

QUESTION_Port Pirie Magistrate_010513

Mr BROCK (Frome) (14:42): Can the Attorney-General tell us who or what is holding up the appointment of a resident magistrate in Port Pirie, for which I put in a submission in 2011?

Ms Chapman interjecting:

The SPEAKER: I am sorry, I did not quite catch the deputy leader.

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Industrial Relations, Minister for Business Services and Consumers) (14:42): She was advising the house that she was responsible for the failure.

The SPEAKER: Thank you for assisting me, Attorney-General.

The Hon. J.R. RAU: I am grateful to the member for Bragg for assisting me in answering the question from the member for Frome, and I thank him for the question. I can confirm that it is indeed the member for Bragg who is responsible. Aside from that, can I just explain a little by way of background, because it might assist the member for Frome and other members.

The government in the budget process each year provides a certain amount of money to an outfit called the Courts Administration Authority. The Courts Administration Authority is quite independent of the Attorney-General's Department and is not subject to any direction by me. It is subject to the direction ultimately of a council, which is chaired by the Chief Justice of South Australia. It is a matter for the Courts Administration Authority to determine what within its budget it will allocate its funds toward.

My understanding, having pursued this matter, is that the Chief Magistrate, who is a member of the council, is of the view that there is a case to be made, or indeed to be put, for supporting regional magistrates, including in Port Pirie. So, there is no lack of appreciation of the merit of the proposition that is being advanced by the honourable member.

Also, I am advised through the Chief Magistrate that the Courts Administration Authority has indicated that there is currently insufficient capacity for redirecting funding to accommodate the request. Inasmuch as we do not yet know because we have not yet had the budget—we do not know what will or will not occur in the budget in respect of the Courts Administration Authority's annual budget—I do need to make something very clear.

In the event of any change in the funding of the Courts Administration Authority, any increase in money that might or might not go to the Courts Administration Authority, it is not within the capacity of the Treasurer, the

Premier, the Attorney-General or anyone else to tell the Courts Administration Authority that that increased money must be applied to a particular task, such as putting a resident magistrate in Port Pirie.

None of us have the capacity to do that. I think we will just have to see whether anything emerges in the budget but, if it does, I have to say to the member for Frome, the ultimate decision is a matter for the courts to determine how they will allocate their funds amongst their various competing internal priorities.

The SPEAKER: Supplementary, member for Frome.

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Mr BROCK (Frome) (14:45): If I understand that correctly, if I approach the Chief Magistrate and put a case to them, they may make a decision yes or no?

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Industrial Relations, Minister for Business Services and Consumers) (14:45): I thank the honourable member again for that question. At the risk of providing what might be seen as advice or whatever on this to the house, it seems to me that, seeing as the actual allocation of moneys within the budget for the Courts Administration Authority is a matter for the Courts Administration Authority, it would probably be useful, if the honourable member has not already made a representation to the authority, to make a representation not only to the Chief Magistrate but possibly also a representation to the Chief Justice and other members of the governing council of the Courts Administration Authority, because ultimately—

Mr Marshall: Why didn't you tell him that two years ago when he wrote to you? That would have been helpful.

The Hon. J.R. RAU: We wouldn't have been able to have this question, would we? If I might make a suggestion to the honourable member, that would be a good way to advance the matter, and I would be happy to facilitate that in any way that I might.