

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: HS46

Outcome 1, Output 3

Topic: CRS Australia

Hansard Page/Written Question on Notice: Written

SENATOR LUDWIG asked 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 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.

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Answer:

- (1) As at 16 June 2005, Centrelink spent \$3.7 million (excluding GST).
- (2) Legal Services has an allocated budget of approximately \$4.0 million for outsourced legal practitioners.
- (3) Centrelink has a number of staff who perform administrative law functions and case manage monetary claims made against Centrelink. These staff members are not employed as legal officers however perform a para-legal role.
- (4) Centrelink has recently established a legal capacity. The amount budgeted for in-house legal practitioners for 2005-06 and \$0.75 million.
- (5) The estimated budget for professional legal services for 2005-06 will be \$4.25 million. This comprises \$3.5 million for outsourced legal practitioners and the amount budgeted for the in-house legal capacity as described in the answer to question (4).
- (6) Australian Government Solicitor, Minter Ellison, Sparke Helmore, Corrs Chambers Westgarth, Dun and Bradstreet, National Credit Management and Suther Taylor Lawyers.
- (7) Centrelink engaged (all figures are excluding GST)

Australian Government Solicitor	\$1,852,696
Minter Ellison	\$766,517
Sparke Helmore	\$992,003
Corrs Chambers Westgarth	\$21,084
Deacons	\$1,400
Dun & Bradstreet	\$60,911
National Credit Management	\$11,025
Suther Taylor Lawyers	\$488

- (8) Centrelink used a two stage open tender process to establish is Legal Services panel.
- (9) Not applicable.
- (10) Not applicable.
- (11) Yes. Specialist IT legal advice from Corrs Chambers Westgarth for IT Contract, Tender Evaluation and Probity Issues. Cost: \$23,192.95. This advice was not available from within Centrelink's existing Legal Services Panel.
- (12) and (13) Not applicable.