

# Road Traffic Defence

## Facing charges for committing a driving offence?



Road Traffic Defence

Facing charges for committing a driving offence, such as dangerous driving or driving without insurance is serious and comes with a number of different penalties and fines.

To ensure that we offer our clients the best possible service and given our knowledge in this area we have put together some key information to best advise you on how to proceed should any of the issues arise below.

### Notice of Intended Prosecution (NIP)

If you have received a Notice of Intended Prosecution; (NIP). Have you responded?

- If yes – Have you received a summons?
- If no – Have 28 days elapsed since the NIP was received? (If so contact us on the number provided below as soon as possible)

If you have responded to the NIP within the pre-stated deadline and you have received a formal court summons contact us on the number provided as soon as possible. If you have responded to the NIP but have not received a formal court summons we would still recommend that you contact us to clarify the situation.

### Speeding offence / Stopped at the roadside

If you have been stopped by the police at the roadside for a speeding or other road traffic related offence were you given a verbal notice or intent to prosecute? For example:

"I warn you that I intend to report you for the offence of speeding/driving whilst using a mobile phone etc"

- If yes, (you did receive a verbal warning) have you received a court summons? If yes, contact us on the number provided as soon as possible.
- In no, (you did not receive a verbal warning) but you have still received a court summons. Contact us on the number provided as soon as possible.

For both options listed, have six months elapsed since the date of the offence?

- If yes, the time period for bringing a prosecution has elapsed and any potential prosecution is statute barred.

- If no, you should keep us updated on the situation and if a summons is received you should contact us as soon as possible.

**Important point:** Bear in mind that a summons for a road traffic offence can be received up to six months from the date of the commission of the offence.

### Summons received straight away (no Notice of Intended Prosecution)

In the event that you receive a formal court summons straight away, were you aware of impending prosecution? (Did you receive a NIP or were you stopped at the roadside and given a verbal notice of intent to prosecute?)

- If yes, contact us as soon as possible.
- If you were not aware of impending prosecution (No NIP or verbal warning) it is possibly attributable to administrative or postage issues. You should note the date on which you have to attend court and contact us as soon as possible.

### Arrest/Interview

In the event that you were arrested and/or interviewed have you been charged and/or summoned?

- If yes, what is the date on which you must attend court? Note this and contact us as soon as possible.
- If no, have you received a "No Further Action Notice" (NFA). If so, the matter has ceased and there will be no further action.

**Important point:** For more serious offences (for example causing death by dangerous driving, manslaughter by driving of a motor vehicle, causing death by careless driving when under the influence of drink or drugs etc) where you have been arrested and/or released on bail it is imperative that you contact us to arrange a consultation and advice with one of our specialist solicitors as soon as possible.

To make an enquiry without any obligation call us on **Freephone 0800 884 0164** or email us at **UCULawExtra@slatergordon.co.uk**.

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