

Legislative Council—No 144

As introduced and read a first time, 6 July 2016

South Australia

Summary Offences (Disrespectful Conduct in Court Proceedings) Amendment Bill 2016

A BILL FOR

An Act to amend the *Summary Offences Act 1953*.

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The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

5 This Act may be cited as the *Summary Offences (Disrespectful Conduct in Court Proceedings) Amendment Act 2016*.

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 *Summary Offences Act 1953*

10 3—Insertion of Part 11A

After Part 11 insert:

Part 11A—Disrespectful conduct in court

60—Disrespectful conduct in court

- 15 (1) A person who, during proceedings before a court, engages in disrespectful conduct is guilty of an offence.
Maximum penalty: \$1 250 or imprisonment for 3 months.
- 20 (2) Proceedings may not be commenced for an offence against subsection (1) in respect of the conduct of a person if the conduct has been the subject of contempt of court proceedings against the person (whether or not the person has been found guilty of contempt of court).
- 25 (3) In this section—
court includes a tribunal, authority or person invested by law with judicial or quasi-judicial powers, or with authority to make any inquiry or to receive evidence;

disrespectful conduct includes—

- (a) refusing to stand up after being requested to do so by the court; and
- (b) using offensive or threatening language; and
- (c) yelling; and
- (d) interfering with or undermining the authority, dignity or performance of the court.

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