

Senate Standing Committee on Environment and Communications

Answers to Senate Estimates Questions on Notice

Budget Estimates Hearings May 2014

Communications Portfolio

Department of Communications

Question No: 595

Program No. Legal

Hansard Ref: In Writing

Topic: Legal Costs

Senator Ludwig asked:

List all legal costs incurred by the Department/Agency since 1 February 2014

1. 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
2. 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)
3. How was each piece of advice procured? Detail the method of identifying legal advice.

Answer:

1. The Department of Communications total expense for legal services from 1 February 2014 until 30 April 2014 was \$942,564 (GST exclusive) for internal legal services and \$258,542 (GST exclusive) for external legal services.

Law firms that were engaged for advice were the Australian Government Solicitor, Clayton Utz, Henry Davis York Lawyers, Meyer Vandenberg and Minter Ellison Lawyers. We do not record the hours the firms worked, were retained or took to prepare advice.

The level of Counsel/lawyer used internally to prepare advice and carry out work includes 1 General Counsel, 1 Deputy General Counsel, 1 Senior Advisor, 4 Principal Lawyers, 8 Senior Lawyers and 4 Junior Lawyers.

2. The total expense for briefing external counsel was \$49,611 (GST exclusive) for the period. We do not record the hours spent briefing. There were 2 Counsel engaged for their services – both Counsel were briefed indirectly. The gender ratio of Counsel is 1 male and 1 female. All Counsel were engaged, indirectly, by the Department.
3. Each piece of external advice was procured through the Legal Services Multi Use List after senior internal legal staff identified the need for specialist advice or a need for expertise not available within the division or Tied Work under the *Legal Services Directions 2005*.