



STANDING COMMITTEE ON JUSTICE AND COMMUNITY SAFETY

Mr Jeremy Hanson MLA (Chair), Dr Marisa Paterson MLA (Deputy Chair),
Ms Jo Clay MLA

Inquiry into ACT Budget 2021–22
ANSWER TO QUESTION TAKEN ON NOTICE
28 October 2021

Asked by Jeremy Hanson MLA on 28 October 2021: Shane Rattenbury MLA took on notice the following question(s):

[Ref: Hansard Transcript 28 October 2021 [PAGE 4, PAGE 5]]

In relation to:

Ms Nuttall: That is just for 19-20, Mr Hanson. The reason that is, is because obviously it takes some time for those charges to come through the system and be finalised. So any data for 2021 would not give you the numbers who have been convicted of those subsequent offences. We could not be assured that those matters had come through the system.

THE CHAIR: Sure. And does the system—

Ms Nuttall: I am being corrected. It is 477. I have been transposing that. 477.

THE CHAIR: 477 is the figure that I have written down. Do you have the nature of those offences of those 477, Ms Nuttall?

Ms Nuttall: I do, Mr Hanson. Most of those are low-level offences. The majority of them have been traffic offences. Now, we have done it by way of percentages. And these percentages will add up to more than 100 per cent because often people are charged with more than one offence. So 41 per cent of those reoffenders are traffic matters, 31 per cent are fail to appear, 18 per cent of theft and related matters, and the acts intended to cause injury are 14 per cent. Illicit drug offences are 9 per cent, and there is a range of other offences that are in the single digits.

THE CHAIR: Yes. I am just writing some of those down, but if you could provide that to the committee?

Ms Nuttall: Certainly, Mr Hanson.

THE CHAIR: I think that is true, but it is also true that we as an assembly determine whether an event should have the presumption for bail or against bail and so on. So there are levers that we can pull as well. So part of it rests with the court, but certainly there is a responsibility here from us as parliamentarians. And so finally on this, before I move on, of those categories, how much or what percentage, or what raw number would be categorised for serious offences committed by people on bail?

Mr Rattenbury: I do not have that analysis off the top of my head to give you, but we will provide you with the full list so that you can have a look.

THE CHAIR: Does Ms Nuttall have that to hand?

Ms Nuttall: Mr Hanson, I would have to look at the definition of serious offences. There are particular statutory definitions of those, and I do not have them off my head. I will need to take that on notice.

THE CHAIR: That is great. Well then, as part of that package you provide me, if you could look at that definition of serious offences and provide that then.

Ms Nuttall: Certainly.

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

The table below shows the crimes of which the 477 offenders were convicted, where the crime was committed while the offender was on bail.

Nature of new crime	% of offenders	# of offenders
Traffic and Vehicle Regulatory Offences	41.9%	200
Offences Against Justice Procedures, Government Security and Government Operations		
Breach of bail	31.2%	149
Other Offences	12.8%	61
Theft and Related Offences	18.7%	89
Acts Intended to Cause Injury	14.3%	68
Prohibited and Regulated Weapons And Explosives Offences	10.1%	48
Illicit Drug Offences	9.0%	43
Dangerous or Negligent Acts Endangering Persons	7.3%	35
Property Damage and Environmental Pollution	6.9%	33
Unlawful Entry With Intent/Burglary, Break and Enter	4.8%	23
Public Order Offences	4.8%	23
Miscellaneous Offences	2.7%	13
Robbery, Extortion and Related Offences	1.9%	9

Fraud, Deception and Related Offences	1.5%	7
Abduction, Harassment and Other Offences Against the Person	0.6%	3
Sexual Assault and Related Offences	0.4%	2

Note that a person may have committed multiple offences while on bail hence the percentage adds to more than 100% and the number to more than 477.

The National Offence Index is a tool used across jurisdictions that provides a ranking of the offence categories according to perceived seriousness. Of the 477 offenders, two committed an offence while on bail that was ranked within the category of the ten most serious offences – both were aggravated sexual assault. The most common offences were ranked 95 and below in terms of seriousness out of a possible 185 rankings.

The table below provides the breakdown of the five most common offences committed by the 477 offenders while on bail, ordered by the National Offence Index.

Nature of the new crime – most common offences, ranked by NOI			
National Offence Index	Offence Type	No. of Offenders	% of Offenders
95	Exceed the prescribed content of alcohol or other substance limit	105	22.0%
126	Breach of bail	149	31.2%
164	Drive while licence disqualified or suspended	90	18.9%
165	Drive without a licence	53	11.1%
168	Registration offences	57	11.9%

The table below provides the full breakdown of the offences committed by the 477 offenders while on bail, ordered by the National Offence Index.

Nature of the new crime – all offences, ranked by NOI			
National Offence Index	Offence Type	No. of Offenders	% of Offenders
7	Aggravated sexual assault	2	0.4%
21	Cultivate illicit drugs	1	0.2%
23	Deal or traffic in illicit drugs - non-commercial quantity	4	0.8%
25	Serious assault resulting in injury	20	4.2%
27	Aggravated robbery	8	1.7%

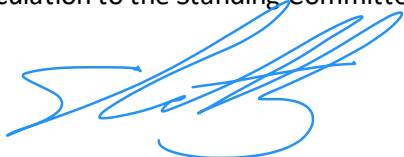
28	Deprivation of liberty/false imprisonment	2	0.4%
29	Serious assault not resulting in injury	1	0.2%
30	Common assault	52	10.9%
37	Other dangerous or negligent acts endangering persons	2	0.4%
39	Drive under the influence of alcohol or other substance	8	1.7%
40	Dangerous or negligent operation (driving) of a vehicle	25	5.2%
43	Non-aggravated robbery	1	0.2%
47	Threatening behaviour	1	0.2%
52	Sell, possess and/or use prohibited weapons/explosives	11	2.3%
55	Unlawfully obtain or possess regulated weapons/explosives	37	7.8%
58	Regulated weapons/explosives offences	1	0.2%
64	Unlawful entry with intent/burglary, break and enter	23	4.8%
65	Obtain benefit by deception	5	1.0%
66	Forgery of documents	2	0.4%
77	Theft of a motor vehicle	5	1.0%
78	Illegal use of a motor vehicle	19	4.0%
79	Theft from a person (excluding by force)	10	2.1%
84	Theft (except motor vehicles)	48	10.1%
86	Receive or handle proceeds of crime	38	8.0%
91	Offences against privacy	7	1.5%
95	Exceed the prescribed content of alcohol or other substance limit	105	22.0%
97	Property damage	33	6.9%
111	Licit drug offences	4	0.8%
114	Environmental regulation offences	1	0.2%
117	Offences against justice procedures	1	0.2%
119	Escape custody offences	6	1.3%
126	Breach of bail	149	31.2%
127	Breach of violence order	33	6.9%
140	Possess illicit drugs	41	8.6%
145	Riot and affray	1	0.2%
146	Trespass	17	3.6%
148	Offensive behaviour	3	0.6%
156	Offences against public order sexual standards	1	0.2%
157	Resist or hinder police officer or justice official	24	5.0%

164	Drive while licence disqualified or suspended	90	18.9%
165	Drive without a licence	53	11.1%
166	Driver licence offences.	1	0.2%
168	Registration offences	57	11.9%
169	Roadworthiness offences	1	0.2%
171	Exceed the legal speed limit	8	1.7%
172	Parking offences	1	0.2%
173	Regulatory driving offences.	36	7.5%
175	Consumption of legal substances in regulated spaces	1	0.2%
176	Regulated public order offences	2	0.4%
181	Other miscellaneous offences	1	0.2%

Note that a person may have committed multiple offences while on bail hence the percentage adds to more than 100% and the number to more than 477.

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

Signature:



Date:

9/11/21

By the Attorney-General, Shane Rattenbury MLA