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| Ministry of Justice | July 2017 |

**Freedom of Information Act (FOIA) Request –** 112553

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

**Thank you for your reply. Please accept my apologies for the delay in returning this e mail, I have been otherwise engaged.**

**I appreciate all the work involved in this and understand it is being treated as an FOI request. Please do not worry about FOI timescales in any way. I am happy to receive data as and when you have it available. I am also happy to do any research myself if figures are readily accessible from anywhere, to save overloading you.**

**To answer your questions**

***“So that I provide you with the right information, please can you explain what sort of percentage you wish us to supply.  For example, does the percentage refer to the conviction ratio (which is the percentage of those found guilty of those proceeded against in a given year), or an alternative measure? On receipt of this information I will continue to process your request”***

**Sorry – the % relates to any increase or decrease in % terms e.g. 10 people convicted in 2010 – followed by 15 convicted 2011 equates to 50% increase… Please do not worry about doing this if it causes an issue as I will happily do the maths on this if it saves you time. IF you do have the % for those convicted against charged then fantastic. But I understand this may make the enquiry too in-depth, and if it does please do not worry**

***Also, while writing to you, please be informed that we cannot identify on a separated out basis those who caused death by driving while uninsured and unlicensed; these particular statistics are only available joined together.***

**Understood. Please don’t worry about that.**

**Once again thank you for your help. If there are any additional sources where I can do this to reduce your burden I will happily take this on, but I can’t find any.**

**If I can be of any help please don’t hesitate to contact me.**

Which was a clarification of the below request

**God morning. I wonder if you could assist me please.**

**I am working on a long term project aimed at reducing the number of persons killed / injured in collisions with uninsured / untraced drivers.**

**I am seeking access to summons / charge & conviction statistics for the following offences please. Stats to include numerical and percentage if possible**

1. **Causing death while uninsured / unlicensed or disqualified Contrary to Section 3 ZB RTA 1988.**

**Is there any way to break down the statistics to show separately those deaths caused**

**Uninsured then**

**Unlicensed then**

**Disqualified.**

1. **Drivers convicted of uninsured driving.**
2. **Drivers convicted of failing to stop  at the scene of a collision**
3. **Drivers convicted of failing to report a collision.**

**I am seeking the above data if possible for the period 2005 – todays date. If this is not possible, then the largest date range possible closest to these parameters.**

**I am also seeking the conviction rate for the same period of drivers convicted of using a vehicle with no valid Vehicle Excise Licence ( tax disc ) and then those registered keepers convicted of Keeping a vehicle without insurance contrary to section 144 RTA ( Continuous insurance enforcement )**

**I have already tried to find the above data by research but have been unable to find it. If this data is already freely available could you please assist me in telling me where by identifying the relevant hyperlinks etc. If it is easily available I will happily conduct the research myself to reduce any burden,**

**If you need to discuss the matter at all please do not hesitate to contact me.**

Your request has been handled under the FOIA, and has been interpreted as a request for prosecutions, convictions and conviction ratio (we talk in terms of ratio rather than rate as cases may commence in one year and conclude in a following year) for these offences.

I can confirm that the MoJ holds some of the information that you have requested, and some of it is provided in the attached annex.

Information for calendar year 2017 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 on 17 May 2018. 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 court proceedings for motoring offences for 2017, 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 2017 is also exempt from disclosure under section 22(1) of the FOIA, because it is intended for future publication. The annual criminal statistics publication is planned for publication on 17 May 2018.