

ADVISING ON ROAD TRAFFIC OFFENCES IN 2025 – THURSDAY 13th FEBRUARY 2025
4PM – 5PM

I LAST DID A GENERAL ROAD TRAFFIC PRESENTATION A YEAR AGO AND WE HAVE HAD SOME INTERESTING CASE-LAW IN 2024 ON THE TOPIC

THE PRESENTATION WILL ALSO CONSIDER THE INCREASED FEES IN THE YOUTH COURT FOR CERTAIN ROAD TRAFFIC OFFENCES AND THE INCREASED SENTENCING POWERS OF MAGISTRATES

THE FOLLOWING 20 POINTS WILL BE COVERED - HAVE A QUICK LOOK AND SEE IF THIS IS A PRESENTATION THAT WOULD BE OF INTEREST TO YOU

20 POINTS

- 1 – **Regina v Horsfall [2024]** – the Court of Appeal looking at the position of the Probationary Driver under the **Road Traffic (New Drivers) Act 1995**
- 2 – **The DPP and Ridings [2024]** – the High Court looking at the standard and burden of proof in a ‘hip-flask defence’ case
- 3 – **Rex v James [2024]** – sentencing errors that had to be corrected by the Court of Appeal in a road traffic case
- 4 – **Rex v Saunders [2024]** – the Court of Appeal considering the issue of credit where the defence had ordered a back calculation report in an alcohol case
- 5 – **Rex v Chigona [2024]** – the Court of Appeal considering the offence of causing serious injury by careless driving
- 6 – **Rex v Woodliffe [2024]** – the Court of Appeal considering extensions/adjustments/uplifts where both custody and a period of disqualification had been imposed
- 7 – **Rex v Wood [2024]** – the Court of Appeal considering the length of disqualification that had been imposed
- 8 – **Rex v O’Connor [2024]** – another consideration by the Court of Appeal in relation to the length of disqualification that had been imposed
- 9 – **Rex v Dias [2024]** – causing serious injury (driving)
- 10 – **R v Davies [2023]** – the Court of Appeal considering the offence of Wonton or Furious driving under the **Offences Against the Person Act 1863**

- 11 – **R v Yasin [2023]** – the Court of Appeal considering the dangers (and sentencing implications) of using your mobile phone whilst driving
- 12 – Dealing with road traffic offences in the Youth Court and the **INCREASED FEES** under **Statutory Instrument 2024 No.1163** with effect from the 6th December 2024
- 13 – **INCREASED SENTENCING POWERS OF MAGISTRATES'** and possible committals for sentence under the **Sentencing Act 2020** with effect from the 18th November 2024
- 14 – Some useful things to know when arguing **SPECIAL REASONS**
- 15 – Some useful things to know when arguing **EXCEPTIONAL HARDSHIP**
- 16 – **The Duty Solicitor Scheme** in the area of road traffic offences – what does your contract say?
- 17 – Should jurisdiction be accepted or declined? – can jurisdiction be accepted? – The views of the **Judicial College**
- 18 – The most recent Guidelines published by the **Sentencing Council** in relation to road traffic offences
- 19 – The current advice that legal advisers may give to their Magistrates' in the area of **discretionary disqualifications and totting up**
- 20 – **Costs in road traffic cases** – both in the Magistrates' Court and in appeals to the Crown Court