



STATUTES AMENDMENT (PROPERTY OFFENCES) BILL
14 July 2009

Mrs PENFOLD (Flinders) (17:36): It is appropriate and necessary that our laws be continually brought up to date to take account of changes, whatever those changes might be. Property values, for instance, and money itself change over time. However, the crime of arson should be, as the dictionary definition of arson states, 'the intentional and unlawful burning of a building or other property'.

Brush fences should not be excluded. We have had numerous instances of brush fences being set alight and the fire spreading to buildings and other property, causing great damage. It is the trend nowadays for house blocks to be smaller in size, thus bringing buildings closer together and, where brush fences are built, to have them touching houses. In some developments, brush fencing is set down as a condition of the development. Any of those brush fences that are deliberately set alight pose a great danger to the adjoining houses. We are fortunate that we have had few instances of this type of criminal behaviour.

One such event in Port Lincoln set the house alight, and it was only the quick response of the local fire brigade that saved the building from being gutted. A fire started through the setting alight of a brush fence, then setting a house alight. It could easily have ended in the death of anyone in the house at the time. A fire could grow quickly, as has been recorded with some house fires, endangering the lives of those in a building. We frequently hear stories of families who have got out of burning buildings with nothing but what they were wearing.

An article in The Advertiser on Saturday 16 May stated that it was 'sheer luck' that deliberately lit fence fires had not caused fatalities. I quote from the article as follows:

Only luck has prevented a series of deliberately lit brush-fence fires in the northern and north-eastern suburbs from causing a death.

Five cases of arson on brush fences, including three on one night in March at Golden Grove, have residents unnerved and police on alert. A special operation has been mounted in the area to locate those responsible.

There's little to suggest the fires at Para Hills, Salisbury East and Golden Grove are linked. But until the arsonists are stopped, a tragedy is possible. On March 3, an elderly, bedridden woman was lucky to escape uninjured after a deliberately lit brush-fence fire at her Anika Court, Salisbury East home.

Neighbours extinguished the blaze with garden hoses before firefighters arrived at about 12.40am...At Para Hills, on February 19, a sleeping woman, 72, was 'extremely lucky', police said, to escape unhurt when the fire spread from a brush fence and gutted her Williamson Road home about 2.30am.

Police said her cat alerted the woman...Meanwhile, Golden Grove residents say they are living in fear after a series of brush-fence fires.

Mother-of-two Suheyla Ahmed said she feared for her children's lives when a brush fence burst into flames near her home in Bennett Court. Her husband, Khaled, and neighbours doused the flames but not before it had spread to a shed adjoining the family's car port. The same night, the Metropolitan Fire Service put out two more brush-fence fires

in a laneway that runs behind houses off Anne-Marie Court.

We are constantly bombarded with comments about the dire state of the earth through carbon emissions and global warming, yet the only response we can come up with is to remove deliberately lit brush-fence fires from being dealt with as arson, all but preventing people from using brush as fencing. With that proviso, I support the bill.