

IN THE CROWN COURT AT NEWCASTLE UPON TYNE

URN: 10U70235925

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MICHAEL WEBB

SENTENCING REMARKS

Pleas

1. You are now aged 35 years.
2. You fall to be sentenced for 2 offences of causing death by dangerous driving, having pleaded guilty to them both at a FCMH on 15.1.26. At the PTPH in 10.25 you had pleaded not guilty to those 2 counts but accepted that you had caused those 2 deaths by driving carelessly with excess drugs in your system by pleading guilty to Cts 3 - 6.
3. The original guilty pleas to Cts 3 to 6 are eclipsed by the guilty pleas to the more serious allegations, accordingly they will be vacated and not guilty pleas and verdicts entered to those counts.
4. I will return to the issue of credit for the timing of your pleas in due course.

Facts

5. On the early evening of 30.8.25, you should have been nowhere near the driving seat of any vehicle, let alone one carrying 2 passengers. As later tests revealed you had consumed cocaine at some stage prior to driving, such that you were over the drug/drive limit. In my view it clearly impacted on both your driving behaviour and your ability to react to the situation your recklessness put your vehicle and its occupants in.
6. It was just before 9pm that evening when you left the Bridge Public House on Wenlock Road and got into your Skoda Octavia, an otherwise properly maintained vehicle. It was not raining, but the road surface was wet.
7. You chose to drive & indeed, took as your passengers, 40 year old Peter Webb, your older brother and in the rear seat, 12 year old Benjamin, his son, your nephew, despite your exceeding of the drug drive limit. I discount the consumption of a single pint of alcohol and you may not have been immediately aware of your intoxication but that is

the risk you take in consuming cocaine & it not being eliminated from your system before driving.

8. You chose thereafter to drive at a speed substantially in excess of the limit, eastbound on the John Reid Road in South Shields. Police estimates, from CCTV analysis they conducted subsequently, put that speed, shortly before you lost control, as being in excess of 73mph in a 40 mph zone. Indeed, other road users describe believing you were travelling closer to 90 mph. I am bound to reflect that the CCTV analysis is more accurate than assessing speed by the naked eye from other vehicles. But, nonetheless, the impression remains that you were driving to show off.
9. You were travelling so fast, as you overtook vehicles travelling in the inside lane, that when you were suddenly faced with a BMW vehicle in front of you travelling at an appropriate speed, you attempted to undertake that car, squeezing between it and vehicles on the inside lane, such that you lost control, applied the emergency ABS braking and hit the kerb spinning out of control, before colliding with a lamppost and then a tree.
10. Such was the force of the latter impact that your vehicle was torn in two. As we know, as a consequence of that collision, both Peter, thrown from the vehicle despite wearing a seatbelt, & Benjamin, sustained catastrophic injuries which would have rendered them unconscious instantaneously, and, from which, they stood no chance of survival. It is only sheer luck that other road users were not injured or killed in the collision you caused. Other road users, including a child, nonetheless had to witness the crash and its dreadful aftermath.
11. You too, sustained injuries that included a laceration to the head, a broken wrist and several broken ribs. Whilst in hospital, a blood sample was taken from you that, when examined, revealed you had twice the legal limit for cocaine in your system, not less than 22 microgrammes per 100ml compared to the legal limit (it being a Class A illegal drug anyway,) together with in excess of 200 microgrammes of its break down product BZE, 4 times the limit for that of 50 microgrammes/100ml, whilst inactive itself, it gives a marker for how the cocaine may be still effecting you, hence the reason for a legal limit for it. There is no suggestion either of your victims were aware of your lawless actions in consuming that drug before accepting a lift from you.
12. The stark reality is that you were a serious or fatal accident waiting to happen that night by the manner of your driving. It was an entirely avoidable tragedy. The harm you have caused by your arrogant and dangerous actions is beyond calculation. No words I can say, no sentence that I can pass, can properly measure 2 such vital lives lost:
13. As you well know, Peter was in the prime of his life, 40 years old, a loving and much-loved husband, father and son. Someone always ready to use his considerable

professional talents as a joiner to help others, someone who lit up a room with his good humour and good nature. Benjamin, a delightful child, son, brother and grandson, with the whole of his life in front of him, a skilled young footballer and keen Newcastle United fan, about to enter year 8, with so many prospects and milestones ahead of him and robbed of them all.

14. But, moreover, you have split a formerly very close family in two and caused pain and trauma to countless others, close family and friends to both of them, others' lives left with a large gap that can never be filled. I cannot better the powerful and eloquent words of Ashleigh Webb, wife and mother, in describing the devastation your actions have caused, which I need not repeat.

Application of Guidelines

15. I am bound to have regard to the SGC Guidelines for these offences and also the overarching guidelines in respect of totality and credit for guilty pleas. There is no dispute that your offending falls into Category 'A' for culpability. But where your offending falls in that range has been disputed. I take the view that, even for a single offence, it falls above the starting point, as there are several factors identified here, in that category & the category below:

16. I acknowledge that there are difficulties in calculating quantity and timing of consumption of cocaine. There is no account from you as to how much cocaine you took or when you took it. But the combination of a finding of cocaine and a high BZE reading is indicative of still being affected by the cocaine whether on an up from the drug or coming down, that is why the legal limit is set as it is.

17. Thus the factors are thus:

- Driving impaired by consumption of drugs, given the blood analysis results, rather than *highly* impaired. I reject Mr Herrmann's argument that you would not have been impaired at all, when having regard to the levels of cocaine & BZE in your system relative to the legal limits & the nature of your driving, whilst having some regard to the scale used in the SGC for careless driving whilst *under the influence* of drink and/or drugs, which you had admitted previously.
- A deliberate decision to ignore the rules of the road and disregard the risk of dangers to others. Whilst I cannot be sure you deliberately drove knowing you were above the drug/drive limit, you were surely reckless in that regard. Nonetheless you deliberately disregarding the rules of the road:
- Whilst undertaking a highly dangerous manoeuvre
- At a speed both significantly in excess of the speed limit but also highly inappropriate for the road conditions: The John Reid Road is a busy stretch at any time, but as we have heard there were multiple other road users.

- I accept there is a substantial overlap between the deliberate decision to ignore the rules and risk, with the latter 2 factors.
18. Obviously, the guideline is predicated on the basis of causing one death. Where more than one death is caused and represented in separate counts, I am bound to reflect that further considerable harm by a significant increase overall. In doing so I reflect that the second death was that of a young child. But with concurrent sentences that reflect the overarching principle of totality.
 19. Whilst you do have previous matters on your driving licence, which do you no credit, they are some 19 years ago, as a juvenile, and do not, given the passage of time without further offending and the gravity of this offending, aggravate it further.
 20. But the combination of the features of culpability and harm here is such that, without mitigation, an overall sentence outside the range for a single offence would, in my opinion, be justified.
 21. I have had the benefit of a PSR. I have considered carefully the written & oral submissions from Mr Herrmann on your behalf, as well as the references from your mother, father, sister & from a counsellor at Talking Therapies. I accept that it is right to take into account very modestly the injuries you have sustained, albeit they were self-inflicted and by no means life changing. More significantly, I am bound to reflect that your victims were very close family members, neither of whom you intended to harm. You will have to live with their deaths on your conscience for the rest of your days. I accept there is, as recognised by the experienced Probation Officer & counsellor, genuine remorse. I also note Mrs Webb's equally genuine questioning of that. Nonetheless, on balance, I consider it to be a feature of your mitigation I should & do take into account.
 22. I also take note of the fact that your inevitable imprisonment will impact significantly upon the lives of your 3 young children. You have worked when you have been able to do so, prior to this offending & have remained in close contact with them, despite the breakdown of your relationships with their mothers.

Timing of pleas

23. Mr Herrmann has urged me to give you credit as if you entered your guilty pleas to the more serious offences at the first opportunity at this court, following advice given to await the fuller Road Traffic Accident report. I accept that you have no independent memory of the events leading up to the accident. I query that prior to the PTPH, material was served that demonstrated you had consumed excess drugs, but more particularly that the speed you were driving was significantly in excess of the limit and that there was no other obvious cause for the accident, other than your very poor driving. But, equally, I note that you were following advice and that the Prosecution

accept that you were waiting, given your lack of recollection for the full report & the full eye witness accounts that did not come until immediately before the FCMH, the credit therefore will be assessed at 25%.

Conclusion

24. Balancing the aggravating and mitigating features in your case, I have concluded that the appropriate sentence after trial on each of the 2 counts of causing death by dangerous driving would have been 18 years imprisonment. Having explained the level of credit to be afforded to you for your guilty pleas, that reduces the sentence to 13 years & 6 months imprisonment concurrently on Cts 1 & 2.
25. I do not consider you fall to be determined as a dangerous offender, given your record otherwise. But, you will serve up to 2/3 of the sentence in custody before you are released subject to licence and supervision conditions until the end of the total sentence. If you were to commit any further offences or breach the terms of your release, you may be returned to serve the balance.
26. In addition, I am required to disqualify you from driving for a period to reflect the gravity of your offending, extended to reflect the period you are likely to spend in custody, and until you take an extended retest. The disqualification period is one of 7 years, the extension period will be 9 years to reflect the likely period of custody, less the 5 months you have been subject to an interim disqualification in relation to the lesser offences. A total disqualification of 15 years 5 months to run from today & until you take an extended driving test.
27. Obviously, if you were to drive whilst disqualified, you are likely to face a further sentence of imprisonment.
28. I impose the Statutory Surcharge and make a Magistrates Collection Order. You will receive a notification of the amount to pay.
29. I express my sincere condolences to Mrs Webb and the other members of Peter & Benjamin's family. I am grateful to them for their quiet dignity in court today.

HHJ T J Gittins

12.3.26