

Example Cases of Convicted and Jailed Drivers Who Killed other Road Users or Pedestrians whilst using a 'Hands-Free' Mobile Phone

Samantha Ayres – 3 year prison sentence for distracted 'Hands-Free' driver

In December 2017, Samantha Ayres was found guilty of causing death by dangerous driving following a collision which occurred whilst she was talking 'hands free' on a mobile. She had pleaded 'not guilty'. Mrs Ayres drifted into oncoming traffic colliding head-on with 26 year old motorcyclist David Kirk, who died at the scene leaving behind a wife and child. A jury found the distraction of the phone call to be the cause of the collision and Ayres was sentenced to 3 years. Judge John Pini QC said while hands-free use was lawful, it remained a distraction. "Using a hands-free in these circumstances is dangerous," "Nothing I say can turn the clock back. No sentence will ever begin to make amends for his death.", "For him to lose his life in this way is as irrational as it is unfair.

Tomasz Kroker – 10-year prison sentence for lorry driver who killed mother and 3 kids whilst distracted by his phone

This case is from late 2016 and attracted national publicity (link above). Mr Kroker, a lorry driver, was distracted by his phone (he was scrolling through music). He failed to notice a line of stationary traffic in front of him, crashing into a car and killing a mother and her 3 children. In passing sentence the Judge commented that Mr Kroker's attention had been so poor he *"might as well have had his eyes closed"*. It is noteworthy that on the day of the incident Mr Kroker had signed a declaration to his employer that he would not use a mobile phone whilst driving. If this had not been in place, given the severity and profile of the incident, it is quite possible criminal proceedings could also have been brought against his employer.

Roy Woods – five-year prison sentence for 'Hands-Free' mobile phone user.

In March 2017 Mr Woods, a lorry driver, was found guilty of causing death by dangerous driving when he collided with 2 motorcycles whilst talking on a hands-free mobile phone. One rider was killed and the other sustained serious injury. He was travelling within the speed limit but failed to notice that the riders had stopped despite having a clear 100 yard view. It was found that the content of the call prevented him from taking the necessary actions to avoid a collision. He had been on the phone for 8 minutes when he hit the motorcyclist, and more than an hour in total throughout the day. In a statement read out in court, the victims widow said ""I'm lost beyond belief. My lovely husband is gone from my sight forever and never coming back to me or his children.". After sentencing, the investigating officer said "His driving while speaking on the phone was a ticking time bomb and it was this distraction that caused him to drive dangerously. Had he waited to call his friend back when he was no longer behind the wheel, Mr Couper would be alive today and his family would not be faced with a future without him. This case acts as a tragic reminder as to why we advise motorists to leave their mobiles phones out of sight and out of reach. It is the only way you can guarantee that your driving will not be affected. It is not worth the risk."

Martin Chun – five-year prison sentence for killer crash driver who was on his 'Hands-Free' phone.

Mr Chun, a coach driver, was found guilty of causing death by dangerous driving when he crashed the coach he was driving whilst talking on a hands-free mobile

phone. There were 49 passengers on board, two of whom died when the coach left the road at 25 miles per hour, and many passengers were injured. Mr Chun had been on a call to his son for over 8 minutes when the accident happened. He was sentenced to five years in prison for causing death by dangerous driving and a concurrent sentence of two years for causing serious injury by dangerous driving. He was also banned from driving for four years (to run after the prison sentences had been served).

Mervyn Richmond – four-and-a-half year prison for death crash driver who was using his 'Hands-Free' Bluetooth phone.

Mr Richmond, a lorry driver, was convicted of causing death by dangerous driving after the HGV that he was driving ran into the back of a Transit van killing one of the occupants within it. Mr Richmond was using a hands-free Bluetooth connection and had been doing so for 23 minutes prior to the collision. He failed to spot a line of stationary traffic on the dual carriageway ahead. Mr Richmond was sentenced to four-and-a-half years imprisonment and was disqualified from driving for five years (to run after the prison sentences had been served).

Hoden Aden – 14-month suspended prison sentence for 'Hands-Free' driver who struck and killed a 2-year old in a supermarket car park

Ms Aden was talking hands-free on her mobile phone when she struck and killed a 2-year-old girl near a zebra crossing in a supermarket car park. Ms Aden was convicted of causing death by careless driving and sentenced to 14 months imprisonment suspended for two years with 120 hours unpaid work and disqualified from driving for 18 months.

Paul Russell – two-year suspended prison sentence and five-year driving ban 'Hands-Free' phone using lorry driver who ran a red light and killed a car driver.

In August 2016 Paul Russell, a lorry driver, was using his mobile phone (via Bluetooth) when the truck he was driving went through a red light and hit a car. The driver of the car was killed. The judge concluded that the fact Mr Russell was on the phone 'must have had a great deal' to do with him failing to see the red light. Mr Russell pleaded guilty to causing death by dangerous driving and was given a two-year suspended prison sentence and a five-year driving ban.