

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS  
ATTORNEY-GENERAL'S DEPARTMENT

**Group 2**

**Program 1.3**

**Question No. 65**

**Senator Wright asked the following question at the hearing on 24 February 2014:**

Does the Government support the replication, across the Commonwealth, States and Territories of Australia, of the South Australian law which was passed in 2013 and allows a right to appeal in major criminal cases, where new material can convince a Supreme Court judge that a miscarriage of justice may have occurred, and that a conviction may be unsafe?

**The answer to the honourable senator's question is as follows:**

The Attorney-General's Department is not aware of any proposed changes to Commonwealth legislation in this regard. The Department notes that the replication of South Australian laws at a State and Territory level is outside the scope of Commonwealth jurisdiction and powers.