

Queensland Legislative Assembly
 Number: 5620T319
 Tabled
 By Leave
 5 FEB 2020
 MP: MR O'CONNOR
 Clerk's Signature: *[Signature]*

Driver's fine 'a kick in guts'

JACOB MILEY

A "DISGRACEFUL" sentence handed to a drug driver who struck a teen in a hit-and-run incident does not pass the pub test and should be appealed, the State Opposition says.

Robert Thomas Summer-ville, 44, will be banned from driving for just one month and fined \$500 – just half of what it costs a motorist busted using a mobile phone – for crashing into a teen while driving high on drugs and un-registered at Burleigh Waters on June 6 last year.

The boy's furious parents have labelled the sentence a "disgrace" and a "kick in the guts".

In the wake of the sentence, State Opposition leader Deb Frecklington has called for it to be appealed by the Attorney-General.

"I feel desperately sorry for this young man and his family," Ms Frecklington said.

"The driver who struck (the boy) was on drugs and driving an unregistered car. He should never have been

behind the wheel. This sentence clearly does not meet community expectations and sends out the wrong message."

Despite an outcry at the sentence, the Queensland Police Service said it was not considering an appeal "at this stage".

THIS SENTENCE CLEARLY DOES NOT MEET COMMUNITY EXPECTATIONS AND SENDS OUT THE WRONG MESSAGE

LNP LEADER DEB FRECKLINGTON

A spokeswoman said it was a matter for the judiciary and decisions of the court were a "matter solely for the discretion of sentencing judges".

Attorney-General Yvette D'Ath distanced herself from the penalty, with a spokesman from her office telling the *Bulletin* it was a matter for

the Queensland Police Service.

Ms D'Ath refused to say whether the penalty reflected the situation, whether the sentence was adequate and if she had confidence in the sentences by retired and current magistrates.

The 16-year-old was struck by a car as he tried to cross Bermuda St at Burleigh Waters on June 6 and had to be revived on the side of the road.

A court was told Summer-ville was high on the drug ice, briefly stopped at the scene and then "panicked" and drove home, where he called police.

The teen spent 14 days in an induced coma, 10 weeks in hospital and has undergone many hours of rehabilitation to right a broken femur and brain injury.

Outside of court this week, Summerville said the crash was not his fault as the teen ran in front of the car.

He said the \$500 fine was "not too bad" but he was not happy with the whole situation.

