

## ***I Am Facing A Motoring Charge – What Can Be Done?***

**Listed below are a number of possible road traffic charges, together with the possible outcomes. At the end we give some suggestions as to how to proceed and an indication of how we may be able to help.**

### ***Speeding Offence***

Exceeding the speed limit carries a penalty of between 3-6 penalty points and a fine. Disqualification can be imposed in serious cases or if there is an accumulation of 12 or more penalty points.

### ***Totting-up***

So-called 'totting up' is the accumulation of 12 or more penalty points for any type of offence within a three year period and requires the Court to disqualify from driving for a minimum period of 6 months. The only possible avoidance of this penalty is by persuading the Court, upon the basis of evidence (including evidence upon oath of the motorist), that this disqualification would cause exceptional hardship. Such an argument needs to be carefully prepared as it is not always easy to establish.

### ***Driving Without Due Care and Attention***

This is a common charge where an accident has occurred. If the motorist fails to stop or report the accident to the police then further charges will arise.

Sometimes a motorist is unaware that a minor accident has occurred, in which case there can be a defence. The seriousness of failure to stop and failure to report is proportionate to the gravity, or otherwise, of the accident and any damage and injury arising. The offences of failure to stop/failure to report can result in imprisonment of the offender in serious cases.

### ***Other Offences***

More serious offences include dangerous driving which, in simple terms, is where a motorist has taken an obvious risk, causing death by dangerous driving, or causing death by careless driving or with excess alcohol. Anyone in this situation should seek legal advice at the earliest opportunity.

There are numerous other offences under the Road Traffic Regulations and offences relating to the defective parts in the vehicle or documents such as no insurance, no tax, no MOT, no driving licence are amongst the more common. A separate article covering Drinking and Driving is available from our web site.

Curwens can help you in many of these situations but most of all you will want an honest appraisal of the situation you face and an outline of the options available.

Representations by Curwens may result in acquittal, reduction in the period of disqualification or any financial penalty awarded against you.

***If you would like to discuss this in more detail as it relates to your situation, please give us a CALL NOW and ask to speak to one of our specialists.***

***Or REQUEST A CALL BACK at a time convenient to you.***

***Disclaimer***

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