

Legal Services Expenditure Report 2019-20

**Australian Criminal Intelligence Commission
[ABN 11 259 448 410]**

Template Guidance

This template has been approved by the Office of Legal Services Coordination (OLSC).

The template must be completed by all non-corporate and corporate Commonwealth entities and returned to OLSC within 60 days after the end of the financial year (see s.11.1(da) and s.12.3(f) of the *Legal Services Directions 2017*). Further guidance in relation to expenditure reporting is set out in Guidance Note 3 (Compliance with the Directions) and Guidance Note 8 (Reporting of Legal Services Expenditure) and can be found at <www.ag.gov.au>.

Agencies that are exempt from reporting to AGD but participate in the WoAG Legal Services Panel must complete a Certificate of Compliance and Expenditure for Non-reporting Agency and provide it to AGD within 90 days after the end of the financial year.

Please return this form by uploading the Excel document to the Legal Services Panel Portal (Portal users only) or emailing a copy to LSER@ag.gov.au.

Expenditure is reported on an accrual basis, using your agencies financial records. No information will be drawn from the Legal Services Panel quarterly expenditure reports submitted by Legal Services Providers, due to the transitional period this financial year. All figures are to be GST exclusive and rounded to the nearest dollar.

In addition to completing this report, all non-corporate Commonwealth entities are required to publish their legal services expenditure for the previous year by 30 October. No format is specified for the publication, but most agencies publish the data in their annual report, or on their website.

Summary totals

Total (External + Internal) Expenditure	\$ 6,854,324
Total Internal Legal Services Expenditure	\$ 4,544,988
Total External Legal Services Expenditure	\$ 2,309,336

Senior Counsel

Equitable briefing policy: 'senior' means a barrister of 10+ years experience at the Bar or a Queen's/Senior Counsel. For 2019-20 reports, include 2010 barristers.

Number of briefs - direct and indirect briefs	
Total number of direct briefs to male senior counsel	1
Total number of direct briefs to female senior counsel	13
Total number of direct briefs to gender X senior counsel	0
Total number of indirect briefs to male senior counsel	7
Total number of indirect briefs to female senior counsel	6
Total number of indirect briefs to gender X senior counsel	0
Value of briefs - direct and indirect briefs	
Total value of direct briefs to male senior counsel	\$ 17,400
Total value of direct briefs to female senior counsel	\$ 352,611
Total value of direct briefs to gender X senior counsel	\$ -
Total value of indirect briefs to male senior counsel	\$ 184,062
Total value of indirect briefs to female senior counsel	\$ 116,856
Total value of indirect briefs to gender X senior counsel	\$ -

Junior Counsel

Number of briefs - direct and indirect briefs	
Total number of direct briefs to male junior counsel	3
Total number of direct briefs to female junior counsel	0
Total number of direct briefs to gender X junior counsel	0
Total number of indirect briefs to male junior counsel	5
Total number of indirect briefs to female junior counsel	5
Total number of indirect briefs to gender X junior counsel	0
Value of briefs - direct and indirect briefs	
Total value of direct briefs to male junior counsel	\$ 10,052
Total value of direct briefs to female junior counsel	\$ -
Total value of direct briefs to gender X junior counsel	\$ -
Total value of indirect briefs to male junior counsel	\$ 147,050
Total value of indirect briefs to female junior counsel	\$ 20,848
Total value of indirect briefs to gender X junior counsel	\$ -
Total value of briefs to all counsel	\$ 848,879

Disbursements

Total Disbursements	\$ 65,957
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Professional Fees

Please complete worksheet named 'A - Professional Fees'. The below field will automatically populate based on the information in that sheet.

Total value of professional fees	\$ 1,394,500
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Whole of Australian Government Legal Services Panel

The Whole of Australian Government (WoAG) Legal Services Panel is mandatory for all non-corporate Commonwealth entities when purchasing domestic external legal services, and opt-in for corporate Commonwealth entities.

Participating agencies must report their 10% off-Panel Allowance expenditure and Exemptions expenditure annually to AGD within 60 days after the end of each financial year. The Panel Guidance Material can be found at <<https://legalservicespanel.agdnet.ag.gov.au/>>.

The figures reported below in relation to the use of the WoAG Legal Services Panel flexibility mechanisms should already be captured in the total value of professional fees reported in professional fees. In order to prevent double counting, the expenditure through the flexibility mechanisms will not be added to the total legal expenditure.

Use of the Panel	
Does your Agency participate in the WoAG Legal Services Panel?	Yes
What was your WoAG Legal Services Panel Fee (2019-20)	\$ 1,220

Use of WoAG Legal Services Panel flexibility mechanisms	
Professional Fees for work done by non-Panel firms as part of 10% off-Panel allowance	\$ -
Professional Fees for work done by non-Panel firms with an Exemption from AGD	\$ -

Summary totals

T1 Total Legal Services Expenditure (External + Internal)	\$ 6,854,324
T2 Total Internal Legal Services Expenditure	\$ 4,544,988
T3 Total External Legal Services Expenditure	\$ 2,309,336
T4 Total value of briefs to Counsel	\$ 848,879
T5 Total value of briefs to Male Counsel	\$ 358,564
T6 Total value of briefs to Female Counsel	\$ 490,315
T7 Total value of briefs to gender X Counsel	\$ -
T8 Total value of disbursements (excluding counsel)	\$ 65,957
T9 Total value of professional fees	\$ 1,394,500
T10 Total value of professional fees - 10% off-Panel allowance	\$ -
T11 Total value of professional fees - Exemption from AGD	\$ -
Total number of briefs to counsel	40

Commentary

Please note the following matters in relation this report: The ACIC submitted a legal expenditure report to OLSC on 27 August 2020. In the report (and with prior consultation with OSLC on 3 August 2020) the ACIC advised that it was still waiting for invoices to be received from Sashi Maharaj QC for the period 19 June 2020 to 30 June 2020. Due to COVID-19 lockdown in Melbourne, Ms Maharaj had been unable to travel to her Chambers to complete them. On 28 September 2020, Ms Maharaj provided the remainder of her invoicing from 22 June 2020 to 30 June 2020, totalling \$3,950. This report now reflects these additional costings and is the ACIC's final report.

Professional Fees

*For domestic legal services providers, either select the firm from the drop down menu
(all WoAG Legal Services Panel firms are included)
or type firm name.*

Other Government legal services providers	
Attorney-General's Department DO NOT INCLUDE PANEL FEE HERE	\$ -
Department of Foreign Affairs and Trade	\$ -
Office of Parliamentary Counsel	\$ -
Overseas legal services providers	
Overseas firms (single total figure, individual firm names not required)	\$ -
Domestic legal services providers	
Australian Government Solicitor	\$ 957,395
Ashurst	\$ 13,620
HWL Ebsworth	\$ 6,378
King and Wood Mallesons	\$ 417,107
	\$ -