

# RESPECTFUL CONDUCT IN COURT

STAMPING OUT ABUSIVE BEHAVIOUR

# 2036



**Marshall**  
LIBERAL TEAM



# 2036

## WILL MARK OUR STATE'S BICENTENARY

By the time our State turns 200 years old, I want South Australia to be a place of prosperity.

Planning and delivering on my vision for a better future starts now.

This policy is just part of our plan to deliver a clear and responsible pathway to recovery and success.

See where it fits in below

1.0 GROWING OUR ECONOMY

2.0 THE BEST EDUCATION SYSTEM

3.0 BEING A HEALTHY STATE

4.0 STRENGTHENING COMMUNITIES

5.0 BUILDING OUR STATE

**6.0 ENSURING SAFETY AND JUSTICE**

**6.3** A fair and transparent justice system

7.0 PROTECTING OUR ENVIRONMENT

8.0 EMBRACING OUR UNIQUE CULTURE

9.0 RUNNING AN EFFICIENT AND STABLE GOVERNMENT



“Everyone who goes to court should have the opportunity to be heard free of unnecessary disruptions and abuse from other parties.”



## THE PROBLEM

South Australians expect certain standards of behaviour will be adhered to in court.

However, recent cases in South Australia and other jurisdictions have shown an increase in extremely disrespectful and disruptive conduct, such as vulgar abuse directed at other parties which impacts on the flow of proceedings.

The existing powers of courts are insufficient in some cases for enforcing respectful conduct.

No one in a court should find themselves on the receiving end of abuse, nor should we condone failing to stand for a judicial officer.

**The level of respect shown in a court room is rapidly deteriorating as more people are forced to deal with disruptive and abusive behaviour from others.**



# THE STATE LIBERALS' PLAN

We will not tolerate disrespectful behaviour in our court rooms. It's time harsher penalties are given to those who lack basic respect.

If elected in March 2018, a Marshall Liberal Government will introduce a bill to amend the *Summary Offences Act* to make it an offence to fail to stand for a judge or magistrate and for disruptive behaviour during court proceedings.

This new offence is designed to fall inbetween the types of conduct covered by judicial power to remove someone from the court and the charge of contempt of court.

The offence would carry a maximum penalty of a \$1250 fine or 3 months imprisonment.

By giving judges greater powers to enforce stricter standards of respectful conduct, courts are better able to maintain community confidence, proceedings can continue without unnecessary delay and we afford all those involved their right to procedural fairness.

We will send a clear message that adhering to the laws and procedures of the judicial system is a fundamental expectation of everyone who appears before the courts.



“We will amend the law to ensure judges have all the necessary powers to enforce the standards of behaviour South Australians expect in court.”

Steven Marshall, State Liberal Leader



If you would like to provide feedback on our policy or learn more about our plan, please get in touch via:

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