

# **LEGAL COSTS COMMITTEE**

## **ANNUAL REPORT**

**2023 - 2024**

## Statement of Compliance

For year ended 30 June 2024

HON JOHN QUIGLEY MLA

ATTORNEY GENERAL

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 Legal Costs Committee of Western Australia for the financial year ended 30 June 2024.

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

The financial statements comply with Australian Accounting Standards – Simplified Disclosures issued by the Australian Accounting Standards Board.



D. Bayly  
Legal Costs Committee Chair

16 September 2024

# Overview

## Executive summary

### Performance highlights

- The Legal Costs Committee (the Committee) completed eight reviews resulting in the publication of eight contentious business Determinations within the timeframes required under statute.
- The online survey prepared by the Committee for the 2024 Review of Contentious Business Determinations elicited 722 responses from members of the Legal Profession.
- Feedback received from the legal profession regarding the utility of the survey was positive.
- The Committee created a LinkedIn page in order to further promote the Committee's statutory purpose and functions.

### Operational structure

The Committee is responsible under the Act for making determinations regarding the remuneration of legal practitioners in respect of the matters specified under Division 1 of Part 6 of the Act, as well as other legislation, in the following areas of legal practice:

- Non-contentious business carried out by legal practitioners;
- Supreme Court of Western Australia;
- District Court of Western Australia;
- Magistrates Court of Western Australia;
- Official Prosecutions (Accused's Costs);
- Public Notaries;
- Family Court of Western Australia; and
- State Administrative Tribunal.

Before the establishment of the Committee, costs and scales of fees, except for a scale for the Court of Petty Sessions in the period prior to the establishment of the Magistrates Court, and that for Public Notaries, were set by the Judges of the Courts, or by the Under Secretary for Law, as the case required.

Since the proclamation of the *Acts Amendment (Legal Practitioners, Costs and Taxation) Act 1987*, the scope of work undertaken by the Legal Costs Committee has changed in that by virtue of the *Magistrates Court Act 2004* and the *Magistrates Court (Civil Proceedings) Act 2004*, the Local Court and Court of Petty Sessions ceased to exist and were replaced by the Magistrates Court exercising both civil and criminal jurisdiction. In 2009 the Family Court of Western Australia and the State Administrative Tribunal were included as additional jurisdictions requiring determinations. In 2016, Magistrates exercising Family Law jurisdiction was recognised as necessitating a separate determination. In 2020 the continued promulgation of a separate determination for costs associated with appeals to the District Court was discontinued.

During the period 1 July 2023 to 30 June 2024, the Committee comprised:

His Honour Judge M Curwood SC, as Chair (until 31 May 2024);  
Mr C McKie, Lawyer, as Deputy Chair and Acting Chair (from 1 June 2024);  
Dr J Dudley, Governance Consultant;  
Ms A Morgan, FCPA (Certified Public Accountant);  
Mr G Rickie, Retired State Public Servant; and  
Mrs C Meighan, Lawyer.

### **Enabling legislation**

The Legal Costs Committee was first established following the proclamation of the *Acts Amendment (Legal Practitioners, Costs and Taxation) Act 1987* on 12 February 1988. Subsequently, the Legal Costs Committee's jurisdiction was reaffirmed by the *Legal Practice Act 2003* and more recently, by Division 5 of Part 3 of the *Legal Profession Uniform Law Application Act 2022 (Act)*.

### **Responsible minister**

The Hon. John Quigley MLA, Attorney General.

## Organisational structure

### Mission

The Committee reviews scales of legal costs and makes decisions (called Determinations) in areas of legal practice connected with:

- Family Court
- Supreme, District and Magistrates Courts
- Notaries Public
- Cases involving the application of the Official Prosecutions (Accused's Costs) Act
- Non-litigious commercial and probate work.

Scales of legal costs can be useful to members of the general public and may assist in the taxation of legal costs by taxing officers.

The Committee's establishment assists in maintaining regular reviews of the scale of legal costs, provides transparency in the manner in which the costs are fixed and ensures consistency in application of the principles used across all scales.

### Organisational chart

Pursuant to section 86 and 89 of the *Legal Profession Uniform Law Application Act 2022*, during the period 1 July 2023 to 30 June 2024, the Legal Costs Committee comprised:

- His Honour Judge M. Curwood SC, as Acting Chair and Chair (until 31 May 2024);
- Mr C McKie, Lawyer, as Deputy Chair and Acting Chair;
- Dr J Dudley, Governance Consultant as community member;
- Ms A Morgan, FCPA (Certified Public Accountant) as accountant member;
- Mr G Rickie, Retired State Public Servant as community member; and
- Mrs C Meighan, Lawyer as legal practitioner member.

### Members of the Committee

#### ***His Honour Judge Matthew Curwood SC (Chair) – appointed 2009***

His Honour Judge Curwood was the Chair of the Legal Costs Committee having been appointed to that role in 2023. He has been a member of the Committee since 2009. He holds a Bachelor of Laws from the University of Western Australia (1992) and was admitted to legal practice in December 1993.

His Honour Judge Curwood was a member of the Independent Bar having joined Francis Burt Chambers in 2012. He practised in the areas of wills and estates and general civil and commercial litigation.

His Honour was appointed as Senior Counsel for the State of Western Australia in 2020. He was also a contributing author to the LexisNexis publication *Civil Procedure in Western Australia*. In December 2023, his Honour was appointed as a Judge of the District Court of Western Australia and continued to serve as Chair of the Legal Costs Committee until 31 May 2024.

#### ***Mr Craig McKie (Deputy Chair) – Appointed 2022***

Craig McKie has been a member of the Legal Costs Committee since 2022. Craig was admitted to practice in 1985 and has practised in complicated succession planning, estate administration and contentious estates and trusts.

Craig is a sole practitioner with experience in commercial law, property law and commercial litigation and provides pro-bono legal services.

Craig McKie was appointed Acting Chair of the Legal Costs Committee on 1 June 2024.

***Dr Janice Dudley (Member) - Appointed 2005***

Prior to her retirement Dr Janice Dudley was Associate Dean of Learning and Teaching in the School of Business and Governance at Murdoch University, teaching in Politics and International Studies and the Sir Walter Murdoch School of Public Policy and International Affairs. She co-ordinated Murdoch University's award-winning Public Policy Internship program, and also the Sir Walter Murdoch School Research Internship. She was also the inaugural Program Director of the Murdoch Horizons Year 12 Summer School. She was a community member of the former Legal Practitioner Complaints Committee from 1998 to 2005.

***Mr Greg Rickie (Member) - Appointed 2022***

Greg Rickie was appointed as a member in 2022. Greg holds a Diploma in Public Administration and a Graduate Certificate in Public Sector Management (Flinders University). Greg retired from the Department of Justice in 2015 where he obtained extensive experience in metropolitan and country courts. Greg managed the integration of the Indian Ocean Territories Courts into the Western Australian justice system. Greg was the Deputy Sheriff from 2001 to 2013 and acted as the Sheriff of Western Australia for 5 years within that period. Greg is the former Registrar/Executive Manager of the Prisoners Review Board from 2013 to 2015.

***Mrs Annette Morgan (Member) - Appointed 2022***

Annette is the accountant on the Committee. She holds a Bachelor of Commerce (Accounting and Taxation) and a Masters of Taxation from Curtin University WA. Annette is a registered Tax Agent with the Tax Practitioners Board and runs a Small to Medium Enterprise practice as well as being the Director of the Curtin Tax Clinic (a pro bono taxation clinic within Curtin University).

Annette is the Course Lead for Taxation and a taxation lecturer at Curtin University Law School. She also holds several preeminent professional qualifications and memberships directly linked to the tax profession, including the Chartered Tax Advisor designation with the Taxation Institute of Australia. Annette was awarded the 2021 Tax Advisor of the Year and is a Fellow of CPA Australia (FCPA). She is President of the Australasian Tax Teachers Association and sits of several taxation committees at a National and State level.

***Mrs Carolyn Meighan (Member) - Appointed 2023***

Carolyn has more than 20 years' experience as a commercial litigation solicitor in Perth. She has advised clients in relation to a broad range of legal matters, including property and strata titles, planning, employment, competition and consumer law, contracts, debt recovery and enforcement, statutory interpretation and construction and wills and estates. Carolyn has acted in proceedings before various Courts and Tribunals, including the Magistrates Court, the District Court, the Supreme Court, the Federal Court, the High Court, the State Administrative Tribunal and the Administrative Appeals Tribunal.

As part of this work Carolyn has represented clients in negotiations as to costs and the taxation of costs in these various jurisdictions. Carolyn has also regularly appeared as counsel in applications relating to costs orders. Carolyn has a particular interest in costs and costs assessments.

## Administered legislation

The Committee is an independent statutory authority established under the *Legal Profession Uniform Law Application Act 2022* responsible for the review of all legal costs scales in force. The Committee does not administer any legislation or subsidiary legislation. The Committee reviews scales of legal costs and makes decisions (called Determinations) as follows:

- *Legal Profession (Supreme and District Courts) (Contentious Business) Determination 2024;*
- *Legal Profession (Supreme and District Courts) (Criminal) Determination 2024;*
- *Legal Profession (Family Court of Western Australia) Determination 2024;*
- *Legal Profession (Magistrates Court) (Civil) Determination 2024;*
- *Legal Profession (Magistrates Court) (Criminal) Determination 2024;*
- *Legal Profession (Magistrates Court) (Family Law) Determination 2024;*
- *Legal Profession (Official Prosecutions) (Accused's Costs) Determination 2024; and*
- *Legal Profession (State Administrative Tribunal) Determination 2024.*
- *Legal Profession (Non-Contentious Business) Determination 2023;*
- *Legal Profession (Non-contentious Probate Determination 2023; and*
- *Legal Profession (Public Notaries) Determination 2023.*

## Other key legislation impacting on the agency's activities

In the performance of its functions, the Legal Costs Committee complies with the following relevant written laws:

- *Auditor General Act 2006.*
- *Disability Services Act 1993.*
- *Financial Management Act 2006.*
- *Freedom of Information Act 1992.*
- *Industrial Relations Act 1979.*
- *Legal Profession Uniform Law Application Act 2022.*
- *Public Interest Disclosure Act 2003.*
- *Public Sector Management Act 1994.*
- *Salaries and Allowances Act 1975.*
- *State Records Act 2000.*
- *Work Health and Safety Act 2020.*
- *Workers Compensation and Injury Management Act 1981.*

## Performance management framework

### Outcome-based management framework

Government Goal Outcomes based service delivery: greater focus on achieving results in key service delivery areas for the benefit of all Western Australians.

The following table illustrates the relationship between the agency's service and desired outcome, and the government goal it contributes to. The key effectiveness indicators measure the extent of impact of the delivery of services on the achievement of desired outcomes. The key efficiency indicators monitor the relationship between the service delivered and the resources used to produce the service.

Government Goal	Desired Outcome	Service
<p>Results-Based Service Delivery:</p> <p>Greater focus on achieving results in key service delivery areas for the benefit of all Western Australians.</p>	<p>In accordance with section 137 of the <i>Legal Profession Uniform Law Application Act 2022</i>, to review each determination in force at least once in the period of two years in the following jurisdictions:</p> <p>Supreme and District Courts (Contentious Business)</p> <p>Supreme &amp; District Courts (Criminal)</p> <p>Magistrates Court (Civil)</p> <p>Magistrates Court (Criminal)</p> <p>Magistrates Court (Family Law)</p> <p>Non-contentious Probate</p> <p>Non-Contentious Business</p> <p>Official Prosecutions (Accused's Costs)</p> <p>Public Notaries</p> <p>State Administrative Tribunal</p> <p>Family Court of Western Australia</p>	<p>1. Review of determinations</p>

### Changes to outcome-based management framework

The Committee's outcome-based management framework did not change in 2023-24.

### Shared responsibilities with other agencies



The Committee did not share any responsibilities with other agencies in 2023-24.

## Agency Performance

### Report on the operations

#### Actual results versus budget targets

In the 2023/24 year, eight determinations were due for review, compared to the three non-contentious business determinations in the previous financial year. This variation will occur every year because the Committee has for many years adopted the practice of reviewing all contentious determinations concurrently in one year, and all non-contentious determinations concurrently in the next year, so that the rates for similar types of work undertaken by legal practitioners remain comparable regardless of the court in which that work is undertaken.

Targets are those set in budget statements.

Until 16 March 2022, pursuant to section 40 *Financial Management Act* 2006 the accountable authority of an agency was required to prepare draft annual estimates of the financial operation of the agency for the next financial year unless otherwise directed in writing by the Treasurer. As of 16 March 2022, and pursuant to Treasurer's Instruction 953 Attachment 1 item (c), the Committee is exempt from preparing draft annual estimates.

#### Financial Targets

	2024 Target (\$)	2024 Actual (\$)	Variation <sup>(1)</sup> (\$)
Total cost of services (expense limit) (details from Statement of comprehensive income)	238,000	184,563	(53,437) <sup>(a)</sup>
Net cost of services (details from Statement of comprehensive income)	238,000	184,563	(53,437)

(1) Further explanations are contained in the financial statements.

(a) The variation is mainly due to the Public Sector Commissioner's initiative to restore remuneration parity to 2016 rates for Government Boards and Committees implemented on 3 November 2023. This initiative significantly increased the remuneration rates of all members of the Committee.

## Summary of key performance indicators

	2024 Target	2024 Actual	Variation	Result
<b>Outcome 1: Review of each determination in force at least once in the period of two years</b> Key effectiveness indicator(s): <b>The proportion (%) of determinations that had come up for review after two years that were reviewed by the Committee.</b>	100%	100%	0%	✓
<b>Service 1: Review of Determinations</b> Key efficiency indicator(s): <b>Cost per Determination</b>	\$29,750	\$23,070	\$6,680	

(1) The following symbols indicate the outcome of the key performance indicators:

- ✓ Performance target achieved or exceeded
- × Performance target not achieved

Additional information is provided at the [Detailed information in support of key performance indicators](#).

The Committee again notes that the Effectiveness Indicator and the Efficiency Indicator, if taken in isolation in any given financial year, can give rise to a distorted assessment of the Committee's effectiveness and efficiency. The Committee suggests a period of at least three consecutive financial years, over which the relative indicator results are averaged, is likely to produce a more accurate assessment of those outcomes.

The Committee notes the considerable assistance given to it by the Registrars of the Supreme Court of Western Australia in the drafting of the *Legal Profession (Supreme and District Courts) Contentious Business Determination 2024* and the civil Registrars of the Magistrates Court in drafting the *Legal Profession (Magistrates Court) (Civil) Determination 2024*.

The Legal Costs Committee wishes to record its appreciation of the assistance provided during the year by Ms Marnee Nolan and Ms Zilke Wright of the Department of Justice. The Committee Secretary has been of great assistance with the administration of the Committee and publication of our notices, reports and determinations.

The Legal Costs Committee continues to rely very heavily on the willingness of its members to undertake the administrative and drafting functions which are an essential part of ensuring the Committee fulfils its statutory obligations.

## Significant issues impacting the agency

### Current and emerging issues and trends

The rapid pace of technological advancement has created opportunities for the Committee to deliver enhanced services including particularly with data collection to inform the Committee's annual review of relevant costs determinations as well as dissemination of information about the Committee's function and purpose.

### Economic and social trends

There is an expectation in society that services delivered by the Committee will be enhanced to take advantage of technological advances.

### Changes in written law

There were no changes in any written law that affected the Committee during the reporting period.

### **Likely developments and forecast results of the operations**

The cost per determination is higher than the previous year due to a significant variation between the number of determinations undertaken in 2022/23 and 2023/24.

This variation will occur every year because the Committee has for many years adopted the practice of reviewing all contentious determinations concurrently in one year, and all non-contentious determinations concurrently in the next year, so that the rates for similar types of work undertaken by legal practitioners remain comparable regardless of the court in which that work is undertaken.

The increase to costs per determination can also be attributed to the Public Sector Commissioner's initiative to restore remuneration parity to 2016 rates for Government Boards and Committees implemented on 3 November 2023. This initiative significantly increases the remuneration rates of all members of the Committee.



# Auditor General

## INDEPENDENT AUDITOR'S REPORT

2024

Legal Costs Committee

To the Parliament of Western Australia

## Report on the audit of the financial statements

### Opinion

I have audited the financial statements of the Legal Costs Committee (Committee) which comprise:

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

In my opinion, the financial statements are:

- based on proper accounts and present fairly, in all material respects, the operating results and cash flows of the Legal Costs Committee for the year ended 30 June 2024 and the financial position as at the end of that period
- in accordance with Australian Accounting Standards (applicable to Tier 2 Entities), 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.

### Responsibilities of the Committee for the financial statements

The Committee is responsible for:

- keeping proper accounts
- preparation and fair presentation of the financial statements in accordance with Australian Accounting Standards (applicable to Tier 2 Entities), 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 Committee 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 Committee.

### **Auditor's responsibilities for the audit of the financial statements**

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

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

A further description of my responsibilities for the audit of the financial statements is located on the Auditing and Assurance Standards Board website. This description forms part of my auditor's report and can be found at [https://www.auasb.gov.au/auditors\\_responsibilities/ar4.pdf](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 Legal Costs Committee. The controls exercised by the Legal Costs Committee 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 Legal Costs Committee are sufficiently adequate to provide reasonable assurance that the controls within the system were suitably designed to achieve the overall control objectives identified as at 30 June 2024, and the controls were implemented as designed as at 30 June 2024.

### **The Committee's responsibilities**

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

## **Auditor General's responsibilities**

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

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

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

## **Limitations of controls**

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

## **Report on the audit of the key performance indicators**

### **Opinion**

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

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

### **The Committee's responsibilities for the key performance indicators**

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

### **Auditor General's responsibilities**

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

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

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

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

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

### **Other information**

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

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

This auditor's report relates to the financial statements and key performance indicators of the Legal Costs Committee for the year ended 30 June 2024 included in the annual report on the Committee's website. The Committee's management is responsible for the integrity of the Committee's website. This audit does not provide assurance on the integrity of the Committee'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.

*Mark Ambrose*

Mark Ambrose  
Senior Director Financial Audit  
Delegate of the Auditor General for Western Australia  
Perth, Western Australia  
11 September 2024



**LEGAL COSTS COMMITTEE**

**Financial Statements**

**For the year ended 30 June 2024**

## Legal Costs Committee

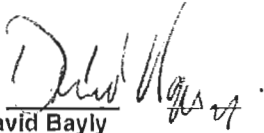
### Disclosures and legal compliance

#### Certification of financial statements

For the financial year ended 30 June 2024

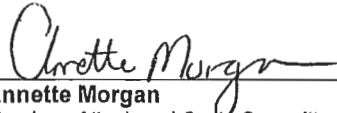
The accompanying financial statements of the Legal Costs Committee have been prepared in compliance with the provisions of the *Financial Management Act 2006* from proper accounts and records to present fairly the financial transactions for the financial year ending 30 June 2024 and the financial position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

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



**David Bayly**  
Chair of the Legal Costs Committee

6 September 2024



**Annette Morgan**  
Member of the Legal Costs Committee

6 September 2024



**Rodolfo Montilva**  
A/Chief Finance Officer

6 September 2024



## Legal Costs Committee

### Financial statements

The Legal Costs Committee has pleasure in presenting its audited general purpose financial statements for the reporting period ended 30 June 2024 which provides users with the information about the Committee's stewardship of resource entrusted to it. The financial information is presented in the following structure:

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## Legal Costs Committee

### Primary financial statements

#### Statement of comprehensive income

For the year ended 30 June 2024

	Notes	2024 \$	2023 \$
<b>COST OF SERVICES</b>			
<b>Expenses</b>			
Board member fees and entitlements	2.1	90,049	50,885
Secretarial and management support	3.1	74,495	73,839
Other expenses	2.2	20,019	14,347
<b>Total cost of services</b>		<b>184,563</b>	<b>139,071</b>
<b>Net cost of services</b>		<b>184,563</b>	<b>139,071</b>
<b>Income from State Government</b>			
Income received from other public sector entities	3.1	174,000	75,000
Resources received free of charge	3.1	74,495	73,839
<b>Total income from State Government</b>		<b>248,495</b>	<b>148,839</b>
<b>Surplus for the year</b>		<b>63,932</b>	<b>9,768</b>
<b>Total comprehensive income for the year</b>		<b>63,932</b>	<b>9,768</b>

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



## Legal Costs Committee

### Primary financial statements

#### Statement of financial position

As at 30 June 2024

	Notes	2024 \$	2023 \$
<b>Assets</b>			
<b>Current Assets</b>			
Cash and cash equivalents	5.1	81,760	22,902
Receivables	4.1	677	5
Other assets	4.2	1,449	126
<b>Total Current Assets</b>		<b>83,886</b>	<b>23,033</b>
<b>Total assets</b>		<b>83,886</b>	<b>23,033</b>
<b>Liabilities</b>			
<b>Current Liabilities</b>			
Payables	4.3	-	3,079
<b>Total Current Liabilities</b>		<b>-</b>	<b>3,079</b>
<b>Total liabilities</b>		<b>-</b>	<b>3,079</b>
<b>Net assets</b>		<b>83,886</b>	<b>19,954</b>
<b>Equity</b>			
Contributed equity		39,335	39,335
Accumulated surplus/(deficit)		44,551	(19,381)
<b>Total equity</b>		<b>83,886</b>	<b>19,954</b>

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



## Legal Costs Committee

### Primary financial statements

#### Statement of changes in equity

For the year ended 30 June 2024

	Contributed equity	Accumulated surplus/ (deficit)	Total equity
	\$	\$	\$
Balance at 1 July 2022	39,335	(29,149)	10,186
Surplus for the year	-	9,768	9,768
Total comprehensive income for the year	-	9,768	9,768
Balance at 30 June 2023	39,335	(19,381)	19,954
Balance at 1 July 2023	39,335	(19,381)	19,954
Surplus for the year	-	63,932	63,932
Total comprehensive income for the year	-	63,932	63,932
Balance at 30 June 2024	39,335	44,551	83,886

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

## Legal Costs Committee

### Primary financial statements

#### Statement of cash flows

For the year ended 30 June 2024

	Notes	2024 \$	2023 \$
<b>Cash flows from the State Government</b>			
Funds from other public sector entities		174,000	75,000
<b>Net cash provided by the State Government</b>		<b>174,000</b>	<b>75,000</b>
<i>Utilised as follows:</i>			
<b>Cash flows from operating activities</b>			
<b>Payments</b>			
Payments to members		(90,049)	(50,885)
Payments to suppliers (incl. GST)		(26,863)	(19,975)
<b>Receipts</b>			
GST receipts from taxation authority		1,770	1,834
<b>Net cash provided by/(used in) operating activities</b>		<b>58,858</b>	<b>5,974</b>
Net increase/(decrease) in cash and cash equivalents		58,858	5,974
Cash and cash equivalents at the beginning of the year		22,902	16,928
<b>Cash and cash equivalents at the end of the year</b>	5.1	<b>81,760</b>	<b>22,902</b>

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

## Legal Costs Committee

### Notes to the financial statements

### Notes to the financial statements

#### 1. Basis of preparation

The Legal Costs Committee ("the Committee") is an Independent statutory authority established under the *Legal Profession Uniform Law Application Act 2022* from 1 July 2022. The Committee is a Government not-for-profit entity controlled by the State of Western Australia, which is the ultimate parent.

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

These annual financial statements were authorised for issue by the Members of the Committee on 6 September 2024.

#### Statement of compliance

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

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

#### Basis of preparation

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

#### Accounting for Goods and Services Tax (GST)

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

(a) amount of GST incurred by the Committee 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 have been credited directly to Contributed Equity.

#### Comparative Information

Except when an Australian Accounting Standard permits or requires otherwise, comparative information is presented in respect of the previous period for all amounts reported in the financial statements.



## **Legal Costs Committee**

### **Notes to the financial statements**

#### **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.

## Legal Costs Committee

### Notes to the financial statements

## 2. Use of our funding

### Expenses Incurred in the delivery of services

This section provides additional information about how the Committee'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 Committee in achieving its objectives and the relevant notes are:

	Notes
Board member fees and entitlements	2.1
Other expenditure	2.2

### 2.1 Board member fees and entitlements

	2024	2023
	\$	\$
Board member fees	81,125	46,050
Superannuation – defined contribution plans	8,924	4,835
<b>Total employee benefits expenses</b>	<b>90,049</b>	<b>50,885</b>

Superannuation is the amount recognised in profit or loss of the Statement of comprehensive income and comprises employer contributions paid to the Government Employees Superannuation Board (GESB), West State Superannuation Scheme, the Government Employees Superannuation Board (GESB), or other Super Fund.

### 2.2 Other expenditure

	2024	2023
	\$	\$
<b>Other expenses</b>		
Notice publication expenses	6,769	3,079
Audit fees	11,750	10,400
Other expenses	1,500	868
<b>Total other expenditure</b>	<b>20,019</b>	<b>14,347</b>

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

## Legal Costs Committee

### Notes to the financial statements

### 3. Our funding sources

#### How we obtain our funding

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

	Notes	
Income from State Government	3.1	
<b>3.1 Income from State Government</b>	<b>2024</b>	<b>2023</b>
	\$	\$
Income received from other public sector entities during the period:		
- Service grant from the Department of Justice	174,000	75,000
<b>Total income from other public sector entities</b>	<b>174,000</b>	<b>75,000</b>
Resources received from other public sector entities during the period:		
- Secretarial and management support from the Department of Justice	74,495	73,839
<b>Total resources received</b>	<b>74,495</b>	<b>73,839</b>
<b>Total income from State Government</b>	<b>248,495</b>	<b>148,839</b>

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

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

## Legal Costs Committee

### Notes to the financial statements

#### 4. Other assets and liabilities

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

	Notes
Receivables	4.1
Other assets	4.2
Payables	4.3

##### 4.1 Receivables

	2024	2023
	\$	\$
Current		
GST receivable	677	5
<b>Total receivables at end of the year</b>	<b>677</b>	<b>5</b>

##### 4.2 Other assets

	2024	2023
	\$	\$
Current		
Prepayments	1,449	126
<b>Total other assets at end of year</b>	<b>1,449</b>	<b>126</b>

Other assets include prepayments which represent payments in advance of receipt of goods or services or that part of expenditure made in one accounting period covering a term extending beyond that period.

##### 4.3 Payables

	2024	2023
	\$	\$
Current		
Trade payables	-	3,079
<b>Total payables at end of year</b>	<b>-</b>	<b>3,079</b>

Payables are recognised at the amounts payable when the Committee becomes obliged to make future payments as a result of a purchase of assets or services. The carrying amount is equivalent to fair value as settlement for the Committee is generally within 20 days.

## Legal Costs Committee

### Notes to the financial statements

#### 5. Financing

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

	Notes
Cash and cash equivalents	5.1

##### 5.1 Cash and cash equivalents

	2024	2023
	\$	\$
Cash and cash equivalents	81,760	22,902
Balance at end of year	81,760	22,902

For the purpose of the statement of cash flows, cash and cash equivalent assets comprise cash on hand.

#### 6. Financial instruments and contingencies

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

	Notes
Financial Instruments	6.1
Contingent assets and liabilities	6.2

##### 6.1 Financial instruments

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

	2024	2023
	\$	\$
<b>Financial assets</b>		
Cash and cash equivalents	81,760	22,902
<b>Total financial assets</b>	<b>81,760</b>	<b>22,902</b>
<b>Financial liabilities</b>		
Financial liabilities at amortised cost <sup>(a)</sup>	-	3,079
<b>Total financial liability</b>	<b>-</b>	<b>3,079</b>

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

##### 6.2 Contingent assets and liabilities

There were no contingent assets and contingent liabilities as at 30 June 2024 (2023: nil).

## Legal Costs Committee

### Notes to the financial statements

#### 7. 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	7.1
Key management personnel	7.2
Related party transactions	7.3
Related bodies	7.4
Affiliated bodies	7.5
Remuneration of auditors	7.6
Supplementary financial information	7.7

##### 7.1 Events occurring after the end of the reporting period.

There were no events occurring after the end of the reporting period.

##### 7.2 Key management personnel

The Committee has determined key management personnel to include cabinet ministers and members of the Committee. The Committee 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 members of the Committee for the reporting period are presented within the following bands:

Compensation band (\$)	2024	2023
0 – 10,000	1	5
10,001 – 20,000	5	1
	2024	2023
	\$	\$
Total compensation of board members	90,049	50,885

Total compensation includes the superannuation expense incurred by the Committee in respect of its members.

## Legal Costs Committee

### Notes to the financial statements

#### 7.3 Related party transactions

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

Related parties of the Committee include:

- all cabinet ministers and their close family members, and their controlled or jointly controlled entities;
- all Committee members 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).

#### Material transactions with related parties

Outside of normal citizen type transactions with the Committee, 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.

#### 7.4 Related bodies

The Committee had no related bodies during the reporting period (2023: nil).

#### 7.5 Affiliated bodies

The Committee had no affiliated bodies during the reporting period (2023: nil).

#### 7.6 Remuneration of auditors

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

	2024	2023
	\$	\$
Auditing the accounts, financial statements, controls, and key performance indicators	\$11,750	\$10,400

#### 7.7 Supplementary financial information

There were no losses of public moneys or other public property through theft or default during the financial year

##### (a) Write-offs

There were no losses of public moneys or other public property through theft or default during the financial year (2023: nil).

##### (b) Losses through theft, defaults and other causes

There were no write offs of public money or other public property during the financial year (2023: nil).

##### (c) Gift of public property

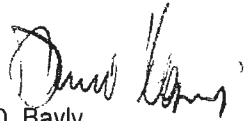
There were no gifts of public property during the financial year (2023: nil).

## LEGAL COSTS COMMITTEE

### AUDITED KEY PERFORMANCE INDICATORS FOR THE YEAR ENDED 30 JUNE 2024

#### Certification of Key Performance Indicators

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



D. Bayly  
Legal Costs Committee Chair  
6 September 2024



A. Morgan  
Member of the Legal Costs Committee  
6 September 2024





**LEGAL COSTS COMMITTEE**  
**KEY PERFORMANCE INDICATORS**  
**2023 - 2024**

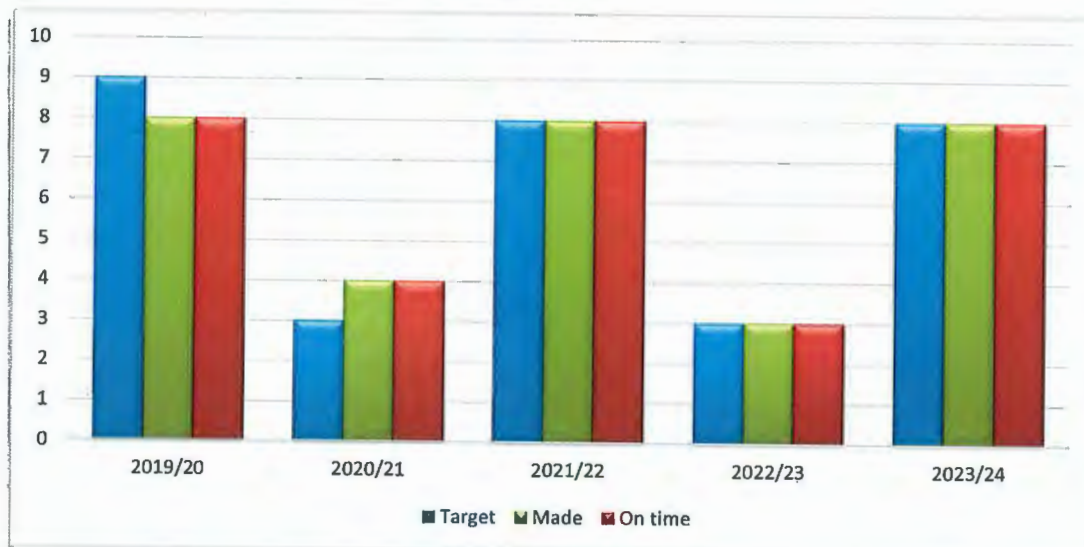
Broad government goals are supported at agency level by specific outcomes. Agencies deliver services to achieve these outcomes. The following table illustrates the relationship between the agency's service and desired outcome, and the government goal it contributes to. The key effectiveness indicators measure the extent of impact of the delivery of services on the achievement of desired outcomes. The key efficiency indicators monitor the relationship between the service delivered and the resources used to produce the service.

Government Goal	Desired Outcome	Service
<b>Results-Based Service Delivery:</b>  Greater focus on achieving results in key service delivery areas for the benefit of all Western Australians.	In accordance with section 137 of the <i>Legal Profession Uniform Law Application Act 2022</i> , to review each determination in force at least once in the period of two years in the following jurisdictions:  Supreme and District Courts (Contentious Business)  Supreme & District Courts (Criminal)  Magistrates Court (Civil)  Magistrates Court (Criminal)  Magistrates Court (Family Law)  Non-contentious Probate  Non-Contentious Business  Official Prosecutions (Accused's Costs)  Public Notaries  State Administrative Tribunal  Family Court of Western Australia	1. Review of determinations

### KEY EFFECTIVENESS INDICATOR

The Key Effectiveness Indicator means the extent to which Legal Costs Committee determinations are completed in accordance with established deadlines.

**Performance Measure:** The number of Determinations made during the year and completed on time.



In the 2023/24 year, eight determinations were due for review, compared to the three non-contentious business determinations in the previous financial year. This variation will occur every year because the Committee has for many years adopted the practice of reviewing all contentious determinations concurrently in one year, and all non-contentious determinations concurrently in the next year, so that the rates for similar types of work undertaken by legal practitioners remain comparable regardless of the court in which that work is undertaken.

**The Legal Costs Committee made and completed the following determinations during the financial year ended 30 June 2024:**

- 1) *Legal Profession (Supreme and District Courts) (Contentious Business) Report and Determination 2024;*
- 2) *Legal Profession (Supreme and District Courts) (Criminal) Report and Determination 2024;*
- 3) *Legal Profession (Family Court of Western Australia) Report and Determination 2024;*
- 4) *Legal Profession (Magistrates Court) (Civil) Report and Determination 2024;*
- 5) *Legal Profession (Magistrates Court) (Criminal) Report and Determination 2024;*
- 6) *Legal Profession (Magistrates Court) (Family Law) Report and Determination 2024;*
- 7) *Legal Profession (Official Prosecution) (Accused's Costs) Report and Determination 2024;*  
and
- 8) *Legal Profession (State Administrative Tribunal) Report and Determination 2024.*

The Legal Costs Committee does not employ staff but the administrative function is undertaken as a service provided free of charge by staff from the Department of Justice. Hence, the Legal Costs Committee considers that the development of further effectiveness indicators would not be meaningful or relevant.

#### KEY EFFICIENCY INDICATOR

Key Efficiency Indicator measures cost per determination.

##### Cost per Determination

Year	Target		Actual		Variance to target	
	Cost	Number	Cost	Number	Cost	Number
2023/24	\$29,750	8	\$23,070	8	\$6,680	0
2022/23	\$46,991	3	\$46,357	3	\$634	0
2021/22	\$17,694	8	\$17,580	8	\$114	0
2020/21	\$41,308	3	\$35,080	4	\$6,228	1
2019/20	\$13,769	9	\$15,296	8	(\$1,527)	0

The cost per determination is calculated based on the total cost of services for the Legal Costs Committee in a given year, divided by the number of determinations completed in that year.

The cost per determination is higher than the previous year due to a significant variation between the number of determinations undertaken in 2022/23 and 2023/24.

This variation will occur every year because the Committee has for many years adopted the practice of reviewing all contentious determinations concurrently in one year, and all non-contentious determinations concurrently in the next year, so that the rates for similar types of work undertaken by legal practitioners remain comparable regardless of the court in which that work is undertaken.

The increase to costs per determination can be attributed to the Public Sector Commissioner's initiative to restore remuneration parity to 2016 rates for Government Boards and Committees implemented on 3 November 2023. This initiative significantly increases the remuneration rates of all members of the Committee.

## Other statutory information

### Ministerial directions

The Legal Costs Committee received no ministerial directives during the 2023-34 financial year.

## Other financial disclosures

### Pricing policies of services provided

The Committee does not charge for goods and services rendered on a full or partial cost recovery basis.

### Capital works

The Committee does not undertake capital works projects.

### Employment and industrial relations

The Legal Costs Committee is an independent statutory authority. The Department of Justice has a Memorandum of Agreement with the Committee to deliver corporate services including administrative support. The delivery of corporate services is in accordance with the approved policies and procedures of the Department of Justice and all applicable state and federal legislation.

Please see below for Board and Committee Remuneration.

### Staff development

The Legal Costs Committee is an independent statutory authority. The Department of Justice has a Memorandum of Agreement with the Committee to deliver corporate services including administrative support. The delivery of corporate services is in accordance with the approved policies and procedures of the Department of Justice and all applicable state and federal legislation.

### Workers compensation

The Legal Costs Committee is an independent statutory authority. The Department of Justice has a Memorandum of Agreement with the Committee to deliver corporate services including administrative support. The delivery of corporate services is in accordance with the approved policies and procedures of the Department of Justice and all applicable state and federal legislation.

## Governance disclosures

The members of the Legal Costs Committee do not have any shares in the Committee held, as a nominee or beneficially by a member of the Committee or any shares in subsidiary bodies.

No insurance premium was paid to indemnify anyone classed as a 'director' as defined in Part 3 of the *Statutory Corporations (Liability of Directors) Act 1996* against a liability incurred under sections 13 or 14 of that Act.

## Other legal requirements

The Legal Costs Committee is an independent statutory authority. The Department of Justice has a Memorandum of Agreement with the Committee to deliver corporate services including administrative support. The delivery of corporate services is in accordance with the approved policies and procedures of the Department of Justice and all applicable state and federal legislation. The Committee remains independent in the performance of its statutory functions under the *Legal Profession Uniform Law Application Act 2022*.

The Department of Justice 2023-24 Annual Report has further information on:

- Advertising and Allied Expenditure;
- Compliance with Public Sector Standards and Ethical Codes;
- Disability Access and Inclusion Plan;
- Financial Interests including Act of Grace Payments;
- Key Performance Indicators;
- Occupational Safety, Health and Injury Management;
- Other Financial Disclosures;
- Other Governance Disclosures;
- Policy Framework for Substantive Equality;
- Record Keeping Plan; and
- WA Multicultural Policy Framework.

### **Credit cards**

No Purchasing Card has been issued to any members of the Committee.

### **Act of grace payments**

No act of grace payments were made by the Committee during 2023-24.

### **Advertising, market research, polling and direct mail**

In accordance with section 175ZE of the *Electoral Act 1907*, the Legal Costs Committee did not incur expenditure in advertising, market research, polling, direct mail and media advertising. The Committee incurred total expenditure of \$3,095.90 (inc GST) for software (SurveyMonkey Inc.) which captured relevant data which informed the review of the Contentious Business Determinations in 2023-24. Analysis of that raw data was undertaken by the Committee and was not performed by any market research organisation.

### **Disability access and inclusion plan outcomes**

The Legal Costs Committee is an independent statutory authority. The Department of Justice has a Memorandum of Agreement with the Committee to deliver corporate services including administrative support. The delivery of corporate services is in accordance with the approved policies and procedures of the Department of Justice and all applicable state and federal legislation.

### **Recordkeeping plans**

The Legal Costs Committee is an independent statutory authority. The Department of Justice has a Memorandum of Agreement with the Committee to deliver corporate services including administrative support. The delivery of corporate services is in accordance with the approved policies and procedures of the Department of Justice and all applicable state and federal legislation.

### **Workforce inclusiveness requirements**

The Legal Costs Committee is an independent statutory authority. The Department of Justice has a Memorandum of Agreement with the Committee to deliver corporate services including administrative support. The delivery of corporate services is in accordance with the approved policies and procedures of the Department of Justice and all applicable state and federal legislation.

The Committee has 50/50 gender representation. The Committee work to ensure meetings of the Committee are inclusive, considerate and equitable. The viewpoints of all members of the Committee are valued.

### **Unauthorised use of credit cards**



Members of the Legal Costs Committee do not hold corporate credit cards.

## Government policy requirements

### Occupational safety, health and injury management

No injuries were reported and/or managed in 2023-24.

### Board and Committee Remuneration

As defined in *Premier's Circular 2023/02: State Government Boards and Committees* and as the Attorney General from time to time, after consultation with the Public Sector Commissioner, determined, Legal Costs Committee members were remunerated in the 2023-24 financial year as follows:

Position title	Member name	Type of remuneration <sup>*</sup>	Period of membership <sup>**</sup>	Term of appointment / tenure <sup>***</sup>	Base salary to 3 Nov 2023	Base salary after 3 Nov 2023	Gross/actual remuneration for financial year
Chair	Matthew Curwood*	Annual	335 days	3 Year	\$15,350	\$37,353	\$7,293
Member	Craig McKie**	Annual	1 year	3 Year	\$6,140	\$20,544	\$15,613
Member	Janice Dudley	Annual	1 year	3 Year	\$6,140	\$20,544	\$15,613
Member	Carolyn Meighan***	Annual	201 days	3 Year	N/A	\$20,544	\$11,378
Member	Gregory Rickie	Annual	1 year	3 Year	\$6,140	\$20,544	\$15,613
Member	Annette Morgan	Annual	1 year	3 Year	\$6,140	\$20,544	\$15,613
Total					\$39,910	\$140,073	\$81,125

Gross figures are rounded.

\* His Honour Judge Curwood was appointed a Judge of the District Court of Western Australia and therefore ineligible for remuneration from 12 December 2023 and vacated as Chair from 31 May 2024.

\*\* Craig McKie is eligible for retrospective remuneration from 1 June 2024 to 30 June 2024 as Acting Chair.

\*\*\* Appointed on 12 December 2023 until end of current term 31 December 2024.

### WA Multicultural Policy Framework

The Legal Costs Committee is an independent statutory authority. The Department of Justice has a Memorandum of Agreement with the Committee to deliver corporate services including administrative support. The delivery of corporate services is in accordance with the approved policies and procedures of the Department of Justice.

### Substantive equality

The Committee has 50/50 gender representation.

## Contact information

Postal	Address	Electronic
GPO Box F317	Level 12, Golden Square	Internet: <a href="https://www.wa.gov.au/organisation/legal-costs-committee">https://www.wa.gov.au/organisation/legal-costs-committee</a>
PERTH WA 6841	32 St Georges Terrace,  PERTH WA 6000	Email: <a href="mailto:lcc@justice.wa.gov.au">lcc@justice.wa.gov.au</a>  Telephone: 61 8 9425 7533