

Legislative Council

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South Australia

Sentencing (Hate Crimes) Amendment Bill 2021

A BILL FOR

An Act to amend the *Sentencing Act 2017*.

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The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Sentencing (Hate Crimes) Amendment Act 2021*.

2—Amendment provisions

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

Part 2—Amendment of *Sentencing Act 2017*

3—Amendment of section 11—Individual sentencing factors

Section 11(1)—after paragraph (c) insert:

- (ca) whether the offence was wholly or partly motivated by hatred for, or prejudice against, a group of people to which the defendant believed the victim belonged (including, without limiting this paragraph, people of a particular race, religion, sex, sexual orientation, gender identity or age, or people having an intersex variation or a particular disability);

Schedule 1—Transitional provisions

1—Transitional provision—*Sentencing Act 2017*

Section 11(1)(ca) of the *Sentencing Act 2017* (as enacted by this Act) will be taken not to apply in relation to sentencing for an offence that occurred before the commencement of this clause.