



AVZ Blog (August 2022) Motoring offences –what happened at court in 2021: England and Wales

Key points

At court in 2021 (England and Wales),

- Motoring offences—both prosecutions and convictions - rose by 22% in 2021, faster than other types of crime.
- Speed limit court prosecutions rose by 24% to 208,493. They account for the largest share of motoring offences prosecuted at court - despite most speeding offences being sanctioned out of court.
- Careless driving court prosecutions increased by 62% to 15,785.
- Sentences imposed were mainly fines (94%) with prison rare (1%), as were suspended sentences (1%) and community sentence (3%).
- Driving bans for direct disqualifications jumped (31%).

Court prosecutions and convictions

The Ministry of Justice publishes data on court prosecutions, convictions and sentencing of motoring offences. In 2021, numbers of court prosecutions of motoring offences increased more than overall offences. But they have yet to recover to pre-Covid levels. Overall they were 5% lower than 2019.

Table 1 shows the number of prosecutions for causing death and serious injury by driving. Overall, there is a high conviction rate. But whilst Causing death by dangerous driving and Causing death by careless driving have similar numbers of prosecutions, the number of convictions for Causing death by careless driving is much larger than that of Causing death by dangerous driving, This indicates that drivers being prosecuted for Causing death by dangerous driving are instead being convicted of the lesser offence of Causing death by careless driving.

Table 1: Court prosecutions: Causing death/serious injury by driving, England and Wales

	2019	2020	2021
Causing death by dangerous driving	222	185	190
Causing death by careless driving under influence of drink or drugs	11	12	16
Causing death by careless or inconsiderate driving	190	167	191
Causing death by driving without due care / consideration while over prescribed limit - specified controlled drug	8	6	10
Causing death by driving unlicensed or uninsured drivers		1	3
Causing death by driving whilst disqualified	3	1	2
Causing serious injury by dangerous driving	355	373	366
Cause serious injury by driving whilst disqualified	3	2	7

There are a greater number of Causing death by driving prosecutions (412) than Causing serious injury by driving prosecution (373) (Serous injury is defined as requiring three nights hospitalisation—similar to Grievous Bodily Harm).

Other court only prosecutions

Table 2 shows the number of prosecutions for other key offences which can only be prosecuted at court. All increased in number last year. In the last two years, prosecutions for drug driving have almost doubled.

Table 2: Court prosecutions

	2019	2020	2021
Dangerous driving	3,850	3,780	3,944
Driving with alcohol in the blood above the prescribed limit	35,568	28,523	32,499
Drive a motor vehicle with the proportion of specified controlled drug above specified limit	12,163	13,736	21,211
Other offences related to drink or drug driving	11,402	9,424	13,446
Driving licence related offences	15,941	13,978	19,819

Other priority offences

Table 3 shows the number of prosecutions for offences which can also be sanctioned out of court. With speeding, careless driving and mobile phone offences, the vast majority are sanctioned out of court. Those prosecuted at court are where the offence was too serious to be sanctioned out of court (e.g. extreme speeding) or where the driver had a foreign driving license or was pleading not guilty.

Table 3: Court prosecutions

	2019	2020	2021
Speed limit offences	200,513	167,593	208,493
Vehicle insurance offences	159,371	105,227	107,583
Vehicle registration and excise licence offences	104,182	35,515	55,204
Careless driving offences (excl. mobile phone offences)	12,276	9,766	15,785
Using or causing others to use a handheld mobile phone whilst driving	11,402	4,884	6,169

Sentences

- The most common outcome is a fine (74%).
- Only 1% of motoring offence convictions result in a custodial sentence.
- Another 1% receive a suspended sentence.
- A further 3% receive a community sentence.

Driving bans given for direct disqualification (not totting up) rose by 31%. See our separate analysis which shows where the increase occurred. It also highlights the rarity with which speeding and careless drivers are banned, as well as the variation between areas.

AVZ is committed to increasing the transparency and accurate understanding of traffic law enforcement and how the justice system responds to road crime. For more information on court prosecutions and total motoring offences, see our website.