



PARLIAMENT OF AUSTRALIA

# **Report 514: Inquiry into the procurement of mandated national support and advocacy services for victims of child sexual abuse**

**Joint Committee of Public Accounts and Audit**

February 2026

CANBERRA

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# Contents

<b>Chair's foreword .....</b>	<b>v</b>
<b>Membership of the Committee .....</b>	<b>vii</b>
<b>Terms of reference .....</b>	<b>ix</b>
<b>List of abbreviations .....</b>	<b>xi</b>
<b>List of recommendations.....</b>	<b>xiii</b>

## Report

<b>1. Introduction .....</b>	<b>1</b>
Background to the inquiry .....	1
Conduct of the inquiry .....	1
Structure of the Report .....	2
<b>2. Analysis.....</b>	<b>3</b>
Overview .....	3
Rationale for the audit.....	3
The audited procurements .....	4
National Action Plan (NAP) measure 10 .....	4
NAP measure 21 .....	4
Procurement planning .....	4
Audit recommendations .....	4
Wider observations from the audit findings.....	5
Issues .....	5
Overview.....	5
Probity and ethics .....	7
Tender evaluations .....	8
Timeframes.....	10
Competitiveness and pricing .....	11
Advice to the Attorney-General .....	13

AusTender requirements .....	13
Procurement outcomes .....	14
<b>3. Committee comment.....</b>	<b>15</b>

## Appendices

<b>Appendix A. Submissions .....</b>	<b>19</b>
<b>Appendix B. Public hearings.....</b>	<b>21</b>



# Chair's foreword

This inquiry of the JCPAA examined the procurement process conducted by the Attorney-General's department (AGD) to deliver two new Child Sexual Abuse-related National Services. These procurements arose from the recommendations of the 2017 *Royal Commission into Institutional Responses to Child Sexual Abuse*.

Given the significance of these services, the Australian National Audit Office (ANAO) conducted an audit of the procurements in 2024-25. The audit's findings were serious. The ANAO concluded that the procurements did not involve open and effective competition, were subject to substantial delays, accepted non-compliant tenders for evaluation, failed to meet ethical requirements, and did not achieve value for money. In both procurements, the ultimately preferred tenderers did not comply with mandatory pricing requirements yet were nonetheless evaluated and offered contracts.

The evidence received by the Committee was consistent with the ANAO's findings. In particular, the length of time taken to progress these procurements was deeply concerning. Although funding was allocated in the 2021-22 Budget, the market was not approached until late 2023. A contract for the national offending prevention service was eventually executed in July 2025. Negotiations for the service intended to support non-offending family members collapsed in October 2024, and there remains uncertainty as to when, or how, that service will now be delivered.

AGD has acknowledged that while these procurements were complex, the processes were unacceptably slow. It is troubling that the Attorney-General was not appropriately briefed on these delays and was only advised of anticipated timeframes in mid-2023. AGD has accepted all of the ANAO's findings and has indicated a willingness to learn from these failures and improve future practice. While this is welcome, the Committee is not yet persuaded that AGD is positioned to deliver the full suite of services required, including the nationally available information and referral service for victims and survivors, which remains under evaluation and was not examined as part of the audit.

The Committee has therefore made two recommendations. First, AGD is required to provide an immediate update on the status of these services. Second, AGD is required to report again in six months on its implementation of the ANAO's recommendations, including concrete examples drawn from ongoing and planned procurement activity.

I thank the Deputy Chair and members of the Committee for their considered contributions to this inquiry. I also thank the ANAO and AGD for their cooperation, and the Committee Secretariat for its continued professionalism and support.

Josh Burns MP  
Chair





# Membership of the Committee

## Chair

Mr Josh Burns MP

## Deputy Chair

Senator Matt O'Sullivan

## Members

Ms Mary Aldred MP

Ms Carol Berry MP

Senator Lisa Darmanin

Senator Richard Dowling

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Senator Varun Ghosh

Senator the Hon Jane Hume

Hon Ed Husic MP

Hon Barnaby Joyce MP

Mr Simon Kennedy MP

Ms Louise Miller-Frost MP

Senator Barbara Pocock

Ms Sally Sitou MP

Mr Terry Young MP

*This committee is supported by staff of the Department of the House of Representatives*





# Terms of reference

On 4 September 2025, the Joint Committee of Public Accounts and Audit adopted an inquiry into the procurement of mandated national support and advocacy services for victims of child sexual abuse.

The Committee examined:

The tender and procurement processes being utilised by the Attorney-General's department to seek providers of the required services

The lessons learned by the department in relation to these procurements and their current status.

The inquiry had particular regard to any matters contained in or associated with *Auditor-General Report No. 44 of 2024–25: Conduct of Procurements Relating to Two New Child Sexual Abuse-related National Services*.





# List of abbreviations

AGD	Attorney General's Department
ANAO	Australian National Audit Office
CPRs	Commonwealth Procurement Rules
DSS	Department of Social Services
NAP	National Action Plan
RFT	request for tender



# List of recommendations

## Recommendation 1

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3.17 The Committee recommends that the Attorney-General's Department reports back within one month on the current situation regarding the establishment of National Action Plan support services arising from the final report of the Royal Commission into Institutional Responses to Child Sexual Abuse.

## Recommendation 2

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3.18 The Committee recommends that the Attorney-General's Department reports back within six months on the progress it has made in addressing the recommendations of the Australian National Audit Office audit of the procurements of child sexual abuse-related services. Specific and detailed examples must be given showing how these changes are being implemented for all ongoing and planned procurements. The report should also outline the processes and timeline for the original tender processes.





# 1. Introduction

## Background to the inquiry

- 1.1 On 4 September 2025, the Joint Committee of Public Accounts and Audit adopted an inquiry into the procurement of mandated national support and advocacy services for victims of child sexual abuse. The services in question had been among those recommended in the 2017 final report of the *Royal Commission into Institutional Responses to Child Sexual Abuse*.<sup>1</sup>
- 1.2 The inquiry was primarily a further examination of the findings of the Auditor-General in Report No. 44 of 2024–25: *Conduct of Procurements Relating to Two New Child Sexual Abuse-related National Services*.<sup>2</sup>
- 1.3 These two services were:
  - 1 National Action Plan (NAP) measure 10 - a national support service for non-offending family members of child sexual abuse perpetrators during and following crisis, primarily through a helpline and website
  - 2 NAP measure 21 - a national offending prevention service for people who are concerned about their own sexual thoughts or behaviours towards children or young people or are concerned about another adult. The service is intended to provide a helpline, website, other contact methods and self-help modules that people can use anonymously and without cost
- 1.4 The Committee investigated the tender and procurement processes being used by the Attorney General's Department (AGD) to deliver these services, assessed any lessons learned in relation to these activities, and evaluated the current status of service delivery.

## Conduct of the inquiry

- 1.5 The inquiry received three submissions and three supplementary submissions, listed at Appendix A. The supplementary submissions principally provided responses to questions taken on notice at the public hearing and to additional written questions

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<sup>1</sup> Royal Commission into Institutional Responses to Child Sexual Abuse, 'Final Report', *Australian Government*, viewed 11 December 2025, <https://www.childabuseroyalcommission.gov.au/>.

<sup>2</sup> Australian National Audit Office (ANAO) *Conduct of Procurements Relating to Two New Child Sexual Abuse-related National Services*, Report No. 44 of 2024–25, June 2025; hereafter *Auditor-General Report No. 44 2024–25*.

from the Committee. A single public hearing was conducted in Canberra on Friday 31 October 2025 (Appendix B).

## **Structure of the Report**

- 1.6 The report is structured as follows:
  - Chapter 1 – Introduction
  - Chapter 2 – Analysis
  - Chapter 3 – Committee Comment
- 1.7 Chapter 2 focuses on the Australian National Audit Office's (ANAO's) audit findings and the evidence received by the inquiry on the adherence by AGD to key principles of the Commonwealth Procurement Rules (CPRs). These included the level of competitiveness in the approach to the market by AGD, its tender evaluation processes, the timeframes involved, whether value for money was achieved, probity and ethics considerations, and outcomes of the procurements.
- 1.8 Chapter 3 summarises the Committee's views and conclusions on the matters examined in the inquiry. Recommendations are made by the Committee to assist AGD and the Government to move forward more effectively with the provision of the hugely important services that have been recommended by the 2017 Royal Commission.



## 2. Analysis

### Overview

- 2.1 This chapter examines the findings of ANAO's recent audit of the Attorney-General's Department's (AGD's) procurement of two new Child Sexual Abuse-related National Services and the corresponding evidence received to this inquiry regarding these activities. The services in question had been among those recommended in the 2017 final report of the *Royal Commission into Institutional Responses to Child Sexual Abuse*.<sup>1</sup>
- 2.2 The inquiry was strictly focussed on the conduct and outcomes of these procurements. Although the Committee fully acknowledges the importance and impact of the experiences shared with the Royal Commission, it could not consider individual cases or policy responses as part of its deliberations.
- 2.3 Areas of focus for the Committee in the inquiry included the adherence by AGD to the Commonwealth Procurement Rules (CPRs), the tendering processes used by the department and their underlying governance arrangements, whether value for money was achieved, probity and ethics, the outcomes of the procurements, and any lessons learned.

### Rationale for the audit

- 2.4 The ANAO states that it audited two AGD procurement activities because they related to the establishment of services recommended by a Royal Commission in 2017 to support victims of child sexual abuse and their families.<sup>2</sup>
- 2.5 These procurements were designed to establish two nationwide services for the first time, one to support and advocate for victims of child sexual abuse, and another to protect children by intervening before an individual offends as indicated below.

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<sup>1</sup> Royal Commission into Institutional Responses to Child Sexual Abuse, 'Final Report', *Australian Government*, viewed 11 December 2025, <https://www.childabuseroyalcommission.gov.au/>.

<sup>2</sup> Auditor-General Report No. 44 2024–25, p. 7.

# The audited procurements

## National Action Plan (NAP) measure 10

2.6 NAP measure 10 (NAP 10) is intended to be a national support service for non-offending family members of child sexual abuse perpetrators during and following crisis, primarily through a helpline and website (including an online peer support forum). The Government allocated \$10.2 million from 2021-22 to 2024-25 to support this service.<sup>3</sup>

## NAP measure 21

2.7 NAP 21 involves a national offending prevention service for people who are concerned about their own sexual thoughts or behaviours towards children or young people, or are concerned about another adult. The service is intended to provide a helpline, website, other contact methods (such as an online chat function) and self-help modules that people can use anonymously and without cost. The Government allocated \$9.6 million from 2021-22 to 2024-25 to support this service.<sup>4</sup>

## Procurement planning

2.8 The audit report noted that in developing its requests for tender (RFTs) for NAP 10 and NAP 21 in 2023, AGD obtained a copy of the processes used by the Department of Social Services (DSS) for its 2020 to 2022 procurement of counselling and support services provided through 1800RESPECT. ANAO indicated that it had audited this earlier RFT activity by DSS and found it to have been effective and in compliance with the CPRs.<sup>5</sup>

## Audit recommendations

2.9 Six recommendations were made by ANAO, all of which were agreed to by AGD. These included:

- identification of the relative importance of each of the criteria to be applied in the procurement evaluation process
- that a tender should be excluded or given a lower score if data that is required for evaluation is not provided
- a need for strengthening of the adherence to recognised principles and processes for conducting procurements ethically
- that planned evaluations must address all information required to be included by tenderers in their submissions

<sup>3</sup> Attorney-General's Department (AGD), Submission 2, p. 6.

<sup>4</sup> Auditor-General Report No. 44 2024–25, p. 61.

<sup>5</sup> Auditor-General Report No. 44 2024–25, p. 24.

- a need for improved procurement recordkeeping so that accurate and concise information exists on the process that was followed.<sup>6</sup>

## Wider observations from the audit findings

2.10 ANAO also made some broader-based observations from its audit findings that it deemed to be of relevance to the public sector more widely, including that:

- advice to Ministers on procurement activities must be comprehensive and not exclude important information that identifies shortcomings or risks
- entities should issue any addenda to all candidates in a limited tender
- information required to be submitted by tenderers must be appropriate and sufficient to enable a full evaluation against each criterion
- tender evaluation reports should be objective, impartial and give the decision-maker all the information they need
- selection of a lead negotiator, and members of the negotiation team, is an important decision and entities should consider the benefits of specialist negotiation training.<sup>7</sup>

## Issues

### Overview

2.11 ANAO found that the conduct of the NAP 10 and NAP 21 procurements by AGD did not involve open and effective competition and were not consistent with achieving value for money. The principal concerns raised by ANAO in its audit of these procurements included that:

- the preferred tenderers for both services were essentially selected via limited tender rather than an open and competitive process in ‘circumstances that do not satisfy the conditions for a limited tender set out in the CPRs’
- the probity adviser was engaged through a process that lacked probity and was later, with no competition, engaged to also provide strategic procurement advice thus adversely impacting the independence and objectivity of the process
- the Chair of one of the panels had an existing relationship with the eventually contracted provider, a conflict of interest that was not managed properly
- the procurements were not timely, such that neither of the services were in place at the time of the audit

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<sup>6</sup> Auditor-General Report No. 44 2024–25, pages 12-13.

<sup>7</sup> Auditor-General Report No. 44 2024–25, pages 14-15.

- six of the 11 tenderers for the two procurements were evaluated despite not being compliant with the pricing information required to be submitted by the RFTs, including the preferred tenderer for each service<sup>8</sup>

2.12 In its primary submission to the inquiry, AGD's core responses to the audit findings and recommendations were that:

- all efforts had been made by the department to ensure correct processes were followed and ethical requirements were met during the procurement processes but AGD acknowledged that aspects of these procurements were below standard
- AGD considered the providers identified within these procurements to have been valid
- AGD had accepted all six of the ANAO's recommendations, as well as the additional opportunities for improvement, and was developing internal guidance to further support staff in planning and evaluating procurements
- the Secretary of AGD had approved an implementation workplan to address the recommendations and opportunities for improvement identified by the ANAO, led by its procurement team.<sup>9</sup>

2.13 The department took the position in relation to the timeframes for service delivery that:

The procurement processes audited by the ANAO were complex in nature, and the anticipated timeframes taken during the development of the National Strategy were ambitious and indicative.<sup>10</sup>

2.14 AGD also provided a status report in an appendix to its main submission on its responses to the recommendations of the ANAO audit, stating, *inter alia*, that:

- departmental staff have also received further articles on the topics of achieving value for money, conflict of interest and integrity
- the department has sought better practice examples from other commonwealth agencies, including the Department of Finance
- departmental staff must maintain their procurement knowledge by completing procurement training relevant to their roles
- where departmental staff are members of a procurement evaluation committee, they must also complete further training relating to their role on the committee before they begin the tender evaluation process
- where required by the probity plan, they [staff] must also attest that they have read and understood the plan
- the department will provide all officers undertaking new open tenders commencing in the department with a briefing from the department's

<sup>8</sup> Auditor-General Report No. 44 2024–25, pages 8-9.

<sup>9</sup> AGD, Submission 2, pages 8-9.

<sup>10</sup> AGD, Submission 2, p. 8.

- internal procurement team that will cover general requirements, guidance and support
- the department will utilise behavioural insights to embed the lessons learnt from the audit into the business-as-usual activity of all relevant staff.<sup>11</sup>

## Probity and ethics

2.15 ANAO found that AGD's procurement processes were not consistently conducted in accordance with ethical requirements, including that the probity advisor was not engaged appropriately and that the Chair of the NAP 21 tender evaluation committee had a clear conflict of interest that was not managed properly:

- the engagement of the probity adviser was through a process that lacked probity, and the later engagement (without any competition) of the probity adviser to also provide strategic procurement advice adversely impacted the independence and objectivity of the probity adviser
- the declaration and management of conflicts of interest was also not to an appropriate standard. This included ineffective management of a conflict the chair of the evaluation committee for the NAP 21 procurement had with the tenderer that emerged as the preferred candidate.<sup>12</sup>

2.16 AGD responded to these issues in its supplementary submissions. In relation to the engagement of the same consultancy firm, Astryx, as both a probity advisor and a procurement advisor, AGD stated:

No advice was provided from Astryx in their capacity as probity advisors that they could not engage in both a probity and procurement contract with the National Office. At the time, the National Office considered the arrangement acceptable because probity advice and procurement support were to be delivered by separate personnel within Astryx, and the services were viewed as distinct. In hindsight, and consistent with the ANAO findings, this separation was not sufficiently robust to meet best practice probity expectations.<sup>13</sup>

2.17 The Committee queried at the hearing why the Chair of the NAP 21 evaluation committee continued in that role when she was found to have been on the 'Advisory Group' of the preferred tenderer, and ultimately contracted provider, Jesuit Social Services. AGD responded on notice that the probity advisor, Astryx, was consulted on this issue and had indicated to the department that this posed a reputational risk. AGD further stated:

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

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<sup>11</sup> AGD, Submission 2, Appendix A, pages 10-11.

<sup>12</sup> Australian National Audit Office (ANAO), Submission 3 (responses to questions in writing), p. [2].

<sup>13</sup> AGD, Supplementary submission 2.3 (responses to questions in writing), p. [4].

this was not applicable, as the spending delegation for this procurement was held at the Deputy Secretary level. 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.<sup>14</sup>

2.18 AGD further advised in its response that, following the Chair's resignation from the Jesuit Social Services Advisory Group, Astryx had provided updated advice that the department had developed suitable risk mitigation and management on this issue. AGD acknowledged that ANAO disagreed with this assessment.<sup>15</sup>

## Tender evaluations

2.19 ANAO's assessment of AGD's tender evaluations for these services was that they were not adequate:

Tenders for the NAP 10 and NAP 21 procurements were not fully and fairly evaluated against each of the criteria. This included six of 11 tenders that did not provide all of the pricing information that the Requests for Tender (RFT) stated was required to be submitted to inform evaluation.<sup>16</sup>

2.20 ANAO further commented that AGD had not downgraded the submissions that had failed to provide the pricing data stipulated by the RFT criteria. This included the eventual preferred tenderer for each of the services, neither of which was compliant in this respect.<sup>17</sup>

2.21 ANAO further noted in summarising its core findings that AGD had evaluation plans in place prior to the RFT closing date but these had not been signed off by the probity advisor. ANAO further stated that these plans 'also did not adequately address how the department planned to evaluate the pricing information tenderers were required to submit.'<sup>18</sup>

2.22 ANAO additionally indicated that the records of the tender evaluations did not maintain the evidence that supported key decisions, accurately reflect the processes employed, demonstrate how value for money had been achieved, or show how the budgeted amounts were arrived at.<sup>19</sup>

2.23 ANAO further commented at the public hearing that records of the tender evaluation committee were 'sometimes inaccurate, sometimes inconsistent, sometimes incomplete.'<sup>20</sup> ANAO stated:

<sup>14</sup> AGD, Supplementary submission 2.2 (responses to questions on notice), p. [3].

<sup>15</sup> AGD, Supplementary submission 2.2, p. [4].

<sup>16</sup> ANAO, Submission 3, p. [1].

<sup>17</sup> ANAO, Submission 3, p. [1].

<sup>18</sup> ANAO, Submission 3, p. [2].

<sup>19</sup> ANAO, Submission 3, p. [3].

<sup>20</sup> Mr Brian Boyd, Executive Director, Performance Audit Services Group, ANAO, Committee Hansard, Canberra, 31 October 2025, p. 10.

It's very hard for us to then be confident that the conflicts that haven't been well-identified and well-managed haven't led to bias in the assessment process. To be completely confident in what then results from all that is value for money.<sup>21</sup>

2.24 It was also pointed out specifically in the audit report that the preferred tenderer for NAP 10 was not in fact the highest ranked provider through the evaluation process. In addition, whereas this selected entity was given the opportunity to provide further information that was lacking, in order to proceed to contract negotiations, the unsuccessful provider who scored highest but was rejected due to financial viability concerns was given no opportunity to address those concerns.<sup>22</sup>

2.25 In a response to a written question on notice on this issue, AGD stated that although this unsuccessful tenderer scored more highly than the preferred tenderer 'on some weighted criteria' they did not present the best value for money option when other factors were taken into account.<sup>23</sup>

2.26 ANAO stated in the audit report in this regard that:

... the department noted it 'could not conceive of any collaboration activities that could alleviate the serious concerns around [the highest ranked NAP 10 tenderer's] financial stability'. Inconsistent with this, the financial adviser had provided a risk rating of 'Low to Medium' in relation to the tenderer's financial viability.<sup>24</sup>

2.27 AGD commented on this matter at the public hearing that the issue of financial viability was an important consideration for the evaluation panel even though it wasn't necessarily weighted, and that the higher scoring tenderer on weighted criteria was judged to be too risky on that basis.<sup>25</sup> ANAO responded that:

Firstly, there was no financial liability criterion. The department, in stating that there was in their evaluation, is just wrong... No-one is saying it is not a factor. But they've said there was a criterion, and there wasn't... they've used financial viability in a way that's not consistent with their own RFT as a basis for not progressing a tenderer that had otherwise provided everything it had been asked to provide and had scored higher against the weighted criteria. The reason you weight some criteria and not others is that you are saying to the market, 'This is more important.' To us, the fact that they have scored—not just a little bit higher—markedly higher is something we would suggest is of some import in any procurement process.<sup>26</sup>

<sup>21</sup> Mr Boyd, ANAO, *Committee Hansard*, Canberra, 31 October 2025, p. 10.

<sup>22</sup> Auditor-General Report No. 44 2024–25, p. 46.

<sup>23</sup> AGD, Supplementary submission 2.3 (responses to questions in writing), p. [12].

<sup>24</sup> Auditor-General Report No. 44 2024–25, p. 48.

<sup>25</sup> Mr Scott Sharp, Chief Financial Officer, Attorney-General's Department (AGD), *Committee Hansard*, Canberra, 31 October 2025, p. 11.

<sup>26</sup> Mr Boyd, ANAO, *Committee Hansard*, Canberra, 31 October 2025, p. 11.

## Timeframes

2.28 The delays in the conduct of the procurements by AGD was emphasised by ANAO in its report. At the time of the audit, neither service was in place and ANAO highlighted the following in its submission:

- Had the department met its timeframes as set out in the RFT packages released to the market, it would have signed contracts for both services in April and May 2024, before the ANAO performance audit commenced in June 2024
- Key contributing factors to contracts not being signed in the planned timeframe were delays in the department preparing the RFT packages and then further delays by the department in evaluating the tenders that were received and, once preferred tenderers were selected, progressing contract negotiations to the signing of contracts
- The offer validity periods expired with substantive matters continuing to be negotiated with each preferred tenderer. The department took no steps to seek agreement from the preferred tenderers to extending the offer period until after this matter was raised by the ANAO. The validity period was extended twice by the department for NAP 21 before a contract was signed, and three times for NAP 10 before contract negotiations ceased (as advised to the Committee by the department on 30 October 2025).<sup>27</sup>

2.29 ANAO further elaborated on the implications of these delays at the public hearing on 31 October 2025:

... both these procurements were sitting in a situation where the tender offer periods were six months. They both tendered in February 2024. Tenders ran out in August 2024... In January 2025 they got agreement from the two preferred tenderers to, essentially, go back in history and now extend their offer periods out until April. They then did a second extension out to the end of July. They managed to get one of them signed—the NAP 21... We're now so far from the market being approached and preferred tenderers being selected that it's not just that they're no longer meeting their own timeframes... they're no longer running the RFT process, they're now limited tenders.<sup>28</sup>

2.30 ANAO also further queried why such negotiations at the margins of accepted offers would take so long.<sup>29</sup>

2.31 AGD acknowledged at the public hearing that its procurement for NAP 10 and NAP 21 took far longer than expected given that the funding for these services was

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<sup>27</sup> ANAO, Submission 3, p. [2].

<sup>28</sup> Mr Boyd, ANAO, *Committee Hansard*, Canberra, 31 October 2025, p. 10.

<sup>29</sup> Mr Boyd, ANAO, *Committee Hansard*, Canberra, 31 October 2025, p. 10.

allocated in the 2021-22 budget. The department stated that the timeframes were indicative and ambitious but agreed that the processes took too long, commenting:

We do recognise the time that was taken. I don't want to overstate, but I'm also careful not to underestimate, the complexity of these processes and the need to get it right. They are contentious services, and there was certainly a lot of engagement with stakeholders on how these should occur. Time was taken to ensure that happened. I think, with the value of hindsight, that was too long. It didn't meet expectations, and it didn't deliver on the expectations that people had around how long these services would take to get up and running.<sup>30</sup>

2.32 AGD further indicated that contributing factors to the extended time taken were the need to obtain extensive legal, probity and procurement advice and a focus on trying to deliver these unique services in the right way, including the conduct of the planning and approvals processes.<sup>31</sup>

2.33 At the public hearing, AGD stated that once the ANAO had published its audit report, it 'immediately engaged with all key stakeholders and governance groups to reassure them of our serious commitment to addressing the findings and ensuring timely delivery of these vital services.'<sup>32</sup>

## Competitiveness and pricing

2.34 At the public hearing on 31 October 2025, ANAO further discussed its audit conclusions that AGD ultimately did not conduct the tendering processes for NAP 10 and NAP 21 in an open and competitive manner:

In terms of open and effective competition, clearly, the department ran competitive processes which involved issuing requests for tender, but that in itself doesn't get you to open and effective competition if you don't conduct those processes in a way which actually means that people are able to fairly and openly compete for the business... for us to reach a conclusion is not a straightforward 'you've issued a request for tender to the market'. It's everything you do in terms of progressing that as to whether it's open and effective competition. Our conclusion for both of them was that, when you looked at everything that was done post receiving the tenders, it wasn't open and effective competition.<sup>33</sup>

2.35 ANAO also commented at the hearing in relation to these RFT processes that the broad non-compliance by AGD with the CPR requirements for open and effective

<sup>30</sup> Ms Kathleen Denley, Acting First Assistant Secretary, Children and Families Division, AGD, *Committee Hansard*, Canberra, 31 October 2025, p. 2.

<sup>31</sup> Ms Denley, AGD, *Committee Hansard*, Canberra, 31 October 2025, pages 2-3.

<sup>32</sup> Ms Denley, AGD, *Committee Hansard*, Canberra, 31 October 2025, p. 1.

<sup>33</sup> Mr Boyd, ANAO, *Committee Hansard*, Canberra, 31 October 2025, pages 3-4.

competition was significant as there could then be no confidence that value for money would be achieved on behalf of the taxpayer.<sup>34</sup> ANAO further stated:

... we're now 20 months after tenders were lodged. You've probably gone forward and removed competition at such an early stage, which might help explain why it has then taken so long to try and negotiate [and] to then not get an outcome.<sup>35</sup>

2.36 In terms of selecting tenderers for subsequent evaluation, AGD acknowledged in response to a question in writing that of the 11 tenders received in total for NAP 10 and NAP 21, some did not provide all of the pricing information. AGD further commented in this response however that the evaluation teams had determined that a comparison of prices could proceed:

In relation to pricing, the RFT documentation specified that tenderers 'should' and not 'must' provide the information in the format requested. Not providing the information in the format requested did not render them ineligible for consideration. The evaluation team concluded that they had enough information to do a comparison of prices, even though it was suboptimal to what was requested.<sup>36</sup>

2.37 Further to the requested pricing information, ANAO found in the audit that the most common area of non-compliance with the NAP 10 and NAP 21 RFTs was the requirement to provide service pricing for 30-minute calls under low, medium and high call volume scenarios.<sup>37</sup> It was noted that the preferred tenderers in both cases only provided pricing for 45-minute calls.

2.38 In its response to a question in writing from the Committee on the reasons for this finding, AGD indicated that it regarded the pricing responses from these preferred tenderers to be compliant with requirements of the RFT, stating:

The NAP 10 and 21 Requests for Tender (RFT) set out the Minimum Content and Format Requirements and Conditions for Participation (clauses 9.3 and 9.4). The RFTs noted that the department did not specify any further essential requirements... As such, the preferred tenderer's inclusion of a Pricing Response that accounted for their assumptions around the expected call times, alongside a detailed explanation of how the proposed pricing was reached, was compliant with the requirements of the RFT.<sup>38</sup>

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<sup>34</sup> Mr Boyd, ANAO, *Committee Hansard*, Canberra, 31 October 2025, p. 4.

<sup>35</sup> Mr Boyd, ANAO, *Committee Hansard*, Canberra, 31 October 2025, p. 5.

<sup>36</sup> AGD, Supplementary submission 2.3 (responses to questions in writing), p. [1].

<sup>37</sup> Auditor-General Report No. 44 2024–25, p. 35.

<sup>38</sup> AGD, Supplementary submission 2.3 (responses to questions in writing), p. [11].

## Advice to the Attorney-General

2.39 ANAO highlighted that AGD had not advised the Attorney-General on key issues impacting the conduct and progress of these procurements, including:

- that substantive work on the approach to market had not commenced until June 2023 and that there had been delays in contracting the external probity and procurement advisors
- that the timeframes for these processes were well outside those that had been planned and advised to the market in the RFTs
- that there had been a significant delay between the NAP 10 evaluation report being finalised and endorsed by Evaluation Committee members
- that the NAP 21 preferred tender could not be accepted because of the large amount of additional information that needed to be sought from this provider and there had been consequential delays in proceeding to contract negotiations.<sup>39</sup>

2.40 In response on notice to questions from the Committee on whether impending delays to the procurement process were communicated to the Government, AGD indicated that while the Attorney-General was briefed on these processes in both May and July of 2023, including an outline of the anticipated timeframes, 'the timing and resourcing risks identified in the procurement strategy were not formally escalated to government at that stage.'<sup>40</sup>

2.41 AGD indicated in this same response that 'this has since been identified as a key lesson learned.'<sup>41</sup>

## AusTender requirements

2.42 ANAO noted in its submission to the inquiry that the requirement for AGD to report its service contracts on AusTender had not been triggered as no agreements were in place at the time of the audit. ANAO further commented in relation to the external procurement advisors:

For the adviser and consultant contracts the department entered into for the purpose of assisting with the main procurements, there were delays and inaccuracies in reporting of six of the eight contracts that required reporting on AusTender.<sup>42</sup>

<sup>39</sup> ANAO, Submission 3, pages [4-5].

<sup>40</sup> AGD, Supplementary submission 2.2 (responses to questions on notice), p. [1].

<sup>41</sup> AGD, Supplementary submission 2.2 (responses to questions on notice), p. [1].

<sup>42</sup> ANAO, Submission 3, p. [3].

## Procurement outcomes

2.43 At the time of the audit, neither the NAP 10 nor NAP 21 service was in place. AGD indicated that it had now awarded the NAP 21 contract to Jesuit Social Services and anticipated that the service would launch in the first half of 2026.<sup>43</sup>

2.44 AGD stated in its submission in relation to NAP 10 that, subject to contract finalisation, it expected the launch of the service in 2026.<sup>44</sup> AGD further informed the Committee by letter in October 2025, however, that contract negotiations had fallen through for this service:

... the department wishes to inform the committee that, unfortunately, agreement was unable to be reached through negotiations on contract terms [for NAP 10] and the preferred tenderer has withdrawn from the procurement process. The process has therefore been cancelled as of today, 30 October 2025.<sup>45</sup>

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<sup>43</sup> AGD, Submission 2, pages 5, 8.

<sup>44</sup> AGD, Submission 2, p. 6.

<sup>45</sup> AGD, Supplementary submission 2.1, p. 1



## 3. Committee comment

- 3.1 The conduct of the procurements by the Attorney-General's Department (AGD) to secure hugely important and first-time national services that could help families to better deal with the trauma of child sex abuse, and potentially better protect children from these terrible crimes into the future, was entirely inadequate, from start to finish.
- 3.2 The Committee finds much of the decision-making by the department during these activities to be questionable at best. Aside from failing to adhere to many of the core principles of the CPRs at an overarching level, the way the tender processes for these services were administered by AGD indicated significant shortfalls in expected governance standards and in the professional understanding of what was needed.
- 3.3 The Auditor-General's report makes for sobering reading to say the least.
- 3.4 The time taken to enter into contract negotiations was just far too slow, which AGD accepts. Money was allocated in the 2021-22 budget for these services but it was the end of 2023 before the market was even approached. It was July 2025 when a contract was eventually signed for only one of the two services in question, NAP 21, requiring multiple extensions of the offers to the preferred tenderer.
- 3.5 The other service, NAP 10, has not been delivered at all. The Committee's concerns with this situation are first and foremost that an important service to help family members of child victims is still not available more than four years after funding was provided and, indeed, more than eight years after it was recommended by a Royal Commission and agreed to by the Government.
- 3.6 In addition to this, the responsible Minister, the Attorney-General, was not briefed about these delays and had been advised of the anticipated timeframes only in mid-2023. The department would have known for a considerable period after this that these timeframes were never going to be met.
- 3.7 What is particularly perturbing to the Committee about this situation is that the preferred tenderer for NAP 10 was not the highest ranked potential provider through the evaluation process and was not even compliant with the RFT criteria for the provision of pricing information. Somehow this tenderer was selected anyway and then given preferential treatment by AGD to get to the contract negotiation stage. At the end of it all, this provider has walked away from the contract and left the department with nothing to show for its overlong procurement process.
- 3.8 It is unlikely that the highest-ranking tenderer for NAP 10 in the evaluations, the entity that satisfied each of the RFT criteria but was found to carry too much financial risk (despite the financial advisor to the procurement process having no such concern initially), will be interested in dealing with AGD again. That unsuccessful provider was

afforded no opportunity to address the financial viability concerns that were raised against it. They would have little incentive to expend the considerable time and resources needed to put in another bid.

3.9 AGD accepts the findings of ANAO and agreed to all of its audit recommendations. AGD has also indicated that it is undertaking a variety of activities internally to learn the lessons from the issues raised about these procurements and thereby improve. At face value, this is laudable and should of course be the expected response of any entity to these types of audit findings. The Committee is, however, not at all confident that this will produce the desired results for the delivery of these services.

3.10 AGD emphasised the complexity of these procurements in its evidence, and that it was not experienced in conducting them on this scale. It further stressed its desire to achieve a proper process and that it therefore consulted with a wide range of key stakeholders to get it right. This was also one of the reasons given for the delays in initiating the RFTs.

3.11 Despite the noble intentions underlying it, AGD's careful preplanning did not work. Significantly in this regard, the Committee now believes that it likely never could have. In the Committee's Commonwealth procurement inquiry report in the last Parliament, Recommendation 1, which was agreed to by the Government, and which the Committee reiterates here due to its importance, stated:

The Committee recommends that the Department of Finance work to advance public sector procurement capability and professionalisation by:

- prioritising the development and rollout of a procurement professional stream within the Australian Public Service, to facilitate the creation of procurement and contracting specialists, and
- expanding the current definition of procurement in the Commonwealth Procurement Rules, to empower and better reflect modern, professionalised procurement practices, including more active management of supply markets and supply chains to maximise value for money.<sup>1</sup>

3.12 It has been the Committee's considered view for several years that the 'active management of supply markets and supply chains to maximise value for money' is a crucial component of advancing public sector procurement capability. The Committee questions whether AGD can obtain this capability in relation to delivering the specific services examined in this inquiry.

3.13 The responsibility for procuring services of this nature should probably never have been AGD's in the first place as these activities fall completely outside of its experience and fundamental remit. The Committee does not believe that AGD currently has the required understanding of the marketplace for services such as

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<sup>1</sup> Joint Committee of Public Accounts and Audit, *Report 498: 'Commitment issues' - An inquiry into Commonwealth procurement*, Canberra, August 2023, Recommendation 1.

NAP 10 and NAP 21, and questions whether it should be directed, either by this Committee or by others, to expend time and resources to now try and acquire it.

- 3.14 In that same vein, the Committee is very concerned that even if AGD were to eventually successfully conclude the rest of these procurements, it would lack the experience required to effectively manage the contracts for nationwide support and counselling services such as these going forward.
- 3.15 This is all reflected in the evidence to the inquiry, not least in the greatly extended timeframes for these processes, the confused and muddled nature of the pricing frameworks at the RFT and subsequent tender evaluation stages, and the collapse of the NAP 10 contract negotiations.
- 3.16 AGD needs to urgently address the many shortfalls in its technical administration of these NAP procurements, all of which have been highlighted in detail by the audit report and examined in this inquiry. This is because they are relevant to any future procurement activities by this department. The Committee will be requesting an immediate update from AGD on the status of the NAP services but also a further update going forward on how it is correcting these specific areas of deficiency across all of its procurement activities.

## **Recommendation 1**

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- 3.17 The Committee recommends that the Attorney-General's Department reports back within one month on the current situation regarding the establishment of National Action Plan support services arising from the final report of the Royal Commission into Institutional Responses to Child Sexual Abuse.**

## **Recommendation 2**

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- 3.18 The Committee recommends that the Attorney-General's Department reports back within six months on the progress it has made in addressing the recommendations of the Australian National Audit Office audit of the procurements of child sexual abuse-related services. Specific and detailed examples must be given showing how these changes are being implemented for all ongoing and planned procurements. The report should also outline the processes and timeline for the original tender processes.**

**Josh Burns MP**

**Chair**

**5 February 2026**





## A. Submissions

- 1 Mr Jack Davenport
- 2 Attorney-General's Department
- 2.1 Supplementary to submission 2
- 2.2 Supplementary to submission 2 (responses to questions taken on notice at the public hearing)
- 2.3 Supplementary to submission 2 (responses to questions in writing)
- 3 Australian National Audit Office (responses to questions in writing)





## B. Public hearings

**Friday, 31 October 2025 — Canberra**

### **Attorney-General's Department**

- Ms Kathleen Denley, Acting First Assistant Secretary, Children and Families Division
- Mrs Lauren Barons, Assistant Secretary, National Office for Child Safety
- Mr Scott Sharp, Chief Financial Officer

### **Australian National Audit Office**

- Ms Rona Mellor PSM, Acting Auditor-General
- Mr Ian Goodwin, Group Executive Director, Performance Audit Services Group
- Mr Brian Boyd, Executive Director, Performance Audit Services Group