
Liana Westcott

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BACKGROUND

Liana is a Senior Advisor with Proximity. Liana is a highly-experienced government commercial lawyer who has advised the Commonwealth Government on some of its most high-profile projects. She provides strategic legal and probity advice on procurement, contracting, competitive grants, construction and infrastructure and intergovernmental agreements. Liana's approach is characterised by a desire to understand the key drivers and personalities in every project, and by her quick, practical and creative problem solving. Liana has extensive experience working as an embedded member of legal and project teams and has exceptional communication skills.

Liana worked as a lawyer and then Senior Associate at Sparke Helmore for 9 years and spent the past 2 years as a Special Counsel assisting Melbourne firm Russell Kennedy Lawyers to establish a Commonwealth Government practice in Canberra. She has assisted many Commonwealth agencies with complex procurement, contracting and probity services including the Department of the Prime Minister and Cabinet, Department of Industry, ACIC, DHS and the Department of Defence.

Liana has a current NV1 security clearance with AGSVA.

EXPERTISE

- › Contracting
- › Procurement
- › Construction
- › Probity

EXPERIENCE

Australian Government Procurement and Contracting

Assisting the **Department of the Prime Minister and Cabinet** as a legal advisor on the Working Your Way activity-based work project. This involved working closely with the Department's project team to design and roll out procurement processes for Change Management services, Project Management, Design and Building contracts, and negotiate contracts with the successful suppliers.

Assisting the **Australian Criminal Intelligence Agency** (created by the 2016 merger of the Australian Crime Commission and CrimTrac) on an 8 month secondment to support a variety of business areas through the machinery of government change. Key priorities included drafting several bespoke inter-governmental agreements for resource and information sharing, and providing commercial legal advice to the ACIC on a major ICT capability - the transition to a new national provider of Biometric Identification and Matching Services.

Assisting **Capability Acquisition and Sustainment Group** (formerly the Defence Materiel Organisation) as legal advisor on its procurement of Personal Locator Beacons for use by ADF personnel on active deployment. Liana was on-site at RAAF Edinburgh in SA to assist the Defence project team through protracted negotiations with the preferred US-based supplier, and was successful in securing contract execution.

Assisting the **Royal Commission into Institutional Responses to Child Sexual Abuse** as legal advisor on its start-up activities, which included the establishment of IT infrastructure, office fitout and the procurement of crucial Call Intake and Support Services to provide a 'front door' to the Commission. Liana was embedded in the project team and provided extensive support to the Commission executive on market competition issues, the valid use of CPR exemptions and the development of bespoke tender evaluation criteria that responded to the particular sensitivities of the Commission's work. Liana continued to support the Commission after contract execution, and her work on this project earned her a nomination for 'Senior Associate of the Year' in the 2014 Australian Law Awards.

Probity Services

Assisting the **Department of Defence (Infrastructure Division)** on more than 100 infrastructure and construction projects in the period 2007-2014 inclusive. Liana was the principal adviser to Defence on a number of major base redevelopments including HMAS Stirling in WA, RAAF Williamstown in NSW and the Moorebank Units Relocation (MUR) Project, involving the relocation of 13 Defence units and four Defence facilities to new, purpose-built accommodations at Holsworthy Barracks in NSW to accommodate the construction of the Department of Finance's Intermodal Transport Facility at Liverpool. In each of these roles, Liana reviewed key project documentation, attended and addressed industry briefings, assessed tender conformance and was in attendance throughout the deliberations of the relevant Evaluation Committees to ensure the defensibility of all contracting recommendations.

Owing to this work, Liana is familiar with a range of contracting models including Head Contract, Design and Construct, Managing Contractor Contract and PPP, as well as the regulatory issues surrounding construction industry participation.

Assisting the **Cooperative Research Centre Advisory Committee**, a statutory committee advising the **Department of Industry and Innovation** on the award of multi-million-dollar funding packages to CRCs. This role involved working closely with the Advisory Committee Chair, Phil Clark AO and the members, who include former Chief Scientist of Australia Prof Ian Chubb AC and current Rio Tinto non-executive director Dr Megan Clark.

Assisting the **National Disability Insurance Agency** on its RFT for a national provider of Independent Investigator Services, including providing a range of probity templates to support the agency in its start-up phase.

Assisting the **Department of Agriculture** and 12 client agencies on the Secure Internet Gateway Outsourcing project, conducted in parallel with AGIMO's IBNC RFQ process. The project involved substantial probity advisory input, with issues surrounding incumbent suppliers, information quarantine, multi-agency involvement and parallel procurement processes, all needing to be managed defensibly.

Assisting the **Department of the Environment** as principal probity adviser on both procurement and funding components of the following projects:

- › Biodiversity Fund
- › Caring for our Country
- › Working on Country
- › Women Rangers
- › Reef Rescue
- › National Environmental Science Partnerships
- › Green Army; and
- › 20 Million Trees.

Each of these engagements involved advising the Department on program design and evaluation issues, as well as providing active support to the Advisory Panel on recommendations to the Minister, and on occasion direct advice to the then Environment Minister, the Hon Greg Hunt.

Assisting **Capability Acquisition and Sustainment Group** (formerly the Defence Materiel Organisation) as the probity adviser on the disposal of two fully decommissioned Landing Platform Amphibious class ships, the HMAS Kanimbla and HMAS Manoora.

Assisting the **Department of Climate Change and Energy Efficiency** as the principal probity advisor on the Home Insulation Safety Program (HISP), which was a direct response to the deaths of several young installers arising out of the Home Insulation Program. Liana advised the Department on incumbency and conflict of interest issues and ensured the defensibility of the HISP in an environment of intense media scrutiny.

Assisting the **Treasury** working closely with current Sparke Helmore Chairman, Phillip Salem, to provide highly sensitive advice on the controversial OzCar Program, in the wake of the Godwin Grech 'Utegate' affair.

Seminars and Training

Liana has presented bespoke probity awareness training to the following agencies:

- › Department of Defence (Infrastructure Division)
- › Department of Immigration
- › Department of Agriculture
- › Department of the Environment
- › Clean Energy Regulator

She has also presented open seminars and workshops on topics including managing procurement risk, tender evaluation, contract negotiation the use of external experts in grant evaluation and the Indigenous Procurement Policy (including one session she co-presented with Deputy CEO of Indigenous peak body Supply Nation, Jason Timor).

QUALIFICATIONS

- › Bachelor of Laws (ANU)
- › Bachelor of Arts (ANU)
- › Graduate Diploma in Legal Practice (ANU)
- › Master of Laws (Merit) (Government and Commercial) (ANU)
- › Admitted as a lawyer of the Supreme Court of the ACT
- › Admitted as a lawyer of the High Court of Australia
- › Restricted practising certificate

MEMBERSHIPS

- › Board Member, Australian Women Lawyers
- › Committee Member and AWL Representative, Women Lawyers Association of the ACT
- › Member, Association of Corporate Counsel Australia
- › Member, ACT Law Society
- › Mentor, WILO Mentoring Program (ANU)