



## 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 Mr Andrew Braddock on 01 November 2022: Deputy Commissioner Gaughan took on notice the following question(s):

Reference: Hansard [uncorrected] proof transcript 01 November 2022 [PAGE 14]

In relation to:

**MR BRADDOCK:** Just like to ask a question about bail breaches. Because I have seen many reports that we are on track to have the most bail breaches ever, I believe. So I am trying to understand, as in terms of what is the underlying reason for this? Is there more people committing offences whilst on bail or breaching the bail conditions? Is it a case of increased policing, which is then maybe leading to people who would not have previously been caught on a bail breach, now are being caught?

**Mr Gaughan:** Look, I think the vast majority of people that we have charged with bail have been for—not only the breaching of the bail but for other serious crimes. And again, if I look at the TORIC data, 122 offenders arrested in a three-month period. 39 of those, so what is that? A quarter—more than a third almost, were on bail. So that is a pretty large number.

And that is not us targeting the breach of the bail. That is actually us targeting the recidivist behaviour, whether it be the dangerous driving, the stolen motor vehicles or the burglaries. So there is no doubt that some people are charged only for a breach of bail.

But a majority of the lot of those happen in the family violence space, where an alleged offender will contact a victim of family violence when they should not. And the discretion for law enforcement to do anything but arrest them is not there. The law is very clear that if someone breaches bail whilst on charges of family violence, they are to be put before the court.

So my answer, I suppose, to your question is, the vast majority of people that we are charging with breach of bail are committing other substantive offences.

So is it correct, in terms of we are on track—because I notice like in the City News article, they talk about 940 bail breaches in the first six months of the year. Is that correct, that data? If so, that is a massive increase from previous years where the record was 1,300.

**Mr Gaughan:** I do not have that data in front of me. And to be—I do not know whether that—I presume that came from a Canberra Times article. I am not actually sure. We might have to take that on notice, because certainly with the—you know, the 40 out of TORIC alone, it is a fairly large number.

Mick Gentleman MLA: The answer to the Member's question is as follows:—

ACT Policing can confirm there were 940 breaches of bail over the twelve-month period of 1 July 2021 to 30 June 2022.

The table reported in the article was correct, however the content of the article misreported the figure.

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

Signature:



Date: 14/11/2022

By the Minister for Police and Emergency Services, Mick Gentleman MLA