



College of
Policing

Brief

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Updates in police law, operational policing practice and criminal justice, produced by the **Legal Services Department** at the College of Policing



Cyber threat
NCSC guidance issued



Deadly opioids
action taken



Legal support
more MoJ funding



Downblousing
reforms for victim protection



The College of Policing Brief is a scanning publication intended to capture and consolidate key criminal justice issues, both current and future, impacting on all areas of policing.

During the production of the Brief, information is included from governmental bodies, criminal justice organisations and research bodies. As such, the Brief should prove an invaluable guide to those responsible for strategic decision making, operational planning and police training.

The College of Policing is also responsible for Authorised Professional Practice (APP). APP is the official and most up-to-date source of policing practice and covers a range of policing activities such as: police use of firearms, treatment of people in custody, investigation of child abuse and management of intelligence. APP is available online at app.college.police.uk

Any enquiries regarding this publication or to request copies in accessible formats please contact us at brief@college.pnn.police.uk

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College news

Police Covenant published

The government's Police Covenant pledges to recognise the bravery, commitment and sacrifices of those who work, or have worked, in policing. The Covenant will support both officers and staff and their families and focus on physical protection, health and wellbeing.

Read more: [**Police Covenant published to support policing community**](#)

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Police training to change for all new officers to fight crime

From April 2023, all officers in England and Wales will enter the police service in one of three ways, following a change in the Police Regulations 2003 by the government. The new routes into the service are:

- becoming an apprentice, where officers earn while they learn over a three-year period
- obtaining a degree in policing and applying to a police force
- studying for a graduate diploma in professional policing

The new training, which is already offered by 42 of the 43 Home Office police forces in England and Wales, will become mandatory from April. Its practical focus means that recruits spend 75% of their time 'on the job'.

The new training is directly helping the government to recruit 20,000 additional officers. National figures for the retention of new officers are higher for those undergoing the new training compared to those trained under the old system.

Read more: [**Police training to change for all new officers to fight crime**](#)

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National Centre for Police Leadership to be launched soon

Following a fundamental review of the College of Policing, a new National Centre for Police Leadership is being developed. The new home of police leadership will be in addition to current leadership programmes, and will set the standards for leadership at all levels.

Chief Constable Andy Marsh, CEO of the College of Policing, said:

‘When it is launched the College of Policing’s National Centre for Police Leadership will develop officers and staff in every role and rank to support the transformation of the workplace culture so there is the safe, supportive, and inclusive working environment that we all want to see in policing.’

Read more: [**College developing National Centre for Police Leadership**](#)

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Being a police officer is everything I expected and more

In the ‘Inside policing’ podcast, PC Michelle Wright shares her experience of joining Greater Manchester Police and reflects on how ‘every day is a school day’.

To listen to the podcast or read her account, please click below.

Read more: [**‘Being a police officer is everything I expected and more’**](#)

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Legal updates

Bills

Bill of Rights Bill

The government's new draft Bill of Rights reforms the law relating to human rights and repeals the Human Rights Act 1998. The government's intent is that the Bill:

- strengthens the right to freedom of speech
- recognises the right to jury trial
- limits courts' powers for certain rights, such as Article 8 (right to family life)
- reduces burdens on public authorities
- ensures that public protection is given due regard in interpretation of rights

However, plans to scrap the Human Rights Act have been described as a 'power grab' by [civil liberties groups](#), who have warned that the Bill may make it harder for people to challenge the police. MPs are expected to consider the bill at the substantial 'second reading' debate, due on 12 September.

This public Bill was given its first reading on 22 June 2022. MPs will next consider the bill at the second reading, although a date is yet to be announced.

Read more: [Bill of Rights Bill](#)

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The National Security Bill progresses to the committee stage

The National Security Bill is now at the committee stage in the House of Commons, which is where a detailed examination of the Bill takes place following the Bill's second reading.

The Bill updates outdated espionage laws and provides measures to law enforcement and intelligence agencies, to enable them to deal with threats to national security.

The Bill proposes a range of new tools, powers and protections to counter the threats posed to the UK. There will also be various modernised offences with updated investigative powers.

Civil legal aid and damage systems will also be protected, to ensure that convicted terrorists cannot exploit them.

The Bill should be viewed alongside the recent Economic Crime (Transparency and Enforcement) Act 2022, the National Security and Investment Act 2021, and the Online Safety Bill.

Read more: [National Security Bill](#)

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Statutory guidance

Unauthorised encampments: A summary of available powers

This statutory guidance sets out the range of powers available for police to respond to unauthorised encampments and tackle a range of harms proportionately. It includes the powers that were already available to police in the Criminal Justice and Public Order Act 1994 (CJPOA) and new powers introduced by the Police, Crime, Sentencing and Courts Act 2022 (PCSC).

Introduced by the PCSC, an offence relating to residing on land without consent, in or with a vehicle, applies where:

- a) a person is aged 18 or over
- b) a person is residing, or intending to reside, on land without the consent of the occupier of the land
- c) a person has, or intends to have, at least one vehicle with them on the land
- d) one or more conditions in subsection 60C(4) are met
- e) a request is made to the person to leave and/or remove their property by the occupier, a representative of the occupier or a constable

Under section 85 of the PCSC, this statutory guidance defines police powers to deal with unauthorised encampments proportionately.

The powers include a new offence of residing on land without consent, in or with a vehicle, with other conditions introduced by the PCSC. This guidance helps police forces exercise the powers available to them in the CJPOA, including new or amended provisions introduced by the PCSC.

All powers referred to in the guidance apply to anyone residing on land without consent and refusing to leave who causes harm, meeting the conditions for enforcement action, regardless of race or ethnicity.

Police should consider obligations under human rights legislation, their Public Sector Equality Duty and applicable equalities legislation.

Read more: [**Unauthorised encampments: A summary of available powers**](#)

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Circulars

Circular 003/2022: Further amendments to Police Regulations 2003

This circular publishes amendments to determinations made under the Police Regulations 2003 to close the old entry route, the Initial Police Learning and Development Programme. From 1 April 2023, applicants to appointment as a police constable must enter through the Police Constable Degree Apprenticeship, the Degree Holder Entry Programme or the pre-degree in policing.

Read more: [**Circular 003/2022: Further amendments to Police Regulations 2003**](#)

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Policing

News

IOPC makes recommendations after publishing stop and search report

Following a report published in April by the Independent Office for Police Conduct (IOPC), several recommendations were made to the College of Policing and the National Police Chiefs' Council (NPCC). The report focused on the need to safeguard people from ethnic minority backgrounds from stop and searches that are influenced by stereotyping and bias.

Home Office statistics from the year ending March 2021 show that people from a Black or Black British background were seven times more likely to be stopped and searched than those from a White background. Furthermore, people from an Asian or Asian British background, or Mixed ethnic background, were two and a half times as likely to be stopped and searched.

The College of Policing and NPCC have accepted all 15 recommendations. Furthermore, the issues will be addressed through training and community scrutiny. The College of Policing have already begun rolling out a two-day training course to address issues around de-escalation. The College of Policing's Stop and Search Authorised Professional Practice regarding the grounds for a search will now be revised.

IOPC Regional Director Sal Naseem said: 'Our report this year highlighted the impact stop and search can have on ethnic minority groups, in particular the negative effect it can have on public confidence in policing, so the positive response we have received means police forces can take advantage of this window of opportunity for generational change.

'It's vital frontline officers feel supported with the appropriate training so their delivery of this policing tactic is with care and precision. It's through this refreshed approach that policing can break the cycle and rebuild bridges with those communities who feel marginalised.'

Read more: [College of Policing and NPCC accept IOPC recommendations after publishing stop and search report](#)

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Sir Mark Rowley is the new Commissioner of the Metropolitan Police

Sir Mark Rowley has begun work as the new Commissioner of the Metropolitan Police Service. Following a highly competitive recruitment process and recommendation from the Home Secretary, on advice from the London Mayor, Sir Mark was formally appointed by Her Majesty the Queen.

Sir Mark Rowley QPM was Chief Constable of Surrey Police for four years before joining the Metropolitan Police Service in 2011. Sir Mark was a former Assistant Commissioner for Specialist Crime and Operations of the Metropolitan Police Service, and then NPCC Lead for Counter Terrorism. He was knighted in 2018 for his exceptional contribution to national security and national leadership at a time of unprecedented threat.

[Read more: Sir Mark Rowley announced as Commissioner of the Metropolitan Police](#)

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Mental health of gun owners

A new digital marker is being introduced at GP surgeries in England that will flag up those who are medically unfit to own a firearm. Once the marker is applied to the record of a patient who has a firearms licence, it will automatically alert the GP if there has been a relevant change in the patient's medical situation – for example, a change in mental health, diagnosis of a neurological condition or evidence of substance abuse.

After notification, the GP can alert the relevant police force, who can determine whether the licensed gun holder is fit to own a firearm.

The digital markers are part of the strengthened controls for licensed gun owners, which are being introduced by the Home Office to ‘better protect the public from those who are medically unfit to own a firearm’.

Read More: [**Police Professional | New digital marker system will alert GPs to mental health of gun owners**](#)

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INTERPOL Secretary General visits London

INTERPOL Secretary General Jürgen Stock met with Home Secretary Priti Patel in London on 6 July 2022.

They discussed a number of matters, including international cooperation in order to enforce the law, as well as British police and the National Crime Agency’s work with European partners recently on the operation to arrest suspected people traffickers across Europe.

The Home Secretary raised the concern she had of Russia potentially abusing INTERPOL’s systems, following its invasion of Ukraine. The INTERPOL Secretary General assured the Home Secretary that there will not be abuse of INTERPOL’s systems. Strong monitoring processes will be implemented and action will be taken if non-compliance of INTERPOL’s Constitution takes place.

Home Secretary Priti Patel said:

‘INTERPOL is a critical pillar of global law enforcement. People need to know that their government is doing all it can to keep them safe and the work we do with INTERPOL is an essential element of that.

‘INTERPOL – as a global police information hub – plays a vital role in working with our police and law enforcement agencies to protect the British public and make our streets safer.’

Read more: [**Home Secretary meeting with INTERPOL Secretary General**](#)

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Man jailed for life for killing PCSO Julia James

Callum Wheeler, who was found guilty of the murder of PCSO Julia James, was sentenced on 8 July 2022 at Canterbury Crown Court. He will serve a minimum of 37 years before being eligible for release on parole.

Julia James was attacked near her home in April 2021 while she walked her dog. Callum Wheeler had left his home carrying a railway jack handle that he used to murder Ms James.

The Kent and Essex Serious Crime Directorate launched a murder investigation, involving 1,199 officers from Kent Police and other forces. Door-to-door enquiries were carried out, along with gathering CCTV and other footage. Ms James' smart watch also provided crucial evidence, as it showed her last movements, the route she took, her speed and her heart rate.

Callum Wheeler was arrested at his home, and the jack handle was found in his bedroom. His DNA was also found on Ms James' clothing.

Kent Police Chief Constable Alan Pughsley said:

‘Julia’s death has had a profound effect on her friends, family and colleagues here at Kent Police and she is greatly missed.

‘Callum Wheeler showed no remorse for his actions and put her family through an upsetting trial.

‘No one should ever feel unsafe or be subjected to violence, there is never an excuse, and we know that this tragic event was deeply unsettling for Julia’s local community too.’

Read more: [**Police Professional | Man jailed for life for killing PCSO Julia James as she walked her dog**](#)

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Reports

Investigation completed into how police forces respond to domestic abuse allegations against officers and staff

Following a super-complaint by the Centre for Women’s Justice (CWJ), a report has been published jointly by the College of Policing, Her Majesty’s Inspectorate of Constabulary and Fire & Rescue Services

(HMICFRS) and the IOPC. The investigation highlighted ‘systematic deficiencies’ in the way some police forces handled allegations of domestic abuse against their own staff.

The investigation produced several recommendations and actions. The problems highlighted included some forces not doing enough to take account of the specific needs of the victims where the suspect works for the police. Furthermore, the investigation found that misconduct investigations are not always being carried out when they should be.

Dave Tucker, Head of Crime and Criminal Justice at the College of Policing, said:

‘This is the most thorough review ever undertaken of how police respond to domestic abuse cases involving their own staff and during our investigation we heard harrowing stories from victims about the abuse they had experienced, and the further harm caused to them by a poor response from policing.

‘Our recommendations will significantly improve the police response to these allegations, so that victims of domestic abuse know they will be properly protected, receive a high standard of care and a good investigation – regardless of who the suspect is. I am encouraged to see many forces already taking steps to address the issues we found.

‘During the investigation we also found examples of dedicated and committed police officers working incredibly hard to get victims justice. To support them as best as possible the College of Policing will review and improve our guidance and training, so it considers the additional risks when a suspect is part of the police workforce.’

Read more: [**Police must improve how they respond to domestic abuse allegations against officers and staff**](#)

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Criminal justice news

NCSC issues guidance on long-term heightened cyber threat

Following the commencement of the Russia-Ukraine conflict, the National Cyber Security Centre (NCSC), part of GCHQ, has published guidance to organisations about how to avoid staff burnout, given the period of heightened cyber threat. It states that staff welfare is a direct contributor to maintaining an organisation's resilience.

The guidance is part of an ongoing package of support from the NCSC, which began in January. The support is to help organisations improve their cyber defences in response to the developing situation and ongoing conflict.

Some of the recommended actions include empowering cyber staff to make day-to-day decisions about the threat response, ensuring that workloads are spread evenly, and accelerating planned action to improve networks and defence.

Paul Maddinson, NCSC Director for National Resilience and Strategy, said:

'From the start of the conflict in Ukraine, we have been asking organisations to strengthen their cyber defences to help keep the UK secure, and many have done so.

'But it's now clear that we're in this for the long haul and it's vital that organisations support their staff through this demanding period of heightened cyber threat.

'We have produced new guidance to help organisations do this, and I would encourage them to follow our advice to help sustain their strengthened cyber posture.'

Read more: [**NCSC urges organisations to prepare for the long haul**](#)

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Deadly synthetic opioids

Ahead of buprenorphine and metonitazene being made illegal in the UK, the Advisory Council on the Misuse of Drugs (ACMD) are to advise on tightening controls.

Buprenorphine, also known as ‘purple heroin’ and similar to fentanyl, can cause life-threatening respiratory depression and arrest. It was detected in fake pain medication tablets, such as oxycodone, and blood samples of at least 60 fatal and non-fatal overdoses abroad involving users of multiple substances.

Reports have shown that the effects of metonitazene, another synthetic opioid, indicated potency of between 30 and 200 times that of morphine. It has been linked to at least 20 deaths in the US.

The substances are currently covered by the Psychoactive Substances Act 2016 and, while supply is unlawful, possession is not.

Read more: [**Government takes action against deadly synthetic opioids**](#)

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New measures to tackle child sexual abuse online

The government has proposed increased powers to tackle child sexual abuse will be introduced through an amendment to the Online Safety Bill, which will give Ofcom extra tools to ensure that technology companies take action to prevent, identify and remove harmful sexual abuse and exploitation content. MPs are expected to consider this proposal when they return to debating the Online Safety Bill this autumn.

The amendment will allow Ofcom to require tech companies, such as social media platforms, to develop or introduce new technologies to better detect and tackle harmful content on their platforms. If the companies fail to do so, Ofcom will be permitted to impose fines up to £18m or 10% of the company’s global annual turnover, whichever is higher.

Read more: [**New measures will go further in tackling child sexual abuse online than ever before**](#)

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Agreement signed with Nigeria to tackle migration issues

In a newly negotiated agreement, the UK and Nigeria will work together to tackle shared migration issues. The following people have been removed as part of the cooperation, who have a combined prison sentence of over 64 years:

- 13 people were sent to Nigeria
- 8 people were sent to Ghana

The memorandum of understanding follows the joint communiqué signed in February between the UK and Nigeria, which consolidated their security and defence relationship.

The new Nationality and Borders Act 2022 will also discourage illegal immigration to the country. It will disrupt the business model of people smuggling networks and speed up the removal of illegal immigrants.

Read more: [New deal with Nigeria to deter illegal migration](#)

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Parole hearings to be heard in public for the first time

Members of the public and the media can now ask for a parole hearing to be heard in public for the first time. This follows legal changes in force since 21 July, which aim to increase transparency and public confidence.

Anyone will be able to apply for public hearings, with the parole board making the final decision, based on the welfare and interest of victims and the 'interests of justice'. Victims in the south-west will also be able to attend parole hearings as an observer from autumn.

Read more: [Parole hearings to be heard in public for the first time](#)

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CPS vows to use new football banning orders

The Crown Prosecution Service (CPS) has confirmed that it will use new football banning orders against those convicted of online hate crime connected to the game, and will prevent them from attending matches. The orders enable the CPS to invite the court to impose harsher penalties for such individuals.

Football banning orders could previously only be made in relation to in-person offences. However, they can now be made for conduct that occurs online.

Douglas Mackay, of the CPS, said:

‘Football banning orders are one of the many tools available to the justice system for imposition on offenders who are convicted of crimes related to our national game.

‘This new CPS legal guidance gives prosecutors wider authority to request banning orders from the courts. It is another consequence for those guilty of shameful behaviour.

‘Over recent years and months hate crimes relating to sporting events have been on the rise. The recent internal UK Football Policing Unit mid-season report has shown a significant rise in football-related criminality compared to pre-pandemic levels.’

Read more: [**Football hate crime: CPS vows to use new banning orders**](#)

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Ministry of Justice to provide more funding for legal support

Since 2015, the Ministry of Justice has provided £21 million to organisations providing legal support for litigants in person, and now a further £4 million will be awarded to charities and organisations this financial year.

The focus of the support is to enable people to obtain assistance in dealing with their legal problems, and to try to resolve civil and family cases at an earlier stage. The funding can provide legal guidance and also support if people need to attend court.

The government also proposed that the means testing for legal aid will be amended to ensure that around two million people will have access to legal aid.

The Joint Chief Executive Officer of the Access to Justice Foundation, Clare Carter, said:

‘We’re delighted to be working with Ministry of Justice on the new Help Accessing Legal Support grant. The Access to Justice Foundation exists to support organisations helping people most in need address their social welfare legal issues.

‘This grant will help a wide range of legal support and advice organisations across England and Wales help people resolve their legal issues at the earliest opportunity.’

Read more: [Extra support for thousands navigating the legal system](#)

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Extension to the tenure of the Chair of the Law Commission

Sir Nicholas Green’s tenure as Chair of the Law Commission has been extended from 1 August 2022 until a date three months from the announcement of the appointment of his successor.

The Commission was created by the Law Commission Act 1965 to keep the law of England and Wales under review and to promote the reform of the law to make it clearer, updated and more accessible. Sir Nicholas, a former academic and previous Chairman of the Bar Council and the Advocacy Training Council, was appointed as chair for the Commission on 1 August 2018.

Read more: [Extension to the tenure of the Chair of the Law Commission](#)

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Curfews may be used to tackle parents failing to pay child maintenance

Curfews are being proposed as a new enforcement measure to deal with parents who fail to pay child maintenance

Current enforcement measures include passport and driving license confiscation, as well as deducting the maintenance from the parent's earnings. Curfews could be used as an alternative to the sanction of prison, which is costly and prevents maintenance from getting to children.

Curfews would be monitored by way of a tag, and failure to adhere to the curfew would enable the Child Maintenance Service to apply to the court for an extended curfew or the imposition of a prison sentence.

The Department for Work and Pensions (DWP) Lords Minister, Baroness Stedman-Scott, said:

'For children in low-income households, maintenance payments can make all the difference, lifting them out of poverty.

'We are not afraid to go after those parents who deliberately and repeatedly refuse to pay for their children.

'Curfew orders are another step towards providing the CMS with a full arsenal of powers to make sure children get the financial support they need to have the best start in life.'

Read more: [**Curfews proposed for parents who fail to pay child maintenance**](#)

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Reports

The Independent Inquiry into child sexual exploitation

Telford and Wrekin Council agreed to commission an independent inquiry into child sexual exploitation. It appointed the law firm Eversheds Sutherland (International) LLP as the commissioning body for the inquiry.

The purpose was to establish the facts of child sexual exploitation in Telford and Wrekin, to identify if – and where – public and other

services failed, to determine accountability for any failure, and to make recommendations for the future.

Read more: [**The Independent Inquiry into child sexual exploitation in Telford**](#)

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Report of the Independent Reviewer of Terrorism Legislation

This is the third annual report, which includes a review into terrorism prevention and investigation measures. Summary points include the following.

- Statistical monitoring of terrorism legislation is undermined by the increasing, yet understandable, reluctance of members of the public to self-define their ethnicity.
- More internet-based terrorist organisations were banned. Terrorism legislation is operating at its limits in the face of online dissemination of terrorist publications and encouragement of terrorism in closed groups.
- During 2020, the only category to see an increase in terrorism-related arrest was under 18s.
- Amendments to the Terrorism Act and associated Code of Practice are necessary to deal with accessing remote data at ports, and with the retention of mobile phone downloads.
- There needs to be greater attention to measuring risk reduction and neurological diversity in the use of special civil orders against suspected terrorists. The continuing denial of legal aid is unexplained and wrong in principle.
- Public perception should not affect the use of terrorism power. Steps must be taken to ensure greater consistency in terrorism sentencing.
- Scotland saw the first prosecution of an incel terrorist.

Read more: [**The Terrorism Acts in 2020 report of the Independent Reviewer of Terrorism Legislation**](#)

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Reforms to protect victims of downblousing

The Law Commission of England and Wales has proposed that there should be new laws to further protect victims of intimate image abuse, and to make it easier for people to be prosecuted for taking or sharing sexual, nude or other intimate images without their consent.

Furthermore, the proposed reforms would establish a clearer legal framework. They would broaden the definition of intentional taking or sharing of private images without consent, so that all instances would be criminalised, regardless of motive.

The Commission's recommendations would also update the law to cover more modern forms of abuse that are currently not offences.

Acts such as upskirting and voyeurism are currently criminalised, but this would also apply to the abusive act of downblousing, as well as the sharing of altered intimate images of people without their consent, including pornographic deepfakes and nudified images.

As well as extending and simplifying the law, the reforms would ensure that all victims of abuse receive lifetime anonymity. Widening these legal protections would help empower victims to report and support prosecutions.

Read more: [**Reforms to protect victims of intimate image abuse, criminalising “downblousing” and sharing pornographic deepfakes without consent**](#)

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Motoring offences

Twelve new and revised sentencing guidelines have been published by the Sentencing Council for offenders convicted of motoring offences in England and Wales and the Council is seeking views on new proposals before 29 September.

The list of guidelines under revision is as follows:

- causing death by dangerous driving
- causing death by careless driving when under the influence of drink or drugs
- causing death by careless driving
- causing death by driving whilst disqualified
- causing death by driving whilst unlicensed or uninsured
- dangerous driving

The list of new guidelines for consultation is as follows:

- causing serious injury by dangerous driving
- causing serious injury by driving whilst disqualified
- causing serious injury by careless driving (a new offence created by the Police, Crime, Sentencing and Courts Act 2022)
- causing injury by wanton or furious driving
- driving or attempting to drive with a specified drug above the specified limit
- being in charge of a motor vehicle with a specified drug above the specified limit

The Council seeks views on the draft guidelines from judges, magistrates and other stakeholders. The consultation started on 7 July 2022 and will close on 29 September 2022.

Read more: [**Motoring offences: proposed sentencing guidelines published – Sentencing**](#)

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About the College

We're the professional body for the police service in England and Wales.

Working together with everyone in policing, we share the skills and knowledge officers and staff need to prevent crime and keep people safe.

We set the standards in policing to build and preserve public trust and we help those in policing develop the expertise needed to meet the demands of today and prepare for the challenges of the future.

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