



ATTORNEY-GENERAL
THE HON ROBERT McCLELLAND MP

08/10845

Mr John C Conde AO
President
Remuneration Tribunal
PO Box 281
CIVIC SQUARE ACT 2608

Dear Mr Conde

I refer to your letter of 11 March 2008 advising of the Remuneration Tribunal's 2008 annual review of judicial and related offices' remuneration. I am pleased to provide the Tribunal with this submission on behalf of the Government.

Having regard to the overall economic climate, the Government is advocating pay restraint throughout the community, particularly for high income earners. It is also the Government's view that judicial and related offices' remuneration arrangements should remain consistent with the Government's broader workplace relations policies.

Any remuneration increases determined by the Tribunal (if remuneration is increased) should be based on considerations of work value and productivity improvements. The Tribunal should also consider the overall impact of remuneration increases, particularly where funding to these bodies is finite. While the Courts, the Administrative Appeals Tribunal and the National Native Title Tribunal receive supplementation for remuneration increases for judicial officers and tribunal members, they do not receive supplementation for salary increases for Chief Executive Officers, who are also covered by determinations of remuneration for judicial and related offices. The Tribunal's review of judicial and related offices' remuneration should not result in reduced quality of overall services provided by federal courts and tribunals.

As the Tribunal is aware, I expect to receive a report from my Department about its review into the optimal structure for the delivery of family law services by the Family Court and the Federal Magistrates Court. I will provide a copy to the Tribunal so that it can consider the relevance of its recommendations to existing relativities among the federal courts.

With regard to related office holders, comparisons with general salary levels of the community and movements in executive remuneration should not displace productivity considerations as a key factor in determining relevant remuneration levels.

If submissions from other parties raise other significant matters with the Tribunal in relation to the remuneration of judicial or related offices, the Government requests that it be given the opportunity to consider the matters raised and make a further submission if it considers this appropriate.

I have provided a copy of this letter to the Minister for Employment and Workplace Relations, the Hon Julia Gillard MP, the Hon Chief Justice A M Gleeson AC, the Hon Chief Justice M E J Black AC, the Hon Chief Justice Diana Bryant and Mr John Pascoe AO.

Yours sincerely

A handwritten signature in cursive script, appearing to read 'Robert McClelland', with a long, thin flourish extending upwards and to the right.

Robert McClelland

26 MAY 2008