

Ministerial Statement



Hon Michael Atkinson

Attorney-General
Minister for Justice
Minister for Multicultural Affairs
Minister for Veteran's Affairs

Thursday, 18 June 2009

SERIOUS AND ORGANISED CRIME (CONTROL) ACT, 2008

Mr Speaker, I seek leave to make a Ministerial Statement about a significant appointment under the *Serious and Organised Crime (Control) Act 2008*.

On Thursday, 14 May, I announced in this place that I had declared the Finks Motorcycle Club under the Rann Government's *Serious and Organised Crime Control Act 2008*, because I had formed the view, after considering evidence put before me by SAPOL, that members of the Finks associate for the purpose of organising, planning, facilitating supporting or engaging in serious criminal activity and that the organisation represents a risk to public safety and order in this State.

Part 6 of the Act requires that before 1 July in each year, I must appoint a retired judicial officer to conduct a review to determine whether powers under this Act were exercised in an appropriate manner.

A report of the review must be presented to me before 30 September and I must within 12 sittings days of receipt of the report cause copies to be laid before this and the other place.

A judicial officer as defined by the Act is a person appointed as a judge of the Supreme Court or the District Court or a person appointed as judge of another State or Territory or of the Commonwealth.

Mr Speaker the appointment of a retired judicial officer is an important in ensuring the public and the Parliament's confidence in the transparency of the operation of this legislation.

Those detractors who have formed the view that this legislation is unnecessary and an attack on the civil liberties of South Australians should take comfort in the oversight of a former judge into the operation of the legislation.

Mr Speaker today I can inform the House that I have appointed Mr Alan Moss to conduct the review of exercise of powers under the *Serious and Organised Crime (Control) Act 2008*.

Mr Moss is a former Judge of the District Court in South Australia and was the Senior Judge of the Youth Court. He has held the positions of Magistrate and Chief Magistrate, Assistant and Deputy Crown Solicitor, Assistant Crown Prosecutor and has acted as a Deputy Coroner. He has extensive experience and is highly regarded.

Mr Moss is currently the Presiding Member of the Independent Gambling Authority.

Mr Moss has previous experience conducting reviews and inquiries for Government including, in 2007, an extensive review of the *Shop Trading Hours Act 1977* for the South Australian Parliament.

I am certain that all in the House welcome his appointment to conduct this most important review.