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Motoring offences and prison

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Key points

- Prison is rare --only 1% of those convicted at court for driving offences are sent to prison.
- Driving offences account for 45% of all court convictions but only 6% of prison sentences.
- The only offences where a driver is more likely than not to be sent to prison are:
 - Causing death by dangerous driving
 - Causing death by careless driving whilst under the influence
 - Causing serious injury by dangerous driving
- Three offence groups account for two-thirds of all prison sentences given to drivers:
 - driving license related (32%),
 - dangerous driving (24%), and
 - drink/drug driving related (12%).
- Prison sentences given for driving offences have dropped by 20% since 2010, whilst the average custodial sentence length has increased by 24%,

RoadPeace calls

- Prison accounts for a very small share of sentences given to drivers at court (and court convictions account for a minority of sanctions for driving offences). Sentencing policy must consider alternatives to custody, including driving bans, vehicle confiscations and unlimited fines.

Criminal offences and prison, 2015

In 2015, motoring offences made up nearly half (45%) of those found guilty but only 6% of those sentenced to prison.

- Nearly 690,00 were sentenced for non-motoring offences, with 84,780 (12%) imprisoned
- Nearly 560,00 were sentenced for motoring offences, with 5,568 (1%) imprisoned
- Of the 90,000 sent to prison, only 6.2% were sentenced for motoring offences.

Table 1: Risk of being sent to prison, England and Wales (2015)

	Of those convicted
Causing death by dangerous driving	93%
Causing death by careless driving whilst under the influence of drink/drugs	95%
Causing death by careless driving	27%
Causing serious injury by dangerous driving	68%
Dangerous driving	39%
Driving license related	12%
Drink driving	2%
Fail to stop	1%

Source: MoJ (2016)

Just a few motoring offence groups result in prison sentences. Of the 5,568 sentenced to prison in 2015 for a motoring offence, this included:

- Driving licence related offences (excluding fraud and forgery) – 1,756 (32%)
- Dangerous driving - 1,322 (24%)
- Driving a motor vehicle under the influence of drink or drugs – 665 (12%)
- Other offences related to drink- or drug-driving - 265 (5%)
- Causing death offences – 181 (3%)

Many of the remaining prison sentences were theft related:

- Aggravated vehicle taking – 603 (11%)
- Theft of a motor vehicle (excl. aggravated vehicle taking) – 279 (5%)

Trends in motoring offences and prison

Prison sentences are becoming less common but longer. Since 2010, there has been a

- 20% fall in the numbers sentenced to prison for all motoring offences (from 7,000 in 2010 to 5,570 in 2015)
- 24% increase in the average custodial sentence (from 6 months in 2010 to 7.5 months in 2015)

The change (2010-2015) in the number of custodial sentences given and the average custodial sentence length for key motoring offences are shown below.

Table 2: Number imprisoned, England and Wales (2015)

	2010	2011	2012	2013	2014	2015	Change since 2010
Causing death by dangerous driving	140	110	111	104	116	114	-19%
Causing death by careless driving whilst under the influence of drink/drugs	40	35	21	27	24	20	-50%
Causing death by careless driving	45	46	59	56	49	46	2%
Causing serious injury by dangerous driving	n/a	n/a	1	16	130	183	n/a
Dangerous driving	1134	1127	1104	1060	1051	1322	17%
Driving license related	2,732	2,300	1,963	1,785	1,664	1,756	-36%
Drink driving	921	847	763	633	677	665	-28%
Fail to stop	30	40	38	35	35	43	43%

Source: MoJ (2016)

Table 3: Average custodial sentence length, England and Wales (2015)

	2010	2011	2012	2013	2014	2015	Change since 2010
Causing death by dangerous driving	49.1	48.7	49.5	52.4	61.5	57.1	16%
Causing death by careless driving whilst under the influence of drink/drugs	45.5	52.3	52.1	61.3	54.3	53.5	18%
Causing death by careless driving	15.4	15.3	13.7	13.5	10.4	14.4	-6%
Causing serious injury by dangerous driving	n/a	n/a	n/a	29.4	24.5	23.2	n/a
Dangerous driving	9.7	9.8	9.8	9.6	9.7	9.6	-1%
Driving license related	3.2	3.2	3.1	3.2	3.1	3.1	-3%
Drink driving	3.0	3.0	3.1	3.0	3.0	3.0	0%
Fail to stop	2.5	3.0	2.8	3.1	2.6	2.8	12%

Source: MoJ (2016)

Source: MoJ (2016), Criminal justice system statistics quarterly: December 2015