

204.10 *Disqualification for how long?*

R v Cunningham 2019 EWCA Crim 956 D pleaded to aggravated vehicle taking and driving with no insurance. He drove a Range Rover when chased by a police car for around 12 minutes. His speeds ranged from 20 mph to the 'high end of 60 mph' in a 30-mph area. D drove through three red lights, drove on the wrong side of the road and overtook stationary vehicles waiting at a set of traffic lights. At the end of the chase, D leapt from the still-moving vehicle and ran off. The car crashed into a bus shelter. D was aged 20 when sentenced and had previously received 3 years for drug offences. He had been recalled on licence for that offence. D received 16 months. Held. 5 years disqualification (with the 8-month extension) will have a considerable effect on D when he is released from custody and he has no history of previous driving offences, so **3 years** (with the 8-month extension).

204.11 *Police chases*

R v Cunningham 2019 EWCA Crim 956 D pleaded to aggravated vehicle taking and driving with no insurance. Police noticed a Range Rover with a broken window driving in the opposite direction to them. They decided to follow it and the registration plate indicated that it was a 2012 registration when in fact it was a 2015 registration. The Range Rover started to accelerate and the police pursued it for around 12 minutes through both industrial and residential areas. His speeds ranged from 20 mph to the 'high end of 60 mph' in a 30-mph area. D drove through three red lights, drove on the wrong side of the road and overtook stationary vehicles waiting at a set of traffic lights. At the end of the chase, D leapt from the still-moving vehicle and ran off. The car crashed into a bus shelter. D was eventually caught and arrested with the help of other police officers. In interview, D accepted that his driving had been dangerous but asserted that he did not know the Range Rover had been stolen. D was aged 20 when sentenced and had received 3 years for drug offences and had been recalled on licence for the current offence. The Judge accepted that D had not stolen the vehicle himself but that he knew it was stolen. He noted the size and power of the vehicle, the dangerous driving and described D's actions during the chase as 'an absolutely shocking piece of driving in a stolen car'. The Judge started at 22 months and reduced that for D's age and plea (slightly more than 25% credit) to **16 months**. Held. It was fortuitous that no injuries or greater damage was caused by this truly appalling episode of bad driving. The offence was committed when D was on licence. Although the sentence passed might be seen as severe, having regard to the high culpability of this episode of driving, it cannot be seen as manifestly excessive.