

TUESDAY, 11 OCTOBER 2016

For immediate release

Trial date set in crowdsourced private prosecution of driver accused of causing cyclist's death

Gail Purcell (58) of Colney Street, St Albans, today (11 October) appeared at the Old Bailey for the second hearing into the offence of causing death by careless driving contrary to section 2B of the Road Traffic Act 1988.

This case was brought to court as a private prosecution by Cycling UK's Cyclists' Defence Fund (CDF) following a crowdsourced funding campaign that raised £66,000 from over 1,500 supporters.

Ms Purcell pleaded not guilty to the charge, which relates to the death of cyclist Michael Mason (70) in London on 25 February 2014. Ms Purcell will face a six-day trial at the Old Bailey on 3 April and was granted unconditional bail.

The first hearing was held at Westminster Magistrates' Court in front of District Judge Grant on 13 September 2016, where Ms Purcell indicated she intended to plead not guilty. At this time District Judge Grant declined jurisdiction on the basis it was a matter that should be allocated to the crown court.

Appearing for the prosecution at the Old Bailey today was barrister Tim Godfrey. Ms Purcell was represented by Benn Mguire. The case was heard by His Honour Judge Bevan QC.

London teacher Michael Mason was cycling north on Regent Street from Oxford Circus in London on 25 February 2014. At 6.23 pm Michael, known as Mick to his friends, was hit from behind by a black Nissan Juke driven by Ms Purcell, and as a consequence sustained a fatal injury to his brain.

On 14 March, 19 days after the incident that knocked him off his bike, having never regained consciousness, Mick Mason passed away as a result of his injuries.

The Metropolitan police investigated the collision at the time but decided not to prosecute, initially declining to refer the case to the Crown Prosecution Service (CPS).

Through ongoing work by the CDF and media interest, the police, on 12 March 2015, revisited their decision and agreed to refer their investigation to the CPS. Six days later, the police reverted to their original decision not to refer the case to the CPS, informing the media of their decision prior to notifying Mr Mason's immediate family.

Cycling UK's Duncan Dollimore, spokesperson for the Cyclists' Defence Fund, said:

"With a trial date set for 03 April next year the Mason family will have had to wait three years since Mick's tragic death for this case to be heard. This unnecessary delay was entirely avoidable if the Metropolitan Police had followed guidelines and referred the case to the Crown Prosecution Service.

“Fortunately the wider public’s support, both moral and financial, has allowed Cycling UK’s CDF to bring this crowdsourced private prosecution. We cannot thank them enough for helping Mick’s family on their journey to achieve justice.”

ENDS

For more information contact the national Cycling UK Press Office on 01483 238 315, 07786 320 713 or email publicity@cyclingsuk.org

Notes to editors:

1. Cycling UK, the national cycling charity, inspires and helps people to cycle and keep cycling, whatever kind of cycling they do or would like to do. Over a century’s experience tells us that cycling is more than useful transport; it makes you feel good, gives you a sense of freedom and creates a better environment for everyone.
www.cyclingsuk.org
2. The Cyclists’ Defence Fund (CDF) is a subsidiary charity to Cycling UK, which offers help with cyclists’ legal cases and provides information about the legal aspects of cycling in the UK.
www.cyclistsdefencefund.org.uk
3. Anyone wishing to support the Mason family and the fundraising which has enabled this prosecution can do so via:
<https://www.justgiving.com/fundraising/justiceformichael>
4. This is the first private prosecution brought by CDF for any offence involving the death of a cyclist, and the first private prosecution for causing death by careless or dangerous driving that the CDF is aware of. <https://www.cyclingsuk.org/press-release/2016-08-04/death-careless-driving-prosecution-begun-case-cyclist-mick-mason>