



Standing Committee on Justice and Community Safety

Inquiry into Dangerous Driving **ANSWER TO QUESTION TAKEN ON NOTICE**

Asked by Dr Marisa Paterson MLA on 14 November 2022: Minister Rattenbury took on notice the following question(s):

Reference: Hansard [uncorrected] proof transcript 14 November 2022 [PAGE 24 - 25]

In relation to:

DR PATERSON: Just, though—I do not think the debate is really about the sentencing level. It is more about the implementation of the sentences—

Mr Rattenbury: Sure.

DR PATERSON: —and whether those are adequate or strong enough to deter repeat offending. And you said you had data. Do you—you know, what data do you have on that to basically say—

Mr Rattenbury: Certainly.

DR PATERSON: —in your opening statement?

Mr Rattenbury: Look, and I think when it comes to what the debate is about, there is probably a spectrum. If you look through the submissions to this inquiry there is a full range of views that go—so I think it is hard to define what the debate is to some extent.

In terms of data, what I can inform the committee is that the ACT penalty for culpable driving is higher than New South Wales and Queensland—

DR PATERSON: Not the penalty though.

Mr Rattenbury: Yes, sure—

DR PATERSON: The—

Mr Rattenbury: Sorry, there was a second half to that sentence.

DR PATERSON: Okay.

Mr Rattenbury: The—sorry, I lost my train of thought.

The minimum sentence imposed in the ACT was equivalent to three years, with the maximum being 10 years and nine months. And this data compares—yes, sorry. Let me start that again.

The majority of the sentences range between three- and five-years imprisonment. From the available data, for comparable offences of culpable causing death in other jurisdictions, it does appear that the ACT is in line with sentences being received in other jurisdictions.

So what we have sought to do, and again there have been comments that the sentencing data we have is quite broad. JACS has endeavoured to go down to more specific offences around dangerous driving. And so that is the data that we are bringing to the table here. And I am happy to provide some of this subsequently on notice, so we do not have to sit here and go through it line by line.

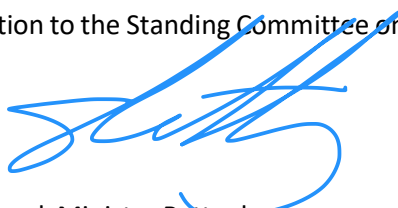
But as I say, we have done this since our submission. So I would be happy to provide it to the committee in due course.

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

The sentencing data referred to is contained in the Attachment which allows a jurisdictional comparison of select driving offences and the sentences imposed.

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

Signature:



Date: 29/11/22

By the Attorney-General, Minister Rattenbury