

Senate Standing Committee on Environment and Communications
Answers to Senate Estimates Questions on Notice
Additional Estimates Hearings February 2016
Communications Portfolio
Department of Communications and the Arts

Question No: 206(a)

Program 1.1

Hansard Ref: Written, 19/02/2016

Topic: Legal Costs

Senator Ludwig, Joe asked:

Since the change of Prime Minister on 14 September, 2015:

1. List all legal costs incurred by the department or agency
2. List the total cost for these items, broken down by source of legal advice, hours retained or taken to prepare the advice and the level of counsel used in preparing the advice, whether the advice was internal or external
3. List cost spend briefing Counsel, broken down by hours spent briefing, whether it was direct or indirect briefing, the gender ratio of Counsel, how each Counsel was engaged (departmental, ministerial)
4. How was each piece of advice procured? Detail the method of identifying legal advice

Answer:

1. The Department expensed a total of \$1,572,753 (ex GST) on legal expenses from 1 September 2015 to 31 January 2016.
2. The Department does not collect or report on information in this way. It would be an unreasonable diversion of departmental resources to gather this information. The figure at 1) can be broken down by amount spent on each law firm and the Attorney General's Department. The information below includes both professional fees and disbursements but excludes fees of counsel. All figures exclude GST.
 - (a) Allen Linklaters - \$55,751
 - (b) Attorney General's Department - \$3,270
 - (c) Australian Government Solicitor - \$16,354
 - (d) DLA Piper - \$24,324
 - (e) Henry Davis York - \$341,822
 - (f) Herbert Smith Freehills - \$327,761
 - (g) Minter Ellison - \$499,122
 - (h) Miscellaneous disbursements totalling \$704.00 were paid directly by the Department.

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3. The total amount spent on counsel advice for the period specified at 1) is \$303,645 (ex GST).
 - (a) This amounts to approximately 623 hours of time counsel spent on the matters.
 - (b) There were three matters that were briefed to counsel. One was a direct briefing, the other two were indirect.
 - (c) The gender ratio for counsel is 6 male: 2 female.
 - (d) All counsel were engaged by the Department.
4. All advice from law firms was procured through the Legal Services Multi Use List. Counsel were engaged based on specific expertise at rates required by the Attorney General's Department.