



Standing Committee on Justice and Community Safety

Inquiry into Dangerous Driving ANSWER TO QUESTION TAKEN ON NOTICE

Asked by Mr Andrew Braddock MLA on 14 November 2022: Minister Rattenbury took on notice the following question(s):

Reference: Hansard [uncorrected] proof transcript 14 November 2022 [PAGE 32 - 33]

In relation to:

MR BRADDOCK:

The Justice Reform Initiative, in their submission state traffic offences occupy a disproportionately large part of the ACT courts workload, citing statistics that they account for 62 per cent of defendants with a guilty outcome versus jurisdictional range of between 29 and 41 per cent.

I am hoping the ACT government can help me make some understanding of whether that is true or any reflections on why that may be the case.

Mr Steel: Yes, certainly. We are aware that some offences take up a lot of the courts time. Partially because some of the same penalties are not available in the ACT as they are in New South Wales. For example, I think one that has been particularly noted is driving under the influence or being of a blood alcohol level of 0.05. That certainly takes up a lot of the courts time.

And that is an offence that is serious. But it is also an offence where someone has not necessarily been harmed as a result. You know, there is a high potential of harm of course, if you were drinking and driving. But certainly in New South Wales we know that there are infringement notice penalties available that are not available in the ACT for that.

So we are going to consider that very carefully. And then consider whether that is something that we should be thinking about here in the ACT. It could have the potential benefit of I guess freeing up the courts time and resources, and the police's time, to focus on higher more serious penalties, including serious dangerous driving offences. But we would also need to consider what the implications are for road safety in a lot further detail. So certainly part of the review, and if there are any other instances that are taking up the courts time, we will certainly be considering that as well.

MR BRADDOCK: So it is not an issue of—we are disproportionately more likely to be speeding or committing road offences in the ACT or there is an over policing happening? It is more just a caught up in the terms of how the sentences have been managed.

Mr Steel: I do not—I could not say that—but other officials may wish to comment on that one.

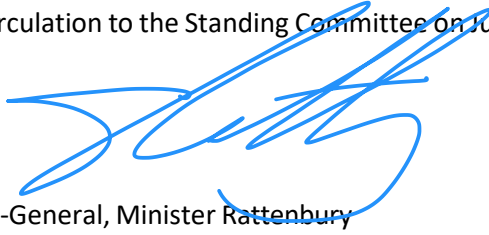
Mr Rattenbury: I do not think there is clarity on that. We will reflect on it, Mr Braddock, and if there is anything further, we can provide we will provide it on notice.

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

At this stage, I have no additional comment on the data referred to in the Justice Reform Initiative submission.

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

Signature:



Date: 29/11/22

By the Attorney-General, Minister Rattenbury