

Economics Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
Industry, Innovation, Science, Research and Tertiary Education Portfolio
Supplementary Budget Estimates Hearing 2012-13
17 October 2012

AGENCY/DEPARTMENT: DEPARTMENT OF INDUSTRY, INNOVATION, SCIENCE, RESEARCH AND TERTIARY EDUCATION

TOPIC: FOI issue with the Australian Financial Review – legal costs

REFERENCE: Question on Notice (Hansard, 17 October 2012, page 37)

QUESTION No.: SI-17

Senator RYAN: Turning to the FOI issue that has been going on with the *Australian Financial Review*, to date do you have a cost to the department of pursuing through the courts the FOI legal issue with the *Financial Review*?

Mr Durrant: I will defer to my colleague.

Ms Weston: As at 16 October—just the other day—we have been advised by our lawyers that the total of all costs and disbursements billed to date, and work in progress and disbursements incurred but not billed, including counsel fees, were \$156,348.36 inclusive of GST.

Senator RYAN: Is that only legal expenses or is that costs incurred via lawyers—is that a good way to describe it? Or have there been other costs incurred?

Ms Weston: That is my understanding of the totality of the costs.

Senator RYAN: Did you say that is the legal costs?

Ms Weston: It is all our costs in relation to this.

Senator RYAN: Do you have a subset of that which is legal costs—which would be solicitors, solicitors' disbursements and counsel, I would imagine?

Ms Weston: We can take that on notice and provide it.

ANSWER

Total legal costs incurred as at 31 October 2012 were \$156,212 inclusive of GST. The costs are made up of \$118,578 solicitor's fees, \$2,241 solicitor's disbursements and \$35,392 counsel's fees.

Note: Approximately half of the figure for legal costs provided at the hearing on 17 October 2012 (\$156,348.36) was work in progress not yet billed. The actual legal costs which were billed are slightly lower.