

**WRITTEN QUESTION TO THE MINISTER FOR TRANSPORT AND TECHNICAL SERVICES BY DEPUTY G.C.L. BAUDAINS OF ST. CLEMENT
ANSWER TO BE TABLED ON TUESDAY 19th FEBRUARY 2013**

Question

Will the Minister advise Members what progress, if any, has been made in bring forward legislation relating to causing death by careless driving and when he anticipates lodging the matter for debate?

Answer

At present there are two offences in this category; careless driving, and causing death by careless driving when under the influence of drink or drugs. The first is often seen as too light for some examples of very bad driving and the second only applies in relation to driving under the influence of drink or drugs. A new offence of causing death or injury by careless driving would sit between the two of these and offer the police and courts the option of a more serious offence than careless driving and would be seen as a deterrent to bad driving.

While I as Minister for Transport and Technical Services am responsible for the administration of Road Traffic (Jersey) Law 1956 and introducing any changes, with regard to the maximum penalties for road traffic offences the Transport and Technical Services Department works closely with the Home Affairs Department which is responsible for policing and enforcement.

The Minister for Home Affairs wrote to me on this matter in October 2012 to advise me that he would be convening a group, with TTS's cooperation, including representatives of:

- The Magistrate
- Law Officers
- Honorary Police
- States Police
- TTS Traffic Engineers

This group will consider the maximum penalties applicable for road traffic offences the proposed new offence of causing death by careless driving, and bring forward recommendations for amendments to the Road Traffic (Jersey) Law 1956.

Once I receive recommendations from the Minister for Home Affairs, I shall bring the necessary amendments to the Road Traffic (Jersey) Law 1956 to the States for debate.