



## Standing Committee on Justice and Community Safety

### **Inquiry into Annual and Financial Reports 2021-2022**

### **ANSWER TO QUESTION TAKEN ON NOTICE**

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Asked by Dr Marisa Paterson MLA on 8 November 2022: Ms Amanda Nuttall took on notice the following question(s):

Reference: Hansard [uncorrected] proof transcript 8 November, Page 121

In relation to:

**DR PATERSON:** Is there any data in respect to breaches either on the conditions of bail or on the particular part of the Bail Act in respect of what the original offence was? The fact that we have heard through other hearings last week around the recidivism rates for the dangerous driving offences, are these offences stand out in terms of the people actually breaching bail?

**Ms Nuttall:** I do not have any data on that, Ms Paterson—sorry, Dr Paterson. I will have to take that on notice as to whether we have got any data in relation to that particular issue.

Shane Rattenbury MLA: The answer to the Member's question is as follows:—

ACT Courts do not have data with respect to alleged breaches of bail conditions as it is not an offence for a person to breach a bail condition. However, where a police officer reasonably believes that a person has failed to comply with a bail condition, the police officer may arrest the person and bring the person before a court for the issue of bail to be (re)considered by the court (sections 56A and 56AD of the *Bail Act 1992*).

It is an offence to fail to answer bail (section 49 of the *Bail Act 1992*). ACT Courts data on the prevalence of offences under section 49 follows.

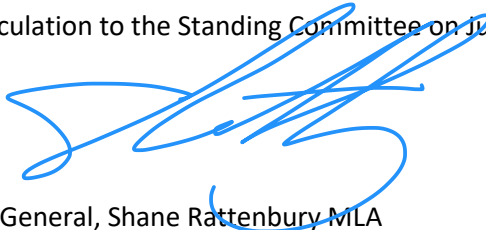
<b>FY*</b>	<b>Count of Charges Registered</b>	<b>Count of Convictions</b>
2018/19	303	293
2019/20	331	280
2020/21	312	253
2021/22	253	204

\* The charges laid in any given financial year will not correlate with convictions as not all matters commenced in a financial year will be finalised in that financial year

Charges under section 49 of the ACT *Bail Act 1992* are not linked to previous offences in the ACT Courts' case management system. Therefore, the ACT Courts are unable readily to provide data regarding the 'original offence' in respect of which bail was granted.

Approved for circulation to the Standing Committee on Justice and Community Safety

Signature:



Date:

20/11/22

By the Attorney-General, Shane Rattenbury MLA