



Dear

## Freedom of Information Request

Thank you for your e-mail dated 12 October requesting information under the terms of the Freedom of Information Act 2000 (FOIA).

You asked for:

**I should like to request the following information under the terms of the Freedom of Information Act 2000 (FOIA).**

**We understand circa 45.5 million people hold a driving license, of those; Please confirm the total number of driving licenses with no convictions or penalty points?**

**Please confirm the total number of driving licenses with 3 or fewer penalty points?**

**Please confirm the total number of driving licenses with 6 or fewer penalty points?**

**Please confirm the total number of driving licenses with 9 or fewer penalty points?**

**Please confirm the total number of driving licenses with 12 or fewer penalty points?**

**Please confirm the total number of driving licenses with more than 12 penalty points?**

**Please confirm the total number of driving licenses?**

DVLA's drivers database changes constantly as the Agency receives driving licence applications and other information that updates the records of individual drivers. Therefore, it is possible only to provide a snapshot of the state of the record at the time of any request. It should be noted that there can be a delay between the notification of penalty points and of the sentence imposed by the Court. These can update the driver record separately.

The attached spreadsheet provides the number of driving licence holders with penalty points, broken down by number of points and gender.

DVLA's drivers database holds 46,762,863 driving licences. The figures provided reflect the position of the drivers database as at 26 September 2015.

Whilst DVLA maintains a record of all GB fixed penalties and Court ordered endorsements, the Agency has no responsibility for or influence on Court imposed sentences.

In England and Wales, the Magistrates Courts Sentencing Guidelines produced by the Sentencing Council provide a framework setting out how to establish the seriousness of each case and the most appropriate way of dealing with it. This helps the Magistrates Courts ensure that any penalty reflects the seriousness of the offence and the personal circumstances of the offender.

In Scotland, Sentencers determine each case on its merits and give full consideration to the most appropriate way of dealing with it. The penalty imposed reflects the seriousness of the offence and the personal circumstances of the offender.

The statistics provided are likely to include cases where drivers have received court sentences including disqualification, supervision orders, community punishment orders or imprisonment. Where sentences have been imposed other than through the totting up process, the penalty points follow standard periods of validity according to the offences concerned. Following the period of disqualification imposed, drivers can re-apply for their licence meaning that they can have a high number of valid penalty points and current entitlement to drive, even though the sentence of the court has been served.

In a small percentage of cases where the driver has accumulated 12 or more penalty points, the Agency understands that a Court can exercise its discretion and not disqualify the driver. In the majority of these cases, Magistrates or Sentencers may have decided to allow drivers to retain their entitlement to drive where it is considered that disqualification would cause exceptional hardship.

DVLA checks with courts when a driver's 12 current penalty point threshold is met or exceeded but where a disqualification is not imposed at the time of the conviction. The Agency takes this action to confirm that this is the intention of the Court and to help ensure DVLA records motoring convictions and sentences as accurately as possible.

The information which follows concerns the procedures for making any complaint you might have about the reply. Please quote the reference number of this letter in any future communications about it.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Robert Toft', written over a horizontal line.

ppRobert Toft  
Head of Data Sharing Policy & Freedom of Information Team

## **Your right to complain to DVLA and the Information Commissioner**

If you are not happy with the reply to your request, you can ask DVLA to re-consider the response you received by writing (within two calendar months of receiving this response) to either [foi@dvla.gsi.gov.uk](mailto:foi@dvla.gsi.gov.uk) or DVLA Freedom of Information Team, DSPG/FOI, D16, DVLA, Swansea SA6 7JL.

DVLA will acknowledge and consider your request, re-visiting the response provided. This is known as an Internal Review and will be considered by a staff member not involved with the original reply.

If you disagree with the outcome of the Internal Review, you can complain to the Information Commissioner's Office. Further information can be found via: <https://ico.org.uk/concerns/getting/> Alternatively you may wish to write to: Customer Contact, Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow SK9 5AF.