

**SUPREME COURT  
OF THE AUSTRALIAN CAPITAL TERRITORY**

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**CHAMBERS OF THE CHIEF JUSTICE**

Dr Colin Adrian  
Chair  
ACT Remuneration Tribunal  
GPO Box 964 Civic Square ACT 2608

11 April 2018

Dear Dr Adrian

We urge the Remuneration Tribunal to significantly increase the current remuneration of the Principal Registrar.

In the ACT, the role of the Principal Registrar is challenging and complex.

First, unlike similar roles in some jurisdictions, the Principal Registrar is both responsible to the judicial arm of government and required to report to the executive. These dual requirements do not sit well as the interests of the judiciary and the executive frequently diverge or even conflict.

Second, unlike most similar roles, where the Principal Registrar is answerable to only one head of jurisdiction, in the ACT the Principal Registrar is answerable to three heads of jurisdiction: the Chief Justice, the Chief Magistrate and the President of the ACT Civil and Administrative Tribunal. Similarly, some of the staff who report to the Principal Registrar work in only one jurisdiction, but others are shared across jurisdictions. Staff work in three locations: the Courts, ACAT and Forensic Medical Centre. The Principal Registrar must direct staff work in a manner that is consistent with the competing demands of the three heads of jurisdiction.

It is frequently difficult to reconcile competing priorities and loyalties as between the judiciary and the executive and as between the three jurisdictions. But the role requires that this be done. Consequently, the incumbent must have a very high level of organisational ability, political acuity and discretion.

Courts across Australia are moving towards increased administrative independence, including financial governance. This demands a significant improvement in governance. A principal registrar/ CEO must take the lead in this regard. In the ACT, the Principal Registrar is responsible for advocating with government for the Court's budgetary requirements in a complex multi-layered budgetary environment.

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Nowadays, courts also accept the need to promote access to justice. Again, it is a role of the Principal Registrar to guide the ways in which this aspiration may be implemented in a practical way. This requires the Principal Registrar to engage extensively with public and private stakeholders in a representative capacity.

In the case of the ACT, the role of the Principal Registrar was created at a time when ACT Courts' governance was particularly poor as compared with that in other jurisdictions. For example, the Courts had no clear budget and the governance (such as it was) was not transparent. Coming into this chaotic environment, the Principal Registrar had to develop a proper governance structure. We are pleased to say that, despite its small size and associated lack of resources, the ACT is now much improved in this regard. The ACT Courts are implementing the International Framework for Courts Excellence, a significant change process championed by the Principal Registrar in support of the vision of heads of jurisdiction.

However, significantly more work is required to put the ACT at the forefront of Australian courts, a commitment which must be lead from the administrative perspective by the Principal Registrar.

The Tribunal would be aware of the development of a new Courts facility and associated services through a public/private partnership. A further challenge for the Principal Registrar has been to ensure that the new Courts' buildings meet the needs of the Courts. The Principal Registrar has made an important contribution to almost all aspects of the design and the ongoing program for services to be provided to the Courts by the private contract partners, from IT to courtroom design. However, the Principal Registrar's role in that regard has only just begun. It is anticipated that, during the operational phase of the Courts' public-private partnership (which extends over a 25 year period), the Principal Registrar will be the key person in charge of managing the arrangement and mediating at the interface between the Courts, the executive (which has ultimate responsibility for the PPP budget) and the private partners. This project management role is somewhat novel and requires a broad range of management and negotiation skills.

We have some familiarity with salaries applicable to chief executive officers in the not-for – profit sector and in other courts and believe that the remuneration that is currently payable to the ACT Principal Registrar fails to reflect the complexity of the position, the skills that are required and the demands that it places upon the incumbent.

Yours sincerely



Helen Murrell  
Chief Justice



Lorraine Walker  
Chief Magistrate