

PREMIER,

REPORT ON THE REMUNERATION OF
JUDGES,
DISTRICT COURT JUDGES, MASTERS OF THE SUPREME COURT,
MAGISTRATES AND THE
PARLIAMENTARY INSPECTOR OF THE CORRUPTION AND CRIME
COMMISSION

Section 7 of the Salaries and Allowances Act 1975 (Act) requires the Tribunal, at intervals of not more than twelve months, to inquire into and report to the Minister responsible on the question of whether any alterations are desirable in the remuneration to be paid or provided to Judges, District Court Judges, Masters of the Supreme Court, Magistrates and the Parliamentary Inspector of the Corruption and Crime Commission. The Act provides further that if the Tribunal reports that alterations are desirable, it shall recommend the nature and extent of the alterations to be made.

A copy of the report must be laid before each House of Parliament within five sitting days of that House after the Minister has received the report.

BACKGROUND

The Tribunal issued its last report on the remuneration of the judiciary on 26 November 2010. In so doing, it provided for remuneration increases that maintained the national hierarchy of the Courts. These increases took into account changes in work value that have affected the judiciary in the Western Australian Courts and in the Federal Courts.

On 22 June 2011 the Commonwealth Remuneration Tribunal (CRT) recommended a 3.0 per cent increase in remuneration for the Federal judiciary based on cost of living increases.

CURRENT ENQUIRY

In discharging its statutory requirements with respect to the remuneration of the judiciary, the Tribunal's approach has been to:

- x advertise for public submissions;
- x write to key office holders; and
- x consider relevant labour market and economic data.

This process provides an opportunity for members of the public, the Government, the judiciary themselves or any other interested party to make a submission. It also helps to inform the Tribunal of changes which might have taken place in the roles or responsibilities of the judiciary over the past year and other remuneration issues.

The Tribunal received submissions from the Minister for Commerce on behalf of the Government of Western Australia, the Chief Justice, Chief Judge of the District

Court, the Magistrates' Society of Western Australia and the Parliamentary Inspector

CONSIDERATIONS

Economic Considerations

All economic indicators and commentary from peak economic bodies as the Reserve Bank of Australia and the Chamber of Commerce and Industry (CCI)

Remuneration of Other Office Holders

The Tribunal again considered the submission for the Magistrates' Society that "the relativity of salaries of Magistrates should be 85 per cent ~~of the~~ salaries paid to District Court Judges rather than the existing 82.5 per cent." The Tribunal noted the supporting claims that Magistrates do not qualify for the same pension and superannuation benefits as Judges and that the requirement to be ~~in a~~ ^{in a} ~~class~~ ^{class} increased the work load of Magistrates.

In its 2009 report, the Tribunal noted ~~the~~ ^{the} Tribunal accepted the general principle put to it that any alteration in the relativities between the different levels of remuneration applicable to the different ~~levels~~ ^{levels} in the judicial hierarchy should only occur in the most exceptional circumstances."

RECOMMENDATION

The Tribunal recommends adjustments to the remuneration paid or provided to Judges, District Court Judges, Masters of the Supreme Court, Magistrates and the Parliamentary Inspector of the Corruption and Crime Commission to be in line with those set out in the attached Schedule. For ease of reference, the Schedule consists of a consolidated listing of all the entitlements and benefits provided by way of past and current recommendations of the Tribunal.

Specifically, the current recommendation is that a 3.0 per cent increase in remuneration be granted to Judges, District Court Judges, Masters of the Supreme Court, Magistrates and the Parliamentary Inspector of the Corruption and Crime Commission with effect from January 2012.

TABLING OF REPORT

Under the provisions of the Salaries and Allowances Act 1975, this report is required to be laid before each House of Parliament within five sitting days of the House after its receipt by the Minister. Either House of Parliament, within 15 sitting days of the House, having a copy of the report laid before it, may pass a resolution disapproving a recommendation made by the Tribunal.

Dated at Perth this ~~25~~th day of November 2011.

W S Coleman AM
CHAIRMAN

C A Broadbent
MEMBER

B J Moore
MEMBER

SALARIES AND ALLOWANCES TRIBUNAL

SCHEDULE

REPORT ON THE REMUNERATION OF JUDGES, DISTRICT COURT JUDGES, MASTERS OF THE SUPREME COURT, MAGISTRATES , AND THE PARLIAMENTARY INSPECTOR OF THE CORRUPTION AND CRIME COMMISSION

REMUNERATION ARRANGEMENTS, INCORPORATING RECOMMENDED ALTERATIONS

1. Remuneration

Remuneration shall be payable at the following rates to Judges, Masters and Magistrates effective from 1 January 2012.

POSITION	REMUNERATION
Chief Justice	\$461,224
President of the Court of Appeal	\$431,680
Senior Puisne Judge	\$412,181
Senior Judge of the Court of Appeal	\$412,181
Puisne Judge	\$399,981
Senior Master of the Supreme Court	\$370,660
Master of the Supreme Court	\$359,982
Chief Judge District Court	\$399,981
Senior Judge District Court	\$370,660
Judge District Court	\$359,982
Chief Magistrate	\$359,982
Deputy Chief Magistrate	\$315,547
Principal Registrar/Magistrate Supreme Court *	\$315,547
Principal Registrar/Magistrate Family Court *	\$315,547
Magistrates	\$296,985
Registrars/Magistrates Family Court *	\$296,985
Parliamentary Inspector, Corruption and Crime Commission	\$159,991

* The relevant office holders have Commissions to be Magistrates while having been given leave to hold the offices of Registrar and Principal Registrar as the case may be.

2. Travelling and Accommodation Allowance

Where an overnight stay away from home is involved, a travelling and accommodation allowance (inclusive of accommodation, meals and incidentals) shall be payable in accordance with the relevant Australian Taxation Office reasonable

benefit limit applicable from time to time and where accompanied by certification that the expense was appropriately incurred

- 2.1 If the reasonably and properly incurred travelling and accommodation expenses exceed the abovementioned specified rates, the actual costs should be reimbursed. Receipts or vouchers must be provided in support of any claim for reimbursement in excess of the specified rate.
- 2.2 Claims for overnight stays in the Perth metropolitan area should be subject in

the Salaries and Allowances Act 1975, the area remains an administrative responsibility of the Department to manage in a cost effective manner.

3.3 In providing for the use of a motor vehicle under this arrangement, the Tribunal requires that office holders and the Department of the Attorney General will take account of the following principles established by the Tribunal. The provision of a motor vehicle should

- x meet the operational conveyance needs of the judiciary;
- x be representative of fair value and benefit;
- x be supportive of the efficient, effective and ethical use of State resources

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3.9 Magistrates are entitled to the provision of a vehicle to the notional value of \$25,400 per annum

3.10 Judges, Masters, the Chief Magistrate and Magistrates may choose any vehicle and accessories in the Common Use Contract "off contract" vehicle and accessories available under Government leasing arrangements, the total cost of which does not exceed the maximum cost of accessing a vehicle benefit determined in this report. Where the total cost of the chosen vehicle and accessories exceeds the maximum cost of accessing a vehicle benefit determined in this report, the excess cost shall be borne by the employee.

Dated at Perth this ~~5th~~ 2 day of November 2011.

W S Coleman AM
CHAIRMAN

C A Broadbent
MEMBER

B J Moore
MEMBER

SALARIES AND ALLOWANCES TRIBUNAL