



**DEPARTMENT OF JUSTICE
STATE SOLICITOR'S OFFICE
WESTERN AUSTRALIA**

**ADVISER
ADVICE, POLICY AND PUBLIC
LAW (APPL)**

INFORMATION FOR APPLICANTS

October 2019

Office Overview

The State Solicitor's Office (formerly the Crown Solicitor's Office) is the longest standing legal office in Perth having been established 1838.

Today the Office is highly regarded as a leading legal service provider offering a broad range of legal services to the West Australian State Government and Ministers, and to over 120 client departments, instrumentalities and statutory corporations.

Under the leadership of the State Solicitor, the Office:

- Provides legal advice.
- Conducts litigation.
- Conducts government commercial and conveyancing matters.
- Provides representation as counsel in courts and tribunals.
- Prepares legal documents.

The State Solicitor's Office also advises the Attorney General on legal matters, including those relating to law reform.

Centrally located in the Perth CBD, the State Solicitor's Office has a staff contingent of approximately 249, including 148 lawyers, 10 law graduates, 3 professional assistants and 91 administrative, research, paralegal and support staff. Several lawyers are placed on site with major clients to provide some on-the-spot legal services. The Office generally recruits at a junior level through its highly regarded legal graduate program, although selective appointments – such as for this position – are made at higher levels.

Position Overview

The appointee to this position will be responsible for providing high level legal advice on matters involving the State and its instrumentalities. The Adviser will support the Deputy State Solicitor in providing leadership to the Advice, Policy and Public Law (APPL) practice team, and undertake a key leadership role within the Office as a member of the Senior Executive Legal Team.

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.

Responsibilities of the Position

The responsibilities of the position are detailed in the Job Description Form which forms part of this package. The key responsibility of the Adviser is to provide legal advice and/or advocacy 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.

The Adviser will also be responsible for contributing to the ongoing development of the State Solicitor's Office, including providing:

- leadership and role modelling; and

- strategic vision and innovation in legal practice.

In undertaking these responsibilities, the Adviser will demonstrate the highest levels of personal integrity, honesty and ethical standards.

Major Challenges

The major challenges of the position centre on providing;

- Leadership and innovation to establish a contemporary framework for the provision of legal services to the State;
- Direction, supervision and motivation to members of staff, particularly those involved in the advisings work of the State Solicitor's Office;
- Further development of credible and open relationships with major clients of the State Solicitor's Office.

Work Related Requirements

ESSENTIAL CRITERIA

1. Qualifications

Legal Practitioner, admitted or eligible for admission to practice in Western Australia.

2. Overall legal ability:

Demonstrate a very high degree of legal ability and knowledge in advising on matters of considerable policy, legal and factual complexity.

3. 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.

4. 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.

5. Team work:

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.

6. 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.

7. Policy Sensitivity

Handles matters of the greatest political or departmental sensitivity without any need for direction or supervision.

8. Negotiations:

Conduct negotiations in matters involving according to the risk and responsibility matrix from time to time and potentially unlimited in terms of amount.

Employment Conditions

Term of Appointment

The successful applicant to this position will be offered a five year contract, with the possibility of extension (dependent on performance).

This position is available on either a full time or part time (minimum 0.8 FTE) basis.

A successful applicant currently employed on a permanent basis within the WA public sector will elect to forego permanency to take up this position. Under the conditions of the contract they will not be entitled to the right of return to a department or organisation provided by section 58 of the Act.

Remuneration Package

An attractive remuneration package will be offered including salary, superannuation and private use of a motor vehicle (or notional value), with the salary to be determined by the WA Salaries and Allowances Tribunal (www.sat.wa.gov.au).

Leave, Allowances and other Employee Entitlements

Attractive leave and other benefits are available to the successful applicant. These benefits include four weeks annual leave per annum and generous personal leave and other benefits analogous to WA public sector conditions as prescribed under the WA *Public Service Award 1992* and the *Public Service and Government Officers CSA General Agreement 2017*.

Salary Packaging

Some salary packaging arrangements may be entered into by the successful applicant in accordance with prevailing WA Government policy.

Residency Requirements

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

Criminal Record Screening

Appointment to this, and all positions in the State Solicitor's Office, is subject to formal criminal records screening conducted by the Department of Justice. Strict safeguards and confidentiality arrangements are in place to protect the rights of all individuals screened.

Applications

Confidentiality

All applications will be treated in strictest confidence.

The Application

Applications must be submitted in writing. The selection panel will use the written application to assist in the assessment of your skills and abilities against the work related requirements. Your application will need to demonstrate previous experience, skills, knowledge and qualifications relevant to all of the job requirements.

The application should consist of the following:

- A covering letter;
- A current comprehensive CV including the contact details of at least two recent professional referees;
- Copies of formal qualifications or proof of admission to practice;
- A statement of no more than 5 pages outlining:
 - (i) How you would approach the role of Adviser, Advice Policy and Public Law (APPL).
 - (ii) What you have achieved in your legal career that will demonstrate an ability to effectively fulfill the role of Adviser (citing specific and verifiable examples).
 - (iii) How you would judge your success in the role.

All work related requirements as listed in the Job Description Form (and this document) will be assessed at some stage of the selection process.

How to submit your application

Online

The department's preferred option is for job applications to be lodged online through the 'current vacancies' section at 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. You will need to complete a hard copy 'Application for Vacancy' form. Do not put applications in plastic sleeves or cardboard binders. Include your name on all submitted documents. Send applications (marked Confidential Advertised Vacancy) by:

Post

HR Officer
Human Resources
Department of Justice
GPO Box F317
PERTH WA 6841

Hand Delivery

Reception (Recruitment Branch – Job Applications)
Department of Justice
Level 23 David Malcolm Justice Centre
28 Barrack Street
PERTH WA 6000

Late Applications

Please note that it is your responsibility to ensure that the application is received by Department of Justice's Recruitment Branch before the nominated closing time.

Late applications cannot be considered. If you are posting your application, do it several working days before the closing date as we do not take responsibility for the postal service's failure to deliver an application before the closing date.

Further Information

For any information on this excellent opportunity, please contact:

Nicholas Egan
State Solicitor
(08) 9264 1871
n.egan@sso.wa.gov.au

For information on the recruitment process or any conditions of employment please contact:

Keith Whitehouse,
General Manager
(08) 9264 1897
k.whitehouse@sso.wa.gov.au

All requests for information will be dealt with in confidence.