



No. 6 of 2024

REPORT OF THE REMUNERATION TRIBUNAL

2024 Review of Allowances for Members of the Parole Board of South Australia

INTRODUCTION

1. The Remuneration Tribunal (**Tribunal**) has conducted a review of Determination 14 of 2022 which sets allowances for members of the Parole Board of South Australia appointed under the *Correctional Services Act 1982* (SA).
2. As explained in this report, the Tribunal has decided that the current arrangement of directly linking the allowances to increases provided to a puisne Judge of the Supreme Court of South Australia remains appropriate. For ease of reference, the sessional rates, and financial year cap for such rates, have been increased by 3.5%. For the avoidance of doubt, this is the same increase that has been awarded to a puisne Judge of the Supreme Court of South Australia in 2024.
3. The Tribunal notes that if the salary of a puisne Judge of the Supreme Court of South Australia is increased in 2025, that the same rate of increase shall flow to members of the Parole Board of South Australia in accordance with the clauses in the determination that is applicable to members of the Parole Board of South Australia that establish a direct link between these roles.

THE REVIEW PROCESS

4. On 23 April 2024, in accordance with sections 10(2) and 10(4) of the *Remuneration Act 1990 (Act)*, the Tribunal wrote to and invited submissions by 21 May 2024 in respect of this review from:
 - a. the Honourable Premier of South Australia – as the Minister responsible for the Act who may make submissions or introduce evidence in the public interest;
 - b. the Minister for Police, Emergency Services and Correctional Services – as the Minister responsible for the *Correctional Services Act 1982*;
 - c. members of the Parole Board.
5. The Premier and members of the Parole Board were asked to advise the Tribunal by the same date if they wished to make oral submissions to the Tribunal.
6. In addition, on 23 April 2024, a notification of the review was placed on the Tribunal's public website.

SUBMISSIONS

7. Ms Frances Nelson KC, Presiding Member of the Parole Board, provided a written submission on 1 May 2024.
8. On 17 May 2024, the Premier's representative confirmed that the Premier did not intend to make a submission. No other submissions were received.
9. As no request was made to make oral submissions, the Tribunal did not convene a hearing for this review.
10. In her submission, Ms Nelson KC provided an overview of the workload of the Parole Board, including some of the legislative amendments that have had an impact on the Parole Board and Secretariat. She submitted that as the remuneration of Parole Board members was linked by the Tribunal to Judicial Officers by previous determination, that any increase in remuneration for Judicial Officers should be reflected in a similar increase for Parole Board members.

CONSIDERATION AND CONCLUSION

11. Determination 14 of 2022 distinguishes between members of the Parole Board who are paid an allowance on a per annum basis and members of the Parole Board who are paid an allowance per session.
12. The per annum rate payable to the Presiding Member of the Parole Board is established on the basis of the annual salary payable to a puisne Judge of the Supreme Court of South Australia; being that the Presiding Member receives an amount equivalent to 45% of the salary payable to a puisne Judge of the Supreme Court of South Australia. In 2022, a puisne Judge of the Supreme Court of South Australia was entitled to \$480,900 per annum. In 2023, pursuant to Determination 10 of 2023, a puisne Judge of the Supreme Court's salary was increased by 4% to \$500,140. This has the flow on effect of increasing the Presiding Member's per annum allowance. This further flows on to the Deputy Presiding Member who receives an amount equivalent to 60% of the allowance payable to the Presiding Member and to an Ordinary Member (excluding public sector employees) who receives 30% of the allowance payable to the Presiding Member.
13. The sessional rate is also taken to increase by the same percentage (rounded up to the nearest dollar) applied to a puisne Judge of the Supreme Court of South Australia. Both the per annum and sessional allowances apply from the same date as the date for the puisne Judge of the Supreme Court of South Australia, which in last year's instance was 1 September 2023.
14. The sessional rates, however, also have a cap for each financial year. Importantly, the financial year cap is also taken to have increased by the same percentage (rounded up to the nearest dollar) applied to the salary of a puisne Judge of the Supreme Court of South Australia.
15. The Tribunal hopes that the explanation in this report assists those applying both the previous Determination and new Determination, that will accompany this report as a result of this review.
16. The Tribunal has considered the submission of the Presiding Member and has concluded that it is appropriate to continue to directly link the remuneration of the members of the Parole Board to a puisne Judge of the Supreme Court of South Australia.
17. On 19 November 2024, the Tribunal determined to increase the salary of a puisne Judge of the Supreme Court of South Australia by 3.5% to \$517,650 per annum. The same

percentage increase has been applied to members of the Parole Board, as reflected in the accompanying Determination.

18. In accordance with section 57(4) of the *Correctional Services Act 1982* and regulation 39A of the *Correctional Services Regulations 2016*, the Tribunal has also determined that, unless requested otherwise, it will not conduct a review of the allowances of members of the Parole Board for another two years. As such, both DCS and payroll should ensure they are aware of any increase provided to a puisne Judge of the Supreme Court of South Australia in 2025.
19. The Tribunal continues to note that the Determination and Report for the members of the Judiciary deals with security arrangements. There has been no request for the Tribunal to consider this issue with respect to Parole Board members. Accordingly, these are not addressed in relation to Parole Board members. However, as identified in 2022, the Tribunal is open to considering such arrangements for Parole Board members and continues to extend an invitation to Parole Board members to raise the matter with the Tribunal at any time.



Matthew O'Callaghan
PRESIDENT



Donny Walford
MEMBER



Mark Young
MEMBER

Dated: 19 November 2024