



## Remuneration Tribunal

### Remuneration in Australia's Federal Courts

#### Statement

The Remuneration Tribunal issued a Report in October 2009 following an extensive review of remuneration relativities among judicial offices within Australia's federal courts. This Report is available on the Tribunal's website<sup>1</sup>.

As a result of the conclusions reached in that Report, the Tribunal decided that a 6% increase in remuneration for various judicial offices was sustainable on work value grounds additional to any general adjustment determined by the Tribunal. However, noting in particular the prevailing economic situation at the time, the Tribunal determined an increase in remuneration of 1.5% for the relevant judicial offices with effect from 1 November 2009. The Tribunal concluded further that:

The Tribunal's present intention is to determine three further 1.5% adjustments for each of the judicial offices concerned, subject to the considerations in the final section of this report.

The considerations referred to were these:

The Tribunal will continue to pay close attention to the general economic situation.

and:

The Tribunal will also continue to monitor the restructuring of the family law courts, so as to be confident that the developments expected, at this time, to occur in the family law system are realised. The application of the three further adjustments foreshadowed in this statement is contingent on this.

The Tribunal notes that the general economic outlook now appears far more favourable than it did in 2009. Consequently, while the Tribunal recognises that caution is still appropriate, it cannot see that there is any compelling reason to delay the second tranche of an increase based on work value considerations.

In relation to the situation in family law, the Tribunal has received further information from the two Courts which provide family law services, as well as from the Attorney-General.

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<sup>1</sup> At:

<http://www.remtribunal.gov.au/statementsreports/2009%20Review%20of%20Remuneration%20Relativities%20among%20Australia's%20Federal%20Courts%20Report%20-%202012%20Oct%202009.pdf>

The Tribunal is aware that legislation amending the federal court structure has not yet been introduced to the Parliament.

However, the Tribunal stated in the October 2009 Report that the family law courts had adopted in practice the principles outlined in the report which recommended the legislative changes. Further information received since October 2009 confirms that this continues to be the case. Indeed the Attorney-General has advised the Tribunal that an appropriate streaming of work between the two Courts was formalised in a protocol between the Chiefs of the two Courts, which was implemented on 29 January 2010.

The Tribunal also notes that there have been further retirements from the bench of the Family Court, so that the reduction in numbers in that Court envisaged in the October 2009 Report does in fact continue to occur.

In these circumstances, the Tribunal has decided that a second 1.5% increase for federal judicial offices will take effect from 1 May 2010.

The Tribunal will revisit the matter of the remaining adjustments in the latter half of 2010.

Remuneration Tribunal  
13 April 2010