



AVZ Blog – Too few bans for speeding and careless driving

19 June 2023

Key points

- In 2022, 75,833 direct disqualifications were given at court in England and Wales. Of these:
 - Most bans are still being given where they are mandatory, i.e. drink/drug driving.
 - Bans given for speeding are rare (2% England and Wales) and range from 8% in Warwickshire to 1% in Merseyside. They are also very short in length.
 - Bans given for careless driving are also rare (5%), ranging from 12% in Greater Manchester and Cleveland to 2% in Surrey, Dorset, Hertfordshire and West Mercia.
- **Action Vision Zero calls for the Magistrates Sentencing Guidelines to be updated to better reflect the harm posed by unsafe but sober driving with bans given to extreme speeders and careless driving bordering on dangerous.**

Direct disqualifications

The Ministry of Justice (MoJ) publishes court statistics on motoring offences, including the sentences received. Data on disqualifications includes type of disqualification (with or without extended test required) as well as the length of the disqualification for each offence. AVZ has already highlighted the dramatic increase in lifetime bans in our [previous blog](#).

Mostly mandatory

Some 70% of disqualifications given at court are for those offences where disqualification is mandatory (e.g. causing death/serious injury by driving, Dangerous Driving, Drink/Drug Driving).

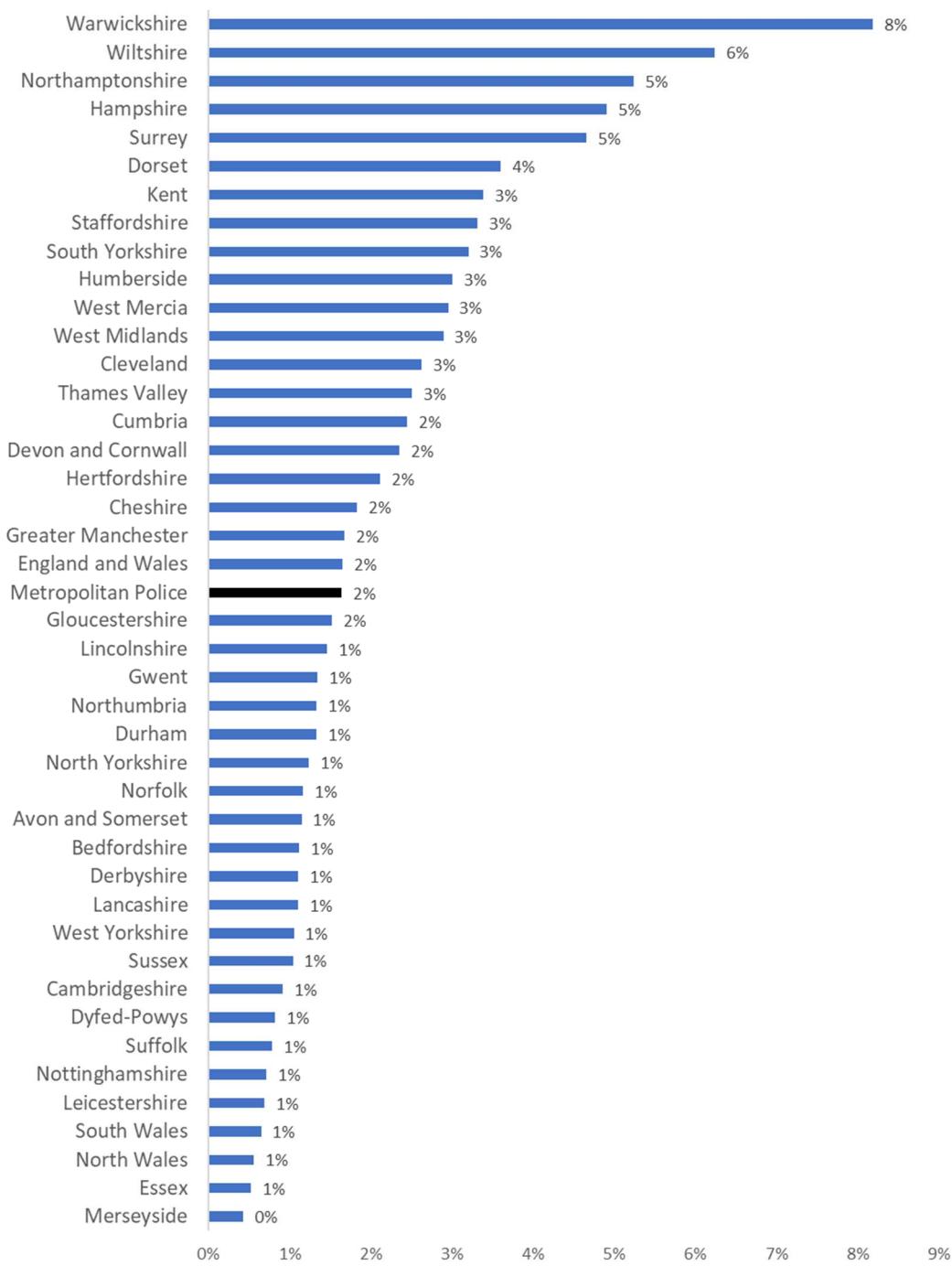
It is very unusual for a ban to be given where there has not been a death or serious injury or if the driving was not identified as impaired. This briefing highlights just how rare disqualification is, as well as the variation between the different magistrate areas.

Speeding

Less than 2% of those convicted at court for speeding were banned. This was a decrease on the previous year.

There was also a wide range by magistrate areas. Whilst the national average was less than 2%, Warwickshire had the highest rate with 8% drivers convicted of speeding being banned. At the other end of the scale, Merseyside only banned 27 of the 6,231 drivers convicted for speeding - this was less than 1% and the lowest level in the country.

Share of Speeding drivers disqualified at Court (2022)

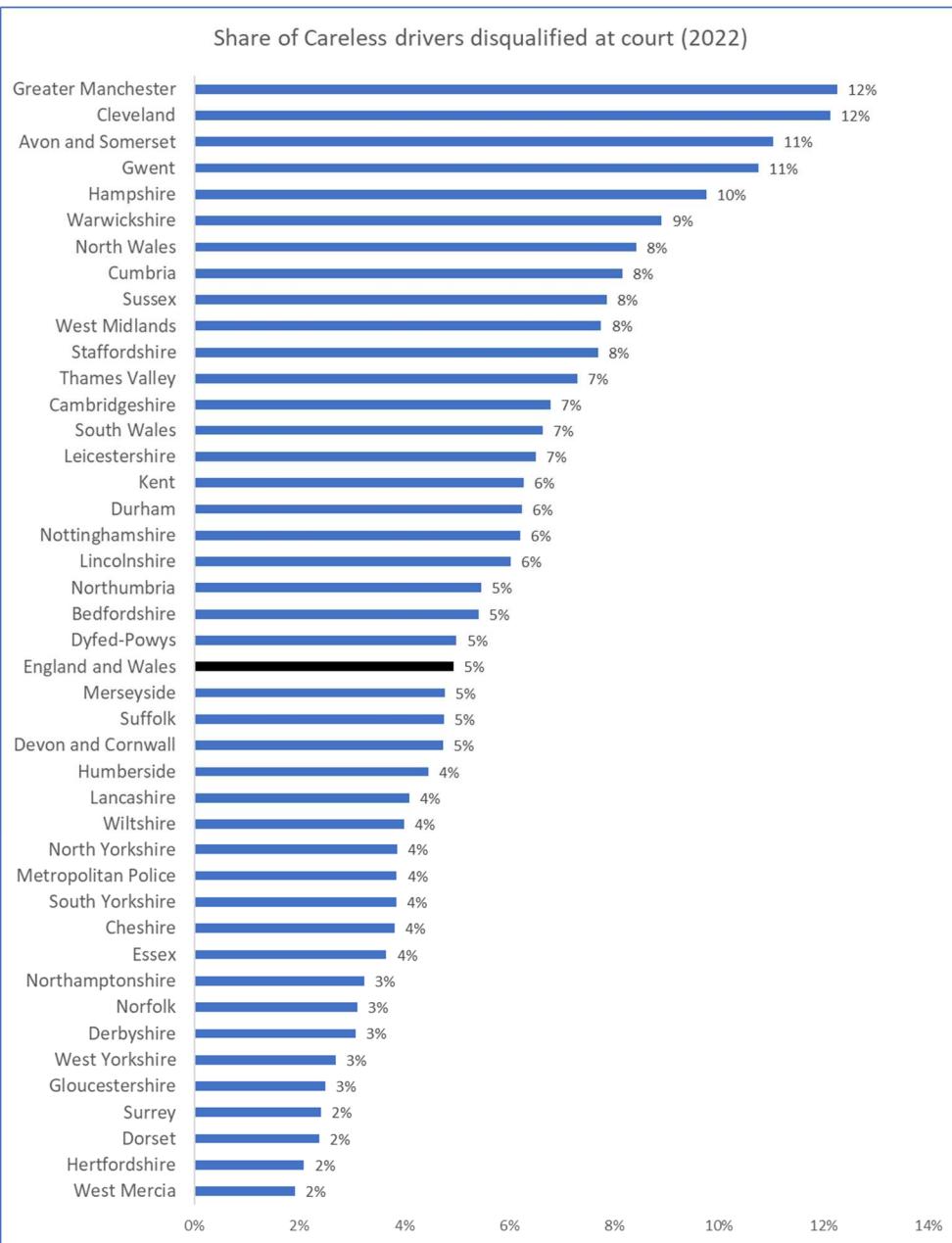


Source: [MoJ \(2023\)](#)

Careless driving

Careless driving had a slightly higher ban rate but disqualification remained rare. Only one in 20 careless driving convictions resulted in a driving ban. This is despite the overlap with dangerous driving. And remember, as with speeding, most of the sanctions for careless driving will have been handled out of court. Court prosecutions will include the more serious cases.

And again, as with speeding, there was a wide range across magistrate areas. This ranged from a high of 12% in Greater Manchester and Cleveland to 2% in Surrey, Dorset, Hertfordshire and West Mercia.



Source: [MoJ \(2023\)](#)

Totting up

The MoJ also reported another 40,260 drivers being disqualified for totting up. No information is given on which offences were involved. But as speeding is the most common offence, it is reasonable to assume that these are mainly repeat speeding offenders.

Conclusion

This is the third annual AVZ publication which has highlighted the problem of sober but unsafe drivers not being banned. Whilst society has rightly condemned drink and drug driving with mandatory bans, the same approach is needed for extreme and/or repeat speeding as well as the highest levels of careless driving (that bordering on dangerous driving).

The Sentencing Council has recently consulted on sentencing for serious motoring offences, with consideration of more attention being given to disqualification. It is the Magistrates Sentencing Guidelines which cover speeding and careless driving. These have not been updated since 2017. Much has changed since then and it is time the Magistrates Sentencing Guidelines were revised to make greater use of disqualification as prison is not an option for either speeding or careless driving.