

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS  
AUSTRALIAN GOVERNMENT SOLICITOR

**Question No. 150**

**Senator Hanson-Young asked the following question at the hearing on 16 October 2012:**

- a) Has the AGS been involved in drafting legislation this year (2012) for Nauru or PNG?
- b) Has the AGS provided any legal advice to the government about whether offshore processing is in breach of its obligations under the Refugee Convention?
- c) What advice has the AGS given to the minister about the CROC and the transfer of children to Nauru and PNG?
- d) Has AGS been involved in training or capacity building exercises with equivalent departments in Nauru and PNG? If so, what training has been undertaken and for what purpose?

**The answer to the honourable senator's question is as follows:**

- a) No.
- b) and c) AGS is a government business enterprise operating on a fully commercial and competitive basis in providing legal and related services to government and its agencies. It is the longstanding position of successive governments that questions about AGS's legal matters should be addressed directly to the relevant agency having administrative responsibility for the subject matter of the questions.
- d) As a major part of the international component of its pro bono program, AGS has developed a relationship with the Papua New Guinea (PNG) Department of Justice and Attorney-General. For this year, a number of AGS lawyers presented pro bono legal training in Port Moresby in April to PNG government lawyers working in the State Solicitor's Office and the Office of the Solicitor-General. Four courses were presented – Understanding Legislation, Train the Trainer, and extended versions of Advice Writing and Statutory Interpretation courses, as well as a course on Commercial Advising. The courses are also being run in November. AGS has not undertaken any pro bono training or capacity building exercises in Nauru.