

Business Alert !

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South Australia to drop double jeopardy laws

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South Australia is to drop the 800-year-old double jeopardy principle in a move that will allow people to be charged and tried for the same offence a second time.

Premier Mike Rann said the changes reflected advances in DNA technology which had been used to bring so-called cold cases before the courts.

"It seems to me that it is fundamentally wrong and unjust that someone can literally get away with murder if damning, fresh evidence comes to light after a court trial has acquitted that person," Mr Rann said. He added: "Double jeopardy is an 800-year-old legal principle. But technology is pushing our crime fighting to a new level and this has completely changed the nature of how evidence can be gathered and tested. Our laws must reflect the modernisation of technology in crime fighting."

Under the changes the authorities must have fresh and compelling evidence or prove that an acquittal is tainted to seek a second trial.

But Attorney-General Michael Atkinson said the new provisions would only be used in the most serious of crimes including murder, manslaughter, rape and major drug offences.

Source: AAP

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