

You have been to Court and your case has been adjourned for Probation Reports.



The Court has adjourned your case, usually for 3 weeks, for a full 'Pre-Sentence Report (PSR)'. The Probation Officer will speak to you in confidence and produce a report (usually 2/3 sides of A4), giving a representation of who you are, your background, attitude to the offence, your drinking behaviour and other key issues which the court needs to know in order to sentence you, but do not wish to make public in open court.

A ban is inevitable for 'driving or attempting to drive' (though discretionary for being 'in charge') and the minimum is 12 months, even if it is a first offence on a clean licence, so whilst you may wish to express the difficulties this will cause, no amount of pleading will prevent it happening, though you may be able to influence for how long you are banned if it is to be more than 12 months.

If your reading was more than 2½ times the limit (88 in breath, 200 in blood or 268 in urine) or you refused to give a specimen or it is your second offence in ten years, then you are classed a 'High Risk Offender' and will require a medical before you can drive again.

If your reading was very high (3 times the limit or higher), it is your second offence in a short time (2/3 years), or your third drink-drive offence, or there are other offences in addition to drinking and driving, the Court may feel that they need to consider a more severe penalty i.e. a Community Punishment Order (CPO) or (rarely) custody.

Prison comes into view at 4 times the limit, but won't happen without a Pre-Sentence Report. You could be banned in the **interim** and if you are this will be allowed against any subsequent disqualification (up to a maximum of 6 months).

Breathalyser reading			Ban	Maximum Reduction	Fine - £		
Breath	Blood	Urine	(months)	(months)	low income	average income	high income
35-55	80-125	107-170	12m	3m	£180	£450	£1080
56-70	126-160	171-214	16m	4m	£240	£600	£1440
71-85	161-195	215-260	20m	5m	£300	£750	£1800
86-100	196-229	261-308	24m	6m	Consider Community Penalty (Community Service and/or Probation)		
101-115	230-264	309-354	28m	7m			
116-130	265-300	355-400	32m	8m	Consider Custody		
131+	301+	401+	36m	9m			

The fine will be influenced by your financial situation, which will be covered in the PSR. Make sure you tell the Probation Officer if this situation will be affected by losing your job with your licence.

When you return to Court, the Magistrates will read the Reports and deliberate on your sentence. They may retire to do so or discuss your case briefly amongst themselves where they sit. They will then ask you to stand (or remain standing when they return from the retiring room) and will pass sentence - you may not drive from that point. If they retire and are out for a considerable time, don't panic, they are probably just having coffee!

After they have decided on your sentence, you may then be asked if you would like to be considered for the Dept for Transport's **Drink Driver Rehabilitation Scheme** if the Probation Officer does not mention it. You have to agree to a Referral Order being made

now; at the time of sentence, you can't come back next week and say 'yes'. If you are not sure, say YES anyway, nothing nasty will happen if you never do a course.

You will also have to say which approved course organiser you wish to do your course with (in some Courts there are up to 4 to choose from). We are dde (**drink driver education**), a not-for-profit road safety organisation, limited by guarantee. We have been running Dept for Transport courses since 1998 and run courses throughout the Thames Valley, Surrey, Nth Hants and Middx. All venues are very near the station and easy to find.

It is very unusual to be ordered to re-take your test. Even if you come under the Road Traffic (New Drivers) Act you will **not** need to retake your test **unless specifically ordered** to do so at the time of sentence (the recent Road Safety Act requires drivers convicted of 24 months or more to be retested but it has not been implemented yet).

Test Pass Certificate - this must be exchanged for a full licence **within two years** of passing your test, otherwise you have to start the whole process again: provisional - theory - practical. So if your ban takes you over the 2 years send in your application (form D1 from the Post Office) early.

You will be asked how you intend to pay any fine (£200-£600) plus costs (£35-£70). By cheque or 'card' within 7 days is the norm, though you can ask for time to pay: if you suggest a reasonable monthly amount it is likely to be accepted. If you run into problems paying the fine contact the fines office quickly - they will be much more amenable if they don't have to chase you.

When we receive a copy of the Referral Order from Court we will contact you with information about courses.

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