



LEGISLATIVE ASSEMBLY
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STANDING COMMITTEE ON JUSTICE AND COMMUNITY SAFETY

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Submission Cover Sheet

Inquiry into Dangerous Driving

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ACT Legislative Assembly Standing Committee on Justice and Community Safety
Canberra City, ACT 2601

Inquiry into Dangerous Driving

By any normative standard of good government – “left” or “right”, democratic or authoritarian – the first obligation of government is to protect its citizens from physical danger.

In relation to deliberate dangerous driving, the ACT government falls short on this count.

The Terms of Reference relate to “dangerous driving”, but I suggest the inquiry narrow its work to focus on *deliberate* dangerous driving, to separate deliberate dangerous driving from dangerous driving resulting from inattention and overconfidence. Inattention and overconfidence account for the vast majority of road trauma, but the behaviour that has brought on this inquiry is more closely related to terrorism, in that it involves contempt for human life and safety, including the perpetrator’s own life. Just as even small terrorism acts have a disproportionate effect on the community in terms of fear and avoidance of public spaces, so too do acts of deliberate dangerous driving.

As we have observed, when someone discharges a firearm randomly in Canberra Airport, the reaction is strong and swift, commensurate with the threat. There is recognition of the immediate danger, and also of the broader costs – in that case people’s inconvenience, and a fearful reaction that discourages people from flying. The reaction to deliberate dangerous driving should be similar: as in a failed state our streets and roads are becoming places that sensible people avoid, rather than publicly-funded infrastructure for public use.

In relation to the specific terms of reference, the first, relating to the criminal justice response, covers the other eight. The usual five aims of criminal justice are to isolate people whose behaviour endangers the community, to rehabilitate offenders, to punish, to discourage similar behaviour by others, and to achieve restitution for victims. In the government’s present response to deliberate dangerous driving, none of these are being met.

Undoubtedly many responses will focus on prison sentences (terms of reference “d”). Maybe tough sentences should be the response, but the committee should be guided by expert advice rather than suggestions prompted by an understandable surge of community anger and fear.

There are almost certainly common features in the backgrounds of the people committing these offences. There could be patterns of behaviour that slowly escalate to instances of extreme dangerous driving. The committee should try to learn about these patterns, and

should consider public policies that work against these patterns. Maybe strong interventions to counter early manifestations of such behaviour, even if the offences are comparatively minor, could pay dividends both for the individuals and the community.

There are broader concerns, not specifically mentioned in the terms of reference, but related to the wider culture that supports deliberate dangerous driving. Why is it that Canberra still has the hoon culture of a country town in the 1970s? Why is it that most other prosperous countries with high car ownership don't have such problems? Why are so many young people brought up in a gender-separated culture, in which boys absorb the worst of anti-social behaviour? Why do not schools provide challenges to young people in which they can practice their mastery over machinery without endangering others?

Addressing these questions is beyond the resources of the committee, but in its report to the Assembly it should throw the challenge back to the government and the opposition to guide the citizens of the Territory towards more civilized behaviour.

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