

LUCAS AKINS SENTENCING REMARKS

Lucas Akins you are now 36 years of age and until your guilty plea to this offence you were of previous good character.

I have to sentence you for a single offence of causing death by careless driving, arising out of an accident that occurred on the 17/3/22.

You pleaded guilty on the day of trial which was the 4/3/25, having communicated that plea shortly beforehand to the Court and Crown Prosecution Service. You had in fact been arraigned at an adjourned PTPH on the 26/1/24 when it had been indicated in open court that such a plea was acceptable. In those circumstances and as an act of mercy I am prepared to afford you 15% credit from the sentence that otherwise would have been imposed following a trial.

FACTS

Adrian Daniel was a keen cyclist both on and off-road, and was riding his bicycle home from work on Huddersfield Road on the 17/3/22 at shortly before 4pm. At the time the weather conditions were fine and dry, and the road conditions were good with no obvious evidence of recent rain or moisture. All of this is apparent because Mr Daniel was wearing a helmet camera which recorded his journey and the moment of impact with your vehicle.

As he approached a downhill stretch of Huddersfield Road, Crossland Factory Lane was on his left-hand side, a minor road leading off at an oblique angle and down a slight incline. Mr Daniel was not breaking the speed limit and had adopted an appropriate road position in the middle of the carriageway, doubtless to aid visibility of drivers emerging from the left: anyone wishing to turn right from Crossland Factory Road would have to cross oncoming traffic and due to the sweep of the curve and a slight undulation in Huddersfield Road, road users travelling in the same direction as Mr Daniel might be obscured from view.

Crossland Factory Road is a minor road entering Huddersfield Road and marked by Give Way markings. As Mr Daniel approached the junction you appeared from Crossland Factory Road. There was a vehicle captured on the video travelling in the same direction as you along Huddersfield Road that you were able to see because you brought your vehicle to either a momentary complete halt, or almost complete: the defence position is that you did stop whilst the prosecution say that the video shows that you did not.

You were to say in your interview that you checked both left and right twice at the mouth of the junction for other road users but didn't see anyone and so emerged onto the main road, crossing the path of oncoming traffic. On any analysis, it does not seem that you would have had sufficient time to do those checks, and it is plain that you did not carry them out because had you done so you would have seen Mr Daniel who was there to be seen, and pausing for more time at the junction to check that it was safe to proceed would have then allowed for him to travel through any blind-spots created either by the layout of the road or your vehicle.

It is conceded on your behalf that you were familiar with the junction and its idiosyncrasies, and also that you had been the registered keeper of your vehicle for 11 months at the time of the accident, and so in those circumstances it can be seen that you ought to have been exercising additional caution in emerging from a difficult junction across the path of oncoming traffic in a vehicle that had substantial 'A' pillars that could hinder visibility.

In the event you failed to see Mr Daniel and drove into collision with him: the impact was devastating and he was thrown from his bicycle. It was apparent to emergency workers at the scene that he had sustained grave injuries, and he succumbed to them 10 days later on the 27/3/22.

I have listened with care to the victim personal statement read by Mr Daniel's widow Savannah. She spoke movingly about the profound and long-lasting impact upon her and her daughter of the loss of a beloved husband, father and son, of how he had raised her daughter Evie as his own and bonded with her to the extent that she felt left out. The collision has impacted almost entirely on every aspect of her life: she has no longer been able to work in her role at Oldham Hospital due to her memory of attending upon Mr Daniel whilst he was injured in hospital in Leeds, has undergone therapy and counselling, and, in the document prepared shortly after the events of her compassionate wish that the Court ought not to cause further harm by imposing a sentence of immediate imprisonment.

It is right to say, however, that your failure to accept responsibility for the collision has only prolonged the heartache and grief for Mrs Daniel, and one only has to consider the contents of her later documents to understand the anxiety and distress that this has caused, needlessly in my judgment.

I have read and considered the pre-sentence report that has been prepared on your behalf, and considered the numerous character references submitted. They uniformly speak of a role model both in your professional work and in personal life as well. You are otherwise a devoted father, hardworking, law-abiding and someone who has made a concerted effort to set a good example to others.

You have expressed both in a letter to me and through your counsel your remorse about the collision and an apology to Mrs Daniel. In a way it need not be said but those sentiments might have carried more weight had they been allied to a timely and prompt guilty plea to the offence.

I have considered the sentencing guidelines that apply in your case that I must follow and apply by law: It seems to me that this is a Culpability B offence, because you did engage in an unsafe manoeuvre by emerging from a minor to a major road across the path of oncoming traffic when it was not safe to do so, and had you been keeping a proper lookout for all road users, not just motor vehicles, then this accident would not have occurred. Whilst I accept there was also a momentary lapse of concentration, I do not consider that this case of poor driving could properly be categorised as falling only just over the threshold for careless.

The appropriate starting point is then one of 1 years' custody with a range of 26 weeks to 3 years custody. There are a number of aggravating features, including that Mr

Daniel was a vulnerable road user, and that you had 2 children in your vehicle. Mitigating features include that you are of previous good character, your good driving record, remorse, and your efforts at the scene to assist Mr Daniel.

However, in light of the level of harm caused to Mrs Daniel and the ongoing impact of that, it seems to me that the appropriate sentence after a trial would have been 18 months imprisonment. Reducing that for credit means a sentence of 14 months imprisonment. It seems to me that that is the very least sentence I can pass commensurate with my public duties.

I have considered the Imposition of Community and Custodial Sentences Guideline and must weigh the competing factors in the balance to determine whether that sentence can be suspended. It is plain to me that you are someone who is highly unlikely to trouble the courts again, and so I am satisfied that you present a realistic prospect of rehabilitation. It is also plain that you make a significant financial and pastoral contribution to the lives of your children, and there is strong personal mitigation here.

However, as against that I have also weighed the fact that it seems to me that appropriate punishment can only be achieved by immediate custody, and in those circumstances this sentence must be served immediately.

VSC

Disqualification 12 months.

HHJ ALEX MENARY

24th of April 2025
Leeds Crown Court
Oxford Row
Leeds