

Senate Standing Committee on Education Employment and Workplace Relations

QUESTIONS ON NOTICE Supplementary Budget Estimates 2012-2013

Outcome 4 – Workplace Relations and Economic Strategy

DEEWR Question No. EW0663_13

Senator Abetz asked on 17 October 2012 , Hansard page 107

Question

Cost of legal advice for Barclay matter

Senator ABETZ: So, costs? Mr O'Sullivan: The figure I have got, which is total paid up till today, is \$162,182; that is inclusive of GST. We do not have any further bills. I am not expecting that figure to be any greater. Senator ABETZ: So that is barristers' fees? Mr O'Sullivan: I think that is total. Senator ABETZ: Undoubtedly there would have been senior counsel. Was there a junior counsel? Mr O'Sullivan: Yes. It was a little bit complex. A junior actually got appointed as silk during the proceedings, but, yes, they were the two— Senator ABETZ: But we did not need 17 lawyers for this one, so that is helpful. Senator Jacinta Collins: You get more gratuitous as the evening goes along, Senator Abetz. Senator ABETZ: It was your government, Parliamentary Secretary, that appointed 17 lawyers to— Senator Jacinta Collins: Do you have a question relevant to these estimates? CHAIR: As you know from last night, it was not 17 full-time lawyers, Senator Abetz. You are really misrepresenting the evidence that was taken last night. I was watching it too. Senator ABETZ: I am just trying to get a feel for how important this High Court case was. CHAIR: I think you are actually really trivialising the matter and you ought not to; I do not think it does you any credit. Why don't we just get back to some questions. Senator ABETZ: Thank you for that—always helpful. CHAIR: I have been very tolerant tonight but I think it is time we got back to asking questions and trying to receive some answers. Senator ABETZ: So we had a senior counsel and a junior counsel. Mr O'Sullivan: Yes, except I explained that the junior counsel did get appointed— Senator ABETZ: Became a senior counsel. Mr O'Sullivan: Yes. Senator ABETZ: So within the AGS—do we have any other advice? The AGS is external to you. Mr O'Sullivan: Yes, that is right. The point I was trying to make was that I believe that figure to be a global figure for our total external legal costs. I will clarify that and I agree to take that on notice. Senator ABETZ: If you could I would be much obliged.

Answer

The Department confirms the evidence provided at the hearing. As at 17 October 2012, the Commonwealth's costs for the Barclay High Court matter was \$162,182, which included barristers' fees, and was GST inclusive. Since that date the Department has received further and final costs of \$6,508, bringing the total costs to \$168,690, inclusive of barristers' fees and GST.