

Senate Standing Committee on Education and Employment

QUESTIONS ON NOTICE  
Supplementary Budget Estimates 2014-2015

Agency - Comcare

Department of Employment Question No. EM1066\_15

Senator Ludwig provided in writing.

Question

Comcare - Legal Costs

Since Budget Estimates in June, 2014: 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. *List all legal costs incurred by the department or agency.*

Total legal expenditure	<b>\$7,156,767</b>
<i>External legal expenditure</i>	\$5,064,681
<i>Internal legal expenditure</i>	\$2,092,086

These figures include costs for professional fees, counsel fees and disbursements.

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.*

External advice expenditure:	\$3,545,221
Internal advice expenditure:	\$18,166

We have interpreted legal advice to mean professional fees.

To provide a breakdown of the source of legal advice and hours taken to prepare advice would be an unreasonable diversion of resources.

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).*

To provide a breakdown of hours spent briefing Counsel would be an unreasonable diversion of resources.

How Sourced		Gender		Level		Expenditure
Direct	Indirect	Male	Female	Senior	Junior	
17	51	42	26	2	66	\$722,300

4. *How was each piece of advice procured? Detail the method of identifying legal advice.*

Each piece of advice was procured in accordance with the Commonwealth LSMUL Guidelines and the Commonwealth Procurement Guidelines (CPGs) either directly or indirectly through Comcare's legal service providers. The method of identifying legal advice is per Comcare's Standing Instructions.

Note: All costs are GST exclusive  
Figures are from 1 June to 30 September 2014