



Job Description Form

Department of Justice Purpose

To provide high quality and accessible justice, legal, registry, guardianship and trustee services which meet the needs of the community and government.

Position Title Deputy State Solicitor		
Effective Date January 2015	Position Number Generic	Level SAT
Division State Solicitor's Office	Directorate	Branch

Divisional Outcomes

The State Solicitor's Office has primary responsibility within the Government of Western Australia for ensuring the Government and all of its departments and agencies are provided with comprehensive and high quality legal advisory and advocacy services.

These services include the provision of legal advice; the preparation of legal documents; the conduct of litigation; and representation as counsel in courts and tribunals.

The State Solicitor's Office aims to provide these services in a cost effective and timely way, consistent with maintaining legal excellence and integrity in the Government's legal dealings.

Directorate Outputs

Branch Outputs

Role Of This Position

- Advice and Policy
- Native Title and State Land issues
- Commercial transactions
- Civil and regulatory litigation

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Responsibilities Of This Position

CHARACTERISTICS

State Counsel and Deputy State Solicitors assist the State Solicitor to provide, at the highest level, a legal service to the Attorney General and other Ministers of the State, and the Departments and instrumentalities of the State on a broad range of matters relating to the State and its instrumentalities. This includes assisting the State Solicitor in the effective and efficient running of the State Solicitor's Office resulting in the delivery of professional, competent and cost-effective legal services to Government, Each Deputy State Solicitor and the State Counsel provides leadership to substantial functional areas of the SSO in support of the delivery, by the whole of SSO, of its mission.

GENERAL FEATURES AND RESPONSIBILITIES

Duties

- 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, departments and instrumentalities
- provide high quality timely, practical, strategic and independent legal advice to the highest levels of government;
- to assist the State Solicitor to 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;
- contributing to the Department of the Attorney General's Strategic Framework; and
- attracting, develop and retain high quality staff with the appropriate legal qualifications and experience.

CORPORATE CITIZENSHIP

Demonstrate high standards and practice of ethical conduct and behaviour as required under the Departments 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*.

OCCUPATIONAL HEALTH AND SAFETY

Managers/Supervisors

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

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Work Related Requirements

The following work-related requirements will be assessed at different stages of the selection process.

ESSENTIAL SKILLS, KNOWLEDGE & EXPERIENCE

Qualifications	Bachelors degree (or equivalent) in law (usually with honours), or undergraduate degree and postgraduate (JD or equivalent) degree in law from an University recognised for admission as a practitioner in Western Australia. Admission as a practitioner, however described, of the Supreme Court of Western Australia. Registration on the roll of practitioners of the High Court of Australia.
Overall legal ability	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.
Conduct of practice	Provides advice fully sensitive to the interests of the State, and all relevant legal issues, often in an environment where there are opinions and submissions submitted by private legal Offices directed to maintaining significant interests contrary to the State. control the conduct of large and complex litigation and high-value commercial transactions. Advice to Attorney-General and Ministers on legal policy.
Legal skills	Extensive legal experience and ability and judgment of the highest calibre in relation to provision of legal advice particularly in the area of public law, including administrative law. A comprehensive appreciation of the activities and workings of government, its agencies and instrumentalities.
Teamwork	Ability to lead a law office within a Department by providing direction, inspiration and motivation. Achievement in providing strategic direction and leadership. 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. Responsible for the leadership of a significant functional unit of the SSO.
Supervision of others	Management or their respective practice areas and significant contribution to the strategic and operational management of the SSO.
Policy sensitivity	Acute sensitivity to policy issues
As counsel	Acts as counsel in complex trials and appellate matters in Superior Courts and the High Court.
Negotiations:	Conduct negotiations in matters potentially unlimited in terms of amount.

DESIRABLE SKILLS

Qualifications	May have undertaken post graduate study in law at Masters degree level or equivalent. May have undertaken some specialist higher education in management and policy.
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Reporting Relationships

Title	State Solicitor
Classification	

Responsible To

Title	Deputy State Solicitor General Manager (administratively)
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Responsible To

THIS OFFICE

Other offices reporting to this office

Title and Classification: Various legal officers
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Offices under direct responsibility

Title	Classification	Number of FTEs Supervised and controlled
Nil	-	-

LOCATION AND ACCOMMODATION State location. If accommodation is available give details such as department/GROH free/rental, etc.	LOCATION ACCOMMODATION
ALLOWANCES/SPECIAL CONDITIONS State allowances and conditions applicable.	

Certification

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

DELEGATED AUTHORITY APPROVAL *As per the Human Resource Management Delegations*

Delegated Authorities Name	
Signature	
Date	