

# Cleared to Kill

Rethinking driving bans for the most serious  
offenders



**ONWARD** ➤

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## About Onward

Onward's mission is to develop bold and practical ideas to boost economic opportunity, build national resilience, and strengthen communities across all parts of the United Kingdom. We are not affiliated to any party but believe in mainstream conservatism. Our vision is to address the needs of the whole country: young and old, urban and rural, for all communities across the UK – particularly places that have too often felt neglected or ignored by Westminster.

We believe in an optimistic conservatism that is truly national – one that recognises the value of markets, supported by a streamlined state that is active not absent. We are unapologetic about standing up to vested interests, putting power closer to people, and supporting the hardworking and aspirational.

## Thanks

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## About the authors

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## Introduction

In England and Wales overly lenient driving bans are being handed down to people who have been proved in a court of law, in some cases multiple times, to be very dangerous drivers. Yet unlike a prison place, a lengthy or lifetime driving ban costs nothing. Such bans also offer a way both of punishing dangerous drivers who have killed or seriously hurt somebody and of keeping the public safer by removing these offenders from the road.

Having access to a car is not a right and roughly 25% people in England make do without a licence. The average new car bought in the UK weighs a little under two tonnes and a dangerous driver is a danger to everyone, including themselves. In 2024, less than 1% of people found guilty of causing death by dangerous driving were banned from driving for life. And while killer motoring offenders are regularly let back behind the wheel, life is becoming more difficult for law-abiding drivers.

Low Traffic Neighbourhoods, which critics say increase congestion by barring cars from side roads, are being implemented by local authorities across England. Taxes on cars are going up. In 2023, the Labour Welsh government reduced the default speed limit for the entire country from 30mph to 20mph. More than half of London's roads have a 20mph speed limit. And despite the low speeds on London roads, TfL has spent nearly £45 million on cycle lanes between 2020 and 2024. Parking penalties in London will also increase by £30 this year. The Government plans to release a new Road Safety Strategy later this year, including a reduction in the drink-drive limit and penalty points for drivers whose passengers are not wearing a seat belt.

Using sentencing data and case studies, this note demonstrates the leniency of driving bans that are being handed down to extremely serious motoring offenders, including repeat offenders. To make the roads safer for everyone, and without punishing or increasing scrutiny upon law-abiding drivers, we propose the introduction of tougher driving bans for people who kill or seriously hurt others through their dangerous driving.

## How driving bans work

Someone can be banned from driving – known legally as a disqualification – for getting 12 or more points on their licence or for being convicted of a driving offence. Anyone who is banned for 56 days or more will need to reapply for a licence to be able to drive again. The court will sometimes further specify that the offender must retake their driving test or take an extended driving test to be able to get their licence and drive again.

As is specified by the 1988 Road Traffic Offenders Act, some motoring offences carry an obligatory minimum driving ban of one year, such as causing death by careless driving or causing death while driving without a licence or insurance. A lifetime driving ban is legally available for many motoring offences specified in the Road Traffic Offenders Act, including causing death by dangerous driving, causing serious injury by dangerous driving, drunk driving, and even speeding.

### **Sentencing Council guidelines are too lenient**

Causing death by dangerous driving is the most serious motoring offence someone can commit. It is questionable whether someone who has killed someone with their car, through their own deliberate recklessness, should ever be allowed to drive again. Yet the minimum driving ban outlined by the Sentencing Council for people found guilty of this crime is only 5 years.

This is even the case for those offenders found to have shown the very highest degree of culpability in committing this crime, for example, by speeding significantly in excess of the limit, or undertaking a prolonged, persistent and deliberate course of dangerous driving. Causing serious injury by dangerous driving, which may mean life-changing injuries for victims, is another very serious motoring offence where the Sentencing Council recommends a low minimum driving length ban. Again, even for offenders whose crime falls into the highest culpability and harm categories, such as where a victim needs care for the rest of their life, the minimum driving ban is only two years.

The Sentencing Council does not even recommend a lifetime ban for those who cause death by dangerous driving while already being disqualified. For offenders who have already been banned from driving but have still illegally gotten behind the wheel of a car and then killed someone, the minimum length of driving ban is again only two years.

### **Lifetime bans are very rare**

Lifetime driving bans are legally available for many motoring offences, including causing death by dangerous driving. But in practice, a lifetime ban is very rarely handed out, even for the most serious offences.

From June 2023 to 2024, a total of 202 people were found guilty of causing death by dangerous driving.<sup>[i]</sup> As shown in Table 1 below, only 2 of those offenders, just shy of 1%, received lifetime driving bans.<sup>[ii]</sup>

**Table 1. Length of driving bans given to people found guilty of causing death by dangerous driving in 2023/24**

Length of ban	Number of offenders
2 years to under 3 years	6
3 years to under 4 years	11
4 years to under 5 years	9
5 years to under 10 years	98
10 years to less than life	74
Life	2
Not applicable	2

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Of the 351 offenders found guilty of causing serious injury by dangerous driving in the same year, only 2 (0.56%) were banned from driving for life, as can be seen in Table 2.<sup>[iii]</sup>

**Table 2. Length of driving bans given to people found guilty of causing serious injury by dangerous driving in 2023/24**

Length of ban	Number of offenders
Under 6 months	1
6 months to under a year	0
1 year to under 2 years	4
2 years to under 3 years	125
3 years to under 4 years	82
4 years to under 5 years	64
5 years to under 10 years	57
10 years to less than life	12
Life	2
Not applicable	4

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2023 to 2024 also saw 6 people found guilty of causing death while driving disqualified.<sup>[iv]</sup> In other words, these are offenders who were already banned from driving when they illegally got behind the wheel of a car and then killed someone. Of those people, zero were banned from driving for life and none were banned from driving for more than ten years, as shown in Table 3 below.<sup>[v]</sup>

**Table 3. Length of driving bans given to people found guilty of causing death while driving disqualified in 2023/24**

Length of ban	Number of offenders
3 years to under 4 years	1
4 years to under 5 years	1
5 years to under 10 years	4

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Case studies

These case studies illustrate the lenience of the driving bans that are being handed out to very serious offenders who clearly pose a danger to the public when behind the wheel of a car.

**Terry Colley – Back on the road in 2031.**

In November 2023, Terry Colley swerved over onto the other side of a carriageway and crashed head on into the car of a 29 year old woman, seriously injuring her. After being rescued from his burning car by a witness to the crash, Colley tested positive for cocaine and was found to be well over the legal alcohol limit.

Colley repeatedly claimed that his victim had been driving on the wrong side of the road, which CCTV evidence showed to be false, and initially pleaded not guilty to the charge of causing serious injury by driving. Only on the first day of his trial did Colley change his plea to a guilty one, before failing to turn up for his sentencing the next day. Colley was sentenced to four years imprisonment and a six year and one month driving ban.

The presiding judge described Colley as not having “shown a shred of remorse”, yet in 2031 he will once again be able to legally drive a car.

**Alan Moulton – Already allowed to drive again.**

In 2021, Alan Moulton got into an argument with cyclist Nick Cook that escalated when Cook spat on his car. Moulton responded by running over the cyclist with his Range Rover, breaking his back and pelvis and puncturing his liver.

Moulton was sentenced to 18 months in prison and given a three year driving ban to start upon his release. That means that today, in 2025, Moulton is already legally able to get behind the wheel of a car.

**Graeme Eden – Already allowed to drive again.**

In 2002, Graeme Eden was convicted of causing death by careless driving while under the influence of alcohol when he crashed his motorbike, killing his passenger.

Just eight years later, Eden crashed his car while speeding with his partner in the passenger seat. The crash killed his partner, the 30 year old mother of a nine year old girl. For this crime, Eden was sentenced to seven years in prison and banned from driving for ten years. That means, despite killing someone on two separate occasions with his reckless driving, Eden has legally been able to drive since 2020.

**Tracy Bibby – Already allowed to drive again.**

Tracy Bibby had already been banned from driving in 2006 and 2016. In 2019, while the second driving ban was still in effect, Bibby crashed a van into a house while speeding and killed a 90 year old woman. Bibby lied to police that she had not been the driver but CCTV evidence showed that she had entered the van on the driver's side.

Bibby was jailed for four years and banned from driving for six years. As of 2025, Bibby is legally allowed to drive again.

**Artur Mieszczyk – Back on the road in 2032.**

In July 2023, Artur Mieszczyk was driving himself and two friends without a valid licence or insurance. He crashed into a tree, killing one friend and seriously injuring another. At the scene, Mieszczyk tested positive for cocaine and was breathalysed at nearly double the legal alcohol limit.

In March 2025, Mieszczyk was sentenced to four years in prison and a driving ban of seven years. He will be able to drive again in 2032.

### **Cain Byrne – Back on the road in 2043.**

In April 2025 in South Yorkshire, 20 year old Cain Byrne jumped a red light while speeding and killed an 81 year old man who was crossing the road. Byrne did not stop when he hit his victim and footage shows him inhaling nitrous oxide before and after the collision. During the sentencing hearing, Judge Richardson KC noted that Byrne, who has never held a licence, has “many previous convictions for crimes involving dangerous driving of motor cars”.

Byrne was sentenced to 11 years and six months in prison and banned from driving for 17 years and 8 months. At only 20 years old, this means it is possible that Byrne could legally be behind the wheel of a car at age 37.

### **What must change**

As a first step and before considering legislation, the Government should propose the following changes to the Sentencing Council, using powers provided in s.124 of the Coroners and Justice Act 2009:

- 1. An automatic lifetime driving ban for those who kill or seriously injure someone while driving disqualified.**

Guidelines should change to recommend a lifetime ban for those who kill someone while driving disqualified. These are offenders who ignore the driving ban a court has given them and kill or seriously injure someone while driving disqualified. These offenders should be automatically banned from driving permanently.

- 2. An automatic lifetime driving ban of a lifetime driving ban who are found guilty of killing or of seriously injuring by dangerous driving someone more than once.**

Guidelines should change to recommend a lifetime driving ban for offenders who are found guilty of killing or seriously injuring someone by dangerous driving more than once.

- 3. 10 year minimum driving ban for those found guilty for the most serious offenders found guilty of killing someone by dangerous driving.**

For those found guilty of killing someone by dangerous driving and whose crime falls into the highest culpability and harm categories as laid out by the Sentencing Council, the minimum driving ban length should double from five years to ten years.



**4. 5 year minimum driving ban for those found guilty for the most serious offenders found guilty of causing serious injury by dangerous driving.**

For those found guilty of causing serious injury by dangerous driving and whose crime falls into the highest culpability and harm categories as laid out by the Sentencing Council, the minimum driving ban length should increase from two years to five years.

**Conclusion**

Driving is a privilege, not a right. Yet even this country's most dangerous drivers, including those who kill with their cars while already banned from driving, are routinely allowed back behind the wheel a matter of years after their conviction. Sentencing data and the Sentencing Council's guidelines show that lenient driving bans are not anomalies but a matter of course. Lifetime driving bans are permitted in law and yet very rarely handed out, even to repeat offenders. Case studies show just how dangerous these offenders can be.

The changes we propose – including lifetime driving bans for those who repeatedly kill or injure others by driving dangerously, and tougher minimum driving bans for high-harm, high-culpability cases – are proportionate and cost-free. These changes will better punish serious motoring offenders and keep us all safer, for longer

# Endnotes

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- [i] Ministry of Justice (November 2024), Criminal Justice System statistics quarterly: June 2024, [Outcomes by Offence data tool: June 2024](#), 2. Sentence Outcomes. 'Offence: 4.4 Causing Death by Dangerous Driving (MOT)' 'HO Offence Code: 00404 - Causing death by dangerous driving (MOT)'
- [ii] Ministry of Justice (November 2024), Criminal Justice System statistics quarterly: June 2024, [Outcomes by Offence data tool: June 2024](#), 2. Sentence Outcomes. 'Offence: 4.4 Causing Death by Dangerous Driving (MOT)', 'HO Offence Code: 00404 - Causing death by dangerous driving (MOT)' 'Period of Driving Disqualification: 12: Life'
- [iii] Ministry of Justice (November 2024), Criminal Justice System statistics quarterly: June 2024, [Outcomes by Offence data tool: June 2024](#), 2. Sentence Outcomes. 'Offence: 4.12 Causing serious injury by dangerous driving (MOT)', 'HO Offence Code: 00412 - Causing serious injury by dangerous driving (MOT)' 'Period of Driving Disqualification: 12: Life'
- [iv] Ministry of Justice (November 2024), Criminal Justice System statistics quarterly: June 2024, [Outcomes by Offence data tool: June 2024](#), 2. Sentence Outcomes. 'Offence: 4.9b Causing death by driving whilst disqualified (MOT)' 'HO Offence Code: 00417 - Cause death by driving whilst disqualified (MOT)'
- [v] Ministry of Justice (November 2024), Criminal Justice System statistics quarterly: June 2024, [Outcomes by Offence data tool: June 2024](#), 2. Sentence Outcomes. 'Offence: 4.9b Causing death by driving whilst disqualified (MOT)', 'HO Offence Code: 00417 - Cause death by driving whilst disqualified (MOT)', 'Period of Driving Disqualification: 12: Life', 'Period of Driving Disqualification: 11: 10 years and less than life'