WW II souvenir for a parliamentarian. UBR refused entry on WH&S grounds as there was no certainty that the device had been made safe.
23 Aug 2012	Dagger/ replica pistol	Staff of a parliamentarian attempted to bring two items ("gifts"). UBR sought AFP advice and permitted pistol as it was a replica and in a display case. The AFP advised the dagger was a prohibited weapon and should not be permitted.
29 August 2012	Sword	AGD sought permission to bring Captain De Groot's sword into the building for a dinner. Permission declined on grounds of public safety. As organisers said the sword was to be used as a prop (ie taken out of its case.)

**6. IMPLICATIONS FOR JOINT DECISION-MAKING OF THE  
SPEAKER "STANDING ASIDE"**

[Brief not prepared]

## **7. REGISTER OF SENATORS' INTERESTS RE NEWSPAPER WEBSITE**

### **Issue:**

#### **TALKING POINTS**

1. In August this year, the Sydney Morning Herald and the Age published a searchable database of senators' and members' interests, which appears to have used as its source the published declarations of interests on the parliamentary website.
2. In a speech to the Senate on 12 September 2012, Senator Faulkner drew attention to a number of inaccuracies in the SMH/Age database entries purporting to reflect interests declared by him under the Senators' Interests resolutions.
3. Statements of senators' interests have been tabled and publicly available in printed volumes since 1994, when the Senate adopted the senators' interests resolutions, and have been published online since the changeover to the new Senate in July 2011.
4. The information on the parliament's website is published with the authority of each House, according to resolutions overseen, in the Senate's case, by the Committee of Senators' Interests.
5. The publication of extracts of statements of senators' interests would be free from suit for defamation (under section 10 of the Parliamentary Privileges Act), provided that the publication is a 'fair and accurate' report.
6. Additional transparency through such databases (and, for instance, through the 'Open Australia' website) is welcome, however the inaccuracies are regrettable.

## 8. PLASTIC FLOOR CHAIR MATS

**Issue:** Provision of plastic, floor, chair mats

### TALKING POINTS

1. The department is in the process of phasing out the provision of plastic, floor chair mats to employees and others.
2. Through a due diligence exercise, undertaken as part of the Work Health and Safety Act, it was assessed that plastic, floor chair mats may create, in certain circumstances, greater risk than benefit.
3. It is the department's preference that larger diameter casters be provided on chairs instead of plastic, chair mats. Larger casters reduce the resistance of the chair and may make it easier for the chair to be move on plush carpet.
4. A staffer from Senator Abetz's Office had recommended by an external provider a new plastic chair mat. The department, through the Department of Finance and Deregulation recommended larger casters instead. The staffer was not happy with this recommendation. A plastic chair mat that was not being used was eventually provided and some information about the transition shared.

---

### BACKGROUND

- There are risks associated with plastic chair mats. When chairs are moved from the smooth surface of plastic mats to the more restraint surface of the plush carpet they can tip over resulting in injuries to employees. Chairs can also move out from underneath people lowering themselves onto them as there is less resistance. One way to stop this happening is by installing brake loaded castors. It has been reported to the department that an incident involving a plastic chair mat has occurred in Parliament House.
- Plastic, chair mats will generally be phased out over a period of time unless research evidence suggests that they are beneficial to employees' health and safety or if an independent specialist (e.g. a doctor, physiotherapist) recommends the provision of one to a specific employee due to medical issues.
- In January 2012, the department developed and agreed to protocols in relation to the provision of plastic floor mats and has implemented these.
- These protocols specifically deal with employees of the department, but noting the risks associated with plastic chair mats the department has also limited their provision to senators and senators' staff.

Prepared 11/10/2012

Anthony Szell

Director, Human Resource Management

## **9. WORKSTATION ASSESSMENTS FOR SENATORS IN PARLIAMENT HOUSE**

### **TALKING POINTS**

1. The department is in the process of phasing out the provision of plastic, floor chair mats to employees and others.
2. The department carries out workstation assessments for senators at their request. Workstation assessments for senators in their electorate offices are coordinated by the Department of Finance and Deregulation.
3. All workstation assessments for senators' staff are coordinated by the Department of Finance and Deregulation. Some items required for senators' staff in their Parliament House suites is provided by the Department of the Senate. This practice is currently under review.
4. Senators have always had access to this service and since 2009 were reminded of this upon their commencement as a senator and in an article published in the Clerk's Update to senators in June 2012.

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### **BACKGROUND**

- In recent months, the department has done four workstation assessments for senators in their Parliament House suites and provided, or had provided by others, the necessary ergonomic equipment or made the recommended changes.
- Some items required by senators as a result of their workstation assessments require input for the Department of Parliamentary Services (DPS). For example, a senator may require a different chair to suit his/her particular needs. Due to the principles of design integrity consultation with DPS must occur in relation to this. New chairs for senators' suites is being considered by DPS and the department.
- The department is currently in consultation with the Department of Finance and Deregulation in relation to the provision of ergonomic equipment to MoPS Act employees when they are working from Parliament House.



DEPARTMENT OF THE SENATE

**PRESIDENT'S  
BUDGET ESTIMATES  
BRIEFS**

**15 OCTOBER 2012**

# BRIEFING FOR THE PRESIDENT

## Contents

1.	Department's budget for 2012-13	1
2.	Cost saving measures and FTE cap	3
3.	President's suite	5
4.	Senators' accommodation – work undertaken	6
5.	Legal Costs (Privilege matter)	9

**1. DEPARTMENT'S BUDGET FOR 2012-13****Issue: What is the department's budget for 2012-13?****TALKING POINTS****DEPARTMENTAL APPROPRIATION**

	<b>\$'000</b>
<b>2012-13 Departmental appropriation</b>	<b>21,141</b>
2011-12 Departmental appropriation	21,569
	-428
<b>Movements:</b>	
Budget Measure:	
Parliamentary Joint Committee on Human Rights	424
Less: Joint Select Committee on Gambling Reform (In 2011-12 received \$0.330m for 2010-11)	-330
Efficiency Dividend	
One-off – Parliamentary Appropriation at 2.5%	-515
– Departmental Capital Appropriation at 20%	-164
Effect of forward year and minor adjustments: parameter adjustments and 1.5% efficiency dividend	157
	-428

1. The department submitted three new policy proposals for the 2012-13 budget year, but only one of these was approved in part: the Parliamentary Joint Committee on Human Rights.
2. The funding for the Parliamentary Joint Committee on Human Rights is \$1.719 million over four financial years.
3. The full effect of the various efficiency dividends to the 2012-13 budget year is \$1.045million.
4. Over the eight financial years from 2008-09 to 2015-16 (the third forward year in the current budget round), the department will lose \$7.0 million as a consequence of the efficiency dividend.

**SPECIAL APPROPRIATION**

<b>2012-13 Budget \$'000</b>	<b>2011-12 Budget \$'000</b>
21,826	18,132

## Summary of changes:

1. Increased appropriation to fund the increase in remuneration and allowances as provided for the Remuneration Tribunal decision dated 12 March 2012. Budget Appropriation increased for the last three and half month of 2011-12.
2. From mid 2011-12 the department agreed to process the Ministers of State Allowances. This was formerly processed by the Department of Finance and Deregulation. The appropriation for this is funded under s66 of the *Commonwealth of Australia Constitution Act 1901*.
3. Due to an administrative error between March and August 2012, payments to Shadow Ministers were incorrectly drawn from the appropriation for Ministers (Constitution s.66) rather than from an appropriation authorised by Determination 2012/03 which is managed by the Australian Public Service Commission. The total amount of the funds incorrectly drawn down was \$192,219. No Senators were over-paid as a result of this.

## 2. COST SAVING MEASURES AND FTE CAP

**Issue:** Cost saving and impact on senators

### TALKING POINTS

1. More than 80% of the Department's budget is used to pay staff salaries. This proportion has been rising for some time.
2. Furthermore, the application for the 2012-13 year of the increased efficiency dividend of 4% for the departmental appropriation (and 20% on capital) will result in a loss of \$873,000 (and an additional \$172,000 of capital). This is a significant impact on a total budget of approximately \$20 million.
3. The department currently has a full-time equivalent staffing complement of approximately 160. In future financial years, and based on the information currently at hand, the department can afford the following full-time equivalents:
  - 2012-2013 – 153;
  - 2013-2014 – 150; and
  - 2014-2015 – 148.
4. To achieve these numbers, the department must reduce its full-time equivalent staffing numbers over the coming years. This will be done by each office working within a defined FTE target and budget.
5. Several positions have been abolished. Some of these positions are currently vacant and remaining duties will either be done by other employees or not done. Few redundancies have been offered as reductions in staffing numbers will occur through natural attrition, redeployment and reclassifications.
6. Consultation continues to occur with employees in accordance with the department's enterprise agreement.
7. The department continues to look for more efficient ways of delivering services to the Senate and its committees, particularly in the light of changes to technology.
8. A reduction in staff numbers will impact on services delivered to the Senate and its committees and changes will be made known to as required. There has been regular consultation with the Appropriations and Staffing Committee.

9. In addition to the changes to staffing numbers, the department has agreed to the following measures:
- The provision of newspapers to employees ceased from 1 July 2012;
  - The provision of printed press clippings for employees ceased from 1 July 2012;
  - The lease on the departmental vehicle was not be renewed and the vehicle returned in April 2012;
  - The number of fridges and printers in departmental suites will be reduced;
  - The furniture replacement project has been put on hold; and
  - Recruitment advertising in newspapers has been stopped with no impact in the quality of candidates applying for departmental positions.
10. The Clerk and the Usher of the Black Rod have briefed the Appropriations and Staffing Committee on the implications of these cost savings measures. Discussions have also been held when required with various senators.
11. The main concern raised has been in relation to newspaper delivery times which has been resolved in consultation with the relevant whip.
12. In relation to the earlier closing of dedicated inquiry services (which are now handled by the duty senior officers), BRO has received no complaints and only a couple of after-hours committee room booking requests being taken.
13. In relation to the Table Office ( based on anecdotal evidence) the majority of 'after hours' inquiries have been from members of the press and all inquiries have been responded to within the timeframes established with the request.

---

## BACKGROUND

- Changes are required due to:
  - The 4% efficiency dividend on the department's budget from 1 July 2012;
  - Continued increase in staffing costs including salary increases in accordance with enterprise agreements;
  - Limited additional identified productivity and cost savings measures; and
  - Current staffing levels cannot be afforded within future budget projections.
- Under the current Enterprise Agreement the Department has agreed to 3% pay rise each year for a three year agreement. This is the maximum that can be afforded, and minimum required to attract and retain suitable staff; and

The department's staffing costs are expected to be about \$17m (out of a total budget of \$20 m) for 2012-13.

### 3. PRESIDENT'S SUITE

**Issue: What work has been undertaken in the President's suite this financial year?**

#### TALKING POINTS

In July 2012 new lighting fixtures were installed in the staff offices of the President's suite SG 40 and the remainder of the suite was re lamped.

---

#### BACKGROUND

- Helpmaster jobs 2012 – President's Suite:

January 2012	Cleaning of Kitchen benches
February 2012	Air-conditioning adjustment to temperature (suite very cold) 2 jobs logged
July 2012	Lighting Issue – lights turning off in staff office.
August 2012	Photocopier issue
September 2012	Fridge ice maker broken

#### 4. SENATORS' ACCOMMODATION – WORK UNDERTAKEN

**Issue:** What work/procurement has been undertaken for senators/suites this financial year?

##### TALKING POINTS

1. Procurement that has been undertaken for senators' suites this financial year (excluding recurrent consumables like stationery).
  - 2 monitor arms purchased for installation on Senators' desks (as a result of OHS assessments)
2. The work undertaken in senators' suites since last reported is consistent with previous years incorporating maintenance and minor adjustments based on changes to staff and relocations of senators. Since **July 2012, 204** jobs were logged for works, scheduled maintenance and other ad hoc jobs for repairs of provision of services, within senators' suites. The following table shows a breakdown of the jobs by job type and by month.



## Senators' Suites work July 2012 - Sept 2012 (extracted by job type from helpmaster)

	Jul-12	Aug-12	Sep-12	Oct-12	Nov-12	Dec-12	Jan-13	Feb-13	Mar-13	Apr-13	May-13	Total
Accommodation	0	1	2	0	0	0	0	0	0	0	0	3
Air conditioning	2	2	4	0	0	0	0	0	0	0	0	8
Artworks	0	4	2	0	0	0	0	0	0	0	0	6
Bathroom/Ensuite	0	1	6	0	0	0	0	0	0	0	0	7
Bins	3	8	3	0	0	0	0	0	0	0	0	14
Boxes - packing	1	3	2	0	0	0	0	0	0	0	0	6
Chair	0	3	2	0	0	0	0	0	0	0	0	5
Classified Waste	7	18	18	0	0	0	0	0	0	0	0	43
Cleaning Problem	2	4	3	0	0	0	0	0	0	0	0	9
Desk	2	0	1	0	0	0	0	0	0	0	0	3
Electrical fittings	4	17	20	0	0	0	0	0	0	0	0	41
Fax Machine	0	2	1	0	0	0	0	0	0	0	0	3
Flag Pole	0	1	0	0	0	0	0	0	0	0	0	1
Glassware	0	0	2	0	0	0	0	0	0	0	0	2
Kitchen	0	4	1	0	0	0	0	0	0	0	0	5
Miscellaneous Requests	1	5	2	0	0	0	0	0	0	0	0	8
Office fittings	1	6	6	0	0	0	0	0	0	0	0	13
OHS	1	0	1	0	0	0	0	0	0	0	0	2
Phones	6	8	4	0	0	0	0	0	0	0	0	18
Photocopier	0	5	1	0	0	0	0	0	0	0	0	6
Signs	0	1	0	0	0	0	0	0	0	0	0	1
<b>Total</b>	<b>30</b>	<b>93</b>	<b>81</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>204</b>

Prepared 04/10/2012  
 John Baczynski  
 Director, Senators' Services

**BACKGROUND**

All suite maintenance work is undertaken by DPS so the department does not have information on costs relating to those works. Contractors are engaged to hang pictures (non art collection which is done by DPS) and move furniture at a cost of approximately **\$66.00 per hour**. This financial year to date work in senators' suites totals **\$2184.05** (as at 4/10/12).

- Refurbished status B furniture was exchanged in two suites. (Senators' McKenzie S1.33 and Ruston S1.113).
- Senator Whish-Wilson moved into SG.59 in June 2012 following Senator B. Brown's resignation.
- Senator Ruston moved into S1.113 in September 2012 following Senator Fisher's resignation.
- Senator Thorpe moved into S1.29 in June 2012 following Senator Sherry's resignation.
- In July 2012 new lighting fixtures were installed in the staff offices of the President's suite SG 40 and the remainder of the suite was re lamped.
- A vacant senator suite S1.26 is been temporarily occupied by the Parliamentary Budget Office.

## 5. LEGAL COSTS (PRIVILEGE MATTER)

**Issue:** Reimbursement of legal costs

### TALKING POINTS

- Mr Stephen Skehill of King & Wood Mallesons was engaged to advise you on the interpretation of Privilege Resolution 2(11) and its application to the claim for reimbursement of legal costs incurred by Former Senator Bob Brown and Senator Milne in relation to an inquiry by the Privileges Committee on a case of possible improper influence.
- There were several reasons for engaging a third party to advise you:
  - The mechanism has been used successfully in the past in relation to at least three privilege matters (Crane, Harris, Casselden Place).
  - It was considered useful to provide an objective threshold test of "substantial hardship" that could be used in the future to assist witnesses in submitting claims for reimbursement of legal costs.
  - Public criticism of the President and Clerk in relation to this matter reinforced the value of adopting a process that could be seen by all parties to be objective and disinterested.
- The letter of engagement was sent on 10 July 2012 (Attachment A) and Mr Skehill provided the advice on 7 August 2012 (Attachment B).
- You advised party leaders and independent senators of your intention to engage counsel on 22 June (Attachment C) and recently responded to inquiries from Senator Abetz about the matter (Attachment D)
- The cost of the advice was \$6,106.10 (including GST of \$555.10 which is refundable, making a net cost of \$5,551.00 for just over 9 hours' work) (Attachment E).
- Mr Skehill was engaged on the advice of the Clerk because of his significant public sector experience and previous work for the Privileges Committee (which involved the assessment of documents in relation to parliamentary privilege).
- After receiving Mr Skehill's advice, you sought further information from the affected parties on 23 August, and provided a reasonable time (28 days) for them to respond.
- You are still considering the matter which is a complex and difficult one but expect to make a final determination shortly.



## AUSTRALIAN SENATE

CLERK OF THE SENATE

PARLIAMENT HOUSE  
CANBERRA ACT 2600  
TEL: (02) 6277 3350  
FAX: (02) 6277 3199  
E-mail: clerk.sen@aph.gov.au

c11etothss\_18135

10 July 2012

Mr Stephen Skehill  
King & Wood Mallesons  
Level 5  
NICTA Building  
7 London Circuit  
Canberra ACT 2600

Dear Mr Skehill

This letter confirms our discussion of 4 July 2012 in which I sought, on behalf of the President of the Senate, Senator the Hon. John Hogg, your advice on a matter of reimbursement of legal costs of two senators who were the subject of a recent inquiry by the Senate Committee of Privileges.

The President would appreciate your written advice, by mid-August, to assist him in making a determination whether he should agree to the reimbursement of all or any part of the costs incurred by former senator and Leader of the Australian Greens, Dr Bob Brown and Senator Christine Milne, current Leader of the Australian Greens in relation to a matter of privilege. Your advice will be provided at the standard rate charged by King & Wood Mallesons for your consultancy services, and paid within 30 days of delivery of a correctly rendered tax invoice directed to me.

The President notified party leaders in the Senate and independent senators that he intended to seek the assistance of independent counsel to advise him on this matter and the expectation is that he would table the advice and relevant documents.

Specifically, he seeks your advice on the following matters:

The claim for reimbursement of legal expenses amounting to approximately \$70,000, incurred by Senator Bob Brown and the Leader of the Australian Greens, Senator Milne, in relation to a matter of privilege concerning them, and dealt with in the 150<sup>th</sup> report of the Committee of Privileges, and what, if any, proportion of that amount it would be reasonable to reimburse, having regard to the following:

- (a) the criteria for reimbursement in Privilege Resolution 2(11);

- (b) the arguments for reimbursement contained in correspondence to the President from the senators' legal representatives, dated 21 March and 1 July 2012 (covering a submission dated 18 April 2012), particularly the arguments for an extended interpretation of "hardship";
- (c) the 150<sup>th</sup> report of the Committee of Privileges and accompanying volume of tabled documents;
- (d) the 125<sup>th</sup> report of the Committee of Privileges (on precedents, procedures and practice), in so far as it relates to the reimbursement of legal costs;
- (e) a background paper from the Clerk of the Senate on the development and application of Privilege Resolution 2(11), practice in comparable jurisdictions, and related matters;
- (f) the applicability of principles for the award of costs in legal proceedings to parliamentary proceedings of this nature;
- (g) the question of financial hardship, in the context of salaries and allowances determined by the Remuneration Tribunal for members of parliament and office-holders;
- (h) the reasonableness of the rates charged by the senators' legal advisers, having regard to rates referred to in the Legal Services Directions 2005.

I enclose for your assistance the following materials:

1. copies of the tax invoices provided by the senators' legal representatives with a summary sheet listing the total amount for each invoice, prepared by the Clerk
2. Privilege Resolution 2
3. submissions in relation to costs made by the senators' legal representatives referred to in paragraph (b) above
4. the 150<sup>th</sup> report of the Committee of Privileges and volume of documents (chapter 2 of the report deals with issues of practice and procedure including, at the end, reimbursement of costs)
5. the 125<sup>th</sup> Report of the Committee of Privileges with relevant parts marked
6. a background paper prepared by the Clerk (referred to in paragraph (e); the motion referred to in the paper lapsed at the retirement of Senator Brown)
7. relevant determinations of the Remuneration Tribunal in respect of senators' salary and allowances of office for the 2011-12 financial year
8. a copy of the Legal Services Directions 2005.

For completeness, I also enclose copies of correspondence between the senators' legal advisers and the President on the issue of reimbursement.

Please let me know if you require any other materials or assistance. I should indicate that I will be in the Solomon Islands at a parliamentary conference from 23-27 July but should be able to check my private email account: [rosemary.laing@aph.gov.au](mailto:rosemary.laing@aph.gov.au).

If you agree to provide the services described in this letter, I should be grateful if you would sign and return the duplicate letter.

Yours sincerely

A handwritten signature in cursive script that reads "Rosemary Laing". The signature is written in black ink and is positioned above the printed name.

(Rosemary Laing)

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7 August 2012

Senator the Hon. John Hogg  
President of the Senate  
Parliament House  
CANBERRA ACT 2600

Dear Mr President

**Claim for Reimbursement of Legal Costs by former Senator Brown and Senator Milne**

On 10 July 2012 Dr Rosemary Laing, Clerk of the Senate, requested that I provide you with advice in relation to the claim for reimbursement of legal costs incurred by former Senator and Leader of the Australian Greens, Dr Bob Brown (Dr Brown), and current Leader of the Australian Greens, Senator Christine Milne (Senator Milne), in relation to a recent inquiry by the Senate Committee of Privileges (the Committee).

**Summary of Advice**

No case has been made out that would justify you, as President, approving reimbursement of the legal costs incurred by Dr Brown and Senator Milne by reference to the criteria for reimbursement in Privilege Resolution 2(11).

**Background**

On 24 November 2011 the Senate referred to the Committee "matters raised by Senator Kroger relating to political donations made by Mr Graeme Wood, arrangements surrounding the sale of the Triabunna woodchip mill by Gunns Ltd and questions without notice asked by Senator Bob Brown and Senator Milne".

Following the Senate reference to the Committee, Dr Brown and Senator Milne engaged solicitors to provide advice to them and to prepare and present to the Committee submissions on their behalf, and those solicitors in turn briefed senior and junior Counsel to assist in the settling of those submissions (together, **the legal representatives**). As a result, Dr Brown and Senator Milne incur a liability for legal costs of approximately \$70,000. [ / ]

In March 2012 the Committee reported that no question of contempt arose in respect of the matters referred, having found that such questions as arose from the material provided by Senator Kroger were answered by the accounts of Mr Wood, Dr Brown and Senator Milne.

By a letter to the Committee dated 22 December 2011 and a formal submission to the Committee dated 27 February 2012, the legal representatives indicated that Dr Brown and Senator Milne would be seeking reimbursement of their legal costs under Privilege Resolution 2(11). As it transpired, the Committee did not receive a formal application for reimbursement. Nevertheless, it reported that:

*As the committee does not consider that the hardship criterion has been met, the committee, by majority decision, will not be recommending the reimbursement of costs incurred should a specific application be made.*

The Committee's report was tabled in the Senate on 19 March 2012.

On 20 March 2012 notice was given in the Senate of a motion in the following terms:

*That the Senate endorse the payment of the legal expenses of Senator Bob Brown and Senator Milne in the matter of the referral by Senator Kroger to the Committee of Privileges after receipt and accreditation of those expenses by the President.*

On 21 March 2011 Dr Brown's and Senator Milne's solicitors wrote to the President of the Senate "to amplify and further develop the application for reimbursement" that they said had been made in their earlier letter to the Committee of 22 December 2011.

On 22 March 2011 the Senate endorsed the findings and conclusions of the Committee in relation to the possible contempt.

#### Questions Asked

Dr Laing's letter to me of 10 July 2012 outlined the matters on which my advice was sought as follows:

*The claim for reimbursement of legal expenses amounting to approximately \$70,000, incurred by Senator Bob Brown and Leader of the Australian Greens, Senator Milne, in relation to a matter of privilege concerning them, and dealt with in the 150<sup>th</sup> report of the Committee of Privileges, and what, if any, proportion of that amount it would be reasonable to reimburse, having regard to the following:*

- (a) *The criteria for reimbursement in Privilege Resolution 2(11);*
- (b) *The arguments for reimbursement contained in correspondence to the President from the senators' legal representatives, dated 21 March and 1 July 2012 (covering a submission dated 18 April 2012), particularly the arguments for an extended interpretation of "hardship";*
- (c) *The 150<sup>th</sup> report of the Committee of Privileges and accompanying volume of tabled documents;*
- (d) *The 125<sup>th</sup> report of the Committee of privileges (on precedents, procedures and practice), in so far as it relates to the reimbursement of legal costs;*
- (e) *A background paper from the Clerk of the Senate on the development and application of Privilege Resolution 2(11), practice in comparable jurisdictions, and related matters;*



- (f) *The applicability of principles for the award of costs in legal proceedings to parliamentary proceedings of this nature;*
- (g) *The question of financial hardship, in the context of the salaries and allowances determined by the Remuneration Tribunal for members of parliament and office-holders;*
- (h) *The reasonableness of the rates charges by the senators' legal advisers, having regard to rates referred to in the Legal Services Directions 2005.*

#### Advice

In the following sections I address each of the matters to which the request for advice asks me to have regard.

#### Privilege Resolution 2(11)

Privilege Resolution 2(11) provides as follows:

*The committee may recommend to the President the reimbursement of costs of representation of witnesses before the committee. Where the President is satisfied that a person would suffer substantial hardship due to liability to pay the costs of representation of the person before the committee, the President may make reimbursement of all or part of such costs as the President considers reasonable.*

Statutory authority to expend appropriated funds in accordance with this resolution to be found in section 36 of the *Financial Management and Accountability Act 1997*.

I note the following points about the wording and interpretation of this resolution:

- 1 A recommendation from the Committee, whether for or against reimbursement, is not a precondition to a decision by the President to make or not make reimbursement.
- 2 The President is thus not bound by a recommendation of the Committee that reimbursement not be made.
- 3 No criteria are specified to be met before the Committee can decide to recommend reimbursement.
- 4 The President does not, however, have an unfettered discretion to accept a recommendation from the Committee in favour of reimbursement.
- 5 The President may only make reimbursement where satisfied that specified criteria are met.
- 6 The specified criteria require that:

- Not merely hardship but "substantial" hardship" must be demonstrated;
- That hardship must not be a mere possibility but must be at least more likely than not (because the President must be satisfied that it "would" be suffered);
- That hardship must derive from "liability to pay the costs of representation" and not from any other matter related to proceedings before the Committee; and
- There is no standard specified by reference to which the President is to determine whether costs incurred are or are not "reasonable".

#### **Arguments advanced in favour of Reimbursement**

Dr Brown's and Senator Milne's legal representatives have advanced a number of grounds in support of reimbursement of their clients' legal expenses, and not just in the documents referenced in the request for advice.

Their letter to the Committee on 22 December 2011, their submission to the Committee of 27 February 2012 and their letter to the President on 21 March 2012 included the following arguments:

- 1) The matters referred to the Committee by the Senate raised a novel issue (letter to Committee, 22 December 2011);
- 2) The Committee's conclusions would have significant and wide-ranging implications for all Senators and Members (letter to Committee, 22 December 2011);
- 3) The subject of the reference was a serious matter, and publication of the allegation involved affected the reputations of the three named persons (letter to Committee, 22 December 2011);
- 4) It would be only just to make provision for costs in the present circumstances (submission of 27 February 2012);
- 5) The charge of contempt and breach of privilege raised by Senator Kroger should not have been brought (submission of 27 February 2012);
- 6) Publication of the allegations would cause irreparable harm to the reputation of those affected pending the allegations being found groundless (submission of 27 February 2012);
- 7) The decision to accord precedence to the motion was taken without the independent advice that should have been sought (submission of 27 February 2012);
- 8) The circumstances of the referral were undoubtedly and unquestionably exceptional (letter to the President, 21 March 2012);
- 9) The question of hardship must be considered by reference to all the circumstances of the case, and in particular:
  - a. The allegations were very serious and went to possible areas of contempt which had not previously been addressed by the Committee;

- b. The Committee had not previously had to consider Resolution 6(2) or Resolution 6(3);
  - c. Allegations of contempt by one Senator against another are unusual;
  - d. An application was made that Senator Brandis recuse himself from taking part in the Committee's deliberations on the grounds of bias;
  - e. The allegations were found to be baseless (letter to the President, 21 March 2012);
- 10) Also very relevant was the potential for both for damage to the Senators' reputations and for them to suffer substantial penalties if the charges went to trial, and worse, were upheld (letter to the President, 21 March 2012);
- 11) The reference to the Committee was best described as a political squabble and was arguably a misuse of the Committee of Privileges (letter to the President, 21 March 2012);
- 12) Undue suffering resulted and the President can be satisfied that Dr Brown and Senator Milne will suffer as a consequence of their liability for approximately \$70,000 in legal fees. This may be compared with the hardship a minister would sustain were it not that parliament has provided for payment of legal fees if a member of the ministry has to defend him or herself on the courts.

With respect to the authors of these submissions, points 1) to 11) above simply failed to address the only criteria to which the President is in my view permitted to have regard and they were thus irrelevant.

Point 12) came close to being relevant by claiming hardship, but made no assertion as to whether or not it would be "substantial" and offered no evidentiary material in support. It was, at best, only a bald and partial claim.

On 1 July 2012 Dr Brown's and Senator Milne's solicitors wrote again to the President attaching what they described as advice "obtained from senior counsel on the issue of costs". The attachment however was a submission on costs, apparently prepared by the solicitors themselves, rather than by counsel.

Notwithstanding this apparent discrepancy, the document relevantly stated as follows:

7. *It is submitted that a person who is unjustly accused of very serious matters, in a context where the airing of those accusations was itself damaging, and who must bear the cost of proving the accusations groundless, has suffered hardship.*

8. *Even if hardship is understood in a purely financial sense, given that each Senator has a joint liability of over \$70,000.00, it is difficult to understand why the Committee concluded that the hardship criterion had not been met. A senator's salary is \$140,000.*

The first paragraph quoted above failed in my view to adequately address the criteria in Privilege Resolution 2(11). As noted above, the relevant hardship must derive from the liability to pay the legal costs, and not from any other incident of the Committee proceedings.

The second paragraph, however, adduced some assertions of relevance to the financial hardship criteria. Nevertheless that material was in my view overtly inadequate:

- The reference to a Senator's salary substantially understated (by some \$44,000 pa) the applicable figure operative from 15 March 2012;
- It also failed to mention the additional salary to which Dr Brown was entitled as leader of a recognised party (approximately \$60,000 pa);
- No mention was made of the financial position of Senator Milne beyond her salary as a Senator. In the absence of detail about her assets and commitments, it is certainly not apparent how a liability for [redacted] of around \$70,000 would have imposed "substantial hardship" in her case;
- There was slightly more information about Dr Brown, but it was both so ambiguous and so evidently incomplete as to provide an inadequate basis to accept a claim of "substantial hardship" (which, remarkably, was not actually made).

Accordingly, I consider that no case has been made out that would justify the President approving reimbursement of the legal costs incurred by Dr Brown and Senator Milne by reference to the criteria for reimbursement in Privilege Resolution 2(11).

Whether such a case could be made out by presentation of further detail is a separate matter.

#### **150<sup>th</sup> Report**

There is nothing in the Committee's report on the reference in question that would lead to a different conclusion to that set out above.

#### **125<sup>th</sup> Report**

There is nothing in the Committee's earlier report on "Precedents, procedures and practise in the Australian Senate 1966-2005" that would lead to a different conclusion to that set out above.

#### **Background Paper from Clerk of the Senate**

There is nothing in the Clerk's background paper that would lead to a different conclusion to that set out above and, indeed, its outline of the evolution of Privilege Resolution 2(11) reinforces the view, apparent on the terms of the resolution itself, that the intention was that it should be only financial and not any other form of hardship or consequence that is required to be demonstrated before reimbursement may be approved.

#### **Applicability of Court Costs Rules**

The rules applied by courts in deciding whether an unsuccessful party should pay some or all of the legal costs of a successful party to litigation have no necessary application to parliamentary proceedings such as those before the Committee. Indeed, the circumstances in which they are applied are not analogous, in that Privilege Resolution 2(11) addresses the question of whether the public purse rather than the complainant

should pay the costs of the other party. In my view, the only potential relevance of these rules may be because of the distinctions they draw between the totality of a party's legal costs, and those which are appropriate to be borne by the opposing party. This issue goes to questions of reasonableness, discussed below.

### **Remuneration Tribunal Determinations**

Determinations of the Remuneration Tribunal setting salaries and allowances for Members and Senators are relevant to the question of hardship, but not determinative or sufficient for such an assessment. They provide information about only one component of a Senator's financial affairs. There is nothing in Privilege Resolution 2(11) to suggest that hardship should be assessed other than by reference to the totality of a Senator's financial circumstances. Clearly a liability to pay even the entirety of a Senator's salary as legal costs may not impose "substantial hardship" on a Senator who is otherwise of independent and sufficient means.

### **Reasonableness of Rates Charged**

On my view the question of whether or not the legal charges incurred by Dr Brown and Senator Milne were reasonable does not strictly arise because "substantial hardship has been demonstrated and accordingly, their eligibility for reimbursement has not been made out. However, because I am specifically asked to address this question and because later information may be put forward that may meet that criteria, I deal with this issue as follows.

Three things should be noted immediately:

- I am asked only to advise on "rates" and not "amounts" charged. While I have been provided with copies of the invoices rendered by the legal representatives, these do not provide sufficient information to enable me to assess whether the length of time charged for at the relevant rates was reasonable or more than should reasonably have been spent. I would require further information, such as access to practitioner files, to express a concluded view in this regard. [Having said that, I should add that the available material does not itself give rise to any necessary doubt in this regard];
- The Legal Service Directions 2005 are in my view irrelevant to the present circumstances. They relate to the purchase by the Commonwealth of legal services for the Commonwealth's own purposes. They have no application where the Commonwealth is considering reimbursing another party for costs incurred by that other party. Given that a principal relevant purpose of the Directions is to ensure that the Commonwealth asserts "its position as a major purchaser of legal services in agreeing on the level of fees payable to counsel assisting engaged on behalf of the Commonwealth or its agencies", it would be unreasonable to expect that other parties without comparable purchasing power could obtain services at the same rates; and
- Even if the Directions were relevant, they relevantly apply only to rates payable to counsel and not to solicitors and are thus pertinent to only some of the legal representatives.

The solicitors' submission of 18 April 2012 provided to the President on 1 July 2012 stated as follows:

*... Counsel's fees were calculated on the basis of their Commonwealth rate rather than their commercial rate and ... the solicitor for the Senators charged at \$250 per hour.*

If this information is correct, then:

- Counsels' fees would have been at no lower rate had the Legal Services Directions been applicable; and
- Given that the solicitor who acted was a partner in a Hobart firm, an hourly rate of \$250 should not in my view be regarded as unacceptable.

It is apparent from the Committee's report, however, that the more contentious issue is whether lesser charges should have been incurred by the legal representatives making submissions addressing only the substantive factual issues (which they did in their second submission to the Committee) and avoiding addressing the other contextual issues that were raised in their first submission.

The primary thrust of that first submission of 8 February 2012 was to argue that Senator Brandis should recuse himself on the basis of apprehended bias. This expanded on a position first put by the solicitors in a letter to the Committee on 22 December 2011. The submission canvassed the requirements of procedural fairness, and made various assertions about the legal status of the Committee's proceedings and their amenability to judicial review.

On the same day, but prior to receipt of the first submission, Senator Brandis advised the Committee chair that he intended to recuse himself, which he did by letter dated 10 February 2012 which was received by the Committee on 13 February 2012 and provided to the solicitors on 14 February 2012.

The second submission dated 27 February 2012 provided detailed factual background that enabled the Committee to reach conclusions contrary to the adverse inferences that had sought to be raised in the materials leading to the reference.

In relation to these submissions, the Committee report stated:

*The committee also notes that one consequence of the approach taken in this case was that a response to the substantive matters before the committee was not provided until 27 February 2012, delaying the resolution of the case. The provision of statements, such as those contained in Annexures 1 and 2 of the second submission may well have met the committee's requirements in the initial stages of the inquiry, and enabled the matter to have been dealt with more quickly without the need for such costs to be incurred.*

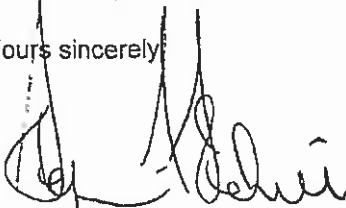
It is a fundamental precept of the concept of justice that a person whose interests may be adversely affected by that decision is entitled to have that decision taken by a decision-maker unaffected by bias. It is proper for a legal adviser to raise and pursue on behalf of their client not only actual bias but also apprehended bias – ie, where a reasonable objective observer might consider that there could be actual bias. The fact that the legal adviser might at the same time consider that they have a "water-tight case" to answer the allegations against their client does not mean that they should refrain from seeking recusal on the ground of apprehended bias because, if the apprehension is correct, even a sound case may be unsuccessful. To fail to take the point may, indeed, be professionally negligent.

Viewed in this way, I consider that, if future evidence were to be adduced and found to meet the "substantial hardship" criteria, it would not be appropriate to refuse to reimburse the costs of preparing the first submission notwithstanding (a) that the Committee may not have accepted all arguments set out in it and (b)

that the second submission was subsequently accepted by the Committee as providing an adequate response to the issues raised in the referral.

Please do not hesitate to contact me if you have any further questions arising from the above.

Yours sincerely



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PRESIDENT OF THE SENATE

PARLIAMENT HOUSE  
CANBERRA

22 June 2012

Senator the Hon. Chris Evans  
Leader of the Government in the Senate  
Parliament House  
Canberra ACT 2600

Dear Senator Evans

As you will be aware, the Privileges Committee in its 150<sup>th</sup> report, tabled on 19 March 2012, considered a request for reimbursement of legal costs pursuant to Privilege Resolution 2(11). I now have an application before me for the reimbursement of legal costs arising out of that inquiry.

This raises the general issue of the reimbursement of legal costs incurred by witnesses as a result of proceedings of the Privileges Committee.

I believe there is merit in having the matter assessed by independent counsel before I make a determination on the application. Such a mechanism has been used successfully in the past in relation to at least three privilege-related matters.

Accordingly, I advise Party Leaders and Independent Senators that I will engage counsel to advise me on the grounds and any threshold requirements which must be satisfied, including under Privilege Resolution 2(11), to establish 'hardship' in order to authorise reimbursement of legal costs.

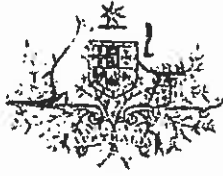
The benefit of this process is that it provides an objective threshold test to apply to any witness seeking reimbursement of legal costs, including under Privilege Resolution 2(11).

Further, this advice will assist witnesses in the future when submitting a claim for the reimbursement of legal costs of representation before the Privileges Committee.

Yours sincerely

A handwritten signature in black ink that reads "John Hogg".  
JOHN HOGG





PARLIAMENT OF AUSTRALIA - THE SENATE

Senator the Hon **Eric Abetz**

Leader of the Opposition in the Senate  
Shadow Minister for Employment and Workplace Relations  
Liberal Senator for Tasmania

3 September 2012

Senator the Hon John Hogg  
President of the Senate  
Room SG40  
Parliament House  
CANBERRA ACT 2600



Dear Mr President

I write again in relation to your letter of 22 June 2012, which advised your intention to engage counsel to provide an objective test, including of 'hardship', to apply to any witness seeking reimbursement of legal costs, including under Privilege Resolution 2(11).

I am interested in whether counsel has provided this advice, and, if so, what was the advice, who provided it and how much did it cost.

I am also interested in whether you have made a decision on the application for the reimbursement of legal costs arising from the Privileges Committee's 150th report, and, if so, what was your decision and what was the quantum of legal costs claimed and any legal costs paid or proposed to be paid in relation to each applicant.

Yours sincerely

Eric Abetz  
Leader of the Opposition in the Senate  
Shadow Minister for Employment and Workplace Relations  
Liberal Senator for Tasmania

...advancing Tasmania's interests.

6 September 2012

Senator the Hon E Abetz  
Leader of the Opposition in the Senate  
GPO Box 1675  
Hobart TAS 7001

Dear Senator Abetz

Thank you for your letter of 3 September 2012 on the issue of the reimbursement of legal costs incurred by Senator Milne and Dr Bob Brown arising from the Privileges Committee's 150<sup>th</sup> Report.

As previously advised, I did engage counsel to provide advice, including clarification of "substantial hardship" in Privilege Resolution 2(11). I received advice from Mr Stephen Skehill of King & Wood Mallesons at a cost of \$6,106.10 (including GST). Mr Skehill has previously undertaken work for the Senate and the Privileges Committee (in relation to the Crane and Harris matters).

I am currently in the process of seeking further information before I make a final decision on the matter.

When I have done so, I propose to inform party leaders of the decision and provide copies of the advice.

Yours sincerely

(John Hogg)

**KING & WOOD  
MALLESONS**

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### Invoice Summary and Payment Options

President of the Senate  
Parliament House  
CANBERRA ACT 2600

**This is not a tax invoice**  
A detailed tax invoice is attached  
separately

31 August 2012

#### Our contacts

Partner:  
David Briggs  
(61 2) 6217 6056

Invoice No: 1510774

Attention: **Rosemary Lalng**  
Client Ref:  
Matter No. 06-5505-9235  
Advice re Senators' application for reimbursement of legal costs

#### Summary invoice details

Legal services provided during the period from  
11 July 2012 to 8 August 2012

Total professional costs	Service fees and disbursements subject to GST	GST at 10% on taxable supplies	Service fees and disbursements incurred not subject to GST	Total costs, service fees and disbursements	Amount due and payable
\$5,551.00		\$555.10		AUD6,106.10	
					AUD6,106.10

Important information about our payment terms and disputes regarding our fees and costs appears on page 2.

#### Payment options

##### Electronic funds transfer

Please transfer funds to this account:

Account name King & Wood Mallesons  
Bank National Australia Bank  
BSB 082-067  
Account number 45-725-1299  
Swift code NATA AU 3302S  
Branch Cnr Pitt & Hunter Streets  
SYDNEY NSW 2000

##### Payment by cheque

Please post cheque and payment details to:

King & Wood Mallesons  
Level 50  
Bourke Place  
600 Bourke Street  
MELBOURNE VIC 3000  
Australia

If paying by EFT, please send advice of your payment to:  
(please quote the invoice number)

Fax 61 3 9643 5999  
Email treasury@au.kwm.com

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President of the Senate  
Parliament House  
CANBERRA ACT 2600

31 August 2012

## Our Contacts

### Partner:

David Briggs  
(61 2) 6217 6056

### Acting:

Stephen Skehill  
(61 2) 6217 6084

Attention: **Rosemary Laing**  
Matter No. 06-5505-9235  
Advice re Senators' application for reimbursement of legal costs

Invoice No:  
1510774

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## Tax Invoice

Legal services provided during the period from  
11 July 2012 to 8 August 2012

To our professional costs	\$5,551.00
Total professional costs:	\$5,551.00
Plus GST at 10%	\$555.10
<b>Amount due and payable:</b>	<b>\$6,106.10</b>
This invoice includes GST at 10% on taxable supplies	\$555.10

Important information about payment options, payment terms and disputes regarding our fees and costs appears in the Invoice summary enclosed with this tax invoice.

**ACCOUNT NARRATIONS FOR BILLING PERIOD**

Advice re Senators' application for reimbursement of legal costs

Our Ref: 06-5505-9235

Invoice No.: 1510774

<b>Date</b>	<b>Person</b>	<b>Position</b>	<b>Narration</b>
11-Jul-2012	Stephen Skehill	Special Counsel	Attending meeting with Rosemary Laing
12-Jul-2012	Stephen Skehill	Special Counsel	Reviewing documents provided by Dr Laing
06-Aug-2012	Stephen Skehill	Special Counsel	Preparing draft advice and covering email to Dr Laing
08-Aug-2012	Stephen Skehill	Special Counsel	Preparing final advice

**SUMMARY**

<b>Person</b>	<b>Position</b>	<b>Hours</b>	<b>Amount</b>
		<b>H:m</b>	<b>\$</b>
Stephen Skehill	Special Counsel	9:06	5,551.00