The Marshall Liberal Government understands that the justice system needs to be efficient, effective and fair. Laws should improve community safety, protect the vulnerable and deliver better protections for consumers.

South Australia's Justice Agenda highlights the progress made on the government’s agenda to date, and lays foundations for the work yet to come.

Six key priorities reflect the government’s Justice Agenda that will inform initiatives and reforms over the next 3 years:

1. Protecting South Australians
2. Strong penalties and effective solutions
3. A courts system built to last
4. Modern liquor and gambling laws
5. Supporting consumers
6. Keeping the law and our policies current and relevant.

Since coming to office in March 2018, much has been achieved. The government has announced its support for the National Redress Scheme and continues to fund a trial of the Domestic Violence Disclosure Scheme. The Marshall Liberal Government has also put in place further vital protections for victims of domestic violence and a number of consumer protections. However, there remains more to be done.

I look forward to working with stakeholders in the justice sector to build the efficient, effective and fair justice system South Australians expect and deserve.

The Honourable Vickie Chapman MP
Attorney-General
July 2019
Key priorities now and for the future:

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PROTECTING SOUTH AUSTRALIANS

Keeping South Australians safe by ensuring domestic violence is not tolerated, supporting victims of crime, and rehabilitating young offenders.
Domestic violence

Protecting women and children from domestic violence by sending a clear message that domestic violence will not be tolerated in South Australia, by ensuring there are strong sentences in place for offenders, and providing better support for victims.

Initiatives

Domestic Violence Disclosure Scheme (DVDS)
The trial of the DVDS is underway. Reports so far are positive with over 100 applications for information about a current or former partner made since implementation, with more than a quarter advised of a partner’s violent past. A review will then assess its effectiveness and consider potential future arrangements to ensure the best outcomes are achieved for victims of domestic violence.

Tougher Penalties for Intervention Orders (IOs)
New laws targeting the perpetrators of domestic violence have come into effect, giving authorities stronger tools to tackle repeat and serious offenders. This includes a new stand-alone criminal offence of strangulation as well as tougher penalties for repeated breaches of IOs. A review after 12 months will ensure the new laws are being used to their full effect.

Support for victims of crime

Ensuring victims of crime are supported through services that best reflect their needs.

Initiatives

Redress
The Marshall Liberal Government has approved its support for the National Redress Scheme in South Australia providing support for people who were sexually abused as children in government institutions. The government will regularly monitor the scheme to ensure it is providing appropriate support.

Supporting victims of crime to access compensation
Changes to the Victims of Crime Act will make it less stressful for victims to access compensation. The amendments, which were introduced to State Parliament in April 2019, bring South Australia into line with other states by removing the requirement for victims to have any further contact with the offender in their case.

Easier access to compensation
The statute of limitations that previously applied to compensation claims has been removed, reducing impediments for people who were physically or sexually abused as children seeking compensation through the courts.

South Australia’s response to the Child Sexual Abuse Royal Commission
The government continues to progress the recommendations of the Commonwealth Royal Commission into Institutional Responses to Child Sexual Abuse Criminal Justice Report.
Young people

Getting the balance right between tough penalties for young offenders and delivery of rehabilitation and diversion programs by ensuring that where young people make a mistake they are, where appropriate, assisted so that their chances of avoiding the criminal justice system are increased.

Initiatives

Youth Treatment Orders
The Controlled Substances (Youth Treatment Orders) Amendment Bill was introduced into Parliament in mid-2018. Once passed, these new laws will mean parents and guardians, who have been unable to engage their children in voluntary treatment, can legally force their children to attend drug treatment programs in the hope of breaking dependence on controlled drugs at the earliest possible time.

Protecting the community

Better protecting the community through effective, relevant laws and strong powers for law enforcement.

Initiatives

Carly’s Law
The government has strengthened the law to better protect children from insidious, online predators. Under Carly’s Law, an adult who communicates with a child and lies about their age or identity and meets or arranges to meet with the child will face a maximum five years in jail, while someone who communicates with a child and lies about their age or identity with the intent of committing an offence against the child will face up to 10 years in jail.

Tough anti-terror measures
Laws have been implemented giving police the confidence to use whatever force they deem necessary in a terrorist incident.

Maintaining a strong police presence in the CBD
To ensure police have extra search and seizure powers to combat anti-social behaviour, the declared public precinct in Adelaide’s West End has been extended.

Getting tough on child pornography
New laws have passed to crack down on people who help distribute child pornography on-line, and increasing police powers to access encrypted or password-protected material held by suspects.

Protecting emergency service workers
Tough new penalties have been proposed for people who spit or throw bodily materials at emergency service workers, to better reflect the serious nature of these offences.
STRONG PENALTIES, EFFECTIVE SOLUTIONS

Tough penalties for serious offences, keeping the community safe from high risk offenders, and sentencing reform that keeps the community safe and supports effective rehabilitation.
Drugs

Recognising the impact illicit substances have on our community and developing policies that act as a strong deterrent and effective punishment for offenders.

Initiatives

Tougher penalties
The Marshall Liberal Government is fulfilling its commitment to tackling drugs in our community by passing legislation in 2018 to keep penalties in line with community expectations by increasing penalties for serious drug offenders and possession of cannabis, as well as limiting the number of drug diversions to a maximum of two times in a four year period before a person must be charged with an offence.

Offender assessment and management

Ensuring courts have access to timely information when considering the release of certain offenders, and better protecting the community from serious sex offenders.

Initiatives

Streamlining assessments
Legislation has now passed to support implementation of a new psychiatric court assessment service that is efficient, timely and meets the demands of the criminal justice system.

Better protections against child sex offenders
The government has tightened the restrictions around when convicted serious sex offenders who have been indefinitely detained can be released into the community.

Home detention

Ensuring community safety is among the top priorities when the courts consider imposing a sentence of home detention or releasing an offender on a suspended sentence or intensive correction order.

Initiatives

Better protections
Legislation has now commenced that ensures suspended sentences and home detention are only used when appropriate to better protect the community.

Sentencing reform

Delivering a sentencing regime that is contemporary and reflects community expectations.

Initiatives

Sentencing reviews
The government has released an independent review of the sentencing discount scheme in South Australia, which has allowed experts and the community to have input into this important area of law. The report will inform future law reform in this area.

Increasing transparency
The Marshall Liberal Government will consult on changes to remove the current automatic prohibitions on the publication of the identity of an accused in sexual offences.
A COURTS SYSTEM BUILT TO LAST

Modernising our courts to meet not just our current needs, but those well into the future.
Modernising the courts

Modernising the courts to make them more efficient, and considering other ways to build capacity in South Australia’s legal sector.

Initiatives

Redeveloping our courts
The government has been overseeing the current redevelopment of the Supreme and District Courts, which will increase the number of jury court rooms available, and progressing the master planning for the Higher Courts including the redesign of the Supreme Court area (taking into account the potential ownership of the Sir Samuel Way Building).

Modernising our court system
The government will continue to oversee the implementation of the Electronic Court Management System (ECMS) which will deliver the electronic flow of information through the courts.
MODERN LIQUOR AND GAMBLING LAWS

The hospitality sector is an integral part of the South Australian economy. Delivering contemporary, effective liquor and gambling laws will help get the balance right between supporting the sector and protecting the community.
Liquor and gambling

Striking the right balance between community protection and supporting a thriving, vibrant hospitality sector.

Initiatives

A single liquor and gambling regulator
Since December 2018, the Attorney-General’s Department, through Consumer and Business Services, assumed responsibility for all gambling regulatory and policy functions in South Australia, including those previously overseen by the Independent Gambling Authority. This change simplifies and modernises the regulation of gambling activity in South Australia.

Reforming gambling regulation
Changes to the gambling regulatory framework in SA will include the establishment of a new Gambling Advisory Council, involving both Government and industry stakeholders, that will work collaboratively to address critical gambling-related matters. These changes will enable the Commissioner for Consumer Affairs, Liquor and Gambling to have direct contact and develop strategies with key stakeholders to reduce gambling related harm. A broader review of gambling related legislation is being conducted to identify additional efficiencies and improvements, and to consider new gaming technologies and strategies to reduce gambling-related harm.

Ask for Angela – Ask for Angela is an international campaign introduced to South Australia to promote safety in licensed venues. If a patron feels unsafe, they can discretely ask the staff for “Angela”. This simple code word alerts venue staff that the person requires assistance. The staff can then follow their own procedures to help the person appropriately and respectfully. Ask for Angela has been implemented in partnership with the Australian Hotels Association, to create a safer environment for women in licensed venues.

Better protection for problem gamblers
Reforms to the barring order application process have been introduced so people either experiencing or at risk of gambling related harm can apply for and receive an order on the same day.
SUPPORTING CONSUMERS

Delivering better protections for South Australian consumers.
**Consumer reforms**

Reducing red tape and implementing laws that deliver better protection for consumers.

**Initiatives**

**New consumer protections**
Gift card and ticket scalping reforms under the *Fair Trading Act 1987* commenced in South Australia on 10 December 2018. The reform included a requirement that a review of the new provisions be undertaken, two years following commencement. As part of this review, consideration will be given to the effectiveness of these South Australia reforms, as well as any issues associated with similar reforms introduced at a national level.

**Supporting residential parks residents**
Work is underway to increase the protections available to long-term residents of residential parks.

**Increasing accountability in the property management sector**
A licensing scheme for property managers is in progress, with registration mandatory from September 28 this year for any employees who manage residential or commercial properties on behalf of an agent.
KEEPING THE LAW AND OUR POLICIES RELEVANT

Making sure our justice policies and legislation reflect contemporary South Australian needs.
Policies and legislation

Keeping justice policies and laws effective, contemporary and relevant.

**Initiatives**

**Better protections for whistleblowers**
The *Public Interest Disclosure Act 2018* commenced on 1 July 2019, implementing the Marshall Liberal Government’s commitment to a scheme that encourages and facilitates the disclosure of public interest information to certain persons or authorities (including journalists and MPs) and provides protections for those who make disclosures.

**Protecting journalists and their sources**
The government has brought in clear legal protections for journalists refusing to disclose a source, or information that may lead to the identification of a source.

**Surrogacy reforms**
The South Australian Law Reform Institute has provided its report on surrogacy reform for South Australia, and the Government is now considering feedback received from consultation on a draft Bill.

**Reforming provocation laws**
The government will implement a number of recommendations from the South Australian Law Reform Institute’s inquiry into the law of provocation. The government will consult on a Bill to amend the law of self-defence to address family violence, abolish the partial defence of provocation, create greater flexibility in sentencing for the offence of homicide, change the test for reducing the mandatory minimum non-parole period and include statutory defences of duress and necessity.

**Returning the Public Trustee to its core business**
The Public Trustee will amend the way it delivers services covering the making of wills and enduring powers of attorney to meet consumer needs and get back to its core business. From 1 July 2019, the Public Trustee will only provide these services to those South Australians with a concession or who are subject to protection orders issued by the South Australian Civil and Administrative Tribunal or administration orders appointed by the courts.

**Supporting our most vulnerable**
The government is moving to merge the Public Trustee and the Office of the Public Advocate, to improve support to some of the state’s most vulnerable citizens.

**Restoring community legal services to the Riverland**
Full-time, face-to-face community legal services have been brought back to the region with the opening of the Riverland Community Justice Centre.

**Supporting the Aged Care and Disability Royal Commissions**
Central response units have been established to lead the South Australian Government’s responses to both the Royal Commission into Aged Care Quality and Safety and the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability.

**Modernising abortion laws**
An independent review of South Australia’s abortion laws has been commissioned with a view to making abortion a regulated health procedure, as opposed to a criminal law issue.

**Strengthening transparency in the ICAC**
The government is moving to enable the Independent Commission Against Corruption to hold public hearings.

**Strengthening lobbyist laws**
Work is underway to prohibit office bearers of registered political parties from lobbying both while holding office and for 12 months after they hold that role.

**Major indictable reforms**
The Honourable Brian Martin AO QC has been appointed to report to the Attorney-General on the impact and effectiveness of reforms to how major indictable offences progressed through the criminal justice system. Mr Martin has publically consulted - seeking community and expert feedback on the reforms.
Making improvements and pursuing efficiencies

Improving and consolidating services to the benefit of South Australians.

Initiatives

Encouraging treatment for fines debtors
New regulations commenced on 1 July 2019 so that people can attend drug and alcohol treatment programs as a way of re-paying their debts through the Fines Enforcement and Recovery Unit, knowing that without treatment the person is never likely to be able to pay their fine and most likely, will accrue more fines.

Simplifying processes for debtors
Fines Enforcement and Recovery Unit reforms include:
> establishing a contemporary central debt management capability for recovery of fines debt and government non-fines debt (civil debt).
> extending online self-service capability for debtors (fines and civil) and creditors (Issuing Authorities/courts and agencies referring civil debt) along with self-service portals for bodies such as courts and prosecutors to query an individual’s fines debt.