

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S PORTFOLIO

Group: 2

Program: 1.8

Question No. SBE14/172

Senator Bilyk asked the following question at the hearing on 20 November 2014:

1. How much is Justice Heydon being paid to preside over the TURC?
2. Will Mr Heydon's service on the TURC affect his High Court judicial pension or vice versa?
 - a. If so, how?
3. Does Mr Heydon have access to a Comcar as part of his service on the TURC?
 - a. If so, how much has been charged to the taxpayer for Comcar use by Mr Heydon?
 - b. If he already receives access to Comcar in his status as former High Court judge, will this be accounted for separately and charged to the TURC?
4. Does Mr Heydon receive travelling allowance or any other allowance if he is required to preside over hearings away from his home base?
 - a. If so, what is the amount?
 - b. How is it calculated?
 - c. What is the total amount of travelling allowance paid to Mr Heydon since the TURC commenced?
5. Are there any other accommodation costs paid on behalf of Mr Heydon?
6. When Mr Heydon travels for TURC hearings, does he travel in business class?
7. How much has been paid in air fares for Mr Heydon since the TURC commenced?
8. Has any agreement been reached for travelling entitlements for Mr Heydon's family?
 - a. If so, could you please describe them and explain the costs for each component?
9. Is Mr Heydon paid a mobile telephone allowance?
 - a. If so, how much?
10. Has Mr Heydon been provided with a mobile telephone?
 - a. If so, what make and model?
11. What is the cost of any other hospitality afforded to Mr Heydon, or any meals, sustenance, gifts or any other incidentals?

The answer to the honourable senator's question is as follows:

1. It is general practice that the terms and conditions (including daily or hourly rates) on which the Commonwealth engages individual legal counsel, including Royal Commissioners and Counsel Assisting, are not disclosed as this information is commercial-in-confidence.

2. This matter relates to the *Judges' Pensions Act 1968* which is the responsibility of the Department of Finance.
3. Yes.
 - a. \$12,306.69.
 - b. Commissioner Heydon does not already receive access to Comcar as a former High Court judge. Only duties related to TURC are charged to TURC.
4. Yes. The standard of travel and accommodation provided is that applicable to an office holder covered by the Remuneration Tribunal's Determination 2013/16 (as amended) – *Official Travel by Office Holders* at the Tier 1 entitlement level.
 - a. These rates vary depending on the capital city and the number of days.
 - b. See 4(a) above.
 - c. To provide the total amount would be an unreasonable diversion of resources.
5. No.
6. Yes. See (4) above.
7. To provide this amount would be an unreasonable diversion of resources.
8. No.
9. No.
10. Yes. It is an iPhone 5.
11. Nil.