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| Ministry of Justice | February 2017 |

**Freedom of Information Act (FOIA) Request –** 109718

You asked for the following information from the Ministry of Justice (MoJ):

**Please could I request the following information:**

1. **Number of offenders found guilty and sentenced at all courts in Wales, with breakdown of immediate custodial sentence lengths, for causing death by dangerous driving, from 2006 to 2016.**
2. **Number of offenders found guilty and sentenced at all courts in Wales, with breakdown of immediate custodial sentence lengths, for causing death by careless driving, from 2006 to 2016.**
3. **Number of convictions in Wales with breakdown of age groups, for causing death by dangerous driving from 2006 to date.**
4. **Number of convictions in Wales with breakdown of age groups, for causing death by careless driving from 2006 to date.**
5. **Of these from the offenders found guilty in Wales, the number that received a custodial sentence.  Date between January 2006 to most recent date with breakdown of 17 – 25 year old.**
6. **Number of sentences in Wales awarded for the maximum of 14 years.   Date between 2006 to most recent date, with breakdown of 17 – 25 year old age group.**
7. **Number of sentences in Wales awarded for between 7 years and 14 years. Date between 2006 to most recent date, with breakdown of 17 – 25 year old age group.**
8. **Number of sentences in Wales awarded for between 3 years and 6 years 11 months. Date between 2006 to most recent date, with breakdown of 17 – 25 year old age group.**
9. **Number of sentences in Wales awarded for less than 3 years. Date between January 2006 to most recent date, with breakdown of 17 – 25 year old age group.**
10. **Average custodial sentence awarded in Wales to offenders found guilty. Date between January 2006 to most recent date, with breakdown of 17 – 25 year old age groups.**
11. **Number offenders sentenced at all courts in Wales, disqualified from driving with a breakdown of period of disqualification.    Date between January 2006 to most recent date, with breakdown of 17 – 25 year old.**
12. **Number of offenders disqualified from with a driving test requirement imposed, with a breakdown of period of disqualification. Date between January 2006 to most recent date, with breakdown of 17 – 25 year old.**

Your request has been handled under the FOIA, and question 12 has been interpreted to apply to Wales alone, in line with the other parts of the request.

I can confirm that the MoJ holds all of the information that you have requested, as detailed below.

* Table 1 provides the number of offenders found guilty and sentenced (with custodial sentence lengths) for causing death by dangerous driving, in Wales, from 2006 to 2015 (latest available).
* Table 2 provides the number of offenders found guilty and sentenced (with custodial sentence lengths) for causing death by careless driving while under the influence of drink and drugs, in Wales, from 2006 to 2015 (latest available)
* Table 3 provides the number of offenders found guilty and sentenced (with custodial sentence lengths) for causing death by careless or inconsiderate driving, in Wales, from 2008 to 2015 (latest available). Please note this offence only came into effect on 18 August 2008.
* Table 4 provides the number of offenders directly disqualified from driving and offenders with their driving licence endorsed without direct disqualification at all courts for causing death by dangerous driving, by age group, period of disqualification and driving test requirement, in Wales, 2006 to 2015 (latest available)
* Table 5 provides the number of offenders directly disqualified from driving and offenders with their driving licence endorsed without direct disqualification at all courts for causing death by careless driving while under the influence of drink and drugs, by age group, period of disqualification and driving test requirement, in Wales, 2006 to 2015 (latest available).
* Table 6 provides the number of offenders directly disqualified from driving and offenders with their driving licence endorsed without direct disqualification at all courts for causing death by careless or inconsiderate driving, by age group, period of disqualification and driving test requirement, Wales, 2008 to 2015 (latest available). As detailed above, please note the offence only came into effect on 18 August 2008

Please note that that an average custodial sentence length derived from fewer than five cases cannot be considered reliable because of the small number of cases used for estimation.

Information for calendar year 2016 is exempt from disclosure under section 44(1)(a) of the FOIA, which refers to prohibitions on disclosure ‘by or under any enactment’ of the FOIA. In this case, the information you are seeking is prohibited by the Statistics and Registration Services (SRS) Act 2007 and the Pre-release Access to Official Statistics Order 2008.

The information you have requested is a subset of the Criminal Justice Statistics data held in its final form which we routinely publish. It is intended for publication in May 2017. As such we are required to consider your request in a manner compliant with the Pre-release Access to Official Statistics Order 2008 further to sections 11 and 13 of the (SRS Act 2007).

The MoJ is obliged under section 13 of the SRS Act to continue to comply with the Code of Practice for Official Statistics (the Code) for statistics designated as National Statistics. Section 11(3) of the SRS Act regards the Pre-Release Access to Official Statistics Order as being included in the Code. Protocol 2 of the Code reflects the requirements of the Pre-Release Access to Statistics Order. Specifically, it requires producers of official statistics to ensure that no indication of the substance of a statistical report is made public, or given to the media or any other party not recorded as eligible for access prior to publication. I can confirm that the MoJ does publish information on convictions and sentencing outcomes for motoring offences, for 2016, as part of National Statistics. Therefore, to now disclose as part of your FOI request, will violate the provisions of section 13 of the SRS Act and the Pre-Release Access Order to Official Statistics 2008 and as such engages the exemption under section 44(1)(a) of the FOIA.

Section 44 is an absolute exemption and does not require a public interest test.

The information for 2016 is also exempt from disclosure under section 22(1) of the FOIA, because it is intended for future publication. Please note that whilst quarterly court proceedings and convictions headline data are published and are currently available up to end June 2016, these data are subject to revision as later quarters are published, and are finalised only when the annual publication is made publicly available. To ensure consistency of data released to users, further breakdowns (in this case by specific offences under certain legislation) of 2016 quarters 1 & 2 (January to June) data are not available until the annual criminal statistics publication is published in May 2017.