

**WRITTEN QUESTION TO THE MINISTER FOR HOME AFFAIRS
BY DEPUTY G.C.L. BAUDAINS OF ST. CLEMENT
ANSWER TO BE TABLED ON TUESDAY 19th MARCH 2013**

Question

Would the Minister advise when he will be giving his recommendations to the Minister for Transport and Technical Services regarding the creation of legislation addressing 'death by careless driving', so that the latter may bring draft legislation to the States for debate?

Answer

I have recently established a working party to examine the current penalties for a variety of motoring offences. The working party comprises representatives from the Law Officers' Department, the Courts, the States of Jersey Police, the Honorary Police, the Home Affairs Department and the Transport and Technical Services Department. At our first meeting we discussed the introduction of a new offence of causing death by careless driving and were in agreement that there is a current lacuna within legislation and that this offence should be introduced in Jersey with penalties aligning with those for this type of offence in the UK.

The offence in the UK carries a maximum penalty of an unlimited fine and five years' imprisonment with mandatory disqualification in the absence of any special reason of 1 year.

The working party's work on penalties is continuing and a further meeting will be necessary in order to finalise the work on that. It is likely that the recommendation to the Minister for Transport and Technical Services in relation to a new offence of 'causing death by careless driving' will await the recommendations on the wider issues.