

Deputy Premier John Rau

Attorney-General

Tuesday, 16 February, 2016

Public feedback sought on sentencing laws

The State Government is seeking public feedback on proposed changes to how offenders should be sentenced, as part of a complete review of our State's sentencing laws.

The first part of the review will examine the general principles governing sentencing in South Australia.

Attorney-General John Rau said there would be a stronger focus on ensuring the community are protected through sentencing.

"Protecting the community from the offenders is the primary purpose of these proposed changes," Mr Rau said.

"It would require the court to not only consider the persons past history, but to also consider how to best protect the community."

The review is being undertaken in sections, for ease of consideration and consultation and the *Sentencing (First Principles) Bill 2015* represents the first part of the review.

The draft Bill provides the public with an opportunity to consider issues such as the fundamental purposes of sentencing, and the universal factors to be taken into account in sentencing.

Mr Rau said that sentencing laws have been amended on many occasions and this will be the first time it has been examined in its entirety in nearly 30 years.

"Currently, while a sentencing court must give consideration to the safety of the community, this principle does not override other matters to be considered, such as the need for a sentence to be proportionate to the crime," Mr Rau said.

"This is not about keeping more people locked up for longer, but determining the difference between a high risk offender who could be more of a risk to our community and a low risk offender who may pose no threat to public safety."

A fact sheet and a copy of the draft Bill are available at:
www.agd.sa.gov.au/initiatives/transforming-criminal-justice-0

The public will be able to provide feedback until 15 March, 2016.