

Saunders Law

Ltd



Careless and Dangerous Driving

Driving without due care and attention is an offence that can be committed if the standard of a person's driving falls below that to be expected of a reasonable, prudent and competent driver. This test is applied taking into account all the circumstances of a case. The Crown Prosecution Service do not have to show that the driver was conscious of the consequences of their actions, just that they were conscious of what they were doing. Eating, smoking, drinking, applying make-up, map reading and tuning the car stereo have all triggered prosecutions for this offence.

Driving without consideration for other road users or pedestrians can be prosecuted as a lesser offence.

However, if the Crown Prosecution Service considers that the standard of driving caused danger to the public it may lay the more serious a charge of Dangerous Driving, which could lead to far higher penalties including a term of imprisonment.

Saunders Law Ltd can assist in any number of ways. Initially we will look into whether matters are being brought to Court on the appropriate charge. We would also consider the level and admissibility of the evidence brought against the driver and whether there is evidence to support a defence.

At the point of trial we would seek to persuade the Court that the driving was not a departure from the required standard when viewed objectively. The burden of proof falls on the Crown Prosecution Service which therefore has to prove its case beyond reasonable doubt, and any shortfall entitles the defendant to an acquittal.

The range of penalties and severity open to a court for Dangerous Driving is so wide and goes so far higher than in most motoring cases, that proper representation is essential. A person's liberty is their ultimate right and here at Saunders Law Ltd we never forget the importance of this.