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Landmark criminal compensation for pedestrian killing

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The Criminal Injuries Compensation Authority (CICA) awarded damages today in the case of a pedestrian killed by an unidentified speeding driver. This is believed to be the first time that compensation was awarded without intent being proven on behalf of the motor vehicle driver.

In April 2006, Jerome St. Louis, 16, was heading towards a poetry reading competition. He was two-thirds across the road in Stratford, East London, when he was hit by a driver doing 65 mph in a 30 mph limit. The driver did not brake before hitting Jerome nor did he stop afterwards but instead sped away from the scene, leaving Jerome to die from his injuries.

Whilst the vehicle was identified and a son of the owner convicted and imprisoned for perverting the course of justice in lying about the car being stolen, the identity of the driver was never proven.

Traditionally, damages are only paid by CICA in collisions where intent is proven. Sgt John Woods, Senior Investigating Officer, testified at the hearing that it was not possible to know if the collision was intentional or not, but it was preventable with the road clear of other vehicles. He stated that the driver could have taken avoiding action but did not. The three member appeal panel concluded that the driver had ploughed into Jerome St. Louis and compensation was justified. The family was awarded compensation for the death and funeral expenses.

Amy Aeron-Thomas, RoadPeace Executive Director, who was with the St. Louis family at the CICA appeal hearing, states

Culpability does not require intent. The driver's intentions and identity were both in doubt. But what was obvious to all was the criminality involved in the driving behaviour. Driving at over twice the speed limit and leaving the scene of a collision are both acts of clear criminality.

While no money can bring back Jerome, at least the family has the satisfaction of knowing that CICA views his death as a violent act worthy of compensation.

The appeal hearing and decision was today, on what should have been Jerome's 21st birthday.

For further information contact:

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Note: In 2007, CICA paid out in the case of a motorcyclist injured by a child playing chicken on the road but the St. Louis case was the first involving injuries caused by a law breaking driver, without proving intent.