



State Solicitor's Office

Annual Report
2023-24

ACKNOWLEDGMENT OF COUNTRY

The State Solicitor's Office acknowledges the traditional custodians throughout Western Australia and their continuing connection to the land, waters, and community. We pay our respects to all members of Aboriginal Communities and their cultures, and to Elders both past and present.

Statement of Compliance

Hon John Quigley LLB LP MLA

Attorney General, Minister for Electoral Affairs

In accordance with section 63 of the *Financial Management Act 2006*, I hereby submit for your information and presentation to Parliament, the annual report for the State Solicitor's Office, for the financial year ended 30 June 2024.

The annual report has been prepared in accordance with the provisions of the *Financial Management Act 2006*.



Dr Graham Hill

State Solicitor

16 September 2024

State Solicitor's Overview

The State Solicitor's Office stands for legal excellence across the board. With the combined talent of 186 lawyers and 65 paralegals, we bring the collective experience of our Office to bear on the challenges facing the government agencies that we serve. Our success is driven by that of our clients. We are always ready to respond to their needs and craft powerful solutions for them. We seek to create a better future for our clients, our people, and the Western Australian community in which we live and work.

Founded in 1838, we stand on the shoulders of more than 185 years of achievement, but we never rest on our reputation. Today, we are known for excellence in the practice of law, and we are committed to providing the highest quality legal services. Our Office is distinguished by a tradition of client service, formidable legal talent across

areas of law important to the State, and shared professional values that focus on solutions to client needs. Our Office is committed to making our best talent available to every client, addressing every challenge with urgency and excellence, and collaborating seamlessly in providing our services.

To put clients at the heart of all we do, we recruit and develop exceptional people, empowering them to do and think differently. From our Senior Assistant State Counsel to our newest recruits, our lawyers are the best of the best. We attract the sharpest legal minds who are uniquely prepared to handle the public sector's most complex matters. Our lawyers are not just authorities on the law – they have a deep understanding of how government works, and they offer strategic advice and practical legal solutions.

We provide legal services exclusively for the Western Australian Government. We are part of the public service, share its values, and act with the public interest in mind. We are the State's legal memory. We stand out for our distinctive public sector mind set, so government agencies want to work with us above all others. Our immersive understanding of our clients' work - combined with our expertise across litigation, commercial matters, state lands issues, native title, constitutional law, and administrative law – sets us apart.

This report showcases the work of the State Solicitor's Office over the 2023-24 year.

THE 2023-24 YEAR

Over the year, our Office took instructions from more than 77 agencies in over 8,676 new matters. Ninety-five percent of our clients reported satisfaction with our services. Highlights of the year are outlined below.

In May 2024, the State budget transitioned \$28.6 million in fixed-term funding to permanent ongoing funding for our Office. This change will enable us to be more competitive in the recruitment market and enable us to expand by 20 extra lawyers. This expansion will improve the timeliness of our work, help us manage workloads and promote staff wellbeing.

Over the year, the SSO continued to be the largest supplier of lawyers for higher office. The Governor appointed our State Counsel as a judge of the District Court and two of our lawyers to the State Administrative Tribunal. We provided a Deputy State Solicitor for appointment as Solicitor General and another senior lawyer as a Law Reform Commissioner.

The State Solicitor's Office played an important role in maintaining the high standards of government lawyers in Departments and agencies. In February

2024, we hosted a whole of government legal education day attended by more than 180 government lawyers from outside SSO. In November 2023, we delivered legal education to 38 heads of government legal branches capturing lessons from the Robodebt royal commission.

In August 2023, the Government tabled in Parliament a Review of Western Australia's COVID-19 Management and Response. It was gratifying to see the Review acknowledge the central role that our Office played in delivering one of the world's best COVID outcomes. The Review said, 'the State Solicitor's Office played a key role in supporting the public sector during COVID-19 . . . the State Solicitor's Office worked tirelessly throughout the pandemic, often working around the clock to draft complex directions . . . the State Solicitor's Office drafted directions in extremely short timeframes catering to many different and often unprecedented situations.'

As a new sub-department, we have demonstrated our ability to manage our finances capably and transparently. In September 2023, the Auditor General issued an unqualified audit opinion approving SSO's financial statements, controls, and key performance indicators.

With mental health issues and vicarious trauma emerging as significant issues in the legal industry, we made wellbeing a high priority in 2023-24. In August 2023, we appointed our first ever Work Health and Safety Wellbeing Adviser. Over the year, we have also placed counsellors on site, hosted workshops to help staff navigate the day-to-day demands of work and provided vicarious trauma training to staff.

Through the 2023-24 year, we also made ongoing investments in our exceptional bench of talent. We revived our popular lunchtime continuing professional development sessions where our lawyers share their knowledge and experience of government law with their colleagues.

THANK YOU

We believe great public administration can build a better world and we're pleased to help government agencies find the answers to today's most difficult questions. We thank our clients for placing their trust in the State Solicitor's Office and for relying on our advice and representation.

I am incredibly proud of our staff who continue to dedicate themselves every day, to our clients, and to the career-defining, public-serving,

community-building work that they do. Our staff don't just interpret the law - they make it, reimagine it, and guide it through areas it's never been before. This is practising the law like nowhere else.

I thank the Attorney General, the Hon John Quigley MLA for his support of the State Solicitor's Office. Our Office is also indebted to Kylie Maj, and Mark Hainsworth from the Department of Justice, and to Mike Andrews, Kurt Sibma, Giselle Lau, and Matthew Keohane at Treasury for their commitment to our success.

THE YEAR AHEAD

The 2024-25 year will see the State Solicitor's Office finalise a corporate plan that will set a new direction and guide our efforts over the next three years.

To remain at the forefront of efficiency and effectiveness in the legal industry, SSO needs better technology. The new year will see us replacing our legacy systems with a new Legal Case Management System. This initiative will take us to a paper-light office, reduce manual filing tasks, and integrate our systems. It will also be compatible with generative Artificial Intelligence technologies.

In the coming year, our Office will work with staff on a new advice template that will benchmark best practice in communicating legal advice to government agencies. We will launch several initiatives to improve the client experience, set up an SSO outpost on-site at the Department of Justice, expand our State Agreements team, and improve our ability to work remotely by issuing new laptops to all staff.

We look to the year ahead with confidence and enthusiasm.

In Western Australia, government agencies work with a law firm that delivers the highest quality, and most cost-effective legal services. A firm with a deep understanding of government clients and their operating contexts. A firm with enduring client relationships. A firm committed to continuous improvement. A firm focused on providing solutions to client needs and on helping clients succeed. A firm that recruits the best and grows great careers. A firm that practices with the public interest in mind. A firm that makes our State a better place. That's the State Solicitor's Office.

2023-24 at a Glance



77
GOVERNMENT AGENCIES ASSISTED

186
LAWYERS

8,676
MATTERS RESOLVED

“Our agency has a very good relationship with SSO and views SSO as an essential and important partner in the work we do.”

- Emily Roper, Director General, DPC

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OVERVIEW

“[The State Solicitor’s Office] are very highly regarded for the way they give advice, and they won’t be bullied by departments to give the advice that the department wants. They’re famous for it.”

- Dr David Honey, MLP

Introductory Message from the Attorney General

Over my eight years as Western Australia's Attorney General, it has been a privilege to have had the State Solicitor's Office within my portfolio and to have been the recipient of the Office's considered and high quality legal advice.

The State Solicitor's Office, at its core, serves the public interest and, like most areas of Government, is operating in an environment of ever-increasing complexity. I have seen first-hand the commitment of the State Solicitor's Office to serving the public interest, while navigating uncertainty and increased demand for its expertise.

This is evident through all of the State Solicitor Office's work. However, there are specific instances from the past eight years that come to my mind, including:

- the Office's advice that allowed the Government to respond swiftly to the COVID-19 pandemic, a key role acknowledged in the Review of Western Australia's COVID-19 Management and Response tabled in Parliament in August 2023;
- representation of the State in several significant court cases, such as settlement of the Perth Children's Hospital dispute with John Holland Pty Ltd, settlement of the long running James Point litigation, and defending the hard border challenge in the High Court of Australia, ably protecting the interests of the State and Western Australian community more broadly; and

- representation of the State in specific priority areas for the Government, including negotiation and implementation of the South West Native Title Settlement whereby a package of benefits flow to the Noongar people of the South West region of Western Australia, high risk serious offender applications for continued detention or supervision of those deemed likely to pose an unacceptable risk to the community, and providing legal advice on major Government projects such as Metronet, the Matagarup Bridge and Optus Stadium, and the new Western Australia Museum.

In my time as Attorney General, the State Solicitor's Office has also played an important role in the Government's response to a number of inquiries and Royal Commissions, including the Royal Commission into Defence and Veteran Suicide, the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, the Perth Casino Royal Commission, and the Royal Commission into Institutional Responses to Child Sexual Abuse. The Office's role did not cease with the conclusion of the Royal Commission into Institutional Responses to Child Sexual Abuse

– it also supported Western Australia joining the National Redress Scheme for survivors of institutional child sexual abuse through provision of expert advice, particularly on constitutional matters, during the Parliament's consideration of the enabling legislation.

The State Solicitor's Office has also informed and shaped significant law reform over the past eight years across Government. In my role as Attorney General, I have been grateful for the advice provided on reforms I have taken forward, including the Civil Liability Legislation Amendment Act (Child Sexual Abuse Actions) Act 2018 (WA), the High Risk Serious Offenders Act 2020 (WA), the Family Violence Legislation Reform Act 2020 (WA), the Legal Profession Uniform Law Application Act 2022 (WA), the Criminal Law (Mental Impairment) Act 2023 (WA), and the impending evidence law reforms in the Evidence Bill 2024 and the Evidence Amendment Bill 2024 that will see Western Australia becoming a uniform evidence law jurisdiction.

Turning to the 2023-24 financial year, I was pleased to work with Dr Graham Hill as Western Australia's State Solicitor, who was appointed in April 2023. Dr Hill,

the former Legal Aid WA Director, has stepped seamlessly into the role of State Solicitor. I have been assisted by Dr Hill during his appointment thus far, including working closely with him on the Privacy and Responsible Information Sharing Bill 2024 currently before Parliament that provides a framework to protect the privacy of personal information of individuals and authorise the responsible sharing of information by public entities, Ministers, Parliamentary Secretaries and contracted service providers to public entities.

I am pleased to see that in 2023-24, the State Solicitor's Office is well established and operating effectively following its transformation into an independent sub department, rather than a directorate, of the Department of Justice in June 2021. I am pleased to have been able to cement the independence and autonomy of the State Solicitor's Office through this change.

In 2023-24, I understand that the State Solicitor's Office experienced strong demand for its legal services and continued to provide advice on various complex legal matters, including historical child sexual abuse claims and various class actions.

I lastly want to reflect on the opportunities and career pathways that the State Solicitor's Office provides for law graduates and practitioners more generally. The Office's graduate program and vacation clerkships are well respected and highly sought after. The Office itself provides mentoring, professional development and career progression. I am pleased to have had the opportunity as Attorney General to appoint members of the Office to a range of judicial roles.

I sincerely thank the current and former State Solicitors for their advice over my time as the Western Australian Attorney General. I wish to express my appreciation and thanks to all of the staff at the State Solicitor's Office over the past eight years for their hard work, professionalism and dedication to their roles. I have appreciated the frank, clear and high-quality advice and service provide by the Office.

Hon John Quigley LLB JP MLA

Attorney General,
Minister for Electoral Affairs



Hon John Quigley LLB JP MLA

Attorney General,
Minister for Electoral Affairs



About the State Solicitor's Office

Established in 1838, the State Solicitor's Office (SSO) is the Western Australian Government's legal advisor.

SSO's primary functions are to manage the State Government's legal risk, support the Attorney General as Western Australia's First Law Officer, and to enable government action. The State Government is SSO's sole client. Legal Services provided by SSO include:

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

SSO remains a centre of legal excellence that is committed to the highest standards of service and professionalism. Services are provided in a cost effective and timely way, consistent with maintaining legal excellence and integrity in the Government's legal dealings.

SSO is led by the State Solicitor, Dr Graham Hill, and supported by 186 lawyers and 57 support staff.

RESPONSIBLE MINISTER

SSO is responsible to the Hon John Quigley LLB JP MLA, Attorney General, Minister for Electoral Affairs.

ENABLING LEGISLATION

SSO was established as a sub-department of the Department of Justice on 1 October 2021 under the *Financial Management Act 2006*.

ADMINISTERED LEGISLATION

SSO assists the Attorney General in the administration of the *Suitors' Fund Act 1964*.

VISION: To provide the highest quality impartial legal advice and assistance to the State

MISSION: To protect and support the State in the public interest, and assist the Attorney General in upholding the rule of law

VALUES: Excellence, Impartiality, Integrity, Respect

GUIDING PRINCIPLES:

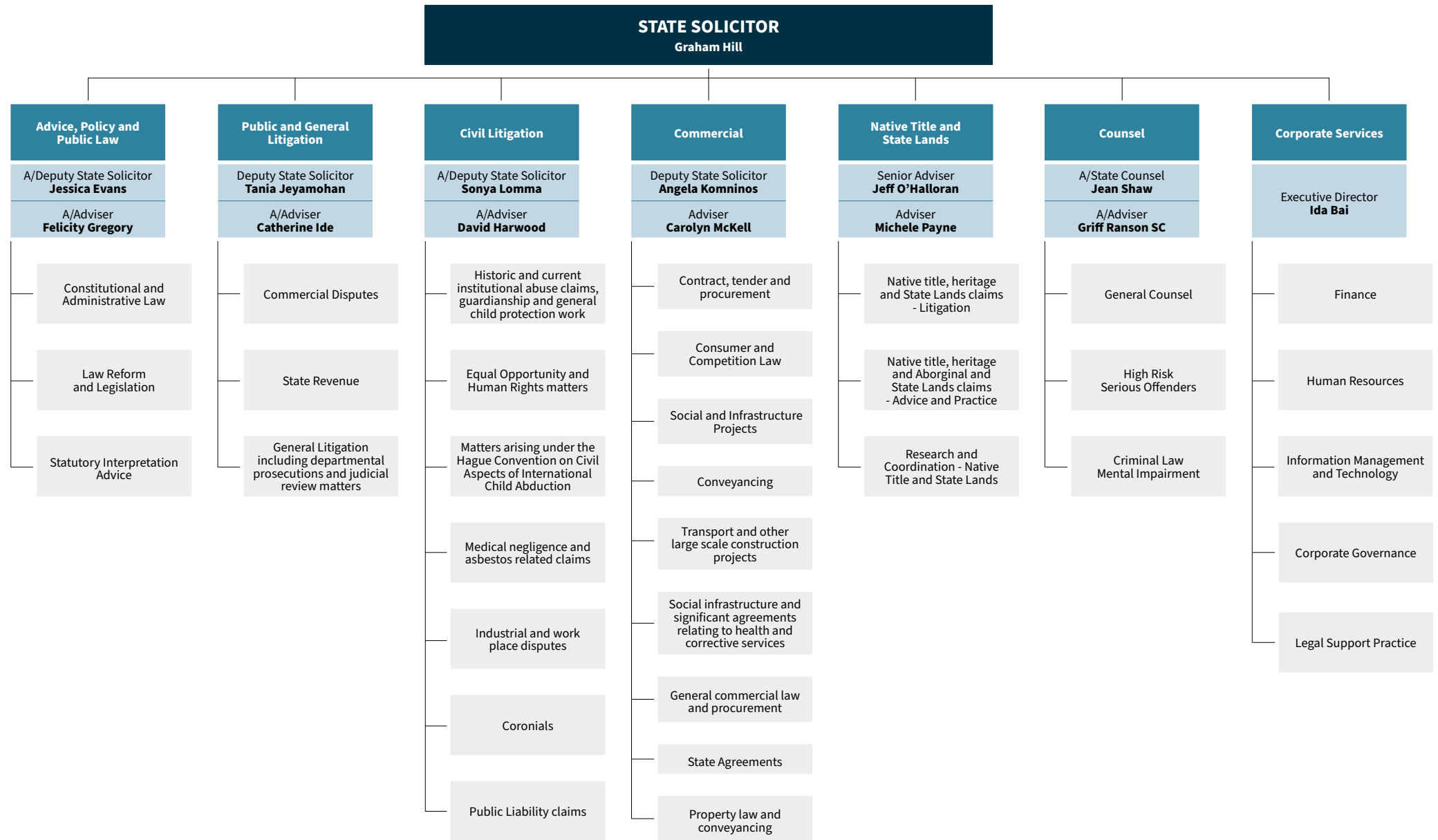
- To provide frank, fearless, impartial, and responsive legal services that are informed by our knowledge of the context in which State entities operate, and a whole of government perspective
- To promote good governance and the rule of law by giving independent and impartial legal services respectfully
- To be a diverse, collaborative, and inclusive workplace that supports excellence, professional development, and continuous learning
- To recognise the contribution of our colleagues, to take responsibility for our actions, and to treat everyone with respect



Organisational Structure

The structure of SSO is detailed in the following chart.

There are 6 legal divisions that each focus on areas of law with significance to the State of Western Australia. The corporate services division provides operational and strategic support to the legal divisions. A summary of the functions of each Division are outlined on pages 14-28.



Advice, Policy, and Public Law

The Advice, Policy, and Public Law Division provides advice on matters relating to the administration of justice, Parliament, judicial officers, Royal Commissions, inter-Governmental arrangements, and relations with the Commonwealth or other States and Territories. Advice and assistance is provided for matters of particular urgency, sensitivity, or significance that have implications across Government, including technically complex factual, legal, and policy matters involving:

- the exercise of prerogative powers;
- the operation of executive government, including advice in relation to existing or proposed submissions to Cabinet;

- constitutional powers and privileges of the State or the Commonwealth;
- issues of public interest privilege;
- legislative reform.
- environmental matters and approvals under relevant State and Commonwealth statutes;
- integrity and accountability matters;
- charitable trusts;
- information sharing, privacy, freedom of information, and compulsory document production processes;
- regulatory compliance;
- health law; and
- emergency management and counterterrorism.

“[We are] very grateful for the excellent and extremely prompt advice given by [lawyers from the Advice, Policy, and Public Law Division] in relation to various approvals and planning issues arising out of DPIRD’s Polyphagous Shot Hole Borer response. The high quality of the advice and promptness greatly assisted the Department in managing risk in relation to ... the response”

- Department of Primary Industries and Regional Development



PRIVACY AND RESPONSIBLE INFORMATION SHARING LEGISLATION

The Advice, Policy, and Public Law Division instructed on the drafting of Western Australia's landmark privacy and responsible information sharing legislation.

The Privacy and Responsible Information Sharing Bill 2024 (PRIS Bill) seeks to regulate privacy and information sharing in the public sector. The privacy provisions of the PRIS Bill will require public entities to protect the personal privacy of individuals, including through the introduction of privacy principles and a mandatory information breach scheme. The responsible information sharing provisions will provide a framework for the consistent and safe sharing by public entities of government information for community benefit.

Sitting alongside the PRIS Bill is the Information Commissioner Bill 2024 (IC Bill), which will establish a new Information Commissioner and Privacy Deputy Commissioner to oversee privacy matters in Western Australia. The IC Bill will also help

consolidate the existing freedom of information framework into a new and streamlined regulatory structure.

The Office worked closely with the Department of the Premier and Cabinet throughout the development of the Bills, and provided both legal and legal policy advice, assisted with consultation across the public sector, and briefed Ministers. As of 30 July 2024, the Bills had been passed by the Legislative Assembly and had been read into the Legislative Council.

SSO will continue to provide whole-of-government and agency-specific advice on implementation matters and the implications of the PRIS Bill for the public sector.

Civil Litigation

“We would like to acknowledge the timely, practical and pragmatic support and advice that [a Civil Litigation lawyer] provided us regarding a wide range of issues related to [a significant stakeholder]. On this matter, SSO provided us with informed, actionable advice that was sensitive to our timeframes and the situation. We were most grateful for her support.”

- Department of Local Government, Sport and Cultural Industries

The Civil Litigation section provides advice and representation on:

- historic and current abuse in care claims, guardianship and general child protection work;
- equal opportunity and human rights matters;
- matters arising under the Hague Convention on Civil Aspects of International Child Abduction;
- medical negligence and asbestos related claims;
- industrial and work place disputes;
- coronials; and
- public liability claims.



HAGUE CONVENTION

The Civil Litigation Division provides urgent advice and legal representation with respect to the civil aspects of international child abduction.

The Division receives documentation from overseas jurisdictions via the Australian Central Authority, who has responsibility for the administration of the Convention on the Civil Aspects of International Child Abduction (“Convention”). SSO solicitors provide advice on whether to file applications under the *Family Law (Child Abduction Convention) Regulations 1986 (Cth)*

which, in part, enable Australia to perform its obligations under the Convention. SSO Solicitors then appear for the applicant on any such Hague applications.

In May 2024, a representative of SSO attended the annual Conference between the Australian, State and Territory Central Authorities for the 1980 Hague Convention on the Civil Aspects of International Child Abduction Convention. This conference provided SSO with an opportunity to

consider developments in both legal and practical aspects of this field of law, including the use of alternative dispute resolution, and the role of independent children’s lawyers and family consultants in Hague proceedings. The conference facilitated interjurisdictional communication, a greater understanding of the perspectives of key stakeholders and the sharing of different experiences in the practice of this area of law.

Commercial

The Commercial Division provides advice to the State in relation to commercial activities across government. The section represents the State and assists government agencies and instrumentalities by way of:

- the preparation, review and negotiation of a wide range of commercial documents;
- drafting and consideration of contractual agreements entered into by State agencies;

- undertaking all conveyances associated with the sale and purchase of State Land;
- advice in respect of procurement strategy, construction, tenure, financing, outsourcing and service aspects of large-scale transactions in social and infrastructure projects, including the review, drafting and negotiation of high value contract documents;
- statutory interpretation (especially in respect of commercial obligations, powers and functions.);
- advice in respect of contractual disputes, and representation at mediations and arbitrations;
- representation on Government steering committees and subcommittees established for the delivery of projects;
- advice in respect of the administration of State Agreements, and also supporting the State in negotiating and drafting new State agreements, variations to existing State Agreements and agreements to terminate State Agreements;

“We have used SSO’s services regarding the Mt Walton IWDF ... Due to the expertise [the SSO solicitor] developed around the subject matter over the years, she was consistently able to provide us with sound and timely advice and assist us with drafting key contractual agreements. I am very appreciative of the assistance received from her.”

- Department of Finance

- advising and supporting the Government in the parliamentary process to give effect to State Agreements, their variation and termination;
- advising on a range of technology-related issues, including in respect of outsourcing, software and app procurement, cloud-based solutions and automated technologies;
- advising on intellectual property (IP) and other intangible assets, copyrights, patents and trade marks;
- advising in relation to asset sales, including drafting instructions for legislation, and providing advice on transaction structuring, documents and all related issues;
- advising on State and Commonwealth grants and financial support instruments;
- preparing and examining leases, subleases, assignments, variations and surrenders of lease for government office accommodation and Crown land.

BUNBURY REGIONAL HOSPITAL

The Commercial Division has supported the Department of Finance, Department of Health and Western Australian Country Health Service in respect of the redevelopments of the Bunbury Regional Hospital.

When the \$451.1 million redevelopment of Bunbury Regional Hospital is complete, it will be the biggest hospital in regional WA, putting it at the heart of community healthcare for the entire South West region. An unincorporated joint venture between Multiplex and Perkins was announced as the contractor for the main works in April 2024. The transformation project includes an expanded emergency department, expanded maternity, birthing and neonatal services, and WA's first regional training, education and research centre.

Support provided by the Commercial Division included representation on the multi-agency- Steering Committee which provides strategic oversight, guidance, and support to ensure that projects reach their intended objectives and deliver high quality



outcomes for the people of Western Australia. The Division also assisted with procurement including the drafting, negotiation and finalisation of the managing contractor contract for each project.

As noted by the Bunbury MLA Don Punch “We’re future-proofing healthcare delivery for the people of Bunbury and the South West region ... The new training, education and research centre will help us attract and retain the best and brightest clinicians to regional WA, driving innovation in

healthcare with a focus on rural and remote communities ... It is really exciting to see this project moving forward and positioning the hospital to meet the needs of our growing community.”

State Counsel

Counsel from the Counsel section appear on behalf of a wide range of State Government clients in complex and significant cases (both civil and criminal) in various courts and tribunals, including the Coroners Court, Magistrates Court, District Court, Supreme Court, Court of Appeal, Federal Court, High Court, State Administrative Tribunal and Industrial Relations Commission. They also provide high level legal advice across a wide range of subject areas. They do this with the support of a dedicated team of paralegals and legal assistants.

Counsel from the Counsel section frequently work with instructing solicitors and counsel from across other sections of SSO and they supervise, support and mentor lawyers performing counsel work throughout the Office.

The Counsel section includes SSO's High Risk Serious Offender team. The High Risk Serious Offenders Act 2020 (WA) (HRSO Act) provides for the detention in custody or the supervision in the community of high risk serious offenders to ensure adequate protection of the community and victims of serious offences. During the financial year, the High Risk Serious Offender team managed 175 high risk serious offender matters and counsel

from the SSO represented the State in 155 Supreme Court hearings under the HRSO Act.

Counsel from within the Counsel section also supervise SSO's departmental prosecutions and Single Judge Appeals practice areas. Work in these areas is conducted by lawyers from across the Office.

SSO's departmental prosecutions practice involves the prosecution of summary offences, or either-way offences dealt with summarily, in the Magistrates Court on behalf of various clients, including Worksafe, the Department of Water and Environmental Regulation, WA Police, the Department of Primary Industry and Regional Development and the Department of Justice. During the financial year, SSO managed 156 departmental prosecution matters.

SSO's Single Judge Appeals practice involves representing various clients, including WA Police, in appeals to the Supreme Court against decisions of Magistrates and various statutory decision-makers. These appeals are commenced pursuant to the *Criminal Appeals Act 2004 (WA)* or Order 65 of the *Rules of the Supreme Court 1971 (WA)*.

During the financial year, SSO managed 56 new matters related to such appeals.

More generally, during the past financial year counsel from the Counsel section were involved in the conduct of significant coronial inquests, judicial review hearings, cases involving civil claims for damages against the State and its officers, cases concerning the proper interpretation and constitutional validity of legislation, contempt proceedings and native title compensation claims.



COVID-19 VACCINE MANDATES

During 2023-24 SSO solicitors and junior counsel, led by briefed Senior Counsel, successfully represented the State, Chief Health Officer, and Commissioner of Police in judicial review proceedings brought by a Western Australian Police Force officer and employee. In these proceedings, the officer and employee sought to have COVID-19 vaccine mandates issued by the Chief Health Officer and Commissioner of Police declared invalid.

The matters were finalised in April 2024 when the Court of Appeal delivered an unanimous decision that confirmed that the 2022 decision of Justice Jeremy Allanson of the Supreme Court, that the COVID-19 mandates were lawful, was the correct one. In the 2022 judgement, Justice Allanson held that “All of the evidence establishes that the COVID-19 pandemic was, and remains, an extraordinary emergency...the mandates were a proportionate response to the public health risks posed by COVID-19, balancing the need to protect public health with individual rights”.

Native Title and State Lands

The Native Title and State Lands Division provides litigation representation in respect of native title proceedings, as well as advice and assistance with native title agreements. Advice and litigation services include matters involving interests in, and the use of, Crown land in the State, including the assembly of public and private land required for public/ infrastructure works and private projects of economic significance to the State, with particular emphasis:

- in the case of public lands, on the accommodation of native title interests and resources tenements;
- in the case of private lands, on the mechanisms provided by town planning and other laws designed to promote the efficient use of land, facilitate public works as well as enhancing the conservation estate; and

- reforms effecting changes to Aboriginal heritage, planning, lands and other statutes.

The Division manages native title claim litigation in the Federal Court, and associated appeals to the Full Court of the Federal Court and the High Court of Australia. The team manages Federal Court claims for native title compensation, and variation (of determinations of native title) applications in the Federal Court and negotiates, drafts and assists with implementation of Indigenous Land Use Agreements, ensuring a “whole of Government” approach.

The Division also provides legal advice and representation on future act matters before the National Native Title Tribunal, primarily for the Department of Mines, Industry Regulation and Safety.

The Division manages land acquisition and compensation litigation in the Supreme Court and SAT, and associated appeals to the Court of Appeal and the High Court. There were 22 active land compensation litigated claims being managed during 2023-24, with 11 of those being settled, heard or determined by the Supreme Court or the State Administrative Tribunal (SAT). One of those matters has been the subject of an appeal to the WA Court of Appeal on related questions of law related to compensation principle and is awaiting determination.

During 2023-24, the Division continued to provide extensive support to responsible decision making authorities of the State whose decisions are under review in the SAT, primarily involving decisions made by State planning authorities as well as for disputed determinations of valuation made by the Valuer General. As at 30 June 2024, advice and/or representation had been provided in excess of 40 SAT review applications.

PLAN FOR OUR PARKS

In 2019, the State Government launched the Plan for Our Parks Program, with the goal of creating five million hectares of new national marine parks and terrestrial conservation reserves in Western Australia, over a five-year period. The Program has aimed to increase the State's conservation estate by 20 percent and has enabled new national parks and marine parks to be created in places such as Shark Bay, Exmouth, Kennedy Range, Mount Augustus and the Fitzroy River. The new conservation areas, many of which are to be Class A reserves, were selected for their high conservation and cultural heritage values, in consultation with a range of stakeholders, and will be jointly managed with Traditional Owner groups. This will also enhance capacity building for those groups and help to create job opportunities, particularly for Aboriginal rangers, aligning with the State's successful Aboriginal Ranger Program established in 2017.

The Plan for Our Parks Program has been coordinated by the Department of Biodiversity Conservation and

Attractions (DBCA) as the lead agency, and overseen by an intergovernmental group including representatives from relevant State government agencies. DBCA provided funding to SSO to support delivery of the program. NTSL lawyers have played a key role in the negotiation of numerous Indigenous Land Use Agreements, including by attending on-country and in-person discussions with Traditional Owners, drafting Indigenous Land Use Agreements, Joint Management Agreements and related documentation, and providing legal advice, usually under very tight time restraints.

The registration of all proposed ILUAs is on target for completion by the end of 2024, with the majority having already been registered.

NTSL's longstanding expertise and involvement has been instrumental in the successful delivery of Plan for Our Parks.



On 3 May 2024, the Cook Government announced a \$73 million investment in Plan for Our Parks over the next four years. The funding was provided as part of the State Budget for 2024–2025 and will help support the implementation of existing Management Plans and Indigenous Land Use Agreements and provide additional investment for existing Plan for Our Parks projects. The SSO will continue to be involved and

play a key role in the implementation of the Plan for Our Parks Program in 2024 and beyond.

DBCA has expressed its appreciation to SSO for its efforts and collaborative work, which it has recognised as critical to the successful outcomes of the Plan for Our Parks Programs.

Public and General Litigation

The PGL section provides support, advice and representation in a range of litigation matters including:

- all aspects of contentious contractual, construction (major projects) and commercial matters including contract disputes, mediation, expert determination, rapid adjudication, arbitration and litigation;
- judicial review matters, Mining Act disputes; defamation, criminal injuries compensation, electoral disputes, and tenancy disputes;
- class actions in the Federal Court, including a number of matters stemming from discrimination allegations, and the section will be involved going forward with class actions in the Supreme Court following the introduction of the Civil Procedure (Representative Proceedings) Act 2022 (WA). Class action involve litigation of behalf of a class of person with similar or identical claims using representative individuals;
- all aspects of state revenue and taxation, including representation in the State Administrative Tribunal (SAT) and the Supreme Court of Western Australia in relation to applications for review of various decisions made by the Office of State Revenue;
- representation in the SAT in both its original and review jurisdiction, including the merits review of a range of administrative decisions such as the grant of licences or authorisations;
- debt recovery on behalf of State government departments and instrumentalities in a range of jurisdictions; and
- summons and subpoenas (both in civil and criminal matters) and general advice regarding information management and release, including arguments as to public interest immunity.

Members of the team also provide substantial assistance and advice in other areas such as departmental prosecutions in the Magistrate Court of Western Australia, equal opportunity claims (both before the Equal Opportunity Commissioner/SAT and the Australian Human Rights Commission/Federal Court of Australia), personal injury litigation, mesothelioma litigation, Hague Convention proceedings, appeals and coronials. Members of the team also provide support to various agencies by way of temporary secondments.



MINING ACT 1978 (WA)

SSO continues to be involved in a range of matters concerning the administration of the Mining Act 1978 (WA). In 2023-24 those matters included litigation concerning the implications of the High Court's decision in *Forrest & Forrest Pty Ltd v Wilson* (2017) 262 CLR 510.

In 2023-24 SSO acted for the Minister for Mines and Petroleum in responding to an application for special leave to the High Court of Australia following the Court of Appeal's recent decision in *Wyloo Metals Pty Ltd v Quarry Park Pty Ltd* [2024] WASCA 38. That decision concerned the degree of protections afforded to purchasers of mining leases under the Mining Act where challenges were made to the validity of the lease.

The High Court decision to refuse the application confirmed the Minister for Mines and Petroleum's position, as represented by SSO in the proceedings.

Corporate Services

The Corporate Services Division is comprised of 5 teams; Finance, Human Resources, Information Management and Technology, Corporate Governance, and Legal Practice Support.

FINANCE

Finance provides strategic and operational support to ensure appropriate management and compliance with the *Financial Management Act 2006 (WA)*. Responsibilities include budgeting, forecasting, and financial reporting to provide insights for decision-making, and managing the office accommodations, facilities and fleet.

The team is also responsible for recovering costs for non-core legal services that are not funded by service appropriations, administering the financial transactions for conveyancing of land transactions on behalf of the State, administering the financial transactions for the Suitor's fund, which could be drawn upon to assist in payment of costs incurred by eligible litigants under the *Suitors' Fund Act 1964 (WA)*.

INFORMATION MANAGEMENT AND TECHNOLOGY

Information Management and Technology consists of two teams; Information Management (Records) and Technology (IT Helpdesk). Together, these teams ensure efficient information handling, data integrity, and user support, which creates a more effective environment for staff.

The Information Management team is responsible for managing the organisation, storage, and retrieval of records. The team develops policies, manages retention schedules, and ensures data quality, security, and compliance. They preserve historical records and implement systems for efficient document management, and educates staff on best practices.

IT Helpdesk team provides technical support to staff via phone, email, or chat, to resolve hardware, software, and network issues. They configure IT equipment and train users on appropriate technology usage.

HUMAN RESOURCES

Human Resources delivers both operational and strategic human resource services to support the SSO workforce. The Human Resource Operations Team handles employee benefits related queries, provides business partnering and consultative services, and manages end-to-end processes for the establishment, recruitment, and onboarding, and the bulk recruitment for vacation clerkships and law graduate programs. The Human Resources Learning and Development team organises all educational and development opportunities, including in-house CPDs, paralegal training, and the annual legal CPD events for public sector solicitors, in addition to all training events. Human Resources also provides strategic leadership through the development and implementation of frameworks for Integrity, Work Health and Safety, Diversity and Inclusion.

CORPORATE GOVERNANCE

The establishment of the SSO as an independent sub-department has increased the range of legislative, regulatory, governance, and reporting requirements it is required to comply with. These functions are required to ensure appropriate controls are in place to mitigate risks and to align the SSO activities with public sector standards. The corporate governance team was created in 2024, and oversees internal audit, risk management, procurement, KPI reporting, communications, project management, corporate policies, corporate strategy, and other compliance obligations. In 2023-24 the corporate governance team made significant progress in establishing an internal Audit and Risk Committee.

LEGAL PRACTICE SUPPORT

The Legal Practice Support team is responsible for the provision of quality and timely paralegal and administrative support to the legal practice teams at SSO. The team consists of paralegals, researchers and administrative staff.

The support involves undertaking high level paralegal tasks, providing strategic advice, planning the management of legal matters and ensuring the efficient and effective use of electronic database management systems to assist in the timely completion of legal matters. Matters supported include Royal Commissions, class actions, major litigations, contractual/commercial disputes and native title claims involving the State, as well as support for the ongoing management and advancement of all legal matters.

DIGITAL LEGAL CASE MANAGEMENT SYSTEM

In 2023-24 Corporate Services commenced the procurement of a new Legal Case Management System (LCMS) to replace SSO's case management system. The new system will be highly configurable, enabling easy and cost-effective adaptations. It will feature both case management and document management capabilities, providing secure and efficient document storage, retrieval, and collaboration from any device.

This transformation aligns with government initiatives to digitise services and the State's priorities in the *DigitalWA: Western Australian Government ICT Strategy 2016-2025* and the *Digital Strategy for the Western Australian Government 2021-2025*. The new system will help the WA Government deliver seamless digital legal services. It will support better services, informed decisions, safety and security, and digital inclusivity.



The new LCMS will enable SSO staff to deliver more efficient services, improving client outcomes. The solution will integrate with the digital technology of more government agencies, fostering transparency and performance measurement through modern technologies like digitisation, automation and will have the capacity to integrate with artificial intelligence.

Key benefits of the new LCMS include enhanced efficiency, time and cost savings, and streamlined information retrieval. The new system will improve security and operational efficiency, positioning the SSO for sustained productivity and adaptability in the evolving legal landscape.





PERFORMANCE

“I highly commend the SSO team. They operate with integrity and professionalism. They all have been committed to the work they produce and have often gone above and beyond to support Corrective Services.”

- Commissioner, Corrective Services

Performance Management Framework

OUTCOME-BASED MANAGEMENT FRAMEWORK

Outcome Based Management is the Western Australian public sector's framework for the management of the performance of agencies. Broad government goals are supported at an agency level by specific outcomes. Agencies deliver services to achieve these outcomes. The following table illustrates the relationship between the SSO's services and desired outcomes, and the government goal these contribute to.

Government Goal	SSO - Desired Outcomes	Services
Safe, Strong and Fair Communities: Supporting our local and regional communities to thrive.	Government receives quality and timely legal services.	Legal Services

CHANGES TO OUTCOME-BASED MANAGEMENT FRAMEWORK

The SSO's outcome-based management framework did not change during 2023-24.

SHARED RESPONSIBILITIES WITH OTHER AGENCIES

The SSO works closely across the sector to facilitate the efficient operation of government, informed decision-making, and value for money outcomes for Western Australians. This is achieved through providing leadership and strategic advice to government on initiatives to improve the operations and management of services across the public sector.

Report on the Operations

FINANCIAL TARGETS

	2023-24 Target⁽³⁾ (\$000)	2024 Actual (\$000)	Variation⁽⁴⁾ (\$000)
Total cost of services (sourced from Statement of comprehensive income)	63,720	59,671	(4,049) ^(a)
Net cost of services (sourced from Statement of comprehensive income)	62,805	58,774	(4,031) ^(a)
Total equity (sourced from Statement of financial position)	7,157	13,787	6,630 ^(b)
Agreed salary expense level	42,764	37,450	(5,314) ^(c)
Agreed Executive Salary Expense limit	179	154	(25)

⁽³⁾ Target is sourced from 2023-24 budget statements

⁽⁴⁾ Further explanations are contained in Note 10.1.1 and 10.1.2 to the Financial Statements

^(a) Actuals are lower predominantly due to substantively vacant positions, offset by difficult to predict grants and subsidies for which no budget is provided.

^(b) Actuals are higher due to surpluses in 2022-23 and 2023-24 driven by costs being lower than budget.

^(c) Actuals are lower due to substantively vacant positions.

WORKING CASH TARGETS

	2023-24 Agreed Limit (\$000)	2024 Target/ Actual⁽⁵⁾ (\$000)	Variation⁽⁶⁾
Agreed working cash limit (at Budget)	3,030	3,030	-
Agreed working cash limit (at Actuals)	2,839	12,170	9,331

⁽⁵⁾ The Actual working cash held totals \$12,170,000. This consists of cash and cash equivalents of \$13,533,000 as reported in the Statement of Financial position as at 30 June 2024 less \$1,363,000 for the replacement of SSO's legal practice management system.

⁽⁶⁾ Variation explanations are contained in Note 10.1.3 to the Financial Statements.

SUMMARY OF KEY PERFORMANCE INDICATORS

Further detailed information can be found within the Disclosures section of this report.

	2023-24 Target⁽¹⁾	2023-24 Actual	Variation	Result⁽²⁾
Outcome 1: Government receives quality and timely legal services				
Extent to which government agencies are satisfied with legal services	95%	95%	0	✓
Service 1: Legal Services to Government				
Average cost per legal matter	\$6,423	\$6,878	\$455	✓



Client Survey

Every year the SSO seeks feedback from its clients on their experience engaging with the SSO. The results of the survey are used to determine the extent to which government agencies are satisfied with legal services provided by SSO during the preceding financial year. The percentage of clients satisfaction is reported as a KPI (see pages 34).

In 2023-24 SSO reported strong levels of client satisfaction with 95% of clients surveyed confirming their satisfaction with the legal services provided by SSO. Comments were largely positive, and commonly referred to the quality of the legal advice provided, the experience and subject-matter expertise of SSO lawyers, and the ease of obtaining trusted advice. Government Agencies noted SSO was an essential and important partner for Government, and cited the deep understanding of government operations, complex legislation, and the contemporary issues faced by government agencies as strengths of SSO.

A selection of the anonymous positive comments received are noted below:

“Experienced lawyers who understand both the legislation we administer, the nature of our business and the sensitivities of the environment we operate in.”

“I always feel supported by SSO and am grateful for the excellent quality of the service provided. The lawyers are always highly professional and courteous.”

“High degree of subject matter expertise; trusted source of advice.”

“It is impossible to undertake my duties without their advice. I am very grateful.”

“Advice provided regarding prospects of prosecution are always well written, comprehensive & sound in judgement utilising relevant case law. The SSO lawyers consistently provide an excellent service during the court procedure process.”

“SSO is a very client focussed service.”

“Very professional and helpful. [SSO] do an amazing job under trying conditions.”

In the client survey, SSO asked each government agency to name the worst aspects of the services provided by SSO. The most commonly cited issue was timeliness of advice, with many government agencies identifying this was related to heavy workloads. A selection of the feedback received is noted below:

“Timing can be an issue at times, but this is not a reflection of the lawyers but of their workload and competing priorities.”

“SSO is clearly under resourced and underfunded. It takes too long to obtain advice.”

“It takes a long time to receive a response but [when] it's received its high quality.”

To address this feedback and improve the experience of government agencies that engage with the SSO, SSO has launched a review of the client experience.

MAIN ROADS

In 2023-24 SSO provided legal services for 77 government agencies, including Main Roads. Main Roads is primarily responsible for planning, building, maintaining and operating Western Australia's state road network. The Commercial Division of SSO works closely with Main Roads to provide commercial and contractual legal services on state infrastructure projects (including the Causeway Pedestrian and Cyclist Bridge pictured). These services enable Main Roads to achieve their objective of delivering safe, reliable, and sustainable transport services to the Western Australian community.

In the 2023-24 Client Survey, representatives from Main Roads made the following comments about the services provided by SSO:

"You make the effort to understand the issue, needs and reply in clarity and accuracy. Easy to communicate with and don't mind being questioned if the approach is correct etc."

"Good practical knowledge relevant to a government context, good working relationships established with key SSO personnel."

"Long-term understanding of Main Roads core functions and priorities, particularly with respect to commercial and doc contractual matters."

"Being available when needed."

"Technical quality of work, practicality and promptness."

"Knowledge, technical expertise and effective communication."

"Long-term understanding of Main Roads core functions and priorities, particularly with respect to commercial and doc contractual matters."

"The professionalism, accountability, communication and promptness of [SSO lawyers] is astounding, valuable and greatly appreciated."



The partnership between SSO and Main Roads will enable the critical work provided by Main Roads to continue to deliver positive outcomes for the Western Australian Community.

The Causeway Pedestrian and Cyclist Bridges Project is a critical part of the \$1.5 billion Perth City Deal. This new crossing connects McCallum Park, Heirisson Island and Point Fraser. The design is informed by the stories of the Whadjuk Noongar people and will feature the art of 4 local Noongar artists.

“SSO continues to provide high quality and practical advice. Main Roads is likely to engage further with [the] SSO commercial team as it moves forward with additional functions and powers arising from amendments to the Main Roads Act late last year.”





PEOPLE

“Our department, like many in State Government, would be at a loss without the dedication, professional support and expertise of the [SSO] representatives.”

- The Commissioner of Main Roads

Workforce Profile

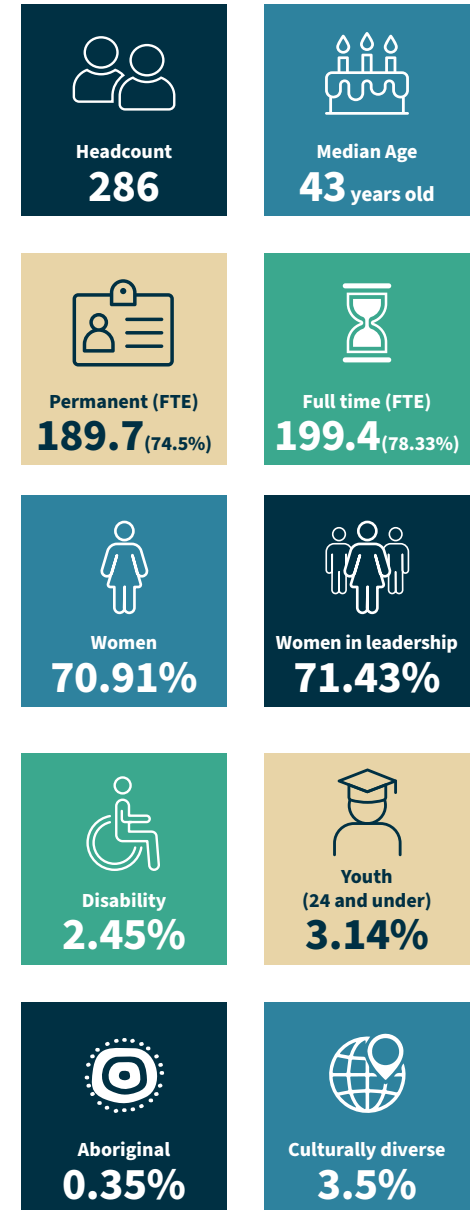
SSO prides itself on the attraction and retention of the brightest and best solicitors to underpin the provision of the highest level of legal services to the State Government. Approximately 70% of SSO's 2023-24 budget went towards employment costs with 87% of those costs directly providing legal and paralegal services to the Western Australian Government and public sector.

As of 30 June 2024, SSO employed 256.6 FTE.

Function	FTE	Headcount
Legal	167.4693	186
Paralegal	57.3	65
Corporate	31.8667	35

SSO celebrates the achievement of its female leadership profile which is for the first time proportional to the female workforce profile of 70%. This is 20% higher than the current public sector aspiration target for women in senior leadership positions.

SSO will focus on Workforce diversification and inclusion promotion and education over the forward financial year and hope to see the diversity statistics increase.



Workforce Attraction and Development

The SSO has an ongoing focus on training for solicitors to support their continuing professional development (CPD) and maintain their legal practice certificates. In addition to providing membership to the Law Society of Western Australia for the delivery of CPD from across a broad section of law, SSO runs an in-house CPD program tailored to specialised areas of public sector law. Over 2023-24 SSO ran 42 in-house CPD sessions.

The in-house CPD program is developed and delivered by SSO's solicitors, and covers a range of topics including Hague Convention matters, the Disability Royal Commission, injunctions, government procurement, and ethical issues in dealing with self-represented litigants.

SSO also delivers a 2 year Junior Solicitors' Program that comprises of a Law Graduate Program in the first year, and a Restricted Practitioner Training Program in the second year. The Law Graduate Program includes ten training sessions over the first 12 months of their employment. This includes sessions on file management, managing workloads, and communicating with clients. Junior Solicitors also undertake skills-specific training, including how to do criminal injuries directions hearings and means

enquiries, in services that SSO Law Graduates typically conduct in their first 12 months of the program.

In the second year of the Junior Solicitor Program, the Restricted Practitioner Training Program prepares junior solicitors for the wide range of work they will do, with a particular emphasis on prosecution work. The program included 34 training sessions run by experienced practitioners within SSO, and a series of mock courts. This program is designed to give junior solicitors the opportunity to put the skills they have learnt into practice and receive feedback.

To support the provision of high-quality legal services across the public sector, SSO provides opportunities for government solicitors to obtain CPD points through SSO's Whole of Government Legal CPD Conference. In 2023-24 attendance at the conference increased to 180 solicitors, with sessions delivered on a range of topics including cyber security, the use of artificial intelligence for government, industrial relations, and legal ethics.

In 2023-24 SSO launched a training program for its legal support branch. Training focused on preparing paralegals for the transition to a new electronic document management system, and included advanced training in document management and excel. This training will continue in 2024-25.

SSO has increased training opportunities for key leaders in the organisation, with an aim to build and grow leadership skills and capabilities. Several senior staff were given the opportunity to undertake leadership specific training online with Harvard and Yale, and one was selected to participate in the Public Sector Commission's Elev8 leadership course.

LEGAL RECRUITMENT STRATEGIES

SSO's Law Graduate Program is the primary avenue for employment of junior solicitors. In 2023-24 SSO employed 11 Law Graduates, with a further 7 expected to be engaged in 2024-25.

SSO provides opportunities for law students to participate in a selection of SSO programs during their studies. SSO participated in the legal vacation clerkship program, employing 24 final year law students drawn from the various tertiary law schools in 2023-24. Each had the opportunity to work across one legal section for a two-week period to gain a deeper insight into an area of law important to the WA government. SSO also partnered with the University of Western Australia to engage two first nations law students via the Indigenous Internship Program. These students had the opportunity to rotate across SSO's litigation and native title sections.

STREAMLINING RECRUITMENT

In 2023-24, SSO conducted 22 external recruitments and 10 internal expressions of interest. In April 2024, SSO enhanced its recruitment efficiency by implementing a Recruitment and Advertising Management System (RAMS) to manage end-to-end recruitments in-house. This system has significantly boosted recruitment efficiency, with 36% of external and 50% of internal recruitments completed in the last quarter on 2023-24. Business improvements through RAMS digital capability will continue in the next financial year, with the implementation of digital selection reports and e-onboarding.

Diversity and Inclusion

SSO, as a new public sector employer, is on a journey to implement meaningful workforce frameworks to underpin and grow a new independent positive workplace culture. This is supported by SSO's deep commitment to strengthening and growing diversity and inclusion in the workplace.

In 2023-24 SSO developed a Diversity and Inclusion Framework and progressed the development of a Workforce Diversification and Inclusion (WDI) Strategy 2024 – 2026. There are three critical plans under the WDI Strategy in various stages of implementation: the Multicultural Plan, the Reconciliation Action Plan, and the Disability Access and Inclusion Plan. The SSO Wellbeing and Inclusion Sub-Committee partners with the SSO Human Resources Branch to monitor and promote activities across the WDI Strategy.

In 2023-24 SSO implemented the SSO Multicultural Plan 2023 – 2026. Throughout this financial year, SSO worked with the Office of Multi-Cultural Interests to align their recommendations with the SSO Multi-Cultural Plan and develop effective strategies for meaningful staff engagement in implementing the agreed-upon actions.

The first draft SSO Reconciliation Action Plan (RAP) was submitted to Reconciliation Australia in May 2024 and is expected to be implemented in 2024-25. This milestone was celebrated by staff at a morning tea during Reconciliation Week in May 2024.

The theme 'Now more than ever' gave staff an opportunity to come together to reflect and celebrate the positive impact the RAP is having on the SSO workplace culture.

The last element of the Diversity and Inclusion Framework to be realised will be the development of SSO Disability Access and Inclusion Plan (DAIP). Consultation with staff will commence in 2024-25. Until SSO's DAIP is developed, SSO will continue to operate under the Department of Justice's DAIP.

The first WA Public Sector Census results, the first for SSO as a separate employer, achieved a 60% response rate and results showed a willingness and openness to share personal information via the Census. A key focus for SSO as it builds its workforce frameworks is to build an environment where staff feel comfortable to self-report their diversity.

Judicial Appointments

In 2023-24 Robyn Hartley and Ed Cade were appointed as new full-time ordinary members of the State Administrative Tribunal. Ms Hartley joins SAT after 18 years at SSO, where she was a Senior Assistant State Solicitor.

Mr Cade has served as an Assistant State Solicitor at the WA State Solicitor's Office for the past four years. In response to the appointments the Attorney General stated "All appointees have significant experience in their fields and will contribute to the tribunal reviewing and hearing matters in a timely manner ... they will help fortify the tribunal's member base and contribute to the proficient management of a significant workload."

In November 2023 Craig Bydder SC was appointed Solicitor-General of Western Australia. Mr Bydder has spent more than two decades working for SSO where he led and supervised the Office's civil litigation section and held the position of Deputy State Solicitor for 6 years. He has practised extensively as counsel in

all courts and tribunals, including the High Court and the Court of Appeal, and appeared for the State in a number of high-profile matters. In response to the appointment the Attorney General stated "His skill and experience as a litigator and strategic adviser with the SSO make him ideally suited to serving the Government in the years to come."

SSO acknowledges the recent appointment of Her Honour Judge Kate Glancy, President of SAT, as a Justice of the Supreme Court. Prior to her appointment as a District Court Judge almost 6 years ago, Her Honour had an outstanding 25 year career in the State Solicitor's Office, making a valuable legal and personal contribution to the operation and life of the Office, including as a Deputy State Solicitor. Her Honour's elevation to the Supreme Court is a further recognition of her outstanding abilities and qualities. It is also testament to the status of SSO and the outstanding calibre of its lawyers that her Honour will be joining many other justices who spent

their formative years, and in many cases a significant portion of their career, in SSO, including the Chief Justice, Justices Mitchell, Pritchard, Lundberg and Seaward.

In May 2024 SSO's State Counsel, Alan Sefton SC, was appointed as a judge of the District Court of Western Australia. Judge Sefton had worked at SSO for over 30 years. He became State Counsel in 2020, and has represented the State Government on a wide range of complex matters in multiple courts, and was the chair of the Appeal Costs Board for the past 12 years. In recognition of Judge Sefton's appointment, the Attorney General noted "Mr Sefton will be a welcome addition to the District Court as it presides over a substantial caseload".



SUPREME COURT OF
WESTERN AUSTRALIA

DEPARTMENT OF THE
ATTORNEY GENERAL

DEPARTMENT OF
TREASURY

DAVID MALCOLM JUSTICE CENTRE



DISCLOSURES

**“Their service is essential to our division.
Not only are they professional,
they assist in our learning and nothing
is too much trouble.”**

- Western Australia Police Force

Independent Auditor's Opinion



Auditor General

INDEPENDENT AUDITOR'S REPORT

2024

State Solicitor's Office

To the Parliament of Western Australia

Report on the audit of the financial statements

Opinion

I have audited the financial statements of the State Solicitor's Office (the Office) which comprise:

- the statement of financial position as at 30 June 2024, the statement of comprehensive income, statement of changes in equity and statement of cash flows for the year then ended
- administered schedules comprising the administered assets and liabilities as at 30 June 2024 and administered income and expenses by service for the year then ended
- notes comprising a summary of material accounting policies and other explanatory information.

In my opinion, the financial statements are:

- based on proper accounts and present fairly, in all material respects, the operating results and cash flows of the State Solicitor's Office for the year ended 30 June 2024 and the financial position as at the end of that period
- in accordance with Australian Accounting Standards, the *Financial Management Act 2006* and the Treasurer's Instructions.

Basis for opinion

I conducted my audit in accordance with the Australian Auditing Standards. My responsibilities under those standards are further described in the Auditor's responsibilities for the audit of the financial statements section of my report.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Page 1 of 5

7th Floor Albert Facey House 469 Wellington Street Perth MAIL TO: Perth BC PO Box 8489 Perth WA 6849 TEL: 08 6557 7500

Responsibilities of the State Solicitor for the financial statements

The State Solicitor is responsible for:

- Keeping proper accounts
- preparation and fair presentation of the financial statements in accordance with Australian Accounting Standards, the *Financial Management Act 2006* and the Treasurer's Instructions
- such internal control as it determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the State Solicitor is responsible for:

- assessing the entity's ability to continue as a going concern
- disclosing, as applicable, matters related to going concern
- using the going concern basis of accounting unless the Western Australian Government has made policy or funding decisions affecting the continued existence of the the Office.

Auditor's responsibilities for the audit of the financial statements

As required by the *Auditor General Act 2006*, my responsibility is to express an opinion on the financial statements. The objectives of my audit are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Australian Auditing Standards will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations or the override of internal control.

A further description of my responsibilities for the audit of the financial statements is located on the Auditing and Assurance Standards Board website. This description forms part of my auditor's report and can be found at https://www.auasb.gov.au/auditors_responsibilities/ar4.pdf

Report on the audit of controls

Opinion

I have undertaken a reasonable assurance engagement on the design and implementation of controls exercised by the State Solicitor's Office. The controls exercised by the State Solicitor's Office are those policies and procedures established to ensure that the receipt, expenditure and investment of money, the acquisition and disposal of property, and the incurring of liabilities have been in accordance with the State's financial reporting framework (the overall control objectives).

In my opinion, in all material respects, the controls exercised by the State Solicitor's Office are sufficiently adequate to provide reasonable assurance that the controls within the system were suitably designed to achieve the overall control objectives identified as at 30 June 2024, and the controls were implemented as designed as at 30 June 2024.

The State Solicitor's responsibilities

The State Solicitor is responsible for designing, implementing and maintaining controls to ensure that the receipt, expenditure and investment of money, the acquisition and disposal of property and the incurring of liabilities are in accordance with the *Financial Management Act 2006*, the Treasurer's Instructions and other relevant written law.

Auditor General's responsibilities

As required by the *Auditor General Act 2006*, my responsibility as an assurance practitioner is to express an opinion on the suitability of the design of the controls to achieve the overall control objectives and the implementation of the controls as designed. I conducted my engagement in accordance with Standard on Assurance Engagements ASAE 3150 Assurance Engagements on Controls issued by the Australian Auditing and Assurance Standards Board. That standard requires that I comply with relevant ethical requirements and plan and perform my procedures to obtain reasonable assurance about whether, in all material respects, the controls are suitably designed to achieve the overall control objectives and were implemented as designed.

An assurance engagement involves performing procedures to obtain evidence about the suitability of the controls design to achieve the overall control objectives and the implementation of those controls. The procedures selected depend on my judgement, including an assessment of the risks that controls are not suitably designed or implemented as designed. My procedures included testing the implementation of those controls that I consider necessary to achieve the overall control objectives.

I believe that the evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Limitations of controls

Because of the inherent limitations of any internal control structure, it is possible that, even if the controls are suitably designed and implemented as designed, once in operation, the overall control objectives may not be achieved so that fraud, error or non-compliance with laws and regulations may occur and not be detected. Any projection of the outcome of the evaluation of the suitability of the design of controls to future periods is subject to the risk that the controls may become unsuitable because of changes in conditions.

Report on the audit of the key performance indicators

Opinion

I have undertaken a reasonable assurance engagement on the key performance indicators of the State Solicitor's Office for the year ended 30 June 2024 reported in accordance with *Financial Management Act 2006* and the Treasurer's Instructions (legislative requirements). The key performance indicators are the Under Treasurer-approved key effectiveness indicators and key efficiency indicators that provide performance information about achieving outcomes and delivering services.

In my opinion, in all material respects, the key performance indicators report of the State Solicitor's Office for the year ended 30 June 2024 are in accordance with the legislative requirements, and the key performance indicators are relevant and appropriate to assist users to assess the the Office's performance and fairly represent indicated performance for the year ended 30 June 2024.

The State Solicitor's responsibilities for the key performance indicators

The State Solicitor is responsible for the preparation and fair presentation of the key performance indicators in accordance with the *Financial Management Act 2006* and the Treasurer's Instructions and for such internal controls as the State Solicitor determines necessary to enable the preparation of key performance indicators that are free from material misstatement, whether due to fraud or error.

In preparing the key performance indicators, the State Solicitor is responsible for identifying key performance indicators that are relevant and appropriate, having regard to their purpose in accordance with Treasurer's Instruction 904 Key Performance Indicators.

Auditor General's responsibilities

As required by the *Auditor General Act 2006*, my responsibility as an assurance practitioner is to express an opinion on the key performance indicators. The objectives of my engagement are to obtain reasonable assurance about whether the key performance indicators are relevant and appropriate to assist users to assess the entity's performance and whether the key performance indicators are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. I conducted my engagement in accordance with Standard on Assurance Engagements ASAE 3000 Assurance Engagements Other than Audits or Reviews of Historical Financial Information issued by the Australian Auditing and Assurance Standards Board. That standard requires that I comply with relevant ethical requirements relating to assurance engagements.

An assurance engagement involves performing procedures to obtain evidence about the amounts and disclosures in the key performance indicators. It also involves evaluating the relevance and appropriateness of the key performance indicators against the criteria and guidance in Treasurer's Instruction 904 for measuring the extent of outcome achievement and the efficiency of service delivery. The procedures selected depend on my judgement, including the assessment of the risks of material misstatement of the key performance indicators. In making these risk assessments, I obtain an understanding of internal control relevant to the engagement in order to design procedures that are appropriate in the circumstances.

I believe that the evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

My independence and quality management relating to the report on financial statements, controls and key performance indicators

I have complied with the independence requirements of the *Auditor General Act 2006* and the relevant ethical requirements relating to assurance engagements. In accordance with ASQM 1 Quality Management for Firms that Perform Audits or Reviews of Financial Reports and Other Financial Information, or Other Assurance or Related Services Engagements, the Office of the Auditor General maintains a comprehensive system of quality management including documented policies and procedures regarding compliance with ethical requirements, professional standards and applicable legal and regulatory requirements.

Other information

The State Solicitor is responsible for the other information. The other information is the information in the entity's annual report for the year ended 30 June 2024, but not the financial statements, key performance indicators and my auditor's report.

My opinions on the financial statements, controls and key performance indicators does not cover the other information and accordingly I do not express any form of assurance conclusion thereon.

In connection with my audit of the financial statements, controls and key performance indicators my responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements and key performance indicators, or my knowledge obtained in the audit or otherwise appears to be materially misstated.

If, based on the work I have performed, I conclude that there is a material misstatement of this other information, I am required to report that fact. I did not receive the other information prior to the date of this auditor's report. When I do receive it, I will read it and if I conclude that there is a material misstatement in this information, I am required to communicate the matter to those charged with governance and request them to correct the misstated information. If the misstated information is not corrected, I may need to retract this auditor's report and re-issue an amended report.

Matters relating to the electronic publication of the audited financial statements and key performance indicators

This auditor's report relates to the financial statements and key performance indicators of the State Solicitor's Office for the year ended 30 June 2024 included in the annual report on the the Office's website. The the Office's management is responsible for the integrity of the the Office's website. This audit does not provide assurance on the integrity of the the Office's website. The auditor's report refers only to the financial statements, controls and key performance indicators described above. It does not provide an opinion on any other information which may have been hyperlinked to/from the annual report. If users of the financial statements and key performance indicators are concerned with the inherent risks arising from publication on a website, they are advised to contact the entity to confirm the information contained in the website version.



Grant Robinson
 Assistant Auditor General Financial Audit
 Delegate of the Auditor General for Western Australia
 Perth, Western Australia
 27 August 2024

Certification of Financial Statements

For the financial year ended 30 June 2024

The accompanying financial statements of the Agency have been prepared in compliance with the provisions of the *Financial Management Act 2006* from proper accounts and records to present fairly the financial transactions for the financial year ended 30 June 2024 and the financial position as at 30 June 2024.

At the date of signing, we are not aware of any circumstances which would render the particulars included within the financial statements misleading or inaccurate.



Dr Graham Hill
State Solicitor

26 August 2024



Yu Zhi Zhou
Chief Finance Officer

26 August 2024

Financial Statements

Statement of comprehensive income

For the year ended 30 June 2024

	Notes	2024 (\$000)	2023 (\$000)
COST OF SERVICES			
Expenses			
Employee benefits expenses	3.1(a)	41,957	40,225
Supplies and services	3.3	5,041	4,875
Depreciation and amortisation expenses	5.1.1, 5.2.1 and 5.3	271	291
Finance costs	7.2	10	14
Accommodation expenses	3.3	7,259	7,014
Grants and subsidies	3.2	4,152	6,913
Other expenses	3.3	981	671
Total cost of services		59,671	60,003
Income			
Other income	4.2	897	1,538
Total income		897	1,538
Net cost of services		58,774	58,465

	Notes	2024 (\$000)	2023 (\$000)
Income from State Government			
Service appropriation	4.1	49,158	50,260
Income from other public sector entities	4.1	9,246	9,930
Resources received	4.1	2,335	2,928
Total income from State Government		60,739	63,118
Surplus for the period		1,965	4,653
Other comprehensive income			
Other comprehensive income		-	-
Total other comprehensive income		-	-
Total comprehensive income for the period		1,965	4,653

The Statement of comprehensive income should be read in conjunction with the accompanying notes.

Statement of financial position

As at 30 June 2024

	Notes	2024 (\$'000)	2023 (\$'000)
Assets			
Current Assets			
Cash and cash equivalents	7.3	13,533	11,097
Receivables	6.1	1,548	1,495
Other current assets	6.3	1,697	1,453
Total Current Assets		16,778	14,045
Non-Current Assets			
Restricted cash and cash equivalents	7.3	-	969
Receivables	6.1	1,120	-
Amounts receivable for services	6.2	9,806	9,528
Property, plant and equipment	5.1	407	471
Intangible assets	5.2	-	33
Right-of-use assets	5.3	246	204
Total Non-Current Assets		11,579	11,205
Total assets		28,357	25,250
Liabilities			
Current Liabilities			
Payables	6.4	2,035	2,066
Lease liabilities	7.1	93	94
Employee related provisions	3.1(b)	9,949	9,131
Other current liabilities	6.5	282	131
Total Current Liabilities		12,359	11,422

	Notes	2024 (\$'000)	2023 (\$'000)
Non-Current Liabilities			
Lease liabilities	7.1	160	119
Employee related provisions	3.1(b)	2,051	2,018
Total Non-Current Liabilities		2,211	2,137
Total liabilities		14,570	13,559
Net assets		13,787	11,691
Equity			
Contributed equity	9.11	3,436	3,305
Accumulated surplus		10,351	8,386
Total equity		13,787	11,691

The Statement of financial position should be read in conjunction with the accompanying notes.

Statement of changes in equity

For the year ended 30 June 2024

	Notes	Contributed equity (\$000)	Accumulated surplus (\$000)	Total equity (\$000)
Balance at 1 July 2022		3,157	3,733	6,890
Surplus		-	4,653	4,653
Other comprehensive income		-	-	-
Total comprehensive income for the period		-	4,653	4,653
<i>Transactions with owners in their capacity as owners:</i>				
Capital appropriation	9.11	148	-	148
Total		148	-	148
Balance at 30 June 2023		3,305	8,386	11,691
Balance at 1 July 2023		3,305	8,386	11,691
Surplus		-	1,965	1,965
Other comprehensive income		-	-	-
Total comprehensive income for the period		-	1,965	1,965
<i>Transactions with owners in their capacity as owners:</i>				
Capital appropriation	9.11	131	-	131
Total		131	-	131
Balance at 30 June 2024		3,436	10,351	13,787

The Statement of changes in equity should be read in conjunction with the accompanying notes.

Statement of cash flows

For the year ended 30 June 2024

	Notes	2024 (\$'000)	2023 (\$'000)
Cash flows from State Government			
Service appropriation		48,880	49,820
Capital appropriation		131	148
Funds from other public sector entities		9,442	10,500
Net cash provided by State Government		58,453	60,468
<i>Utilised as follows:</i>			
Cash flows from operating activities			
Payments			
Employee benefits		(40,918)	(40,187)
Supplies and services		(3,140)	(2,051)
Finance costs		(10)	(14)
Accommodation		(7,295)	(7,559)
Grants and subsidies		(4,065)	(6,633)
GST payments on purchases		(1,291)	(1,480)
GST payments to taxation authority		(3)	-
Other payments		(1,073)	(994)
Receipts			
GST receipts on sales		757	832
GST receipts from taxation authority		504	560
Other receipts		842	1,529
Net cash provided by / (used in) operating activities	7.3.2	(55,692)	(55,997)

	Notes	2024 (\$'000)	2023 (\$'000)
Cash flows from investing activities			
Payments			
Purchase of non-current assets		(45)	(5)
Net cash used in investing activities		(45)	(5)
Cash flows from financing activities			
Payments			
Principal elements of lease payments		(129)	(131)
Payment to accrued salaries account		(151)	-
Net cash used in financing activities		(280)	(131)
Net increase in cash and cash equivalents		2,436	4,335
Adjustment for the reclassification of accrued salaries account		(969)	-
Cash and cash equivalents at the beginning of the reporting period		12,066	7,731
Cash and cash equivalents at the end of the reporting period	7.3	13,533	12,066

The Statement of cash flows should be read in conjunction with the accompanying notes.

Administered income and expenses by service

For the year ended 30 June 2024

	General - not attributed	
	2024 (\$000)	2023 (\$000)
INCOME FROM ADMINISTERED ITEMS		
Income		
Land Trust receipts	227,033	205,527
Suitor's fund levy	159	135
Total administered income	227,192	205,662
Expenses		
Land Trust payments	217,613	200,135
Suitor's fund payments	224	-
Total administered expenses	217,837	200,135

Administered assets and liabilities

For the year ended 30 June 2024

	2024 (\$000)	2023 (\$000)
Current assets		
<u>Restricted cash and cash equivalents</u>		
Suitor's Fund	613	678
Land Acquisitions	21,778	12,358
Total administered current assets	22,391	13,036
Current liabilities		
Treasurer's Advance	2,500	2,500
Total administered current liabilities	2,500	2,500

Notes to the financial statements

1. Basis of preparation

The State Solicitor's Office (SSO) is a sub-department of the Department of Justice and a not-for-profit entity controlled by the State of Western Australia, which is the ultimate parent.

A description of the nature of its operations and its principal activities have been included in the **State Solicitor's Overview** which does not form part of these financial statements.

These annual financial statements were authorised for issue by the accountable authority of the SSO on 26 August 2024.

STATEMENT OF COMPLIANCE

The financial statements constitute general purpose financial statements that have been prepared in accordance with Australian Accounting Standards, the Framework, Statement of Accounting Concepts and other authoritative pronouncements of the Australian Accounting Standards Board as applied by Treasurer's instructions. Several of these are modified by Treasurer's instructions to vary application, disclosure, format and wording.

The Act and Treasurer's instructions are legislative provisions governing the preparation of financial statements and take precedence over Australian Accounting Standards, the Framework, Statement of Accounting Concepts and other authoritative pronouncements of the Australian Accounting Standards Board. Where modification is required and has had a material or significant financial effect upon the reported results, details of that modification and the resulting financial effect are disclosed in the notes to the financial statements.

BASIS OF PREPARATION

These financial statements are presented in Australian dollars applying the accrual basis of accounting and using the historical cost convention. Certain balances will apply a different measurement basis (such as the fair value basis). Where this is the case, the different measurement basis is disclosed in the associated note. All values are rounded to the nearest thousand dollars (\$'000).

JUDGEMENTS AND ESTIMATES

Judgements, estimates and assumptions are required to be made about financial information being presented. The significant judgements and estimates made in the preparation of these financial statements are disclosed in the notes where amounts affected by those judgements and/or estimates are disclosed. Estimates and associated assumptions are based on professional judgements derived from historical experience and various other factors that are believed to be reasonable under the circumstances.

ACCOUNTING FOR GOODS AND SERVICES TAX (GST)

Income, expenses and assets are recognised net of the amount of goods and services tax (GST), except that the:

- (a) amount of GST incurred by the Agency as a purchaser that is not recoverable from the Australian Taxation Office (ATO) is recognised as part of an asset's cost of acquisition or as part of an item of expense; and
- (b) receivables and payables are stated with the amount of GST included.

Cash flows are included in the Statement of cash flows on a gross basis. However, the GST components of cash flows arising from investing and financing activities which are recoverable from, or payable to, the ATO are classified as operating cash flows.

CONTRIBUTED EQUITY

Interpretation 1038 *Contributions by Owners Made to Wholly-Owned Public Sector Entities* requires transfers in the nature of equity contributions, other than as a result of a restructure of administrative arrangements, to be designated as contributions by owners (at the time of, or prior to, transfer) before such transfers can be recognised as equity contributions. Capital appropriations have been designated as contributions by owners by TI 955 *Contributions by Owners made to Wholly Owned Public Sector Entities* and will be credited directly to Contributed Equity.

ADMINISTERED ITEMS

The SSO administers, but does not control, certain activities and functions for and on behalf of Government that do not contribute to the SSO's services or objectives. It does not have discretion over how it utilises the transactions in pursuing its own objectives.

Transactions relating to the administered activities are not recognised as the SSO's income, expenses, assets and liabilities, but are disclosed in the accompanying schedules as 'Administered income and expenses', and 'Administered assets and liabilities'.

The accrual basis of accounting and applicable Australian Accounting Standards have been adopted.

2. Office outputs

HOW THE OFFICE OPERATES

This section includes information regarding the nature of funding the SSO receives and how this funding is utilised to achieve the SSO's objectives. This note also provides the distinction between controlled funding and administered funding:

	Notes
SSO objectives	2.1
Schedule of Income and Expenses by Service	2.2
Schedule of Assets and Liability by Service	2.3

2.1 SSO objectives

MISSION

The SSO mission is to provide quality and timely legal services to Government.

The SSO is predominantly funded by State parliamentary appropriations. It also provides legal services on a fee-for-service basis in accordance with the SSO's Core Legal Work Guidelines issued in 1996. The fees charged are determined on a cost recovery basis in accordance with the Department of Treasury's Costing and Pricing Government Services Guidelines.

SERVICES

The SSO provides the following service:

Service 1: Legal Services to Government

Provide quality and timely legal services to Government.

2.2 Schedule of income and expenses by service

For the year ended 30 June 2024

	Legal services to Government	
	2024 (\$000)	2023 (\$000)
Cost of services		
<u>Expenses</u>		
Employee benefits expenses	41,957	40,225
Supplies and services	5,041	4,875
Depreciation and amortisation expenses	271	291
Finance costs	10	14
Accommodation expenses	7,259	7,014
Grants and subsidies	4,152	6,913
Other expenses	981	671
Total cost of services	59,671	60,003
<u>Income</u>		
Other income	897	1,538
Total income	897	1,538
Net cost of services	58,774	58,465
Income from State Government		
Service appropriation	49,158	50,260
Income from other public sector entities	9,246	9,930
Resources received	2,335	2,928
Total income from State Government	60,739	63,118
Surplus for the period	1,965	4,653

The Schedule of Income and Expenses by Service should be read in conjunction with the accompanying notes.

2.3 Schedule of assets and liabilities by service

As at 30 June 2024

	Legal services to Government	
	2024 (\$000)	2023 (\$000)
Assets		
Current assets	16,778	14,045
Non-current assets	11,579	11,205
Total assets	28,357	25,250
Liabilities		
Current liabilities	12,359	11,422
Non-current liabilities	2,211	2,137
Total liabilities	14,570	13,559
NET ASSETS	13,787	11,691

The Schedule of Assets and Liabilities by Service should be read in conjunction with the accompanying notes.

3. Use of our funding

EXPENSES INCURRED IN THE DELIVERY OF SERVICES

This section provides additional information about how the SSO's funding is applied and the accounting policies that are relevant for an understanding of the items recognised in the financial statements. The primary expenses incurred by the SSO in achieving its objectives and the relevant notes are:

	Notes
Employee benefits expenses	3.1 (a)
Employee benefits provisions	3.1 (b)
Grants and subsidies	3.2
Other expenditure	3.3

3.1 (a) Employee benefits expenses

	2024 (\$000)	2023 (\$000)
Employee benefits	37,546	36,013
Termination benefits	192	306
Superannuation - defined contribution plans	4,219	3,906
Total employee benefits expenses	41,957	40,225
Add: AASB 16 Non-monetary benefits (not included in employee benefits expense)	261	258
Less: Employee contributions (per note 4.2 Other income)	(89)	(100)
Net employee benefits	42,129	40,383

Employee benefits include wages, salaries and social contributions, accrued and paid leave entitlements and paid sick leave, and non-monetary benefits recognised under accounting standards other than AASB 16 (such as medical care, housing, cars and free or subsidised goods or services) for employees.

Termination benefits are payable when employment is terminated before normal retirement date, or when an employee accepts an offer of benefits in exchange for the termination of employment. Termination benefits are recognised when the Agency is demonstrably committed to terminating the employment of current employees according to a detailed formal plan without possibility of withdrawal or providing termination benefits as a result of an offer made to encourage voluntary redundancy. Benefits falling due more than 12 months after the end of the reporting period are discounted to present value.

Superannuation is the amount recognised in profit or loss of the Statement of comprehensive income comprises employer contributions paid to the Gold State Scheme (concurrent contributions), the West State Scheme, other Government Employees Superannuation Board schemes or other superannuation funds.

3.1 (a) Employee benefits expenses (continued)

AASB 16 non-monetary benefits are non-monetary employee benefits predominantly relating to the provision of vehicle benefits that are recognised under AASB 16 which are excluded from the employee benefits expense.

Employee contributions are contributions made to the SSO by employees towards employee benefits that have been provided by the SSO. This includes both AASB 16 and non-AASB 16 employee contributions.

3.1 (b) Employee related provisions

	2024 (\$000)	2023 (\$000)
Current		
<u>Employee benefits provisions</u>		
Annual leave	4,017	3,591
Long service leave	5,918	5,526
<u>Other provisions</u>		
Employment on-costs	14	14
Total current employee related provisions	9,949	9,131
Non-current		
<u>Employee benefits provisions</u>		
Long service leave	2,045	2,007
<u>Other provisions</u>		
Employment on-costs	6	11
Total non-current employee related provisions	2,051	2,018
Total employee related provisions	12,000	11,149

Provision is made for benefits accruing to employees in respect of wages and salaries, annual leave and long service leave for services rendered up to the reporting date and recorded as an expense during the period the services are delivered.

Annual leave liabilities are classified as current, as there is no right at the end of the reporting period to defer settlement for at least 12 months after the reporting period. Assessments indicate that actual settlement of the liabilities is expected to occur as follows:

	2024 (\$000)	2023 (\$000)
Within 12 months of the end of the reporting period	2,605	2,303
More than 12 months after the end of the reporting period	1,412	1,288
	4,017	3,591

The provision for annual leave is calculated at the present value of expected payments to be made in relation to services provided by employees up to the reporting date.

Long service leave liabilities are unconditional long service leave provisions are classified as current liabilities as the SSO does not have the right at the end of the reporting period to defer settlement of the liability for at least 12 months after the reporting period.

Pre-conditional and conditional long service leave provisions are classified as non-current liabilities because the SSO has the right to defer the settlement of the liability until the employee has completed the requisite years of service.

Assessments indicate that actual settlement of the liabilities is expected to occur as follows:

	2024 (\$000)	2023 (\$000)
Within 12 months of the end of the reporting period	1,829	1,977
More than 12 months after the end of the reporting period	6,134	5,556
	7,963	7,533

3.1 (b) Employee related provisions (continued)

The provision for long service leave is calculated at present value as the SSO does not expect to wholly settle the amounts within 12 months. The present value is measured taking into account the present value of expected future payments to be made in relation to services provided by employees up to the reporting date. These payments are estimated using the remuneration rate expected to apply at the time of settlement, and discounted using market yields at the end of the reporting period on national government bonds with terms to maturity that match, as closely as possible, the estimated future cash outflows.

Employment on-costs involve settlements of annual and long service leave liabilities giving rise to the payment of employment on-costs including workers' compensation insurance. The provision is the present value of expected future payments.

Employment on-costs, including workers' compensation insurance premiums, are not employee benefits and are recognised separately as liabilities and expenses when the employment to which they relate has occurred. Employment on-costs are included as part of 'Other expenses, Note 3.3 (apart from the unwinding of the discount (finance cost))' and are not included as part of the SSO's 'employee benefits expense'. The related liability is included in 'Employment on-costs provision'.

	2024 (\$000)	2023 (\$000)
Employment on-costs provision		
Carrying amount at start of period	25	30
Additional provisions recognised	(5)	(5)
Carrying amount at end of period	20	25

KEY SOURCES OF ESTIMATION UNCERTAINTY - LONG SERVICE LEAVE

Key estimates and assumptions concerning the future are based on historical experience and various other factors that have a significant risk of causing a material adjustment to the carrying amount of assets and liabilities within the next reporting period.

Several estimates and assumptions are used in calculating the SSO's long service leave provision. These include:

- Expected future salary rates
- Discount rates
- Employee retention rates; and
- Expected future payments

Changes in these estimations and assumptions may impact on the carrying amount of the long service leave provision. Any gain or loss following revaluation of the present value of long service leave liabilities is recognised as employee benefits expense.

3.2 Grants and subsidies

	2024 (\$000)	2023 (\$000)
<u>Recurrent</u>		
Legal costs on behalf of the State	1,579	3,937
Mesothelioma settlements	1,379	1,621
Act of grace payments	1,194	1,355
Total grants and subsidies	4,152	6,913

Transactions in which the SSO provides services to another party without receiving approximately equal value in return are categorised as 'Grant or subsidy expenses'. These payments or transfers are recognised at fair value at the time of the transaction and are recognised as an expense in the reporting period in which they are paid.

They include transactions such as personal benefit payments made in cash to individuals as part of settlement, their legal representatives or other payments made on behalf of the State.

The SSO is not responsible for administering a government subsidy scheme.

3.3 Other expenditure

	2024 (\$000)	2023 (\$000)
Supplies and Services		
Communications	63	62
Consultants and contractors	815	643
Resources received free of charge	2,335	2,928
Consumables	1,115	476
Software licences	688	684
Travel	25	82
Total supplies and services expenses	5,041	4,875
Accommodation expenses		
Office rental	6,953	6,691
Electricity and water	95	76
Repairs and maintenance	17	7
Cleaning	194	240
Total accommodation expenses	7,259	7,014
Other expenses		
Equipment repairs and maintenance	1	2
Employee on-costs	56	62
Other staffing costs	577	289
Motor vehicle expenses	122	110
Insurance	114	114
Other	89	92
Advertising and promotion	22	2
Total other expenses	981	671
Total other expenditure	13,281	12,560

Supplies and services expenses are recognised as an expense in the reporting period in which they are incurred.

Office rental is expensed as incurred as the Memorandum of Understanding Agreements between the SSO and the Department of Finance for the leasing of office accommodation contain significant substitution rights.

Other operating expenses generally represent the day-to-day running costs incurred in normal operations.

Repairs and maintenance costs are recognised as expenses as incurred, except where they relate to the replacement of a significant component of an asset. In that case, the costs are capitalised and depreciated.

Employee on-cost includes workers' compensation insurance and other employment on-costs. The on-costs liability associated with the recognition of annual and long service leave liabilities is included at note 3.1(b) Employee related provisions. Superannuation contributions accrued as part of the provision for leave are employee benefits and are not included in employment on-costs.

4. Our funding sources

HOW WE OBTAIN OUR FUNDING

This section provides additional information about how the SSO obtains its funding and the relevant accounting policy notes that govern the recognition and measurement of this funding. The primary income received by the SSO and the relevant notes are:

	Notes
Income from State Government	4.1
Other income	4.2

4.1 Income from State Government

	2024 (\$000)	2023 (\$000)
Appropriation received during the period		
- Service appropriation	43,969	45,222
- Salaries and Allowances Act 1975	5,158	4,411
- Solicitor General Act 1969	-	596
- Suitor's Fund 1964	31	31
Total service appropriation received	49,158	50,260
Income received from other public sector entities during the period		
- Legal services	5,863	7,001
- National Redress Scheme	3,114	3,026
- Cost recoveries	269	(97)
Total income from other public sector entities	9,246	9,930
Resources received from other public sector entities during the period		
- Department of Finance (Accommodation - fitout depreciation)	356	355
- Department of Justice (Corporate Support)	1,979	2,572
- Department of Planning, Lands and Heritage (Provision of Mapping)	-	1
Total resources received	2,335	2,928
Total income from State Government	60,739	63,118

Service Appropriations are recognised as income at the fair value of consideration received in the period in which the SSO gains control of the appropriated funds. The SSO gains control of the appropriated funds at the time those funds are deposited in the bank account or credited to the holding account held at Treasury.

Income from other public sector entities is recognised as income when the SSO has satisfied its performance obligations under the funding agreement. If there is no performance obligation, income will be recognised when the SSO receives the funds.

National Redress Scheme is in response to the Royal Commission into Institutional Responses to Child Sexual Abuse. The Western Australian Government's participation in the National Redress Scheme will recognise and provide support to Western Australians who have experienced child sexual abuse in institutions.

Resources received from other public sector entities is recognised as income equivalent to the fair value of services received that can be reliably determined and which would have been purchased if not donated.

Summary of consolidated account appropriations

For the year ended 30 June 2024

	2024 Budget (\$000)	2024 Section 25 Transfer ^(a) (\$000)	2024 Additional Funding ^{(a),(b)} (\$000)	2024 Revised Budget (\$000)	2024 Actual (\$000)	2024 Variance (\$000)
<u>Delivery of Services</u>						
Item 63 Net amount appropriated to deliver services	44,325	(356)	-	43,969	43,969	-
Amounts Authorised by Other Statutes						
- Salaries and Allowances Act 1975	5,158	-	-	5,158	5,158	-
- Solicitor General Act 1969	597	-	(597)	-	-	-
- Suitor's Fund Act 1964	31	-	-	31	31	-
Total appropriations provided to deliver services	50,111	(356)	(597)	49,158	49,158	-
<u>Capital</u>						
Item 136 Capital appropriation	131	-	-	131	131	-
Total consolidated account appropriations	50,242		(597)	49,289	49,289	-

^(a) Effective from 1 July 2023, The Solicitor General's Office was moved from the SSO to the Department of Justice as a result of a Machinery of Government change. Two transfers of funds are shown under "Section 25 transfer" and as standing appropriation under "Additional Funding" heading.

^(b) The SSO did not receive any additional funding during 2023-24.

4.2 Other income

	Notes	2024 (\$000)	2023 (\$000)
Employee contributions	3.1 (a)	89	100
Legal services		333	128
Legal cost recoups		475	1,310
Total other income		897	1,538

Employee contributions relate to payments made by employee participants of the Department of Finance's Senior Officer Vehicle Scheme (SOVS). Contributions are recognised as income when they are received.

Legal services relate to cost recoups from Federal government agencies.

Legal cost recoups relate to costs awarded to the SSO on the finalisation of matters and are recognised when the funds are transferred to the SSO's operating account.

5. Key assets

This section includes information regarding the key assets the SSO utilises to gain economic benefits or provide service potential. The section sets out both the key accounting policies and financial information about the performance of these assets:

	Notes
Property, plant and equipment	5.1
Intangible assets	5.2
Right-of-use assets	5.3

5.1 Property, plant and equipment

	Leasehold improvements (\$000)	Office equipment (\$000)	Total (\$000)
Year ended 30 June 2024			
1 July 2023			
Gross carrying amount	393	282	675
Accumulated depreciation	(69)	(135)	(204)
Carrying amount at the start of period	324	147	471
Additions	-	45	45
Depreciation	(44)	(65)	(109)
Carrying amount at 30 June 2024	280	127	407
Gross carrying amount	393	327	720
Accumulated depreciation	(113)	(200)	(313)

	Leasehold improvements (\$000)	Office equipment (\$000)	Total (\$000)
Year ended 30 June 2023			
Carrying amount at start of period	365	218	583
Additions	-	5	5
Depreciation	(41)	(76)	(117)
Carrying amount at 30 June 2023	324	147	471
Gross carrying amount	393	282	675
Accumulated depreciation	(69)	(135)	(204)

INITIAL RECOGNITION

Items of property, plant and equipment, costing \$5,000 or more are measured initially at cost. Where an asset is acquired for no cost or significantly less than fair value, the cost is valued at its fair value at the date of acquisition.

Items of property, plant and equipment costing less than \$5,000 are immediately expensed direct to the Statement of comprehensive income (other than where they form part of a group of similar items which are significant in total).

The cost of a leasehold improvement is capitalised and depreciated over the shorter of the remaining term of the lease or the estimated useful life of the leasehold improvement.

5.1 Property, plant and equipment (continued)

SUBSEQUENT MEASUREMENT

Property, plant and equipment are stated at historical cost less accumulated depreciation and accumulated impairment losses.

5.1.1 Depreciation and impairment charge for the period

	Notes	2024 (\$000)	2023 (\$000)
<u>Depreciation</u>			
Office equipment	5.1	65	76
Leasehold improvements	5.1	44	41
Total depreciation for the period		109	117

As at 30 June 2024, there were no indications of impairment to property, plant and equipment.

USEFUL LIVES

All property, plant and equipment having a limited useful life are systematically depreciated over their estimated useful lives in a manner that reflects the consumption of their future economic benefits.

Depreciation is generally calculated on a straight-line basis, at rates that allocate the asset's value, less any estimated residual value, over its estimated useful life. Estimated useful lives for the different asset classes for the current period are included in the table below:

Asset	Useful life
Office equipment	5 - 10 years
Leasehold improvements	10 years or remaining lease term, whichever is lower

The estimated useful lives, residual values and depreciation method are reviewed at the end of each annual reporting period.

IMPAIRMENT

Non-financial assets, including items of plant and equipment, are tested for impairment whenever there is an indication that the asset may be impaired. Where there is an indication of impairment, the recoverable amount is estimated. Where the recoverable amount is less than the carrying amount, the asset is considered impaired and is written down to the recoverable amount and an impairment loss is recognised.

Where an asset measured at cost is written down to its recoverable amount, an impairment loss is recognised through profit or loss.

If there is an indication that there has been a reversal in impairment, the carrying amount shall be increased to its recoverable amount. However, this reversal should not increase the asset's carrying amount above what would have been determined, net of depreciation or amortisation, if no impairment loss had been recognised in prior years.

The risk of impairment is generally limited to circumstances where an asset's depreciation is materially understated, where the replacement cost is falling or where there is a significant change in useful life.

Each relevant class of assets is reviewed annually to verify that the accumulated depreciation/amortisation reflects the level of consumption or expiration of the asset's future economic benefits and to evaluate any impairment risk from declining replacement costs.

5.2 Intangible assets

Year ended 30 June 2024	Computer Software (\$000)
1 July 2023	
Gross carrying amount	73
Accumulated amortisation	(40)
Carrying amount at start of period	33
Amortisation expense	(33)
Carrying amount at 30 June 2024	-

5.2 Intangible assets (continued)

Year ended 30 June 2023	Computer Software (\$'000)
Gross carrying amount	104
Accumulated amortisation	(31)
Carrying amount at start of period	73
Amortisation expense	(40)
Carrying amount at 30 June 2023	33

INITIAL RECOGNITION

Intangible assets are initially recognised at cost. For assets acquired at no cost or for nominal cost, the cost is their fair value at the date of acquisition.

An internally generated intangible asset arising from development (or from the development phase of an internal project) is recognised if, and only if, all of the following are demonstrated:

- (a) the technical feasibility of completing the intangible asset so that it will be available for use or sale;
- (b) an intention to complete the intangible asset, and use or sell it;
- (c) the ability to use or sell the intangible asset;
- (d) the intangible asset will generate probable future economic benefit;
- (e) the availability of adequate technical, financial and other resources to complete the development and to use or sell the intangible asset; and
- (f) the ability to measure reliably the expenditure attributable to the intangible asset during its development.

Acquisitions of intangible assets costing \$5,000 or more and internally generated intangible assets costing \$5,000 or more that comply with the recognition criteria of AASB 138.57 Intangible Assets (as noted above), are capitalised.

Costs incurred below these thresholds are immediately expensed directly to the Statement of comprehensive income.

SUBSEQUENT MEASUREMENT

The cost model is applied for subsequent measurement of intangible assets, requiring the asset to be carried at cost less any accumulated amortisation and accumulated impairment losses.

5.2.1 Amortisation and impairment charge for the period

	2024 (\$'000)	2023 (\$'000)
Computer software	33	40
Total amortisation for the period	33	40

As at 30 June 2024 there were no indications of impairment to intangible assets.

The SSO held no goodwill or intangible assets with an indefinite useful life during the reporting period. At the end of the reporting period there were no intangible assets not yet available for use.

Amortisation of finite life intangible assets is calculated on a straight-line basis at rates that allocate the asset's value over its estimated useful life. All intangible assets controlled by the SSO have a finite useful life and zero residual value. Estimated useful lives are reviewed annually.

The estimated useful lives for each class of intangible asset are:

Asset	Useful life
Computer software	5 years

Software recorded as an intangible asset is not integral to the operation of any related hardware.

IMPAIRMENT OF INTANGIBLE ASSETS

Intangible assets with indefinite useful lives are tested for impairment annually or when an indication of impairment is identified.

The policy in connection with testing for impairment is outlined in note 5.1.1.

5.3 Right-of-use assets

Year ended 30 June 2024	Motor Vehicles (\$'000)
At 1 July 2023	
Gross carrying amount	435
Accumulated depreciation	(231)
Carrying amount at start of period	204
Additions	183
Disposals	(12)
Depreciation	(129)
Carrying amount at 30 June 2024	246
Gross carrying amount	479
Accumulated depreciation	(233)
Year ended 30 June 2023	Motor Vehicles (\$'000)
Gross carrying amount	429
Accumulated depreciation	(99)
Carrying amount at start of period	330
Additions	16
Disposals	(8)
Depreciation expense	(134)
Carrying amount at 30 June 2023	204
Gross carrying amount	435
Accumulated depreciation	(231)

The SSO has leased motor vehicles with the Department of Finance (State Fleet).

The SSO has also entered into a Memorandum of Understanding Agreements (MOU) with the Department of Finance for the leasing of office accommodation. These are not recognised under AASB 16 because of substitution rights held by the Department of Finance and are accounted for as an expense as incurred. The Office holds no other leases.

INITIAL RECOGNITION

At the commencement date of the lease, the SSO recognises right-of-use assets measured at cost comprising of:

- the amount of the initial measurement of lease liability;
- any lease payments made at or before the commencement date less any lease incentives received;
- any initial direct costs; and
- restoration costs, including dismantling and removing the underlying asset.

The corresponding lease liabilities in relation to these right-of-use assets have been disclosed in note 7.1 Lease liabilities

SUBSEQUENT MEASUREMENT

The cost model is applied for subsequent measurement of right-of-use assets, requiring the asset to be carried at cost less any accumulated depreciation and accumulated impairment losses and adjusted for any re-measurement of lease liability.

DEPRECIATION AND IMPAIRMENT OF RIGHT-OF-USE ASSETS

Right-of-use assets are depreciated on a straight-line basis over the shorter of the lease term and the estimated useful lives of the underlying assets.

If ownership of the leased asset transfers to the SSO at the end of the lease term or the cost reflects the exercise of a purchase option, depreciation is calculated using the estimated useful life of the asset.

Right-of-use assets are tested for impairment when an indication of impairment is identified. The policy in connection with testing for impairment is outlined in note 5.1.1.

5.3 Right-of-use assets (continued)

The following amounts relating to leases have been recognised in the statement of comprehensive income:

	2024 (\$000)	2023 (\$000)
Depreciation expenses of right-of-use assets	129	134
Lease interest expense	10	14

The total cash outflow for leases in 2024 was \$129,166 (2023: \$131,142). As at 30 June 2024 there were no indications of impairment to right-of-use assets.

The SSO recognises leases as right-of-use assets and associated lease liabilities in the Statement of financial position.

The corresponding lease liabilities in relation to these right-of-use assets have been disclosed in note 7.1.

6. Other assets and liabilities

This section sets out those assets and liabilities that arose from the SSO's controlled operations and includes other assets utilised for economic benefits and liabilities incurred during normal operations:

	Notes
Receivables	6.1
Amounts receivable for services (Holding Account)	6.2
Other assets	6.3
Payables	6.4
Other current liabilities	6.5

6.1 Receivables

	2024 (\$000)	2023 (\$000)
<u>Current</u>		
Trade receivables	530	405
Accrued revenue	665	800
Other debtors	90	106
GST receivable	263	184
Total current	1,548	1,495
<u>Non-current</u>		
Accrued salaries account ^(a)	1,120	-
Total non-current	1,120	-
Total receivables	2,668	1,495

^(a) Funds transferred to Treasury for the purpose of meeting the 27th pay in a reporting period that generally occurs every 11 years. This account is classified as non-current except for the year before the 27th pay year.

Trade receivables are initially recognised at their transaction price. The SSO holds the receivables with the objective to collect the contractual cash flows and therefore subsequently measured at amortised cost using the effective interest method, less an allowance for impairment.

The SSO recognises a loss allowance for expected credit losses (ECLs) on a receivable not held at fair value through profit or loss. The ECLs based on the difference between the contractual cash flows and the cash flows that the SSO expects to receive, discounted at the original effective interest rate. Individual receivables are written off when the SSO has no reasonable expectations of recovering the contractual cash flows.

For trade receivables, the SSO recognises an allowance for ECLs measured at the lifetime expected credit losses at each reporting date. The SSO has established a provision matrix that is based on its historical credit loss experience, adjusted for forward-looking factors specific to the debtors and the economic environment. Please refer to note 8.1 for the amount of ECLs expensed in this financial period.

6.1 Receivables (continued)

For 2023-24 there was no recognition of impairment or ECL. The SSO's clients comprise of other WA State Government departments and agencies and are therefore considered to represent a low credit risk.

Accrued salaries consist of amounts paid annually into a Treasurer's special purpose account to meet the additional cash outflow for employee salary payments in reporting periods with 27 pay days instead of the normal 26. No interest is received on this account.

The account has been reclassified from 'Cash and cash equivalents' to 'Receivables' as it is considered that funds in the account are not cash but a right to receive the cash in future. Comparative amounts have not been restated.

6.2 Amount receivable for services (Holding Account)

	2024 (\$000)	2023 (\$000)
Non-current	9,806	9,528
Total amounts receivable for services	9,806	9,528

Amounts receivable for services represent the non-cash component of service appropriations. It is restricted in that it can only be used for asset replacement or payment of leave liability.

The amounts receivable for services are financial assets at amortised cost, and are not considered impaired (i.e. there is no expected credit loss of the holding accounts).

6.3 Other current assets

	2024 (\$000)	2023 (\$000)
<u>Current</u>		
Prepayments	1,697	1,453
Total current	1,697	1,453
Total other assets at end of period	1,697	1,453

Prepayments relate to ICT, insurance, practising certificates for lawyers and July lease costs.

6.4 Payables

	2024 (\$000)	2023 (\$000)
<u>Current</u>		
Accrued expenses	1,003	968
Accrued salaries	1,032	1,098
Total payables at end of period	2,035	2,066

Accrued expenses represent the amount due to service providers for services provided during the reporting period that have yet to be invoiced to the SSO.

Accrued salaries represent the amount due to staff but unpaid at the end of the reporting period. Accrued salaries are settled within a fortnight after the reporting period. The SSO considers the carrying amount of accrued salaries to be equivalent to its fair value.

6.5 Other liabilities

	2024 (\$000)	2023 (\$000)
<u>Current</u>		
Income in advance	282	131
Total other liabilities at end of period	282	131

Income in advance represent funds received from clients before the SSO has met its performance obligation to receive those funds. The liability is unwound as Legal services fee revenue once the SSO performs its performance obligations through the Statement of comprehensive income.

7. Financing

This section sets out the material balances and disclosures associated with the financing and cashflows of the SSO.

	Notes
Lease liabilities	7.1
Finance costs	7.2
Cash and cash equivalents	7.3

7.1 Lease liabilities

	2024 (\$000)	2023 (\$000)
<u>Current</u>	93	94
Non-current	160	119
	253	213

INITIAL MEASUREMENT

At the commencement date of the lease, the SSO recognises lease liabilities measured at the present value of lease payments to be made over the lease term. The lease payments

are discounted using the interest rate implicit in the lease. If that rate cannot be readily determined, the SSO uses the incremental borrowing rate provided by Western Australia Treasury Corporation.

Lease payments included by the SSO as part of the present value calculation of lease liability include:

- fixed payments (including in-substance fixed payments), less any lease incentives receivable;
- variable lease payments that depend on an index or a rate initially measured using the index or rate as at the commencement date;
- amounts expected to be payable by the lessee under residual value guarantees;
- the exercise price of purchase options (where these are reasonably certain to be exercised);
- payments for penalties for terminating a lease, where the lease term reflects the agency exercising an option to terminate the lease.

The interest on the lease liability is recognised in profit or loss over the lease term so as to produce a constant periodic rate of interest on the remaining balance of the liability for each period. Lease liabilities do not include any future changes in variable lease payments (that depend on an index or rate) until they take effect, in which case the lease liability is reassessed and adjusted against the right of use asset.

Periods covered by extension or termination options are only included in the lease term by the SSO if the lease is reasonably certain to be extended (or not terminated).

Variable lease payments, not included in the measurement of lease liability, that are dependent on sales are recognised by the SSO in profit or loss in the period in which the condition that triggers those payment occurs.

This section should be read in conjunction with note 5.3.

SUBSEQUENT MEASUREMENT

Lease liabilities are measured by increasing the carrying amount to reflect interest on the lease liabilities; reducing the carrying amount to reflect the lease payments made; and remeasuring the carrying amount at amortised cost, subject to adjustments to reflect any reassessment or lease modifications.

7.2 Finance costs

	2024 (\$000)	2023 (\$000)
Lease interest expense	10	14
	10	14

Finance cost reflects the interest component of lease liability repayments.

7.3 Cash and cash equivalents

7.3.1 Reconciliation of cash

	2024 (\$000)	2023 (\$000)
Cash and cash equivalents	13,533	11,097
Restricted cash and cash equivalents	-	969
Total cash and cash equivalents at end of period	13,533	12,066
Restricted cash and cash equivalents		
Non-Current		
Accrued salaries account ^(a)	-	969

^(a) Funds held in the account for the purpose of meeting the 27th pay. The account has been reclassified to Receivables in the current year.

For the purpose of the statement of cash flows, cash and cash equivalent (and restricted cash and cash equivalent) assets comprise cash on hand and short-term deposits with original maturities of three months or less that are readily convertible to a known amount of cash and which are subject to insignificant risk of changes in value.

7.3.2 Reconciliation of net cost of services to net cash flows used in operating activities

	Notes	2024 (\$000)	2023 (\$000)
Net cost of services		(58,774)	(58,465)
Non-cash items			
Depreciation and amortisation expense	5.1.1, 5.2.1 and 5.3	271	291
Resources received	4.1	2,335	2,928
(Increase)/decrease in assets			
Receivables ^(a)		26	89
Other current assets		(244)	(1,229)
Increase/(decrease) in liabilities			
Payables		(31)	215
Employee provisions		851	262
Net GST receipts/(payments) ^(b)		(47)	(11)
Change in GST in receivables/payables ^(c)		(79)	(77)
Net cash used in operating activities		(55,692)	(55,997)

^(a) Note that the Australian Taxation Office (ATO) receivable/payable in respect of GST are not included in these items as they do not form part of the reconciling items.

^(b) This is the net GST paid/received, i.e. cash transactions.

^(c) This reverses out the GST in receivables and payables.

8. Risks and Contingencies

This note sets out the key risk management policies and measurement techniques of the SSO.

	Notes
Financial risk management	8.1
Contingent assets and liabilities	8.2

8.1 Financial risk management

Financial instruments held by the SSO are cash and cash equivalents, restricted cash and cash equivalents, receivables, payables, and finance leases. The Office has limited exposure to financial risks. The SSO's overall risk management program focuses on managing the risks identified below.

(a) Summary of risks and risk management

Credit risk

Credit risk arises when there is the possibility of the SSO's receivables defaulting on their contractual obligations resulting in financial loss to the SSO.

Credit risk associated with the SSO's financial assets is minimal because the main receivable is for legal services charges to other WA State Government entities or the amounts receivable for services (holding account). In addition, receivable balances are monitored on an ongoing basis with the result that the SSO's exposure to bad debts is minimal. Debt will be written-off against the allowance account when it is improbable or uneconomical to recover the debt. At the end of the reporting period there were no significant concentrations of credit risk.

Liquidity risk

Liquidity risk arises when the SSO is unable to meet its financial obligations as they fall due.

The SSO is exposed to liquidity risk through its trading in the normal course of business.

The SSO has appropriate procedures to manage cash flows including drawdown of appropriations by monitoring forecast cash flows to ensure that sufficient funds are available to meet its commitments.

Market risk

Market risk is the risk that changes in market prices such as foreign exchange rates and interest rates will affect the SSO's income or the value of its holdings of financial instruments. The SSO does not trade in foreign currency and is not materially exposed to other price risks. The SSO's exposure to market risk for changes in interest rates relate primarily to the long-term debt obligations.

The SSO is not exposed to interest rate risk because cash and cash equivalents and restricted cash are non-interest bearing and the SSO has no borrowings.

(b) Categories of financial instruments

The carrying amounts of each of the following categories of financial assets and financial liabilities at the end of the reporting period are:

	2024 (\$'000)	2023 (\$'000)
<u>Financial assets</u>		
Cash and cash equivalents	13,533	12,066
Financial assets at amortised cost ^(a)	12,211	10,839
Total financial assets	25,744	22,905
<u>Financial liabilities</u>		
Financial liabilities at amortised cost ^(b)	2,570	2,410
Total financial liabilities	2,570	2,410

^(a) The amount of financial assets at amortised cost excludes GST recoverable from the ATO (statutory receivable).

^(b) The amount of financial liabilities at amortised cost excludes GST payable to the ATO (statutory payable).

8.1 Financial risk management (continued)

(c) Credit risk exposure

The following table details the credit risk exposure on the SSO's trade receivables using a provision matrix.

	Total (\$000)	Current (\$000)	Days past due			
			< 30 days (\$000)	30 - 60 days (\$000)	61 - 90 days (\$000)	> 91 days (\$000)
30 June 2024						
Expected credit loss rate	0%	0%	0%	0%	0%	0%
Estimated total gross carrying amount at default	530	452	70	8	-	-
Expected credit losses	-	-	-	-	-	-
30 June 2023						
Expected credit loss rate	0%	0%	0%	0%	0%	0%
Estimated total gross carrying amount at default	405	320	78	2	5	-
Expected credit losses	-	-	-	-	-	-

The SSO has elected to record no expected credit loss for 2022-23 or 2023-24 as the SSO's debtors are other WA State Government entities which represent a low credit-risk.

8.1 Financial risk management (continued)

(d) Liquidity risk and Interest rate exposure

The following table details the SSO's interest rate exposure and the contractual maturity analysis of financial assets and financial liabilities. The maturity analysis section includes interest and principal cash flows. The interest rate exposure section analyses only the carrying amounts of each item.

INTEREST RATE EXPOSURE AND MATURITY ANALYSIS OF FINANCIAL ASSETS AND FINANCIAL LIABILITIES

	Weighted average effective interest rate	Interest rate exposure				Maturity dates				
		Carrying amount	Fixed interest rate	Non interest bearing	Nominal amount	Up to 1 month	1-3 months	3 months to 1 year	1-5 years	More than 5 years
2024										
<u>Financial assets</u>										
Cash and cash equivalents	-	13,533	-	13,533	13,533	13,533	-	-	-	-
Receivables ^(a)	-	2,405	-	2,405	2,405	1,286	-	-	1,119	-
Amounts receivable for services	-	9,806	-	9,806	9,806	-	-	331	1,717	7,758
Total financial assets		25,744	-	25,744	25,744	14,819	-	331	2,836	7,758
<u>Financial liabilities</u>										
Payables	-	2,035	-	2,035	2,035	2,035	-	-	-	-
Other current liabilities	-	282	-	282	282	282	-	-	-	-
Lease liabilities	6.40%	253	253	-	285	10	19	78	172	6
Total financial liabilities		2,570	253	2,317	2,602	2,327	19	78	172	6

^(a) The amount of receivables excludes the GST recoverable from the ATO (statutory receivable).

8.1 Financial risk management (continued)

(d) Liquidity risk and Interest rate exposure (continued)

INTEREST RATE EXPOSURE AND MATURITY ANALYSIS OF FINANCIAL ASSETS AND FINANCIAL LIABILITIES

	Weighted average effective interest rate	Carrying amount	Interest rate exposure			Maturity dates				
			Fixed interest rate	Non interest bearing	Nominal amount	Up to 1 month	1-3 months	3 months to 1 year	1-5 years	More than 5 years
2023										
<u>Financial assets</u>										
Cash and cash equivalents	-	11,097	-	11,097	11,097	11,097	-	-	-	-
Restricted cash and cash equivalents	-	969	-	969	969	-	-	-	969	-
Receivables ^(a)	-	1,311	-	1,311	1,311	1,311	-	-	-	-
Amounts receivable for services	-	9,528	-	9,528	9,528	-	-	-	636	8,892
Total financial assets		22,905	-	22,905	22,905	12,408	-	-	1,605	8,892
<u>Financial liabilities</u>										
Payables	-	2,066	-	2,066	2,066	2,066	-	-	-	-
Other current liabilities	-	131	-	131	131	131	-	-	-	-
Lease liabilities	5.02%	213	213	-	227	10	20	72	125	-
Total financial liabilities		2,410	213	2,197	2,424	2,207	20	72	125	-

^(a) The amount of receivables excludes the GST recoverable from the ATO (statutory receivable).

(e) Interest rate sensitivity analysis

The SSO's financial assets are not subject to exposure to interest rate changes.

8.2 Contingent assets and liabilities

Contingent assets and contingent liabilities are not recognised in the statement of financial position but are disclosed and, if quantifiable, are measured at the best estimate.

Contingent assets and liabilities are presented inclusive of GST receivable or payable respectively.

8.2.1 Contingent assets

The SSO has no contingent assets as at the end of the reporting period.

8.2.2 Contingent liabilities

The SSO has no contingent liabilities as at the end of the reporting period.

9. Other disclosures

This section includes additional material disclosures required by accounting standards or other pronouncements, for the understanding of this financial report.

	Notes
Events occurring after the end of the reporting period	9.1
Changes in accounting policies	9.2
Future impact of Australian standards issued but not yet operative	9.3
Key management personnel	9.4
Related party transactions	9.5
Related bodies	9.6
Affiliated bodies	9.7
Special purpose accounts	9.8
Remuneration of auditors	9.9
Services provided free of charge	9.10
Equity	9.11
Supplementary financial information	9.12

9.1 Events occurring after the end of the reporting period

There have been no adjusting or non-adjusting events occurring between the end of the reporting period and the date in which these financial statements are issued that have a material impact on these disclosures.

9.2 Changes in accounting policies

There have been no changes in accounting policies during the reporting period.

9.3 Future impact of Australian Accounting Standards not yet operative

The SSO cannot early adopt an Australian Accounting Standard unless specifically permitted by TI 1101 *Application of Australian Accounting Standards and Other Pronouncements* or by an exemption from TI 1101. Where applicable, the SSO plans to apply the following Australian Accounting Standards from their application date.

Operative for reporting periods beginning on/after

Operative for reporting periods beginning on/after 1 Jan 2024		
AASB 2020-1	<p><i>Amendments to Australian Accounting Standards – Classification of Liabilities as Current or Non-current</i></p> <p>This Standard amends AASB 101 to clarify requirements for the presentation of liabilities in the statement of financial position as current or non-current.</p> <p>There is no financial impact.</p>	01-Jan-24
AASB 2022-5	<p><i>Amendments to Australian Accounting Standards – Lease Liability in a Sale and Leaseback</i></p> <p>This Standard amends AASB 16 to add measurement requirements for sale and leaseback transactions that satisfy the requirements in AASB 15 to be accounted for as a sale.</p> <p>There is no financial impact.</p>	01-Jan-24
AASB 2022-6	<p><i>Amendments to Australian Accounting Standards – Non-current Liabilities with Covenants</i></p> <p>This Standard amends AASB 101 to improve the information an entity provides in its financial statements about liabilities arising from loan arrangements for which the entity's right to defer settlement of those liabilities for at least twelve months after the reporting period is subject to the entity complying with conditions specified in the loan arrangement. The Standard also amends an example in Practice Statement 2 regarding assessing whether information about covenants is material for disclosure.</p> <p>There is no financial impact.</p>	01-Jan-24

9.3 Future impact of Australian Accounting Standards not yet operative (continued)

Operative for reporting periods beginning on/after

Operative for reporting periods beginning on/after 1 Jan 2024 (continued)

AASB 2022-10

Amendments to Australian Accounting Standards – Fair Value Measurement of Non-Financial Assets of Not-for-Profit Public Sector Entities

This Standard amends AASB 13 for fair value measurements of non-financial assets of not-for-profit public sector entities not held primarily for their ability to generate net cash inflows. Specifically, it provides guidance on how the cost approach is to be applied to measure the asset's fair value, including guidance on the nature of costs to include in the replacement cost of a reference asset.

As such, for non-financial assets measured by the cost approach, professional and management fees are to be included in the replacement cost of a reference asset (that are currently excluded by the valuer). This is likely to increase the fair value of those assets (and a corresponding increase in other comprehensive income accumulated in revaluation surplus).

01-Jan-24

AASB 2023-1

Amendments to Australian Accounting Standards – Supplier Finance Arrangements

This Standard amends: (a) AASB 107; and (b) AASB 7 as a consequence of the issuance of International Financial Reporting Standard Supplier Finance Arrangements (Amendments to IAS 7 and IFRS 7) by the International Accounting Standards Board in May 2023.

There is no financial impact.

01-Jan-24

Operative for reporting periods beginning on/after 1 Jan 2025

AASB 2014-10

Amendments to Australian Accounting Standards – Sale or Contribution of Assets between an Investor and its Associate or Joint Venture

This Standard amends AASB 10 and AASB 128 to address an inconsistency between the two standards.

The Agency has not assessed the impact of the Standard.

01-Jan-25

9.3 Future impact of Australian Accounting Standards not yet operative (continued)

Operative for reporting periods beginning on/after

Operative for reporting periods beginning on/after 1 Jan 2025 (continued)

AASB 2021-7c

Amendments to Australian Accounting Standards – Effective Date of Amendments to AASB 10 and AASB 128 and Editorial Corrections

This Standard further defers (to 1 January 2025) the amendments to AASB 10 and AASB 128 relating to the sale or contribution of assets between an investor and its associate or joint venture.

The standard also includes editorial corrections.

The Agency has not assessed the impact of the Standard.

01-Jan-25

AASB 2023-5

Amendments to Australia Accounting Standards – Lack of Exchangeability

This Standard amends AASB 121 and AASB 1 to require entities to apply a consistent approach to determining whether a currency is exchangeable into another currency and the spot exchange rate to use when it is not exchangeable.

The Standard also amends AASB 121 to extend the exemption from complying with the disclosure requirements for entities that apply AASB 1060 to ensure Tier 2 entities are not required to comply with the new disclosure requirements in AASB 121 when preparing their Tier 2 financial statements.

The Agency has not assessed the impact of the Standard.

01-Jan-25

Operative for reporting periods beginning on/after 1 Jan 2026

AASB 2022-9

Amendments to Australian Accounting Standards – Insurance Contracts in the Public Sector

This Standard amends AASB 17 and AASB 1050 to include modifications with respect to the application of AASB 17 by public sector entities.

This Standard also amends the following Standards to remove the temporary consequential amendments set out in AASB 2022-8 since AASB 4 and AASB 1023 do not apply to public sector entities for periods beginning on or after 1 July 2026: (a) AASB 1; (b) AASB 3; (c) AASB 5; (d) AASB 7; (e) AASB 9; (f) AASB 15; (g) AASB 119; (h) AASB 132; (i) AASB 136; (j) AASB 137; (k) AASB 138; (l) AASB 1057; and (m) AASB 1058

The Agency has not assessed the impact of the Standard.

01-Jan-26

9.4 Key management personnel

The SSO has determined key management personnel to include cabinet ministers and senior officers of the Office. The Office does not incur expenditures to compensate Ministers and those disclosures may be found in the *Annual Report on State Finances*.

The total fees, salaries, superannuation, non-monetary benefits and other benefits for senior officers of the SSO for the reporting period are presented within the following bands:

Compensation band (\$)	2024	2023
\$550,001 - \$600,000	1	-
\$500,001 - \$550,000	-	-
\$450,001 - \$500,000	1	2
\$400,001 - \$450,000	3	2
\$350,001 - \$400,000	-	2
\$300,001 - \$350,000	3	2
\$250,001 - \$300,000	3	2
\$200,001 - \$250,000	2	1
\$150,001 - \$200,000	3	2
\$100,001 - \$150,000	1	-
\$50,001 - \$100,000	1	1
\$0 - \$50,000	2	-
	2024	2023
	(\$000)	(\$000)
Short-term employee benefits	5,378	4,406
Other long-term benefits	26	(142)
Total compensation of senior officers	5,404	4,264

Total compensation includes the superannuation expense incurred by the SSO in respect of senior officers.

9.5 Related party transactions

The SSO is a wholly owned public sector entity that is controlled by the State of Western Australia.

Related parties of the SSO include:

- all cabinet ministers and their close family members, and their controlled or jointly controlled entities;
- all senior officers and their close family members, and their controlled or jointly controlled entities;
- other departments and statutory authorities, including related bodies, that are included in the whole of government consolidated financial statements (i.e. wholly-owned public sector entities);
- associates and joint ventures of a wholly-owned public sector entity; and
- the Government Employees Superannuation Board (GESB).

SIGNIFICANT TRANSACTIONS WITH GOVERNMENT-RELATED ENTITIES

In conducting its activities, the SSO is required to transact with the State and entities related to the State. These transactions are generally based on the standard terms and conditions that apply to all agencies. Significant transactions include:

- service appropriation (Note 4.1);
- capital appropriation (Note 9.11);
- superannuation contributions to GESB (Note 3.1(a));
- amounts due to the Treasurer (Note 9.8); and
- remuneration for services provided by the Auditor General (Note 9.9).

MATERIAL TRANSACTIONS WITH OTHER RELATED PARTIES

Outside of normal citizen type transactions with the SSO, there were no other related party transactions that involved key management personnel and/or their close family members and/or their controlled (or jointly controlled) entities.

9.6 Related bodies

A related body is a body that receives more than half of its funding and resources from an entity and is subject to operational control by that entity.

The SSO has no related bodies during the financial period.

9.7 Affiliated bodies

An affiliated body is a body that receives more than half its funding and resources from an entity but is not subject to operational control by that entity.

The SSO has no affiliated bodies during the financial period.

9.8 Special purpose account

The Suitor's Fund

Established under section 16(1)(c) of FMA, the purpose of this account is to hold funds, in accordance with section 4 of the *Suitor's Fund Act 1964* (The Act), to meet the liability for costs of certain litigation and for incidental and other purposes pursuant to the Act.

	2024 (\$000)	2023 (\$000)
Balance at start of period	678	543
Receipts	159	135
Payments	(224)	-
Balance at end of period	613	678

9.9 Remuneration of auditors

Remuneration paid or payable to the Auditor General in respect of the audit for the reporting period is as follows:

	2024 (\$000)	2023 (\$000)
Auditing the accounts, financial statements, controls, and key performance indicators	81	77

9.10 Services provided free of charge

The SSO's key service is to provide timely and quality legal services to Government. Legal services provided to WA State Government entities free of charge during the reporting period were:

	2024 (\$000)	2023 (\$000)
Department of the Premier and Cabinet	6,149	5,285
Department of Communities	4,343	4,446
Other	2,486	2,655
Western Australia Police Force	2,818	2,996
Department of Planning, Lands and Heritage	2,287	2,602
Department of Mines, Industry Regulation and Safety	2,068	2,160
Department of Water and Environmental Regulation	1,652	2,231
Commissioner of Main Roads	827	1,370
Department of Justice	4,432	3,332
Department of Jobs, Tourism, Science and Innovation	1,258	1,744
Department of Finance	1,616	1,258
Department of Local Government, Sport and Cultural Industries	971	774
Public Transport Authority of Western Australia	439	828
Department of Primary Industries and Regional Development	935	902
Department of Health (including public hospitals)	449	761
Department of Biodiversity, Conservation and Attractions	613	684
Insurance Commission of Western Australia	1,252	1,025
Department of Education	878	1,189
Department of Treasury	271	417
East Metropolitan Health Service	434	487
WorkCover Western Australia Authority	259	530
Child and Adolescent Health Service	482	700
North Metropolitan Health Service	385	305
Western Australian Land Information Authority	274	241
WA Country Health Service	3	4
Balance at end of period	37,581	38,926

9.11 Equity

	2024 (\$000)	2023 (\$000)
Contributed equity		
Balance at start of period	3,305	3,157
<i>Transactions with owners in their capacity as owners:</i>		
Capital appropriation	131	148
Total contributed equity at end of period	3,436	3,305

9.12 Supplementary financial information

(a) Write-offs

During the financial period there were no write-offs.

(b) Losses through theft, defaults and other causes

During the financial period there were no losses through theft, defaults or other causes.

(c) Forgiveness of debts

During the financial period there were no forgiveness of debts.

(d) Gifts of public property

During the financial period there were no gifts of public property.

10. Explanatory Statements

10.1 Explanatory statement for controlled operations

This explanatory section explains variations in the financial performance of the Agency undertaking transactions under its own control, as represented by the primary financial statements.

All variances between annual estimates (original budget) and actual results for 2024, and between the actual results for 2024 and 2023 are shown below. Narratives are provided for major variances which are more than 10% of the comparative and which are also more than 1% of the following:

1) Estimate and actual results for the current year:

- Total Cost of Services of the annual estimates for the Statement of comprehensive income and Statement of cash flows (i.e. 1% of \$63,720,000), and
- Total Assets of the annual estimates for the Statement of financial position (i.e. 1% of \$20,798,000).

2) Actual results between the current year and the previous year:

- Total Cost of Services of the previous year for the Statements of comprehensive income and Statement of cash flows (i.e. 1% of \$60,003,000), and
- Total Assets of the previous year for the Statement of financial position (i.e. 1% of \$25,250,000).

10.1.1 Statement of comprehensive income variances

	Variance Note	Estimate 2024 ^(a) (\$000)	Actual 2024 (\$000)	Actual 2023 (\$000)	Variance between actual and estimate (\$000)	Variance between actual results for 2024 and 2023 (\$000)
Expenses						
Employee benefits expenses	A	47,937	41,957	40,225	(5,980)	1,732
Supplies and services		5,108	5,041	4,875	(67)	166
Depreciation and amortisation expenses		278	271	291	(7)	(20)
Finance costs		21	10	14	(11)	(4)
Accommodation expenses		6,913	7,259	7,014	346	245
Grants and subsidies	B, 1	2,550	4,152	6,913	1,602	(2,761)
Other expenses		913	981	671	68	310
Total cost of services		63,720	59,671	60,003	(4,049)	(332)
Income						
Other income	2	915	897	1,538	(18)	(641)
Total income		915	897	1,538	(18)	(641)
Net cost of services		62,805	58,774	58,465	(4,031)	309
Income from State Government						
Service appropriation		50,111	49,158	50,260	(953)	(1,102)
Income from other public sector entities		9,896	9,246	9,930	(650)	(684)
Resources received		2,798	2,335	2,928	(463)	(593)

10.1.1 Statement of comprehensive income variances (continued)

	Estimate 2024 ^(a) (\$000)	Actual 2024 (\$000)	Actual 2023 (\$000)	Variance between actual and estimate (\$000)	Variance between actual results for 2024 and 2023 (\$000)
Total income from State Government	62,805	60,739	63,118	(2,066)	(2,379)
Surplus for the period (deficit)	-	1,965	4,653	1,965	(2,688)
Other comprehensive income					
Other comprehensive income	-	-	-	-	-
Total other comprehensive income	-	-	-	-	-
Total comprehensive income for the period	-	1,965	4,653	1,965	(2,688)

^(a) As published in the 2023-24 budget papers.

MAJOR ESTIMATE AND ACTUAL (2024) VARIANCE NARRATIVES:

- A Employee benefits expenses is lower than budget due to substantively vacant positions which the SSO is continuing to fill. The Estimate also includes budget for the Solicitor General's Office which was transferred to the Department of Justice for the 2023-24 year.
- B Grants and Subsidies represents legal costs the SSO incurs on behalf of the State. The timing and amount of these payments are difficult to predict, with costs normally recouped through the supplementary funding process, where required.

MAJOR ACTUAL (2024) AND COMPARATIVE (2023) VARIANCE NARRATIVES:

- 1 The 2024 Grants and Subsidies Actual is lower than the 2023 Actual due to reduced spend against the Stolen Wages Class Action.
- 2 The 2024 Other Income Actual is lower than the 2023 Actual as the SSO recouped less legal costs from external parties.

10.1.2 Statement of financial position variances

	Variance Note	Estimate 2024 ^(a) (\$000)	Actual 2024 (\$000)	Actual 2023 (\$000)	Variance between actual and estimate (\$000)	Variance between actual results for 2024 and 2023 (\$000)
Assets						
Current Assets						
Cash and cash equivalents		7,010	13,533	11,097	6,523	2,436
Receivables		1,361	1,548	1,495	187	53
Other current assets	A	863	1,697	1,453	834	244
Total Current Assets		9,234	16,778	14,045	7,544	2,733
Non-Current Assets						
Restricted cash and cash equivalents ^(b)		1,194	-	969	(1,194)	(969)
Receivables ^(b)		-	1,120	-	1,120	1,120
Amounts receivable for services		9,681	9,806	9,528	125	278
Property, plant and equipment		350	407	471	57	(64)
Intangible assets		-	-	33	-	(33)
Right-of-use assets		339	246	204	(93)	42
Total Non-Current Assets		11,564	11,579	11,205	15	374
Total assets		20,798	28,357	25,250	7,559	3,107

^(a) As published in the 2023-24 budget papers.

^(b) 27th pay was reclassified from Restricted cash and cash equivalents to Receivables.

10.1.2 Statement of financial position variances (continued)

	Variance Note	Estimate 2024 ^(a) (\$'000)	Actual 2024 (\$'000)	Actual 2023 (\$'000)	Variance between actual and estimate (\$'000)	Variance between actual results for 2024 and 2023 (\$'000)
Liabilities						
Current Liabilities						
Payables		2,226	2,035	2,066	(191)	(31)
Lease liabilities		142	93	94	(49)	(1)
Employee related provisions	B	8,671	9,949	9,131	1,278	818
Other current liabilities		176	282	131	106	151
Total Current Liabilities		11,215	12,359	11,422	1,144	937
Non-Current Liabilities						
Lease liabilities		210	160	119	(50)	41
Employee related provisions		2,216	2,051	2,018	(165)	33
Total Non-Current Liabilities		2,426	2,211	2,137	(215)	74
Total liabilities		13,641	14,570	13,559	929	1,011
Net assets		7,157	13,787	11,691	6,630	2,096
Equity						
Contributed equity		3,389	3,436	3,305	47	131
Accumulated surplus		3,768	10,351	8,386	6,583	1,965
Total equity		7,157	13,787	11,691	6,630	2,096

^(a) As published in the 2023-24 budget papers.

10.1.2 Statement of financial position variances (continued)

MAJOR ESTIMATE AND ACTUAL (2024) VARIANCE NARRATIVES:

- A Other current assets is higher than budget due to additional prepayments for ICT software licencing, leasing and subscriptions.
- B Current employee related provisions are higher than budget due to reduced leave taken by employees during the period to meet increased demand for legal services.

10.1.3 Statement of cash flow variances

	Variance Note	Estimate 2024 ^(a) (\$000)	Actual 2024 (\$000)	Actual 2023 (\$000)	Variance between actual and estimate (\$000)	Variance between actual results for 2024 and 2023 (\$000)
Cash flows from State Government						
Service appropriation		49,833	48,880	49,820	(953)	(940)
Capital appropriation		131	131	148	-	(17)
Funds from other public sector entities	1	9,896	9,442	10,500	(454)	(1,058)
Net cash provided by State Government		59,860	58,453	60,468	(1,407)	(2,015)

Utilised as follows:

Cash flows from operating activities

Payments

Employee benefits	A	(47,754)	(40,918)	(40,187)	6,836	(731)
Supplies and services	B, 2	(2,235)	(3,140)	(2,051)	(905)	(1,089)
Finance costs		(21)	(10)	(14)	11	4
Accommodation		(6,913)	(7,295)	(7,559)	(382)	264
Grants and subsidies	C, 3	(2,550)	(4,065)	(6,633)	(1,515)	2,568
GST payments on purchases	D	-	(1,291)	(1,480)	(1,291)	189
GST payments to taxation authority		-	(3)	-	(3)	(3)
Other payments		(988)	(1,073)	(994)	(85)	(79)

^(a) As published in the 2023-24 budget papers.

10.1.3 Statement of cash flow variances (continued)

	Variance Note	Estimate 2024 ^(a) (\$000)	Actual 2024 (\$000)	Actual 2023 (\$000)	Variance between actual and estimate (\$000)	Variance between actual results for 2024 and 2023 (\$000)
Receipts						
GST receipts on sales	E	-	757	832	757	(75)
GST receipts from taxation authority		-	504	560	504	(56)
Other receipts	4	915	842	1,529	(73)	(687)
Net cash used in operating activities		(59,546)	(55,692)	(55,997)	3,854	305
Cash flows from investing activities						
Payments						
Purchase of non-current assets		-	(45)	(5)	(45)	(40)
Net cash used in investing activities		-	(45)	(5)	(45)	(40)
Cash flows from financing activities						
Payments						
Principal elements of lease payments		(131)	(129)	(131)	2	2
Payment to accrued salaries account ^(b)		-	(151)	-	(151)	(151)
Net cash used in financing activities		(131)	(280)	(131)	(149)	(149)

^(a) As published in the 2023-24 budget papers.

^(b) As a result of the 27th pay reclassification from Restricted cash and cash equivalents to Receivables.

10.1.3 Statement of cash flow variances (continued)

	Variance Note	Estimate 2024 ^(a) (\$000)	Actual 2024 (\$000)	Actual 2023 (\$000)	Variance between actual and estimate (\$000)	Variance between actual results for 2024 and 2023 (\$000)
Net increase in cash and cash equivalents						
Cash and cash equivalents at the beginning of the reporting period		8,021	12,066	7,731	4,045	4,335
Adjustment for the reclassification of accrued salaries account ^(b)		-	(969)	-	(969)	(969)
Cash and cash equivalents at the end of the period						
		8,204	13,533	12,066	5,329	1,467

^(a) As published in the 2023-24 budget papers.

^(b) As a result of the 27th pay reclassification from Restricted cash and cash equivalents to Receivables.

MAJOR ESTIMATE AND ACTUAL (2024) VARIANCE NARRATIVES:

- A Employee benefits expenses is lower than budget due to substantively vacant positions which the SSO is continuing to fill. The Estimate also includes budget for the Solicitor General's Office which came under the Department of Justice for the 2023-24 year.
- B Supplies and Services is higher than budget primarily due to the SSO replacing its aging laptops.
- C Grants and Subsidies represents legal costs the SSO incurs on behalf of the State. The timing and amount of these payments are difficult to predict, with costs normally recouped through the supplementary funding process, where required.
- D, E GST is payable to and receivable from the Australian Taxation Office. For budget purposes, GST is excluded.

MAJOR ACTUAL (2024) AND COMPARATIVE (2023) VARIANCE NARRATIVES:

- 1 Income from other public sectors is lower in 2024 than 2023 as the SSO provided less billable services.
- 2 Supplies and Services is higher than budget primarily due to the SSO replacing its aging laptops.
- 3 Grants and Subsidies represents legal costs the SSO incurs on behalf of the State. The timing and amount of these payments are difficult to predict, with costs normally recouped through the supplementary funding process, where required.
- 4 Other receipts is lower in 2024 than 2023 as the SSO recouped lesser amounts of legal costs from external parties.

10.2 Explanatory statement for administered items

This explanatory section explains variations in the financial performance of the Department undertaking transactions as an agent of the government, as detailed in the administered schedules.

All variances between annual estimates and actual results for 2024, and between the actual results for 2024 and 2023 are shown below. Narratives are provided for key major variances which vary by more than 10% from their comparative and that the variation is more than 1% of the Total Administered Income for the previous year (i.e. 1% of \$205,662,000).

	Variance Note	Estimate 2024 ^(a) (\$000)	Actual 2024 (\$000)	Actual 2023 (\$000)	Variance between actual and estimate (\$000)	Variance between actual results for 2024 and 2023 (\$000)
Income from administered items						
Income						
Land Trust receipts	A, 1	-	227,033	205,527	227,033	21,506
Suitor's fund levy	B, 2	164	159	135	(5)	24
Total administered income		164	227,192	205,662	227,028	21,530
Expenses						
Land Trust payments	C, 3	-	217,613	200,135	217,613	17,478
Suitor's fund payments	D, 4	164	224	-	60	224
Total administered expenses		164	217,837	200,135	217,673	17,702

^(a) As published in the 2023-24 budget papers.

MAJOR ESTIMATE AND ACTUAL (2024) VARIANCE NARRATIVES:

A, C The SSO performs conveyancing of land transactions on behalf of the State. These cannot be forecasted.

B, D Payments made through the Suitor's Fund are subject to accepted applications and cannot be forecasted. The Estimate assumes all funds collected are paid in the same year.

MAJOR ACTUAL (2024) AND COMPARATIVE (2023) VARIANCE NARRATIVES:

1, 3 The SSO performs conveyancing of land transactions on behalf of the State. SSO performed more of these in 2024 than 2023. These cannot be forecasted.

2, 4 Payments made through the Suitor's Fund are subject to accepted applications and cannot be forecasted. The Estimate assumes all funds collected are paid in the same year.

Certification of Key Performance Indicators

I hereby certify that the key performance indicators are based on proper records, are relevant and appropriate for assisting users to assess the State Solicitor's Office performance, and fairly represent the performance of the State Solicitor's Office for the financial year ended 30 June 2024.



Dr Graham Hill
State Solicitor

26 August 2024



Yu Zhi Zhou
Chief Finance Officer

26 August 2024

Outcome Based Management Structure

Key Performance Indicators

Government Goal 1: Safe, Strong and Fair Communities: Supporting our local and regional communities to thrive.

Outcome 1: Government receives quality and timely legal services

SSO has one Effectiveness KPI to assist with the assessment of agency performance in the achievement of government desired outcomes and one Efficiency KPI to assist with the assessment of agency service delivery. These performance measures give an accurate assessment of the legal services delivered by the SSO within a specified timeframe and the average cost of each legal service, irrespective of complexity, and the length of time taken to resolve each legal matter.

KEY EFFECTIVENESS INDICATOR

This KPI measures the extent to which public sector agencies are satisfied with the legal assistance and legal advice provided by the SSO. Satisfaction was measured through an online quantitative survey sent to the Director General/Chief Executive Officers and public sector officers who instructed or sought legal advice from the SSO. Respondents were asked to rate their overall level of satisfaction on a scale of 1 – 100. Overall satisfaction is defined to mean any rating above “60”.

Effectiveness KPI

Extent to which government agencies are satisfied with legal services

Actual 2023-24 ^(a)	95.0%
Budget 2023-24 ^(b)	95.0%
Actual 2022-23 ^(c)	96.1%

^(a) Based on an average rating from 101 respondents

^(b) As per the 2023-24 Budget Papers.

^(c) As per the SSO's Financial Statements for the year ended 30 June 2023. Based on an average rating from 180 respondents.

KEY EFFICIENCY INDICATORS

The KPI is linked to the SSO's Effectiveness KPI and expresses performance as a quantifiable measure. It demonstrates the efficient use of public resources in giving legal services. The KPI is calculated by dividing the total cost of service by the number of recorded matters.

Efficiency KPI

Average cost per legal matter

Actual 2023-24	\$6,878
Budget 2023-24 ^(a)	\$6,423
Actual 2022-23 ^(b)	\$6,649

^(a) As per the 2023-24 Budget Papers.

^(b) As per the SSO's Financial Statements for the year ended 30 June 2023.

Ministerial Directions

No ministerial directions were received during the 2023-24 financial year.

Pricing Policies of Services Provided

The SSO provides core legal work free of charge to client agencies. For non-core services provided to client agencies, SSO charges on a full or partial cost recovery basis. These fees and charges were determined in accordance with the *Costing and Pricing Government Services: Guidelines* published by Treasury.

Capital Works

No major capital works projects were undertaken in 2023-24.

Governance Disclosures

No insurance premium was paid in 2023-24 to indemnify any director against a liability incurred under sections 13 or 14 of the *Statutory Corporations (Liability of Directors) Act 1996*.

Act of Grace Payments

SSO processes act of grace and ex gratia payments on behalf of the State. During the 2023-24 financial year, four act of grace and ex gratia payments totalling \$1.2 million were made.

Unauthorised Use of Credit Cards

Officers of the SSO are issued with corporate credit cards where their functions require the use of this facility. Cardholders complete mandatory training before being issued with a credit card, to understand their responsibilities under *Treasurer's Instruction 321 Credit Cards – Authorised Use*. Payments are reconciled on a monthly basis by the Finance team.

During 2023-24, there were six instances of an unauthorised use of a credit card. The matters were not referred for disciplinary action as the Chief Finance Office received prompt notice of the errors, and the expenditure was immaterial and characteristic of an honest mistake.

Disclosure required by <i>Treasurer's Instruction 903(15)(ii)</i>	2023-24
Number of instances the Western Australian Government Purchasing Cards have been used for personal purposes	6
Aggregate amount of personal use expenditure for the reporting period	\$131.00
Aggregate amount of personal use expenditure settled by the due date (within 5 working days)	\$98.00
Aggregate amount of personal use expenditure settled after the period (after 5 working days)	\$33.00
Aggregate amount of personal use expenditure remaining unpaid at the end of the reporting period	nil
Number of referrals for disciplinary action instigated by the notifiable authority during the reporting period	nil

Advertising, Market Research, Polling, and Direct Mail

In accordance with section 175ZE of the *Electoral Act 1907 (WA)*, SSO incurred the following expenditure for advertising, market research, polling, direct mail, and media advertising. Total expenditure for 2023-24 was \$2,695.00

Category	Amount (\$)
Advertising Agencies	2,695.00
Glow Creative	2,695.00
Market Research Organisations	nil
Polling Organisations	nil
Direct Mail Organisations	nil
Media Advertising Organisations	nil
Total	2,695.00

Board and Committee Remuneration

The SSO is responsible for the administration of the *Suitors Fund Act 1974 (WA)*. The Act establishes the Appeal Costs Board, consisting of three members appointed by the Governor, of which, one shall be appointed as Chairman of the Board, one shall be nominated by the Law Society of Western Australia (Inc.) and one shall be nominated by the Legal Practice Board.

Position Title	Member Name	Type of Remuneration	Period of Membership	Term of Appointment	Base Salary/Sitting Fees (\$)	Actual Remuneration for 2023-24 (\$)
Chair	Alan John Sefton*	nil	Third year	3 years	nil	nil
Member	Clare Helen Thompson	per meeting	Second year	2 years	1,128.00	1,826.00
Member	Lisa Boston	per meeting	First year	3 years	1,128.00	nil
Total						\$1,826

Employment and Industrial Relations

STAFF PROFILE

Staff Profile	2024	2023
Full-time permanent	140	128
Full-time contract	60	48
Part-time measured on a FTE basis	84	76
On secondment	2	0
Total	286	252

STAFF DEVELOPMENT

SSO has a commitment to the development of its employees. A summary of the training provided to staff is outlined in the Workforce Attraction and Development section of the report (pages 41 - 42).

WORKERS COMPENSATION

3 compensation claims were recorded during the 2023-24 financial year. This compared to 1 claim recorded during the 2022-23 financial year.

INDUSTRIAL RELATIONS

A dedicated SSO consultation committee was established during the 2023-24 financial year between SSO and the CPSU/CSA to ensure relevant matters could be consulted on, and union member issues raised and resolved. This forum continues to imbed and grow as an important consultation mechanism for the SSO. The group meets every six weeks and is attended by SSO CSA Delegates, the State Solicitor and the Executive Director Corporate Services, in addition to members of the Human Resources Branch.

Over the financial year there were no employee relations or disciplinary processes conducted.

Disability Access and Inclusion Plan Outcomes

SSO is committed to improving disability access and inclusion outcomes under the Department of Justice's Disability Access and Inclusion Plan (DAIP) 2021 – 2025.

SSO has implemented personal emergency plans for all staff who need assistance in the event of an emergency. Evacuation drills have been held to ensure that staff know what action to take in an emergency.

As part of the ergonomic assessments conducted by the SSO Work Health and Safety and Wellbeing Adviser, 53 pieces of assistive equipment was provided as a result of medical or disability requirements to support them in their work.

A review of internal policy documents has commenced to ensure they are inclusive and accessible for all staff. SSO has commenced the development of plain English templates for legal advice to clients.

Compliance with Public Sector Standards and Ethical Codes

SSO strives to meet all requirements of the Public Sector Standards in Human Resource Management and the Public Sector Code of Ethics.

Our Human resources team provide advice, support and guidance to managers and staff on the human resources standards and codes. The right to lodge breach of standard claims was provided to staff as required in accordance with the *Public Sector Management (Breaches of Standards) Regulations 2005*.

SSO operates under the Department of Justice's Code of Conduct.

Drafting of a SSO Code of Conduct commenced in 2023-24, with consultation and implementation to occur in 2024-25.

Workforce Inclusiveness Requirements

SSO is committed to a diverse and inclusive workplace. Activities undertaken to improve diversity and inclusion in the workplace are outlined in the Diversity and Inclusion section of the report (page 43).

Occupational Safety, Health, and Injury Management

As part of SSO's ongoing commitment to providing a safe, healthy and supportive work environment, in 2023-24 SSO engaged an external safety consultancy to evaluate existing internal work, health, and safety (WHS) mechanisms against those required by the *Work Health and Safety Act 2020*, with the aim of identifying any gaps to guide the development of a WHS framework. The review is scheduled to be completed in early 2024-25.

Given the inherent psychological risk associated with the work done at SSO, including the potential for vicarious trauma, 6 dedicated workshops on understanding and managing vicarious trauma were conducted from May to June 2024, with 34% of SSO staff attending the training. These sessions were facilitated by an organisational psychologist from PeopleSense, SSO's Employee Assistance Program (EAP) provider. Resources to help staff recognise and manage vicarious trauma are now available to all staff on the SSO intranet.

To better support the psychological safety and wellbeing of staff at SSO, 24 hours of onsite counselling were made available to our staff to access free, confidential support. These sessions were in addition to the 6 free counselling sessions available to all staff through the EAP each year.

A first aid audit was completed in 2023-24, resulting in a number of recommendations, all of which were implemented. This included a review of all first aid kits in use. The number of trained First Aid Officers (FAOs) increased by 80% taking the total number of trained FAOs from 5 to 9. Additionally, SSO installed its first mobile semi-automated defibrillator that staff can easily access and take to any floor. A defibrillator training session was facilitated in January 2024.

Ergonomic assessments were made available to staff through the SSO Safety and Wellbeing Adviser, who is a qualified ergonomist, with a total of 25% staff utilising this service.

Various wellbeing initiatives, including meditation, yoga and stress management workshops were run throughout September and October 2023. A variety of webinars on relevant physical and psychological safety topics were made available to staff through Safe Work Month in October 2023.

SSO's Corporate Executive received training in Equal Opportunity Employment as part of their ongoing commitment to psychosocial safety in the workplace.

Two Work Health and Safety Representatives were appointed, and both attended a 5 day intensive training course.

A dedicated WHS intranet page was developed for better accessibility to the safety reporting system as well as safety related policy, procedures, guidelines, training and upcoming initiatives. An increase in safety education, including training on the safety reporting system resulted in a slight increase of incident reports and lost time injury and disease incidence rate.

SSO is committed to facilitating effective injury management and positive return to work outcomes. There has been a 50% improvement in the percentage of injured workers returned to work within 13 & 26 weeks. Compliance with mandatory work health safety and injury management training has increased from 25% to 93% in from 2022-23 to 2023-24.

SSO assumed responsibility for managing workers compensation claims on 1 October 2021. Over the previous three-year period SSO has worked to improve safety, health, and injury management performance through the appointment of a dedicated safety resource and the implementation of a safety system review.

Measures	2021-2022	2022-2023	2023-2024	Targets	Comments about targets
Number of fatalities	0	0	0	0	Achieved
Lost time injury and disease incidence rate	0.81	0.44	1.05	0 or 10% reduction in incidence rate	Increased staff education on safety reporting systems may have contributed to an increase in incident reports.
Lost time injury and severity rate	100	100	100	0 or 10% reduction in severity rate	Achieved
Percentage of injured workers returned to work within				Greater than or equal to 80%	50% improvement
(i) 13 weeks and	0%	0%	50%		
(ii) 26 weeks	0%	0%	50%		
Percentage of managers trained in work health and safety injury management responsibilities, including refresher training within 3 years	0%	25%	93%	Greater than or equal to 80%	Achieved

WA Multicultural Policy Framework

SSO is committed to creating a diverse workforce, and ensuring staff feel valued, respected, and included. To achieve this, SSO is committed to implementing and monitoring progress against the policy priorities of the SSO Multicultural Plan 2022 – 2025.

POLICY PRIORITY 1 - HARMONIOUS AND INCLUSIVE COMMUNITIES

SSO celebrated Pride Month, International Women's Day and Reconciliation Week with a focus on delivering education to staff. In 2024-25 this education and celebration of key themes will be further expanded with the appointment of a part time resource to coordinate events and initiatives.

POLICY PRIORITY 2- CULTURALLY RESPONSIVE POLICIES, PROGRAMS AND SERVICES

SSO assigned responsibility for overseeing the inclusion activities to the Wellbeing and Inclusion sub-committee. The sub-committee will drive all events and priorities under the Multicultural Plan in 2023-24, and will be supported by the Human Resources Team.

POLICY PRIORITY 3 – ECONOMIC, SOCIAL, CULTURAL AND POLITICAL PARTICIPATION

SSO provided leadership training focusing on providing a safe and inclusive workplace. SSO reviewed its recruitment processes and induction training to identify ways to reduce subconscious bias from its recruitment. This has been accompanied by social media campaigns on celebrating our diversity within SSO as an attraction tool and to widen our recruitment pool to promote a greater intake of diversity within our new recruits. A diversity survey was also conducted.

Recordkeeping Plans

The SSO is committed to information management practices that are of a professional standard and comply with the *State Records Act 2000 (WA)* and the State Records Commission Standards.

The SSO's Recordkeeping Plan sets out the matters about which records are to be created and how they are to be kept. It also provides an accurate reflection of the recordkeeping program within the SSO, including information regarding our recordkeeping system(s), disposal arrangements, policies, practices, and processes.

The SSO's Recordkeeping Plan was submitted to the State Records Commission in March 2018, and is expected to be resubmitted in August 2024. The SSO's Retention and Disposal Schedule was approved in March 2021, with a further amendment approved in May 2022. The Retention and Disposal Schedule will be reviewed and updated in 2024-25.

The SSO's induction program includes content that outlines an employee's responsibilities in maintaining compliance with their recordkeeping responsibilities for the SSO. The SSO intranet provides access to the Recordkeeping Plan, Disposal Schedule, and other records information and guides.



STATE SOLICITOR'S OFFICE

David Malcolm Justice Centre
28 Barrack Street
PERTH WA 6000

ABN 84 255 129 202

Phone (08) 9264 1888

Fax (08) 9264 1440

Post GPO Box B83,
PERTH WA 6838

Email sso@sso.wa.gov.au

Website www.wa.gov.au/organisation/state-solicitors-office

This annual report is available in alternative
formats upon request.



State Solicitor's Office