

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S DEPARTMENT

Sub Program All

Question No. 125

Senator Eggleston asked the following question at the hearing on 8 February 2010:

How much has the Department spent on consultancy services since November 2007? How can the Department justify this expenditure?

The answer to the Honourable Senator's question is as follows:

The Department, including its Portfolio Agencies, has spent \$46,760,348 on consultancy services since November 2007.

The breakdown of actual expenditure for each Portfolio Agency and the justification for the expenditure can be found in **Attachment A**.

Name of Agency	Consultancy Expenditure
Administrative Appeals Tribunal	\$418,429
Attorney-General's Department	\$6,616,175
Australian Commission for Law Enforcement Integrity	\$76,364
Australian Crime Commission	\$2,100,000
Australian Customs and Border Protection Service	\$15,430,031
Australian Federal Police	\$5,920,530
Australian Government Solicitor	\$1,720,000
Australian Human Rights Commission	\$416,273
Australian Institute of Criminology	\$552,856
Australian Law Reform Commission	Nil
Australian Security Intelligence Organisation	\$2,700,429
AUSTRAC (Australian Transaction Reports and Analysis Centre)	\$639,411
Commonwealth Director of Public Prosecutions	\$791,000
Criminology Research Council	Nil
CrimTrac	\$2,625,749
Family Court of Australia	\$1,396,660
Federal Court of Australia	\$804,087
Federal Magistrates Court of Australia	\$486,907
High Court of Australia	\$1,401,436
Insolvency and Trustee Service Australia	\$1,239,740
National Capital Authority	\$1,122,201
National Native Title Tribunal	\$150,978
Office of Parliamentary Counsel	\$151,092

Subject to any additional information provided below, each agency complies with the Commonwealth Procurement Guidelines and engaged consultants for the following reasons:

- skills currently unavailable within agency
- need for specialised or professional skills, and/or
- need for independent research or assessment.

Australian Government Solicitor (AGS): from time to time, AGS engages consultants to undertake specific projects or activities, generally in the areas of corporate and business support, where AGS does not have the requisite specialist skills and/or internal resources, or there is a requirement for independent research and review of some aspect of AGS's business operations. As a GBE required to return a profit, AGS strives to ensure that its consultancy engagements represent best value for money to the business.

Australian Institute of Criminology (AIC): the AIC is not a Financial Management and Accountability Act (FMA Act) agency and, therefore, does not need to comply with the Commonwealth procurement guidelines. The AIC has required services for independent research or assessment and for specialised or professional skills.

Australian Security and Intelligence Organisation (ASIO): ASIO does not report any details on AusTender of contracts it has awarded, for reasons of national security.

Australian Transaction Reports and Analysis Centre (AUSTRAC): section 225(1) of the *Anti-Money Laundering and Counter Terrorism Financing Act 2006* specifies that ‘the AUSTRAC CEO may, on behalf of the Commonwealth, engage consultants to perform services for AUSTRAC in connection with the performance of any of the AUSTRAC CEO’s functions’.

National Native Title Tribunal (NNTT): the *Native Title Act 1993* (Cth) provides for consultancies in two circumstances. Section 131A specifies that the President may engage consultants for any assistance, mediation or review that the Tribunal provides under the Act and section 132 provides that the Registrar may engage consultants with suitable qualifications to provide expert advice and services, excluding research activities.