

# DWF Criminal Defence Team

## Motor Defence

DWF's specialist service, comprising a large national team of criminal defence and road traffic lawyers providing a seamless service to DWF's insurer and private clients.

### Bespoke Sector Expertise

Established more than 20 years, the team represents motorists facing investigations / criminal prosecutions for the complete range of road traffic and related regulatory offences with particular unparalleled expertise in handling fatal / more serious and high profile matters e.g.:

- Causing Death by Dangerous Driving;
- Causing Death by Careless Driving;
- Causing Serious Injury by Dangerous Driving;
- Dangerous / Wanton and Furious Driving;
- Careless Driving; and
- Regulatory Offences, Speeding, Drink/Drug motoring offences, Totting Up, DVLA revocation appeals, etc.

### Our Team

- Receives instructions from **across England and Wales** and abroad, including conducting hearings in the Crown Court and on appeal up to Court of Appeal or Supreme Court;
- Is **strategically located** across DWF's network of offices to enable a rapid response on site and in a cost efficient manner;
- Will invariably represent the client from the very **commencement of the investigation** protecting the position during the immediate aftermath and attendances / interviews by various investigatory bodies, which are often **determinative** of the nature of what follows, through to defending **criminal proceedings** in court and representation at an **Inquest**;
- Our early engagement regularly assists in reducing the significant custodial sentences and minimising financial penalties by **early identification** of the issues and appropriate **defence tactics**;
- Routinely assists clients in **Police, RAIB, Coronial and all wider investigations** in the event of serious injury or death, with particular expertise also in train related incidents or multiple vehicle motorway incidents;
- Regularly **represents professional drivers**, for whom the ability to drive is essential, including when facing less serious allegations but loss of licence is a real risk, for example due to penalty points totting up;

- Has a proven **success rate**, receiving instructions from leading insurance companies and their insured agricultural businesses in the UK for many years;
- Has a breadth of expertise and technical experience combined with the often crucial softer skills required in handling such situations.

### Key Benefits for clients

- A team of **specialist lawyers** with extensive knowledge and experience across the criminal, civil, regulatory and Coronial fields;
- Nationwide coverage and a specific **dedicated case handler** and point of informed contact assigned in each case from commencement to completion;
- Significant defence **cost savings** routinely achieved for our insurer clients;
- **Realistic advice** at the outset, avoiding unnecessarily protracted criminal and civil proceedings;
- The team comprises several **highly experienced Accredited Police Station Representatives and advocates** before the Magistrates and Coroners' Courts;
- The team's many years' experience has forged **excellent relationships** with service providers, including Counsel, collision reconstruction and engineering experts, and thus **preferential** services and rates are often available, with the support reinforced via our selected partners in media contact and trauma support.

### Legal Response Helpline

- We offer a 24-hour telephone helpline and response service via which our clients can contact a specialist lawyer for advice or assistance in a crisis, staffed 365 days a year.
- All clients are provided with a dedicated hotline number, which is the number to call for immediate attendance and representation e.g. at police stations.
- The service also provides up to 1 hour of free legal telephone advice.

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## What Clients Say

**“** I would like to thank you and your team for all the help and support you have given us over the past few months. It was a very traumatic time for us; [however] your professionalism and expertise helped us to get through it. We cannot express how grateful we are to you.”

**Defendant Insured**

**“** The acquittal of [the Insured] was the gateway to this most satisfactory outcome and your very considerable efforts in co-ordinating the criminal defence... and your contribution at our conference was really appreciated and allowed [the DWF Civil Team] and I to negotiate this outcome.”

**Insurer; Senior Claims Handler**

**“** There have been a number of times in my career when I had the pleasure of working on a case with a thoroughly good team but cannot remember any that matched you. All of you have the mixture of hard work, thoroughness, compassion and balanced judgment that is needed in the difficult job you do”

**Recently appointed Circuit Judge / senior member of the Bar**

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## Examples of our work

- Representing an HGV driver charged with Causing Death by Dangerous Driving following his failure to react to stationary traffic on a motorway. Successfully defended the driver identifying evidence that the driver had suffered a serious of "microsleeps" as a result of an undiagnosed sleep apnoea condition. The Prosecution offered no evidence and the case attracted much media attention and calls for change to the way in which HGV driver medical examinations are conducted.
- Representing a driver charged with two counts of Causing Death by Dangerous Driving following his causing fatal injuries to two pedestrians. The driver had no memory due to suffering a head injury. There were no eye witness accounts. The Prosecution alleged that the driver had lost control due to speed.

## Key Contacts



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- DWF's Criminal Defence Team obtained key expert evidence which indicated that the manner in which control had been lost had to have been in reaction to an emergency situation and after a Trial the Defendant was acquitted.
- Representing an HGV driver charged with Wanton and Furious Driving following his colliding with an employee at a warehouse to which he was delivering. The driver accessed the premises in contravention of a one-way system. The Police led the enquiry which resulted in a prosecution for this offence because the incident had occurred on private land. The driver was acquitted and retained his licence following our successful submissions.

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## Early intervention

Early intervention is the key and the team understands the importance of accessing information and evidence at the outset so that an accurate assessment (as to criminal and civil liability and quantum aspects) can be made early on in the proceedings.

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## Added value service

- **Connected Services** is a division of DWF containing a range of businesses that complement our legal business, as well as delivering stand-alone services and products.
- DWF's new, innovative Connected Services businesses can provide modern creative solutions and high-level support for our clients, e.g **EvoNotify**.
- **DWF Forensic**: experienced, qualified forensic investigators deliver a multi-disciplinary service, which manages risks from a number of sources, both external and internal, including arising from regulatory anxiety.
- **DWF's Intel** team comprises intelligence analysts and has developed its own, unique, intelligence database, d:cypher, containing millions of records.
- **DWF Advocacy** assists the Criminal Defence Team in attending court hearings across the country, with a broad geographical spread of advocates enabling an efficient allocation of resources.

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## Technology and Telematics

DWF has its own cost-effective in-house telematics (and data recording/CCTV systems analysis) and accident reconstruction experts to assist the team as and when necessary.