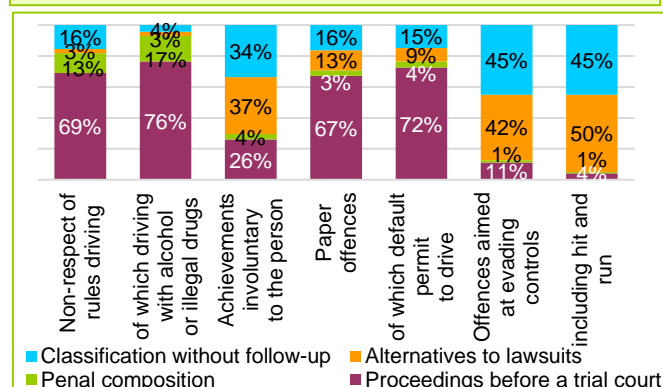


Convictions

4 out of 10 convictions handed down by the courts in 2019 and 2020 relate to road safety offences. 411,317 perpetrators of road safety offences were referred by public prosecutors in 2019 (364,656 in 2020).

The orientations of the perpetrators to the prosecution in 2020 of the main families or offences



Source: Ministry of Justice/SG/SEM/SDSE – Cassiopée statistical file. Scope: France mainland and DOM Convictions according to the main offence

Convictions as per the primary offence

	2019	2020
All road safety offences	351 253	292 119
Violation of rules of conduct	176 169	144 893
Driving while intoxicated	116 031	87 943
including recidivism of driving under the influence of alcohol	18 939	12 485
including driving while intoxicated and under the influence of narcotics	7 429	6 412
Driving while using illegal drugs	56 304	53 013
Great overspeeding	3 834	3 937
Unintentional personal injury	9 234	7 052
Injuries per driver without aggravating circumstance	3 601	2 611
Injuries per driver with aggravating circumstances or recurrence	4 826	3 784
including BI with ITT <= 3 months in an alcoholic state or under the influence of narcotics	1 809	1 416
of which BI with ITT > 3 months in an alcoholic state or under the influence of narcotics	179	127
Manslaughter by driver without aggravating circumstance	400	336
Manslaughter by driver with aggravating circumstance	407	321
including manslaughter in an alcoholic state or under the influence of illegal drugs	127	109
"Paper" offences	133 062	111 846
Driving a vehicle without a license	49 739	40 457
Driving while suspended	35 626	32 413
Lack of insurance	45 564	37 249
Faulty plates or false plates	2 133	1 727
Offences aimed at escaping control	28 883	25 014
Hit and run	5 989	5 006
Refusal to comply	17 239	15 237
Refusal of verification of alcoholic status	5 645	4 763
Use of police instrument disruptive devices	10	8
Other road traffic offences	3 905	3 314
All types of offences (violations + offences)	965 324	798 492

Source: Ministry of Justice/SG/SEM/SDSE – national criminal records statistical file. Scope: Mainland France and DOM

The Cassiopée statistical database, derived from extracts from the criminal proceedings management application of the Ministry of Justice, provides statistics on the orientations of the prosecu-

This summary is based on semi-definitive 2019 data (mainly used below) and provisional 2020 data provided by the Ministry of Justice.

Overview of Road Safety Litigation

At the beginning of the 2000s, simplified procedures were created to speed up the judicial processing of offences: the penal composition and the penal order¹. Thus, of the 261,000 proceedings in 2019, 107,600 were court judgments, 121,700 penal orders and 31,700 penal compositions.

For offences related to **violation of driving rules**, the penal response very little takes the form of alternatives to prosecution. For example, driving under the influence of alcohol (107,000 convictions in 2019) is penalised at 18 % by penal composition, 46 % by penal order, and 36 % by judgment in court hearing.

"Paper" offences (driving a vehicle without a license, driving despite license suspension, lack of insurance and lack of plates or false registration plates) often give rise to a prosecution, in particular for defects in permits, where nearly seven out of ten perpetrators are prosecuted. 27 % of convictions result in prison sentences, for an average amount of firm imprisonment of 4.0 months in 2019.

69 % of **involuntary injury** harm and 50 % of offences aimed at escaping control (hit and run, refusal to comply, refusal to verify alcoholic status as well as the use of devices that interfere with police) are sanctioned by court judgments in 2019.

Multiple offences or recidivism

In the event of multiple offences, including **alcohol**, a prison sentence is imposed in 63 % of cases (compared to 19 % for a single offence). In 83 % of recidivism situations, there is a prison sentence.

6 **"paper"** offences out of 10 are associated with other offences, noted during a check.

Offences aimed at **escaping control** are often associated with other traffic offences. The sentences handed down are more severe: in 43 % of cases, imprisonment is handed down.

In the event of **involuntary manslaughter** (805 convictions in 2019), imprisonment, with or without a fixed term, is pronounced in 96 % of cases.

¹Criminal composition, an alternative to "reinforced" prosecution and which allows the public prosecutor to propose, under the control of a judge, to the perpetrator who acknowledges the facts, to carry out one or more measures listed in article 41-2 of the Code of Criminal Procedure in exchange for the termination of the public action.

The penal order, a procedure without an authorized hearing for certain offenses and contraventions listed in article 295 of the Code of Criminal Procedure

Characteristics of persons convicted for "paper" offences in 2019

	Driving vehicle without license		Driving while suspended		Lack of insurance	
	Number	%	Number	%	Number	%
Total	31 473	100	28 156	100	15 305	100
By gender						
Men	28 517	90,6	26 066	92,6	13 259	86,6
Women	2 956	9,4	2 090	7,4	2 046	13,4
By age						
less than 18	896	2,8	-	-	66	0,4
from 18 to 19	4 021	12,8	503	1,8	923	6,0
from 20 to 24	7 352	23,4	5 188	18,4	3 239	21,2
from 25 to 29	5 385	17,1	5 225	18,6	2 992	19,5
from 31 to 39	7 351	23,4	8 119	28,8	4 152	27,1
from 40 to 59	5 737	18,2	7 768	27,6	3 547	23,2
60 and over	731	2,3	1 353	4,8	386	2,5

Source: Ministry of Justice/SG/SEM/SDSE – national criminal records statistical file. Scope: France mainland and DOM.

Characteristics of convicts for driving under the influence of alcohol or illegal drugs in 2019

	Driving under the influence of alcohol	Driving under the influence of illegal drugs
Total	107 428	50 971
<i>in %</i>	<i>100</i>	<i>100</i>
By gender		
Men	87,9	93,1
Women	12,1	6,9
By age		
less than 18 y.o.	0,1	0,7
from 18 to 19 y.o.	2,5	9,6
from 20 to 24 y.o.	13,6	28,8
from 25 to 29 y.o.	14,1	21,4
from 30 to 39 y.o.	26,0	28,7
from 40 to 59 y.o.	36,1	10,6
60 y.o. and over	7,6	0,2

Source: Ministry of Justice/SG/SEM/SDSE – national criminal records statistical file. Scope: France mainland and DOM.

Characteristics of convicts for involuntary harm to the person

	Unintentional injuries per driver...		Manslaughter by driver...	
	without agg. circ.	with agg. circ. o recidivis	with agg. circ.	without agg. circ. or
Total	3 242	4 383	401	404
<i>in %</i>	<i>100</i>	<i>100</i>	<i>100</i>	<i>100</i>
By gender				
Men	71,3	87,3	74,8	89,4
Women	28,7	12,7	25,2	10,6
By age				
less than 18 y.o.	0,8	1,5	0,7	0,7
from 18 to 19 y.o.	6,9	6,7	6,2	8,2
from 20 to 24 y.o.	15,9	18,8	14,2	21,5
from 25 to 29 y.o.	11,5	16,3	10,7	17,1
from 30 to 39 y.o.	18,6	24,5	15,7	22,8
from 40 to 59 y.o.	26,1	25,0	29,7	22,3
60 y.o. and other	20,1	7,1	22,7	7,4

Source: Ministry of Justice/SG/SEM/SDSE – national criminal records statistical file. Scope: Mainland France and DOM

Convicts for "paper" offences are young

The perpetrators of driving without a license are very young (39% were under 25 in 2019). Young people are also very represented among those sentenced for lack of insurance (28% under 25 in 2019).

On the other hand, those convicted of driving despite license suspension are older: those under 25 represent only 20% of those convicted in 2019, their average age being 36 (compared to 30 for driving without a license and 33 for lack of insurance). This is explained by the fact that this offence implies having already been sentenced to a measure of license suspension before.

These convicts are nine times out of ten men.

Significantly older drink-driving offenders

Convicts for drunk-driving are significantly older than those for "paper" offences: 39 years on average.

Drivers in an alcoholic state or under the influence of illegal drugs responsible for manslaughter are young: 47% were under 30 in 2019.

The proportion of women has increased in recent years in drinking and driving, rising from 6% in 2000 to 12% in 2020.

Injury, manslaughter

Among those sentenced for involuntary bodily harm, there are two populations: those who were alcoholic or had the influence of illegal drugs are young (47% are under 30); those with no aggravating circumstances are much older (52% are 40 or older).

A third of those sentenced for involuntary injuries with aggravating circumstances or recidivism are in an alcoholic state or under the influence of illegal drugs.

The tort fixed fine

Since November 2018, certain "paper" traffic offences are likely to benefit from a fixed tort fine (AFD). Currently, the AFDs are neither registered in the Criminal Record nor entered in Cassiopée, but have recently been available in the information system of the National Agency for the Automated Processing of Offences (ANTAI).

In 2020 were issued: 72,319 AFD for driving a land motor vehicle without insurance, 17,741 AFD for driving a vehicle without a license, 2,013 AFD for driving a vehicle with a license to drive in a category that does not allow driving.