

In the field of civil justice, pending procedures and proceedings initiated before the end of the transition period will continue under EU law. The e-Justice Portal, on the basis of a mutual agreement with the UK, will maintain the relevant information related to the United Kingdom until the end of 2024.

Defendants (criminal proceedings)

England and Wales

How are parking offences, etc., dealt with?

If you park where you shouldn't on public roads, you may receive a [parking ticket](#). Different organisations enforce parking rules and issue parking tickets in different places. These include local councils, the police, private companies or [Transport for London](#). Most on-street parking is enforced by council-employed parking attendants, who issue Penalty Charge Notices (PCNs) through the civil justice system. Traffic Wardens are employed by the police and therefore operate in areas where parking enforcement has not been decriminalised. They issue Fixed Penalty Notices (FPNs) through the criminal justice system. PCNs are usually left on the vehicle windscreen or handed to whoever appears to be in charge of the vehicle. They can also be issued by post. You usually have 28 days either to pay or challenge the PCN and the fine may be reduced if you pay quickly. Informal [appeals](#) can be in writing: if you want to appeal, do not pay the parking ticket at this stage, because once you've paid it's almost impossible to get a refund.

Clamping

Councils in England and Wales can tow away or clamp a vehicle in [certain circumstances](#). You should only be clamped 30 minutes after a PCN has been issued. If you believe your car was unfairly clamped, you can appeal. You have to pay to release your car, and appeal later. If you write to appeal and the council doesn't respond within 56 days of receipt, it must cancel the PCN parking ticket and refund the release fee you paid.

Advice on what to do if clamped on private land is available [here](#).

Can I appeal?

If the council rejects your informal parking ticket appeal, you can make a formal appeal. The council will tell you how. If the council rejects your appeal, you will receive a Notice to Owner (NTO) ordering you to pay the original charge. It also tells you how to present a further appeal to independent adjudicators. Different parking adjudication services exist: [London Tribunals](#) serves London, the [Traffic Penalty Tribunal](#) serves the rest of England and Wales.

You have 28 days from the day the NTO is served either to pay the parking ticket fee or lodge a formal appeal against the parking ticket. If you do neither, the council has the right to increase the fine by 50%. If you still don't pay, the council can take more formal civil proceedings to recover it.

FPN parking tickets are issued by police officers or police traffic wardens and are dealt with through the criminal justice system. The only official system of appeal against an FPN parking ticket is to opt to have your case heard in court and plead not guilty. However, some police forces allow an informal parking ticket appeal, where you can write explaining why you don't think you should have to pay the fine. If this is possible in your area, the FPN ticket will include details.

How are speeding offences, etc. dealt with?

If you exceed the speed limit and are caught by the police or a safety camera, the police may:

Give you a verbal warning

Offer you a speed-awareness course (for which you will have to pay)

Issue a [Fixed Penalty Notice \(FPN\)](#) with a fine of £60 and three penalty points. This is the most likely option.

Prosecute you for speeding. This will mean you will have to go to court, and could face a fine of up to £1,000 (£2,500 if you were speeding on the motorway), between three and six penalty points on your driving licence, and a possible driving disqualification.

What happens if you are pulled over?

The police have the [power to stop](#) any driver and failing to stop is itself an offence. When you are stopped by the police, you may be asked to produce a driving licence, insurance and your vehicle registration document. If you don't have these with you, you have 7 days to produce them at a police station.

If you're pulled over and have committed a traffic offence, the police may issue you with a [Fixed Penalty Notice \(FPN\)](#) or a [vehicle defect rectification notice](#).

If you've committed a minor traffic offence, such as not wearing a seatbelt or driving with a broken headlight, the police may issue you with a FPN. Police do not have the power to make you pay fines on the spot. You have 28 days to pay the fixed penalty or request a hearing otherwise the fine will increase by 50%. You'll be reported for prosecution if you fail to pay a fixed penalty for an offence detected by an automatic camera within 28 days.

A [vehicle defect rectification notice](#) may be issued if your vehicle is defective, for example, one of its indicators is broken.

Police can 'breathalyse' you (ask you for a breath test) if they suspect you've been drinking. If you fail the breath test, the police will take you to the police station where you'll be charged with an offence and the evidence (the breath test) retained. You must leave your car until you're sober enough to move it, or another driver can move it with your consent. If you are only just over the limit, you may give a blood test. Failure to give a breath test is an offence. Drink driving offences will result in mandatory disqualification from driving.

If you get 12 points on your licence within a 3 year period, you will usually lose your licence for at least 6 months

The police have the power to seize a vehicle if it's being used in an anti-social manner (causing alarm, harassment or distress).

Police can seize vehicles if drivers don't have an appropriate licence or insurance

Serious road offences (e.g. causing death by dangerous driving) may result in imprisonment.

Will these offences appear on my criminal record?

Criminal records are maintained by the [Criminal Records Bureau](#) (CRB). Any conviction in court results in a criminal record. If you are not convicted in court you don't get a record: so fixed penalty notices only form part of your record if you were convicted in court.

Related links

[Parking tickets and your rights](#)

[More information about parking](#)

[Police road traffic powers](#)

[Speeding fines and your rights](#)

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