

# Senate Finance and Public Administration Legislation Committee— Budget Estimates 2005-06 (May 2005)

## Parliament Portfolio, Department of Parliamentary Services

### Answers to Questions on Notice

#### Topic: Legal Service expenditure

#### Question P23 (written question)

- 1 What amount did the Department 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 Department spend on internal legal services? (Provide an estimate if exact amount is unavailable.)
- 4 Does the Department 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 Department?
- 6 Which organisations or individuals were contracted to provide legal services to the Department in 2004/2005?
- 7 In each instance, how much was each organisation or individual paid for these services?
- 8 Does the Department 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 Department 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 Department 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 Department 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 \$112,438.72 (GST exclusive).

2 \$90,000.

3 Nil.

4 No.

5 \$50,000.

6 The firms who provided legal services under contracts in 2004-05 were:

(a) Australian Government Solicitor;

(b) Minter Ellison;

(c) Clayton Utz; and

(d) Strategic Legal Services and Consulting Pty Ltd.

7 The following table provides details of how much each organisation or individual was paid for these services:

<b>Legal Firm</b>	<b>Amount \$ (excl.GST)</b>
Minter Ellison	4,295.80
Clayton Utz	250.00
AGS	62,467.46
Strategic Legal Services and Consulting Pty Ltd	Contract capped at \$5,000, no invoice yet received.

8 The former Joint House Department conducted a select tender process in 2003. Seven legal firms are on a panel under a standing offer arrangement arising from that process.

9 Legal services are usually sourced from the existing panel under the provisions of a Deed of Standing Offer. The firms on the panel are:

(a) Sparke Helmore;

(b) Corrs Chambers Westgarth;

(c) Blake Dawson Waldron;

(d) Australian Government Solicitor;

(e) Minter Ellison;

(f) Mallesons Stephen Jaques; and

(g) Clayton Utz.

10 A multi-use list is not used.

11 Legal services were direct sourced from Strategic Legal Services and Consulting Pty Ltd, which was contracted to provide legal advice on copyright issues and the use of digital

images for the Parliament House art collection. The value of this contract was \$5,000, but no invoice has yet been received.

12 All procurements described in the answer to Question 7 were under the thresholds for "covered procurements".

13 Yes:

- (a) Dale Boucher and Associates was contracted to provide investigation services in relation to an alleged breach of the Code of Conduct. The cost of these services was \$26,018.18; and
- (b) Mallesons Stephen Jaques was contracted to review aspects of furniture procurement processes within the department. The cost of the review was \$19,407.86.