

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

Sub Program 1.1.2

Question No. 52

Senator Barnett asked the following question at the hearing on 19 October 2009:

Can the Committee be advised of the fees payable to lawyers before a court in proceedings such as the case of the five Sydney terrorists who were arrested in November 2005 and have since been found guilty of terrorism offences?

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

Funding arrangements with legal aid commissions incorporate cost management provisions for expensive Commonwealth criminal cases. Instead of applying standard fee rates, commissions are required to look at options for containing costs, such as negotiating a specific fee package for the matter.

Legal Aid New South Wales has provided the following information to the Department in relation to fees paid to lawyers in this matter. Separate fees were paid for conferences and preparation for this case. Each co-accused was represented by a defence team of one solicitor and two counsel. Three of the counsel involved in the defence were senior counsel, one of whom was appointed senior counsel during the trial. The size of the legal team and the overall costs of the legal aid provided were affected by the amount of evidence that the defence team was required to consider. Fees payable for the hearings were: solicitors \$650 per day, junior counsel \$988 per day, and senior counsel \$1,612 per day.