



HOUSE OF COMMONS

LONDON SW1A 0AA

17th August 2021

Jean Contrevent,

RE: DANGEROUS DRIVING SENTENCING.

Thank you for your recent correspondence in respect of dangerous driving sentencing. I have read your comments with interest and concern.

I join the Government in their commitment to seeing safer roads for all road users. It is important to consider that many deaths and injuries on the roads are a consequence of tragic accidents. However, too many involve criminal behaviour and I agree that more needs to be done to ensure justice is served in cases where culpability of an offender is high.

I am very clear that punishments must fit the crime. However, often families feel that this is not the case with killer drivers. I am encouraged that the Government is taking action to put this right.

I particularly welcome the fact that the *Police, Crime, Sentencing & Courts Bill* will increase the maximum penalties for causing death by dangerous driving and death by careless driving when under the influence of drink or drugs to life imprisonment. In addition, it is the case that there is a gap in the law relating to serious injury. I therefore welcome the fact that the Bill will also create a new offence of causing serious injury by careless driving.

I am aware of the amendments proposed to the *Police, Crime, Sentencing & Courts Bill* regarding the definition of exceptional hardship. However, I do not believe it is necessary to further define what should be considered exceptional hardship when deciding whether or not to disqualify a driver. I am concerned that the amendment would introduce a narrow definition that would not be able to account for all the circumstances that are presented to the courts. It would remove the courts' freedom to use their experience to reach decisions based on all of the circumstances of the cases before them. I will, however, follow the debate on this amendment carefully as the Bill progresses through Parliament.

I am glad that the Government is taking action on the issue of causing death by dangerous driving. It is also the case that under the *Bail Act 1976*, the police can impose bail conditions for particular purposes, one of which is to ensure there is no further offence committed while on bail. A driving ban as a condition of police bail may be appropriate for some cases.

I am also aware of the tragic circumstances surrounding the death of Ryan Saltern, and have ensured that ministerial colleagues are too. I extend my sympathies to Ryan's family and friends. It is unacceptable for drivers to fail to stop and report an incident, and the Government rightly takes this issue most seriously. From my conversations, I know that Ministers are acutely aware of the traumatic effects of drivers failing to stop when a person is caused serious injury, or even killed.



In the vast majority of cases, convictions for failure to stop are against drivers who have failed to stop after causing minor property damage or low-level personal injury. I do fully recognise the frustrations that in very rare cases when someone is injured or killed, there is no evidence for an offence other than failing to stop. However, the offence of failing to stop and report is for failing to stop and report, it is not a second opportunity to punish someone severely when it cannot be proved they are responsible for the death or injury.

This new offence would create serious anomalies with other offences and has to be seen in connection with the complex driving offences framework - for example, the proposed increase in sentence would mean a failure to stop would have an almost three times higher penalty than causing death by careless driving.

You may be reassured that the Government is, however, exploring options that could be pursued in this area, including, but not limited to, the available penalties, and how the offence operates as part of longer-term and wider work on road safety.

Of course, I will continue to support measures by the Government to strengthen sentencing, ensure justice is served and increase public confidence in the criminal justice system.

Once again, thank you for having taken the time to contact me and if I can ever be of any further assistance to you then please do not hesitate to contact me again.

With best wishes,

**TOM PURSGLOVE MP
MEMBER OF PARLIAMENT
CORBY & EAST NORTHAMPTONSHIRE**