

**Senate Finance and Public Administration Legislation Committee
—Supplementary Budget Estimates Hearing—October 2014**

Answers to Questions on Notice

Parliamentary departments, Department of Parliamentary Services

Topic: **Legal Costs**

Question: **229**

Written: **Senator Ludwig**

Date set by the committee for the return of answer: 31 December 2014

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. Since Budget Estimates 2014, the DPS has incurred \$251,765.14 on legal costs (including internal and external expenses).
2. These costs are broken down as follows:
 - a. Internal costs (for the period 1 June – 30 September 2014):
 - 1 FTE PEL2 Lawyer (full period)
 - 0.8 FTE PEL2 Lawyer (full period)
 - 1 FTE PSL6 Lawyer (1 month)

At a total approximate cost of salary + superannuation of \$76,072 (approximate because of the inclusion of non-legal staff costs in the relevant cost centre). Statistics are not kept on a matter by matter basis for DPS' in-house legal team.

- b. External legal services

Firm	Lawyers	Hours	Cost (\$)
Ashurst	Partner		
	Partner		
	Lawyer		
	Lawyer	16 hr 12 min	6726.72
AGS	Senior General Counsel		
	Senior Executive Counsel	17 hr 48 min	10085.90
AGS	Lawyer	Secondment	37617.50
AGS	National Practice Leader		

	Senior Executive Lawyer	40 hr 42 min	16996.10
AGS	Counsel	Disbursement	3850.00

Firm	Lawyers	Hours	Cost (\$)
AGS	Chief General Counsel		
	Senior Executive Lawyer		
	Senior Executive Lawyer		
	Senior General Counsel	12 hr 6 min	6579.65
AGS	Senior Executive Lawyer		
	Senior Lawyer	1 hr 54 min	799.70
AGS	Senior Executive Lawyer	6 hr 30 min	3646.50
Minter Ellison	Partner		
	Special Counsel		
	Senior Associate		
	Lawyer	63.9 hr	29593.85
AGS	Lawyer	Secondment	18350.00
AGS	Lawyer	Secondment	21102.50
Minter Ellison	Special Counsel		
	Senior Associate		
	Associate		
	Lawyer	32.6 hr	13705.12
Maddocks	Partner		
	Associate	16 hr 10 min	6639.60
Total External			\$175,693.14

3. DPS has engaged counsel in one matter, as an indirect brief through AGS. Hours are not specified as they are billed through AGS as a disbursement (see above). Counsel engaged is male, and is briefed on a departmental matter.
4. External legal services are procured through the Legal Services Multi-Use List, managed by the Attorney-General's Department, in accordance with the *Legal Services Directions 2005* and LSMUL Guidance Material issued by Attorney-General's Department. DPS Legal Services team identifies matters that require external legal advice, in consultation with the internal business area.