

Senate Standing Committee on Education and Employment

QUESTIONS ON NOTICE Additional Estimates 2015 - 2016

Agency - Safe Work Australia

Department of Employment Question No. EMSQ16-000666

Senator Ludwig provided in writing.

Question

SWA - Legal Costs

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

1,2&4. Since 14 September 2015:

SOURCE													
Internal counsel	<p>Costs associated with employing:</p> <ul style="list-style-type: none"> • one in-house full-time principal government lawyer (EL2) • one in-house full-time senior government lawyer (EL1), and • one in-house full-time government lawyer (APS4). <p>Approximately 70 percent of the employee's work is taken up with legal work, the remainder being policy-related work.</p>												
External counsel	<p>1: Australian Government Solicitor</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Work type</td> <td>Legal consultancy</td> </tr> <tr> <td>Briefing hours</td> <td>31.65 hours</td> </tr> <tr> <td>Specified personnel</td> <td>Partner, one female Senior Associate, one female Lawyer, one male</td> </tr> <tr> <td>Engagement type</td> <td>Agency engagement</td> </tr> <tr> <td>Cost</td> <td>\$14 730.63 (GST Inc.)</td> </tr> <tr> <td>Procurement method</td> <td>Legal Multi-use list, administered by Attorney- General's Department</td> </tr> </table>	Work type	Legal consultancy	Briefing hours	31.65 hours	Specified personnel	Partner, one female Senior Associate, one female Lawyer, one male	Engagement type	Agency engagement	Cost	\$14 730.63 (GST Inc.)	Procurement method	Legal Multi-use list, administered by Attorney- General's Department
Work type	Legal consultancy												
Briefing hours	31.65 hours												
Specified personnel	Partner, one female Senior Associate, one female Lawyer, one male												
Engagement type	Agency engagement												
Cost	\$14 730.63 (GST Inc.)												
Procurement method	Legal Multi-use list, administered by Attorney- General's Department												

2: Clayton Utz	
Work type	Legal consultancy
Briefing hours	30.3 hours
Specified personnel	Partner, one female Senior Associate, one male Lawyer, two females
Engagement type	Agency engagement
Cost	\$13 376 (GST Inc.)
Procurement method	Pre-qualified tender
3: Clayton Utz	
Work type	Legal consultancy
Briefing hours	10.1 hours
Specified personnel	Partner, one female Senior Associate, one male Lawyer, one female
Engagement type	Agency engagement
Cost	\$4 591.40 (GST Inc.)
Procurement method	Pre-qualified tender

3. Not applicable.