

STATUTORY AND OTHER OFFICES REMUNERATION TRIBUNAL

REPORT AND DETERMINATION PURSUANT TO SECTION 14 OF THE ACT

The Premier of New South Wales, the Hon Bob Carr MP, in his letter of 12 September 2001 has directed the Tribunal to make a determination on the remuneration of the Commissioner, Police Integrity Commission. The Minister for Police, the Hon Paul Whelan MP, in his letter to the Premier dated 10 September 2001, has suggested that, because of the similarity of functions the remuneration for the Commissioner PIC be set at a similar rate to that of the Commissioner, Independent Commission Against Corruption.

The Commissioner, Police Integrity Commission is an independent statutory position created under the Police Integrity Commission Act 1996. The principal functions of the Commission are to detect, investigate and prevent police corruption and police misconduct. The appointee required to possess high level policy, administrative and investigative skills.

The Commissioner is appointed by the Governor. Eligibility for appointment as Commissioner requires the candidate to be eligible for appointment as a Judge of the Supreme Court, Federal Court or the High Court. The Commissioner can only hold office for a period of 5 years. The Commissioner reports direct to Parliament.

The Tribunal has examined the legislation and other documents provided by the Premier outlining the role and responsibilities of this office. The Tribunal notes that the Police Integrity Commission performs a similar role and has similar functions those of the ICAC. Both have the powers of a Royal Commission, both report direct to Parliament and are overseen by Joint Parliamentary Committees. Many of the provisions of the PIC Act 1996 mirror those of the ICAC Act 1988. The Commissioner, ICAC, however, has a far broader role and responsibilities than the Commissioner PIC whose role and responsibilities are limited to the Police Service.

In respect of remuneration the Tribunal notes that the salary for a Judge of the Supreme Court, effective from 1 October 2001 will be \$234,240. A serving Judge is also eligible to receive a pension under the Judges Pension Act, subject to certain conditions. This is a non contributory pension scheme available only to judges has been valued by the federal remuneration Tribunal as being worth between 30 percent and 60 percent of a Judge's

salary. Where the Commissioner is not a Judge that person will not be eligible for the Judges' pension but normal superannuation arrangements will apply. For this reason the Tribunal considers that the salary of the Commissioner should be greater than that received by a Judge of the Supreme Court.

Because of the narrower role of the Commissioner PIC the Tribunal considers that a level of remuneration identical to that of the Commissioner ICAC would not be inappropriate. The Tribunal has, therefore, set a new rate for the Commissioner PIC.

DETERMINATION

Pursuant to section 14 of the Statutory and Other Offices Remuneration Act 1975, I determine that the salary for the Commissioner Police Integrity Commission shall be \$300,000 per annum with effect on and from 1 October 2001.

The Statutory and Other Offices **Remuneration Tribunal**

Gerald Gleeson