

Senate Standing Committee on Environment and Communications
Answers to Senate Estimates Questions on Notice
Additional Estimates Hearings February 2016
Communications Portfolio
Australian Broadcasting Corporation

Question No: 206(b)

Australian Broadcasting Corporation

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 spend 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 total legal costs incurred from 1 September 2015 to 31 January 2016 were \$1,607,864.
2. All amounts are external. We do not keep records of time taken in preparing advice given by in-house lawyers. The costs cover not only advice but also court appearances in the course of litigation. Total costs related to solicitors were \$1,099,563 and barristers \$508,301. Of the counsel briefed, approximately 64% were junior counsel and approximately 36% were senior counsel.
3. For cost of counsel, please see the previous answer. We do not keep records of time taken by in-house lawyers to brief counsel. Over 95% of the briefing of counsel was direct, with the balance briefed via private legal firms. The gender ratio was approximately 21% female, 79% male.
4. As mentioned in answer to question 2, the costs include both legal advice and litigation. The advice was sought directly from legal firms and, in the case of barristers, either directly or occasionally indirectly via private legal firms. Identifying costs (and therefore advice) was ascertained by reviewing the financial records of the Corporation.