

Joint Committee of Public Accounts and Audit

Inquiry into the procurement of mandated national support and advocacy services for victims of child sexual abuse

Attorney-General's Department

Hearing date: 31 October 2025

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Josh Burns asked the following question:

CHAIR: When did you realise that you weren't going to be able to go to tender before late 2023? If you're a small team, was there any communication back to the government at any point, saying: 'You've budgeted us; we're a small team—we can't do this for another two years at least'? That doesn't seem feasible. When did the department go, 'This is going to stretch us'? Mrs Barons: I think I'd have to take on notice the exact updates that were given to government at the time. I don't have that to hand. But, certainly, we have tried to provide regular updates.

The response to the question is as follows:

Public consultations and consultations with relevant international organisations to inform the design of the two services were conducted between June and December 2022. In early 2023, the department developed a procurement strategy for three measures being delivered by the department and worked with relevant governance groups and State and Territory governments to ensure the procurement documentation met stakeholder expectations.

During the development of the procurement strategy, analysis was undertaken to determine how best to support the effective implementation of the three strategies while ensuring the appropriate allocation of departmental resources. This analysis identified that an approach to market could not reasonably commence until later in 2023.

Key risks were proactively identified and documented, including competing organisational priorities, constrained resourcing and the inherent complexity associated with progressing three major strategies within overlapping timeframes. Consideration was also given to minimising the burden on the market, noting that the strategies were likely to attract a similar cohort of potential tenderers.

Each procurement also required distinct and complex technical and ICT requirements, which were critical to achieving the intended policy and service delivery outcomes and could not be avoided. While these factors ultimately contributed to delays, they reflected deliberate and risk-informed decisions taken to support value for money, market sustainability and successful delivery. The Attorney-General was briefed on the procurement processes on 5 May 2023 and 19 July 2023. While these briefings outlined the anticipated timeframes, the timing and resourcing risks identified in the procurement strategy were not formally escalated to government at that stage. This has since been identified as a key lesson learned.

The Department will apply this and other lessons to strengthen future procurement activities. Notwithstanding this, the approach adopted at the time was considered appropriate and responsible, having regard to the constraints, risks and information available.

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Matt O'Sullivan asked the following question:

Senator O'SULLIVAN: Correct. The next paragraph really goes into something that I find quite extraordinary. For the benefit of people listening in, it says: The Chair did not accept the initial advice from the procurement team that she should not chair the committee and requested the team to prepare a minute for her signature that detailed advice from Astryx and the risks associated with her chairing the committee, 'mainly to show ANAO that we considered the question and that [the Chair] has decided to wear the risk'. While a draft minute was prepared, the minute was not finalised. I find this quite extraordinary, particularly given it's minuted to deliberately point out that the ANAO may have a look at this at some point. Well, guess what? They have. What date did the chair request the minute be prepared explaining that the committee had decided to wear the risk?

Ms Denley: We might need to get back to you on the specific date. As to the ANAO comment, I can't speak to the mind of the chair, but I think in the department it might have been a lighthearted way to highlight that we take our obligations seriously when we're looking at the probity of processes we're doing. Whether that was then a reference to the ANAO to highlight that in peoples' minds, I'm not sure.

The response to the question is as follows:

The Department proactively sought probity advice from Astryx on 5 May 2023 regarding the potential Chair's involvement in the Jesuit Social Services (JSS) Advisory Group. On 9 May 2023, Astryx advised that having the proposed Chair in this position while still a member of the Advisory Group posed reputational risks for the Department. Astryx did not recommend that the Chair should not be confirmed, but strongly advised that the Chair not be the spending delegate. The Department notes that this was not applicable, as the spending delegation for this procurement was held at the Deputy Secretary level.

The Department met with Astryx on 25 May 2023 to clarify this advice. Astryx explained that confirming the Chair was a matter of the Department's 'risk appetite' in relation to reputational risks and recommended that the Chair resign from the Advisory Group. Astryx did not identify a probity concern with confirming the Chair. This advice was discussed with the Chair on 19 June 2023 and again on 7 July 2023. Following these discussions, the team responsible for the NAP 21 procurement drafted a minute to document the probity advice and the risk-mitigation measures under consideration.

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The first draft of the minute was prepared on 14 July 2023 but was not finalised at that time due to changing circumstances, including the Chair's resignation from the Advisory Group on 29 July 2023. Astryx was advised of the resignation on 2 August 2023. Following this, Astryx provided updated advice on 4 September 2023, noting that the Department had developed 'suitable risk mitigation and management.' These steps were documented in a minute provided to the First Assistant Secretary on 7 November 2023 and noted on 8 November 2023.

The ANAO Final Report disagreed with Astryx's assessment, finding that the Conflict of Interest had not been appropriately managed. The Department acknowledges the ANAO's findings, particularly regarding documentation, sequencing, and clarity of roles, and has strengthened internal processes accordingly, including conflict-of-interest handling, probity advice arrangements, and governance of procurement decisions.

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Matt O'Sullivan asked the following question:

Senator O'SULLIVAN: Thank you, for confirming that. Was the department's procurement team instructed to disregard the minute preparation by the chair?

Mrs Barons: I don't think we have that detail with us, so we'll need to come back to you on that. I would say, though, as I mentioned earlier, I know that all involved in this process did take their obligations very seriously and did make all attempts to actually meet the requirements of them. While we did fall away from the conflict of interest process, and that was found, we have learned from that, and we have put improvements in. Certainly, all efforts were made to actually make those declarations and highlight them to the people required. We just didn't do it in the right way—we didn't document it in the right way. I fully understand that. As I said, we've learnt and we take that, but I will say that all efforts were made by the people involved.

The response to the question is as follows:

No. The department has not identified any evidence that the procurement team was instructed to disregard the Chair's request for a draft minute. A draft minute was prepared, but it was not progressed as the department sought additional probity advice and updated conflict-of-interest declarations.

Please refer to response provided in Response 1 in relation to the content of this advice and its progression.

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Matt O'Sullivan asked the following question:

Senator O'SULLIVAN: I'm conscious of time; I do want to go to another issue, but, just before I do, on what basis did the department advise the delegate for the procurement that 'the officer is the most suitable person to chair the committee'?

Ms Denley: Again, I might need to check for the detail on that. The person who chaired the committee was the most senior person in the National Office for Child Safety at that point in time, and we certainly wanted senior oversight of all of the procurements.

Mrs Barons: And to ensure that the right expertise was being brought to the procurements and an understanding of the services that were required.

The response to the question is as follows:

The basis for the advice to the spending delegate is documented in a minute prepared for the First Assistant Secretary on 7 November 2023. That minute stated that the Assistant Secretary of the National Office for Child Safety 'is the most appropriate and qualified person to undertake this role, given her expertise and the seniority of other Evaluation Committee members'.

The First Assistant Secretary noted this minute on 8 November 2023, and the spending delegate was advised of this action on the same day. This ensured transparency about the assessment undertaken and the role assigned to the Chair.

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Matt O'Sullivan asked the following question:

Senator O'SULLIVAN: I'll flick over to page 57, paragraph 2.142. It says: May 2023 advice from the department's probity adviser, Astryx, was that the officer's involvement be limited to providing advice as required on strategy as a subject matter expert. This advice was changed in August 2023 after the department advised Astryx that it was prepared to accept the risk and the Chair had withdrawn from the advisory group for the pilot program on 24 July 2023. Astryx's initial advice in May 2023 regarding the chair's conflict of interest was 'changed in August 2023 after the department advised Astryx that it was prepared to accept the risk and the chair had withdrawn from the advisory group for the pilot program on 24 July'. Is it correct that the chair withdrew from the advisory group only after requesting to dismiss Astryx's probity concerns?

Ms Denley: That's a fair question, and I don't know the answer immediately, so I would like to get further detail on that.

Mrs Barons: We can get further detail, but my understanding is that the chair withdrew from the advisory group as one of the mitigations against potential conflicts of interest and then took a number of other steps to ensure that they would be in a position to chair that committee without bias, such as doing the required declarations and seeking that senior oversight. But, as Mr Sharp said, unfortunately that was through a noting rather than seeking formal agreement.

The response to the question is as follows:

No, it is not correct that the Chair withdrew from the Jesuit Social Services Advisory Group only after requesting Astryx to dismiss their probity concerns. The Chair did not seek to overturn or dismiss Astryx's advice. Her resignation from the Advisory Group was a mitigation measure in response to probity advice provided in May 2023.

On 5 May 2023, the Department sought advice from Astryx regarding the Chair's continued participation in the Advisory Group. Astryx provided advice on 9 May 2023, recommending that the Chair's involvement in the Evaluation Panel be limited to that of a Subject Matter Expert while she remained on the Advisory Group. Following this advice, the Chair resigned from the Advisory Group on 29 July 2023, and Astryx was notified on 2 August 2023. A conflict of interest declaration relating to her prior participation was also provided to Astryx on this date, who acknowledged receipt on 3 August 2023.

Astryx's advice also included recommendations to support the Chair's role, including

detailing the roles of all panellists in the Tender Evaluation Plan, applying standard probity practices such as briefings and conflict of interest declarations, and involving the probity advisor as a Subject Matter Expert to assess any conflicts and participate in consensus meetings. The Department confirmed on 1 September 2023 that these recommendations would be implemented, and Astryx reviewed and confirmed on 4 September 2023 that suitable risk mitigation and management had been applied.

These steps were documented in a minute provided to the First Assistant Secretary on 7 November 2023 and noted on 8 November 2023. The minute confirmed that the Chair was the most appropriate person to lead the Evaluation Committee, that any apparent conflict of interest was low and mitigated, and that she had resigned from the Advisory Group due to the likelihood of Jesuit Social Services submitting a tender for NAP 21. The spending delegate was also advised on 8 November 2023 to ensure transparency.

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Matt O'Sullivan asked the following question:

Senator O'SULLIVAN: It goes on to say: ... a NAP 21 Evaluation Committee member did not declare an existing conflict of interest with a tenderer until 11 April 2024, after evaluations had commenced and the consensus meeting had been held ...

If a NAP 21 evaluation committee member did not declare an existing conflict of interest with a tenderer until after the evaluations had commenced and the consensus had been held, what correctional measures has the department taken in regard to this committee member?

Mrs Barons: I don't have detail on that. We'll have to take that one on notice. However, we have done a large uplift in the procurement processes and the conflict of interest process within the department as a result of the lessons learned from this process. Certainly, in any procurement processes at the moment, all committee members are reminded of the requirement to update their conflict-of-interest form on a regular basis, because it may be only when you're doing an evaluation that you actually realise there might be a perceived conflict of interest, if you haven't realised there is a connection there as well

I will have to take that question on notice

The response to the question is as follows:

A conflict of interest was declared by an external Evaluation Committee member on 11 April 2024, following the member becoming aware during an Evaluation Committee Consensus meeting that a representative identified within one of the five tender responses was a member of an Association in which the person making the declaration was the President. The Consensus meeting was conducted virtually from 9 to 12 April 2024.

The Evaluation Committee member advised of this potential perceived conflict of interest prior to the evaluation of the tender response. The conflict of interest declaration identified that there had been no form of personal or professional contact outside of the meeting requirements of the Association.

Prior to the formal declaration of this potential conflict, a conflict of interest declaration had been completed by this Evaluation Committee member on 21 December 2023 outlining that there were no actual, perceived or potential conflicts of interest known at that time. In the December 2023 declaration, the Evaluation Committee member undertook to advise the National Office for Child Safety in writing if a conflict or potential conflict arose and if requested, to stand down in any process in which they may compromise.

No correctional measures were required as the perceived conflict of interest was declared in a timely manner and provided to the probity adviser for consideration.

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Carol Berry asked the following question:

Ms BERRY: You mentioned that there was quite significant engagement with stakeholders at the commencement of this process when you were thinking about the design of these services. Could you tell us a little bit more about the nature of that stakeholder engagement. Did you get feedback through that process around how the service should be designed? Once you developed the actual services that you were going to tender for, did you get further feedback around how those services were resourced and whether or not that was a realistic and viable proposition for people that were going to tender for those services?

Mrs Barons: I might have to take on notice the exact nature of the stakeholder consultation in terms of exactly who was consulted, the dates and the research that was undertaken. We certainly did engage also with other agencies who provide similar national services to try and get an understanding of what the service might entail and understand exactly what was required in going out to market. It is the first time we've tried to establish services of this nature in a national sense. We did need to get a proper understanding of exactly what was required and also what was going to be the most effective service that we could provide. As I said, there were a lot of communications, but I will take on notice the exact nature of the consultation.

The response to the question is as follows:

The department undertook extensive consultations to inform the design and delivery of National Action Plan (NAP) Measures 7, 10, and 21 under the National Strategy to Prevent and Respond to Child Sexual Abuse 2021–2030.

Stakeholder and advisory group engagement included:

- **Non-government advisory groups:** National Strategy Advisory Group, Child Safe Sectors Leadership Group, and National Clinical Reference Group.
- **Interjurisdictional governance groups:** Senior Oversight Group, Strategic Management Group, Adult Prevention and Secondary Victim Working Group, and Victim Support, Workforce Development Working Group.

These groups provided advice on service design, scope, and delivery but were not asked to advise on resourcing.

Consultation activities:

- Public and sector-focused consultations via interviews, workshops, and surveys, including input from First Nations organisations and individuals from National Strategy priority groups.

- Targeted consultations with domestic and international experts and service providers, including 1800RESPECT, Lifeline, Yourtown, and 1800ELDERHelp, to inform service design and best practice approaches.
- Independent public consultations for NAP 10 and NAP 21 were conducted by Lonergan Research (June–December 2022), which directly informed the approach to market.

Evaluation planning:

- The department engaged ARTD Consultants to embed evaluation foundations within service design and conduct third-party evaluation of initial service delivery for NAP 10 and NAP 21, assessing implementation, service use, reach, and early outcomes.
- Evaluation milestones have been updated to reflect delays in procurement, with work continuing following the awarding of the NAP 21 contract in July 2025.

Overall, consultations ensured that service design was informed by evidence, sector expertise, lived experience, and international best practice, while evaluation planning provides a mechanism to assess service effectiveness and inform ongoing improvements.

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Carol Berry asked the following question:

Ms BERRY: Just to get an answer to one of the questions that I asked, when you provided information to the sector around services you were procuring for, did you get feedback around whether or not the way that had been designed and the way that you were resourcing it was going to be achievable?

Mrs Barons: I'll have to take the exact question on notice, but in terms of the consultation, as I mentioned, we did baseline mapping of the service sector across Australia. We conducted trauma informed and culturally safe consultation with victims, survivors and other priority groups. We also consulted with states and territories, given they are also a partner to the national strategy. Yes, when we went out to market, we were confident that we had undertaken the necessary steps to ensure that it was going to be a process that would deliver the services that were required, having undergone those consultations. Of course, we continue to get feedback. Under the national strategy we have a number of advisory groups. The National Strategy Advisory Group meets quite regularly, and all measures under the national strategy are taken to those groups to get their feedback. We really take that on board and try and embed that in the processes that we're undertaking. It's really valuable. We need that to be able to deliver the services as they're required for victims-survivors and others that are affected by child sexual abuse.

The response to the question is as follows:

The department consulted extensively to inform the design and delivery of NAP 7, NAP 10, and NAP 21 under the National Strategy. Key advisory and stakeholder groups included:

- **National Strategy Advisory Group (NSAG):** Provides advice from priority groups, non-government organisations, academics, and community members.
- **National Clinical Reference Group (NCRG):** Health professionals and researchers with expertise in harmful sexual behaviours and child sexual abuse.
- **Child Safe Sectors Leadership Group (CSSLG):** Peak bodies and organisations focused on child safety (NAP 7 only).
- **Adult Prevention and Secondary Victim Working Group (APSVWG) and state/territory working groups:** Oversight and input on service implementation.

These groups provided feedback on service scope, design, trauma-informed approaches, cultural safety, and service accessibility. Independent public consultations were also undertaken, including surveys, workshops, and interviews with service providers, law enforcement, and clients.

None of these groups were asked to assess whether the services, as designed and resourced, were achievable. The department relied on sector mapping, expert advice, and prior experience to ensure that services could be delivered as required. Ongoing feedback from stakeholders continues to inform service refinement.