

Sentencing Council meeting:
Paper number:

22 October 2021
SC(21)OCT04 - Motoring offences
causing death or injury

Lead Council member:
Lead official:

Rebecca Crane
Lisa Frost
0207 071 5784

1 ISSUE

1.1 This meeting will include further consideration of step one and two factors for the offences of Dangerous driving; Causing serious injury by dangerous driving and; Causing death by dangerous driving. Step one and two factors for some careless driving offences will also be considered, and the Council will be asked to confirm the approach to be taken to assessing culpability for careless driving under the influence of drink or drugs.

2 RECOMMENDATION

2.1 The Council is asked to:

- Consider and agree proposed culpability, aggravating and mitigating factors for dangerous driving offences;
- Consider and agree step one and two factors for careless driving offences causing death and serious injury and;
- Consider and confirm the approach to assessing culpability in offences of causing death by careless driving under the influence.

3 CONSIDERATION

3.1 At the last meeting the Council considered step one and two factors for revised and new guidelines for dangerous driving offences. It was agreed that further work would be undertaken to develop factors based on discussions. The Council is asked to consider revised factors.

3.2 The Council will also be asked to consider factors for careless driving offences. The similarity between dangerous and careless driving offences will be illustrated, and it is proposed that factors are similar for the offences to provide for appropriate seriousness categorisations and alternative charges and pleas.

3.3 Finally, the Council will be asked to consider the approach to assessing seriousness for the offence of careless driving under the influence to inform development of this guideline. Specifically, the Council is asked to consider if the approach in the existing guideline should be maintained before further work is undertaken to develop this guideline.

Dangerous driving offences

3.4 At the last meeting the Council agreed that the dangerous driving guidelines should include specific factors to assess culpability rather than including the existing SGC guideline approach of referencing the risk created by the offence and examples. It was agreed that further work should be undertaken on the initial factors proposed, taking into account points raised at the meeting.

3.5 An additional factor not proposed at the last meeting has been included at medium culpability for consideration. This is included in a number of other guidelines and is intended to capture offences falling between high and low culpability. This is thought necessary as both high and low culpability include broader factors whereas medium culpability factors are more specific. While it may be thought that the 'balancing' wording would provide for offences involving multiple features in different categories, the factor would enable appropriate seriousness categorisations where factors do not easily provide for a balancing exercise to be undertaken.

3.6 Revised factors are as follows. **Annex A** includes a sample of descriptions of driving from cases analysed and includes a summary of points noted by the Judge when identifying the offence categorisation. This may assist in providing context to proposed factors. One factor which the Council did not wish to include at lesser culpability was 'genuine mistake'. It was suggested this would be more appropriate as an aggravating factor, if included at all. However, this was relevant in some cases analysed, an example being where an elderly offender drove in the wrong direction on a dual carriageway for 7 miles, which was not due to a momentary lapse of concentration.

Culpability

The court should determine culpability by reference only to the factors below, which comprise the principal factual elements of the offence. Where an offence does not fall squarely into a category, individual factors may require a degree of weighting before making an overall assessment and determining the appropriate offence category. A combination of factors in any category may justify an increased starting point.

High

- Deliberate decision to ignore the rules of the road and disregard for the risk of danger to others.
- Prolonged, persistent and deliberate course of dangerous driving
- Consumption of substantial amounts of alcohol or drugs leading to gross impairment
- Racing or competitive driving against another vehicle
- Lack of attention to driving for a substantial period of time
- Greatly excessive speed

Medium

- Brief but obviously seriously dangerous manoeuvre
- Engaging in a brief but avoidable distraction
- Driving knowing that the vehicle has a dangerous defect or is dangerously loaded
- Driving at a speed that is inappropriate for the prevailing road or weather conditions, although not greatly excessive
- Driving whilst ability to drive is impaired as a result of consumption of alcohol or drugs
- Disregarding advice relating to driving when taking medication or as a result of a known medical condition which significantly impaired the offender's driving skills
- Driving when knowingly deprived of adequate sleep or rest
- Cases falling between high and low culpability because:
 - Factors in both high and lesser categories are present which balance each other out; and/or
 - The offender's culpability falls between the factors as described in high and lesser culpability

Lesser

- Standard of driving was just over threshold for dangerous driving
- Momentary lapse of concentration
- Genuine mistake
- Speed not excessive

Question 1: Does the Council agree with the proposed culpability factors, and with their placement?

3.7 Proposed revised aggravating factors based on the discussion at the last meeting are as follows:

- Previous convictions, having regard to a) the nature of the offence to which the conviction relates and its relevance to the current offence; and b) the time that has elapsed since the conviction
- Offence committed whilst on bail
- Victim was a vulnerable road user, including pedestrians, cyclists, horse riders
- Disregarding warnings of others
- Driving for commercial purposes
- Driving LGV, HGV, PSV
- Other driving offences committed at the same time as the dangerous driving
- Blame wrongly placed on others
- Failed to stop and/or provide assistance at the scene
- Offence committed in the course of police pursuit
- Passengers, including children
- Vehicle poorly maintained
- More than one person killed as a result of the offence (death by dangerous only)
- Serious injury to one or more victims, in addition to the death(s) (death by dangerous only)
- Offence committed on licence or while subject to court order(s)

Question 2: Does the Council agree with the proposed aggravating factors?

3.8 Proposed revised mitigating factors are as follows. These include 'efforts made to seek assistance for victims' which some members thought should not be included when discussed previously. This is provided for in existing guidance and was also taken into account as mitigation in a number of cases analysed. It also acts as a counter factor to the factor 'failed to provide assistance', which reflects one of the recommendations of Professor Bottoms that guidelines should try to have balance between aggravating and mitigating factors where possible.

- No previous convictions or no relevant/recent convictions
- Impeccable driving record
- Alcohol or drugs consumed unwittingly

- The victim was a close friend or relative
- Actions of the victim or a third party contributed significantly to collision
- Offence due to inexperience rather than irresponsibility (where offender qualified to drive)
- Genuine emergency
- Efforts made to assist or seek assistance for victim(s)
- Remorse
- Serious medical condition requiring urgent, intensive or long-term treatment
- Age and/or lack of maturity where it affects the responsibility of the offender
- Mental disorder or learning disability
- Sole or primary carer for dependent relatives

Question 3: Does the Council agree with the proposed mitigating factors?

Careless Driving

3.9 Guidelines which will be developed for careless driving offences include causing death by careless driving; careless driving causing serious injury and; causing death by careless driving while under the influence of drink or drugs. It is thought the MCSG careless driving model should also be updated based on revised factors.

3.10 The offence of careless driving is very similar to dangerous driving, with the distinction being that the standard of driving falls below that of a competent and careful driver rather than the 'far below' required for dangerous driving. The Road Traffic Act 1988 includes the following statutory definitions:

Section 3. Careless, and inconsiderate, driving

If a person drives a mechanically propelled vehicle on a road or other public place without due care and attention, or without reasonable consideration for other persons using the road or place, he is guilty of an offence.

Section 3ZA. Meaning of careless, or inconsiderate, driving

(2) A person is to be regarded as driving without due care and attention if (and only if) the way he drives falls below what would be expected of a competent and careful driver.

(3) In determining for the purposes of subsection (2) above what would be expected of a careful and competent driver in a particular case, regard shall be had not only to the circumstances of which he could be expected to be aware but also to any circumstances shown to have been within the knowledge of the accused.

(4) A person is to be regarded as driving without reasonable consideration for other persons only if those persons are inconvenienced by his driving.

Careless driving causing death or serious injury

3.11 In the existing SGC guideline Careless driving causing death there are three seriousness categories, which are defined as follows:

- Careless or inconsiderate driving falling not far short of dangerous driving
- Other cases of careless or inconsiderate driving
- Careless or inconsiderate driving arising from momentary inattention with no aggravating factors

3.12 Transcript analysis has confirmed that careless driving can often be hard to distinguish from dangerous driving, as illustrated in the sample of offences provided at **Annex A**. Examples of careless and inconsiderate driving are included in the existing SGC guideline and are as follows:

(i) Careless Driving

- overtaking on the inside or driving inappropriately close to another vehicle
- inadvertent mistakes such as driving through a red light or emerging from a side road into the path of another vehicle
- short distractions such as tuning a car radio

(ii) Inconsiderate Driving

- flashing of lights to force other drivers in front to give way
- misuse of any lane to avoid queuing or gain some other advantage over other drivers
- driving that inconveniences other road users or causes unnecessary hazards such as unnecessarily remaining in an overtaking lane, unnecessarily slow driving or braking without good cause, driving with un-dipped headlights which dazzle oncoming drivers or driving through a puddle causing pedestrians to be splashed

Depending on the circumstances, it is possible that some of the examples listed above could be classified as dangerous driving (see the revised CPS guidance). However, experience shows that these types of behaviour predominantly result in prosecution for careless driving.

A typical piece of careless driving may be that it is a momentary negligent error of judgement or a single negligent manoeuvre, so long as neither falls so far below the standard of the competent and careful driver as to amount to dangerous driving.

3.13 Given the similarity between offences many of the dangerous driving factors are also relevant to careless driving offences. However, some of the examples of careless driving above are quite hard to succinctly articulate as factors and to provide an appropriate threshold for, and an exhaustive list of factors would be undesirable.

3.14 Subject to decisions made in respect of dangerous driving factors, it is proposed that careless driving factors for offences causing death and serious injury are the same, save for some minor differences. The medium factor providing for cases between high and lesser culpability is likely to capture many examples which do not fall just short of dangerous driving, but are clearly over the threshold for careless or inconsiderate driving offences:

<p>High</p> <ul style="list-style-type: none"> • Standard of driving was just below threshold for dangerous driving • Prolonged, persistent and deliberate course of careless or inconsiderate driving • Consumption of substantial amounts of alcohol or drugs leading to gross impairment • Lack of attention to driving for a substantial period of time • Greatly excessive speed
<p>Medium</p> <ul style="list-style-type: none"> • Brief but obviously dangerous manoeuvre • Engaging in a brief but avoidable distraction • Driving at a speed that is inappropriate for the prevailing road or weather conditions, although not greatly excessive • Driving whilst ability to drive is impaired as a result of consumption of alcohol or drugs • Disregarding advice relating to driving when taking medication or as a result of a known medical condition which significantly impaired the offender's driving skills • Driving when knowingly deprived of adequate sleep or rest • Cases falling between high and low culpability because: <ul style="list-style-type: none"> - Factors in both high and lesser categories are present which balance each other out; and/or - The offender's culpability falls between the factors as described in high and lesser culpability
<p>Lesser</p> <ul style="list-style-type: none"> • Standard of driving was just over threshold for careless driving • Momentary lapse of concentration • Genuine mistake

Question 4: Does the Council agree with the proposed culpability factors for careless driving offences causing death or serious injury?

Aggravating and mitigating factors

3.15 Aggravating and mitigating factors for careless driving causing death or injury could also be the same as for dangerous driving offences, save for some minor differences.

Proposed aggravating factors are as follows:

- | |
|---|
| <ul style="list-style-type: none"> • Previous convictions, having regard to a) the nature of the offence to which the conviction relates and its relevance to the current offence; and b) the time that has elapsed since the conviction |
|---|

- Offence committed whilst on bail
- Victim was a vulnerable road user, including pedestrians, cyclists, horse riders
- Disregarding warnings of others
- Driving for commercial purposes
- Driving LGV, HGV, PSV
- Other driving offences committed at the same time as the careless driving
- Blame wrongly placed on others
- Failed to stop and/or provide assistance at the scene
- Passengers, including children
- More than one person killed as a result of the offence (*death by careless only*)
- Serious injury to one or more victims, in addition to the death(s) (*death by careless only*)
- Offence committed on licence or while subject to court order(s)

Question 5: Does the Council agree with the proposed aggravating factors for careless driving offences causing death or serious injury?

3.16 Proposed mitigating factors are as follows:

- No previous convictions or no relevant/recent convictions
- Impeccable driving record
- Alcohol or drugs consumed unwittingly
- The victim was a close friend or relative
- Actions of the victim or a third party contributed significantly to collision
- Offence due to inexperience rather than irresponsibility (where offender qualified to drive)
- Genuine emergency
- Efforts made to assist or seek assistance for victim(s)
- Remorse
- Serious medical condition requiring urgent, intensive or long-term treatment

- Age and/or lack of maturity where it affects the responsibility of the offender
- Mental disorder or learning disability
- Sole or primary carer for dependent relatives

Question 6: Does the Council agree with the proposed mitigating factors for careless driving offences causing death or serious injury?

Harm factors

3.17 Harm factors for dangerous driving were agreed at the last meeting, and the factors and approach agreed will be relevant to the careless driving guidelines. It was agreed that only one category should be included for offences involving death. For the new offence of careless driving causing serious injury it is anticipated that the legislative definition of serious injury for dangerous driving offences will be mirrored, so the same harm factors would be used for this offence. Should the definition differ once the legislation is finalised, this will be brought to the Council for further consideration.

Causing death by careless driving under the influence

3.18 Section 3A of the Road Traffic Act 1988 provides for the offence of Causing death by careless driving under the influence:

(1) If a person causes the death of another person by driving a mechanically propelled vehicle on a road or other public place without due care and attention, or without reasonable consideration for other persons using the road or place, and—

(a) he is, at the time when he is driving, unfit to drive through drink or drugs, or

(b) he has consumed so much alcohol that the proportion of it in his breath, blood or urine at that time exceeds the prescribed limit, or

(ba) he has in his body a specified controlled drug and the proportion of it in his blood or urine at that time exceeds the specified limit for that drug, or

(c) he is, within 18 hours after that time, required to provide a specimen in pursuance of section 7 of this Act, but without reasonable excuse fails to provide it, or

(d) he is required by a constable to give his permission for a laboratory test of a specimen of blood taken from him under section 7A of this Act, but without reasonable excuse fails to do so,

he is guilty of an offence.

(2) For the purposes of this section a person shall be taken to be unfit to drive at any time when his ability to drive properly is impaired.

3.19 The culpability model for the offence of causing death by careless driving under the influence will differ from the other careless driving offences, as both the standard of driving and the level of impairment or manner of failing to provide a specimen for analysis are intrinsic elements of this offence.

3.20 The existing guideline for this offence includes all elements in the seriousness assessment:

The legal limit of alcohol is 35µg breath (80mg in blood and 107mg in urine)	Careless / inconsiderate driving arising from momentary inattention with no aggravating factors	Other cases of careless / inconsiderate driving	Careless / inconsiderate driving falling not far short of dangerousness
71µ or above of alcohol / high quantity of drugs OR deliberate non-provision of specimen where evidence of serious impairment	Starting point: 6 years custody Sentencing range: 5-10 years custody	Starting point: 7 years custody Sentencing range: 6-12 years custody	Starting point: 8 years custody Sentencing range: 7-14 years custody
51- 70 µg of alcohol / moderate quantity of drugs OR deliberate non-provision of specimen	Starting point: 4 years custody Sentencing range: 3-7 years custody	Starting point: 5 years custody Sentencing range: 4-8 years custody	Starting point: 6 years custody Sentencing range: 5-9 years custody
35-50 µg of alcohol / minimum quantity of drugs OR test refused because of honestly held but unreasonable belief	Starting point: 18 months custody Sentencing range: 26 weeks-4 years custody	Starting point: 3 years custody Sentencing range: 2-5 years custody	Starting point: 4 years custody Sentencing range: 3-6 years custody

It is proposed that the approach to assessing seriousness should be maintained in the revised guideline (although the model is likely to differ due to more specific culpability factors), with reference to both the driving standard and drug or drink driving levels. As the Council is aware, work is being undertaken to explore whether improved guidance can be provided in respect of drug driving offences, which will be relevant to proposals in respect of this guideline. Before further development work is undertaken the Council is asked to confirm if it agrees with maintaining the existing approach.

Question 7: Does the Council agree the culpability assessment for careless driving under the influence should relate to the standard of driving and the level of impairment or failure to provide a specimen for analysis?

4 IMPACT AND RISKS

4.1 Any risks identified have been highlighted in this paper. Research will be undertaken to identify the impact of any factors agreed during the consultation period.

4.2 The passage of the Police, Crime, Sentencing and Courts Bill continues to be monitored closely as will have an impact upon when some draft guidelines can be finalised.

4.3 There are no equality and diversity issues identified in relation to points covered in this paper.

Blank page

Dangerous driving – summary, categorisation and reasons	
DD1	<p>Drove across country roads tailgated another driver for some miles, until reaching a crossroads. Other car turned right at those crossroads and he then followed, almost immediately overtook then went onto the wrong side of the road, at what was obviously a very considerable speed. Over the course of the following straight section of road overtook three further vehicles, and attempted to overtake the third of those vehicles while driving in excess of 120 miles an hour on single carriageway road with a solid white line, and at the summit of this road the brow of a hill. Victim who was driving perfectly well appeared over the brow of the hill, and D then tried to pull in but driving far too fast to achieve such a manoeuvre. He attempted to overtake, there was insufficient room to do so, and an inevitable collision occurred with victim.</p> <p>Level 1 - Deliberate decision to ignore or a flagrant disregard for the rules of the road, and an apparent disregard for the great danger being caused to others.</p>
DD2	<p>D and victim were drinking in pub for four and a half hours and were asked to leave as had had enough to drink. Victim let D drive his vehicle, a transit van, and was passenger. D drove 3 miles before crashing into a parked car. Spun off road and through a garden fence and collided with another car.</p> <p>Level 1 - consumption of substantial amounts of alcohol leading to gross impairment.</p>
DD3	<p>Collision occurred during course of a chase between D and co-d. Victim driving VW polo at 30 mph, co-d (chasing vehicle driven by D) driving at 70 mph, more than twice speed limit for road and caused other drivers to take evasive action or fear for safety. Both drivers lost control and D's vehicle ploughed into victims' vehicle causing it to spin 180 degrees.</p> <p>Level 1 - with multiple features of high culpability, a prolonged, persistent, deliberate course of very bad driving, at greatly excessive speeds, overtaking other vehicles at excessive speeds, with complete disregard for the rules of the road and the safety of other road users.</p>
DD4	<p>Driving in erratic and dangerous manner before incident; sped away from garage forecourt and performed highly dangerous overtaking manoeuvre collided with another vehicle and rammed it out of way. Narrowly missed another car and pedestrian before hitting victim who was crossing road. Did not stop and continued driving in same dangerous and wanton manner for quite some time. 'extremely prolonged, persistent, wilful, appalling driving'. Efforts</p>

	<p>made to dispose of vehicle, returned original plates and made no comment interviews. No remorse.</p> <p>Very top of Level 1 – prolonged, persistent, appalling driving.</p>
DD5	<p>Under influence of large quantity of drugs and alcohol and excessive speed in residential area and failing to stop for police - Level 1.</p>
DD6	<p>D had been on a 5-6 day 'drink and drug bender' Under influence of drugs (cocaine, cannabis and diazepam) overtook learner driver on a slip road and crashed into motorcyclist. 70mph in a 40mph limit.</p> <p>Level 1. Had been falling asleep while driving; consumption of illegal drugs which seriously impaired ability to drive; drove at greatly excessive speed; drove when knowingly deprived of adequate sleep (told the probation officer he had not slept for days.)</p>
DD7	<p>D chasing another car. Took a roundabout wrong way and drove through a red light in middle of rush hour traffic, going as fast as possibly could with no regard for other road users.</p> <p>Level 1 - prolonged, persistent deliberate course of bad driving over several miles in bad weather at highly dangerous speeds in car chase– acutely aware of risk and no regard for other road users.</p>
DD8	<p>D was driving along motorway at high speed, constantly changing lanes. Crashed into a vehicle ahead, throwing it up in the air (despite it being a straight stretch of road). D's car came to a stop, but rather than attempting to provide assistance he fled the scene. D eventually handed himself in, but didn't accept any culpability for the crash and cast aspersions on the other person's driving. Judge said standard of driving level 2, but aggravating factors escalate to level 1.</p>
DD9	<p>Failed to give way at junction of a busy A road, went into side of a vehicle</p> <p>Level 2 - driving created a substantial risk of danger. Speed greatly excessive on approach to junction.</p>
DD10	<p>Lost control on straight stretch of road collided with a car being driven in a proper manner in the opposite direction. Conditions were bad, heavy rain and standing water on roads. Aggressive driving; pushing other motorists by driving too close and speed far too fast for conditions.</p> <p>Level 2: Danger created was substantial - overtaking when unsafe; driving too close and dangerously fast without regard to the weather and driving conditions despite knowing the road was dangerous.</p>

DD11	D driving van and not paying attention as was looking at colleague in other van in adjacent lane. Drove into back of a motorcyclist. Level 3 - Momentary lapse of concentration.
DD12	Others saw motorbike and he just didn't register it. Admitted lack of concentration. Level 3 - Lack of concentration
DD13	Drove wrong way up dual carriageway for 7 miles. Level 3 - Not momentary lapse of concentration but genuine mistake.
Careless driving - summary, categorisation and reasons	
CD1	Standard fell not far short of dangerous. Racing resulting in a head on collision while disqualified from driving. Lied about who driver was, was driving at national speed limit. No licence (had never passed test). - Level 1
CD2	V was on his scooter, his L-plates displayed, driving carefully and responsibly along the street. D had left a garage, performed a U-turn and then accelerated vehicle ferociously. As he did so he did not have the car properly under control. Level 1 - falls very close to borderline between dangerous and careless driving.
CD3	D was driving a van, according to CCTV D's driving was erratic and he swerved into V (a cyclist). D drove away from the scene, was eventually identified by the police, but continued to try and place the blame elsewhere. Level 1 - Careless or inconsiderate driving falling not far short of dangerous driving.
CD4	Pleaded as alternative to death by dangerous. Driving too fast in built up area - estimated 53mph in 30 mph zone. Overtook car in front and hit pedestrian crossing road. Level 1 - Careless and inconsiderate driving falling not far short of dangerous.
CD5	V driving home in good weather when without explanation D's car drove onto the carriageway where V was driving in the opposite direction. Nothing in relation to V's driving a concern - both cars were driving between 40-50 mph. No difficulties with road surface, visibility or traffic and no evidence of earlier bad driving, rush or distraction. No explanation for D's car to cross over white line and cause a head on collision. Judge inferred D ceased to concentrate on the road and drifted into opposing carriageway. Level 2 - Judge struggled with categorisation - was unable to say that 'it falls not far short of dangerous driving' - the fact the car was fully in the other carriageway suggests not a momentary inattention that would bring it into the lowest category, so not categories 1 or 3

CD6	<p>D was working as a taxi driver; driving with passenger in the dark but good weather conditions. Drove through a red traffic light at pedestrian crossing and hit the victim who was crossing the road.</p> <p>Level 2 - Highlights that victim was vulnerable road user, D should have taken care around crossing, was working as a professional, carrying passenger, potential hazards clearly marked.</p>
CD7	<p>Motorcyclist was trying to overtake when he thought it was quite safe. D decided, as he had indicated he was going to do albeit late in the day, that he was going to undertake a U-turn and go back in the opposite direction by turning across the carriageway into a layby on the other side of the road. Signs saying no u turns - ill-judged and careless. No contributing factors such as defects or speeding, failed to see what was behind him.</p> <p>Level 2 - Flagrantly ignoring warning signs, disobeying a traffic sign and attempting manoeuvre.</p>
CD8	<p>V came off her bike as she was about to leave the roundabout at a time when D on the roundabout approaching from behind her. D driving a pickup intending to take the same route as her, did not see her either before she came off her bike or after she had done so and was lying towards the side of the road in his path. As a result, his vehicle drove over her. D had been distracted by mobile phone seconds before collision, other driver had seen him looking to his left, and using one hand to drive. Pleaded to careless driving as alternative to dangerous.</p> <p>Level 2 - Middle category - not a momentary lapse but avoidably distracted.</p>
CD9	<p>D was driving an HGV vehicle in the course of employment, along a single-carriageway road. D saw an HGV vehicle coming in the other direction, and moved vehicle off the road, onto the verge. Weight of HGV combined with the gradient of the verge caused vehicle to tip; D over-corrected and steered back towards the road, veering onto the opposite side of the road and tipped over in collision with V's car.</p> <p>Level 2 - Judge initially says it's at the top of cat 3, but then says that it crosses the custody threshold, and due to the circumstances of the case, appropriate SP is that of category 2.</p>
CD10	<p>Failed to see V as he stepped into the road to cross it; in the road for something between six or nine seconds before the collision occurred. D must have seen V at the very last moment because he braked and swerved and the impact was at a very low speed. Not speeding but driver behind saw V, so D should have</p>

	<p>done. Not under influence of alcohol or drugs. Issues with vision (incipient cataracts) but no issues raised that he shouldn't have been driving.</p> <p>Bottom of level 2/top of level 3 - not momentary lapse of concentration.</p>
CD11	<p>D's vehicle crossed the central white line of a relatively narrow A-road which winds its way through the countryside and collided with V's motorcycle. V had no prospect of avoiding D. Quite why vehicle crossed central white line 'a mystery'. Driving before not inappropriate as evidenced by dashcam of vehicle behind, and not speeding. Road conditions were good, spring day in March, light good, nothing to contribute to vehicle collision other than driver error or fault. No alcohol, no mobile phone to distract him, no pre cons. Had his daughter in back of car.</p> <p>Level 3 – momentary lapse of concentration.</p>

Blank page