

Minister Susan Close

A/Minister for Business Services and Consumers
A/Minister for the Status of Women

Thursday, 19 November, 2015

More protection for victims of domestic violence as new laws pass

New laws that provide some of the strongest protections in the nation for victims of domestic violence who are renting their homes have passed State Parliament today.

A/Minister for Business Services and Consumers Susan Close said the amendments to the *Residential Tenancies Act* would help people living with abusive partners to break the shackles of rental agreements, so they can leave violent relationships.

“The protection and safety of people who are experiencing, or who fear domestic violence, is paramount,” Dr Close said.

“Everyone has the right to feel safe and live free from violence.

“These changes, which will come into effect in December, will allow victims to terminate leases on rental properties they share with abusive partners without facing further financial penalties.

“Until now, laws did not allow victims who leave a rental property to take their name off a joint lease without the consent of the other tenant.

“Victims were liable for damage caused to a property by an abusive partner even after they had fled for their safety or the safety of their children.”

Changes passed by Parliament include:

- Recognising domestic violence in South Australian tenancy legalisation.
- Allowing victims to either continue in the tenancy without the perpetrator, leave the tenancy and no longer be liable for the premises, or terminate the tenancy altogether.
- Empowering the South Australian Civil and Administrative Tribunal to determine that one or more, but not all, co-tenants are liable for compensation to the landlord.
- Prohibiting a victim’s personal information being listed on a Residential Tenancy Database where it is determined domestic violence has occurred.

“This is an important move in the State Government’s commitment to addressing domestic violence,” Dr Close said.

“One in six Australian women has experienced physical or sexual assault by a current or former partner.

“For more than 60 per cent of women who had experienced physical assault by a male perpetrator, the most recent incident was in their home.

“By strengthening the level of protection, we want to ensure victims feel confident that there are relevant measures in place that do not further disadvantage them when making the brave decision to leave a hostile environment.”

During the drafting of the amendments, the State Government worked closely with victim groups and crisis services, SAPOL, the Real Estate Institute of South Australia, landlords, property owners and other government agencies such as Housing SA.

“We are pleased to have received support from these key stakeholders, as well as the Opposition,” she said.