



No. 16 of 2018

REPORT OF THE REMUNERATION TRIBUNAL
2018 REVIEW OF JUDICIAL SECURITY ALLOWANCE

INTRODUCTION AND BACKGROUND

1. The Remuneration Tribunal (“the Tribunal”) has jurisdiction under section 13 of the *Remuneration Act 1990* (“the Act”) to determine the remuneration payable to the judiciary and holders of the public offices listed in that section of the Act. The Tribunal is also given jurisdiction under section 14 of the Act to determine the remuneration payable to holders of certain other public offices where jurisdiction is conferred on the Tribunal by any other Act, or by proclamation by the Governor.
2. The Tribunal’s most recent Determination in relation to Judicial Security Allowance was Determination 15 of 2017¹. That Determination provides for a Judicial Security Allowance for the office holders within its scope of application, at the level of \$1,000 per annum.
3. A review of the Judicial Security Allowance was conducted in 2017, with no adjustment made to the level of the allowance on that occasion.
4. The Judicial Security Allowance is provided for the purpose of expenditures in relation to personal security at the judicial officer’s residence.

PROCEDURAL HISTORY

5. Section 10(2) of the Act, requires that before the making of a Determination affecting the remuneration of a particular person, or persons of a particular class, the Tribunal must allow that person, or persons of that class, a reasonable opportunity to make submissions.
6. The Tribunal, by letters dated 18 September 2018, sent notifications of the review to the Judicial Remuneration Coordinating Committee (“JRCC”), the Magistrates Association of South Australia (“MASA”), and the Premier, as the Minister responsible for the Act.
7. On 19 September 2018, the Tribunal distributed an email notification of the review to judicial officers. Additionally, a notice of the review was also placed on the Tribunal’s website.

SUBMISSIONS

8. The JRCC submitted that it does not seek any increase in the security allowance at this stage. The JRCC considers it more appropriate that an increase in the allowance be

¹ *Determination 15 of 2017 – Judicial Security Allowance*

granted over a longer time period e.g. every five years, as small incremental increases will not reflect the increase in costs of providing home security.

9. The Crown Solicitor's Office ("CSO") submitted that the Hon. Premier is satisfied with the position of the JRCC that the increase to the Judicial Security Allowance is best updated after a five-year period, and as such no increase is submitted to apply this year.
10. No other submissions were received by the Tribunal.

CONSIDERATION

11. Having regard to the submissions received and the Tribunal's independent consideration of information within Australian Bureau of Statistics series concerning the costs of items of a similar nature, no justification is discernible for any variation to the Judicial Security Allowance.
12. The proposal for a review of the Determination of the Judicial Security Allowance is not harmonious with the statutory requirement set out in Section 8(2) for the Tribunal to do so annually. Accordingly, the Tribunal will continue to conduct an annual review of the Determination.



John Lewin
PRESIDENT



Peter Alexander
MEMBER



Pamela Martin
MEMBER

Dated this 17th day of December 2018