



2022-2023

ANNUAL REPORT



GOVERNMENT OF
WESTERN AUSTRALIA

State
Solicitor's
Office

Acknowledgment of Country

The SSO 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 the Aboriginal communities and their cultures, and to Elders both past and present.

ABOUT THIS REPORT

This report details the SSO's performance, services and outcomes from 1 July 2022 to 30 June 2023 and presents the audited financial statements and key performance indicators for the year ended 30 June 2023.

This report has been prepared in accordance with the *Financial Management Act 2006*, Treasurer's Instructions (TI) 903 Agency Annual Reports, T1104C Annual Reporting 2022-23 Exemption, and Public Sector Guidelines.

This report can be made available in alternative formats on request.

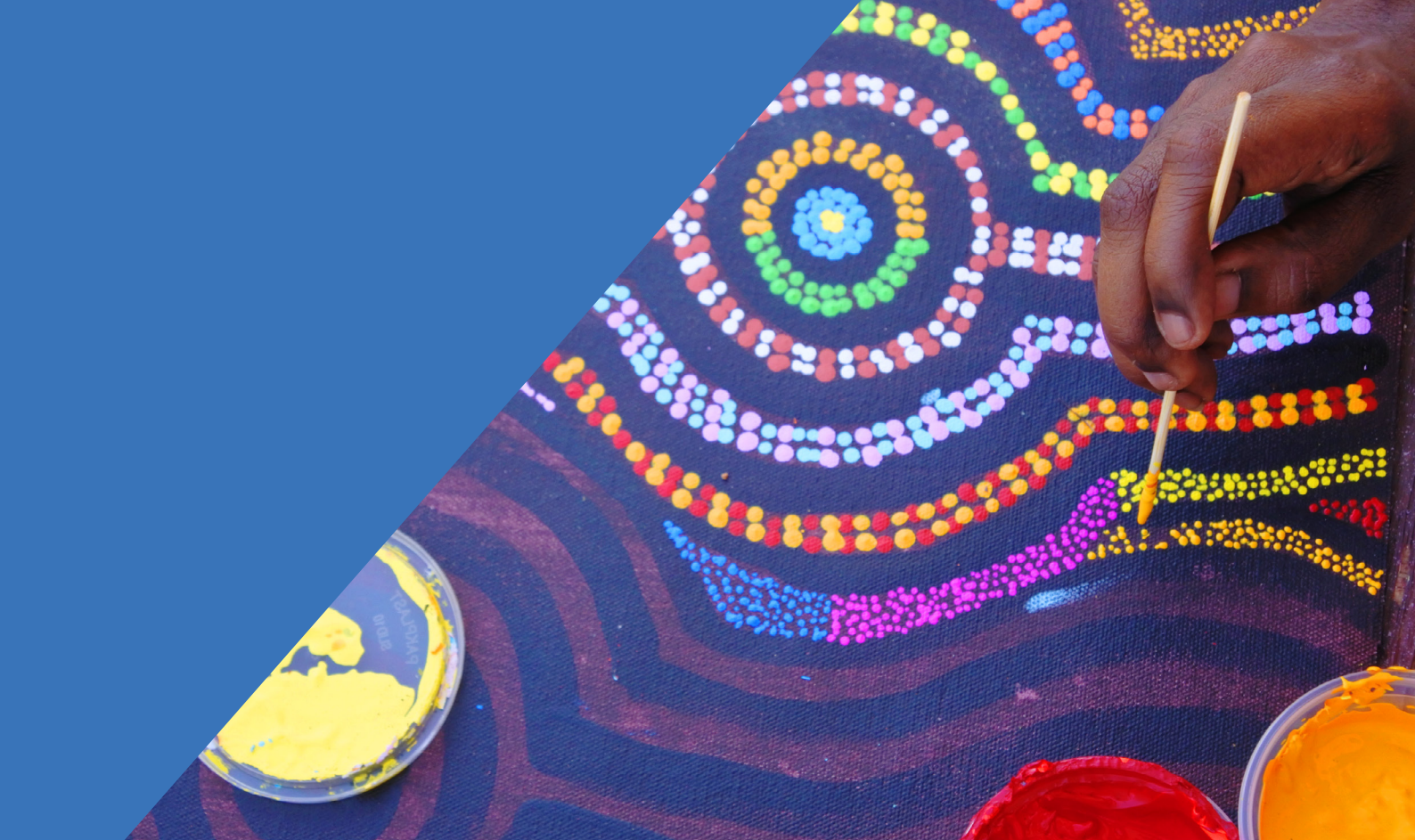
STRATEGIC ADVICE PRACTICAL LEGAL SOLUTIONS

Produced and published by the
State Solicitor's Office

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STATEMENT OF COMPLIANCE

For year ended 30 June 2023

Hon John Quigley LLB JP 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 of the State Solicitor's Office (SSO) for the reporting period ended 30 June 2023.

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

Dr Graham Hill
State Solicitor

12 September 2023

2022-23 AT A GLANCE

57%

INCREASE IN HELP
TO DEPARTEMENTS
ON SUBPOENAS

6%

INCREASE IN
HISTORICAL ABUSE
CASES HANDLED

25%

INCREASE IN
PROSECUTIONS
FOR DEPARTMENTS

96%

CLIENT
SATISFACTION

8%

INCREASE IN
CORONIAL
INQUESTS

69%
OF OUR STAFF
ARE FEMALE

INSTRUCTED
IN OVER
9000
MATTERS

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STATE SOLICITOR'S OVERVIEW

More than 180 years after our founding, the State Solicitor's Office (SSO) remains Western Australia's most trusted adviser to government. We bring the best legal talent and unique expertise to bear on the State's most challenging problems. We are the first choice legal service provider to government. The SSO guides departments and agencies as they resolve today's most difficult questions. We're empowering our clients to shape a better future for Western Australia.

This report showcases our exceptional support to the WA public sector through 2022-23. It also highlights our work with the Attorney General in his role as First Law Officer. It records a year of remarkable achievements and a period of consolidation as a sub-department.

Serving the public interest

Over the financial year, the SSO acted for 50 government agencies and managed over 9,000 matters.

The year has been one of significant success in landmark cases and complex legal matters. Our work included providing drafting instructions for new privacy laws, representing the State in large scale Mining Act litigation, and prosecuting cases referred from the Crime and Corruption Commission. In addition, we resolved over 200 historical child sex abuse claims. We represented the State at the Disability Royal Commission and provided legal support for plans to build a port at Kwinana. We also resolved asbestos claims, and handled land acquisition for the new Metronet rail expansion.

The SSO finished the 2022-23 year within budget. We recognise that our Office must be financially strong if we are to meet the legal needs of the public sector.

The financial year saw us successfully move to the Outlook email application as an important first step in upgrading our systems. Over the year, we also recorded an impressive client satisfaction rating of 96.1 per cent. Our Office also continued its commitment to maintain and raise standards by offering professional development to all government lawyers and by convening heads of legal meetings to exchange information and avoid duplication.

Thank you

I thank our clients for their continuing support, trust and input. As public servants, we share your values and consider ourselves a part of your team. Whatever your destination, we are by your side for the journey.

The SSO has a highly skilled and dedicated workforce. In 2022-23, our staff worked hard, met every challenge, and delivered major achievements. I thank my colleagues for their high-quality work and steadfast commitment over the past year.

We appreciate the support of the Attorney General, Hon John Quigley MLA. For their enthusiasm for the SSO as a centre of excellence, we thank Dr Adam Tomison and Mark Hainsworth from the Department of Justice and Mike Andrews, Kurt Sibma, Giselle Lau and Matthew Keohane at Treasury for their on-going support.



I acknowledge the excellent work of Angela Komninos who acted as State Solicitor for the first eleven months of the financial year. It is not easy to act for an extended period but Ms Komninos kept the organisation operating at the highest level. She carefully guided the SSO through a period of change and opportunity. We are grateful for her outstanding service in the acting role.

Looking Ahead

We look to the future with confidence and enthusiasm.

The 2023-24 year will see us provide legal support for the development of the new Women and Babies Hospital, giving the

State advice on recommendations from the Disability Royal Commission, and advising on new equal opportunity laws. We will also set a new strategic direction to make sure that Western Australia has the SSO that it needs. Our focus will be on providing excellent legal advice and representation, outstanding client service, and on being effective and efficient in our operations. Over the year, we will begin work on identifying a new electronic document management system, and on further wellbeing initiatives to keep our workplace safe and maintain it as a workplace of choice. We will continue to support the legal capabilities within the public sector by delivering whole-of-government continuing professional development.

In 2023-24, we will fulfil our vital role in supporting government to lawfully achieve its objectives and in managing the State's legal risk. As always, our work will deliver better public sector decisions, strengthen the rule of law, and generate public confidence in governance.

Our work helps governments to govern well. We believe that great public administration can make a better Western Australia. Tell us where you want to be tomorrow. Our people will get you there with unrivalled government expertise, mastery of the law, and commercial know-how.

Graham Hill
State Solicitor

ABOUT THE STATE SOLICITOR'S OFFICE

We are the government's principal legal advisers - a role that we have fulfilled since 1838. The State Solicitor's Office (SSO) provides a full range of legal services to government.

Our purpose is to enable government to lawfully achieve its objectives. We also manage the Western Australian State Government's legal risk and support the Attorney General as First Law Officer.

The SSO is a centre of excellence in matters of critical importance to the State of Western Australia (**State**). Through economic booms and busts, natural disasters, wars, pandemics, and social change, governments of different political persuasions have relied on the SSO in delivering the programs that shape our State. We are the custodian of the State's legal memory.

We work exclusively for the State, its Ministers, departments and agencies. We are committed to protecting Western Australia's interests. Our work supports better government decisions and greater public confidence in the lawfulness of public sector actions.

The SSO is headed by the State Solicitor, Dr Graham Hill. As a legal practice, the SSO is organised into six teams – Counsel, Commercial, Public & General Litigation, Native Title & State Lands, Advice, Policy and Public Law (APPL), and Civil Litigation. We have more than 250 employees, around 168 of whom are lawyers.

Our focus is on providing exceptional legal advice and representation, outstanding client service, and efficiency in our operations.

RESPONSIBLE MINISTER

The SSO reports to the Hon. John Quigley LLB JP MLA, Attorney General; Minister for Electoral Affairs.

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

STRATEGIC FRAMEWORK

MISSION

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

VISION

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

VALUES

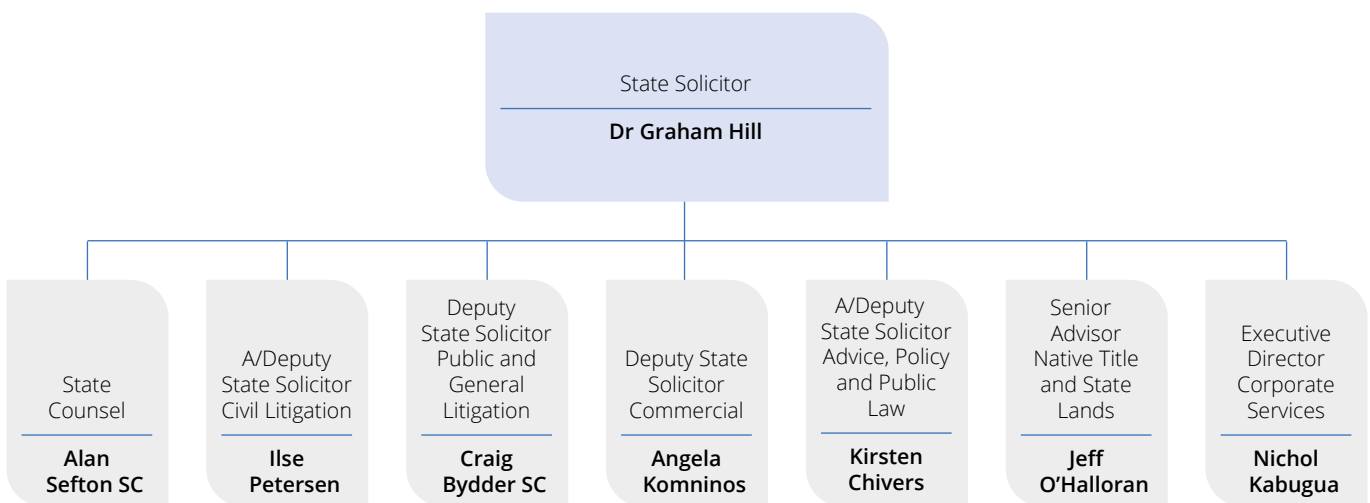
Excellence; Impartiality; Integrity; Respect.

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

At 30 June 2023:



OPERATIONAL STRUCTURE

The SSO comprises six legal sections that deliver legal services effectively and in a timely manner to the Attorney General and the State. The legal sections are detailed below.

COUNSEL

The role of the State Counsel for Western Australia involves the provision of high level legal advice and appearances in court on behalf of a

wide range of agencies for the State, including the Premier, the Cabinet, and the Attorney General as well as their respective departments.

SSO Counsel represent the State and clients in a range of courts and tribunals including the Magistrate’s Court, District Court, Supreme Court, Federal and High Court, and in a variety of tribunals particularly the State Administrative Tribunal (SAT) and the National Native Title Tribunal.

ADVICE, POLICY AND PUBLIC LAW (APPL)

The APPL section provides consolidated Ministerial advice on public sector matters, statutory interpretation, general advice, Constitution matters, legislative reform, counter-terrorism, charitable trusts, health law and more. It is also responsible for advice on environmental matters and approvals under relevant State and Commonwealth statutes.

COMMERCIAL

The Commercial section represents the State, and assists government agencies in a wide range of major commercial transactions. The section provides advice:

- on procurement strategy, construction, tenure, financing, outsourcing and service aspects of large-scale transactions in social and infrastructure projects;
- to the State in the administration of State Agreements, and also supports the State in negotiating and drafting new State Agreements, variations to existing State Agreements and agreements to terminate State Agreements;
- on a range of technology-related issues, including in respect of outsourcing, software and app procurement, cloud based solutions and automated technologies.

NATIVE TITLE AND STATE LANDS

The Native Title and State Lands section provides litigation representation in respect of native title proceedings, as well as advice work and assistance with native title agreement making.

The section also provides advice and litigation services to government and government agencies on 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; and
- 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.

CIVIL LITIGATION

The Civil Litigation section provides advice and representation on:

- historic and current abuse in care, guardianship and general child protection work;
- abuse in care claims, guardianship matters and assists in general child protection work;
- civil aspects of international child abduction;
- medical negligence and asbestos exposure claims;
- industrial and workplace disputes; and
- workers' compensation and public liability.

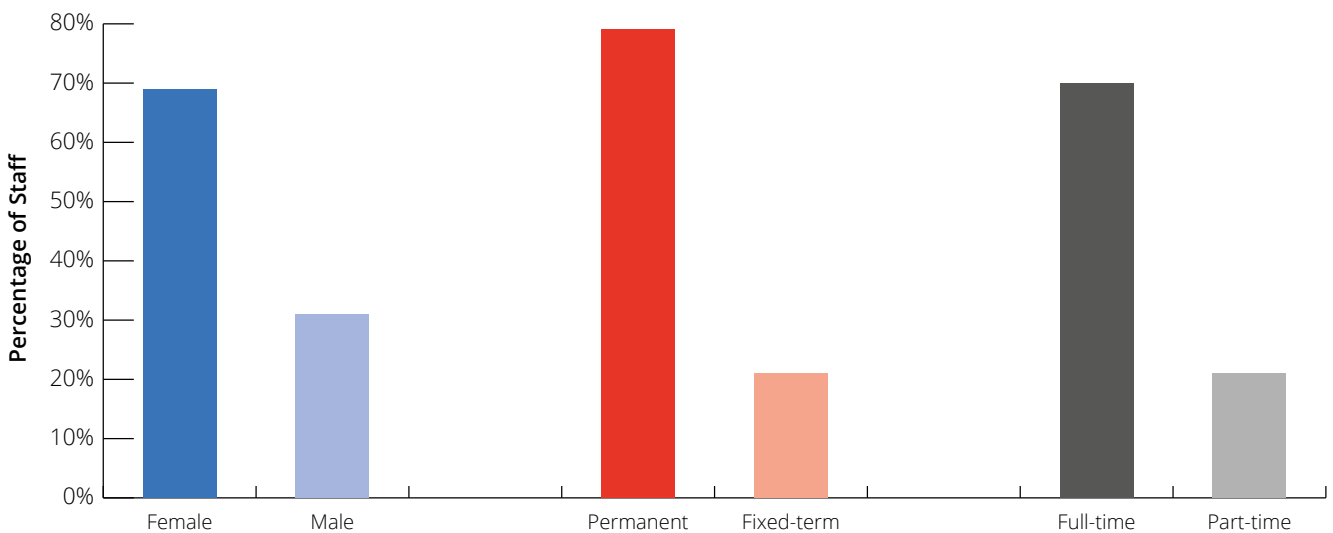
PUBLIC AND GENERAL LITIGATION

The Public and General Litigation section provides advice and representation on:

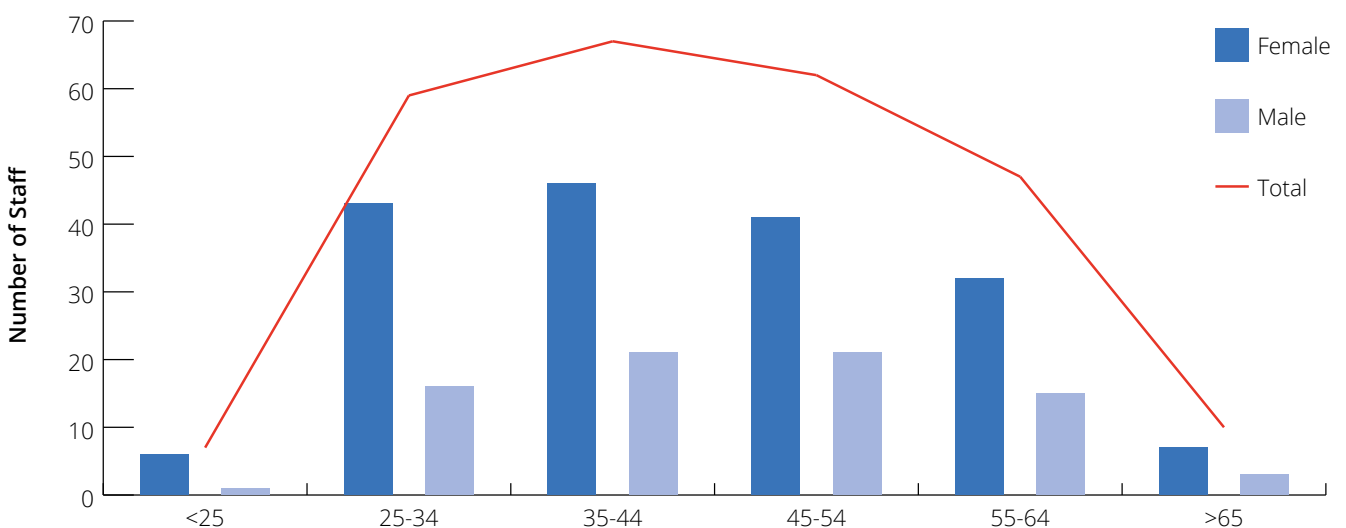
- all aspects of contentious contractual, construction (major projects) and commercial matters including contract disputes, mediation, expert determination, rapid adjudication, arbitration and litigation;
- all aspects of state revenue and taxation, and appears in the SAT and the Supreme Court of Western Australia in relation to applications for review of various decisions made by the office of State Revenue; and
- general public litigation, including debt recoveries, departmental prosecutions, judicial review and coronials.

AGENCY COMPOSITION 2022-23

Employee Profile



Age Distribution



AGENCY PERFORMANCE

PERFORMANCE MANAGEMENT FRAMEWORK

OUTCOME-BASED MANAGEMENT PERFORMANCE

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 agency’s services and desired outcomes, and the government goal these contribute to.

Government Goal	State Solicitor's Office - 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 THE OUTCOME-BASED MANAGEMENT FRAMEWORK

The SSO’s outcome-based management framework did not change during 2022-23.

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.

SUMMARY OF KEY PERFORMANCE INDICATORS

Further detailed information is located in the Key Performance Indicators section of this report.

	2022-23 Target	2022-23 Actual	Variation
Outcome 1: Government receives quality and timely legal services			
Extent to which government agencies are satisfied with legal services	95%	96.1%	1.1%
Service 1: Legal Services to Government			
Average cost per legal matter	\$5,824	\$6,649	\$825

REPORT ON OPERATIONS

FINANCIAL TARGETS

Financial results for 2022-23 are shown below.

	2022-23 Target ⁽¹⁾ (\$000)	2022-23 Actual (\$000)	Variation ⁽²⁾ (\$000)
Total cost of services (sourced from Statement of comprehensive income)	62,805	60,003	(2,802) ^(a)
Net cost of services (sourced from Statement of comprehensive income)	61,890	58,465	(3,425) ^(b)
Total equity (sourced from Statement of financial position)	3,146	11,691	8,545 ^(c)
Agreed salary expense level	41,554	35,884	(5,670) ^(d)
Agreed Executive Salary Expense limit⁽³⁾	-	143	143

⁽¹⁾ Target is sourced from the 2022-23 budget statements.

⁽²⁾ Further explanations are contained in Note 10.1.1 and 10.1.2 of the Notes to the Financial Statements.

^(a) Actuals are lower predominantly due to substantively vacant positions, underspends across legal matters which received fixed term funding, offset by difficult to predict grants and subsidies for which no budget is provided.

^(b) Actuals are lower due to higher than expected legal cost recoupments from external parties.

^(c) Actuals are higher due to surpluses in 2021-22 and 2022-23 driven by costs being lower than budget.

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

⁽³⁾ At Mid-Year Review, an amount of \$178,000 was reclassified from Agreed salary expense level to Executive Salary Expense level.

WORKING CASH TARGETS

	2022-23 Agreed Limit (\$000)	2022-23 Actual ⁽⁴⁾ (\$000)	Variation ⁽⁵⁾ (\$000)
Agreed working cash limit (at Budget)	2,977	2,977	-
Agreed working cash limit (at Actuals)	2,878	9,734	6,856

⁽⁴⁾ The Actual working cash held totals \$9,734,000. This consists of cash and cash equivalents of \$11,097,000 as reported in the Statement of Financial position as at 30 June 2023 less \$1,363,000 for the replacement of SSO's legal practice management system.

⁽⁵⁾ Variation explanations are contained in Note 10.1.3 to the Financial Statements.

KEY HIGHLIGHTS

ADVICE, POLICY AND PUBLIC LAW (APPL)

In 2022-23, the SSO advised Government in relation to its legislative agenda, including:

- Uniform Law Implementation;
- Abortion Law Reform; and
- Privacy and Responsible Information Sharing.

Royal Commission into Defence and Veteran Suicide

The Royal Commission into Defence and Veteran Suicide commenced on 8 July 2021 with a final report due to be delivered in June 2024. Since the Royal Commission commenced, APPL has assisted a number of government agencies to respond to compulsory notices to give information for the Royal Commission.

In May 2023, Hearing Block 9 of the Royal Commission was held in Perth. Both Hon. Paul Papalia CSC MLA, Minister for Veterans Issues, and a senior representative of the Department of Jobs, Tourism, Science and Industry were required to give evidence and were represented by APPL and State Counsel.

National Code of Conduct for health care workers

The SSO assisted the Health and Disability Services Complaints Office during the passage of the *Health and Disability Services (Complaints) Amendment Act 2021* (WA) through Parliament in October 2022, as well as in the drafting of the *Health and Disability Services (Complaints) Amendment Regulations 2023* (WA). The purpose of the *Health and Disability Services (Complaints) Amendment Act 2021* (WA) was to introduce the National Code of Conduct for health care workers in Western Australia.

COMMERCIAL MATTERS

The Commercial section advised on and supported government agencies with the following significant commercial matters in 2022-23:

Health

Legal advice, with the support of an external law firm, in respect of the new Ambulance Services Agreement negotiated with St John Ambulance Western Australia Limited. The Agreement was executed on 21 December 2022 following an intensive negotiation period.

Legal advice in respect of the planning for, and drafting and negotiation of key commercial documents in respect of several major hospital developments and expansions across metropolitan and regional WA, including the:

- expansion of the Geraldton Health Campus;
- expansion of the Bunbury Regional Hospital;
- insourcing of services at Peel Health Campus;
- planned new Women and Newborn Hospital; and
- planned new Perth Children's Hospice.

The SSO also provided Steering Committee representation for major health projects.

METRONET

In 2022-23 the SSO assisted in METRONET projects including the:

- High Capacity Signalling;
- Byford Rail Extension;
- Victoria Park-Canning Level Crossing Removal;
- Morley-Ellenbrook Line;
- Yanchep Rail Extension and Thornlie Cockburn Link; and
- new Bayswater Station.

The SSO also provided Steering Committee representation for METRONET projects.

New Fitzroy River Bridge

In 2022-23, the SSO assisted with the urgent procurement of the contract for the New Fitzroy River Bridge following the significant damage caused by the flooding generated by ex-tropical cyclone Ellie.

Westport Project

The Westport Project is the State Government's long-term program to investigate, plan and build a new container terminal in Kwinana with integrated road and rail transport networks. SSO is represented on the Steering Committee and various working groups and provided legal support in respect of the Project, including assistance with the development of enabling legislation and the commercial framework to regulate use of the new container terminal.

ICT Projects

The SSO continued to assist the State across various departments and agencies in relation to ICT projects, including:

- contracts for the design, development and maintenance of a new high capacity signalling system as part of METRONET;
- negotiation and finalisation of contracts for the replacement of the Education's Student Information System, to be implemented in over 800 schools across WA;
- implementation of Environment Online, an online platform for environmental and water regulation that is expected to provide streamlined processes and more robust, data informed decision-making; and
- ICT projects with a whole-of-government focus, such as ServiceWA and the WA Digital Identity Ecosystem.

Resources/Energy sector

The SSO advised on State Agreements. During 2022-23, this work included execution of a variation agreement to the:

- Collie Coal (Griffin) Agreement 1979 to allow the continuation of the Ewington coal mine to support State energy security whilst allowing the State to implement its transition policy for the Collie region; and
- Nickel (Agnew) Agreement 1974 to provide for the treatment of third party nickel ore at BHP's facilities in Leinster, which will help maintain operations, ensure supply to the battery metals market and provide regional benefits.

Other Projects

The screen production facility project was released by the State Government as a Problem and Opportunity Statement and is currently progressing through the Market-led Proposal process with Home Fire Creative Industries Pty Ltd as the preferred proponent.

Home Fire's proposal involves design, construction, operation and maintenance of the facility and the SSO is providing legal support in relation to matters, including detailed due diligence and negotiation on the commercial terms of development and operation.

The State Government is ultimately to consider whether to approve a final proposal submitted by Home Fire.

CIVIL LITIGATION

Asbestos claims

The Asbestos Team which manages claims made against the State by plaintiffs with asbestos-related diseases dealt with 37 new files in 2022-23, of which 15 settled.

The average time for settlement was 5-6 months. Most plaintiffs face short life expectancies, and consequently matters proceed rapidly.

Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability

The SSO also represented the State at two hearings of the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability in 2022-23.

Public Hearing 27 – Conditions in Detention in the Criminal Justice System, was held in September and October 2022 in Perth and was the first hearing of the Royal Commission to take place in Western Australia. The hearing involved 26 witnesses, including people with lived experience, experienced witnesses and clinicians, spokespeople from advocate and human rights bodies and representatives from government agencies.

Public Hearing 30 – Guardianship, Substituted and Supported Decision-making, was held in November 2022 in Sydney and witnesses included the Public Advocate of WA.

Institutional Abuse Claims

The SSO's Team for Institutional Abuse Claims (**TIAC**) manages claims made against the State by survivors of child sexual abuse, which involves engaging with survivors, other relevant institutions and their representatives in a trauma informed way.

As at 30 June 2023, TIAC had received notification that:

- more than 866 claims had been made against the State (including 95 new notifications in the 2022-2023 period); and
- approximately 300 matters have settled.

PUBLIC AND GENERAL LITIGATION

Mining Act

The SSO has appeared in a range of matters concerning the administration of the *Mining Act 1978* (WA).

Those matters include an appeal before the Court of Appeal in ongoing litigation relating to the consequences of the High Court's decision in *Forrest & Forrest Pty Ltd v Wilson* (2017) 262 CLR 510 and a hearing before the General Division which had been referred to the Supreme Court by a warden as a case stated to clarify the extent of the Minister for Mines and Petroleum's power to impose conditions on an application for the grant of an exploration licence (*Blue Ribbon Mines Pty Ltd v Roy Hill Infrastructure Pty Ltd* [2022] WASC 362).

Bunbury Ring Road

A challenge was brought against the validity of an environmental approval granted by the Commonwealth in respect of the construction of part of the Bunbury Outer Ring Road.

The challenge was successfully defended at first instance and the applicants have since appealed to the Full Court of the Federal Court. SSO acted for the Commissioner of Main Roads in both proceedings and successfully resisted applications for interlocutory injunctions which would have halted construction pending the resolution of the initial application and then the appeal.

The Full Court reserved its decision in the appeal.

COVID litigation

The SSO has continued to act for the State and its agencies in COVID related litigation, including a challenge to the validity of directions issued by the Chief Health Officer and the Commissioner of Police was successfully resisted before the General Division of the Supreme Court. That decision has been appealed to the Court of Appeal, which has listed the hearing of the appeal for early September 2023.

The SSO has also acted for various agencies before industrial tribunals in which former employees had appealed their dismissal for non-compliance with COVID vaccination directions. Most of those appeals have been successfully resisted and SSO continues to act in the few matters which remain before industrial tribunals.

The SSO has also acted for the State in applications for compensation under the *Public Health Act 2016* (WA) and is currently appearing in a review by the SAT of a ministerial decision in relation to compensation.

COUNSEL SERVICES

Corruption and Crime Commission (CCC) Prosecutions

In 2022, the SSO commenced prosecutions in the Perth Magistrate's Court against three individuals for various offences against the *Corruption, Crime and Misconduct Act 2003* (WA).

The prosecutions were commenced following an independent review of a brief of evidence referred to the SSO by the CCC arising out of "Operation Betelgeuse" – the CCC's investigation into the potential misuse of the electorate allowance and other allowances, as well as the mismanagement of electorate offices, by Members of Parliament.

In November and December 2022, the three individuals charged were convicted and sentenced to fines and suspended terms of imprisonment, upon pleas of guilty.

The prosecutions were the first ones completed by the SSO since a Memorandum of Understanding was entered into by the CCC, the SSO and the Office of the Director of Public Prosecutions concerning the conduct of prosecutions arising out of CCC investigations.

Contempt matter

In 2022, the SSO represented the Attorney General in contempt proceedings in the Supreme Court against a father and son who were accused of breaching an undertaking given to the SAT and aiding and abetting the breach, respectively.

The proceedings arose out of a report to the Supreme Court by the President of the SAT, and were the first of their kind under section 100(1) of the *State Administrative Tribunal Act 2004*.

In September 2022, the father and son were each found guilty of criminal contempt of court, fined and ordered to pay the Attorney General's costs.

High Risk Serious Offenders Act 2020 (WA) (HRSO Act)

The HRSO Act provides for the detention in custody or the supervision of high risk serious offenders to ensure adequate protection of the community and victims of serious offences.

Since 1 July 2022, counsel from the SSO have represented the State in approximately 240 Supreme Court hearings under the HRSO Act, including directions hearings, preliminary hearings, restriction order hearings, review hearings and contravention hearings.

Currently, the SSO is managing approximately 148 high risk serious offender matters, including approximately 45 Detention Order matters and 60 Supervision Order matters.

NATIVE TITLE AND STATE LANDS MATTERS

Tjiwarl Compensation Claim and Indigenous Land Use Agreement

The Tjiwarl native title determination application was determined by the High Court on 17 April 2019.

In 2020, the Tjiwarl native title holders lodged three native title compensation claims in the Federal Court of Australia against the State for 239 acts done by the State between 1980 and 2020 (5 roads, 137 water bores and gravel pits, 11 grants of pastoral leases, 67 grants of mining tenements, 9 reserves, 1 special lease, 5 gas pipeline easements and 4 groundwater licenses). The claims progressed together in one proceeding.

These were the first substantive claims for native title compensation made in Western Australia following the High Court's decision in *Timber Creek (Northern Territory) v Griffiths [2019] HCA 7; (2019) 269 CLR 1*.

The claims were lodged primarily to test whether the Timber Creek principles for the assessment of compensation apply to the impairment of native title by the grant of mining tenements (which are expected to attract the highest award for cultural loss) and the renewal of pastoral leases in 2015.

The claims also raised some other novel issues, including: (a) seeking to re-argue that aspect of the decision in *Mabo (No 2)* to the effect that any extinguishment of native title that occurred before the commencement of the *Racial Discrimination Act 1975* (Cth) on 31 October 1975 is not compensable; (b) whether s 125A of the *Mining Act 1978* (WA) is effective to pass on the State's liability for compensation to the holders of mining tenements; and (c) whether compound interest (and not just simple interest) is payable on any economic loss (from 1980 onwards).

The Tjiwarl Palyakuwa Agreement (**Agreement**) was registered with the National Native Title Tribunal in February 2023 and substantively commenced on 22 May 2023. Compensation under the Agreement comprises both monetary and non monetary compensation.

The Agreement settled the State's liability only, so the claims against other respondents remain on foot. The State remains a party to those proceedings.

Land assembly and compensation on compulsory taking

There were 27 active land compensation litigation matters being managed during 2022-23, with six settled or heard, and three related determinations by the SAT or the Supreme Court over that period.

Extensive advice and support for managing prospective land acquisitions with a view to minimising potential compensation claims was also provided at the land assembly project implementation phase – primarily for METRONET rail and highway projects - in many matters in conjunction with the commercial/conveyancing team. The nature of this work is centered on litigation avoidance.

Planning and Land Valuation Review Jurisdiction

During 2022-23, the SSO continued to provide extensive support to responsible decision making authorities of the State under review in the SAT both in the context of decisions made by planning authorities and determinations of valuation made by the Valuer General.

As at 30 June 2023, the SSO had provided advice and representation on in excess of 70 SAT review applications over the course of the year with most time being applied to the mediation process to resolve differences in the application of policy and/or methodology in technical areas.



Matters proceeding to hearing in which SSO represented parties or made contributions included matters of community sensitivity involving building heights, application of density policy, industry in per-urban/rural areas, the interaction of the planning and building statutes, as well as assessment of pastoral lease rentals.

There were several appeals determined by the Supreme Court on review of SAT findings, and/or determination of preliminary legal issues.

Assistance was also provided to the Minister for Transport in determining the merits of several large format digital signs proposed to be erected adjacent to the freeway under legislation administered by Main Roads WA.

The Stolen Wages Class Action

The Stolen Wages Class Action is a claim brought in the Federal Court of Australia against the State by Mervyn Street as a representative of Aboriginal people who were engaged in employment in Western Australia in the period between 1936 and 1972.

It is alleged that under the relevant historical legislation, equitable or fiduciary duties in relation to employment were owed by the State, alternatively by the Commissioner of Native Affairs / the Commissioner of Native Welfare as an agent of the State, to Aboriginal people, and breached by the failure to ensure adequate conditions of employment for Aboriginal people, in particular adequate wages.

The case concerns the State's duties in respect of payment for work undertaken by Aboriginal people in Western Australia, and monies held on trust on behalf of working Aboriginal people in the period 1936 to 1972. There are a number of sub-groups in respect of whom particular equitable obligations are said to arise, including wards, pastoral and domestic workers, workers at native institutions and those whose money or property was controlled by the Commissioner. The claim also alleges that the State's 2012 Reparation Scheme contravened the *Racial Discrimination Act 1975 (WA)*.

The claim bears some resemblance to the class action proceedings in *Pearson v State of Queensland (No. 2) [202] FCA 691*, but there is also significant differences arising from the relevant Western Australian legislative scheme and its administration.

Extensive discovery has been provided by the State in 2021 and 2022. The matter has been set down for an 8 week initial trial of common issues commencing on 2 October 2023 before His Honour Justice Murphy.

OUR PEOPLE

The SSO is committed to attracting and building a diverse workforce and the development of the skills and expertise of our staff.

LEARNING AND DEVELOPMENT

Learning and Development Sub-Committee

The SSO Learning and Development (**L&D**) Sub-Committee promotes excellence through ongoing professional development to enhance the capability of the SSO as government's key legal adviser.

In 2022-23, the L&D Sub-Committee was heavily involved in the planning of the Whole of Government Legal CPD conference, as well as identifying the training requirements for the SSO's legal officers and organising the internal Continuing Professional Development (**CPD**) training sessions to support the training needs.

Developing our Staff

In 2022-23, the SSO delivered 23 in-house CPD training sessions to our solicitors. These sessions, delivered by internal moderators and speakers, covered a range of topics including commercial contracts, counter terrorism and emergency management, guardianship and administration, mediation, legal and ethical issues with technology, prosecutions and trial preparation. The sessions supported the development of our solicitors and increased the legal capability across the agency. Legal staff also accessed external CPD training sessions including those provided by the Law Society of Western Australia.



CPD for Government Lawyers

In February 2023, the SSO held its annual Whole of Government Legal CPD conference. The professional development event was attended by over 130 in-house lawyers from across the public sector to assist those lawyers in meeting their professional development obligations.

The conference included five sessions involving speakers covering a range of topics including administrative actions, ethics of advice writing, litigation management, work health and safety and sexual harassment provisions.

The conference informed attendees of relevant and emerging legal issues and trends facing the public sector and provided an opportunity to meet with other government lawyers and build productive networks.

Ethical Decision Making and Inclusion

In the 2023-24 financial year, SSO staff are required to complete training in accountable and ethical decision making, Aboriginal and Torres Strait Islander Awareness, disability awareness and mental health awareness.

RECRUITMENT STRATEGIES

Law Graduate Program

The SSO offers a comprehensive program for graduates interested in a career in the law with a strong focus on public law and a commitment to delivering a range of work of the highest standard to the Attorney General, Ministers and government agencies and instrumentalities.

In January 2023, the SSO welcomed six new graduates as part of the 2023 program.

The law graduates rotate through all legal practice areas, under the supervision of senior legal officers. Law graduates are supported by a cohort leader who provides pastoral care and career guidance.

Law graduates acquire an operational understanding of legal matters and legal skills covering:

- a wide range of litigation matters in courts and tribunals at all levels;
- research and preparation of draft legal advice on complex matters;
- drafting commercial documentation; and
- liaising with clients in the conduct and management of matters.

Bi-annual Vacation Clerkship Program

In 2022-23, our bi-annual vacation clerkship program saw 20 university students from six institutions gain valuable insight into the activities of the SSO.

These clerkships provide law students the opportunity to undertake paid work experience and are available to penultimate and final year law students completing their Bachelor of Laws or Juris Doctor in Law.

The structured program ensures participants are well mentored and gain experience in as many of the SSO's practice areas as possible over an intensive two week period.

Indigenous Legal Internship Program

In 2022-23, the SSO welcomed two university students to participate in its annual Indigenous Legal Internship Program.

The Program is an accredited course by the University of Western Australia that provides an opportunity for Aboriginal and Torres Strait Islander university students to undertake paid work experience with the SSO providing a valuable foundation for interns interested in pursuing a career within law.



CULTURE, WELLBEING AND INCLUSION

The SSO has established sub-committees to provide whole of agency input into organisational culture, wellbeing and to promote inclusion. These are the:

Reconciliation Sub-Committee

The Reconciliation Sub-Committee (**RSC**) was convened with a view to enhance reconciliation by formulating initiatives consistent with the requirements of the Values and Guiding Principles of the SSO. Part of its remit is to oversee development and implementation of an SSO Reconciliation Action Plan (**RAP**).

The RSC continues to progress the development of the proposed SSO RAP, with a view to its implementation during 2023-24. This has included reviewing other agencies for examples of comparable RAPs. Other initiatives have been to arrange the attendance by SSO officers at a range of relevant external seminars and presentations and the regular provision to SSO staff of information about First Nations issues relevant to SSO, or likely to be of general interest (such as the promotion of Reconciliation Week activities).

The RSC proposes in 2023-24 to progress the SSO RAP to implementation and to continue to implement other initiatives designed to keep the SSO community informed and engaged

with reconciliation. The RSC is also proposing to continue, in consultation with the SSO Corporate Executive, to develop and seek to enhance where possible some of the existing SSO policy positions and programs relevant to First Nations opportunities through employment and internship.

Wellbeing Sub-Committee

The Wellbeing Sub-Committee supports the SSO's aim of being a diverse, collaborative and inclusive workplace which provides a safe, healthy and supportive environment for all employees.

The Sub-Committee consults and engages across the SSO to assist it in developing a range of initiatives and activities which promote health, wellbeing, diversity and inclusion.

Initiatives and activities in 2022-23 included:

- supporting Wear It Purple Day and R U OK Day;
- promoting floor Wellness Walls;
- updating the Office Working from Home Guidelines to give greater flexibility to employees to work from home; and
- starting a weekly Walking Club, and a Hiking Club.

DISCLOSURES AND LEGAL COMPLIANCE

Disclosures and legal compliance

Certification of financial statements

For the reporting period ended 30 June 2023

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 reporting period ended 30 June 2023 and the financial position as at 30 June 2023.

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.



Wolfgang Meier
Chief Finance Officer
7 September 2023



Dr Graham Hill
State Solicitor
7 September 2023

INDEPENDENT AUDITOR'S OPINION



Auditor General

INDEPENDENT AUDITOR'S REPORT

2023

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 at 30 June 2023, and 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 at 30 June 2023 and the Administered income and expenses by service for the year then ended
- Notes comprising a summary of significant 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 2023 and the financial position 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 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 objective of my audit is 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 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 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 during the year ended 30 June 2023.

The State Solicitor's responsibilities

The State Solicitor is responsible for designing, implementing and maintaining controls to ensure that the receipt, expenditure and investments 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 Engagement 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 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 designed 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 objective.

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 2023. 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 of the State Solicitor's Office are relevant and appropriate to assist users to assess the Office's performance and fairly represent indicated performance for the year ended 30 June 2023.

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 Instructions 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 2023, but not the financial statements, key performance indicators and my auditor's report.

My opinions on the financial statements, controls and key performance indicators do 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

The auditor's report relates to the financial statements and key performance indicators of the State Solicitor's Office for the year ended 30 June 2023 included in the annual report on the Office's website. The Office's management is responsible for the integrity of the Office's website. This audit does not provide assurance on the integrity of 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
11 September 2023

FINANCIAL STATEMENTS

STATEMENT OF COMPREHENSIVE INCOME

For the year ended 30 June 2023

	NOTES	2023 (\$000)	01 OCT 21 TO 30 JUN 22 (\$000)
COST OF SERVICES			
Expenses			
Employee benefits expenses	3.1(a)	40,225	30,757
Supplies and services	3.3	4,875	4,029
Depreciation and amortisation expenses	5.1.1, 5.2.1 and 5.3	291	217
Finance costs	7.2	14	15
Accommodation expenses	3.3	7,014	4,919
Grants and subsidies	3.2	6,913	4,956
Other expenses	3.3	671	449
Total cost of services		60,003	45,342
Income			
Other income	4.2	1,538	400
Total income		1,538	400
Net cost of services		58,465	44,942
Income from State Government			
Service appropriation	4.1	50,260	39,545
Income from other public sector entities	4.1	9,930	6,694
Resources received	4.1	2,928	2,436
Total income from State Government		63,118	48,675
Surplus for the period		4,653	3,733
Other comprehensive income			
Other comprehensive income		-	-
Total other comprehensive income		-	-
Total comprehensive income for the period		4,653	3,733

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

STATEMENT OF FINANCIAL POSITION
As at 30 June 2023

	NOTES	2023 (\$'000)	2022 (\$'000)
Assets			
Current Assets			
Cash and cash equivalents	7.3	11,097	6,903
Receivables	6.1	1,495	2,121
Other current assets	6.3	1,453	224
Total Current Assets		14,045	9,248
Non-Current Assets			
Restricted cash and cash equivalents	7.3	969	828
Amounts receivable for services	6.2	9,528	9,088
Property, plant and equipment	5.1	471	583
Intangible assets	5.2	33	73
Right-of-use assets	5.3	204	330
Total Non-Current Assets		11,205	10,902
Total assets		25,250	20,150
Liabilities			
Current Liabilities			
Payables	6.4	2,066	1,859
Lease liabilities	7.1	94	123
Employee related provisions	3.1(b)	9,131	8,671
Other current liabilities	6.5	131	178
Total Current Liabilities		11,422	10,831
Non-Current Liabilities			
Lease liabilities	7.1	119	213
Employee related provisions	3.1(b)	2,018	2,216
Total Non-Current Liabilities		2,137	2,429
Total liabilities		13,559	13,260
Net assets		11,691	6,890
Equity			
Contributed equity	9.11	3,305	3,157
Accumulated surplus		8,386	3,733
Total equity		11,691	6,890

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 2023

	NOTES	CONTRIBUTED EQUITY (\$000)	ACCUMULATED SURPLUS (\$000)	TOTAL EQUITY (\$000)
Balance at 1 October 2021		-	-	-
Surplus		-	3,733	3,733
Other comprehensive income		-	-	-
Total comprehensive income for the period		-	3,733	3,733
<i>Transactions with owners in their capacity as owners:</i>				
Transfer of net assets from the Department of Treasury	9.11	1,849	-	1,849
Capital appropriation	9.11	1,308	-	1,308
Total		3,157	3,733	6,890
Balance at 30 June 2022		3,157	3,733	6,890
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>				
Transfer of net assets from the Department of Treasury	9.11	-	-	-
Capital appropriation	9.11	148	-	148
Total		148	-	148
Balance at 30 June 2023		3,305	8,386	11,691

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 2023

	NOTES	2023 (\$000)	01 OCT 21 TO 30 JUN 22 (\$000)
Cash flows from State Government			
Service appropriation		49,820	39,349
Capital appropriation		148	1,308
Funds from other public sector entities		10,500	5,181
Funds transferred from Department of Justice upon transition		-	1,004
Net cash provided by State Government		60,468	46,842
<i>Utilised as follows:</i>			
Cash flows from operating activities			
Payments			
Employee benefits		(40,187)	(27,408)
Supplies and services		(2,051)	(1,530)
Finance costs		(14)	(15)
Accommodation		(7,559)	(4,861)
Grants and subsidies		(6,633)	(5,059)
GST payments on purchases		(1,480)	(1,149)
GST payments to taxation authority		-	(18)
Other payments		(994)	(462)
Receipts			
GST receipts on sales		832	523
GST receipts from taxation authority		560	557
Other receipts		1,529	409
Net cash used in operating activities	7.3.2	(55,997)	(39,013)
Cash flows from investing activities			
Payments			
Purchase of non-current assets		(5)	(3)
Net cash used in investing activities		(5)	(3)
Cash flows from financing activities			
Payments			
Principal elements of lease payments		(131)	(95)
Net cash used in financing activities		(131)	(95)
Net increase in cash and cash equivalents		4,335	7,731
Cash and cash equivalents at the beginning of the reporting period		7,731	-
Cash and cash equivalents at the end of the reporting period	7.3	12,066	7,731

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 2023

	GENERAL - NOT ATTRIBUTED		TOTAL	
	2023 (\$000)	01 OCT 21 TO 30 JUN 22 (\$000)	2023 (\$000)	01 OCT 21 TO 30 JUN 22 (\$000)
INCOME FROM ADMINISTERED ITEMS				
Income				
Land Trust receipts	205,527	103,837	205,527	103,837
Suitor's fund levy	135	85	135	85
Total administered income	205,662	103,922	205,662	103,922
Expenses				
Land Trust payments	200,135	96,871	200,135	96,871
Suitor's fund payments	-	43	-	43
Total administered expenses	200,135	96,914	200,135	96,914

ADMINISTERED ASSETS AND LIABILITIES

For the year ended 30 June 2023

	2023 (\$000)	2022 (\$000)
Current assets		
<u>Restricted cash and cash equivalents</u>		
Suitor's Fund	678	543
Land Acquisitions	12,358	6,966
Total administered current assets	13,036	7,509
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 controlled by the State of Western Australia which is the ultimate parent. The SSO is a not-for-profit entity (as profit is not its principal objective). Prior to transitioning to a sub-department on 1 October 2021, the SSO was a division within the Department of Justice. As such, the 2022 comparative represents trading from 1 October 2021 to 30 June 2022.

A description of the nature of its operations and its principal activities have been included in the **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 7 September 2023.

STATEMENT OF COMPLIANCE

These general purpose financial statements are prepared in accordance with:

- 1) The *Financial Management Act 2006* (**FMA**)
- 2) The Treasurer's Instructions (**TI's**)
- 3) Australian Accounting Standards including applicable interpretations
- 4) Where appropriate those Australian Accounting Standards paragraphs applicable for not-for-profit entities have been modified.

The FMA and TIs take precedence over Australian Accounting Standards. Several Australian Accounting Standards are modified by the TIs to vary application, disclosure format and wording. Where modification is required and has 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

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.

COMPARATIVES

Where necessary, comparative information has been reclassified to achieve consistency in disclosure with current financial year information and other disclosures.

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 2023

	LEGAL SERVICES TO GOVERNMENT	
	2023 (\$000)	01 OCT 21 TO 30 JUN 22 (\$000)
Cost of services		
<u>Expenses</u>		
Employee benefits expenses	40,225	30,757
Supplies and services	4,875	4,029
Depreciation and amortisation expenses	291	217
Finance costs	14	15
Accommodation expenses	7,014	4,919
Grants and subsidies	6,913	4,956
Other expenses	671	449
Total cost of services	60,003	45,342
<u>Income</u>		
Other income	1,538	400
Total income	1,538	400
Net cost of services	58,465	44,942
Income from State Government		
Service appropriation	50,260	39,545
Income from other public sector entities	9,930	6,694
Resources received	2,928	2,436
Total income from State Government	63,118	48,675
Surplus for the period	4,653	3,733

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 2023

	LEGAL SERVICES TO GOVERNMENT	
	2023 (\$000)	2022 (\$000)
<u>Assets</u>		
Current assets	14,045	9,248
Non-current assets	11,205	10,902
Total assets	25,250	20,150
<u>Liabilities</u>		
Current liabilities	11,422	10,926
Non-current liabilities	2,137	2,334
Total liabilities	13,559	13,260
NET ASSETS	11,691	6,890

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

	2023 (\$000)	01 OCT 21 TO 30 JUN 22 (\$000)
Employee benefits	36,013	28,041
Termination benefits	306	-
Superannuation - defined contribution plans	3,906	2,716
Total employee benefits expenses	40,225	30,757
Add: AASB 16 Non-monetary benefits	258	208
Less: Employee contributions	(100)	(71)
Net employee benefits	40,383	30,894

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 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 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.

AASB 16 non-monetary benefits are non-monetary employee benefits 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

	2023 (\$000)	2022 (\$000)
Current		
<u>Employee benefits provisions</u>		
Annual leave	3,591	3,661
Long service leave	5,526	4,986
<u>Other provisions</u>		
Employment on-costs	14	24
Total current employee related provisions	9,131	8,671
Non-current		
<u>Employee benefits provisions</u>		
Long service leave	2,007	2,210
<u>Other provisions</u>		
Employment on-costs	11	6
Total non-current employee related provisions	2,018	2,216
Total employee related provisions	11,149	10,887

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.

3.1 (B) EMPLOYEE RELATED PROVISIONS (continued)

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

	2023 (\$000)	2022 (\$000)
Within 12 months of the end of the reporting period	2,303	2,479
More than 12 months after the end of the reporting period	1,288	1,182
	3,591	3,661

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 an unconditional right to defer settlement of the liability for at least 12 months after the end of the reporting period.

Pre-conditional and conditional long service leave provisions are classified as non-current liabilities because the SSO has an unconditional 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:

	2023 (\$000)	2022 (\$000)
Within 12 months of the end of the reporting period	1,977	1,836
More than 12 months after the end of the reporting period	5,556	5,360
	7,533	7,196

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 gives 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'.

	2023 (\$000)	2022 (\$000)
Employment on-costs provision		
Carrying amount at start of period	30	-
Additional provisions recognised	(5)	30
Carrying amount at end of period	25	30

3.1 (B) EMPLOYEE RELATED PROVISIONS (continued)

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 financial year.

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

	2023 (\$000)	01 OCT 21 TO 30 JUN 22 (\$000)
Recurrent		
Legal costs on behalf of the State	3,937	3,270
Mesothelioma settlements	1,621	869
Act of grace payments	1,355	817
Total grants and subsidies	6,913	4,956

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.

3.3 OTHER EXPENSES

	2023 (\$000)	01 OCT 21 TO 30 JUN 22 (\$000)
Supplies and Services		
Communications	62	70
Consultants and contractors	643	651
Resources received free of charge	2,928	2,436
Consumables	476	379
Software licences	684	433
Travel	82	60
Total supplies and services expenses	4,875	4,029
Accommodation expenses		
Office rental	6,691	4,770
Electricity and water	76	54
Repairs and maintenance	7	6
Cleaning	240	89
Total accommodation expenses	7,014	4,919

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 Agreement between the SSO and the Department of Finance for the leasing of office accommodation contains significant substitution rights.

3.3 OTHER EXPENSES (continued)

	2023 (\$000)	01 OCT 21 TO 30 JUN 22 (\$000)
Other expenses		
Equipment repairs and maintenance	2	2
Employee on-costs	62	222
Other staffing costs	289	56
Motor vehicle expenses	110	71
Insurance	114	30
Other	92	59
Advertising and promotion	2	9
Total other expenses	671	449
Total other expenditure	12,560	9,397

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

	2023 (\$000)	01 OCT 21 TO 30 JUN 22 (\$000)
Appropriation received during the period		
- Service appropriation	45,222	36,535
- Salaries and Allowances Act 1975	4,411	2,541
- Solicitor General Act 1969	596	446
- Suitor's Fund 1964	31	23
Total service appropriation received	50,260	39,545
Income received from other public sector entities during the period		
- Legal services	7,001	4,380
- National Redress Scheme	3,026	2,306
- Cost recoveries	(97)	8
Total income from other public sector entities	9,930	6,694
Resources received from other public sector entities during the period		
- Department of Finance (Accommodation - fitout depreciation)	355	268
- Department of Justice (Corporate Support)	2,572	2,168
- Department of Planning, Lands and Heritage (Provision of Mapping)	1	-
Total resources received	2,928	2,436
Total income from State Government	63,118	48,675

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 are recognised as income when the SSO has satisfied its performance obligations. 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 2023

	2023 BUDGET (\$000)	2023 SUPPLEMENTARY FUNDING ^(a) (\$000)	2023 REVISED BUDGET (\$000)	2023 ACTUAL (\$000)	2023 VARIANCE (\$000)
<u>Delivery of Services</u>					
Item 65 Net amount appropriated to deliver services	45,222	-	45,222	45,222	-
Amounts Authorised by Other Statutes					
- <i>Salaries and Allowances Act 1975</i>	4,411	-	4,411	4,411	-
- <i>Solicitor General Act 1969</i>	596	-	596	596	-
- <i>Suitor's Fund Act 1964</i>	31	-	31	31	-
Total appropriations provided to deliver services	50,260	-	50,260	50,260	-
<u>Capital</u>					
Item 134 Capital appropriation	148	-	148	148	-
GRAND TOTAL	50,408	-	50,408	50,408	-

^(a) No supplementary funding was received by the agency in 2022-23.

4.2 OTHER INCOME

	2023 (\$000)	01 OCT 21 TO 30 JUN 22 (\$000)
Employee contributions	3.1 (a)	100
Legal services		128
Legal cost recoups		1,310
Total other income		1,538
		400

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

YEAR ENDED 30 JUNE 2023	LEASEHOLD IMPROVEMENTS (\$000)	OFFICE EQUIPMENT (\$000)	TOTAL (\$000)
1 July 2022			
Gross carrying amount	393	277	670
Accumulated depreciation	(28)	(59)	(87)
Carrying amount at the start of period	365	218	583
Transfers	-	-	-
Additions	-	5	5
Disposals	-	-	-
Depreciation	(41)	(76)	(117)
Carrying amount at 30 June 2023	324	147	471
Gross carrying amount	393	282	675
Accumulated depreciation	(69)	(135)	(204)
PERIOD ENDED 30 JUNE 2022	LEASEHOLD IMPROVEMENTS (\$000)	OFFICE EQUIPMENT (\$000)	TOTAL (\$000)
Carrying amount at start of period	-	-	-
Transfers ^(a)	390	277	667
Additions	3	-	3
Depreciation	(28)	(59)	(87)
Carrying amount at 30 June 2022	365	218	583
Gross carrying amount	393	277	670
Accumulated depreciation	(28)	(59)	(87)

^(a) During the reporting period, office equipment and leasehold improvements attributed to the SSO when it was a business unit of the Department of Justice were transferred to the sub-department through the Department of Treasury.

5.1 PROPERTY, PLANT AND EQUIPMENT (continued)

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.

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	2023 (\$000)	01 OCT 21 TO 30 JUN 22 (\$000)
<u>Depreciation</u>			
Office equipment	5.1	76	59
Leasehold improvements	5.1	41	28
Total depreciation for the period		117	87

As at 30 June 2023, 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.

5.1.1 DEPRECIATION AND IMPAIRMENT CHARGE FOR THE PERIOD (continued)

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 2023	COMPUTER SOFTWARE (\$000)
1 July 2022	
Gross carrying amount	104
Accumulated amortisation	(31)
Carrying amount at start of period	73
Additions	-
Transfers	-
Impairment Losses	-
Amortisation expense	(40)
Carrying amount at 30 June 2023	33

PERIOD ENDED 30 JUNE 2022	COMPUTER SOFTWARE (\$000)
Carrying amount at start of period	-
Transfers ^(a)	104
Amortisation expense	(31)
Carrying amount at 30 June 2022	73

^(a) During the reporting period, computer software attributed to the SSO when it was a business unit of the Department of Justice were transferred to the sub-department through the Department of Treasury.

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
- (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

	2023 (\$000)	01 OCT 21 TO 30 JUN 22 (\$000)
Computer software	40	31
Total amortisation for the period	40	31

As at 30 June 2023, 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 2023	MOTOR VEHICLES (\$000)
At 1 July 2022	
Gross carrying amount	429
Accumulated depreciation	(99)
Carrying amount at start of period	330
Additions	16
Transfers	0
Disposals	(8)
Depreciation	(134)
Carrying amount at 30 June 2023	204
Gross carrying amount	435
Accumulated depreciation	(231)

PERIOD ENDED 30 JUNE 2022	MOTOR VEHICLES (\$000)
Carrying amount at start of period	-
Transfers ^(a)	392
Additions	37
Depreciation expense	(99)
Carrying amount at 30 June 2022	330
Gross carrying amount	429
Accumulated depreciation	(99)

^(a) During the reporting period, motor vehicles attributed to the SSO when it was a business unit of the Department of Justice were transferred to the sub-department through the Department of Treasury.

5.3 RIGHT-OF-USE ASSETS (continued)

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 7.2 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.

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

	2023 (\$000)	01 OCT 21 TO 30 JUN 22 (\$000)
Depreciation expenses of right-of-use assets	134	99
Lease interest expense	14	15

The total cash outflow for leases in 2023 was \$131,142 (2022: \$94,516). As at 30 June 2023 there were no indications of impairment to right-of-use assets.

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.

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

	2023 (\$000)	2022 (\$000)
Current		
Trade receivables	405	1,294
Accrued revenue	800	639
Other debtors	106	81
GST receivable	184	107
Total current	1,495	2,121
Total receivables	1,495	2,121

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.

For 2022-23 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.

6.2 AMOUNT RECEIVABLE FOR SERVICES (HOLDING ACCOUNT)

	2023 (\$000)	2022 (\$000)
Non-current	9,528	9,088
Total amounts receivable for services	9,528	9,088

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

	2023 (\$000)	2022 (\$000)
<u>Current</u>		
Prepayments	1,453	224
Total current	1,453	224
Total other assets at end of period	1,453	224

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

6.4 PAYABLES

	2023 (\$000)	2022 (\$000)
<u>Current</u>		
Accrued expenses	968	534
Accrued salaries	1,098	1,325
Total payables at end of period	2,066	1,859

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

	2023 (\$000)	2022 (\$000)
<u>Current</u>		
Income in advance	131	176
Other payables	-	2
Total other liabilities at end of period	131	178

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

7.1 LEASE LIABILITIES

	2023 (\$000)	2022 (\$000)
<u>Current</u>	94	123
Non-current	119	213
	213	336

7.1 LEASE LIABILITIES (continued)

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 payments 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

	2023 (\$000)	01 OCT 21 TO 30 JUN 22 (\$000)
Lease interest expense	14	15
	14	15

Finance cost reflects the interest component of lease liability repayments.

7.3 CASH AND CASH EQUIVALENTS

7.3.1 RECONCILIATION OF CASH

	2023 (\$000)	2022 (\$000)
Cash and cash equivalents	11,097	6,903
Restricted cash and cash equivalents	969	828
	12,066	7,731
Restricted cash and cash equivalents		
Non-current		
Accrued salaries suspense account ^(a)	969	828

^(a) Funds held in the suspense account for the purpose of meeting the 27th pay in a reporting period that occurs every 11th year. This account is classified as non-current for 10 out of 11 years.

For the purpose of the Statement of cash flows, cash and cash equivalent (and restricted cash and cash equivalent) assets comprise cash on hand which are subject to insignificant risk of changes in value.

The accrued salaries suspense account consists of amounts paid annually, from SSO appropriations for salaries expense, into a Treasury suspense 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.

7.3.2 RECONCILIATION OF NET COST OF SERVICES TO NET CASH FLOWS USED IN OPERATING ACTIVITIES

	NOTES	2023 (\$000)	01 OCT 21 TO 30 JUN 22 (\$000)
Net cost of services		(58,465)	(44,942)
Non-cash items			
Depreciation and amortisation expense	5.1.1, 5.2.1 and 5.3	291	217
Resources received	3.3 and 4.1	2,928	2,436
(Increase)/decrease in assets			
Receivables ^(a)		89	(323)
Other current assets		(1,229)	(224)
Increase/(decrease) in liabilities			
Payables		215	1,836
Employee provisions		262	2,072
Net GST receipts/ (payments) ^(b)		(11)	22
Change in GST in receivables/ payables ^(c)		(77)	(107)
Net cash used in operating activities		(55,997)	(39,013)

^(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 SSO 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:

	2023 (\$000)	2022 (\$000)
<u>Financial assets</u>		
Cash and cash equivalents	12,066	7,731
Financial assets at amortised cost ^(a)	10,839	11,102
Total financial assets	22,905	18,833
<u>Financial liabilities</u>		
Financial liabilities at amortised cost ^(b)	2,410	2,373
Total financial liabilities	2,410	2,373

^(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.

	DAYS PAST DUE					
	TOTAL (\$000)	CURRENT (\$000)	< 30 DAYS (\$000)	30 - 60 DAYS (\$000)	61 - 90 DAYS (\$000)	> 91 DAYS (\$000)
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	-	-	-	-	-	-
30 June 2022						
Expected credit loss rate	0%	0%	0%	0%	0%	0%
Estimated total gross carrying amount at default	1,294	803	486	-	-	5
Expected credit losses	-	-	-	-	-	-

The SSO has elected to record no expected credit loss for 2021-22 or 2022-23 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

2023	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 TO 1 YEAR	1-5 YEARS	MORE THAN 5 YEARS
<u>Financial assets</u>									
Cash and cash equivalents	-	11,097	-	11,097	11,097	-	-	-	-
Restricted cash and cash equivalents	-	969	-	969	-	-	-	969	-
Receivables ^(a)	-	1,311	-	1,311	1,311	-	-	-	-
Amounts receivable for services	-	9,528	-	9,528	-	-	-	636	8,892
Total financial assets		22,905	-	22,905	22,905	-	-	1,605	8,892
<u>Financial liabilities</u>									
Payables	-	2,066	-	2,066	2,066	-	-	-	-
Other current liabilities	-	131	-	131	131	-	-	-	-
Lease liabilities	5.02%	213	213	-	10	20	72	125	-
Total financial liabilities		2,410	213	2,197	2,424	20	72	125	-

^(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

Interest rate exposure and maturity analysis of financial assets and financial liabilities

2022	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 TO 1 YEAR	1-5 YEARS	MORE THAN 5 YEARS
<u>Financial assets</u>									
Cash and cash equivalents	-	6,903	-	6,903	6,903	-	-	-	-
Restricted cash and cash equivalents	-	828	-	828	828	-	-	828	-
Receivables ^(a)	-	2,014	-	2,014	2,014	-	-	-	-
Amounts receivable for services	-	9,088	-	9,088	9,088	-	-	196	8,892
Total financial assets		18,833	-	18,833	18,833	-	-	1,024	8,892
<u>Financial liabilities</u>									
Payables	-	1,859	-	1,859	1,859	-	-	-	-
Other current liabilities	-	178	-	178	178	-	-	-	-
Lease liabilities	5.10%	336	336	-	365	23	99	231	1
Total financial liabilities		2,373	336	2,037	2,402	23	99	231	1

^(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 policy	9.2
Future impact of Accounting 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 POLICY

There has been no changes in accounting policy during the reporting period.

9.3 FUTURE IMPACT OF ACCOUNTING STANDARDS ISSUED BUT 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**

AASB 2021-2	<i>Amendments to Australian Accounting Standards - Disclosure of Accounting Policies and Definition of Accounting Estimates</i>	1 Jan 2023
	<p>This Standard amends: (a) AASB 7, to clarify that information about measurement bases for financial instruments is expected to be material to an entity's financial statements; (b) AASB 101, to require entities to disclose their material accounting policy information rather than their significant accounting policies; (c) AASB 108, to clarify how entities should distinguish changes in accounting policies and changes in accounting estimates; (d) AASB 134, to identify material accounting policy information as a component of a complete set of financial statements; and (e) AASB Practice Statement 2, to provide guidance on how to apply the concept of materiality to accounting policy disclosures.</p> <p>There is no financial impact.</p>	
AASB 2021-6	<i>Amendments to Australian Accounting Standards - Disclosure of Accounting Policies: Tier 2 and Other Australian Accounting Standards</i>	1 Jan 2023
	<p>This Standard amends: (a) AASB 1049, to require entities to disclose their material accounting policy information rather than their significant accounting policies; (b) AASB 1054 to reflect the updated accounting policy terminology used in AASB 101 Presentation of Financial Statements; and (c) AASB 1060 to required entities to disclose their material accounting policy information rather than their significant accounting policy and to clarify that information about measurement bases for financial instruments is expected to be material to an entity's financial statements.</p> <p>There is no financial impact.</p>	
AASB 2022-7	<i>Editorial Corrections to Australian Accounting Standards and Repeal of Superseded and Redundant Standards</i>	1 Jan 2023
	<p>This Standard makes editorial corrections to various Australian Accounting Standards and AASB Practice Statement 2 Making Materiality Judgements.</p> <p>There is no financial impact.</p>	

9.3 FUTURE IMPACT OF ACCOUNTING STANDARDS ISSUED BUT NOT YET OPERATIVE (continued)

**OPERATIVE FOR
REPORTING PERIODS
BEGINNING ON/AFTER**

AASB 2022-8	<p><i>Amendments to Australian Accounting Standards - Insurance Contracts: Consequential Amendments</i></p> <p>This Standard amends: (a) AASB 1; (b) AASB 3; (c) AASB 5; (d) AASB 7; (e) AASB 9; (f) AASB 15; (g) AASB 17; (h) AASB 119; (i) AASB 132; (j) AASB 136; (k) AASB 137; (l) AASB 138; (m) AASB 1057; and (n) AASB 1058, to permit public sector entities to continue applying AASB 4 and AASB 1023 to annual periods beginning on or after 1 January 2023 but before 1 July 2026.</p> <p>There is no financial impact.</p>	1 Jan 2023
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>	1 Jan 2024
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>	1 Jan 2024
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.</p> <p>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>	1 Jan 2024

9.3 FUTURE IMPACT OF ACCOUNTING STANDARDS ISSUED BUT NOT YET OPERATIVE (continued)

**OPERATIVE FOR
REPORTING PERIODS
BEGINNING ON/AFTER**

AASB 2022-10	<p><i>Amendments to Australian Accounting Standards - Fair Value Measurement of Non-Financial Assets of Not-for-Profit Public Sector Entities.</i></p> <p>This Standard amends AASB 13 including adding authoritative implementation guidance and providing related illustrative examples, 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.</p> <p>The Agency has not assessed the impact of the Standard.</p>	1 Jan 2024
AASB 17	<p><i>Insurance Contracts</i></p> <p>This Standard establishes principles for the recognition, measurement, presentation and disclosure of insurance contracts. It was amended by AASB 2022-8 to take effect for Not-For-Profit insurance contracts from 1 July 2026.</p> <p>The Agency has not assessed the impact of the Standard.</p>	1 Jan 2026
AASB 2021-7C	<p><i>Amendments to Australian Accounting Standards - Effective Date of Amendments to AASB 10 and AASB 128 and Editorial Corrections</i></p> <p>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.</p> <p>The Agency has not assessed the impact of the Standard.</p>	1 Jan 2025
AASB 2022-9	<p><i>Amendments to Australian Accounting Standards - Insurance Contracts in the Public Sector</i></p> <p>This Standard amends AASB 17 and AASB 1050 to include modifications with respect to the application of AASB 17 by public sector entities.</p> <p>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</p> <p>There is no financial impact.</p>	1 Jan 2026

9.4 KEY MANAGEMENT PERSONNEL

The SSO has determined key management personnel to include cabinet ministers and senior officers of the Office. The SSO 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 (\$)	2023	2022 ^(b)
\$450,001 - \$500,000	2	0
\$400,001 - \$450,000	2	0
\$350,001 - \$400,000	2	2
\$300,001 - \$350,000	2	4
\$250,001 - \$300,000	2	0
\$200,001 - \$250,000	1	3
\$150,001 - \$200,000	2	1
\$100,001 - \$150,000	0	1
\$50,001 - \$100,000	1	1
\$0 - \$50,000	0	1

	2023 (\$000)	2022 (\$000)
Short-term employee benefits	4,406	3,025
Other long-term benefits ^(a)	(142)	71
Total compensation of senior officers	4,264	3,096

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

^(a) The actuarial has seen a reduction in the value of long term benefits.

^(b) The SSO became an independent sub-department on 1 October 2021.

9.5 RELATED PARTY TRANSACTIONS

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

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).

9.5 RELATED PARTY TRANSACTIONS (continued)

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.

	2023 (\$000)	2022 (\$000)
Balance at start of period ^(a)	543	501
Receipts	135	85
Payments	-	(43)
Balance at end of period	678	543

^(a) The SSO became a sub-department on 1 October 2021.

9.9 REMUNERATION OF AUDITORS

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

	2023 (\$000)	2022 (\$000)
Auditing the accounts, financial statements, controls, and key performance indicators	77	72

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:

	2023 (\$000)	2022 (\$000)
Department of the Premier and Cabinet	5,285	3,514
Department of Communities	4,446	3,046
Other	2,213	2,213
Western Australia Police Force	2,996	1,844
Department of Planning, Lands and Heritage	2,602	1,659
Department of Mines, Industry Regulation and Safety	2,160	1,630
Department of Water and Environmental Regulation	2,231	1,558
Commissioner of Main Roads	1,370	1,509
Department of Justice	3,332	1,318
Department of Jobs, Tourism, Science and Innovation	1,744	1,033
Department of Finance	1,258	897
Department of Local Government, Sport and Cultural Industries	774	786
Public Transport Authority of Western Australia	828	652
Department of Primary Industries and Regional Development	902	603
Department of Health (including public hospitals)	761	538
Department of Biodiversity, Conservation and Attractions	684	509
Insurance Commission of Western Australia	1,025	501
Department of Education	1,189	488
Department of Treasury	417	386
WA Electoral Commission	225	323
Department of Transport	323	308
East Metropolitan Health Service	487	301
WorkCover Western Australia Authority	530	299
Child and Adolescent Health Service	700	295
South Metropolitan Health Service	211	256
WA Country Health Service	4	248
Department of Fire and Emergency Services	229	230
Balance at end of period	38,926	26,944

9.11 EQUITY

	2023 (\$000)	2022 (\$000)
Contributed equity		
Balance at start of period	3,157	-
<i>Transactions with owners in their capacity as owners:</i>		
Transfer of net assets from the Department of Treasury	-	1,849
Capital appropriation	148	1,308
Total contributed equity at end of period	3,305	3,157

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 2023, and between the actual results for 2023 and 2022 are shown below. Narratives are provided for key major variances which vary more than 10% from their comparative and that the variation is more than 1% of the:

- Total Cost of Services for the previous year for the Statements of comprehensive income and Statement of cash flows (i.e. 1% of \$45,342,000); and
- Total Assets for the previous year for the Statement of financial position (i.e. 1% of \$20,150,000).

10.1.1 STATEMENT OF COMPREHENSIVE INCOME VARIANCES

	VARIANCE NOTE	ESTIMATE 2023 (\$000)	ACTUAL 2023 (\$000)	ACTUAL 01 OCT 21 TO 30 JUN 22 (\$000)	VARIANCE BETWEEN ACTUAL AND ESTIMATE (\$000)	VARIANCE BETWEEN ACTUAL RESULTS FOR 2023 AND 2022 (\$000)
Expenses						
Employee benefits expenses	A, 1	46,374	40,225	30,757	(6,149)	9,468
Supplies and services	B, 2	8,339	4,875	4,029	(3,464)	846
Depreciation and amortisation expenses		440	291	217	(149)	74
Finance costs		18	14	15	(4)	(1)
Accommodation expenses	3	6,481	7,014	4,919	533	2,095
Grants and subsidies	C, 4	-	6,913	4,956	6,913	1,957
Other expenses	D	1,153	671	449	(482)	222
Total cost of services		62,805	60,003	45,342	(2,802)	14,661
Income						
Other income	E, 5	915	1,538	400	623	1,138
Total income		915	1,538	400	623	1,138
Net cost of services		61,890	58,465	44,942	(3,425)	13,523
Income from State Government						
Service appropriation	6	50,260	50,260	39,545	-	10,715
Income from other public sector entities	F, 7	8,837	9,930	6,694	1,093	3,236
Resources received	8	2,793	2,928	2,436	135	492

10.1.1 STATEMENT OF COMPREHENSIVE INCOME VARIANCES (continued)

	ESTIMATE 2023 (\$000)	ACTUAL 2023 (\$000)	ACTUAL 01 OCT 21 TO 30 JUN 22 (\$000)	VARIANCE BETWEEN ACTUAL AND ESTIMATE (\$000)	VARIANCE BETWEEN ACTUAL RESULTS FOR 2023 AND 2022 (\$000)
Total income from State Government	61,890	63,118	48,675	1,228	14,443
Surplus for the period (deficit)	-	4,653	3,733	4,653	920
Other comprehensive income					
Other comprehensive income	-	-	-	-	-
Total other comprehensive income	-	-	-	-	-
Total comprehensive income for the period	-	4,653	3,733	4,653	920

Major estimate and actual (2023) variance narratives:

- A Employee benefits expenses is lower than budget due to substantively vacant positions. Several recruitment processes to fill these vacancies were initiated during 2022-23.
- B Supplies and services is lower than budget mostly due to the Stolen Wages Class Action where funding was later corrected from supplies and services to grants and subsidies, and other underspends across legal matters which received fixed term funding.
- C Grants and subsidies represent 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 Other expenses is lower than budget predominantly due to underspends across legal matters which received fixed term funding.
- E Other income is higher than the budget as the SSO recouped larger than expected legal costs from external parties.
- F Income from other public sector entities is higher than budget due to an increase in SSO's rates and a one-off revised revenue target for 2022-23 approved by the Department of Treasury.

10.1.1 STATEMENT OF COMPREHENSIVE INCOME VARIANCES (continued)

Major actual (2023) and comparative (2022) variance narratives:

- 1, 2, 3, 4, 6 & 8 The 2023 actual is higher than the 2022 actual as the SSO became an independent sub-department on 1 October 2021. The 2022 comparative represents 9 months of trading.
- 5 Other income is higher in 2023 than 2022 as the SSO recouped greater amounts of legal costs from external parties.
- 7 Income from other public sector entities is higher in 2023 than 2022 as the SSO increased its rates to address cost pressures.

10.1.2 STATEMENT OF FINANCIAL POSITION VARIANCES

	VARIANCE NOTE	ESTIMATE 2023 (\$000)	ACTUAL 2023 (\$000)	ACTUAL 2022 (\$000)	VARIANCE BETWEEN ACTUAL AND ESTIMATE (\$000)	VARIANCE BETWEEN ACTUAL RESULTS FOR 2023 AND 2022 (\$000)
Assets						
Current Assets						
Cash and cash equivalents		301	11,097	6,903	10,796	4,194
Receivables		516	1,495	2,121	979	(626)
Other current assets	A, 1	44	1,453	224	1,409	1,229
Total Current Assets		861	14,045	9,248	13,184	4,797
Non-Current Assets						
Restricted cash and cash equivalents		980	969	828	(11)	141
Amounts receivable for services		9,529	9,528	9,088	(1)	440
Property, plant and equipment		488	471	583	(17)	(112)
Intangible assets	B	1,260	33	73	(1,227)	(40)
Right-of-use assets		279	204	330	(75)	(126)
Total Non-Current Assets		12,536	11,205	10,902	(1,331)	303
Total assets		13,397	25,250	20,150	11,853	5,100

10.1.2 STATEMENT OF FINANCIAL POSITION VARIANCES (continued)

	VARIANCE NOTE	ESTIMATE 2023 (\$000)	ACTUAL 2023 (\$000)	ACTUAL 2022 (\$000)	VARIANCE BETWEEN ACTUAL AND ESTIMATE (\$000)	VARIANCE BETWEEN ACTUAL RESULTS FOR 2023 AND 2022 (\$000)
Liabilities						
Current Liabilities						
Payables		1,147	2,066	1,859	919	207
Lease liabilities		125	94	123	(31)	(29)
Employee related provisions	C	7,206	9,131	8,671	1,925	460
Other current liabilities		-	131	178	131	(47)
Total Current Liabilities		8,478	11,422	10,831	2,944	591
Non-Current Liabilities						
Lease liabilities		165	119	213	(46)	(94)
Employee related provisions	D	1,608	2,018	2,216	410	(198)
Total Non-Current Liabilities		1,773	2,137	2,429	364	(292)
Total liabilities		10,251	13,559	13,260	3,308	299
Net assets		3,146	11,691	6,890	8,545	4,801
Equity						
Contributed equity		4,298	3,305	3,157	(993)	148
Accumulated surplus		(1,152)	8,386	3,733	9,538	4,653
Total equity		3,146	11,691	6,890	8,545	4,801

10.1.2 STATEMENT OF FINANCIAL POSITION VARIANCES (continued)

Major estimate and actual (2023) variance narratives:

- A Other current assets is higher than budget due to prepayments for ICT software licencing, leasing and subscriptions.
- B Intangible asset is lower than budget as the SSO rescheduled its replacement of the legal practice management system to 2024-25.
- C, D Employee provisions are greater than budget due to reduced leave taken by employees during the period to meet increased demand for legal services.

Major actual (2023) and comparative (2022) variance narratives:

- 1 Other current assets is higher in 2023 than 2022 due to additional prepayments for ICT software licencing, leasing and subscriptions.

10.1.3 STATEMENT OF CASH FLOW VARIANCES

	VARIANCE NOTE	ESTIMATE 2023 (\$000)	ACTUAL 2023 (\$000)	ACTUAL 01 OCT 21 TO 30 JUN 22 (\$000)	VARIANCE BETWEEN ACTUAL AND ESTIMATE (\$000)	VARIANCE BETWEEN ACTUAL RESULTS FOR 2023 AND 2022 (\$000)
Cash flows from State Government						
Service appropriation	1	49,820	49,820	39,349	-	10,471
Capital appropriation	2	148	148	1,308	-	(1,160)
Funds from other public sector entities	A, 3	8,837	10,500	5,181	1,663	5,319
Funds transferred from Department of Justice	4	-	-	1,004	-	(1,004)
Net cash provided by State Government		58,805	60,468	46,842	1,663	13,626

Utilised as follows:

Cash flows from operating activities

Payments

Employee benefits	B, 5	(46,191)	(40,187)	(27,408)	6,004	(12,779)
Supplies and services	C, 6	(5,546)	(2,051)	(1,530)	3,495	(521)
Finance costs		(18)	(14)	(15)	4	1
Accommodation	D, 7	(6,481)	(7,559)	(4,861)	(1,078)	(2,698)
Grants and subsidies	E, 8	-	(6,633)	(5,059)	(6,633)	(1,574)
GST payments on purchases		-	(1,480)	(1,149)	(1,480)	(331)
GST payments to taxation authority		-	-	(18)	-	18
Other payments	9	(1,153)	(994)	(462)	159	(532)

10.1.3 STATEMENT OF CASH FLOW VARIANCES (continued)

	VARIANCE NOTE	ESTIMATE 2023 (\$000)	ACTUAL 2023 (\$000)	ACTUAL 01 OCT 21 TO 30 JUN 22 (\$000)	VARIANCE BETWEEN ACTUAL AND ESTIMATE (\$000)	VARIANCE BETWEEN ACTUAL RESULTS FOR 2023 AND 2022 (\$000)
Receipts						
GST receipts on sales	F	-	832	523	832	309
GST receipts from taxation authority	G	-	560	557	560	3
Other receipts	H, 10	915	1529	409	614	1,120
					-	-
Net cash used in operating activities		(58,474)	(55,997)	(39,013)	2,477	(16,984)
Cash flows from investing activities						
Payments						
Purchase of non-current assets	I	(1,363)	(5)	(3)	1,358	(2)
Net cash used in investing activities		(1,363)	(5)	(3)	1,358	(2)
Cash flows from financing activities						
Payments						
Principal elements of lease payments		(148)	(131)	(95)	17	(36)
Net cash used in financing activities		(148)	(131)	(95)	17	(36)
Net increase in cash and cash equivalents		(1,180)	4,335	7,731	5,515	(3,396)
Cash and cash equivalents at the beginning of the reporting period		2,461	7,731	-	5,270	7,731
Cash and cash equivalents at the end of the period		1,281	12,066	7,731	10,785	4,335

10.1.3 STATEMENT OF CASH FLOW VARIANCES (continued)

Major estimate and actual (2023) variance narratives:

- A Income from other public sector entities is higher than budget due to an increase in SSO's rates and a one-off revised revenue target for 2022-23 approved by the Department of Treasury.
- B Employee benefits expenses is lower than budget due to substantively vacant positions. Several recruitment processes to fill these vacancies were initiated during 2022-23.
- C Supplies and services is lower than budget mostly due to the Stolen Wages Class Action where funding was later corrected from supplies and services to grants and subsidies, and other underspends across legal matters which received fixed term funding.
- D Accommodation is higher than budget as the SSO prepaid July 2023 leasing costs in June 2023.
- E Grants and subsidies represent 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.
- F, G GST is payable to and receivable from the Australian Taxation Office. For budget purposes, GST is excluded.
- H Other receipts is higher than the budget as the SSO recouped larger than expected legal costs from external parties.
- I The SSO rescheduled its replacement of the legal practice management system to 2024-25.

Major actual (2023) and comparative (2022) variance narratives:

- 1, 5 & 6 The 2023 actual is more than the 2022 actual as the 2022 actual represents nine months of trading, starting on 1 October 2021 when the SSO became an independent sub-department.
- 2 The SSO rescheduled its replacement of the legal practice management system to 2024-25.
- 3 Fund from other public sector entities is higher in 2023 than 2022 as the SSO increased its rates to address cost pressures.
- 4 No funds have been transferred from the Department of Justice in 2022-23.
- 7 Accommodation is higher in 2023 than 2022 as the SSO prepaid July 2023 leasing costs in June 2023.
- 8 Grants and subsidies represent 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.
- 9 Other payments is higher in 2023 than 2022 due to prepayments for subscriptions.
- 10 Other receipts is higher in 2023 than 2022 as the SSO recouped greater 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 2023, and between the actual results for 2023 and 2022 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 \$103,922,000).

	VARIANCE NOTE	ESTIMATE 2023 (\$000)	ACTUAL 2023 (\$000)	ACTUAL 01 OCT 21 TO 30 JUN 22 (\$000)	VARIANCE BETWEEN ACTUAL AND ESTIMATE (\$000)	VARIANCE BETWEEN ACTUAL RESULTS FOR 2023 AND 2022 (\$000)
Income from administered items						
Income						
Land Trust receipts	A, 1	-	205,527	103,837	205,527	101,690
Suitor's fund levy	B, 2	164	135	85	(29)	50
Total administered income		164	205,662	103,922	205,498	101,740
Expenses						
Land Trust payments	C, 3	-	200,135	96,871	200,135	103,264
Suitor's fund payments	D, 4	164	-	43	(164)	(43)
Total administered expenses		164	200,135	96,914	199,971	103,221

Major estimate and actual (2023) 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 (2023) and comparative (2022) variance narratives:

- 1, 3 The SSO performs conveyancing of land transactions on behalf of the State. SSO performed more of these in 2023 than 2022. These can not 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.

KEY PERFORMANCE INDICATORS

AUDITED KEY PERFORMANCE INDICATORS

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 2023.



Wolfgang Meier
Chief Finance Officer
7 September 2023



Dr Graham Hill
State Solicitor
7 September 2023

PERFORMANCE ASSESSMENT

The Government desired outcomes that the SSO works to achieve through its services are:

Government Goal	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

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.

OUTCOME 1: GOVERNMENT RECEIVES QUALITY AND TIMELY LEGAL SERVICES

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	2021-22 Actual	2022-23 Target	2022-23 Actual
Extent to which government agencies are satisfied with legal services	93.2% ¹	95%	96.1% ²

¹ Based on an average rating from 177 respondents. The period is from 1 October 2021 to 30 June 2022.

² Based on an average rating from 180 respondents.

SERVICE 1: LEGAL SERVICES TO GOVERNMENT

Key Efficiency Indicator

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	2021-22 Actual	2022-23 Target	2022-23 Actual
Average cost per legal matter	\$5,760 ¹	\$5,824	\$6,649

¹ The period is from 1 October 2021 to 30 June 2022.

The variance between the **Actual and Budget in 2022-23** and between the **Actual in 2022-23 and the Actual in 2021-22** is due to the increased complexity of legal matters.

OTHER STATUTORY INFORMATION

MINISTERIAL DIRECTIVES

No Ministerial directives were received during the 2022-23 financial year.

OTHER LEGAL REQUIREMENTS

CONTRACTS WITH SENIOR OFFICERS

At the date of reporting, no senior officers, or firms of which senior officers are members, or entities in which senior officers have substantial interests, had any interests in existing or proposed contract with the SSO other than the normal contracts for employment of service.

ACT OF GRACE AND EX GRATIA PAYMENTS

The SSO from time to time processes act of grace and *ex gratia* payments on behalf of the State. During 2022-23, there were two act of grace payments totalling \$1.355 million.

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 their credit card to understand their responsibilities under relevant legislation. Payments are reconciled on a monthly basis by the Finance team.

During the reporting period there were no instances of a credit card being used for personal purposes.

2022-23

Number of instances the purchasing card has been used for personal use	-
Aggregate amount	-
Aggregate amount settled by due date (within 5 working days)	-
Aggregate amount settled after due date	-
Aggregate amount outstanding	-
Number of referrals for disciplinary action	-

EXPENDITURE ON ADVERTISING, MARKET RESEARCH AND DIRECT MAIL

In accordance with section 175ZE of the *Electoral Act 1907* (WA), the following table outlines all expenditure incurred by, or on behalf of, the SSO on advertising agencies, market research, polling, direct mail and media advertising during the reporting period:

Category	Organisation	Amount (\$)
Advertising	Initiative Media	153
	Thomson	
	Reuters	523
	Law Society	989
Market Research		-
Polling		-
Direct Mail		-
Media Advertising		-
Total		1,665

DISABILITY ACCESS AND INCLUSION PLAN (DAIP)

The SSO has drafted a DAIP. The draft DAIP incorporates the seven desired outcomes, and proposes strategies that focus on ensuring people with a disability have equal access and inclusion to the SSO’s services and employment.

The draft DAIP will be released for public comment in 2023-24 to obtain feedback from the broader community and the SSO’s staff.

COMPLIANCE WITH PUBLIC SECTOR STANDARDS AND ETHICAL CODES

Under the draft Service Level Agreement with the Department of Justice, the SSO’s staff continue undertake training and refresher courses on the Code of Conduct and relevant standards. The SSO did not receive any reports for breach of discipline under the *Public Sector Management Act 1994* (WA).

During 2022-23, no public interest disclosures were lodged with the SSO under the *Public Interest Disclosure Act 2003* (WA).

RECORD KEEPING PLAN

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 approved by the State Records Commission in March 2018. The SSO’s Retention and Disposal Schedule was approved in March 2021, with a further amendment approved in May 2022. A new Recordkeeping Plan will be submitted for approval in the first quarter of 2024.

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.

FREEDOM OF INFORMATION (FOI)

The purpose of the *Freedom of Information Act 1992* is to facilitate access to government information at the lowest reasonable cost.

A summary of FOI applications in 2022-23 is as follows:

Applications	
New Applications during the year	7
Decisions made during the year	7
Average time to process (days)	42
Outcomes	
Full access	0
Edited access	0
Access refused	7
Withdrawn	0
Transferred	0
Reviews	
Internal reviews	2
External reviews	1

GOVERNMENT POLICY REQUIREMENTS

BOARD AND COMMITTEE REMUNERATION

Appeal Costs Board

The SSO is responsible for the administration of the *Suitors Fund Act 1964* (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	MEMBER	TYPE OF REMUNERATION	PERIOD OF MEMBERSHIP	TERM OF APPOINTMENT	BASE SALARY/ SITTING FEES (\$)	AMOUNT (\$)
Chair	Alan John Sefton	n/a	Second year	3 years	\$0	n/a
Member	Claire Helen Thompson	per meeting	First year	2 years	1,128 per day	-
Member	Lisa Boston	per meeting	Second year	2 years	1,128 per day	-
Total						-

WA MULTICULTURAL POLICY FRAMEWORK

The SSO Multicultural Plan for 2023-26 is being developed with the aim of setting out the SSO's commitment and contribution towards the policy priorities outlined in the Western Australian Multicultural Policy Framework.

Consultation with staff and the Office of Multicultural Interests will be progressed to finalise and implement the plan in 2023-24.

HEALTH, SAFETY AND INJURY MANAGEMENT PERFORMANCE

The SSO maintains a commitment to providing staff with a safe and healthy workplace that is free of work-related injuries and diseases. A dedicated WHS and Wellbeing Adviser has been appointed to proactively build a SSO dedicated approach to safe work. The SSO is committed to assisting injured and/or ill employees to return to work as soon as medically appropriate.

MEASURES	2020-2021	2021-2022	2022-2023	TARGETS	COMMENTS ABOUT TARGETS
Number of fatalities	NA	0	0	0% incident rate	
Lost time injury and disease incidence rate	NA	0.81	0.44	0 or 10% reduction in incidence rate A reduction of 54% was achieved	The Office commenced responsibility for workers compensation claims on 1 October 2021. Figures reported in the previous annual report have been adjusted due to transition of oversight for workers compensation from the Department of Justice.
Lost time injury and severity rate	NA	100	100	0% or 10% reduction in severity rate	
Percentage of injured workers returned to work (i) within 13 weeks	NA	0%	0%	Greater than or equal to 80%	Based on two claims in 21/22 and one claim in 22/23
Percentage of injured workers returned to work (ii) within 26 weeks	NA	0%	0%	Greater than or equal to 80%	Based on two claims in 21/22 and one claim in 22/23
Percentage of managers trained in work health and safety injury management responsibilities, including refresher training within 3 years	NA	0%	25%	Greater than or equal to 80%	A review of WHS training will be undertaken during the financial year.



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