

AVZ Blog: Care about Disqualifications? Tell the Sentencing Council!

15th October 2026

Key points

- The [Sentencing Council](#) is consulting on their strategic objectives and work programme for the next three years (2027-2030).
- At present, there is nothing about disqualifications or motoring offences included.
- The Sentencing Guideline for Speeding is overdue for review. It has not been updated since 2017, despite speeding being the most common offence sentenced at court.
- AVZ argues disqualification is massively under-used, especially with speeding and careless driving. AVZ is urging the Sentencing Council to review and evaluate the use of disqualification and other non-custodial sentences (e.g. vehicle confiscation) for motoring offences. Rehabilitation courses are needed with court convictions.
- Consultation closes on 30 October. See our [draft response](#) here. Please do respond!

The justice system considers disqualification an ancillary penalty, rather than a core sentence type, as it can only be given in association with a core sentence such as a fine, custodial sentence, etc. And it has traditionally been seen very much as a secondary sanction, used virtually only with motoring offences (only 249 of the 128,096 bans given in 2025 were for non-motoring offences).

AVZ is urging the Sentencing Council to include in its work programme a review and evaluation of the use of disqualification and non-custodial sentences. Statistics show few bans being given to drivers convicted at court for speeding and careless driving. And the number of bans given for totting up has decreased in recent years, despite the Sentencing Council strengthening their guidance in 2020.

The consultation consists of only 16 questions and the first four are just contact related. Three key questions for road danger reduction campaigners include:

Question 6: Are the projects listed above the right ones?

The Sentencing Council has not included disqualification or any motoring offence as a project over the next three years. AVZ advocates for disqualification and other non-custodial sentences (e.g. vehicle confiscation, home curfew) to be included as a project. This should also include how to expand rehabilitation courses, so common with out-of-court sanctions but at present, only available at court for drink drivers.

Question 7: Are there other offences or areas on which consultees would like to see new or revised guidelines?

Many key motoring offences have had their sentencing guidelines recently updated. Sentencing guidelines for a number of serious motoring offences (e.g. Causing death/serious injury by driving and Dangerous Driving) were updated in 2023 and Careless Driving guidelines were updated in 2025. The Sentencing Council also introduced its first guideline on Disqualification in 2025.

But the sentencing guidelines for speeding have not been updated since 2017. And speeding is the most common offence sentenced at court, accounting for over one in six offences sentenced at court in 2025.

Question 8: Are there other areas of analysis and research that the Council should look into?

Our draft response makes the case for researching the use of bans given for:

Totting up: The number of bans for penalty points has fallen by 28% since 2020, whilst total sentences have increased by 61% and instant bans (i.e. for single offences) by 67%. Nor is the decline in totting up bans is down to a decrease in offences being sanctioned out of court. Between 2020 and 2024, the Home Office reported an increase of 49% in the numbers of motoring offences sanctioned. So why has the number of totting up bans fallen? How many exceptional hardship pleas are successful? Why cannot this data be published?

Speeding: Only 10% of speeding offences end up at court. These will include the worst offenders and most of those prosecuted plead guilty. Drivers are summonsed to court when their speed is too high for an NDORS or FPN. At those speeds, a disqualification is supposed to be considered (e.g. driving at over 41mph in a 30mph limit). So why are so few speeding drivers banned?

Careless driving: Sentencing guidelines for careless driving have disqualification as an option at a medium as well as a high level of culpability. And since 2023, “(an) offence committed in the vicinity of vulnerable road users, including pedestrians, cyclists, horse riders, motorcyclists” is an aggravating factor. This can be assumed to apply to most careless driving offences occurring in urban areas. Lastly, in 2024, a third of careless driving prosecutions (32%) are believed to have started as Dangerous Driving arrests. These borderline cases should result in disqualification. So why aren’t more careless driving convictions resulting in a ban?

Duration: Ban durations are often the legal minimum. Why aren’t they longer – why are not even lifetime bans given? Only four drivers who were convicted of causing death were given lifetime bans in 2025. Why are the instant bans for speeding so short, e.g. only 28 days?

Question 14: Are there particular groups with which the Council could engage further to achieve the objective of supporting and improving public understanding of sentencing?

It is heartbreaking to hear crash-bereaved families speak on TV/radio about how a chance has been missed to send a lesson to the public with a tougher sentence. This is a trauma they would be spared if they knew the evidence showed tougher sentences do not deter. The Sentencing Council should try to engage with victim support groups and journalists to ensure they understand the effectiveness of sentencing. Tragic extreme stories may make good news stories but victims should not be used for publicity purposes by the media or support organisations.

Feel free to respond to just these questions or see here for our [draft response](#). Please do respond by the 30th October.