



## **Introduction**

The SRA Transparency rules ('The rules') require that we provide clear information in relation to our legal fees as to summary only motoring offences under Part 1 of the Road Traffic Act 1988 and Section 89 of the Road Traffic Regulation Act 1984. The rules relate to matters which are dealt with at a single hearing; should the matter proceed to trial or not be dealt with at one hearing, your instructed solicitor will provide you with information as to the likely overall cost of your matter, both at the time of engagement and as the matter progresses.

## **The team**

Your case will be dealt with by one of our Partners or Associates in the Serious and General Crime team. Further details of the experience and qualifications of these practitioners can be found on their profile pages to which their names are linked:

### **Mark Haslam**

Mark is well known as an eminent authority in relation to road traffic cases; he has a wealth of experience in representing clients in relation to driving with excess alcohol, driving under the influence of drugs, driving without due care and attention, speeding (including penalty point disqualifications), exceptional hardship arguments and Section 172 Notices. He has represented many well-known public figures from the fields of sport, politics and the arts, particularly acting for a number of current and former professional footballers and rugby players. Mark has 37 years' PQE.

### **Paul Morris**

Paul is a criminal litigator and advocate and has extensive experience in advising and preparing road traffic matters. At Magistrates' Court level, he advises on a range of matters from drink/drug driving, careless driving, 'totting-up' and has successfully defended matters where special reasons or exceptional hardship have arisen. Paul has worked with some of the most prominent experts in road traffic law, from collision, BAC calculation and toxicological issues. Losing a driving licence can have an enormous impact on an individual's personal and business life and Paul's empathetic and analytical approach to road traffic matters is exceptional. Paul has 21 years' PQE.

### **Rachel Hubbard**

Rachel has successfully represented clients in respect of a wide range of motoring matters both as contested trials and as guilty pleas; many of those matters include clients charged with offences of driving whilst under the influence of drink or drugs, speeding offences, "totting up", careless driving and driving whilst disqualified. Rachel's expertise has included strategic advice at the point of arrest to advising at the interview under caution through to representing clients in court to the conclusion of the case. Rachel has 29 years' PQE.

### **Daniel Jackson**

Daniel advises clients facing investigation and/or prosecution for road traffic offences in the Magistrates' courts. He has expertise in all kinds of motoring matters, including speeding, driving without due care and attention (careless driving), section 172 notices and drink/drug driving. Daniel predominantly focused on

defending motor prosecutions during part of his legal career (2014-2016), so he possesses significant knowledge in this specialist area of criminal law. In the careless driving cases where Daniel represented the driver, he dealt with collisions concerning pedestrians, cyclists, motorcyclists and other motor vehicles, which often involved third parties suffering serious and life changing injuries. Daniel is experienced when it comes to identifying and instructing experts in motoring offences, such as road traffic collision investigators and forensic toxicologists. Daniel has 9 years' PQE.

## David Hardstaff

David is experienced in representing clients in relation to road traffic offences. His experience, which includes representation at both the investigative and post-charge stages, covers a wide range of offences from minor speeding infractions, to driving while under the influence of drugs/alcohol and driving without due care and attention. Through his thorough case preparation, he has avoided disqualification for a number of clients by successfully advancing exceptional hardship. An experienced advocate, he is particularly skilled in mitigating on behalf of clients facing potentially lengthy periods of disqualification. David has 4 years' PQE.

## Summary only motoring offences

Summary only cases are those which can only be heard in the Magistrates' Court. Offences under the above legislation include the following:

- **Notice of Intended Prosecution**
- **Speeding:** *Road Traffic Regulation Act 1984, s.89 (10)*
- **Excess alcohol (drive/attempt to drive):** *Road Traffic Act 1988, s.5 (1) (a)*
- **Careless driving (drive without due care and attention):** *Road Traffic Act 1988, s.3*
- **No insurance:** *Road Traffic Act 1988, s.143*
- **"Totting up" and exceptional hardship**
- **The use, whilst driving, of a hand-held mobile phone or other device:** *The Road Vehicles (Construction and Use) (Amendment) (No 4) Regulations 2003*
- **Fail to provide specimen for analysis (in charge):** *Road Traffic Act 1988, s.7(6) Road Traffic Act 1988, s.7(6)*
- **Fail to stop/report road accident:** *Road Traffic Act 1988, s.170 (4)*
- **Unfit through drink or drugs (drive/attempt to drive):** *Road Traffic Act 1988, s.4(1)*
- **Unfit through drink or drugs (in charge):** *Road Traffic Act 1988, s.4(2)*
- **Special reasons**
- **Drive whilst disqualified:** *Road Traffic Act 1988, s.103*

## Fees

The cost of advice and representation in relation to such matters will range between £1250 plus VAT to £2500 plus VAT depending on the location of the Court and the proximity to the hearing date.

The fees would include:

- Considering the evidence
- Providing advice in relation to plea and likely sentence and advising in relation to mitigation
- Advice on the options available to the court in relation to sentencing
- Advice on whether an exceptional hardship, or special reasons argument should be made
- Representation at a single hearing at the Magistrates' Court

Please note that the fees would not include:

- Taking statements from, and examination of witnesses
- Advice on an appeal
- Advice as to sourcing or instructing expert witnesses