



**SENTENCE ADMINISTRATION BOARD OF THE
AUSTRALIAN CAPITAL TERRITORY**

GPO Box 158
Canberra ACT 2601

Mr Greg Hausted
Secretary
ACT Remuneration Tribunal
PO Box 964
Civic Square ACT 2608

Friday, 10 August 2012

Dear Mr Hausted,

I refer to our telephone conversation on Wednesday, 8 August 2012 and appreciate the indulgence of the Remuneration Tribunal ('the Tribunal') in accepting this submission beyond the closing date of 9 August 2012.

This submission is made on behalf of the Sentence Administration Board of the ACT ('the Board') in relation to the Remuneration Tribunal's annual review of remuneration and allowances for part time holders of statutory and non-statutory offices. This submission requests a review of remuneration paid to board members and, in particular, to the board's judicial members.

Following the introduction of the *Crimes (Sentence Administration) Act 2005* (which commenced in 2006) the Tribunal set annual salaries for the Chair and Deputy Chair (the Board's judicial members) replacing an arrangement that remunerated them on a per diem basis. Per diem remuneration was retained for the Board's non-judicial members. The Board (as presently constituted) is not aware of the precise information that then informed the Tribunal's decision.

However, in the Board's submission the present remuneration set for the Chair and Deputy Chair does not adequately reflect the extent of the statutory and administrative duties and responsibilities of the positions, particularly having regard to the increase in the number, variety and complexity of matters coming before the Board for decision. There has been an increase in the number of Divisional Board meetings required as well as an increase in the extent of the liaison required with other stakeholders in the criminal justice system (in particular regarding the revision of statutory provisions affecting the Board's work). The requirement for increased attendance at both Full Board and Divisional Board meetings is to an extent compensated for by per diem remuneration for non-judicial members. That is not the position for the Board's non-judicial members.



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The Board is required to exercise, in a just manner, statutory discretions that affect the liberty of the subject. The significance of that requirement should, in the Board's submission, be appropriately reflected in the remuneration of both its judicial and non-judicial members. There is a question as to whether there is currently appropriate relativity with roles that exercise similar powers.

The Board's Secretariat is presently compiling statistics for annual reporting purposes and when available these will be forwarded to the Tribunal.

In the meantime, I would be pleased to meet with you to discuss any further information the Tribunal might require in order to consider the Board's submission. As I expect the relevant data will soon be available, the Board seeks the Tribunal's indulgence to make a supplementary submission.

The Board has been unsuccessful in obtaining a copy of the material that was considered by the Tribunal when it determined the setting of annualised salaries for the Board's judicial members. If the Tribunal has that information available to it, it would be much appreciated if it could be made available to the Board.

Yours sincerely

Grahame Delaney

Chair