

News releases - John Rau

Moves to improve electronic communication in criminal justice system

John Rau

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The State Government is planning changes to the law to help modernise South Australia's criminal justice system.

The Government is seeking public comment on proposed changes to the *Electronic Transactions Act 2000* and the *Summary Procedure Act 1921* that reflect advances in technology and make it easier to share documents.

Under the proposed changes:

- Documents either served or provided for hearings in the Magistrates Court could be transferred using an electronic method (eg. USB stick, cloud-based file transfers), provided the recipient or their lawyer can readily access the material.
- Documents could be transferred electronically where the recipient is the subject of criminal proceedings, without them having to give permission first.
- Documents such as affidavits or statutory declarations could be witnessed electronically, while ensuring appropriate safeguards are maintained.
- A person would be able to give consent to receive certain documents (such as domestic violence intervention orders) electronically, rather than in person.

More information is available at: www.agd.sa.gov.au/initiatives/transforming-criminal-justice/improving-information-sharing/improving-electronic

Feedback can be sent via the [YourSAy website](#), email or post to Justice Sector Reform, office of the chief executive in the Attorney-General's department by Friday 19 August 2016.

Background

The *Summary Procedure Act 1921* governs proceedings heard in the Magistrates Court.

Proposed changes aim to eliminate inconsistencies where documents can be transferred via some electronic methods (eg. via email) but not others (eg. USB stick, cloud-based system).

The *Electronic Transactions Act 2000* outlines conditions that must be met when communicating electronically, but some restrictions are no longer suitable. Changes to this Act are designed to streamline processes and help remove unnecessary delays.

Quotes attributable to Attorney-General John Rau

Technology is changing at an ever-increasing pace, and we need to ensure the laws governing how we transfer documents remain contemporary and effective.

These changes are designed to eliminate the need for some documents to be delivered in person, when it is more convenient and efficient to transfer the document electronically – delivering efficiencies and reducing unnecessary delays.

Importantly, allowing documents to be witnessed electronically can help people in rural or regional areas who may not have easy access to a Justice of the Peace.