

Legal Services Expenditure Report 2022-23

Entity Details

What is this section?

In this section, you will be identifying the entity that is completing this Legal Services Expenditure Report (LSER) template. Some information throughout the Entry form will auto-populate based on this selection, including the ABN, participation in the Whole of Australian Government Legal Services Panel, and comparisons with that entity's 2021-22 LSER.

What if the entity name or ABN is incorrect?

If you cannot find your entity in the list, or if the information that loads is incorrect, please contact the Office of Legal Services Coordination (OLSC) for assistance. We note that the entity names in the list correspond with previous LSER's and have been updated in accordance with changes as reflected in the Finance Flipchart.

What is the name of your entity? (Choose from list)

Office of the Commonwealth
Ombudsman

ABN

53 003 678 148

Check details to proceed

Check

[Proceed to next](#)

Template Guidance

<p>How to use this template</p>	<p><i>This template is for completing the 2022-23 LSER and has been approved by OLSC. You must only use this template. All non-corporate and corporate Commonwealth entities must complete the template, unless exempted from doing so.</i></p> <p><i>As you fill out the template, you will see more guidance and only be prompted to move to the next section once the current section has been successfully completed. Each section is dedicated to a different type of legal services expenditure. Once each section is completed, you can review your inputs in the Summary sheet and include commentary if required before providing final confirmation to complete the template.</i></p>
<p>What is section 1?</p>	<p><i>In section 1 you are required to report the total value of your entity's internal legal services expenditure for 2022-23.</i></p>
<p>What is section 2?</p>	<p><i>In section 2 you are required to report the details of your entity's briefs to counsel.</i></p>
<p>What is section 3?</p>	<p><i>In section 3 you are required to report total value of your entity's expenditure on disbursements.</i></p>
<p>What is section 4?</p>	<p><i>In section 4 you are required to report information about your entity's use of legal services panels.</i></p>
<p>What is section 5?</p>	<p><i>In section 5 you are required to report on your entity's expenditure on professional fees.</i></p>

<p>What is the Summary sheet?</p>	<p><i>The Summary sheet is only visible once you have confirmed that the Entry form is complete following inclusion of the last domestic legal services provider in Section 5c.</i></p> <p><i>In the Summary sheet you are required to review and confirm the summary totals for your entity's 2022-23 Legal Services Expenditure Report based on what you entered in the Entry form sheet.</i></p> <p><i>Commentary is required if there has been a significant change in total expenditure from 2021-22. Otherwise, entities may provide optional commentary to OLSC about their report. Commentary will not be made public or shared with other entities.</i></p>	
<p>How should information be reported?</p>	<p><i>Information should be reported in accordance with Guidance Note 8 which can be found at <https://www.ag.gov.au/legal-system/office-legal-services-coordination/legal-services-directions-and-guidance-notes>.</i></p> <p><i>In particular, expenditure is to be reported on an accruals basis. All figures are to be GST exclusive and rounded to the nearest dollar. Do not leave any input cells blank. For example, if there was no expenditure, enter '0' for a total value of \$0.</i></p> <p><i>Entities participating in the Whole of Australian Government Legal Services Panel are welcome to utilise the legal services providers reported expenditure data in the Panel online Portal to inform their LSER.</i></p>	
<p>How do I submit a completed template?</p>	<p><i>The completed template is to be returned to OLSC within 60 days after the end of the financial year (29 August 2023). Please email a copy to LSER@ag.gov.au. If your entity is not able to meet this deadline please email LSER@ag.gov.au as early as possible.</i></p>	
<p>A reminder of further obligations</p>	<p><i>In addition to completing this template, all non-corporate Commonwealth entities are required to publish their legal services expenditure by 30 October.</i></p>	
<p>Need further assistance?</p>	<p><i>If you require further assistance to complete this template please get in touch with OLSC: Phone: (02) 6141 3642 Email: LSER@ag.gov.au</i></p>	
<p>Please confirm that you have read and understood the Template Guidance</p>		<p>Yes</p>
<p>Proceed below</p>		

Section 1		Internal Legal Services Expenditure (explainer)	
What is this section?	<i>In this section you are required to report the total value of your entity's internal legal services expenditure for 2022-23.</i>		
What is internal legal services expenditure?	<i>Internal legal services expenditure is the total expenditure within an entity on legal work undertaken by in-house lawyers, either by a dedicated legal unit, or by individual lawyers working within business lines. Information on how to calculate internal legal services expenditure is in Guidance Note 8.</i>		
How is internal legal services expenditure reported?	<i>Only enter whole dollar amount. Figures including cents will not be accepted. If there was no expenditure, enter '0' for a total value of \$0.</i>		
		Please confirm that you have read and understood the Internal Legal Services Expenditure explainer	Yes
		Proceed	
Section 1		Internal Legal Services Expenditure	
		Total value of internal legal services expenditure	\$ 781,288.00
		Check details to proceed	Check
		Proceed	
Section 2		Counsel Briefs (explainer)	
What is this section?	<p><i>In this section you are required to report the details of your entity's briefs to counsel (not including the Solicitor General) for 2022-23. This section is divided into two subsections: 2a) Briefs to Junior Counsel; 2b) Briefs to Senior Counsel.</i></p> <p><i>In each section, you are required to report the number and value of briefs, broken down by gender and how counsel was briefed.</i></p>		

What is the difference between senior and junior counsel?	<p><i>'senior' means a barrister of 10+ years experience at the Bar, counsel who has 10 or more years' experience in being briefed as a barrister to advise or appear, or a King's/Senior Counsel. For 2022-23, include counsel called to the bar in 2013.</i></p> <p><i>'junior' means all other barristers/counsel.</i></p>
What is the difference between direct and indirect briefing?	<p><i>Indirect briefing is when a legal services provider briefs counsel.</i></p> <p><i>Direct briefing is when an entity briefs counsel directly, rather than through a legal services provider.</i></p>
How are briefs reported?	<p><i>Only include details for 2022-23. For example, if counsel was briefed in a previous reporting period, do not include it in the number of briefs (as it was reported in a previous LSER). However, if that counsel undertook work during the reporting period, this expenditure should be reported. Briefing the same counsel in an appeal counts as a new brief.</i></p> <p><i>Figures must be reported as whole numbers, GST exclusive. Figures including cents will not be accepted. If there were no briefs or expenditure, you are required to input '0'.</i></p>

Please confirm you have read and understood the counsel briefs explainer	Yes
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Proceed below

Section 2a	Briefs to Junior Counsel	
Direct Briefs to male junior counsel		
Total number		1
Total value	\$	4,136.00
Direct Briefs to female junior counsel		
Total number		0
Total value	\$	-
Direct Briefs to gender X junior counsel		

	Total number	0
	Total value	\$ -
	Check details to proceed	Check
	Proceed below	
Indirect Briefs to male junior counsel		
	Total number	4
	Total value	\$ 12,408.00
Indirect Briefs to female junior counsel		
	Total number	1
	Total value	\$ 4,843.00
Indirect Briefs to gender X junior counsel		
	Total number	0
	Total value	\$ -
	Check details to proceed	Check
	Proceed	
Section 2b	Briefs to Senior Counsel	
Direct Briefs to male senior counsel		
	Total number	0
	Total value	\$ -
Direct Briefs to female senior counsel		
	Total number	1

Total value		\$ 4,545.00
Direct Briefs to gender X senior counsel		
Total number		0
Total value		\$ -
Check details to proceed		Check
Proceed		
Indirect Briefs to male senior counsel		
Total number		2
Total value		\$ 42,545.00
Indirect Briefs to female senior counsel		
Total number		0
Total value		\$ -
Indirect Briefs to gender X senior counsel		
Total number		0
Total value		\$ -
Check details to proceed		Check
Proceed below		
Section 3 Disbursements (explainer)		
What is this section?	<i>In this section you are required to report the total value of your entity's expenditure on disbursements.</i>	

<p>What are disbursements?</p>	<p><i>Disbursements are costs incurred for goods and services that are not counsel or professional fees.</i></p> <p><i>Disbursements could include fees paid to expert witnesses, court fees, travel and accommodation costs and administrative fees such as binding and copying.</i></p>	
<p>How are disbursements reported?</p>	<p><i>The figure must be a whole dollar amount, GST exclusive. Figures including cents will not be accepted. If there were no disbursements, enter '0' for a total value of \$0.</i></p>	
<p>Please confirm you have read and understood the Disbursements explainer</p>		<p>Yes</p>
<p style="text-align: center;">Proceed below</p>		
<p>Section 3 Disbursements</p>		
	<p style="text-align: center;">Total value of disbursements</p>	<p style="text-align: right;">\$ 1,266.00</p>
<p>Check details to proceed</p>		<p>Check</p>
<p style="text-align: center;">Proceed below</p>		
<p>Section 4 Legal Services Panels (explainer)</p>		
<p>What is this section?</p>	<p><i>In this section you are required to report information about your entity's use of legal services panels. The Panels are the 'Whole of Australian Government Legal Services Panel', 'Provision of Tax Technical Legal Services Panel', and the 'ACCC/AER Competition and Consumer Law Panel 2019'.</i></p> <p><i>Information about your entity's participation and Panel fee (GST exclusive) for the 'Whole of Australian Government Legal Services Panel' will be auto-populated (it is mandatory for non-corporate Commonwealth entities and opt-in for other Commonwealth bodies).</i></p>	

<p>What expenditure is to be reported?</p>	<p><i>Entities that participated in the 'Whole of Australian Government Legal Services Panel' at any time during the financial year must report their 2022-23 off-Panel expenditure through use of the 10% off-Panel Allowance and Exemptions (only for that time they were participating in the Panel).</i></p> <p><i>Entities must report their total 2022-23 expenditure under the 'Provision of Tax Technical Legal Services Panel', and the 'ACCC/AER Competition and Consumer Law Panel 2019'.</i></p> <p><i>These figures will be captured in the total value of professional fees that are reported in Section 5. To prevent double counting, these figures are not added to total legal expenditure.</i></p>	
<p>How is legal services panel expenditure reported?</p>	<p><i>The figures must be in whole dollar amounts, GST exclusive. Figures including cents will not be accepted. If there was no expenditure, enter '0' for a value of \$0.</i></p>	
<p>Please confirm you have read and understood the Legal Services Panels explainer</p>		<p>Yes</p>
<p>Proceed below</p>		
<p>Section 4 Legal Services Panels</p>		
<p>Whole of Australian Government Legal Services Panel</p>		
<p>Does your entity participate in the Whole of Australian Government Legal Services Panel?</p>		<p>Yes</p>
<p>Provision of Tax Technical Legal Services Panel</p>		
<p>Total value of professional fee expenditure on Provision of Tax Technical Legal Services Panel for 2022-23</p>		<p>\$ -</p>
<p>ACCC/AER Competition and Consumer Law Panel 2019</p>		
<p>Total value of professional fee expenditure on ACCC/AER Competition and Consumer Panel 2019 for 2022-23</p>		<p>\$ -</p>
<p>Check details to proceed</p>		<p>Check</p>
<p>Proceed below</p>		
<p>Panel fee</p>		

	What was your entity's Panel fee for 2022-23?	\$ -
	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	\$ -
	Check details to proceed	Check
	proceed below	

Section 5		Professional fees (explainer)
What is this section?	<p><i>In this section you are required to report on your entity's expenditure on professional fees. Each external legal services provider's professional fees should be entered separately in the reporting template.</i></p> <p><i>Professional fees are the fees chargeable for work undertaken by external legal services providers for their professional services; that is, the work done by the provider lawyers. It does not include fees paid to counsel or disbursements.</i></p> <p><i>This section is divided into 3 subsections for different types of external providers: 5a) Other government providers; 5b) Overseas providers; 5c) Domestic providers.</i></p>	
What are other government providers?	<p><i>Some entities provide billable legal services. Only services that attract a charge should be recorded as a professional fee. Other government providers is limited to the 3 primary government legal services providers (not including the Australian Government Solicitor): Attorney-General's Department; Department of Foreign Affairs and Trade; Office of Parliamentary Counsel.</i></p>	
What are overseas providers?	<p><i>Some entities engage external legal services providers that are outside of Australia (i.e. not domestic). OLSC does not require the name of each overseas legal services provider. Instead provide one consolidated value for these professional fees.</i></p>	
What are domestic providers?	<p><i>Domestic external legal services providers include solicitors and similar service providers, including government legal services providers such as the Australian Government Solicitor (AGS), that conduct their business in Australia.</i></p>	

<p>How is expenditure on professional fees reported?</p> <p>Additional guidance for domestic providers</p>	<p><i>The figures must be whole dollar amounts, GST exclusive. Figures including cents will not be accepted. If there was no expenditure, enter '0' for a value of \$0.</i></p>	
	<p><i>The first domestic provider listed in section 5c is AGS. You must report your entity's professional fees with AGS here. If your entity did not engage with AGS during 2021-22, then you must enter '0' for a value of \$0.</i></p>	
	<p><i>Each domestic provider's professional fees must be entered separately. Commonly reported domestic providers have been included in the drop-down list. If a provider is not listed choose "PROVIDER NOT LISTED" to enter the provider name manually. You must only enter the details of domestic providers your entity had professional fees with in 2022-23. You cannot report '0' for any domestic provider other than AGS. You cannot report expenditure on a domestic provider more than once.</i></p>	
	<p><i>Once you have entered details for AGS, and for each subsequent domestic provider, you will be prompted 'Is another domestic provider required?'. To add another domestic provider you must select 'Yes'. If you have finished entering the details of all domestic providers your entity had professional fees expenditure with in 2022-23, you must select 'No'. By selecting 'No', you will be prompted to confirm the details you have entered in order to proceed. Section 5c is the final part of the Entry form. By confirming the details you will complete the Entry Form. You will not be able to proceed to another domestic provider or complete the form unless the details you have entered are correct.</i></p>	
	<p>Please confirm that you have read and understood the Professional Fees explainer</p>	<p>Yes</p>
	<p>Proceed below</p>	

Section 5a	Other Government Legal Services Providers	
	Attorney-General's Department (DO NOT INCLUDE PANEL FEE)	
	Total value of expenditure	\$ -
	Department of Foreign Affairs and Trade	
	Total value of expenditure	\$ -
	Office of Parliamentary Counsel	

	Total value of expenditure	\$	-
	Check details to proceed		Check
	Proceed below		
Section 5b	Overseas Legal Services Providers		
	Overseas firms (single total figure, individual firm names not required)		
	Total value of expenditure	\$	-
	Check details to proceed		Check
	Proceed below		
Section 5c	Domestic Legal Services Providers		
	Australian Government Solicitor		
	Total value of expenditure	\$	85,789.00
	Is another domestic provider required?		Yes
Domestic Provider 2	Choose provider from the list		Ashurst
	Total value of expenditure	\$	3,528.00
	Is another domestic provider required?		Yes
Domestic Provider 3	Choose provider from the list		Maddocks
	Total value of expenditure	\$	31,837.00

Domestic Provider 4	Is another domestic provider required?	Yes
	Choose provider from the list	Clayton Utz
Domestic Provider 5	Total value of expenditure	\$ 154,049.00
	Is another domestic provider required?	Yes
Domestic Provider 6	Choose provider from the list	Kingston Reid
	Total value of expenditure	\$ 38,803.00
Domestic Provider 7	Is another domestic provider required?	Yes
	Choose provider from the list	PROVIDER NOT LISTED
Domestic Provider 8	Type provider name manually	Workplace Gender Equality Agency
	Total value of expenditure	\$ 438.00
Domestic Provider 9	Is another domestic provider required?	Yes
	Choose provider from the list	Mills Oakley
Domestic Provider 10	Total value of expenditure	\$ 7,689.00
	Is another domestic provider required?	Yes
Domestic Provider 11	Choose provider from the list	PROVIDER NOT LISTED
	Type provider name manually	s 47F(1)

Total value of expenditure	\$ 5,909.00
Is another domestic provider required?	No
<p>Proceed below to confirm details and complete Entry Form</p>	
Please confirm that the details entered into the Entry Form are correct	I confirm
Entry Form complete - proceed to Summary sheet	

Legal Services Expenditure Report 2022-23

The Summary sheet is only visible once you have confirmed that the Entry form is complete following inclusion of the last domestic legal services provider in section 5c.

Office of the Commonwealth Ombudsman

53 003 678 148

Summary Totals (explainer)

What is this section?

In this section you are required to review and confirm the summary totals for your entity's 2022-23 Legal Services Expenditure Report based on what you entered in the Entry form sheet.

What are the summary totals?

*Total Legal Services Expenditure = Internal + External Legal Services Expenditure
Internal Legal Services Expenditure = Internal Legal Services Expenditure
External Legal Services Expenditure = Counsel Fees + Disbursements + Professional Fees (does not include input from the legal services panels section)*

Expenditure comparison

Your entity's total legal services expenditure for 2021-22 is displayed below (some MoG entities will display 0 expenditure). If there has been a significant change in expenditure in 2022-23 compared to 2021-22, you will be required to provide an explanation of the change in the commentary text box.

Do I need to provide commentary?

Commentary is optional, unless there has been a significant change in total expenditure between last year and this year, in which case it is required. If commentary is required you cannot leave this section blank. Any commentary provided will not be made public or shared with other entities.

Explaining a significant change in expenditure

Only a brief description of the reason or reasons for the increase/decrease is required. It is not necessary to go into the specifics of a matter. Any commentary provided will not be made public or shared with other entities.

Summary Totals		
Total Legal Services Expenditure	\$	1,179,073
Total Internal Legal Services Expenditure	\$	781,288
Total External Legal Services Expenditure	\$	397,785
Total value of briefs to Counsel	\$	68,477
Total value of briefs to Male Counsel	\$	59,089
Total value of briefs to Female Counsel	\$	9,388
Total value of briefs to gender X Counsel	\$	-
Total value of disbursements (excluding counsel)	\$	1,266
Total value of professional fees	\$	328,042
Total value of professional fees - 10% off-Panel allowance	\$	-
Total value of professional fees - Exemption from AGD	\$	-
Total number of briefs to counsel		9
Are the Summary Totals correct?		Yes
Proceed to commentary		
Comparison with 2020-21		
Total Legal Services Expenditure (2022-23)	\$	1,179,073
Total Legal Services Expenditure (2021-22)	\$	930,463
Total expenditure change	\$	248,610
Internal expenditure change	-\$	4,100
External expenditure change	\$	252,710

Commentary OPTIONAL	
Do I need to provide commentary?	<p><i>Commentary is optional, unless there has been a significant change in total expenditure between last year and this year, in which case it is required. If commentary is required you cannot leave this section blank. Any commentary provided will not be made public or shared with other entities.</i></p>
Explaining a significant change in expenditure	<p><i>Only a brief description of the reason or reasons for the increase/decrease is required. It is not necessary to go into the specifics of a matter. Any commentary provided will not be made public or shared with other entities.</i></p>
<p>Please enter commentary below</p>	
<div style="background-color: #ffffcc; padding: 10px; border: 1px solid black; text-align: center;"> <p>The expenditure increase is attributed to legal costs relating to the Royal Commission into Robo-debt.</p> </div>	
<p style="text-align: center;">Have you finished entering commentary?</p>	
<p>Yes</p>	
Proceed to final confirmation	
<p>Please read below</p>	
<p><i>You have completed all of the required fields in your entity's Legal Services Expenditure Report template for 2022-23. If you are satisfied that the information you have provided is correct, please provide your final confirmation below. Do not confirm unless you are satisfied your entries are correct. You can edit your template by returning to the Entry form sheet and revising your entries.</i></p> <p><i>Once you have provided final confirmation, a final version of your entity's Legal Services Expenditure Report for 2022-23 will appear below. The report is locked for editing, so if you notice incorrect details you will need to revise your entries in the Entry form sheet. If you encounter any issues you may contact OLSC for assistance.</i></p>	

Please provide final confirmation of your entity's legal services expenditure for 2022-23

I confirm

Report complete

Your 2022-23 Legal Services Expenditure Report is now complete.

Below is your entity's Legal Services Expenditure Report for 2022-23.

Please save this template as a .XLSX file using the following naming convention: OLSC – [Name of Entity] (acronym) – 2022-23 LSER – [date sent to OLSC]

For example: OLSC – Attorney-General's Department (AGD) – 2022-23 LSER – 1 August 2023

Legal Services Expenditure Report 2022-23

Entity name	Office of the Commonwealth Ombudsman
ABN	53 003 678 148

Totals

Total legal services expenditure	\$	1,179,073
Total internal legal services expenditure	\$	781,288
Total external legal services expenditure	\$	397,785

Section 1

Internal Legal Services Expenditure

Total value of internal legal services expenditure	\$ 781,288
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Section 2

Counsel Briefs

Total number of briefs to counsel	9
Total value of briefs to counsel	\$ 68,477

Section 2a

Junior Counsel (direct briefs)

Total number of direct briefs to male junior counsel	1
Total value of direct briefs to male junior counsel	\$ 4,136
Total number of direct briefs to female junior counsel	0
Total value of direct briefs to female junior counsel	\$ -
Total number of direct briefs to gender X junior counsel	0
Total value of direct briefs to gender X junior counsel	\$ -

Junior Counsel (indirect briefs)

Total number of indirect briefs to male junior counsel	4
Total value of indirect briefs to male junior counsel	\$ 12,408
Total number of indirect briefs to female junior counsel	1
Total value of indirect briefs to female junior counsel	\$ 4,843
Total number of indirect briefs to gender X junior counsel	0
Total value of indirect briefs to gender X junior counsel	\$ -

Total number of briefs to junior counsel	6
Total value of briefs to junior counsel	\$ 21,387

Section 2b

Senior Counsel (direct briefs)

Total number of direct briefs to male senior counsel	0
Total value of direct briefs to male senior counsel	\$ -
Total number of direct briefs to female senior counsel	1
Total value of direct briefs to female senior counsel	\$ 4,545
Total number of direct briefs to gender X senior counsel	0
Total value of direct briefs to gender X senior counsel	\$ -

Senior Counsel (indirect briefs)

Total number of indirect briefs to male senior counsel	2
Total value of indirect briefs to male senior counsel	\$ 42,545
Total number of indirect briefs to female senior counsel	0
Total value of indirect briefs to female senior counsel	\$ -
Total number of indirect briefs to gender X senior counsel	0
Total value of indirect briefs to gender X senior counsel	\$ -

Total number of briefs to senior counsel	3
Total value of briefs to senior counsel	\$ 47,090

Section 3

Disbursements

Total value of disbursements	\$ 1,266
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Section 4

Legal Services Panels

	Does your entity participate in the Whole of Australian Government Legal Services Panel	Yes
	Panel fee for 2022-23	\$ -
	Total value of professional fees expenditure on 10% off-Panel allowance	\$ -
	Total value of professional fees expenditure on exemptions from using the Panel	\$ -
	Total value of professional fees expenditure on Provision of Tax Technical Legal Services Panel for 2022-23	\$ -
	Total value of professional fees expenditure on ACCC/AER Competition and Consumer Panel 2019 for 2022-23	\$ -
Section 5	Professional fees	
	Total value of professional fees	\$ 328,042
Section 5a	Other Government Providers	
	Attorney-General's Department (DO NOT INCLUDE PANEL FEE)	\$ -
	Department of Foreign Affairs and Trade	\$ -
	Office of Parliamentary Counsel	\$ -
Section 5b	Overseas Legal Services Providers	
	Overseas firms (total figure)	\$ -
Section 5c	Domestic Providers	
	Australian Government Solicitor	\$ 85,789
	Ashurst	\$ 3,528
	Maddocks	\$ 31,837

