

Senate Finance and Public Administration Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Finance and Administration Portfolio

Department of Human Services and agencies

Budget Estimates 2005-2006, 26 May 2005

Question: HS45

Outcome 1, Output 3

Topic: CRS Australia

Hansard Page/Written Question on Notice: Written

SENATOR LUDWIG asked the Minister representing the Minister for Human Services, upon notice, on 26 May 2005:

1. What amount did the Agency spend during the financial year 2004/2005 on outsourced legal practitioners (including private firms, individuals, the Australian Government Solicitor, and any others)?
2. What was the budgeted amount for outsourced legal practitioners in 2004/2005?
3. What amount did the Agency spend on internal legal services? (Provide an estimate if exact amount is unavailable.)
4. Does the Agency have an in-house legal section? If so, what was the 2004/2005 actual cost of this section? What was the budgeted amount for this section in 2004/2005? What is the budget amount for this section in 2005/2006?
5. What is the total projected expenditure on legal services for 2005/2006 for the Agency?
6. Which organisations or individuals were contracted to provide legal services to the Agency in 2004/2005?
7. In each instance, how much was each organisation or individual paid for these services?
8. Does the Agency use an open tendering or select tendering process (as described in the Commonwealth Procurement Guidelines, p 42) when procuring legal services?
9. If a select tendering process is used: (a) which method of select tendering is used and (b) which firms or individuals are currently eligible to tender for legal services?
10. If a multi-use list is used: (a) which firms or individuals are currently on that list and (b) when was the list last opened for applications?
11. In 2004/2005 did the Agency obtain any legal services using a direct sourcing procurement process? If so, provide details including the name of the provider, the work involved and the cost?
12. In 2004/2005 did the Agency procure any legal services under the thresholds required for 'covered procurements' (within the meaning of 8.6 of the

Senate Finance and Public Administration Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Finance and Administration Portfolio

Department of Human Services and agencies

Budget Estimates 2005-2006, 26 May 2005

Commonwealth Procurement Guidelines)? If so, provide details including the name of the provider, the work involved and the cost.

13. In 2004/05 did the Agency contract any legal firms to provide services other than legal services (such as consulting, conduct of policy reviews etc)? If so, provide details including the name of the firm, the project involved and the cost of the contract.

Answer:

1. CRS Australia spent \$329,693.02 on outsourced legal practitioners during the 2004-05 financial year (up until 10 June 2005).
2. CRS Australia's budgeted amount for outsourced legal practitioners in 2004-05 was \$300,000.00
3. CRS Australia did not spend any money on internal legal services.
4. CRS Australia does not have an internal legal department.
5. CRS Australia's projected expenditure on legal services for 2005-06 is \$360,000.00 based on current expenditure. CRS Australia's current contract with legal service providers expires on 30 September 2005. It is anticipated that CRS Australia will join a market testing exercise with other DHS agencies for a new panel of providers.
6. In 2004-05 CRS Australia contracted, Australian Government Solicitor, Minter Ellison and Sparke Helmore to provide legal services.
7. In each instance, CRS Australia paid the following:
 - Australian Government Solicitors \$114,562.01
 - Minter Ellison \$ 42,257.61
 - Sparke Helmore \$172,873.40
8. CRS Australia completed a select tender process in June 2002 for its current legal panel.
9. The Select Tender process was undertaken prior to when the reviewed Commonwealth Procurement Guidelines were implemented (Jan 05).
10. CRS Australia does not use a multi-list.
11. CRS Australia did not obtain any legal services using a direct sourcing procurement process.

Senate Finance and Public Administration Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Finance and Administration Portfolio

Department of Human Services and agencies

Budget Estimates 2005-2006, 26 May 2005

12. CRS Australia did not engage any legal providers outside of the current legal panel arrangements.
13. CRS Australia did not contract any legal firms to provide services other than legal services.