



AVZ Blog (June 2022) Drug driving, rehabilitation and driving bans

Should drug drivers be rehabilitated?

This is the question that the Department for Transport (DfT) is asking. Their consultation "[Protecting the public from repeat drug-driving offenders: call for evidence](#)" seeks views on the use of rehabilitation schemes for high risk drug drive offenders.

Action Vision Zero (AVZ) thinks it is an easy question. Britain has been rehabilitating high risk drink drive offenders for decades. Why shouldn't high risk drug drivers also have this chance. After all, the consultation reports that

- 44% of drug drivers are re-offenders
- Drink drive rehabilitation programme reduces re-offending.

So this sounds like a good way to help keep unsafe drivers off our roads.

Reconsider bans

There is though room for improvement with the rehabilitation schemes. At present attendance on a rehabilitation scheme results in a reduction of the disqualification period. This is the incentive used to get drink drivers to attend as they cannot be forced. This should be reconsidered. Reductions in fines could be an alternative. Or those who attended a rehabilitation scheme (remember these are the high-risk offenders) could get their licence back early only if it came with restrictions, such as no night-time driving allowed or a telematics-based system that recorded driving speeds, braking, etc.

AVZ wants to see much greater use of driving bans, including with drug driving.

What about those drivers who cause death or serious injury?

DfT also asks if drivers convicted of causing death or serious injury whilst under the influence of drink/drugs should be offered rehabilitation schemes. This would be in addition to any prison sentence served.

AVZ does not object to this. But we do not think drivers convicted of causing death by dangerous driving or by careless driving whilst under the influence of drink/drugs should **ever** be allowed to drive again.

More needed

Rehabilitation programmes only address the high-risk offenders, including repeat offenders. More is needed to deter drug driving, despite the increase in drug driving detection.

Drug driving prosecutions soared by 54% in the last year with over 21,000 drug drivers prosecuted (MoJ, 2022). But there was wide variation across police services with:

- Nottinghamshire having the highest increase with 378 drug drivers prosecuted in 2021, compared to 76 in 2020 (397% increase);
- Next was Gloucestershire with an increase of 179%;
- 38 police service areas reported an increase but four showed a decrease;
- The greatest fall was in Warwickshire (-58% decrease) where only 17 drug drivers were prosecuted in 2021, compared to 40 in 2020. The other areas reporting a decrease were Norfolk (-34%), Suffolk (-8%) and West Mercia (-9%).

See Table 1 at the end of this blog for data from the Ministry of Justice (MoJ) on drug driving prosecutions and bans by police service area.

AVZ's response argues for a wider approach to deterring drug driving, including mandatory drink/drug testing after fatal/serious injury collisions. We also want to see the offenders contribute more to the costs of drug driving enforcement and pay for the impairment tests.

And the reasons for any ban exemptions should be documented. Driving bans are supposed to be mandatory for drug driving offenders. In England and Wales, 96% of convicted drug drivers were banned in 2021, but this fell to 88% in Kent.

What is not needed

DfT's consultation also asks about support for two new charges:

- Causing death by dangerous driving whilst under the influence of drink and/or drugs
- Causing serious injury by driving whilst under the influence of drink and/or drugs, or failing to provide a specimen.

Note: the proposed causing serious injury offence does not include mention of dangerous driving (as in the causing death offence proposed). No explanation was given for this.

These two new charges were proposed by the [Expert Panel](#).

AVZ appreciates the need for better data on motoring offences and casualties but this is a wider need. It does not justify new offences.

The new charges are not needed for tougher sentencing. The government has already proposed to increase the maximum custodial sentence to lifetime for causing death by dangerous driving and for causing death by careless driving whilst under the influence of drink and/or drugs. The sentencing guidelines can be updated to reflect tougher sentences for impaired drivers.

AVZ responded that any new criminal charges should be considered as part of wider review of motoring offences.

Any suggestions?

See our response to DfT's consultation.

Note-this has not been a key issue for AVZ. Drink and drug driving have long been considered priority offences by the police. AVZ's Roads Policing campaign has focused on making the case for careless and dangerous driving to be police priorities, and for speed enforcement to focus on lower speed roads, i.e. those most used by people cycling and walking.

So, any ideas on how to strengthen our draft response? We would love to hear them. The consultation closes 28th June. See [here](#) for more information and the link to the DfT consultation.

Table 1: Drug driving prosecutions and bans, England and Wales

	Prosecutions			2021		
	2020	2021	2020-21	sentenced	bans	% banned
Avon and Somerset	223	376	69%	364	345	95%
Bedfordshire	57	113	98%	99	92	93%
Cambridgeshire	176	229	30%	211	197	93%
Cheshire	369	532	44%	500	488	98%
Cleveland	325	586	80%	572	556	97%
Cumbria	243	371	53%	347	335	97%
Derbyshire	117	193	65%	186	180	97%
Devon and Cornwall	318	411	29%	391	368	94%
Dorset	139	171	23%	164	157	96%
Durham	284	286	1%	277	270	97%
Dyfed-Powys	298	352	18%	346	337	97%
Essex	786	946	20%	860	839	98%
Gloucestershire	119	332	179%	316	309	98%
Greater Manchester	606	903	49%	846	816	96%
Gwent	263	462	76%	442	429	97%
Hampshire	404	857	112%	837	810	97%
Hertfordshire	121	200	65%	177	175	99%
Humberside	155	300	94%	288	276	96%
Kent	255	559	119%	539	475	88%
Lancashire	398	747	88%	720	683	95%
Leicestershire	90	228	153%	220	213	97%
Lincolnshire	213	383	80%	371	362	98%
Merseyside	963	1,649	71%	1,608	1,554	97%
Metropolitan	1,149	2,050	78%	1,866	1,772	95%
Norfolk	530	348	-34%	323	311	96%
North Wales	621	759	22%	709	680	96%
North Yorkshire	222	347	56%	338	332	98%
Northamptonshire	69	142	106%	139	138	99%
Northumbria	150	247	65%	234	219	94%
Nottinghamshire	76	378	397%	367	346	94%
South Wales	375	503	34%	487	460	94%
South Yorkshire	188	342	82%	331	317	96%
Staffordshire	173	319	84%	307	301	98%
Suffolk	248	229	-8%	208	199	96%
Surrey	325	447	38%	416	409	98%
Sussex	352	632	80%	605	582	96%
Thames Valley	566	907	60%	878	854	97%
Warwickshire	40	17	-58%	16	16	100%
West Mercia	655	594	-9%	580	569	98%
West Midlands	199	263	32%	241	225	93%
West Yorkshire	693	1,128	63%	1,049	990	94%
Wiltshire	183	373	104%	364	356	98%
England and Wales	13,736	21,211	54%	20,139	19,342	96%

Source: [MoJ \(2022\), Criminal Justice System statistics quarterly: December 2021, Motoring Data Tool](#)