



July 2021

Dear Constituent,

Thank you for contacting me about dangerous driving and sentencing.

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.

The Police, Crime, Sentencing and Courts (PCSC) 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 PCSC 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 PCSC Bill progresses through Parliament.

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

I am aware of the tragic circumstances surrounding the death of Ryan Saltern and have ensured that 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 seriously.

I know that Ministers are aware of the traumatic effects of drivers failing to stop when a person is caused serious injury or even killed.



Chris Heaton-Harris

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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 complex driving offences framework, for example the proposed increase in sentence would mean “failure to stop” would have 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.

Thank you again for taking the time to contact me.

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'Chris'.

CHRIS HEATON-HARRIS MP
MEMBER OF PARLIAMENT FOR DAVENTRY