

New Offences

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New Offences

This covers three new offences:

- Causing serious injury by careless, or inconsiderate, driving
- Non-fatal strangulation or suffocation
- Breastfeeding voyeurism

Further offences are summarised briefly at the end. The majority of these offences are brought in by the Police, Crime, Sentencing and Courts Act 2022 (PCSCA).

[Causing serious injury by careless, or inconsiderate, driving – s.87 PCSCA](#)

- Section 87 of the PCSCA inserts provisions for a new offence: “section 2C: Causing serious injury by careless or inconsiderate, driving” into the Road Traffic Act 1988.
- Section 87(3) of the PCSCA amends Part 1 Schedule 2 to the Road Traffic Offenders Act 1988. The sentencing powers are as follows:
 - **Summarily:** 12 months, or a fine, or both. Obligatory endorsement and obligatory disqualification, 3-11 points.
 - **On indictment:** 2 years, or a fine, or both. Obligatory endorsement and obligatory disqualification, 3-11 points.
- There are **draft** [sentencing guidelines](#) available.

[Non-fatal strangulation or suffocation – s.70 of the Domestic Abuse Act 2021](#)

- This offence is created by section 70 of the Domestic Abuse Act 2021, which inserts section 75A ‘Strangulation or suffocation’ into the Serious Crime Act 2015. The sentencing powers are:

- **Summarily:** 12 months (or 6 months, if the offence was committed before the coming into force of paragraph 24(2) of Schedule 22 to the Sentencing Act 2020), or a fine, or both.
 - **On indictment:** imprisonment for a term not exceeding 5 years or to a fine, or both.
- The CPS have issued [guidance](#) to prosecutors.

Breastfeeding voyeurism – s.48 PCSCA

- This offence was created by section 48 of the PCSCA, which amends section 67A of the Sexual Offences Act 2003 (voyeurism: additional offences). The sentencing powers are:
 - **Summarily:** 12 months, or a fine, or both.
 - **On indictment:** imprisonment for a term not exceeding 2 years.
- The Law Commission Report – [Taking, making and sharing intimate images without consent](#) – 7 July 2022.

Further offences created by the PCSCA

- [Section 63: Trespass with intent to search for or pursue hares](#)
 - **Summary only:** maximum sentence 51 weeks' imprisonment, a fine, or both
- [Section 64: Being equipped for searching for or pursuing hares with dogs](#)
 - **Summary only:** maximum sentence 51 weeks' imprisonment, a fine, or both
- [Section 78: Intentionally or recklessly causing public nuisance](#)
 - **Either way,** on summary conviction maximum sentence 12 months' imprisonment, a fine, or both. On conviction on indictment, 10 years' imprisonment, a fine, or both

- [Section 83: Offence relating to residing on land without consent in or with a vehicle](#)
 - **Summary only**, maximum sentence 3 months' imprisonment, a fine, or both
- [Section 199: Offence of recording or transmission in relation to remote proceedings](#)
 - **Summary only**: maximum sentence is a fine.

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