

**STATUTORY AND OTHER OFFICES REMUNERATION TRIBUNAL**

Report and Determination for Mr Michael Fuller APM in the office of the Commissioner of Police, pursuant to Section 24P of the *Statutory and Other Offices Remuneration Act 1975*.

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**PREMIER’S DIRECTION**

1. On 26 March 2020, the Statutory and Other Offices Remuneration Tribunal (the Tribunal) received a direction from the Premier, the Hon Gladys Berejiklian MP, pursuant to section 24P of the *Statutory and Other Offices Remuneration Act 1975* (SOOR Act) to make a determination as to whether, and (if so) how, the determination of the range of remuneration packages of Band 4 Public Service senior executives should be altered in relation to Mr Michael Fuller APM in the office of Commissioner of Police.

2. Section 24P of the SOOR Act provides for the Minister to direct the Tribunal to make a special determination in the following terms:

**24P Special determinations**

*If the Minister so directs, the Tribunal is required to make (not later than the day specified in the direction as the day on or before which the determination is to be made) a determination as to whether, and (if so) how, any determination already made should be altered in relation to remuneration packages as are referred to in the direction.*

3. The Commissioner of Police is employed in a Public Service senior executive (PSSE) “Band 4 – Secretary level” role. The determination already made in respect of PSSE Band 4 –Secretary level is the Tribunal’s 2019 annual determination which provides the following remuneration package range:

<b>Band</b>	<b>Per annum range</b>		
Band 4 – Secretary level	\$487,501	to	\$562,650

## **BACKGROUND**

4. The NSW Police Force is a government agency and its mission, as set out in the *Police Act 1990*, is to work with the community to reduce violence, crime and fear.
5. The NSW Police Force is Australia's largest police organisation, with more than 20,000 employees of which 16,500 are police officers. NSW Police is responsible for protecting the community and property by preventing, detecting and investigating crime; monitoring and promoting road safety; maintaining social order and performing and coordinating emergency and rescue operations.
6. The Commissioner of Police is appointed by the Governor under the provisions of the *Police Act 1990*. The primary purpose of the office is to lead the NSW Police Force to achieve its mission and functions. The Commissioner of Police reports to the portfolio Minister and has five direct reports at the level of Deputy Commissioner.
7. The Commissioner of Police is responsible for:
  - Leading and directing the NSW Police Force, as a highly professional community safety and law enforcement agency.
  - Advising the Minister and other key stakeholders on strategic direction, priorities and implementation in relation to community safety and law enforcement issues across NSW to ensure informed decision making, facilitating the most effective and cooperative use of resources in meeting community needs.
  - Assuming all assigned responsibilities under the *Police Act 1990*, and associated Acts and regulations to meet legislated requirements.
  - Working collaboratively with other NSW emergency agencies to plan, prepare and respond to incidents, events and operations.
8. In determining the remuneration the Tribunal has had regard to the responsibilities of the office, the remuneration paid to senior law enforcement offices in other jurisdictions, and Mr Fuller's skills and experience. The Commissioner of Police is one of NSW's most senior office holders and it is appropriate that the role receive a level of remuneration which reflects the role and responsibilities. Given the

current national health and economic crisis it is more important than ever that the services of Mr Fuller be recognised .

9. Having regard to the particular circumstances of the case the Tribunal is of the view that the remuneration package for Mr Fuller in the office of Commissioner of Police will be \$649,500 per annum. The Tribunal's determination is consistent with advice contained in the Premier's direction and is appropriate given the complexity, responsibility and challenges of the office. This determination will alter the Tribunal's determination in respect of Band 4 remuneration levels.
10. The determination is made in accordance with section 24R(3)(a) of the SOOR Act which provides for the Tribunal to fix a remuneration package for a particular senior executive named in the determination. Consistent with the Premier's request, this determination is personal to Mr Fuller and is not a determination that applies to the office of Commissioner of Police or to future appointments to the role.
11. This determination shall take effect from 1 January 2020.

## **DETERMINATION**

Pursuant to section 24P of the *Statutory and Other Offices Remuneration Act 1975* the Tribunal determines that the range of remuneration packages of Band 4 Public Service senior executives is altered to provide Mr Fuller in the office of Commissioner of Police, with a remuneration package of \$649,500 per annum, with effect from 1 January 2020.

<b>Band</b>	<b>Per annum range</b>			
Band 4 – Secretary level	\$487,501	to	\$562,650	Mr Michael Fuller, Commissioner of Police: \$649,500 per annum.

## **Statutory and Other Offices Remuneration Tribunal**

*Signed*

30 March 2020