



**HMA**

**v**

**DANIEL JACKSON  
ALSO KNOWN AS BLYTH  
ALSO KNOWN AS EDWARDS**

**9<sup>th</sup> October 2007**

**Today at the High Court in Glasgow Lord Menzies sentenced Daniel Jackson to thirteen years in prison after he pleaded guilty to the culpable homicide of Olivia Mary Donachie on the 30<sup>th</sup> May 2007 in Edinburgh. Lord Menzies also disqualified him from driving for life.**

**On sentencing Lord Menzies made the following statement.**

“Daniel Jackson also known as Blyth also known as Edwards,

What possessed you to do the awful things which you did on 30 May 2007 in the quiet residential streets of Colinton, Edinburgh? You drove your jeep in a furious, dangerous and wholly irresponsible manner, apparently without any thought or consideration for the safety of pedestrians or other road users. You caused a series of accidents and near accidents; you collided with other cars and caused injury to their drivers and to pedestrians on the pavement; you drove on the wrong side of the road; you drove through traffic lights when they were red against you; you drove at speeds which were grossly excessive and well over the legal speed limit. You drove as if you were on a racing track rather than on the narrow streets, busy with pedestrians and vehicular traffic, on which you were in fact driving; you executed a chicane manoeuvre between a vehicle which you overtook and an oncoming vehicle. You were involved in a head-on collision with another car, causing injury to the driver of that car and to a passing pedestrian, each of whom required hospital treatment. You caused a bus and a lorry to pull in and swerve to avoid you. You damaged other cars and the car you were yourself driving, and the tyres of your car were seen to be smoking. Your tyres were squealing and your car was tilted to one side. It is little wonder that several onlookers described you as driving as if you were being chased by the police, and that you were driving like a maniac. You were driving like a maniac.

You were driving having taken earlier that day or during the previous night on your own admission to the police a cocktail of valium, methadone and heroin.

All of this was compounded by the fact that you were aware when you were driving in this fashion that the car which you were driving was a death trap. I do not rehearse all the defects which were listed in the vehicle examiner's report, but I note that the examiner observed that the car was in poor condition and unsafe to drive, and that this should have been obvious to you. It had no foot brakes at all, and the brake fluid light on the dashboard was illuminated and warned you of this defect. You were aware of your defective brakes before you started to drive that day, yet you persisted in driving - even though you would not let your wife drive the car because it was too dangerous. This car was not just slightly dangerous - the vehicle examiner was of the opinion that it was the worst car he had ever examined in his ten years experience.

After you had driven through the shopping area in the centre of Colinton Village, your driving became progressively worse, and with increasingly tragic results. You drove up Westgarth Avenue, a quiet residential street with a speed limit of 30mph, at a speed estimated by witnesses to be between 45mph and 70mph. This was in the vicinity of a primary school, at about the time that children were being collected from school by their parents. Little Olivia Mary Donachie was aged just four years old, and had just been collected from nursery by her mother Rachel. They were on their way home with Olivia's six year old brother. They were not on the roadway - they were where they should have been safe, on the pavement, beside Redford Drive. As you approached the junction of Westgarth Avenue and Redford Drive, the man in the front passenger seat of your car kept shouting at you to stop, and said "You'd better stop or you are going to hit that woman and bairn", but you continued to accelerate, before attempting unsuccessfully to apply the handbrake at the junction.

You killed little Olivia instantly, crushing her between the Jeep and a wall, and you caused terrible injuries to her mother, resulting in amputation of her left leg below the knee. The hearts of all right thinking members of society must surely go out to the whole Donachie family for the terrible wrongs which you have inflicted on them.

The crime of culpable homicide encompasses a range of behaviour with a wide variety of degrees of culpability, from a single shove or punch which may inadvertently result in death, to much more serious and culpable behaviour. I regard this case as falling towards the most serious end of that scale, for the various reasons which I have attempted to describe already. I have taken into account everything said on your behalf in mitigation by your counsel, and the terms of the social enquiry report and psychiatric assessment which have been obtained. I also take account of your expression of remorse, given to the author of the social enquiry report, through your counsel to the court and in your own letter to the court, and I accept these as genuine. However, I also take account of your record of previous convictions which, although not directly analogous, includes both a High Court conviction and a conviction in solemn proceedings in the Sheriff Court, and includes convictions for three charges for crimes of violence. In all the circumstances I am satisfied that only a significant custodial sentence is appropriate to mark the seriousness of this crime.

If you had maintained a plea of not guilty to this charge and had been convicted after trial of this crime I should have sentenced you to sixteen years imprisonment. However, Parliament has enacted legislation which requires me to discount that sentence to reflect the fact that you have tendered a plea of guilty to this charge at

the earliest possible opportunity, by means of the procedure provided for by Section 76 of the Criminal Procedure (Scotland) Act 1995. I therefore discount the sentence of sixteen years which I would otherwise have passed in the following way. Of that sixteen years, seven years is imposed to protect the public from the risk that you pose, and no discount is applicable to that part. Of the balance of nine years, I give you the maximum discount that is available, to reflect the very early stage at which you tendered a plea of guilty, namely one-third, or three years. The result is that I sentence you to imprisonment for thirteen years.

I back-date that sentence to 4 June 2007 to reflect the period already spent in custody. In addition, I disqualify you from driving for life and I order that your driving licence should be endorsed accordingly”.