

## **Report of the Review of Scales of Legal Professional Fees in Federal Jurisdictions**

On 11 May 1998, the Attorney-General released the report of the Review of Scales of Legal Professional Fees in Federal Jurisdictions, which was set up to review comprehensively the fees scales which apply in federal courts with a view to developing a simpler structure and more appropriate charging rates.

The review was chaired by the Attorney-General's Department and comprised representatives from a range of interested bodies, including the High Court, the Federal and Family Courts and the Law Council of Australia.

The structure of the fee scales proposed in the report is quite different from that currently in use. The report recommends new fee scales which will provide incentives to encourage parties to settle at early stages rather than to carry on with unnecessarily costly proceedings. The proposed scales also encourage solicitors and their clients to agree to fee scales at the outset of their relationship rather than relying on Court-set scales.

It will be up to each Federal Court—the Federal Court, the Family Court and the High Court—whether to adopt the recommendations of the report.

### **High Court, Federal Court and AAT biennial increase in fees**

In 1996, new regulations in the *High Court of Australia (Fees) Regulations*, in the *Federal Court of Australia Regulations* and in the *Administrative Appeal Tribunal Regulations* provided for biennial increases for specified court fees. The first of these increases took effect on

1 July 1998. Details of the new fees were gazetted on 3 June 1998.

In the case of the High Court and the Federal Court, the fee for each specific type of filing, service, execution etc have been calculated, as well as the amounts for hearing, setting down and daily hearing fees. In the case of the Administrative Appeals Tribunal, the new application fee, lower application fee and standard application fee have been calculated.

## **Senate Committee inquiry into the Contracting Out of Government Services**

On 14 May 1998, the Senate Finance and Public Administration References Committee presented the Second Report of its inquiry into the contracting out of Government services.

The Committee's First Report of its inquiry was reported on in *Admin Review* 49. That Report dealt specifically with the contracting out of information technology services. In the Second Report, the Committee addresses the broader issues associated with outsourcing generally.

### **Accountability through Parliament**

The Report discusses the role of Parliament as a vital mechanism for public sector accountability and notes that current public sector annual reporting mechanisms may need to be modified to ensure that reporting of contracted out services provides sufficient information to the parliament. The Committee suggests that once a contract has been awarded, the bulk of its provisions should be in the public domain and notes that other jurisdictions have no problems with publishing contracts.