

Senate Finance and Public Administration Legislation Committee
Additional Estimates Hearing – February 2012
ANSWER TO QUESTIONS ON NOTICE

Prime Minister and Cabinet portfolio

Department/Agency: Office of the Official Secretary to the Governor-General

Program 1: Support for the Governor-General and Official Activities

Outcome 1: The performance of the Governor-General's role is facilitated through the organisation and management of official duties, management and maintenance of the official household and property and administration of the Australian Honours and Awards system.

Topic: AAT proceedings

Senator: Ronaldson

Question reference number: PM78

Type of Question: Written

Date set by the committee for the return of answer: 30 March 2012

Number of Pages: 2

1. Mr Brady notes, with respect to the AAT proceedings, that 'This can be a costly process and one which I would, of course, prefer that the office did not have to fund.' Have the OOSGG sought to manage costs through Alternative Dispute Resolution (eg. mediation, negotiation, arbitration)?
2. Can the Official Secretary provide to the Committee any Bill of Costs received to-date with respect to this matter?
3. How much have the Official Secretary's legal advisers indicated the hearing is likely to cost?

Answer:

1. The OOSGG has been responsive to matters raised by Ms Kline for several years. At various times the Office has provided her with lists, information and advice, outside the FOI Act provisions, to assist her, including in the re-nomination process.

Over time, Ms Kline's persistence in raising the same issues after they had been dealt with, her repeated accusations and assertions against the Office and staff, a pattern of complaints against staff who did not comply with her demands, and Ms Kline's inappropriate contact with staff, necessitated a decision to limit further direct contact.

In these circumstances and given the opposing legal views, the Office saw no value in considering alternative dispute management mechanisms, which would likely have added significant time and cost to the process without a guarantee of resolution.

2. As at 13 February 2012, the Office had received seven invoices from the Australian Government Solicitor totalling \$38,511.53 for services rendered in respect to this matter. These included consideration and discussion of the issues, provision of advice, drafting briefs, correspondence, an affidavit and submissions, and appearing at a Tribunal telephone directions hearing.

Following is a summary of the invoices received:

INVOICE	DATE	AMOUNT
853231	12 October 2011	\$1824.50
858362	16 November 2011	\$14051.50
858461	17 November 2011	\$1540.00
861627	14 December 2011	\$5327.98
865116	13 January 2012	\$2000.00
865834	18 January 2012	\$8933.00
866804	3 February 2012	\$4834.55

3. The Australian Government Solicitor (AGS) has not indicated how much this case is likely to cost. The total cost will depend on whether the issue is resolved on the preliminary issue or whether further hearings are conducted.