

Senate Community Affairs Committee

ANSWERS TO ESTIMATES QUESTIONS ON NOTICE

HEALTH PORTFOLIO

Additional Estimates 2016 - 2017, 1 March 2017

Ref No: SQ17-000257

OUTCOME: 0 - Whole of Portfolio

Topic: Legal Costs

Type of Question: Written Question on Notice

Senator: Bilyk, Catryna

Question:

- a) What was the Department's total spend on external legal services (including services provided by the Australian Government Solicitor) (GST inclusive) for calendar year 2016? Can an itemised list of costs of each legal matter (GST inclusive) please be provided?
- b) Can a list of relevant Contract Notices published on Austender please be provided?

Answer:

- a) Under the *Legal Services Directions 2005*, non-corporate Commonwealth entities are required to publish the details of their legal services expenditure for the previous financial year, including external legal services, by 30 October each year. As such, expenditure by calendar year is not a dataset that is collected by the Department of Health. The details for financial year ending 2016 are available on the department's website and are as follows:

Total external legal services expenditure 2015-16 - \$12,649,635.03 (GST exclusive).

The Department does not hold itemised lists of costs for each legal matter.

- b) Contract notices for legal services published by any non-corporate Commonwealth entity on Austender do not accurately reflect legal services expenditure for the following reasons:
- Reported amounts are, by necessity, usually an estimate of the legal services expenditure at the outset of a matter, and so can be greater or smaller than the actual expenditure on a matter.
 - Expenditure under \$10,000 is not required to be reported.

A list of relevant Contract Notices published on Austender for the 2016 calendar year has been provided below.

Supplier Name	Start Date	End Date	Value (AUD)
Prof Nick Antic	31-Dec-15	30-Jun-16	10,364.00
Dr Leslie Olson	31-Dec-15	30-Jun-16	10,000.00
Prof Nick Antic	31-Dec-15	30-Jun-16	10,364.00
Dr Leslie Olson	31-Dec-15	30-Jun-16	10,000.00
Ashurst Australia	5-Jan-16	30-Jun-16	10,351.09
Australian Government Solicitor	11-Jan-16	30-Jun-16	25,070.50
Australian Government Solicitor	15-Jan-16	22-Jan-16	24,296.80
Australian Government Solicitor	15-Jan-16	22-Jan-16	24,296.80
Australian Government Solicitor	21-Jan-16	30-Jun-16	15,000.00
Australian Government Solicitor	28-Jan-16	30-Jun-16	13,770.00
Australian Government Solicitor	29-Jan-16	30-Jun-16	10,500.00
Arete Group Pty Limited	2-Feb-16	30-Jun-16	11,000.00
Clayton Utz	18-Feb-16	30-Jun-16	66,000.00
Australian Government Solicitor	19-Feb-16	30-Jun-16	10,700.00
Australian Government Solicitor	23-Feb-16	30-Jun-16	28,070.50
Australian Government Solicitor	1-Mar-16	30-Jun-16	50,000.01
LEX Australia Pty Ltd	1-Mar-16	30-Jun-16	20,900.00
Moray & Agnew Lawyers	1-Mar-16	31-May-16	14,000.00
Moray & Agnew Lawyers	1-Mar-16	31-May-16	14,000.00
Office of Parliamentary Counsel	3-Mar-16	30-Jun-16	60,500.00
Australian Government Solicitor	4-Mar-16	30-Jun-16	22,070.50
Australian Government Solicitor	4-Mar-16	30-Jun-16	26,070.50
Clayton Utz	9-Mar-16	30-Jun-16	62,700.00
Australian Government Solicitor	15-Mar-16	30-Jun-16	14,000.00
Meyer Vandenberg Lawyers	16-Mar-16	30-Jun-16	93,456.00
Moray and Agnew Lawyers	16-Mar-16	8-Jul-16	66,000.00
Australian Government Solicitor ACT	16-Mar-16	30-Dec-17	50,000.00
Australian Government Solicitor ACT	16-Mar-16	30-Dec-17	120,000.00
Moray & Agnew Lawyers	16-Mar-16	08-Jul-16	88,000.00
Moray and Agnew Lawyers	16-Mar-16	8-Jul-16	66,000.00
Australian Government Solicitor ACT	16-Mar-16	30-Dec-17	50,000.00
Griffith Hack	17-Mar-16	30-Jun-16	29,999.99
Australian Government Solicitor	17-Mar-16	30-Jun-16	11,000.00
Corrs Chambers Westgarth	18-Mar-16	22-Sep-16	160,050.00
Corrs Chambers Westgarth	18-Mar-16	22-Sep-16	160,050.00
Australian Government Solicitor	22-Mar-16	30-Jun-16	24,570.50
Minter Ellison	1-Apr-16	30-Jun-16	55,017.60
Australian Government Solicitor	4-Apr-16	3-Jun-16	57,786.42
Australian Government Solicitor	4-Apr-16	3-Jun-16	57,786.42
Office of Parliamentary Counsel	11-Apr-16	30-Jun-16	11,416.09
Clayton Utz	18-Apr-16	30-Jun-16	55,000.00
Maddocks	26-Apr-16	30-Jun-16	10,000.00
Clayton Utz	26-Apr-16	30-Jun-16	25,000.00
Australian Government Solicitor	27-Apr-16	30-Jun-16	10,000.00
Griffith Hack	28-Apr-16	30-Jun-16	400,000.00
Craig Lenehan	28-Apr-16	30-Jun-16	10,800.00
Richard Lancaster	28-Apr-16	30-Jun-16	19,350.00
Craig Lenehan	28-Apr-16	30-Jun-16	10,800.00
Richard Lancaster	28-Apr-16	30-Jun-16	19,350.00
DLA Piper Astralia	2-May-16	30-May-16	10,000.00

Supplier Name	Start Date	End Date	Value (AUD)
Russell Kennedy	3-May-16	30-Jun-16	29,700.00
Russell Kennedy	3-May-16	30-Jun-16	29,700.00
Australian Government Solicitor	5-May-16	30-Jun-16	21,441.88
Ashurst Australia	11-May-16	30-Jun-16	69,262.05
Ashurst Australia	11-May-16	30-Jun-16	13,900.00
Australian Government Solicitor	12-May-16	30-May-16	10,406.00
Minter Ellison	18-May-16	31-Dec-16	40,000.00
Clayton Utz	20-May-16	30-Jun-16	109,626.00
Australian Government Solicitor	31-May-16	1-Jul-16	28,600.00
Australian Government Solicitor	1-Jun-16	30-Jun-16	25,000.00
Griffith Hack	1-Jun-16	30-Jun-16	50,000.01
Maddocks	28-Jun-16	31-Dec-16	10,000.00
Australian Government Solicitor	30-Jun-16	31-Dec-16	10,000.00
Meyer Vandenberg Pty Ltd	9-Aug-16	30-Dec-16	33,748.00
Maddocks	12-Aug-16	31-Dec-16	30,000.00
HBA Legal Pty Ltd	9-Sep-16	14-Nov-16	19,983.41
DLA Piper Australia	22-Sep-16	30-Nov-16	11,000.00
DLA Piper Australia	22-Sep-16	20-Oct-16	14,520.00