
STATUTORY INSTRUMENTS

2008 No. 1216

The Criminal Justice (Northern Ireland) Order 2008

PART 4

ROAD TRAFFIC OFFENCES

New offences

Causing death, or grievous bodily injury, by careless or inconsiderate driving

52.—(1) In the [Road Traffic \(Northern Ireland\) Order 1995 \(NI 18\)](#) after Article 11 insert—

“Causing death or grievous bodily injury by careless or inconsiderate driving

11A. A person who causes the death of, or grievous bodily injury to, another person by driving a mechanically propelled vehicle on a road or other public place without due care and attention, or without reasonable consideration for other persons using the road or place, is guilty of an offence.”.

(2) In Article 26(1) of the [Road Traffic Offenders \(Northern Ireland\) Order 1996 \(NI 10\)](#) (alternative verdicts), in the Table—

(a) in the entry relating to Article 9 of the [Road Traffic \(Northern Ireland\) Order 1995](#) (causing death or grievous bodily injury by dangerous driving), in the second column, after “Article 10 (dangerous driving)” insert “Article 11A (causing death or grievous bodily injury by careless or inconsiderate driving)”;

(b) after the entry relating to Article 10 of that Order insert—

“Article 11A (causing death or grievous bodily injury by careless or inconsiderate driving) Article 12 (careless and inconsiderate driving).”.

(c) in the entry relating to Article 14 of that Order (causing death or grievous bodily injury by careless driving when under influence of drink or drugs), in the second column, before “Article 12 (careless, and inconsiderate, driving)” insert “Article 11A (causing death or grievous bodily injury by careless or inconsiderate driving)”.

(3) In Part 1 of Schedule 1 to the [Road Traffic Offenders \(Northern Ireland\) Order 1996 \(NI 10\)](#) (prosecution and punishment of offences under the Road Traffic Orders), after the entry relating to Article 10 of the [Road Traffic \(Northern Ireland\) Order 1995](#) insert—

“Article 11A	Causing death or grievous bodily injury by careless or inconsiderate driving.	(a) Summary.	6 months or the statutory maximum	Obligatory.	Obligatory.	3–11”
		(b) On indictment.				

or
both.
(b) 5
years
or a
fine
or
both.

(4) Article 11A of the [Road Traffic \(Northern Ireland\) Order 1995 \(NI 18\)](#) has effect only in relation to driving occurring after the coming into operation of paragraph (1).