

Regina -v- Daniel Burba

Sentence remarks

You pleaded guilty at the PTPH on 27th May 2025 to causing the death of your son Ryan Morgan on 20th April 2025 (Count 1), causing Ryan's death whilst uninsured (Count 2) and causing his death whilst unlicensed (Count 3). Unequivocal indications of guilty pleas were given at the Magistrates' Court. You will receive full credit for your guilty pleas.

Before I set out the tragic circumstances of this case I must say something of Ryan himself. Any death is a tragedy. Where the person to lose their life is, as Ryan was, only 14 years of age the sense of profound loss is even greater. Ryan had had a difficult childhood and by your criminal acts he has been denied the vast majority of his life. I have heard the victim personal statements from his mother, grandmother and sister and understand something of his life. He was, by any measure, a remarkable young boy.

On the Bank Holiday Sunday 20th April 2025, you were driving a four door Peugeot Van on the southbound carriageway of the M6 where it stretches between the two Lancaster junctions. It was a sunny and dry day. The motorway was busy though the traffic was moving freely. Your son Ryan was your passenger. Your vehicle left the road and struck a tree. Ryan was killed. You survived.

Other road users had noticed you driving erratically some time before the vehicle left the road – indeed even before you joined the M6. On the Bay Gateway you were driving at an inappropriately slow speed in the outside lane such that other cars could not get past. You were observed at traffic lights staring ahead. Once the lights changed you drove off sharply such that another motorist ([Martin Ashby](#)) realised there was a problem and considered that the police should be called. You were by this stage swerving erratically across the carriageway of the motorway with hazard lights illuminated. That same driver who had thought of calling the police remarked to his passenger that something terrible was about to happen.

Another motorist ([Joanne Wellstead](#)) gives the following heartbreaking testimony of what happened next. She describes seeing Ryan in the front passenger seat. He looked at Ms Wellstead. She said he looked really scared – stiff and sitting up. He had his right arm outstretched towards the bottom of the steering wheel. You appeared in the driver's seat to be having a seizure with your head lolling on Ryan's right shoulder. Ms Wellstead tried to mouth to Ryan to knock the van out of gear. Her partner, Karl Chalkley bravely drew ahead of the van and tried to flash his lights at other cars to clear a way. She was calling out in anguish that there was a young boy in the van and there was nothing they could do. The van accelerated further such that Mr Chalkley had to do the same to keep ahead. Then your car hit the central reservation, swerved across the carriageway ultimately leaving the road and colliding with a tree.

Another witness ([Janet Jackson](#)) describes your van veering from the road to the hard shoulder and then back again before going again to the hard shoulder, up a bank and hitting a tree.

Your wife (not the mother of Ryan) was in another vehicle with your other three children and saw the incident.

When the van left the carriageway it struck a tree. The speedometer was “frozen” indicating a speed of between 82-85 mph. You were wearing your seatbelt. Your son was not. Given that you took so little care of Ryan in driving him on a motorway knowing you were liable to seizures and intoxicated on cocaine it seems likely that you had not ensured that he wore his seatbelt. However, it is possible that he had removed his seat belt in his terror to gain some control of the van. Given that I am not sure that you simply let him ride in the van without a seatbelt I am bound to assume that he removed it trying to help you.

A number of motorists stopped to help but they could not help Ryan. He had been thrown out of the vehicle which then came to rest on top of his head and body. His injuries were unsurvivable. You, on the other hand, suffered relatively minor injuries to your ribs and some lacerations. At hospital you had a small bag of cocaine in your wallet. You had four times the amount of cocaine in your system above which you commit an offence.

You were arrested on 25th April at 21:35. At the [custody desk](#) you said that you were ready to tell what you called the “truth” namely that you had only discovered that very morning that you should not drive if you had epilepsy which, as you said “I did not know”. In interview you told further lies. You said you had not taken cocaine. That was not true. You said this was the only time you had driven the vehicle whereas further investigation clearly established that you had driven the van on at least one other occasion in April 2025 (which you now admit) in the Lancaster area. Indeed the evidence is that you were routinely driving the van.

At this point you knew that you were responsible for your son’s death. You could have begun to show the remorse of a parent by admitting what you had done but you chose to lie in order to try and save yourself.

Your medical notes record the actual truth. You had had a significant recent history of seizures. On 30th October 2024 you were told by your Doctor to stop taking cocaine and to stop driving after suffering a seizure of 3-4 minutes. You knew that taking cocaine predisposed you further to fits. You had presented with seizures and been admitted to hospital on 2nd and 9th February 2025. Dr Boardman had seen you on 11th February 2025 and told you that you must not drive and that you must inform DVLA. Indeed you now admit that your wife told you that very day not to drive her van as you were not insured or

licensed to do so and had been told not to drive due to your epilepsy. Given it was her van, it is regrettable that she did not relieve you of the keys.

At the time of the collision you held only a provisional licence. As such you were not entitled to drive unsupervised and certainly not entitled to drive on the motorway. The van was registered to your wife who was the only person insured to drive it.

You are 31. You have previous convictions for offences of violence and an offence of possessing a weapon. There has been no such offending since 2016. These offences do not make your situation any worse but you are not a man of good character. Whilst any penalty points had expired and your licence was clean on the day of this incident, in 2021 you had been convicted of driving other than in accordance with your licence and without insurance.

I have read the PSR which suggests you have a background of ASD and PTSD. I have read the liaison and diversion report which indicates that you were known to the Community Mental Health Team and disclosed to the Liaison and Diversion team that you had ADHD and PTSD. However, there is no medical evidence and nothing to suggest that affected your conduct that day. Indeed your counsel did not raise this issue at all and, when I did, agreed that it was not relevant. This was not an impulsive offence. You decided, despite warnings from medics and a warning that day from your wife, to put your son in the van and drive him.

In addition to the letter you have sent to me, I have rarely seen more references and testimonials. I read in your letter and in the letters of others of your difficult background and of your Christian faith. You are said to be remorseful. Of course you must be affected by having killed your son but, by telling such lies in the aftermath of his death, you failed to show any remorse at that critical time.

One of the references says that you are a “fantastic father to his children” and “his love for them is unlimited, and he cares for them all so much”. I wonder whether the author of that letter knows you or the circumstances of this case at all.

Another describes you as “very honest”. Again, one wonders whether that person knows of the lies you told in the aftermath of this offence.

Your wife suggests that you would never intentionally put any of your children in danger. That is plainly not true.

Some of the comments in these documents do not seem to reflect reality. However, none will make your sentence any longer and, in other more helpful parts, these references provide relevant information about your background and positive aspects of your character. These will assist you. You and your wife gave a home to Ryan. You have engaged in various charitable works. You had made some progress in overcoming some of your problems.

This is a specified offence. I do not consider you currently to be at significant risk of causing serious harm by the commission of further specified offences. Accordingly I will impose a determinate sentence.

I will pass concurrent sentences and reflect all of the criminality in the sentence on Count 1.

Stand up please.

Count 1 is at culpability A on the basis that, in ignoring the clear advice of your doctors and your wife that day there was a persistent disregard of the warnings of others. This was clear and unequivocal advice of the potentially catastrophic consequences of you driving. In that sense there was a deliberate decision to ignore the rules of the road and disregard for the risk of danger to others. The starting point is 12 years with a range of between 8 and 18 years.

You had recent history of driving without a licence and without insurance. You were uninsured, should not have been driving unsupervised at all and should not have been driving on the motorway. You then chose to drive on the motorway on a busy Bank Holiday Sunday. You had a passenger in the van and that passenger was your son – a person whom you should have been protecting not endangering.

I cannot say that your driving was any worse because you were so heavily intoxicated with cocaine. However, it adds to the seriousness of what you did that you took cocaine knowing the effect it might have on your epilepsy and the quality of your driving. I avoid double counting noting that this is also capable of being a factor placing an offence in culpability A. In the particular circumstances of this case I treat it only as an aggravating feature – you knew that taking cocaine made your decision to drive all the more dangerous.

Your driving placed many others apart from you and Ryan in serious danger on that busy motorway.

Lastly (and I say this knowing that this is an additionally upsetting feature of a terrible case with Ryan's mother, sister and grandmother present) we know from the evidence that Ryan died in terror. Often a death in a collision is sudden and unexpected. However, here we know from the evidence that Ryan, young as he was, died trying to control the van appreciating for a number of seconds that he was likely to die.

I take into account that Ryan was your son and you, whilst responsible for his death, will be impacted by it.

The sentence after trial on Count 1 would have been 15 years' imprisonment. With full credit, which I am bound to give, for your guilty plea it is 10 years' imprisonment.

Counts 2 and 3 are at category B with a starting point of 6 months' imprisonment and a range of between a higher level community order and 36 weeks' imprisonment. The sentence after trial on each would have been 32 weeks imprisonment. With credit that gives a sentence on each of 21 weeks imprisonment. These sentences will be concurrent with each other and the sentence on Count 1 making a total sentence of 10 years imprisonment.

You will serve two thirds of that sentence before you will be released.

I intend to disqualify you from driving for 8 years. You are clearly a significant danger to road users. I extend that period by 6 years and 8 months to reflect the time you will spend in custody. However, you have been in custody for just over 3 months. I reduce the period of disqualification to 7 years and 9 months and then add the extension of 6 years and 8 months giving a total disqualification of 14 years and 5 months.

This is not intended to be a mathematical calculation, but it should ensure that upon your release, you will be subject to disqualification for a period of around 8 years.

When your disqualification has expired you can apply for a driving licence but the licence you get will be provisional until you have passed the extended test.

If the victim surcharge applies the amount can be drawn up in the appropriate amount.

(Your licence will be endorsed in relation to Counts 2 and 3).

HHJ Altham

5th August 2025