

Question on Notice

No. 1407

Asked on 29 November 2022

MR M BERKMAN ASKED MINISTER FOR TRANSPORT AND MAIN ROADS (HON M BAILEY)—

QUESTION:

With reference to the mobile phone and seatbelt cameras that commenced operation in November 2021—

Will the Minister advise (a) how many infringement notices have been issued to date (i) in total, (ii) in relation to which specific offences detected by the cameras and (b) regarding infringement notices issued for incorrectly wearing a seatbelt (i) how many notices have been issued within seven days of the alleged offence, (ii) how many have been contested, (iii) what is the status of these contested infringement notices (i.e. numbers of successful, unsuccessful and ongoing contestations), (iv) how many times has a subsequent infringement notice been issued to the same driver, for a separate alleged offence of incorrectly wearing a seatbelt, within 7 days of the first alleged offence?

ANSWER:

I thank the Member for Maiwar for the question.

- (a) For the mobile phone and seatbelt cameras that commenced enforcement operations on 1 November 2021 up to 30 November 2022, there have been 183,970 infringement notices issued.

Of these, 127,628 (69 per cent) were issued for using a mobile phone illegally while driving, and 56,342 (31 per cent) were issued for the front seat occupants not wearing their seatbelt correctly adjusted and fastened, or at all. For the seatbelt infringements, 23,054 were for the driver, and 33,288 were for the front seat passenger.

- (b) Regarding infringement notices for incorrectly wearing a seatbelt, the data I refer to below covers all seatbelt camera-detected infringement notices for both non-wearing and incorrect wearing, as they are currently captured under the same offence codes.

Of the 56,342 seatbelt offence infringement notices, 24,221 (43 per cent) were issued within seven days from the incident detection date. An operating benchmark for processing all camera detected offence infringement notices has been set to 'within 14 days of the incident detection date'. This is consistent with processing timeframes used for issuing infringements for speed and red-light camera offences.

As at 2 December 2022, approximately 1265 court elected infringement notices have been processed. Of these 1265 court elected infringement notices, there are 953 matters to be heard by court. The number of matters will not be equal to the number of court-elected infringements as multiple infringement notices are often grouped in a single case.

As of 2 December 2022, of these 953 cases there have been:

- 347 matters finalised with a successful prosecution (guilty)
- 335 matters have been withdrawn by prosecutions
- 2 matters have been unsuccessful prosecutions (not guilty)
- 269 matters are still ongoing.

There have been 4257 instances where a subsequent infringement notice has been issued to the same registered operator of a vehicle, for a separate seatbelt offence that has occurred within seven days of the first incident. Each offence must be issued as it cannot be assumed that a subsequent offence was committed by the same person. For example, the first offence may have been a passenger not wearing their seatbelt correctly and the second offence may have been the driver not wearing their seatbelt at all.

As noted earlier, this data refers to all seatbelt camera-detected infringements for both non-wearing and incorrect wearing as they are currently captured under the same offence codes.