

# **Rex v. Paul Robert Jones.**

## **SENTENCING REMARKS**

1. On 20th March 2026, you pleaded guilty to causing the death by dangerous driving of Tracey Nicholls. You also pleaded guilty to causing her death by driving whilst uninsured and I must now sentence you for those offences.

### **The incident.**

2. Just after 10:15pm on Thursday 7<sup>th</sup> December 2023, Tracey Nicholls and her friend Alison Kawol, were at Baker Street station. They then walked to the pedestrian crossing on the north side of Marylebone Road to the west side of the junction with Allsop Place. They waited for the pedestrian lights to change to green before then walking across the crossing to the central reservation. At that point of the road there are three lanes. They were across lane one and into lane two when the van you were driving passed from west to east on the Marylebone Road straddling two lanes and through the lights that were red to traffic. The front nearside of the van hit both Alison and Tracey. Alison was knocked to the ground in lane two to the nearside of the vehicle. Tracey was also knocked to the ground in front of the front nearside wheel of the van. As you continued to drive the wheels of the van drove over Tracey's head and upper body. You did not stop but drove away from the scene.
3. Alison describes being knocked to the ground and losing her glasses. She did not see the vehicle. She also describes seeing Tracey in the road, breathing but not conscious. Other witnesses describe a loud bang, the van slowing, the driver being hesitant for a few seconds but not stopping. CCTV footage shows brake lights on the van illuminating briefly at 22:16 and 36 seconds at the point of collision or thereabouts before it then continued on its way. A witness describes the van accelerating away. CCTV footage shows the average speed of the van as 20mph the limit on this section of road.
4. Members of the public immediately sought to help Tracey and the emergency services were soon on the scene. Very sadly despite medical treatment from those present and from the Helicopter Emergency Medical Services [HEMS] team Tracey was pronounced life extinct just after 11pm. She had sustained catastrophic injuries. Alison sustained minor injuries.

5. The van you were driving was registered to your employer, Archie White. Whilst the van had been lent to you, there was no insurance cover in place for you to drive it.
6. A forensic collision investigator attended the scene and has reviewed the available evidence. He concluded that the collision was the result of you failing to stop at the traffic lights: they had been red for at least 7 seconds at the time the collision occurred.
7. A compilation of available CCTV footage showing the driving before and at the point of impact has been displayed in Court as part of this sentencing hearing.
8. After the collision police investigations revealed that the owner of the van, Archie White, had been at a football match with his brother Ashley White, on 7<sup>th</sup> December. During the course of the evening Ashley was aware that someone from his brother's work had contacted him and he knew there was some concern about you. Archie was in contact with you and with your partner. Your partner had obtained your location by means of a tracking app. Ashley drove Archie to the Marylebone area dropping him there at about 11:10pm. Some ten minutes later Archie asked his brother to collect him. Archie had found you and the van, but he could not drive as he had consumed cannabis. You were picked up along with Archie near to Lord's cricket ground. Ashley noted you appeared somewhat dazed. When you soon came across bad traffic and there was a discussion along the lines that there must have been a bad accident, you commented along the lines: *"I think I've caused that"* and said that you didn't know but thought you had hit something. You kept saying *"We have to go to the police station now?"* As Ashley also had his 16 year old son with him, he took him home first, before then taking Archie and you to Aylesbury Police Station where you arrived at about half-past midnight. The police were spoken to and told where the van was located.
9. Analysis of your mobile phone and phone records shows a number of calls that evening and some highly relevant voice notes. One call from Archie White lasting 79 seconds was at 10:16pm and so whilst the collision took place. It is of note that the van you were driving was equipped with a system capable of connecting to mobile phones via Bluetooth, but there no cradle to support a mobile phone was found. There are then further incoming calls from Archie, and your wife as well as outgoing calls to the two of them in the aftermath of the collision.
10. There are WhatsApp voice notes. At 3:35pm that afternoon a voice note on a work group chat says you had been on a job in Worcester. You state: *"...I'm fucked bruv, my vision's still*

*gone, I've been getting pins and needles in my fucking hands and my mouth bruv. I don't know what the fuck's going on, I don't even know if I'm going to make it to Worcester”.*

11. In another voice note just before 5pm you say to your partner:

*“Ah not good, it's taken nearly 3 hours to get to this job and I'm not even there yet and I haven't been feeling very well either. I've been fucked babe, I don't know what's happened to me man, it's been absolutely horrific. But I'm about 55 minutes away from the job now, but I don't know if I'm going to be able to drive back, so I might have to get Colm to drive the van back, but hopefully I feel a bit better in a bit but. I can't even describe what's happened to me babe it's been horrific. I've been having pins and needles in my hands, in my mouth, like my vision went earlier as well. Like, argh, it's been horrific. I feel slightly a bit better now but still not great, like my head hurts. And on the motorway it was torrential rain I couldn't see where I was going, and fucking hell babe. I felt that bad at the lock up before I left to drive here that I was half tempted to fucking drive, just drive home. And even when I got on the M40 I was half tempted just to fucking turn around and go home but I fucking, yeah. Slowly starting to feel a little bit better but I still feel absolutely fucked. ....”*

12. A while later at 6:11pm you say this:

*“.... I don't know how I made it here babe honestly, and I don't know how I'm going to do this shift but I'm going to. All I want is a cuddle from you and a tea in bed. I'm so fucked. I feel slightly better but it's been absolutely horrific man, I can't even describe what has happened, it's been awful.”*

13. Then at 7:27pm: *“I've got the worst headache”.*

14. At 10:14pm, so just before the call from Archie White to you and the collision, there is a message from Daniella Jones to Archie White:

*“I'm really worried about Paul somehow he's gone from Being half hour from home to being pretty much in London telling me his head hurts so much he doesn't know what's going on and can't concentrate can you call him because he needs help to get home I think x”*

15. There are screenshots of your location, driving on Marylebone Road at 10:15pm, and also the drive from Worcester to London, sent by Daniella Jones to Archie White at that time and then messages from Archie White to Daniella Jones at 10:18pm saying that he was going to you now and that he was in London. There is also a screenshot from Daniella Jones to Archie White sent at 10:20pm and timed a minute before, showing you near to Devonshire Place Mews. A short while later at 11:43pm there are messages from Archie White to Daniella Jones:

*“Don’t panic please.” “Paul hit someone in the van, the road was closed and loads of ambulances etc.” “It’s very bad, he’s not good and this is going to be a very big thing with police etc” “I’ve fucked up as he’s not insured” “But we’ve panicked and left the van in London and my bro bringing us home” “We’re going to have to go police station or something because this is a mess” “Paul is in a very very bad way x”*

The words that you hit someone are particularly significant hence my underlining of them.

16. A review of other messages on your phone suggests you had been experiencing financial difficulties at the time of the collision and in the months before it. There were emails from Barclays in relation to missed mortgage payments, from a housing association in relation to rent arrears of about £3,000 on a shared ownership property, from loan and credit card companies and O2, in respect of missed payments. There were also web searches in relation to debts and loans. Messages also showed the results of an MRI scan being received in November 2023, this apparently related to your knee and resulting in you no longer being able to play football. Multiple messages in work group chats suggested you had been working long days and night shifts for some months.
17. You were interviewed by the police on 8<sup>th</sup> December 2023, and on 6 March 2024. On both occasions you were represented by a solicitor and gave ‘no comment’ responses to all questions including those in relation to your health, the voice notes referring to issues with vision and pins and needles, and in relation to working hours, pressures at work, financial issues, phone use, and the messages on your phone after the collision. I note that despite numerous police requests for access to your medical records, no response was received.

### Victim impact.

18. There are several very moving victim impact statements. They have each been read by their authors in court. Alison Kawol spoke about the loss of her friend Tracey and that, for her, life will never be the same again. Alison spoke of her own injuries and the time the physical wounds have taken to heal and that the scar to her face is a constant reminder. It is the psychological impact on her – and being constantly on edge. She spoke of the guilt she feels – despite knowing that matters were not under her control. There is the impact on her working life and that she has been on sick leave. Tracey and Alison had been very close friends for many years and Alison described her as like family to her. She says: *“I learnt a great deal from her, and she has been a significant influence in my life. She was an exceptional person — extremely witty, intelligent, principled, and deeply caring. I was incredibly lucky to have her in my life.”*
19. Tracey’s mother Valerie Felton, spoke movingly of the loss of her daughter: the loss of her precious and clearly much loved daughter. She spoke about the physical and emotional pain she has sustained in the period since Tracey’s death.
20. Julie Herman, Tracey’s sister spoke about the impact of the death of Tracey coming in the aftermath of the death of Tracey’s father just before this. She says this: *“I was completely broken and the person that I would have turned to in my darkest moment was gone, forever. I would never see her again, and I would have to face the most horrific time of my life without my big sister by my side.”* She also says this of Tracey:

*Tracey was a truly special and irreplaceable person, whose presence touched everyone around her. Up until Dec 7th, 2023, she had been a part of every step in my life, every up, down, triumph, sorrow and so many incredible memories. She was smart, honest, caring and hard working. She was sense of humour. She loved her family and friends and would do anything for them, always there she was around them, it was like no-one else existed. She showered them with so much love and attention and filled their life with joy always creating special memories. They adored her and she them. She loved animals, loved wildlife and a lot of our travels were centered around that. She was at her happiest at home in the country, walking her dogs or riding her horse. Tracey had worked incredibly hard her whole life to get where she was and was finally at a point where she could plan to slow down and enjoy it. She had so many plans for the future more time to spend to with Brian, to*

*enjoy her animals, to travel and be with family. All those plans were ripped from her in an instant, ripped away from all of us.*

21. She spoke about the impact on the wider family of such a well-loved and admired person. She also spoke of the impact of the proceedings on them all through your failure to stop or show any remorse for what you did and that your plea came some considerable time after the events of December 7<sup>th</sup> 2023.
22. Finally, Tracey's husband Brian, read his moving statement. Amongst his observations was this: *"Tracey supported and encouraged me, and above all gave me a life that I could never have imagined could be so fulfilling. We travelled the world together, both of us wanting to experience life to the full and always wanting to share it with one another. Tracey's strength and compassion cannot be matched. She was formidable compassionate and the loyalist human being anyone could have the privilege to meet, which is why she is irreplaceable."*
23. He concludes with these words: *"Tracey is a light that will never go out, but for me facing the time I have to spend without her will forever be shrouded in darkness."*
24. As many have said, no sentence of the court can undo what has happened or bring Tracey back. No sentence can be equated to the loss of life, nor can any sentence truly reflect the suffering, pain and anguish of those who mourn and what they have lost.

#### **Driving record and antecedents.**

25. You are now aged 31 and were 29 as of the date of the offences [date of birth 26<sup>th</sup> November 1994]. You have a previous conviction for drink driving in 2017. Your licence was endorsed, you were fined and also disqualified from driving for a period of 19 months.

#### **Sentencing guidelines.**

26. Turning to the relevant sentencing guidelines, the maximum sentence for causing death by dangerous driving is life imprisonment. In assessing culpability in my judgment this case clearly falls into Category A. There are a number of factors present which lead clearly to that being the appropriate conclusion. Of primary significance: a deliberate decision by you to ignore the rules of the road and disregard for the risk of danger to others: your observations as to impaired vision and other symptoms, as well as tiredness from working long hours, you

decided to drive. The Highway Code makes clear a driver should be fit to drive, and driving when tired greatly increases the risk of a collision. The messages I have referred to show you made a deliberate decision to continue to drive even after expressing to your wife that you did not know how you had made it to Worcester in the first place, and that you were in a sufficiently distressed state for others to have expressed concern to your employer. Secondly, prolonged use of mobile phone or other electronic device. I have referred to your use of your mobile phone whilst you were driving on the day, and to the absence of a cradle or other form of holder for the phone to be in handsfree mode.

27. It also seems to me that the manoeuvre through a set of lights on red at a pedestrian crossing where they had been on red for a not inconsiderable period of time, the passage of driving that day leading to the incident and the lack of attention to driving are important features.
28. Culpability A leads to a start point for sentence of 12 years' custody and a category range of 8 to 18 years' custody.
29. Next, I need to consider any factors increasing seriousness. You have a previous conviction from 2017 for drink driving and so is relevant to your driving record. Secondly, the victim was a vulnerable road user, a pedestrian. Also, there are the injuries caused to Alison Kawol. She sustained whiplash and muscular injuries. The recovery period for those injuries has been about a year, but she has a permanent scar to her face and I note from her impact statement the on-going impact of this incident on her. Thirdly, you did not stop and stay at the scene despite clearly knowing what you had done.
30. With count 2, again an offence where the culpability is said by the prosecution to be within category A. If so, a start point, if being considered on its own, of 1 year and a range of between 36 weeks and 2 years' custody. Similar aggravating factors clearly apply. Here, I propose to treat count 2 as a further aggravating feature of count 1, that you were uninsured, and to pass a concurrent sentence on count 2. It is said on your behalf that responsibility for the insurance of the van falls on others and so it should be within Category C rather than the highest category. As I have indicated I propose to deal with this feature of the case as an aggravating factor on count 1 as it clearly is - however the insurance fell to be considered.
31. In my judgment before considering credit for plea and any additional features of mitigation a start point for sentence overall is one of 15 years' custody.
32. In terms of credit for plea, your pleas of guilty came one month before trial and some considerable period of time after the Plea and Trial Preparation Hearing [PTPH]. Whilst I

can see reports were being sought on your medical and mental health conditions and issues were being explored, there had been no acceptance, up to the point of plea, of you being responsible for Tracey's death. In interview 'no comment' responses were made and all requests made for access to medical records met with silence. It is submitted on your behalf that full credit should be given. I do not agree. In my view, in light of the contents of the reports commissioned on your behalf, I take the view that the appropriate level of credit to be given is a little below that normally due at a PTPH (of 25%) and I propose to give 20% credit. I accept the first hearing for you was on 25<sup>th</sup> September 2025, and that followed charge on you by postal recognition and that a plea followed investigations by your lawyers, but as you declare on the day of the collision to others, you knew you were responsible for the incident, that you had hit someone and it was open to you to make that clear.

### **Mitigation.**

33. I have seen and read a sentencing note prepared on your behalf. I have set out my conclusions as to categorisation within the relevant guidelines and to the appropriate credit for plea. There are a number of testimonials written by those who know you well. I accept that many speak of your qualities and what you have done to assist others. I have read all of those letters and I acknowledge that any custodial sentence I impose on you will have an impact on your wife and children when they are not at fault for what you did.
34. In your own letter to the Court you express remorse. This is also reflected in the Pre-Sentence Report that I have seen and read. As I have indicated, acceptance of what you did has come late in this case – when you could so easily have said more right at the start and made the position clear when you first spoke to the police. Much of the focus of your letter is about you, your wife and your children rather than on your appalling conduct on the day.
35. I have also read the letters that deal with your son and the impact of the debts you have.

### **Sentence.**

36. On count 1 (causing death by dangerous driving), applying the guidelines as set out and making allowance for the aggravating and mitigating factors I have identified the sentence before plea would have been one of 15 years' imprisonment. Making allowance for your plea, a sentence of 12 years' imprisonment. On count 2 (causing death by driving whilst uninsured), a concurrent sentence of 6 months' imprisonment.

37. Your licence will be endorsed with the particulars of the convictions for causing death by dangerous driving and causing death by driving whilst uninsured. There will be an order for disqualification until you pass an extended driving test.
38. In terms of disqualification from driving, the minimum period is one of 5 years and here in light of the facts and your driving record, a disqualification for 7 years. In light of the custodial period I have imposed, there must be an extension period to that period of disqualification and that has to be two-thirds of the custodial term I impose as the custodial period is to be one over 7 years. The extension period is one of 8 years. So there will be a disqualification from driving for a period of 7 years and an extension period of 8 years making a total period of 15 years.
39. On the sentence of 12 years, you will serve two-thirds of that term and then be released on licence for the remainder of it. Whilst on licence you must comply with the terms of that licence: at any stage the licence may be revoked and your return to custody ordered. In light of your financial position there will be no order as to costs. If the statutory surcharge applies the appropriate order may be drawn up.

Recorder of London  
His Honour Judge Mark Lucraft KC,  
Central Criminal Court  
Old Bailey, London EC4M 7EH  
May 1<sup>st</sup> 2026.