

**236.1a Disqualification, How long**

*R v Ellis* 2014 EWCA Crim 593 D pleaded to causing serious injury by dangerous driving (2 years' imprisonment). At night and with two passengers, D attempted to race and overtake another car. He drove at consistently fast speeds, accelerating and braking suddenly. V, a care home owner, exited a roundabout to be confronted by two cars coming toward her. The other car braked and D collided with it, skidding left and hitting V head on. V was seriously injured with fractures to the skull and ankle. Her sight was affected, she could no longer drive nor work and her permission to run the care home was withdrawn. D, aged 24, had no convictions and a clean licence. He was in full time work on a farm. The PSR concluded he was prone to impulsive and risk-taking behaviour, but assessed him as low risk. He expressed remorse. D appealed the disqualification. Held. Guidance can be obtained from the *Causing death by Driving Guideline 2008* paras 30-31, (see **238.23**). Disqualification operates to both protect the public and punish offenders. This was an extremely bad case of dangerous driving which was prolonged, persistent and deliberate. A lengthy disqualification was inevitable, although it would make it harder for D to get employment. **5-year disqualification** not 8. This would mean he had 4 years of disqualification on release.