



Job Description Form

Department of the Justice Purpose

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

Position Title Adviser		
Effective Date September 2016	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

The provision of legal advice and advocacy on highly complex legal matters in one or more of the following areas:

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

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General Responsibilities Of This Position

CHARACTERISTICS

Advisers provide legal services of the highest quality to government and government departments, agencies and instrumentalities and professional leadership within the State Solicitor's Office. This position is for senior legal officers working with complete professional autonomy providing legal services to Ministers and government departments, agencies and instrumentalities and who, by reason of their skills, initiative and professional judgment, have a senior leadership role within the Office.

GENERAL FEATURES OF DUTIES AND RESPONSIBILITIES

Provides legal advice and/or advocacy (as appropriate to their allocated work area from time to time) in accordance with the skill level expected from the Position Characteristics and Statement of Essential Skills including:

- the preparation of formal legal opinions
- advocacy in courts and tribunals
- representation in negotiations
- the drafting of documents affecting the legal rights and obligations of persons
- the management of legal matters (and more junior legal, paralegal and administrative staff in relation to those matters)
- the commencement and undertaking of prosecutions in courts of summary jurisdiction under Part 3 of the *Criminal Procedure Act 2004*

This will include providing to Ministers, departments and instrumentalities of the State legal services of the highest quality in relation to matters of great factual and legal complexity.

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 (Selection Criteria)

The work related requirements to be addressed in the application are stated in the Application Package.
The following work related requirements may 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	Demonstrate a very high degree of legal ability and knowledge in advising on matters of considerable policy, legal and factual complexity.
Conduct of practice	Provide professional guidance and demonstrate leadership within the State Solicitor's Office through, inter alia, the effective supervision and coordination of legal resources as required and through substantial contribution to the maintenance and improvement of the quality generally of the legal services provided by the Office.
Legal skills	Demonstrates a degree of legal skill and ability equal to the best advice able to be provided by the private profession in the undertaking of one or more of the specialist skills of litigation, the provision of advice, or the conduct of commercial transactions with a sound appreciation of the activities and workings of government, its agencies and instrumentalities.
Teamwork	Provides effective and professional leadership of large teams, including external legal resources, undertaking complex matters as required. Has strong internal networks, and operates effectively as a senior lawyer within the office. Assists significantly in the leadership of the Office. Provides structured appraisal and feedback to senior legal officers.
Supervision of others	Regularly supervises large teams of legal officers within SSO. Has a significant role in the supervision of the services provided by a functional unit within the Office. Is able to supervise the undertaking of large and complex retainers by private law Offices and/or external counsel as required including control of all aspects of the relationship, including cost planning and control. Supports State Solicitor and Deputies in the strategic and operational management of the SSO.
Policy sensitivity	Handles matters of the greatest political or departmental sensitivity without any need for direction or supervision.
As counsel	Acts as counsel in complex matters in all State Courts and the Federal Court, and as junior counsel in High Court matters.
Negotiations:	Conduct negotiations in matters involving according to the risk and responsibility matrix from time to time and 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	-	-

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	