

#### 222.4 Cases

*R v Patterson* 2015 EWCA Crim 1797 D pleaded in the Magistrates' Court<sup>1</sup> to careless driving and excess alcohol. D stopped at a red light and then over-accelerated away and loss control of his car. The car hit another car causing the other driver minor injury. D's alcohol reading was 91 µg, (permitted max 35 µg.). D was of good character and an oil trader with a good income. Held. For the due care, this was between the middle and highest level in the *Magistrates' Court Sentencing Guidelines 2008*. It is important not to double account. With full credit for the plea, **£4,000** global fine on excess alcohol charge not £1,000 and £5,000 as separate fines.

Note: D's £5,000 fine was the maximum sentence available because the offence was committed before the maximum was increased. The fine clearly did not reflect the early plea but this point was not mentioned in the judgment. Ed.

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<sup>1</sup> At the beginning of the judgment it says the pleas were made in the Crown Court. Later in the judgment it says it was in the Magistrates' Court which must be correct.