

Statistical Bulletin

Motoring offences

Introduction

This bulletin provides information on volumes and sentence outcomes for adult offenders¹ sentenced for offences covered by the Sentencing Council's draft guidelines on motoring offences. There are 12 draft guidelines covering the following offences:

- Causing death by dangerous driving, Road Traffic Act 1988 (section 1);
- Causing death by careless or inconsiderate driving, Road Traffic Act 1988 (section 2B);
- Causing death by careless driving when under the influence of drink or drugs, Road Traffic Act 1988 (section 3A);
- Causing death by driving whilst unlicensed or uninsured, Road Traffic Act 1988 (section 3ZB);
- Causing death by driving whilst disqualified, Road Traffic Act 1988 (section 3ZC);
- Causing serious injury by dangerous driving, Road Traffic Act 1988 (section 1A);
- Causing serious injury by driving whilst disqualified, Road Traffic Act 1988 (section 3ZD);
- Dangerous driving, Road Traffic Act 1988 (section 2);
- Causing injury by wanton or furious driving, Offences against the Person Act 1861 (section 35);
- Driving or attempting to drive with a specified drug above the specified limit, Road Traffic Act 1988 (section 5A);
- Being in charge of a motor vehicle with a specified drug above the specified limit, Road Traffic Act 1988 (section 5A); and
- Causing serious injury by careless or inconsiderate driving, Road Traffic Act 1988 (section 2C), a new offence introduced by the Police, Crime, Sentencing and Courts (PCSC) Act 2022.

The new offence of causing serious injury by careless or inconsiderate driving has a statutory maximum sentence of 2 years' custody. This offence was not in force at the time of this analysis, and therefore no sentencing data are currently available.

Additionally, as a result of the PCSC Act 2022, the statutory maximum sentence for causing death by dangerous driving and causing death by careless driving when under the influence of drink or drugs (sections 1 and 3A of the Road Traffic Act 1988 respectively) has increased from 14 years' custody to life.

¹ Offenders aged 18 or over at the time of conviction.

Due to the very low volumes of offenders sentenced for the offence of causing death by driving whilst disqualified, analysis has not been included in this bulletin.

The Court Proceedings Database (CPD), maintained by the Ministry of Justice, is the data source for this bulletin.^{2,3}

Additional figures for these offences, which include breakdowns by demographic groups (sex, age group and ethnicity), can be found in the data tables which are available to download as Excel spreadsheets or Open Document spreadsheets at the following link:

<http://www.sentencingcouncil.org.uk/publications/?type=publications&s&cat=statistical-bulletin>.

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² Figures presented for 2020 include the time period since March 2020 in which restrictions were placed on the criminal justice system due to the COVID-19 pandemic. It is therefore possible that these figures may reflect the impact of the pandemic on court processes and prioritisation and the subsequent recovery, rather than a continuation of the longer-term series, so care should be taken when interpreting these figures.

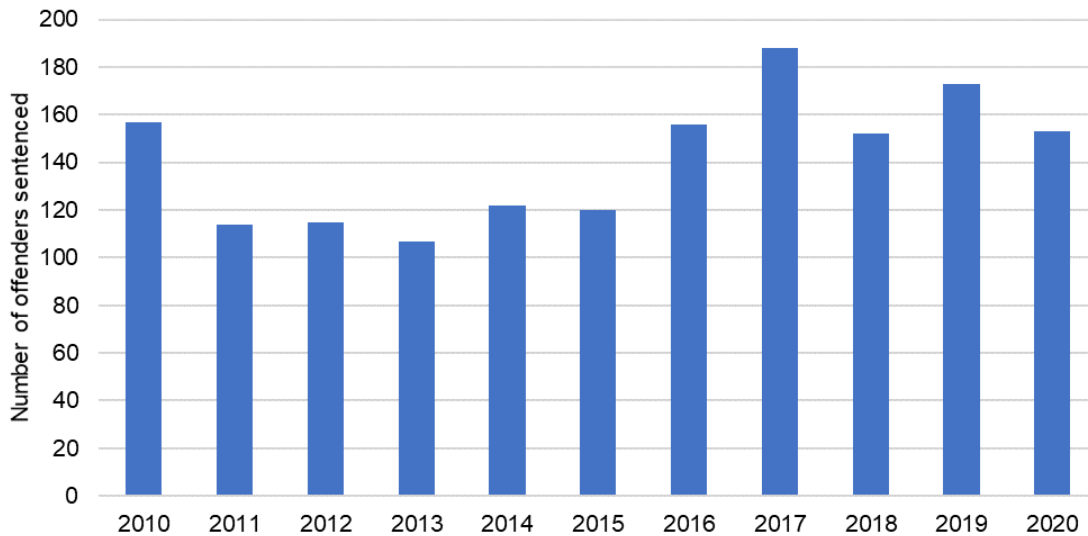
³ The Court Proceedings Database (CPD), maintained by the Ministry of Justice (MoJ), is the data source for these statistics. Please note that the MoJ include adults sentenced to custodial sentences over the statutory maximum for that offence whereas the statistics in this bulletin and accompanying data tables do not. In addition, we exclude magistrates' court cases for offences that are indictable only, whereas MoJ include these cases in their published figures.

Causing death by dangerous driving

Sentence volumes

In 2020, around 150 adults were sentenced for causing death by dangerous driving. This figure has been broadly stable since 2016 (see figure 1). This offence is indictable only and therefore all sentences were given in the Crown Court.

Figure 1: Number of adult offenders sentenced for causing death by dangerous driving, 2010-2020



Sentence outcomes

In 2020, as in previous years, the majority of adult offenders sentenced for causing death by dangerous driving were sentenced to immediate custody (93 per cent). A further 6 per cent were given a suspended sentence, and 1 per cent were given a community sentence.

Sentence lengths

The statutory maximum for this offence has recently increased to life imprisonment under the PCSC Act 2022. However, during the time period covered by this analysis, the statutory maximum was 14 years' custody. The average (mean) custodial sentence length (ACSL)⁴ for causing death by dangerous driving in 2020 was 4 years 7 months. Of those sentenced to immediate custody, 41 per cent received a custodial sentence post guilty plea of 2 to 4 years,⁵ and just over a quarter (27 per cent) received 4 to 6 years.

⁴ The average custodial sentence lengths presented in this report are mean average custodial sentence length values for offenders sentenced to determinate custodial sentences, after any reduction for guilty plea.

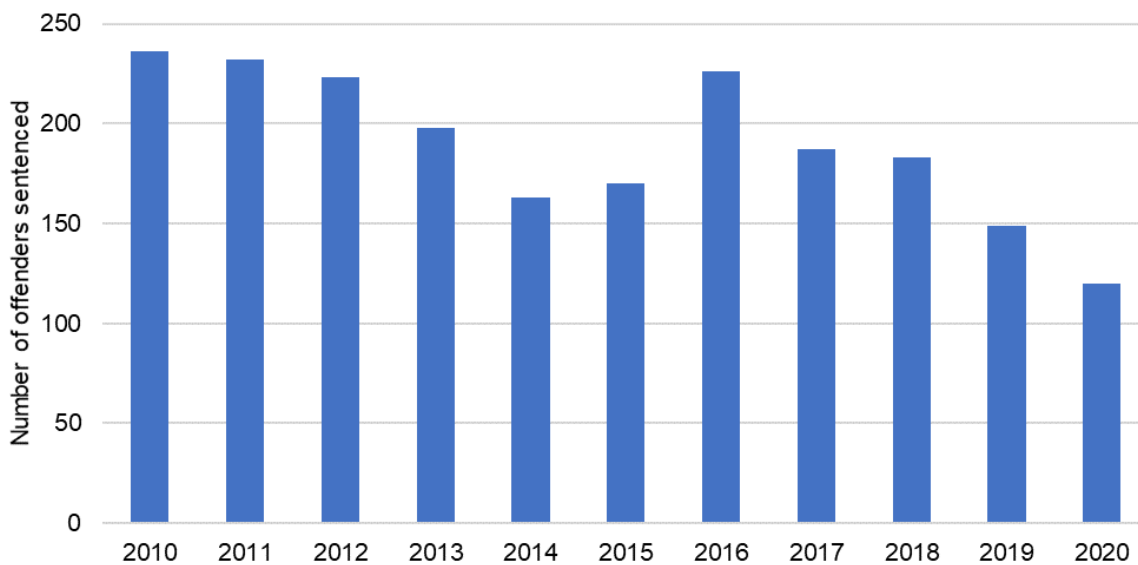
⁵ Sentence length intervals do not include the lower bound but do include the upper bound sentence length.

Causing death by careless or inconsiderate driving

Sentence volumes

In 2020, around 120 offenders were sentenced for causing death by careless or inconsiderate driving. Just over three quarters (76 per cent) of adult offenders were sentenced in the Crown Court. There has been a steady decline in volumes of offenders sentenced for this offence since 2016, when around 230 offenders were sentenced (see figure 2).

Figure 2: Number of adult offenders sentenced for causing death by careless or inconsiderate driving, 2010-2020



Sentence outcomes

The most common outcome for offenders sentenced for causing death by careless or inconsiderate driving in 2020 was a suspended sentence (39 per cent), closely followed by immediate custody (31 per cent). A quarter (25 per cent) of offenders were given a community sentence, 4 per cent received a fine and 1 per cent were 'Otherwise dealt with'.⁶

Sentence lengths

The statutory maximum for this offence is 5 years' custody. The ACSL in 2020 for causing death by careless or inconsiderate driving was 12 months. Of those sentenced to immediate custody, nearly three quarters (73 per cent) received a sentence of up to and including 1 year, and just under a fifth (19 per cent) received 1 to 2 years.⁵

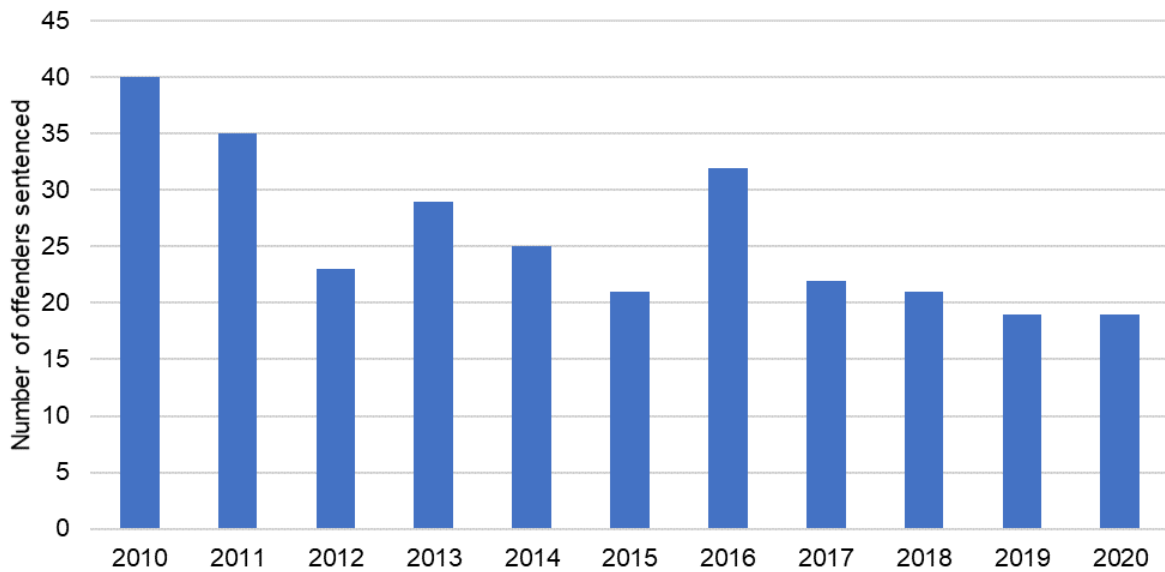
⁶ The category 'Otherwise dealt with' covers miscellaneous disposals. Please note that due to a data issue currently under investigation, there are a number of cases which are incorrectly categorised in the Court Proceedings Database (CPD) as 'Otherwise dealt with'. Therefore, these volumes and proportions should be treated with caution.

Causing death by careless driving when under the influence of drink or drugs

Sentence volumes

This is a low volume offence, with around 20 adult offenders sentenced in 2020 for causing death by careless driving when under the influence of drink or drugs. As it is indictable only, all offenders were sentenced at the Crown Court.

Figure 3: Number of adult offenders sentenced for causing death by careless driving when under the influence of drink or drugs, 2010-2020



Sentence outcomes

The majority (89 per cent in 2020) of offenders sentenced for causing death by careless driving when under the influence of drink or drugs are sentenced to immediate custody. In 2020, the remaining 11 per cent received a suspended sentence.

Sentence lengths

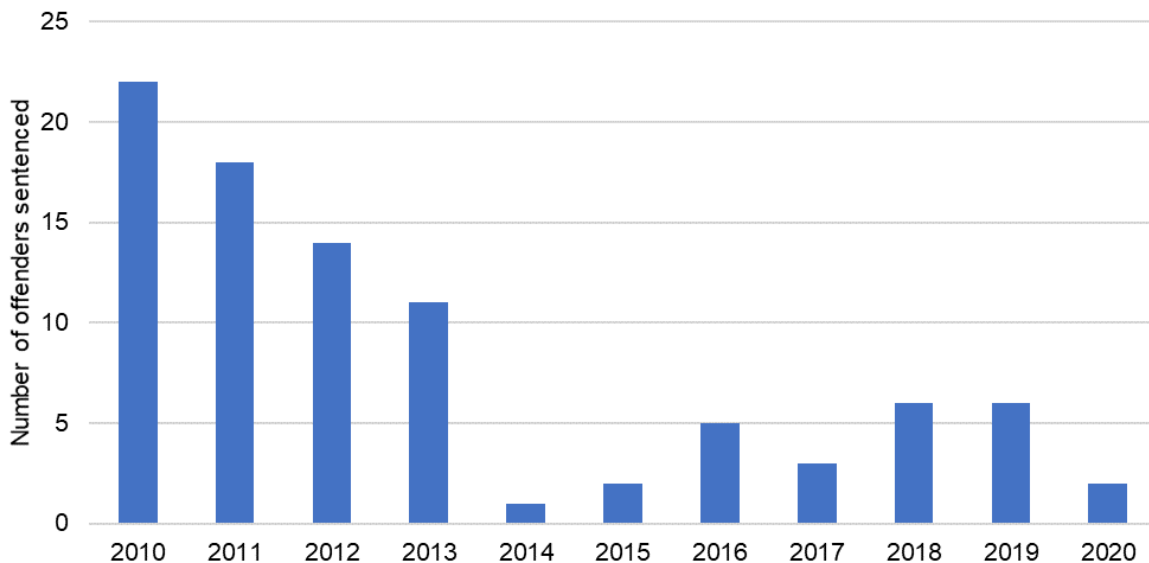
The statutory maximum sentence for causing death by careless driving when under the influence of drink or drugs has recently increased to life imprisonment under the PCSC Act 2022. However, during the time period covered by this analysis, the statutory maximum was 14 years' custody. The ACSL in 2020 for this offence was 4 years 6 months. Just under half of those sentenced to immediate custody (47 per cent) received a custodial sentence of 2 to 4 years, and 29 per cent received a custodial sentence of 4 to 6 years.⁵

Causing death by driving whilst unlicensed or uninsured⁷

Sentence volumes

Causing death by driving whilst unlicensed or uninsured is a low volume offence, with around 20 offenders sentenced across 2016 to 2020 (see figure 4); all of these offenders were sentenced in the Crown Court.⁸

Figure 4: Number of adult offenders sentenced for causing death whilst unlicensed or uninsured, 2010-2020



Sentence outcomes

Between 2016 and 2020 half (50 per cent) of offenders sentenced for causing death whilst unlicensed or uninsured received a suspended sentence, and 41 per cent received immediate custody. A further 5 per cent received an absolute or conditional discharge and the remaining 5 per cent received a community sentence.⁹

Sentence lengths

The statutory maximum sentence for this offence is 2 years' custody. Over the period 2016-2020 the ACSL for causing death whilst unlicensed or uninsured was 11 months.

⁷ Prior to 13 April 2015, the offence of causing death by driving whilst disqualified was combined with the offence of causing death by driving whilst unlicensed or uninsured. Data from 2010 to 2015 may therefore include offenders sentenced for causing death by driving whilst disqualified.

⁸ These statistics are provided for the period 2016-2020, rather than for a single year, due to the small number of offenders sentenced for this offence each year.

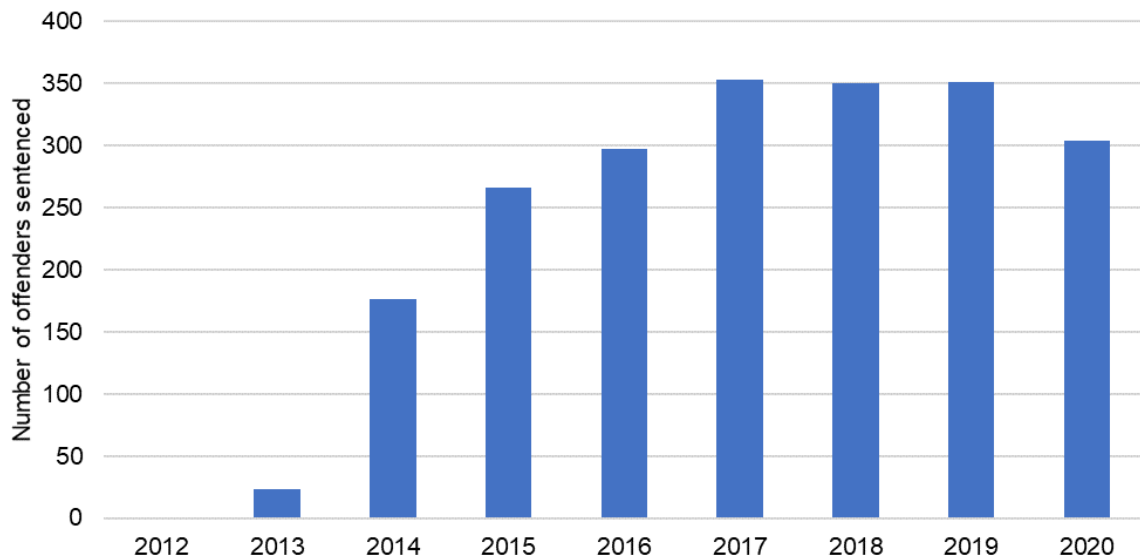
⁹ Percentages may not appear to sum to 100 due to rounding.

Causing serious injury by dangerous driving

Sentence volumes

In 2020, around 300 adult offenders were sentenced for causing serious injury by dangerous driving; 97 per cent of these offenders were sentenced in the Crown Court. The offence came into force on 3 December 2012 and cases have stabilised in recent years at around 300 to 350 offenders sentenced each year.

Figure 5: Number of adult offenders sentenced for causing serious injury by dangerous driving, 2012-2020



Sentence outcomes

Just over two thirds (67 per cent) of adults sentenced for causing serious injury by dangerous driving in 2020 received immediate custody. A little over a quarter (26 per cent) received a suspended sentence, 5 per cent received a fine and 1 per cent received a community sentence. A further 1 per cent were 'Otherwise dealt with'.⁶

Sentence lengths

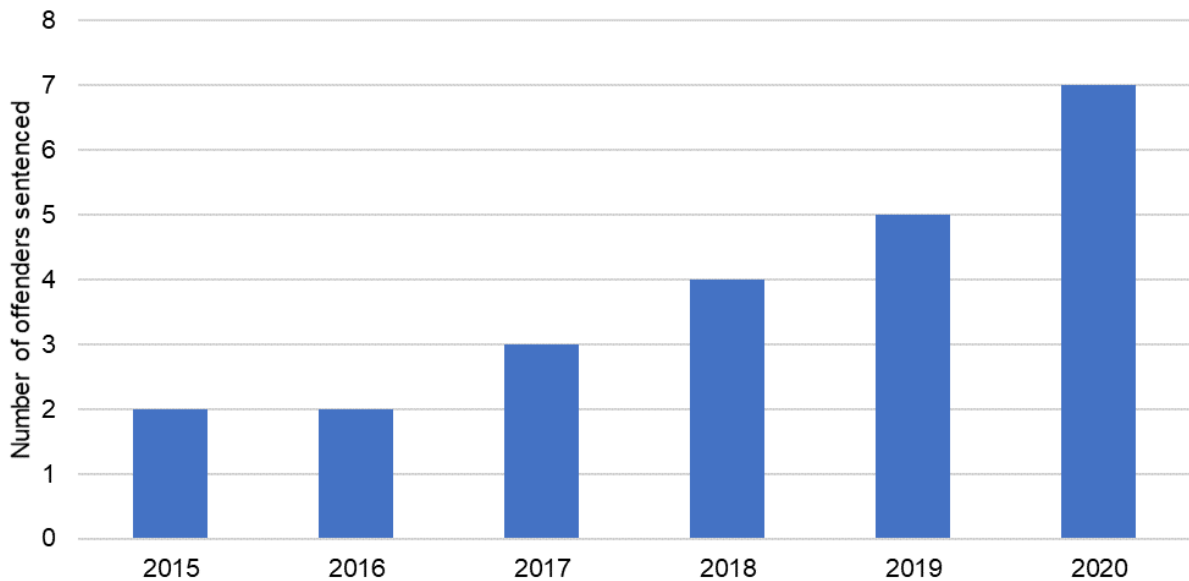
The statutory maximum sentence for this offence is 5 years' custody. The ACSL in 2020 was 2 years 2 months.

Causing serious injury by driving whilst disqualified

Sentence volumes

Causing serious injury by driving whilst disqualified is a low volume offence, with around 20 adults sentenced between 2016 to 2020 inclusive; 95 per cent of these offenders were sentenced in the Crown Court.⁸ This offence came into force on 13 April 2015, and the number of offenders has increased year on year since its introduction (see figure 6).

Figure 6: Number of adult offenders sentenced for causing serious injury by driving whilst disqualified, 2015-2020



Sentence outcomes

The majority of offenders (90 per cent) across 2016 to 2020 sentenced for causing serious injury by driving whilst disqualified received immediate custody. A further 5 per cent received a suspended sentence and 5 per cent received a fine.

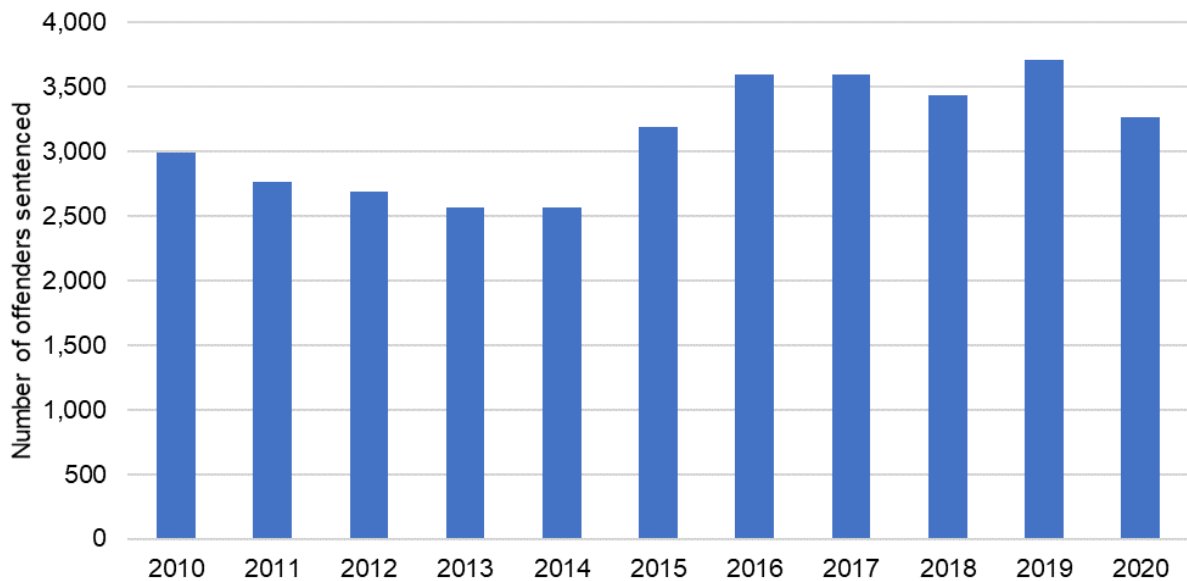
Sentence lengths

The statutory maximum sentence for this offence is 4 years' custody. The ACSL over the period 2016 to 2020 for offenders sentenced for causing serious injury by driving whilst disqualified was 21 months.

Dangerous driving

Sentence volumes

Nearly 3,300 offenders were sentenced for dangerous driving in 2020. The majority (83 per cent) of adult offenders were sentenced in the Crown Court. Over the last six years, the numbers of offenders sentenced each year has remained relatively stable.

Figure 7: Number of adult offenders sentenced for dangerous driving, 2010-2020**Sentence outcomes**

Nearly half (49 per cent) of offenders sentenced in 2020 for dangerous driving received immediate custody, and nearly a third (32 per cent) received a suspended sentence. A further 15 per cent received a community sentence, and 3 per cent received a fine. The remaining offenders received an absolute or conditional discharge or were 'Otherwise dealt with'.⁶

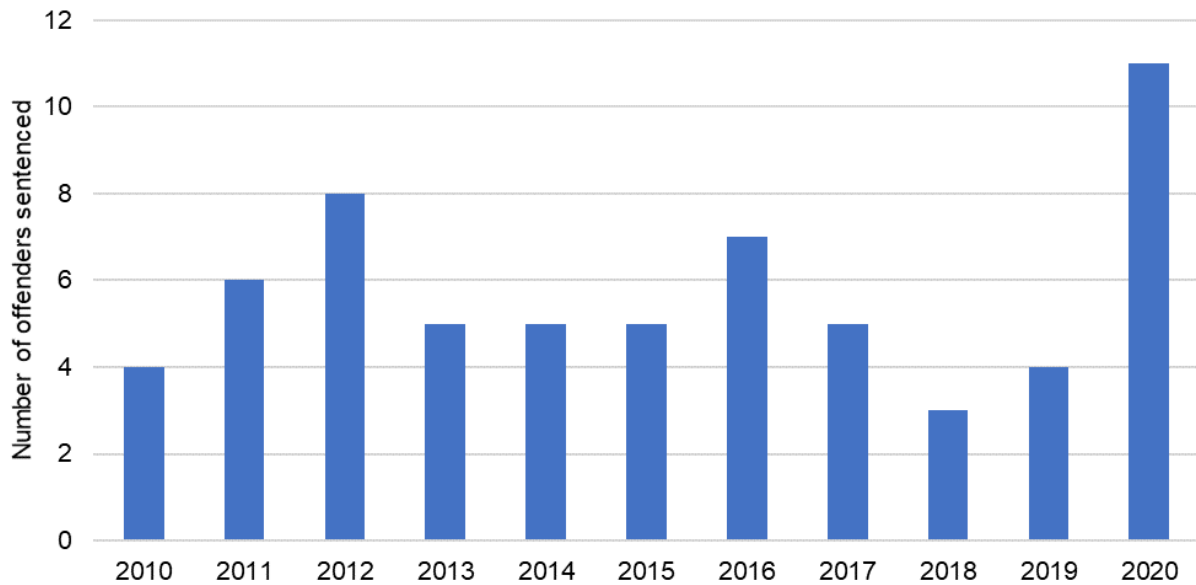
Sentence lengths

The statutory maximum sentence for this offence is 2 years' custody. The ACSL in 2020 for offenders sentenced for dangerous driving was 10 months. In 2020, three quarters (75 per cent) of offenders sentenced to immediate custody received a sentence of up to and including 12 months.

Causing injury by wanton or furious driving**Sentence volumes**

Around 30 offenders were sentenced for causing injury by wanton or furious driving across 2016 to 2020, entirely at the Crown Court.⁸ Across the period 2010 to 2020, the highest volume of offenders sentenced was in 2020 when around 10 offenders were sentenced.

Figure 8: Number of adult offenders sentenced for causing injury by wanton or furious driving, 2010-2020



Sentence outcomes

Across the period 2016 to 2020, 43 per cent of offenders sentenced for causing injury by wanton or furious driving received a suspended sentence, and 37 per cent received immediate custody. The remaining 20 per cent of offenders received a community sentence.

Sentence lengths

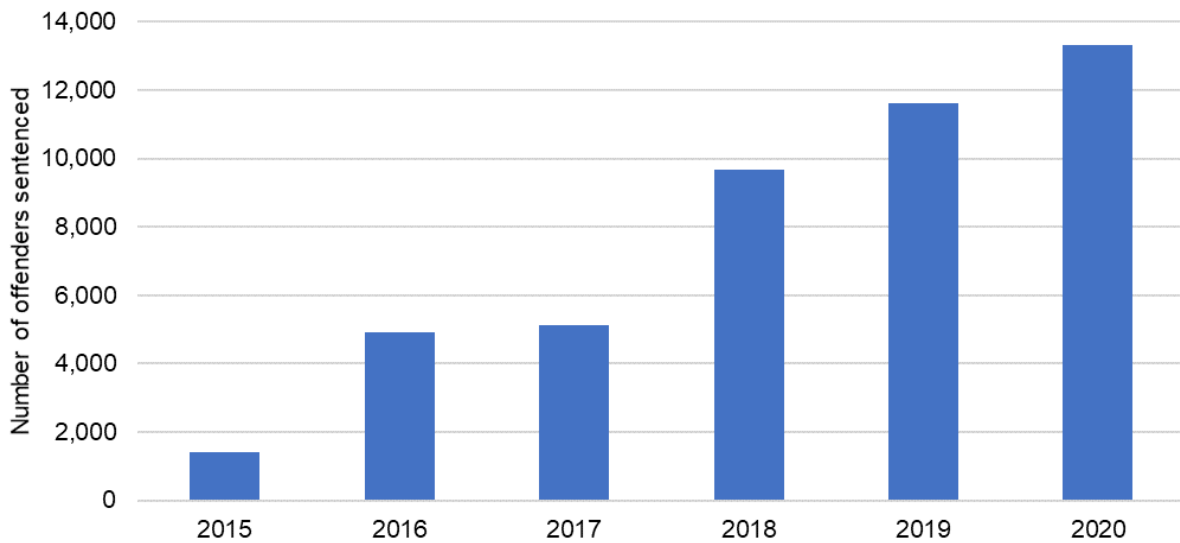
The statutory maximum sentence for causing injury by wanton or furious driving is 2 years' custody. Between 2016 and 2020 inclusive, the ACSL for this offence was 12 months.

Driving or attempting to drive with a specified drug above the specified limit

Sentence volumes

In 2020, around 13,300 adults were sentenced for driving or attempting to drive with a specified drug above the specified limit. This figure has increased year on year since the offence came into force on 2 March 2015 (see figure 9) and, as it is summary only, almost all offenders are sentenced at magistrates' courts (99 per cent in 2020).

Figure 9: Number of adult offenders sentenced for driving or attempting to drive with a specified drug above the specified limit, 2015-2020



Sentence outcomes

The majority of adult offenders sentenced for driving or attempting to drive with a specified drug above the specified limit received a fine (86 per cent in 2020). A further 9 per cent were given a community sentence and 2 per cent were given a suspended sentence. The remaining offenders received immediate custody (1 per cent), an absolute or conditional discharge (1 per cent) or were 'Otherwise dealt with' (1 per cent).⁶

In 2020, offenders sentenced to a fine received an average (median) fine value of £120¹⁰ and fine values ranged between £7 to £1,500. The majority (57 per cent) of fines were between £100 and £200.

Sentence lengths

The statutory maximum sentence for this offence is 6 months' custody and/or an unlimited fine. In 2020, the ACSL for driving or attempting to drive with a specified drug above the specified limit was 2 months.

Being in charge of a motor vehicle with a specified drug above the specified limit

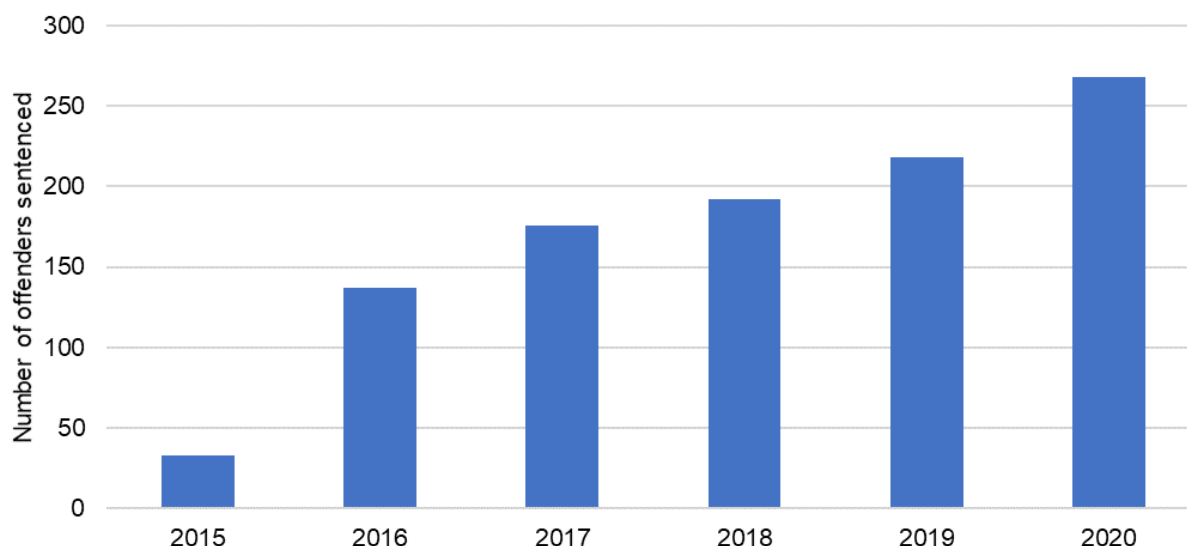
Sentence volumes

In 2020, around 270 adults were sentenced for being in charge of a motor vehicle with a specified drug above the specified limit. In 2020, all adult offenders were sentenced in the magistrates' courts, as this is a summary only offence. This figure

¹⁰ The median is calculated by ordering all the fine values (from lowest to highest, or highest to lowest) and choosing the middle value. The median is less sensitive to extreme values. The mean fine value is calculated by adding up all of the fine values and dividing the total by the number of offenders sentenced to a fine. The mean fine value in 2020 was £201. These fine amounts are provided after any reduction for a guilty plea.

has increased year on year since the offence came into force on 2 March 2015 (see figure 10).

Figure 10: Number of adult offenders sentenced for being in charge of a motor vehicle with a specified drug above the specified limit, 2015-2020



Sentence outcomes

The majority of offenders (91 per cent) sentenced for being in charge of a motor vehicle with a specified drug above the specified limit in 2020 received a fine. A further 7 per cent received a community sentence. The remaining offenders received immediate custody (1 per cent), an absolute or conditional discharge (1 per cent) or were 'Otherwise dealt with' (less than 0.5 per cent).⁶

In 2020, offenders sentenced to a fine received an average (median) fine value of £130¹¹ and fine values ranged between £33 to £750. The majority of fines (88 per cent) were up to £300.

Sentence lengths

The statutory maximum sentence for this offence is 3 months' custody and/or a level 4 fine (£2,500). Over the period 2016 to 2020, the ACSL for the small proportion of offenders sentenced to immediate custody for this offence was 1 month.⁸

¹¹ The median is calculated by ordering all the fine values (from lowest to highest, or highest to lowest) and choosing the middle value. The median is less sensitive to extreme values. The mean fine value is calculated by adding up all of the fine values and dividing the total by the number of offenders sentenced to a fine. The mean fine value in 2020 was £181. These fine amounts are provided after any reduction for a guilty plea.

Further information

Volumes of sentences

The data presented in this bulletin only include cases where the offence detailed was the principal offence committed. When an offender has been found guilty of two or more offences, the principal offence is the offence for which the heaviest penalty is imposed. Where the same disposal is imposed for two or more offences, the offence selected is the offence for which the statutory maximum penalty is the most severe. Although the offender will receive a sentence for each of the offences that they are convicted of, it is only the sentence for the principal offence that is presented in this bulletin.

Sentence outcomes

The outcomes presented are the final sentence outcomes, after taking into account all factors of the case, including whether a guilty plea was made. This is because the sentence length information available in the Court Proceedings Database is the final sentence imposed, after any reduction for guilty plea. Sentence outcomes presented in this bulletin are therefore not directly comparable to outcomes in the sentencing guideline tables, which instead show starting point sentences before a guilty plea has been entered.

General conventions

Actual numbers of sentences have been rounded to the nearest 100, when more than 1,000 offenders were sentenced, and to the nearest 10 when fewer than 1,000 offenders were sentenced.

Data sources and quality

The source of data for this bulletin is the Court Proceedings Database (CPD), which is maintained by the Ministry of Justice (MoJ). Every effort is made by MoJ and the Sentencing Council to ensure that the figures presented in this publication are accurate and complete. However, it is important to note that these data have been extracted from large administrative data systems generated by the courts and police forces. As a consequence, care should be taken to ensure data collection processes and their inevitable limitations are taken into account when those data are used.

Further details of the processes by which MoJ validate the records in the CPD can be found within the guide to their Criminal Justice Statistics publication which can be downloaded via the link:

<https://www.gov.uk/government/collections/criminal-justice-statistics>

Contact points for further information

We would be very pleased to hear your views on our statistical bulletins. If you have any feedback or comments, please send them to:

research@sentencingcouncil.gov.uk

Responsible Statistician: Lauren Maher

Press Office enquiries: Kathryn Montague Tel: 020 7071 5792

Further information on the Sentencing Council and its work can be found at:
<http://www.sentencingcouncil.org.uk/>