



Premier  
& Cabinet

## M1995-39 Arrangements for Seeking Legal Advice from the Crown Solicitor's Office

Status: current

Following its "commercialisation" in July of this year, the Crown Solicitor's Office has recently circulated details concerning the future provision of legal services to Government.

Although Government agencies now have greater freedom to avail themselves of legal services provided by private practitioners, there remain certain key areas which, because of their complexity, sensitivity or the need to be handled or managed centrally on behalf of the Government, still need to be referred to Crown Law Officers. In particular, legal matters of this nature include those which:

- (a) have implications for Government beyond an individual Minister's portfolio;
- (b) involve the constitutional powers and privileges of the State and/or the Commonwealth;
- (c) raise issues which are fundamental to the responsibilities of Government; or
- (d) arise from, or relate to, matters falling within the Attorney General's areas of responsibility.

As soon as possible after becoming aware of the existence of legal matters which fall within any of the above categories, Ministers should bring those matters to the attention of the Attorney General. Wherever practicable, such requests for the Attorney General's advice should be in writing, contain a summary of relevant facts, identify the precise questions in relation to which advice is sought, and give an indication of the degree of urgency involved.

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