



No. 14 of 2022

REPORT OF THE REMUNERATION TRIBUNAL

2022 Review of Allowances for Members of the Parole Board of South Australia

INTRODUCTION

1. The Remuneration Tribunal (**Tribunal**) has conducted a review of Determination 11 of 2021¹ which sets allowances for members of the Parole Board of South Australia appointed under the *Corrections Act 1982*.
2. As explained in this report, the Tribunal has decided to increase the sessional rates, and financial year cap for such rates, by 2.75%. The Tribunal has issued an accompanying determination, which applies from 1 September 2022.

THE REVIEW PROCESS

3. On 20 October 2022, in accordance with sections 10(2) and 10(4) of the *Remuneration Act 1990 (Act)*, the Tribunal wrote to and invited submissions by 18 November 2022 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. members of the Parole Board.
4. 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.
5. The Tribunal also placed a notice on its website from 20 October 2022 calling for submissions from affected persons by 18 November 2022.
6. Frances Nelson KC, Presiding Member of the Parole Board, provided a written submission on 1 November 2022, on behalf of members of the Parole Board. On 20 November 2022, the Premier's representative confirmed that the Premier did not intend to make a submission. No other submissions were received.
7. As no request was made to make oral submissions, the Tribunal did not convene a hearing for this review.
8. In her submission, Ms Nelson KC provided an overview of the workload of the Parole Board. She submitted that as the remuneration of Parole Board members was linked in

¹ 2021 Inaugural Determination of Allowances for Members of the Parole Board of South Australia.

the initial determination to judicial officers, any increase in remuneration for judicial officers should be reflected in a similar increase for Parole Board members.

CONSIDERATION AND CONCLUSION

9. As observed by Ms Nelson KC, the current determination directly links the per annum allowances of some members of the Parole Board to the salary of a puisne Judge of the Supreme Court of South Australia. It does this by providing for the Presiding Member to receive an allowance equivalent to 45% of that salary. The allowance for the Deputy Presiding Member and ordinary Members (excluding those who are public sector employees) are then respectively set at 60% and 30% of the Presiding Member's allowance. Accordingly, any increase determined by this Tribunal to the salary of a puisne Judge of the Supreme Court will automatically flow through to the per annum allowances of Parole Board members under the current determination.
10. It is a different matter for the sessional rate allowances, as those are currently specified as fixed amounts per session. The Tribunal however considers that the sessional rates should increase by the same percentage increase which the Tribunal determines from time to time for puisne Judge of the Supreme Court, in order to maintain an appropriate relativity between the per annum and sessional rates.
11. The Tribunal has just issued a determination² which increases the salary of a puisne Judge by 2.75% (rounded up to the nearest \$10). The Tribunal has accordingly determined to apply the same percentage increase to the sessional rates and the financial year cap on those rates, but rounded to the nearest dollar given the smaller amounts involved. Further, as the Tribunal is only required to review the allowances of members of the Parole Board every two years,³ it has decided to amend the determination to make the increase arrangements automatic for next year. The Tribunal will review the suitability of this automatic arrangement when it next reviews the determination.
12. The Tribunal has determined that the increased sessional rates will apply from 1 September 2022, which reflects the same operative date of the salary increase for the judiciary. The updated financial cap will apply from the financial year commencing 1 July 2022. The determination provides for the financial cap to automatically update with any future percentage increase to the salary of a puisne Judge, with that cap applying to the financial year in which the increase takes effect.
13. The Tribunal notes that the determination and report for the members of the judiciary deals with security arrangements. These are not addressed in relation to Parole Board members. However, as has been identified in the report for the judicial determination, the Tribunal is open to review these arrangements. A similar invitation is extended to the Parole Board Members to request that the Tribunal consider this issue.



Matthew O'Callaghan
PRESIDENT



Deborah Black
MEMBER



Peter de Cure AM
MEMBER

Dated: 14 December 2022

² Report and Determination 7 of 2022 - Remuneration of Members of the Judiciary, Presidential Members of the SAET, Presidential Members of the SACAT, the State Coroner, and Commissioners of the Environment, Resources and Development Court

³ In accordance with section 57(4) of the *Correctional Services Act 1982* and regulation 39A of the *Correctional Services Regulations 2016*.