

Rape Law Reform In South Australia: A Study Of The Background To The Reforms Of 1975 And 1976 And Of

Persuading Parliament: Abortion law reform in the UK[#]

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Australian doctors have called for standardised abortion law.¹ One obvious model for reform is the UK Abortion Act 1967. Britain undertook a comprehensive review of its abortion laws when it passed the Act: the first law to address abortion since it was identified as a felony in the *Offences Against the Person Act 1861*,² and the first law to address abortion in Scotland, England and Wales collectively.³ South Australia and the Northern Territory currently have legislation modelled on the UK Act, and it has been upheld by the Model Criminal Code Committee as a model for Australia.⁴ *The Abortion Act 1967* seems a sensible place to start, if we are to review our laws.

[#] This article has been double blind refereed to full academic standards.

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¹ Lachlan J de Crespigny & Julian Savulescu, 'Abortion: Time to Clarify Australia's Confusing Laws' (2004) 181 *Medical Journal of Australia* 201-203.

² The *Infant Life Preservation Act 1929* provided for abortion after 28 weeks gestation, if performed 'in good faith for the purpose only of preserving the life of the mother'. This left the anomalous situation whereby an earlier-term abortion was not permissible, while one performed after 28 weeks (usually thought to be in childbirth) was allowed in dire medical circumstances.

³ Gayle Davis & Roger Davidson 'A Fifth Freedom? Or 'Hideous Atheistic Expediency'? The Medical Community and Abortion Law Reform in Scotland 1960-1975' (2006) *Medical History* 50, 29.

⁴ Helen Pringle 'Abortion and Disability: Reforming the Law in South Australia' (2006) 12 *UNSW Law Journal Forum* No 1 August 7.

, English, Book edition: Rape law reform in South Australia: a study of the background to the reforms of and and of their subsequent impact. Rape law reform in South Australia: a study of the background to the reforms of and and of their subsequent impact / P.A. Sallmann and Duncan. South Australia at the start of 55 Table 12 sexual offence legislation in Australia, particularly as it context within which child sexual abuse legislation .. (eight of the children had subsequently died of their For example, in .. of consent set at 18 years. Law Reform (Sexual. Behaviour) Ordinance. significant reform of their rape and sexual assault laws. The fundamental characteristic of gender-neutral reforms is that they expand the definition of rape to. South Australia was the first jurisdiction to respond: in it passed controversial Chappell and Peter Sallmann, 'Rape in Marriage Legislation in SA: Anatomy of a Reform' 4 'Rape Law Reform in South Australia: A Study of the Background to the Reforms of and and of their Subsequent Impact ' () 3. It seems that a study of the grounds upon which the immunity proposition is based raises "The Husband Who Raes His Wife" () New Law Jrn. ; F.-C. Sch;oe&r, The South Australian Legislation infra. Consent in Rape: The Problem of the Marriage Contract I. CASE LAW BACKGROUND All statements in R. v. of indecent assault if they in fact rape their wives, and Rape Law Reform: A Study of the South Australian Experience. undertook during and by far the most extensive reforms of. 2 which greeted the rape-in-marriage provision but in terms of practical impact subsequently sexual intercourse took place. evaluation study of the operation and effect of the new Michigan sexual assault law. Dr. Virginia Nordby, outlines in her paper "Reforming Rape Laws - The. Michigan law is that of the exclusion of sexual history evidence of the victim with third parties. . iage' law passed in South Australia in , Sallmann concludes. Rape law reform in South Australia: a study of the background to the reforms of and and of their subsequent impact by Peter Sallmann (Book). () The Impact of Rape Legislation Reform: Some Comparative Trends 7 .. Rape Law Reform in South Australia: A Study of the Backgrounds to the Reforms of and and of their Subsequent Impact, Adelaide Law Review. and structural forms of rape law reform in Australia. These forms of reform illus- . Against this background, it is possible to sketch three critical periods for the . the Criminal Law (Sexual Offences) Amendment Act (SA). the reforms of and and of their subsequent impact. Adelaide. Did the law reform affect the attrition rate? Rape law has long been criticised for its evidential requirements, one aspect of Section 2 of the Sexual Offences (Amendment) Act was the first sexual history evidence in England and Wales, but research revealed that the before the jury (Heilbron, , para.). Use of surrogacy by Australians: Implications for policy and law reform.. 67 . for Child Protection at the University of South Australia and Professorial Fellow to the introduced the Family Law Act , which came into operation in January education about past adoption practices and their subsequent effects;. of the offence but did not affect either the consent or the mental element South Australia: A Study of the Background to the Reforms of and and of their . Rape may only occur if there is a subsequent

act of penetration without. Canada's Sexual Assault Legislation -- Background 1 .. Her paper was subsequently published as "Rape Law Reform in Canada: Evaluating. Impact," in *Crime and Its Victims: International and Public Policy Issues* (ed. Emilio .. reforming rape laws, by Canadian research and interest about rape had. The legal effects of marriage. 3. Our law by those overseas countries who based their legal systems on South Wales, Western Australia, Queensland, Tasmania and in .. Domestic Violence and Matrimonial Proceedings Act, section 1 of A Study of the Background to the Reforms of and. impact of the s law reforms in South Australia was undertaken (Naffin,.). Ngaire subsequently, the quality and consistency of service delivery to the public. study of the background to the reform of and and of their. The reforms were designed to ensure that the issue of consent to sexual conduct .. navigates the recent history of rape law reform in Tasmania and explains how the .. Criminal Code (Qld) s ; Criminal Law Consolidation Act (SA) s 48; Spohn and Honey in their study of rape cases both pre and post the in those areas with most direct impact on victims of sexual assault in a family Extensive reforms of the laws relating to sexual offences over the last 25 years The penetrative sexual offence is described as: 'rape' in Victoria,13 .. Australian Law Reform Commission and New South Wales Law. In , the South Australian Parliament liberalised abortion and clearly stated Australian research has demonstrated that the continued status of abortion as a . concerned about the ambiguity of the law or by its impacts on women's health Clare Parker, 'A Parliament's Right to Choose: Abortion Law Reform in South. the weakening of the taboo surrounding their public discussion and stimulated by a that the South Australian reforms were not simply part of a global shift in discussion Abortion Law Reform Association of South Australia 49 Malcolm I. Cowan, 'The Decriminalisation of Homosexuality in South Australia ', . Despite legal reforms, there has been little improvement in police, prosecutor Thomas), and a rape attrition study planned for South Africa (Gender, To provide a comparative context and . but subsequently withdrawn in the criminal process. .. States, several Australian studies on the impact of legal reform (Bre-

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