



Job Application Kit

A rare opportunity to lead legal services for the Attorney General and the Western Australian Government

Thank you for your interest in the position of State Solicitor with the Department of Justice

The State Solicitor is responsible for providing, at the highest level, a legal service to the Attorney General and other Ministers of the State on a broad range of matters relating to the State and its instrumentalities.

This includes effective and efficient running of the State Solicitor's Office resulting in the delivery of professional, competent and cost-effective legal services to Government.

The enclosed Job Description Form details the role, responsibilities and selection criteria for the position which our selection panel will use to assess candidates suitability.

Applications Close: 5pm (WST), Friday 15 September 2017.

Interviews for selected applicants will be scheduled for early October 2017.

Our mission

A fair, just and safe community for all Western Australians.

Our roles and services

The Department of Justice supports the community, Western Australian Government, judiciary and Parliament through the provision of access to high quality justice, legal and corrective services, information and products.

The Department is the agency principally responsible for assisting the Attorney General and Minister for Corrective Services in developing and implementing policy and the administration and compliance with approximately 200 Acts.

The Department has a diverse range of services, which have the potential to affect all Western Australians. These include:

Justice Services

- court and tribunal services
- custodial services
- corrections services

- offender management and community safety
- victim support.

Services to the Community

- advocacy, guardianship and administration services
- trustee services
- birth, death and marriage services

Services to Government

- policy advice
- legal advice and representation
- legislative drafting and related services

Our Principles

- High performing and professional
- Ethical and accountable
- Trained, safe and reasonable

Our Values

- Respecting rights and diversity
- Fostering services excellence
- Being fair and reasonable

Applying for the position

To apply for this position, please provide a covering statement detailing your interest and suitability for the position and include your resume setting out your personal particulars, qualifications, legal experience, employment history and contact details for two referees.

Submitting your application

Our preferred option is for job applications to be lodged through the advertisement listed on the 'current vacancies' section on the WA Government Jobs Board – www.jobs.wa.gov.au. You will receive an electronic receipt confirming your application has been submitted.

If you do not have access to the internet, you can apply by post or hand deliver. You will need to complete a hard copy 'Application for Vacancy' form. Send applications (marked Confidential Advertised Vacancy) by:

Post
Darren Bogie
Manager Human Resources & Payroll
Department of Justice
GPO Box F317
PERTH WA 6841

Hand delivery
Darren Bogie
Manager Human Resources & Payroll
Department of Justice
David Malcom Justice Centre
Level 23 Reception, 28 Barrack Street
PERTH WA 6000

To check if your application has been received, please contact Darren Bogie on 9264 1210

Closing date and time

The closing time is 5pm (WST) on Friday 15 September 2017

If you post your application please allow several working days before the closing date to ensure receipt by the due date.

Unfortunately applications received after the closing date and time will not be accepted. Please keep a copy of your application for your records and only supply copies of documents to avoid loss or damage to originals.

Assessment of candidates

After applications have closed, members of the selection panel will assess applications and shortlist the most competitive candidates based on the Job Description Form and our business requirements.

The panel may use a variety of methods to gather information about your suitability for this position. This may include an interview with the selection panel which will be scheduled for early October and referee checks.

You will be advised of any additional selection methods that will be used by the panel.

Every effort is made to ensure the process is conducted as quickly as possible.

To check on the progress of the selection process phone Mr Mark Hainsworth on 9264 1371.

When the selection process is finalised the selection panel will prepare a report detailing the process and the recommendation. Once this is completed you will be notified of the outcome and the person you can contact should you wish to seek feedback on your application.

I look forward to receiving your application and should you wish to discuss specific details of position requirements please contact Mr Mark Hainsworth from the Director General's office on 9264 1371 for a confidential discussion.

Dr Adam Tomison
DIRECTOR GENERAL



Government of **Western Australia**
Department of **Justice**

Job Description

State Solicitor
State Solicitor's Office

Department of Justice
Western Australia

CERTIFICATION:

The details contained in this document are an accurate statement of the duties, responsibilities and other requirements of this position.

Dr Adam Tomison
DIRECTOR GENERAL
DEPARTMENT OF JUSTICE

August 2017

1 DEPARTMENT OVERVIEW

The Department of Justice (DoJ) supports the community, Western Australian Government, judiciary and Parliament through the provision of access to high quality justice, legal and corrective services, information and products.

The Department is the agency principally responsible for assisting the Attorney General and Minister for Corrective Services in developing and implementing policy and the administration and compliance of approximately 200 Acts.

The Department has a diverse range of services which have the potential to affect all Western Australians.

Justice Services:

- court and tribunal services
- custodial services
- corrections services
- offender management and community safety
- victim support
- births, deaths and marriages registrations.

Services to the Community

- advocacy, guardianship and administration services
- trustee services
- birth, death and marriage services

Services to Government

- policy advice
- legal advice and representation
- legislative drafting and related services

The State Solicitor's Office is a vital part of the Department of Justice, providing broad-based legal services to the Government of Western Australia, including the Attorney General and other Ministers, State Government departments, instrumentalities and agencies.

Under the leadership of the State Solicitor, the Office:

- provides legal advice;

- conducts litigation;
- conducts government conveyancing;
- provides representation as counsel in courts and tribunals; and
- prepares legal documents.

There are currently 238 staff (full-time equivalent positions) within the State Solicitor's Office.

2 POSITION OVERVIEW

The State Solicitor is responsible for providing, at the highest level, a legal service to the Attorney General and other Ministers of the State on a broad range of matters relating to the State and its instrumentalities. This includes effective and efficient running of the State Solicitor's Office (SSO) resulting in the delivery of professional, competent and cost-effective legal services to Government.

2.1 Position detail

The primary responsibility of the State Solicitor is to:

- be responsible for the provision by the State Solicitor's Office of clear, concise, reliable, independent legal advice and other legal services to Government, including the Attorney General, other Ministers, government departments and agencies;
- provide high quality timely, practical, strategic and independent legal advice to the highest levels of government
- manage, direct and control the activities of the State Solicitor's Office in an effective and efficient manner;
- be responsible for the conduct of highly complex and politically sensitive litigation;
- provide advice to the Attorney General as to the need for changes in the law, whether previously proposed or not, and where appropriate, the preparation of cabinet submissions and instructions to Parliamentary Counsel;
- provide assistance to the Solicitor General as required;
- contribute to the Department of Justice's Strategic Framework; and
- attract, develop and retain high quality staff with the appropriate legal qualifications and experience.

2.2 Major challenges

The major challenges of this position centre on providing the following:

- maintaining the capacity of the State Solicitor's Office to provide high quality independent legal advice and other legal services to government, including by attracting and retaining staff of the highest caliber;

- maintaining the reputation of the State Solicitor's Office as a source of independent legal advice of the highest quality and reliability;
- leadership as part of the Corporate Executive to the strategic direction of the Department.

2.3 Key accountabilities

The State Solicitor:

- reports to the Director General, Department of Justice;
- is directly responsible to the Attorney General in relation to the provision of legal advice and other legal services;
- will be expected to engage in significant interpersonal and inter-agency cooperation, including extensive interaction with:
 - The Attorney General and other Western Australian Government Ministers;
 - Directors General's of government departments;
 - Chief Executive Officers of government agencies;
 - Other senior government agency staff; and
 - Legal professionals.

2.4 Corporate Citizenship

The State Solicitor will:

- Demonstrate high standards and practice of ethical conduct and behaviour as required under the Department's frameworks of Code of Conduct and Public Sector Code of Ethics.
- Demonstrate a commitment to the ethos of Equal Employment Opportunity principles through personal conduct and daily interaction with colleagues.
- Demonstrate commitment to the legislative obligations set out in the Occupational Health and Safety Act 1984.

2.5 Occupational Health and Safety

The State Solicitor will oversee the occupational safety and health (OSH) in areas of responsibility consistent with statutory obligations and Departmental policies. This includes but is not limited to raising awareness of OSH requirements with staff, resolving health and safety hazards in their areas of responsibility and ensuring the timely reporting of incidents.

3 EMPLOYMENT CONDITIONS

3.1 Remuneration

The salary and remuneration is determined by the Salaries and Allowances Tribunal of Western Australia.

Further details regarding salary, leave, allowances and details regarding the remuneration package are outlined in Attachment 1.

3.2 Residency requirements

To be eligible for appointment, applicants must be Australian citizens or have permanent residency.

3.3 Term of Appointment

A contract for a term up to five (5) years will be negotiated with the successful applicant. Options for renewal exist subject to satisfactory performance.

3.4 Other

All Department of Justice employees are required to undergo employment suitability assessment (criminal screening and vetting).

4 SELECTION CRITERIA

4.1 High level legal skills

- An Australian legal practitioner who is, or is immediately eligible to be, a local legal practitioner within the meaning of the *Legal Profession Act 2008*.
- Ability to effectively manage and take responsibility for the provision of legal services to government, including in the areas of constitutional law (both state and federal), the principles of statutory interpretation, public law, the obligations and liabilities of the State and of its instrumentalities, administrative law, governmental agreements, commercial and financial practice, industrial law, mining law, native title, environmental law, prosecutions and highly complex litigation.
- Extensive legal experience and ability and judgment of the highest caliber in relation to provision of legal advice particularly in the area of public law, including administrative law.
- A sound appreciation of the activities and workings of government, its agencies and instrumentalities.

4.2 Leadership skills

- Demonstrated ability to lead a law office within a Department by providing direction, inspiration and motivation.
- Demonstrated achievement in providing strategic direction and leadership.
- Demonstrated ability to deliver quality, reliable and independent legal services in a manner which takes account of the needs of client agencies.
- Strong team building skills with experience in creating a cohesive, self-supportive organisation.

4.3 Management Skills

- A record of excellent management of resources including an understanding of governance issues, accountability frameworks and the processes of government.
- The successful candidate will have the skills to deliver high-quality legal services while effectively managing the Office's human, financial and physical resources as well as technological and information requirements.

4.4 Personal qualities and interpersonal skills

- Significant personal integrity, honesty and very high ethical standards.
- Demonstrated commitment to confidentiality as required within government.
- Outstanding relationship-building skills with a demonstrated capacity to develop and maintain effective relationships with the Attorney General, Ministers, department directors-general, government agency chief executive officers and staff.
- Significant intellectual and conceptual ability to deal with situations with high levels of complexity and resolve conflicting priorities.

MATTERS RELATING TO THE POSITION

Term of Appointment

An appointment of up to five (5) years will be negotiated with the person recommended for appointment to the position. Options for renewal exist subject to satisfactory performance.

Leave and Allowances

The occupant will be entitled to leave in accordance with the provisions of the *Public Service Award 1992* and the *Public Service and Government Officers General Agreement 2014*.

The occupant will also be entitled to the payment of allowances in accordance with the *Public Service Award 1992* and the *Public Service and Government Officers General Agreement 2014*.

REMUNERATION DETAILS

The position attracts a remuneration package of \$441,164 base salary, employer contribution to superannuation and a fully maintained motor vehicle.

NOTES

- The remuneration is inclusive of Annual Leave Loading.
- The motor vehicle is fully maintained free of any charges and the officer has unlimited use of the vehicle in Western Australia. The determined value of the motor vehicle component can be converted to cash.
- Superannuation is at the current West State Scheme level of 9.5%. Officers who are members of the Gold State Scheme would continue to receive the 12% employer entitlement.
- The notional value of the superannuation component cannot be converted to cash.
- This remuneration is effective from 21 June 2016.