

## Case study – Victim of a Crime

My name is Margaret and I am 46 years old. My only daughter, Amy, was 18 when she was killed in a head-on collision with a car, driven by a 20 year old man who was uninsured and had been drinking. The evidence showed that he was someone with a flagrant disregard for the rules of the road. At the time of the accident he was racing against a friend on the by-pass. This is a serious offence for the purposes of **s224 Criminal Justice Act 2003**. Later, I found out that he had a previous conviction for driving with excess alcohol.

Through the **Code Of Practice For Victims Of Crime** I was allowed, as the mother of the victim of a serious crime, to submit a **personal impact statement** to the Court. It was read before the Judge sentenced him for the offence of causing death by dangerous driving, under **s1 Road Traffic Act 1988**. The purpose of the statement is to ensure that the impact of the offence is taken into consideration when imposing a penalty. It also helped the Probation Officer to understand what this tragedy has meant to me and my family and the information will be used to challenge the offender over his thinking and behaviour.

Amy was a beautiful child maturing into a woman of considerable talent. She had recently won a place at a top level university, where she intended to study foreign languages. She was so excited and looked forward to a career that would take her around the globe. We were so proud of her.

I have wished a thousand times over that I had not lent Amy my car that day, as she headed off to meet friends at the gym for a game of badminton. She could so easily have caught the bus, as she often did, but I offered her the car because I wasn't using it. My doctor says that I am not to feel guilty, that life is full of risks and Amy would not want me to torture myself like this. I understand what he means, but it doesn't stop me from thinking of what might have been.

In the end he was sentenced to 8 years imprisonment and banned from driving for 5 years, with a compulsory extended retest.

I find no comfort in the fact that this man was sent to prison. I still want to know why he thought it was okay to drink so much and drive in such a dangerous manner. Maybe he'd done this before and gotten away with it and on this occasion, Amy was just unlucky. I'd like to think that this has been such a shock to him that he will think about the way he's conducting his life. He should be made to think about what he has lost; his freedom and his driving licence, and compare it with what my family has lost; a loving daughter and friend. I will never attend her graduation, celebrate her wedding and hold my grandchild. I miss her so much every day.

By virtue of **s172 Criminal Justice Act 2003**, every court must have regard to a relevant guideline:

[www.sentencing-guidelines.gov.uk/docs/causing\\_death\\_by\\_driving\\_definitive\\_guideline.pdf](http://www.sentencing-guidelines.gov.uk/docs/causing_death_by_driving_definitive_guideline.pdf)