

**1) For the years 2008/2009 and 2009/10, how many approved driving instructors (ADI) had their registration revoked as a result of a criminal conviction? What was the nature of the conviction?**

We do not hold in a central record details of the number of ADIs that had their registration revoked as a result of a criminal conviction. To compile this information would involve us manually looking on our integrated register of driver trainers at the record of each ADI that was removed from the register in 2008/9 and 2009/10 to determine whether they were removed for a criminal conviction.

We also do not hold in a central record information about the nature of a criminal conviction for those ADIs who had their registration revoked. Information of this nature may be held on some ADIs' personal files but we would need to check each record to find out if this was present or not.

This information is exempt from release under section 12 (1) (cost of compliance exceeds appropriate limit) of the FoIA. A full breakdown of this exemption can be found at Annex B.

The appropriate limit, as prescribed by the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004, is £600 for Central Government and £450 for other public authorities, with staff costs calculated at a rate of £25 per hour. When calculating whether the appropriate limit is exceeded, authorities can take account of the costs of determining whether the information is held, locating and retrieving the information, and extracting the information from other documents. They cannot take account of the costs involved with considering whether information is exempt under the Act.

There were 2,335 and 2,963 ADIs removed from the ADI register in 2008/9 and 2009/10 respectively. We have estimated that it would take five minutes to check one ADI's record on our integrated register of driver training and other systems to find out if they were removed as a result of a criminal conviction and what their conviction was, if held. To check all 5,298 records would equate to 441.5 hours of work, which would exceed the 24 working hour limit prescribed.

**2) For the years 2008/2009 and 2009/2010, how many ADIs had their registration revoked when a criminal conviction came to light as a result of a CRB check? In each case what was the nature of the crime?**

You can find in the table below the number of ADIs who were removed from the register in 2008/9 and 2009/10 because of information displayed on their Criminal Record Disclosure.

<b>Year</b>	<b>ADIs removed</b>
2008/9	25
2009/10	15

Please note that the figure for 2008/9 differs to that provided to you under IA/03502/09. This is due to cases being refused by the Registrar initially and then actually being heard by the Transport Tribunal.

Although we do have the numbers of those who were removed as a result of their criminal record check, we do not record the reason. The Criminal Record Bureau's (CRB) Code of Practice (section 3), which applies to bodies using disclosures, states that: *No reproductions of the Disclosure or its content are made, including photocopies or scanned images, unless with the prior agreement of the CRB or as a result of a stipulated requirement relating to the e-channel service.* Disclosure Scotland also has a similar requirement. Any details we receive are securely disposed of and details are not kept.

The Registrar has strict procedures in place to assess the suitability of people applying to join the Register of ADIs, or to renew or re-register for membership.

The Criminal Records Bureau (CRB) are used to obtain enhanced criminal record disclosures.

Applications are unlikely to be successful from applicants who have been convicted of serious, violent, sexual, financial or drug offences. The Registrar is unlikely to accept applicants who are on the Sex Offenders' Register, or banned from working with children.

People with a criminal record may still be able to become Approved Driving Instructor. The Registrar will assess the risk they pose to pupils, including factors such as:

- whether the conviction is relevant
- seriousness of the offence
- the length of time since the offence occurred
- whether there is a pattern of offending behaviour
- the circumstances surrounding the offence and any explanation or defence

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