

Comparison of penalties and sentencing outcomes for offences causing death

The Australian jurisdictions considered below are the most populous (New South Wales (NSW), Victoria (VIC) and Queensland (QLD)) and those which, like the ACT, have a two-tier (rather than a three-tier) court system (Tasmania (TAS) and Northern Territory (NT)).

Any comparison of sentencing outcomes across jurisdictions must be approached with caution. Each jurisdiction has different penalties and sentencing regimes which affect a final sentence (for example, VIC has standard sentences for culpable driving and other major offences). Moreover, each sentence given reflects the unique circumstances of that case, some of which may be mitigating or aggravating factors.

However, the data provided below indicates that ACT sentencing outcomes for driving offences are broadly comparable to sentencing outcomes in the other other jurisdictions.

Key points on culpable driving causing death sentencing outcomes:

- The ACT's maximum penalty for culpable driving (14 years imprisonment) is higher than the comparable (non-aggravated) offences in NSW, QLD and NT. VIC and TAS have higher maximum penalties.
- For the period 1 July 2012 to 30 August 2022, the minimum sentence imposed in the ACT was 2 years and 3 months, with the maximum being 10 years and 9 months.
- Data from the NSW Justice Information Research System (JIRS) which provides statistics on offences to provide guidance on the pattern of sentences, shows that imprisonment sentences given in NSW have ranged between 18 months as a minimum sentence and 9 years and 6 months as the maximum sentence given (noting NSW has a lower maximum penalty than the ACT).
- Across other jurisdictions, sentences in the matters involving the most serious offending were around 4-5 years, even in jurisdictions that allowed for a maximum penalty of 10-15 years. Research ranging back to the early 2000s did identify any cases where the maximum penalty had been applied.

Key points on negligent driving causing death (an alternative less serious offence to culpable driving):

- The ACT's maximum penalty of 2 years imprisonment is in line with the maximum penalty in other jurisdictions with NSW and QLD having lower penalties in certain circumstances. Only Victoria has a significantly higher maximum penalty of 10 years imprisonment.
- Even though Victoria has a significantly higher penalty, the median imprisonment sentence given for this offence is under 2.5 years (single charge) or 2.92 (multiple charges of any offence).

Jurisdiction	Offence	Maximum Penalty	Sentencing outcomes
ACT	Culpable driving causing death – section 29(2) <i>Crimes Act 1900</i>	14 years imprisonment (or 16 years for aggravated offence against a pregnant woman) Mandatory licence disqualification: 12 months for first offenders; 24 months for repeat offenders	Between 1 July 2012 and 30 August 2022, nine offenders have been convicted and sentenced for the offence of culpable driving causing death in the ACT Supreme Court. All offenders have received a sentence of imprisonment. Two of those offenders had their sentences suspended. The minimum sentence of imprisonment received was 2 years and 3 months. This was for a single offence of culpable driving causing death. The maximum sentence received was for 10 years and 9 months. This was for multiple offences including one count of culpable driving causing death and one count of culpable driving causing grievous bodily harm. The average sentence of imprisonment received was approximately 4.6 years. <u>Cases:</u> <ul style="list-style-type: none">• <i>R v Laidlaw</i> [2022] ACTSC 215: Sentenced to 2 years and 3 months, suspended for two years after serving three months and a Good Behaviour Order for a period of 2 years, licence disqualification for 2 years (one count of culpable driving causing death).• <i>R v Loeschner</i> [2022] ACTSC 30: Sentence of imprisonment received of 5 years with a non-parole period of 2 years and 11 months (one count of culpable driving causing death, one count of driving with alcohol in blood, and one count driving with a prescribed drug in oral fluid). Licence disqualification of 3 years.• <i>R v Livas</i> [2020] ACTSC 116: Sentenced to 3 years and 3 months with a non-parole period of 2 years and 3 months (one count of culpable driving causing death). Licence disqualification for 25 months subject to making an application to set disqualification aside under s 65 <i>Road Transport (General) Act 1999</i>.

Jurisdiction	Offence	Maximum Penalty	Sentencing outcomes
			<ul style="list-style-type: none"> <i>R v Smith</i> [2019] ACTSC 65: Sentenced to 4 years and 6 months imprisonment with a non-parole period of 3 years (one count of culpable driving causing death). Disqualified from obtaining or holding a licence for 7 years commencing 19 March 2019. <i>R v Kekalainen (No 3)</i> [2016] ACTSC 297: Initial sentence of imprisonment of 3 years and 4 months, with the first 9 months to be served by full-time custody and the following 12 months to be served by way of periodic detention and a suspended sentence on 28 January 2016 for 2 years. Due to psychological distress and alcohol abuse, the offender was unlikely to complete the balance of the periodic detention and the SAB referred the matter back to the sentencing judge. The offender was resentenced to 3 years and 4 months imprisonment and took into account time already served. The sentence was suspended for 27 months, and a Good Behaviour Order was made for a period of 28 months, and a licence disqualification of 2 years. The offender was sentenced a further time as a result of breaching the Good Behaviour Order for 3 years and 4 months to commence on 1 September 2015 (taking into account pre-sentence custody) with the sentence suspended for 18 months and the entering of a further Good Behaviour Order for a period of 18 months from 24 October 2016. <i>R v Richardson</i> [2016] ACTSC 133: Sentence of imprisonment of 3 years and 8 months, with a non-parole period of 1 year and 10 months (one count of culpable driving causing death of 3 years, one count of culpable driving causing grievous bodily harm of 18 months). Licence disqualification for 6 years. <i>R v Wolter (No 3)</i> [2015] ACTSC 321: Sentenced to 4 years imprisonment, with a non-parole period of 2 years. Licence disqualification for 8 years. <i>R v Monfries</i> [2012] (SCC 187 of 2012): Sentenced to imprisonment for 10 years and 9 months with a non-parole period of 9 years and 10 months (one count of culpable driving causing death, one count of culpable driving causing grievous bodily harm, one count of taking motor vehicle without consent and one count of attempting to obtain money by deception). Licence disqualification for 15 years. <i>R v Paton</i> [2010] (SCC 353 of 2010) (sentenced in 2013): 4 years and 4 months with a non-parole period of 3 years and 6 months (one count of culpable driving causing death; and one count of culpable driving causing grievous bodily harm of 2 years and 6 months, served to add 8 months to the total head sentence of 5 years). Disqualified from driving indefinitely until such time as set aside by Order of a Court.
	Negligent driving occasioning death – section 6(1)(a) <i>Road Transport (Safety and Traffic Management) 1999</i>	2 years imprisonment, 200 penalty units, or both Mandatory licence disqualification: 9 months for first offenders; 18 months for repeat offenders	<p>There is limited data available on individuals who have been sentenced for negligent driving causing death. This is because section 6(1) creates a single offence of negligent driving with different maximum penalties available, depending on the consequences of the negligent driving (eg death vs grievous bodily harm)</p> <p>Published judgments show that in recent years, indicate that at least two individuals have been sentenced for negligent driving causing death.</p> <ul style="list-style-type: none"> One adult offender was sentenced to imprisonment of four months and seven days, fully suspended on the offender entering into an undertaking to comply with good behaviour obligations for 12 months (<i>R v Chancellor</i> [2019] ACTSC 191). One young offender was sentenced to imprisonment for 12 months, fully suspended on condition of undertaking to comply with a good behaviour order for 24 months (<i>Stokan v AK</i> [2013] ACTMC 9).
NSW	Dangerous driving occasioning death – section 52A(1) <i>Crimes Act 1900</i>	10 years imprisonment with immediate licence suspension by police at the time of incident. 14 years imprisonment for aggravated offence (under the influence of alcohol or drugs, exceeded speed limit by more than 45kms/hour, or driving to escape pursuit by police).	<p>Statistics from the NSW Bureau of Crime Statistics and Research indicate that in 2021, 62 offenders were found guilty of driving causing death. 29 received a custodial sentence (2 of these were juvenile control orders). Another 24 received supervised community sentence (19 of these were Intensive Corrections Orders) and 9 received unsupervised community sentences, with one further received a conditional release order with conviction and supervision.</p> <p>This data did not provide an adequate breakdown of the length of sentences received, as this data was combined with manslaughter data and could not be disaggregated. Source: NSW Bureau of Crime Statistics And Research (BOSCAR), NSW Criminal Court Statistics Jan 2017-Dec 2021 (June 2022).</p>

Jurisdiction	Offence	Maximum Penalty	Sentencing outcomes
			<p>The NSW Judicial Information Research System (JIRS) publishes sentencing statistics to provide guidance to the pattern of sentences imposed by the courts for criminal offences. (Note: JIRS is not a publicly available platform.) JIRS statistics provide the pattern of sentences imposed by the Courts. We understand this to mean that not all sentence data is available. Data from the JIRS indicates the highest sentence received among sentences in 2021 and published on JRIS was 9 years and 6 months for multiple offences (JusticeLink Case Number: 2018/00220601). For the offence of dangerous driving occasioning death, this offender was sentenced to 7 years imprisonment. The lowest sentence received in the available data from JRIS was 18 months (JusticeLink Case Number: 2019/00274042).</p> <p>9 years and 6 months is the highest sentence listed for this offence. It was ordered on more than one occasion. It is important to note that these are aggregate sentences, meaning the offender committed multiple offences which all received individual indicative sentences. In one case where the offender received this sentence, the indicative sentences received for two offences of dangerous driving occasioning death was 4 years each, yet the aggregate was higher due to other offences. These include multiple counts of dangerous driving occasioning grievous bodily harm, multiple accounts of cause bodily harm by misconduct – wanton driving, as well as a number of other offences (see <i>R v Crockford</i> [2020] NSWDC 628).</p>
	Negligent driving occasioning death – section 117(1)(a) <i>Road Transport Act 2013</i>	<p>18 months imprisonment, 30 penalty units or both (first offence) 2 years imprisonment, 50 penalty units or both (repeat offenders)</p> <p>Mandatory licence disqualification: minimum of 12 months and maximum of 3 years if no prior major offence committed or 2 years minimum of maximum of 5 years if committed previous major offence.</p>	<p>It is not clear from available data if the above includes all instances of driving causing death covering both offences, or only the offence in the Crimes Act.</p> <p>Data from the NSW JIRS indicates between 2018 and 2021 that at the Local Court level, community-based supervised orders were the preferred sentence received, with imprisonment much more unlikely. The highest aggregate sentence that has been received and is published on JIRS is 2 years (involved 1 count of negligent driving occasioning death, and 8 other charges) (JusticeLink Case Number: 2021/00100153). The highest indicative sentence received for just this offence was 15 months, with a total aggregate sentence of 21 months taking into account other offences. This matter involved 3 counts of negligent driving occasioning death, as well as four other offences (JusticeLink case number:2020/00312010). At the District and Supreme Court levels, Intensive Corrections Orders were predominantly given as sentences in the data published on JIRS.</p>
QLD	Dangerous operation of a vehicle which causes the death or grievous bodily harm to a person – section 328A(4), Schedule 1 <i>Criminal Code Act 1899</i>	<p>Either:</p> <ul style="list-style-type: none"> - 10 years imprisonment (no aggravating circumstances); - 14 years imprisonment for aggravated circumstances (under the influence of alcohol or drugs, excessive speeding, or taking part in an unlawful race or unlawful speed trial); or - 14 years imprisonment if the offender knows or ought to reasonably know the other person has been killed or injured and leaves the scene of the incident (other than to obtain medical or other help for the other person) for the other person. <p>For circumstances of aggravation, immediate suspension of disqualification of licence. (see <i>Transport Operations (Road Use Management) Act 1995</i> section 79B (1) (d)))</p>	<p>Between 2005-06 and 2016-17, 99.4% of sentenced offenders who had a dangerous operation of a vehicle which causes death conviction received a custodial penalty (either full-time imprisonment, a partially suspended sentence, or wholly suspended sentence). Only two sentenced offenders received a non-custodial sentence. A custodial sentence in Queensland includes imprisonment, partially suspended sentences and wholly suspended sentences.</p> <p>Offenders sentenced with this offence with aggravating circumstances were significantly more likely to receive a sentence of full-time imprisonment (56.6%) than offenders without aggravating circumstances (19.7%). The most common penalty imposed on offenders convicted of this offence without aggravating circumstances was a partially suspended sentence, with 47.3% of offenders sentenced.</p> <p><u>Imprisonment sentences:</u></p> <ul style="list-style-type: none"> - Average was 5.2 years (median = 6 years) - Longest imprisonment was 9 years - Shortest imprisonment was 1.5 years - For offences with aggravating circumstances, the average sentence was 6.2 years - For offences without aggravating circumstances, the average sentence was 3.5 years <p><u>Partially suspended sentences:</u></p> <ul style="list-style-type: none"> - Average was 3.3 years (median = 3 years) - Longest was 5 years (maximum permitted) - Shortest was 1.5 years - Offences with aggravating circumstances attracted higher sentences with the average sentence of 4.2 years - Offences without aggravating circumstances had an average sentence of 2.8 years - Average sentenced served before release was 0.9 years (1.2 years for offences with aggravated circumstances, 0.7 years for those without aggravating circumstances). <p><u>Wholly suspended sentences:</u></p> <ul style="list-style-type: none"> - Average was 1.9 years (median = 2 years)

Jurisdiction	Offence	Maximum Penalty	Sentencing outcomes
			<ul style="list-style-type: none"> - Longest sentence was 4 years - Shortest was 0.5 years <p>Source: Queensland Sentencing Advisory Council, Sentencing Spotlight on dangerous operation of a vehicle causing death (December 2018)</p>
	Careless driving of motor vehicles causing death or grievous bodily harm – section 83(1)(a) and (1)(b) – <i>Transport Operations (Road Use Management) Act 1995</i>	<p>2 years imprisonment or 160 penalty units if cause the death of another person and was an unlicensed driver at the time of committing the offence.</p> <p>Otherwise, 1 year imprisonment or 80 penalty units if cause death of another person.</p> <p>Mandatory licence disqualification of at least 6 months (see section 83(2) of the <i>Transport Operations (Road Use Management) Act 1995</i>)</p>	No public data was identified.
VIC	Culpable driving causing death – section 318(1) <i>Crimes Act 1958</i>	<p>20 years imprisonment, 2,400 penalty units, or both</p> <p>The standard sentence for this offence is 8 years. Introduced in 2018, standard sentences are numerical guideposts for courts when sentencing 13 serious offences. Under section 5(2H) of the <i>Sentencing Act 1991</i>, courts are required to impose the standard sentence unless certain factors exist (for instance, the offender has assisted law enforcement authorities in the investigation or prosecution of an offence; mental impairment; or there are substantial and compelling circumstances that are exceptional and rare and justify not making a custodial order).</p>	<p>It is important to note the Victorian sentencing regime requires courts to impose an immediate custodial sentence (except in rare circumstances) on every offender who is convicted of this offence.</p> <p>Data from the Victorian Sentencing Advisory Council indicates that the average prison sentence for this offence of 7 years and 7 months from 2001 to 2020. Over this time period, the non-parole period increased from 2 years and 10 months to 5 years and 11 months. The total effective sentence now averages 8 years and 10 months (as of 2020).</p> <p>Sentencing Council data indicates that the numbers of individual offenders charged with culpable driving has decreased over this period (with 12 people convicted in 2019-20), yet the average non-parole periods and effective sentence received have increased. The Council hypothesise that the longer average prison sentences may be due to more of the cases being finalised as the less serious offence of dangerous driving causing death.</p> <p>Source: Victorian Sentencing Advisory Council, Long-Term Sentencing Trends in Victoria (2022).</p> <p>Data published by the Sentencing Council on statistics from the higher courts in Victoria show that between July 2016 and June 2021 imprisonment was given for all sentences, except 1 youth justice centre order. The median sentence was 8 years, with the minimum sentence of 3 years and maximum of 22 years (noting these statistics relate to cases that involved one or more charges of any offence against a person sentenced at one hearing. Data for individual charges of culpable driving only, the only difference was that the maximum sentence imposed was 12 years.)</p> <p>Source: Victorian Sentencing Advisory Council, SACStat Higher Courts – Culpable Driving causing death (2022).</p>
	Dangerous driving causing death– section 319(1) <i>Crimes Act 1958</i>	10 years imprisonment	<p>Imprisonment was sentenced in 55.2% of the cases, with the next sentence being community corrections orders (39.7%). A youth justice centre order and an adjourned undertaking/discharge/dismissal were also sentenced for this offence between July 2016 and June 2021.</p> <p>The median sentence of imprisonment for a single proven count of an offence was 2.5 years, the minimum sentence was 0.33 years and the maximum sentence was 6.25 years Where a person was sentenced at one hearing to an offence against s319 and other charges (of any offence), the median sentence 2.92 years, the minimum was 0.33 years and the maximum was 9.58 years.</p> <p>For the community corrections orders, the median order length was 3 years, the minimum was 1.5 years and the maximum was 4 years.</p> <p>Source: Victorian Sentencing Advisory Council, SACStat Higher Courts – Dangerous Driving causing death (2022).</p>

Jurisdiction	Offence	Maximum Penalty	Sentencing outcomes
TAS	Causing death by dangerous driving	21 years imprisonment Important note: Tasmanian legislation does not impose specific penalties for crimes, like other jurisdictions. Rather, the Criminal Code allows for any offence to be met with up to 21 years imprisonment	Between 2001 and 2015, there were 20 convictions for this offence, all of which involved the use of drugs, alcohol and/or speeding. Since 2008, the average sentence for a single count of dangerous driving these was 28.5 months (two years and nearly 5 months). The highest sentence imposed was imprisonment of 4 years. The minimum term imposed for all counts of dangerous driving was 6 months, and the median was 29 months. Source: Tasmanian Sentencing Advisory Council, Final report No. 8 of 2017, Sentencing on driving offences that result in death or injury , section 4.3 – Dangerous Driving Causing Death
	Causing death by negligent driving	For a first offence, 10 penalty units and 2 years imprisonment For a subsequent offence, 20 penalty units and 3 years imprisonment.	Between 2006 and 2016, there were 21 charges where a single sentence was imposed for negligent driving causing death and the majority of offenders received a fully suspended sentence (66.7%). In this period, there was 1 sentence of full-time imprisonment imposed for a term of 6 months. There were 3 partly suspended sentences. Source: Tasmanian Sentencing Advisory Council, Final report No. 8 of 2017, Sentencing on driving offences that result in death or injury , section 4.5 – Negligent Driving Causing Death
NT	Driving motor vehicle causing death – section 174F <i>Criminal Code Act 1983</i>	10 years imprisonment	No reliable information available on NT statistics.
	Hit and run causing death	10 years imprisonment	
	Careless driving (resulting in death) – section 30B Traffic Act 1987	60 penalty units or 2 years imprisonment	

Sentencing outcomes - other dangerous driving and driving offences

Offence	Maximum Penalties	Sentencing Outcomes
<i>Crimes Act 1900</i>		
Section 29(4) - Culpable driving causing grievous bodily harm	10 years imprisonment Mandatory licence disqualification: 3 months for first offenders, 24 months for repeat offenders	<p>Data has been provided by ACT Courts and Tribunal in respect of sentences handed down by the ACT Magistrates Court and the ACT Supreme Court within two different time periods. The data captures sentences handed down within this period and not when offences may have been committed.</p> <p>The data indicates that a total of 22 sentences were handed down between both courts in respect of the offence of culpable driving causing grievous bodily harm. (noting that multiple sentences may apply to one offender (for example, a sentence of imprisonment with a disqualification, etc).)</p> <p>In the Supreme Court, between 1 July 2012 to 19 August 2022, 17 sentences for this offence have been handed down.</p> <p>Of these sentences, 13 included sentences of imprisonment, with the minimum sentence of 546 days (1.5 years equivalent) and the maximum sentence of 1946 days (5.3 years). There were 2 Intensive Correction Orders made with the shortest being 684 days (22.8 months) and the longest being 3 years. 1 Drug and Alcohol Treatment Order was made. There were 2 fully suspended sentences and 4 partly suspended sentences.</p> <p>In the ACT Magistrates Court between 1 March 2019 and 19 August 2022, 5 sentences have been handed down. 2 sentences of imprisonment with 1 fully suspended and 1 partially suspended, 2 Intensive Correction Orders, 1 Good Behaviour Order.</p>
<i>Road Transport (Safety and Traffic Management) Act 1999</i>		
Section 5A – Races, attempts on speed records, speed trials etc	20 penalty units depending on the circumstances or \$492 infringement notice penalty and 3 demerit points.	In the ACT Magistrates Court between March 2019 and 19 August 2022, 3 sentences were handed down for this offence. 3 offenders were disqualified from holding a licence, 2 were sentenced to a 1-year good behaviour order or 1 offender received a fine.

Offence	Maximum Penalties	Sentencing Outcomes
	Mandatory licence disqualification: 3 months for first offenders, 12 months for repeat offenders	
Section 5B - Improper use of a motor vehicle	30 or 20 penalty units depending on the circumstances or \$995 or \$700 infringement notice penalty and 3 demerit points. Mandatory licence disqualification: 3 months for first offenders, 12 months for repeat offenders	Data provided by ACT Courts and Tribunal indicates in the Supreme Court, between July 2012 and 19 August 2022, 1 person has been sentenced for this offence and was sentenced to a fine. The ACT Magistrates Court between March 2019 and 19 August 2022 has sentenced higher numbers of offenders for this offence. The most common sentence was licence disqualification ranging from 3 to 12 months, along with fines and good behaviour orders.
Section 5C – Failing to stop motor vehicle for police	300 penalty units, imprisonment for 3 years or both (repeat offender) 100 penalty units, imprisonment for 12 months or both (first offender) Mandatory licence disqualification: 3 months for first offender, 12 months for repeat offender	Data provided by ACT Courts and Tribunal indicates in the Supreme Court, between July 2012 and 19 August 2022, 13 sentences of imprisonment have been handed down with the minimum sentence of 14 days and the maximum of 243 days (note multiple sentences may apply to one offender (for example, a sentence of imprisonment with a disqualification, etc).) Other offenders have been sentenced to one or more of the following: drug and alcohol treatment orders, partly suspended sentences, good behaviour orders, disqualifications from holding or obtaining a driver licence. The ACT Magistrates Court between March 2019 and 19 August 2022 has sentenced higher numbers of offenders for this offence. Licence disqualification was the most common sentence with the maximum being 3 years. Imprisonment was the second most common sentence with the minimum sentence imposed being 14 days and the maximum sentence being 273 days.
Section 6(1)(b) – Negligent driving occasioning grievous bodily harm	100 penalty units, imprisonment for 1 year or both Mandatory licence disqualification: 6 months for first offenders and 12 months for repeat offenders	Data from ACT Courts and Tribunal does not indicate the specifics of the negligent driving offence (for example, whether death, GBH or ABH was involved).
Section 6(1)(c) – Negligent driving occasioning actual bodily harm	50 penalty units or \$923 infringement notice penalty and 3 demerit points	Data provided by ACT Courts and Tribunal indicates in the Supreme Court, between July 2012 and 19 August 2022, 3 sentences were handed down for an offence against section 6(1). The data available can only identify the number of sentences handed down. It is unable to determine how many people were involved as offenders.
Section 6(1)(d) – Negligent driving in any other case	20 penalty units or \$612 infringement notice penalty and 3 demerit points	The ACT Magistrates Court between March 2019 and 19 August 2022 has sentenced higher numbers of offenders for this offence. The most common sentence was a fine, with the maximum being \$10,000. Again, it is unknown through the data in what circumstances this applied.
Section 7 – Furious, reckless or dangerous driving (aggravated offence – repeat offender)	500 penalty units, imprisonment for 5 years or both Mandatory licence disqualification: 12 months	Data from ACT Courts and Tribunal does not indicate the specifics of the furious, reckless or dangerous driving offence (for example, whether it was an aggravated offence, first offender or repeat offender).
Section 7 – Furious, reckless or dangerous driving (aggravated offence – first offender)	300 penalty units, imprisonment for 3 years or both Mandatory licence disqualification: 12 months	Data provided by ACT Courts and Tribunal indicates in the Supreme Court, between July 2012 and 19 August 2022, 27 imprisonment sentences were handed down with a minimum sentence of 59 days and a maximum of 577 days. Another 37 sentences were handed down, including disqualification from holding or obtaining a driver licence, drug and alcohol treatment orders, partially suspended sentences, good behaviour orders, suspended sentences, community service orders, and intensive corrections orders (note multiple sentences may apply to one offender (for example, a sentence of imprisonment with a disqualification, etc).)
Section 7 – Furious, reckless or dangerous driving (aggravated offence – in any other circumstances)	200 penalty units, imprisonment for 2 years or both Mandatory licence disqualification: 12 months	The ACT Magistrates Court between March 2019 and 19 August 2022 has sentenced higher numbers of offenders for this offence. The most common sentences were licence disqualification (189 sentences) followed by imprisonment (87 sentences). The minimum sentence of imprisonment was 14 days with a maximum sentence of 546 days.
Section 7 – Furious, reckless or dangerous driving (non-aggravated offence)	100 penalty units, imprisonment for 12 months or both Mandatory licence disqualification: 3 months for first offenders and 12 months for repeat offenders	
Section 8 – Menacing driving	100 penalty units, imprisonment for 12 months or both Mandatory licence disqualification: 3 months for first offenders and 12 months for repeat offenders	1 individual between July 2012 and 19 August 2022 was sentenced in the Supreme Court for this offender and was sentenced to a partially suspended sentence and good behaviour order. The ACT Magistrates Court between March 2019 and 19 August 2022 has sentenced higher numbers of offenders for this offence. The most common sentences were licence disqualification and imprisonment (3 sentences) with the minimum imprisonment of 31 days and the maximum 181 days.