

## SENATE QUESTION

**QUESTION NUMBER:** 478

David Shoebridge asked the following question, upon notice, on 25 February 2026.

SENATOR SHOEBRIDGE asked the Minister representing the Attorney-General, upon notice, on 25 February 2026—

With regard to the selection of the Gilbert + Tobin law firm to provide legal services to the Royal Commission into Antisemitism and Social Cohesion (the Royal Commission) .

1. Was the contract for legal services to the Royal Commission subject to open competitive tender, or was it awarded via a limited tender or panel arrangement; and if the latter, why.
2. Which firms were invited to tender or express interest, and on what basis were they selected to participate in the process.
3. Who within the Attorney-General's Department (AGD) made the final decision to engage Gilbert + Tobin; and, at what level was that decision approved.
4. Was the Attorney-General involved in, or briefed on, the decision to engage Gilbert + Tobin at any point; and if so, when and in what capacity.
5. Was a probity adviser engaged to oversee the selection process:
  - a. if so, who; and
  - b. what were their findings.
6. Did the AGD conduct a conflicts of interest assessment of Gilbert + Tobin prior to their engagement; and if not, why not.
8. What steps are being taken to ensure the firm's external advocacy on related matters does not impact work on the Royal Commission.
9. Did the Attorney-General recuse herself from any decisions relating to the engagement of Gilbert + Tobin, given her prior employment at the firm.
10. Was the Secretary of the Department or another official delegated authority over this procurement specifically to manage the Attorney-General's conflict of interest.

### **Answer:**

**Senator the Hon Don Farrell** – The Hon Michelle Rowland MP has provided the following answer to the senator's question:

The Australian Government Solicitor (AGS) was appointed as Solicitor Assisting to the Royal Commission into Antisemitism and Social Cohesion on 19 January 2026. The Official Secretary of the Royal Commission subsequently issued a request for quote from a number of law firms on the Whole of Australian Government Legal Services Panel to assist AGS in its role as Solicitor Assisting the Royal Commission. This is consistent with the requirement for non-corporate Commonwealth entities to use the Whole of Australian Government Legal Services Panel for all domestic external legal services.

A selection panel within the Office of the Royal Commission reviewed proposals and made a recommendation. Quotes were evaluated having regard to the required qualifications and experience as set out on the request for quotes, and value for money. The procurement was approved by Sarah Chidgey, Deputy Secretary, Integrity & Security Group in the Attorney-General's Department. The contract with Gilbert + Tobin was subsequently entered into by the Official Secretary of the Royal Commission.

This is consistent with *Public Governance, Performance and Accountability Act 2013* requirements.

The Attorney-General had no role in the procurement process. The Attorney-General's office was informed of the engagement of Gilbert+Tobin after the procurement process was completed.

It is not standard practice to engage a probity advisor for general legal services engagements when procured from a Whole of Government Panel. The Panel has already established fairness, transparency and value for money as a connected procurement policy through a competitive open approach to market procurement process.

All Legal Services Providers appointed to the Panel are required to adhere to the terms of the Attorney-General's Department's Panel Head Agreement which is available on the Department's website and sets out how conflicts of interest are to be managed (excerpt below). Under the terms of the Panel Head Agreement, the management of conflicts of interest must be ongoing for the term of an order and must be disclosed to the relevant Commonwealth entity (being the Office of the Royal Commission into Antisemitism and Social Cohesion).

## 30 Conflict of Interest

- 30.1.1 The Legal Services Provider warrants that, to the best of its knowledge after making diligent inquiry at the Order Commencement Date, no Conflict of Interest except as disclosed in writing to the relevant Commonwealth Entity, exists or is likely to arise in the performance of the Ordered Services.
- 30.1.2 The Legal Services Provider must use its best endeavours (including making all appropriate enquiries) to ensure that:
  - (a) a situation does not arise which may result in a Conflict of Interest; and
  - (b) any Personnel of the Legal Services Provider does not engage in any activity or obtain any interests likely to conflict with or restrict the Legal Services Provider in providing the Ordered Services to a Commonwealth Entity fairly and independently.
- 30.1.3 If a Conflict of Interest arises, or appears likely to arise, the Legal Services Provider agrees:
  - (a) to notify the relevant Commonwealth Entity immediately;
  - (b) to the extent possible, noting legal professional obligations, make full disclosure of all relevant information relating to the Conflict of Interest; and
  - (c) to take any steps the relevant Commonwealth Entity reasonably requires to resolve or otherwise deal with the Conflict of Interest.