

1 **IN THE GRAND COURT OF THE CAYMAN ISLANDS**  
2 **CRIMINAL DIVISION**

3 **Neutral Citation Number: [2025] CIGC (Crim) 68**

4 **INDICTMENT NO: 50 of 2024**

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6  
7 **R**



8  
9 **V.**

10  
11 **SAMIR JAFFER BANDALI**

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14  
15 **Appearances: Mr. Kenneth Ferguson, Crown Counsel, Office of the Director of Public**  
16 **Prosecutions for the Prosecution**

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18 **Mr. Jonathon Hughes, Samson Law for the Defence**

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20  
21 **Before: The Hon. Justice Cheryll Richards KC**

22  
23 **Submissions Heard: 30<sup>th</sup> May 2025 and 2<sup>nd</sup> July 2025**

24  
25 **Sentence Judgment: 2<sup>nd</sup> July 2025**  
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29 ***Criminal Law – Sentencing, Causing Death by Careless Driving contrary to section 75 (1) of the Traffic***  
30 ***Act (2023 Revision).***



## SENTENCE JUDGMENT

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4 1. The defendant is before the Court for sentencing following his guilty plea to the lesser offence  
5 of Causing Death by Careless Driving contrary to section 79 (1) of the *Traffic Act* (2023  
6 Revision).
- 7  
8 2. The particulars are that he on the 8<sup>th</sup> day of March 2023 drove a Jeep Cherokee motor vehicle  
9 registration number 190 348 on West Bay Road, Grand Cayman, Cayman Islands without due  
10 care and attention and thereby caused the death of Abele Hiwet.
- 11  
12 3. The maximum sentence is a fine of ten thousand dollars or 7 years imprisonment or both. In  
13 addition, there is a mandatory period of disqualification for a minimum period of three years.  
14 By section 22 (5) of the *Penal Code* (2024 Revision) a sentence of imprisonment imposed for  
15 such offence may not be suspended.
- 16  
17 4. The defendant was initially charged with the offences of Causing Death by Dangerous Driving  
18 contrary to section 75 (1) of the *Traffic Act* (2023 Revision), (Count 1 of the Indictment) and  
19 Driving a Vehicle While Under the Influence of Alcohol and Causing Death contrary to section  
20 83 (1) (a) of the said *Act*, (Count 2 of the Indictment).
- 21  
22 5. The defendant first appeared in the Grand Court on the 7<sup>th</sup> June 2024 when a dismissal  
23 application was foreshadowed. By amendment to the Indictment a third count of Causing  
24 Death by Careless Driving was added on the 8<sup>th</sup> August 2024. On the 18<sup>th</sup> August 2024 an  
25 application was made for the dismissal of the offences as first charged on the Indictment. This  
26 application was refused. Shortly after the ruling on the dismissal application was given, the  
27 defendant applied for a *Goodyear* indication. This indication was given of a maximum sentence  
28 of 18 months imprisonment without taking into account mitigating factors.
- 29  
30 6. The defendant entered the guilty plea on the 13<sup>th</sup> November 2024. The prosecution indicated  
31 that it will not proceed on the other two offences outlined above. It is accepted by the  
32 prosecution that this plea was offered at the first reasonable opportunity, and the defendant is  
33 entitled to full credit.



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**THE BASIS OF PLEA**

7. The agreed basis of plea is as follows:

“I Samir Jaffer Bandali, plead guilty to Count 3 (Causing death by careless or inconsiderate driving) on the following basis:

On the night in question, I consumed several draft beers, and I accept that this impacted on my ability to drive safely.

I accept driving at 47 miles per hour at the time of the collision.

I accept that my momentary inattention in allowing my vehicle to breach the cycle lane amounted to a failure to pay proper regard to vulnerable road users, and specifically cyclists.”

**THE FACTS**

8. The prosecution has provided a summary of facts which is not disputed.

9. On Wednesday the 8<sup>th</sup> March 2023, at about midnight, the defendant was driving his Jeep Grand Cherokee bearing registration plate number 190 348, along West Bay Road heading north. The defendant resided at an area off West Bay Road and was heading in the direction of his home. There were two passengers in the vehicle, a male and female.

10. Mr. Hiwet was riding his bicycle in the bike lane on the left side of the road. He was also heading north. In the vicinity of Queens Court plaza, the Jeep collided with the bicycle, causing Mr. Hiwet to be dislodged from it and to fall. Mr. Hiwet sustained multiple injuries from which he died. A postmortem examination conducted by Dr. Jyoti concluded that the cause of death was craniocerebral and cervical vertebral injury due to motor vehicle accident.

11. The defendant did not stop his vehicle at the scene although both his passengers told him that he had hit a cyclist. The female passenger in his vehicle began to scream at him and a female



1 taxi driver drove in front of and into the path of his vehicle and also shouted at him. At that  
2 point he stopped his vehicle in the vicinity of the parking lot of a hotel premises. This was some  
3 distance away from the scene of the incident. The female passenger walked back to the scene  
4 and provided information to the police.

5  
6 12. The defendant did not return to the scene. Instead, he abandoned the Jeep Cherokee in the  
7 parking lot of some condominiums, and he and his male passenger made their way to the  
8 defendant's apartment where he went to his bed. He was awakened by the police some hours  
9 later and was arrested by PC Orville Harrison at approximately 5:05 a.m. He was subsequently  
10 taken to the Cayman Islands Detention Center. He was breathalyzed and a reading of .152  
11 percent was obtained.

12  
13 13. In an interview under caution in the presence of his attorney on the 8<sup>th</sup> March 2023 the  
14 defendant said that since he bought the vehicle, he had always left it unlocked with the keys  
15 inside. This is because he considers the Cayman Islands to be a safe place. He said that when  
16 he woke up that morning, his car was not outside his home. In exercise of his legal right, he  
17 declined to answer questions put to him by the Police.

18  
19 14. The evidence gathered from the investigation includes that shortly before the incident the  
20 defendant and friends had been to at least two liquor license premises where they had alcoholic  
21 beverages.

22  
23 15. The Jeep Grand Cherokee was uninsured at the time of the fatal collision, the certificate of  
24 insurance having expired on the 28<sup>th</sup> September 2021. The registration of the vehicle had also  
25 expired at the material time. It was unregistered from the 26<sup>th</sup> February 2022. The certificate of  
26 roadworthiness expired from the 23<sup>rd</sup> April 2022.

27  
28 16. The scene and vehicle were examined by Accident Reconstructionist and Crash Analysts Mr.  
29 Collin Redden and PS Lenford Butler. Mr. Redden concluded that the fatal collision occurred  
30 when the deceased was riding his bike north on West Bay Road in the bike lane next to the  
31 sidewalk when the Jeep Cherokee which was also heading north in the left lane at speed veered  
32 to the left into the bike lane. The left front corner and side of the Jeep made contact with the



1 rear and right side of the bike, compressing the rear rim and tire and causing it to separate from  
2 the axle mounts. The bike and rider were projected up onto the sidewalk at an angle where they  
3 travelled to final rest by the hedges with the bike partly on the sidewalk and the rider just ahead  
4 of it.

- 5  
6 17. Mr. Redden calculated the average speed of the Jeep Cherokee prior to its collision with the  
7 bike using two fixed points of reference from the Closed Circuit Television Footage (“CCTV”)  
8 footage and arrived at an average speed of 47.25 mph.

9  
10 **ANTECEDENT HISTORY**

- 11  
12 18. The defendant has four previous traffic convictions for which he was fined. Three are for  
13 speeding, two in 2019 and one in 2021. The fourth is for using/keeping a vehicle on a road  
14 which is required to be licensed.

15  
16 **SOCIAL INQUIRY REPORT**

- 17  
18 19. The Department of Community Rehabilitation has provided a Social Inquiry Report dated 14<sup>th</sup>  
19 May 2025 in respect of the defendant (“SIR”) This provides details of the defendants’  
20 background and history. The Court takes into account everything said therein in favour of the  
21 defendant. The defendant is thirty eight years old and is married with no children. He reported  
22 growing up in a close knit and supportive family unit with no abusive incidents. There is no  
23 history of problematic behaviours or antisocial tendencies. There was a period of difficult peer  
24 group relationships while at high school, but he remained focused, maintained a strong  
25 academic performance and graduated as an honour roll student. He later went on to complete  
26 tertiary education studies.

- 27  
28 20. The defendant relocated to the Cayman Islands in 2018 for a work opportunity. This proved to  
29 be a productive one but since the incident in 2023, there have been challenges from negative  
30 publicity. This has led to the loss of clients and the eventual collapse of his cryptocurrency  
31 business. He does engage in some freelance work, but this is on an irregular basis. He is



1 concerned that should he be incarcerated his wife will not be able to manage financially on her  
2 own.

3  
4 21. He is actively involved in the community and volunteers with several organisations including  
5 one which supports persons with disabilities and another which is engaged in animal welfare.

6  
7 22. He underwent surgery in December 2024 for a medical condition and continues in recovery.  
8 He has undertaken counselling in the aftermath of the incident having experienced depression  
9 and low mood. He reports having no memory between the time of leaving the restaurant that  
10 evening and arriving home. He says that he has no memory of the incident or of how it occurred.  
11 He says that he continues to struggle to comprehend his decision to drive that night, which he  
12 regards as the greatest mistake in his life. He has stopped drinking alcohol. He expresses  
13 remorse and says that he has reached out to the family of the victim to offer an apology.

14  
15 23. The Probation Officer records: -

16  
17 “Reflecting on the offence, Mr. Bandali described the past few years as the most difficult  
18 period of his life. He expressed remorse and regret, stating that he has always been strongly  
19 opposed to drunk driving and is deeply disappointed in himself. He acknowledged the  
20 gravity of the outcome stating that “the worst possible thing that could happen due to drunk  
21 driving did happen” ..... he conveyed that no sentence imposed by the Court could equal  
22 the guilt he now carries.”

23  
24 24. The defendants’ overall risk of re-offending was assessed as very low.

25  
26 **CHARACTER REFERENCES**

27  
28 25. Three character references have been provided from persons who have known the defendant  
29 for some years. The Court has read these and takes them into account. The defendant is  
30 described as having made a significant contribution to the Cayman Islands through his work in  
31 the community in the sector of digital assets and financial technology. He is said to be  
32 heartbroken and stricken with remorse following the incident. He is described as a person of  
33 integrity, reliability and kindness who is regularly depended on by others.



1  
2 **THE SUBMISSIONS**  
3

4 26. It is accepted by both Counsel that the approach to sentencing as set out in the *Cayman Islands*  
5 *Sentencing Guidelines* is to assess the level of culpability. This is done by evaluating the  
6 quality of the driving involved and the degree of danger that it foreseeably created.  
7

8 27. The prosecution drew the Courts' attention to the case of *R v. Nicholas Patrick Tibbetts*<sup>1</sup>, a  
9 decision of Dame Linda Dobbs, J (Acting) of December 2016 as helpful.  
10

11 28. In that case the defendant's car struck the bicycle of a cyclist in the vicinity of the roundabout  
12 at Kings Gym in George Town. The cyclist was thrown from the bicycle backwards onto the  
13 bonnet of the car and into the front windscreen. The car went over the bicycle, dragged it some  
14 distance and continued with the cyclist still on top of the car before he was projected off of it.  
15 The defendant did not stop. Shortly thereafter, he tried to have his vehicle repaired. In a  
16 subsequent interview with the Police the defendant said that he had taken some Benadryl for  
17 his allergies and had also gone out with friends and had rum and water. He had been out until  
18 about 2:30am. He claimed that he had been feeling drowsy. The Court found that the incident  
19 could not be classified as momentary inattention because having clipped the cyclist and the  
20 cyclist having landed on top of the trunk of the car, the defendant continued driving on the hard  
21 shoulder of the road, running over and dragging the bicycle with the cyclist still on top of the  
22 car.  
23

24 29. The conclusion was that this was driving falling not far short of dangerous driving and was at  
25 the highest level of culpability. The Court applied a starting point of 15 months custody and  
26 sentenced the defendant to 8 months imprisonment. This was arrived at by increasing the  
27 sentence from the starting point by 3 months for the aggravating factor of failing to stop,  
28 decreasing by 6 months for mitigating circumstances and decreasing by one third for the guilty  
29 plea.  
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<sup>1</sup> Grand Court Unreported Judgment, Ind. 71 of 2015, dated 16<sup>th</sup> December 2015



- 1 30. The prosecution submits that the culpability in the instant case by reference to the *Cayman*  
2 *Islands Sentencing Guidelines* is high with a starting point of 30 months and a sentence range  
3 of 18 months to 4 years custody. It is submitted that there are six aggravating factors, failing to  
4 stop, the consumption of alcohol, the expired registration, insurance and road worthiness  
5 certificates and the previous traffic convictions.  
6
- 7 31. The defence submitted that while in similar circumstances in the case of *Tibbetts*, the Court  
8 found that the case fell into the top most category of culpability, there is a distinction with this  
9 case because there was no interaction with the cycle or rider after the initial contact by the  
10 vehicle. Counsel submits that the principle is as set out in s.4 of the *Alternative Sentencing Act*  
11 (2008 Revision) that “*a sentence should be similar or proportionate to sentences imposed on*  
12 *similar convicted persons for similar offences committed in similar circumstances*”.  
13
- 14 32. It is therefore submitted by defence Counsel that an equivalent or lower starting point to that  
15 imposed in the case of *Tibbetts* may be appropriate in this case. Counsel urges that noting the  
16 difference with that case, a proper starting point in the instant case is the middle category of  
17 culpability of 15 months imprisonment.  
18
- 19 33. While the sentence in the case of *Tibbetts* is suggested as a yard stick, it is noted that there  
20 appears to be a distinction in that there is no mention of the element of speed in that case. Speed  
21 is a factor in the present case. This is a significant difference. Additionally, that sentence was  
22 imposed in 2016. The *United Kingdom Sentencing Council Guidelines* was referenced where  
23 the maximum sentence is 5 years imprisonment which is lower than in the Cayman Islands.  
24 The starting point then suggested for a case at the highest level of culpability was 15 months’  
25 custody. It is of significance that this has changed in the United Kingdom where as of July 2023  
26 the starting point for a culpability A offence is 24 months with a range of sentence of 12 months  
27 to 4 years custody.  
28
- 29 34. In light of the reference to the case of *Tibbetts* I have reviewed and brought to Counsel’s  
30 attention several cases in the same date range as set out below. These highlight the differing  
31 circumstances and sentences imposed by the Grand Court for this offence. Counsel have been  
32 afforded an opportunity to make further submissions on these cases.



- 1  
2 35. In the case of *R v Anastasia Watson*<sup>2</sup>, the defendant was sentenced to 12 months imprisonment  
3 and disqualified from driving for 3 years following a guilty plea to the offence of Causing  
4 Death by Careless Driving.
- 5  
6 36. The facts were that the defendant had driven her motor vehicle at speed while approaching a  
7 bend on Rum Point Road. The vehicle crashed and her passenger who was a close friend was  
8 killed. The Court applied the *United Kingdom Sentencing Council Guidelines*. This was not  
9 a case of momentary inattention. There had been prolonged deliberate excessive speeding up  
10 to 80 mph on a road known to the defendant. The Court adopted the starting point of 15 months  
11 for the most serious category of careless driving being driving falling not far short of dangerous  
12 driving with a range of 26 weeks to 3 years custody. The Court said that if this was in error,  
13 then the upper end of the second category with a range of a High Community Order to 2 years  
14 custody would apply. There was strong personal mitigation and remorse. The Court in applying  
15 the *Guidelines* said that there would be an uplift to reflect the higher statutory maximum in this  
16 jurisdiction so that a 15 month starting point in the United Kingdom would equate to a 21  
17 month starting point in this jurisdiction.
- 18  
19 37. In the case of *R v Fitzroy Roach*<sup>3</sup> the defendant upon his guilty plea to Causing Death by  
20 Careless Driving was sentenced to 10 months imprisonment.
- 21  
22 38. The defendant had been driving his Hyundai H1 Bus north on Esterley Tibbetts Highway. The  
23 Bus crossed over to the opposite lane and crashed into an oncoming vehicle killing the driver.  
24 There was no alcohol or mobile/distraction. However, the defendant was driving other than in  
25 accordance with his license which was an aggravating factor. The prosecution alleged that he  
26 had fallen asleep. The Court said that on the basis either that he had fallen asleep or had  
27 significant distraction, the case fell short of the most serious category of the *Guidelines*. Nor  
28 was it a momentary lapse. It was categorised as a 'less serious instance of careless driving'.  
29  
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<sup>2</sup> Grand Court Unreported Judgment, Ind. 48 of 2016, dated 23<sup>rd</sup> February 2018

<sup>3</sup> Grand Court Unreported Judgment, Ind. 20 of 2013, dated 15<sup>th</sup> March 2016



- 1           39.     In the case of *R v Jefferson Laureano*<sup>4</sup>, the 22 year old defendant was sentenced to 16 months  
2           imprisonment on his guilty plea to Causing Death by Careless Driving. He drove his motor car  
3           into the back of another vehicle. Both drivers lost control and their vehicles crashed. The other  
4           driver died. There was no alcohol. The defendant left the scene due to injury and was later  
5           arrested. He blamed the deceased for overtaking his vehicle at high speed just before the crash.  
6           He expressed remorse and had a relevant previous conviction for careless driving. The  
7           offending was assessed to be an intermediate case of causing death by careless driving based  
8           upon unsafe overtaking. The defendant said that he had been travelling at a speed of 60 miles  
9           per hour. The speed at collision impact was assessed by the accident reconstruction expert to  
10          be 72.69 miles per hour.
- 11
- 12          40.     At the other end of the spectrum is the case of *R v Anthony Welsey Scott Jr*<sup>5</sup>. Following a guilty  
13          plea to Causing Death by Careless Driving the defendant was sentenced to a two-year probation  
14          order. The Grand Court (Carter J.) treated the offending as falling within the lowest category,  
15          a case of momentary inattention where the defendant had been driving too close to the vehicle  
16          in front of him. When faced with a manoeuvre by the vehicle in front of him he swerved to the  
17          left and veered off the road to avoid a collision. In so doing he collided with a utility pole and  
18          caused the death of his passenger. The defendant was seriously injured in the collision.
- 19
- 20          41.     In the case of *Dilroy Linwood Watler v R*<sup>6</sup> the Cayman Islands Court of Appeal considered an  
21          appeal against a sentence of 3 years and 4 months imprisonment imposed for the offence of  
22          Causing Death by Careless Driving.
- 23
- 24          42.     The appellant had been at a bar with his brother until eleven o'clock on the evening of the 9<sup>th</sup>  
25          August 2013. He was driving along Sea View road at a speed of 91.55 miles per hour. The  
26          speed limit was 25 miles per hour. On approaching the bend, he crashed into a wall causing the  
27          death of his brother and serious injuries to himself. In addition, the defendant had no driver's  
28          license and was driving the car without the consent of the owner.
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<sup>4</sup> Grand Court Unreported Judgment, Ind. 91 of 2015, dated 27<sup>th</sup> April 2016

<sup>5</sup> Grand Court Unreported Judgment, Ind. 59 of 2017, dated 11<sup>th</sup> January 2018

<sup>6</sup> CICA Appeal 2 /2017, Unreported Judgment dated 13<sup>th</sup> April 2018



1 43. The Appellate Court said that it was difficult to conceive as to how the charge was not one of  
2 Causing Death by Dangerous Driving given the level of speeding but that it is vital that the  
3 Court makes clear that it was the lesser charge to which the defendant had pleaded guilty and  
4 not a more serious offence.

5  
6 44. The Grand Court had adopted a starting point of five years custody given the higher maximum  
7 sentence in the Cayman Islands and the circumstances under which the appellant was driving.  
8 The Appellate Court noted that while the sentence for Causing Death by Careless Driving is  
9 higher in the Cayman Islands than in the United Kingdom, the position is different for the  
10 offence of Causing Death by Dangerous Driving where the sentence is higher, 14 years rather  
11 than 10 years.

12  
13 45. The Appellate Court reviewed a number of sentences including in the case of *R v Tyro*<sup>7</sup> a case  
14 which fell within the most serious category of causing death by careless driving where two  
15 people were killed. The correct starting point was said to be in the region of 3 years and the  
16 sentence was reduced to one of 2 years or 24 months.

17  
18 46. The Appellate Court concluded that in the case on appeal of *Linwood Watler*, the starting point  
19 of 5 years adopted by the trial Judge in the case was substantially out of line with authorities in  
20 both England and Wales and in the Cayman Islands. The Court concluded that the starting point  
21 of 5 years was manifestly excessive and adopted a starting point in the region of 3 and 1/2  
22 years. The appeal was allowed and the sentence was reduced to one of 2 ½ years or 30 months.

23  
24 47. It is noted that the range of sentences from the cases reviewed is a probation order to 30 months  
25 imprisonment.

26  
27 **SUBMISSIONS IN MITIGATION**

28  
29 48. Counsel for the defence submitted that the defendant is a man of good character, an enterprising  
30 and well thought of individual in the community. He has suffered financially and professionally  
31 as a result of the press reporting of this case.

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<sup>7</sup> [2011] 1 Cr. App. R (S)



1  
2 49. Counsel submitted that the defendant has a serious health issue. He has a degenerative spinal  
3 problem which required him to have surgery and requires on going physiotherapy three times  
4 per week. Counsel said that the prison authorities may be reluctant to have him in prison  
5 because of the specialist treatment which he requires. Counsel submits that while it is accepted  
6 that the offending clearly passes the custody threshold and the defendant is fully expecting and  
7 is prepared to serve a custodial sentence, this is not without difficulty given his health issues.  
8 There is concern that his degeneration will be accelerated if he does not have access to needed  
9 care. Counsel asked the Court to consider whether as an alternative to a custodial sentence there  
10 can be a sentence of a 24 hour curfew which would allow the defendant to continue with his  
11 treatments. Counsel said that the prison is at capacity and there are issues with accommodating  
12 people with specialist needs.  
13

#### 14 **THE SENTENCE**

15

16 50. The *Cayman Islands Sentencing Guidelines* for this offence were promulgated in 2020. They  
17 provide for a starting point of 30 months for the highest level of culpability.  
18

19 51. The harm caused in this case as in all cases of this kind is immeasurable. It is a life lost and  
20 profound impact on families, friends and colleagues who are left to mourn the untimely passing  
21 of a loved one. This is a tragedy caused in no small part by an irresponsible decision by the  
22 defendant to drive after consuming alcohol. The level of his consumption must surely have  
23 been such as impaired his ability to drive safely. The *Guidelines* state that a driver is expected  
24 to take extra care when driving near vulnerable road users which includes cyclists and  
25 pedestrians. The defendant did the very opposite. His vehicle veered into the bike lane and path  
26 of the cyclist travelling ahead of him. To compound matters he did not stop until he was shouted  
27 at, and his pathway was blocked by a passing motorist who had seen what had occurred. The  
28 offending is serious and the custody threshold is firmly passed. It is aggravated by the fact that  
29 for many months the defendant ignored the requirements to insure and register his vehicle.  
30

31 52. Defence Counsel accepts that there are three determinants of seriousness present in this case  
32 namely: -



- a. Consumption of alcohol where this impaired the defendant's ability to drive safely.
- b. Driving above the speed limit.
- c. Failing to have regard for the cyclist, a vulnerable road user.

53. Given the number of determinants which are present in this case and the potency of them, the driving plainly falls into the highest category of culpability for careless driving, which is driving falling not far short of dangerous driving.

54. The starting point is therefore 30 months custody.

55. Defence Counsel also accepts that there are aggravating features of leaving the scene of an accident and driving on expired documents.

56. The fact that the defendant has previous convictions for speeding and a documentary offence was not known at the time of the earlier *Goodyear* hearing. In addition, and in response to the Courts' inquiry defence Counsel accepts that it would be proper for the Court to consider the previous offences to be relevant.

57. It was initially asserted by the prosecution that the defendant did not have a full driver's license and was driving on a provisional license. However, a full license has been produced to the Court which was valid from the 7<sup>th</sup> March 2019 to the 7<sup>th</sup> March 2024.

58. From the starting point of 30 months the offending is aggravated by the fact that the defendant left the scene (3 months) and all the documents for the vehicle had expired, in particular there was no insurance for the vehicle (2 months). There are also relevant previous offences of speeding and using a vehicle without the required document (2 months). All these serve to aggravate the offence by 7 months to one of 37 months.

59. In mitigation, account is taken of everything written and said in the defendants' favour, the detailed SIR, the character references and the submissions of his Counsel. Defence Counsel urged upon the Court the following: -



- i. A man of previous exceptional character.
- ii. A significant degree of insight into and remorse for the consequences of his actions.
- iii. Steps taken to address contributory factors (total abstinence from alcohol and counselling).
- iv. Ill health.
- v. Financial and emotional toll.
- vi. Well thought of by others.
- vii. Very low risk of re-offending.

60. The Court does accept these factors as mitigating factors. There is by all accounts genuine remorse and acceptance of responsibility which has led to a change in behaviour. The defendant has serious health issues and requires specialist care. This is a significant mitigating factor.

61. Consequently, the sentence is reduced by reason of mitigation to 21 months and with credit of one third for his guilty plea to a final sentence of 14 months imprisonment.

62. Given the serious nature of this case, notwithstanding his serious health issues, the Court cannot accede to the request of defence Counsel for a curfew order as an alternative to a sentence of immediate custody. A life has been lost and but for the particular mitigating circumstances in this case, the sentence would have been significantly higher. The Prison Authorities are asked to provide assistance with the defendant's health care requirements.

63. The defendant is disqualified from driving for a period of 3 years following his release from prison.

**Dated this the 2<sup>nd</sup> day of July 2025**

**The Hon. Justice Cheryll Richards KC**  
**Judge of the Grand Court**