

ENGLAND AND WALES / JUDGMENT

Khalid Masaud Quereshi v The Registrar of Approved Driving Instructors

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Neutral citation number: [2026] UKFTT 01272 (GRC) First-tier Tribunal General Regulatory Chamber Transport Case Reference: FT/D/2026/0027 Determined at an oral hearing on 27th August 2026 Decision given on : 03 September 2026 Before HHJ DAVID DIXON DAVID RAWSTHORN MARTIN SMITH Between KHALID MASAUD QUERESHI and THE REGISTRAR OF APPROVED DRIVING INSTRUCTORS Appellant Respondent Decision: The appeal is dismissed with immediate effect.

REASONS

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1. This appeal concerns a decision of the Registrar of Approved Driving Instructors (“the Registrar”) made on 15th December 2025 to remove his name from the Register. 2. The Registrar’s reasons for removal, in summary, were that the Appellant had accrued penalty points for failing to declare who the driver of a vehicle was on 1 st May 2025, a s172 offence. The conviction was recorded on 6th November 2025. The Registrar took the view the offending was serious and allowing him to remain on the Register would undermine confidence in it, so determined the Appellant must be removed. 3. The Appellant now appeals the Registrar’s decision. Appeal to the Tribunal 4. 5. 6. 7. The Appellant’s Notice of Appeal, dated 28th December 2025, indicates that he accepts the conviction, but argues it was not necessary or proportionate to remove his name from the Register. The Appellant argues that the conviction came from an administrative error during the sale of a car. He says he has been an ADI for 32 years teaching over 1000 pupils in that time. He has held a clean licence and upheld the highest standards during that time. He submits that his lengthy good character must be balanced against the administrative failing to determine if a career ending decision has to follow. He argues that his registration is the foundation of his household income and the removal of his licence will be “particularly severe.” Whilst his wife used to work a recent severe injury has curtailed that. The Respondent submitted a Response indicating that the Appellant was required to apply the rules of the road and he hadn’t. He was in charge of teaching young people to drive, and that required ADIs to be of the highest standards in relation to their use of the roads. Here the Appellant had failed in that regard and it would send out the wrong message if he was allowed to remain on the Register. He was no longer fit and proper. 8. His failure to notify of the conviction was a

further issue. Mode of Determination

9. The case was listed for oral hearing, and heard via the CVP system.
10. The Appellant attended and was unrepresented.
11. The Respondent was represented by Andrew Heard of the DVSA Appeals team.
12. The Tribunal considered a bundle consisting of 35 pages. Evidence and submissions
13. Mr Head said the Respondent's position was as per the statement of case supplied.
14. The Appellant said the car concerned was his, an A200 Mercedes, and he had had it for 2 months, before he decided to advertise it for £13,000. On the day of the incident two people wanted to test drive the car, He said he stupidly let them test drive the car despite not having details of their identity; he simply held their car keys whilst they test drove his car. He trusted they had insurance. A few weeks later the Appellant received a s172 notice and he contacted the driver, who indicated if the form was sent to him he would complete the requirements. The Appellant said he scanned the form on his phone and sent across a copy to the other's mobile number.
15. He was asked why he never asked for the address of the other person, which the s172 form required. The Appellant had no answer.
16. Subsequently, the Appellant said the police told him that some details were provided but they were incorrect. The Appellant tried to contact the individual concerned but he became difficult and then blocked him such that no further contact was possible.
17. The Appellant said he consulted a lawyer friend who told him that he should accept the offence. The advice received from the solicitor was that he should look after himself. As a result the Appellant accepted the conviction and the points that followed. He did not seek to argue his case at the Magistrates Court.
18. The Appellant stressed he was not driving, he wasn't teaching, the car involved was not used for instructing and he did nothing wrong.
19. He was asked why he had let "strangers" take his car away without any details, and he said he had a driving lesson to get to and in the moment he thought he could trust them.
20. He was asked what would happen if he lost his ADI status and he said that he would lose his livelihood. He said he had been part of the community teaching for 32 years, and at his age, 70, there was no possibility of other work.
21. The Appellant described that his wife had had a bad fall in November last year and her mobility had been badly affected. Whilst she could get around a little unassisted, she was unable to drive. She was accordingly unable to be an active ADI, as she had been with him for many years. The doctors had indicated that his wife would require 12-18 months to recover and even then she may not be able to return to instructing.

22. The Appellant said he hoped to retire gracefully in a couple of years and asked that he be given the opportunity to continue to teach until then. The Law
23. Conditions for entry and retention on the Register require the Applicant to be and continue to be a “fit and proper person” to have his name on the Register of Approved Driving Instructors – see s. 125 (3) and s. 127 (3) (e) Road Traffic Act 1988. 1 <http://www.legislation.gov.uk/ukpga/1988/52/part/V/crossheading/registration>
24. The Registrar may take the view that a person no longer meets this requirement where there has been a change in circumstances. The burden of showing that a person does not meet the statutory criteria rests with the Registrar. 25. In *Harris v Registrar of Approved Driving Instructors* [2010] EWCA Civ 8082, the Court of Appeal described the “fit and proper person” condition thus: “..the condition is not simply that the applicant is a fit and proper person to be a driving instructor, it is that he is a fit and proper person to have his name entered in the register. Registration carries with it an official seal of approval...the maintenance of public confidence in the register is important. For that purpose the Registrar must be in a position to carry out his function of scrutiny effectively, including consideration of the implications of any convictions of an applicant or a registered ADI. This is why there are stringent disclosure requirements”.
26. An appeal to this Tribunal against the Registrar’s decision proceeds as an appeal by way of re- hearing i.e. the Tribunal stands in the shoes of the Registrar and take a fresh decision on the evidence before it. The Tribunal must give such weight as is considered appropriate to the Registrar’s reasons³ as the Registrar is the person tasked by Parliament with making such decisions. The Tribunal does not conduct a procedural review of the Registrar’s decision- making process.

Conclusion

27. The Tribunal considered carefully all the evidence and papers before it.
28. Here the Appellant has committed a serious offence, but the Tribunal was as concerned by the somewhat irrational and simply bizarre decisions that the Appellant made. Firstly, the Tribunal found that the decision to let strangers take away a car without any real details being given was more than odd. They could simply have stolen his car and he would have lost £13,000, albeit he said that he kept the keys to the Audo car they arrived in. Secondly, he let them use his car without checking that they were actually insured to drive it He potentially opened himself to an offence of allowing another to drive whilst uninsured. Thirdly, in relation to this decision, he kept no records at all of the drivers, even though he would for a learner driver under his tuition. The extremely unusual nature of his account left the Tribunal concerned about its veracity, but opted not to make a finding in that regard as the Appellant’s own version caused it more than sufficient concerns. 29. Following on from that upon receiving the s172 form, on his version of events, the Appellant has clearly not read it properly as he has deemed it right to send a copy to the third party, rather than

complete it himself, which is the requirement. He didn't think it right to ask for the other's address at any stage and once again "trusted" the other to act properly. The "naivety" of the Appellant's approach was of such a degree that again the Tribunal questioned its plausibility, 2 <http://www.bailii.org/ew/cases/EWCA/Civ/2010/808.html> 3 See R (Hope and Glory Public House Limited) v City of Westminster Magistrates' Court [2011] EWCA Civ 31. <http://www.bailii.org/ew/cases/EWCA/Civ/2011/31.html>. Approved by the Supreme Court in Hesham Ali (Iraq) v Secretary of State for the Home Department

- [2016] UKSC 60 at paragraph 45 – see <https://www.supremecourt.uk/cases/docs/uksc-2015-0126-judgment.pdf>. Again however the Appellant's own account was so unusual that it caused the Tribunal very real issues. 30. Further to that he then decided, it's said on legal advice, to simply accept an offence he had not committed. The Tribunal found it difficult to accept that such advice would be given by a criminal lawyer. Pragmatic advice is one thing, but here the account given is incredulous. The Appellant's account could have been put before the Magistrates and the Appellant would at least have felt that he had argued his case, realistically he would be no worse off. It all seemed more than a little odd to the Tribunal. The Tribunal was not convinced it had heard the full picture of what had actually transpired.
31. The Tribunal listened with care to the Appellant saying that he was not the driver at the time and that that should be borne in mind. However, that is irrelevant to the offence. Here he has failed to comply with a legal requirement. He hasn't followed proper procedures and for an ADI this is extremely serious.
 32. The Tribunal comes to the view that the Registrar had no option but to remove the Appellant. The Registrar must ensure that the public has faith in the Register and the only way to do so is to ensure that only those suitable to instruct are on it. Anyone who fails to ensure their affairs are kept properly is not. Anyone who acts as irrationally as the Appellant did is not. Anyone who has so little regard for due process that they "trust" another to complete a legally required form is not. To allow the Appellant to appear on the Register would be to send out the wrong message. The Registrar rightly expects ADIs to uphold the highest of standards in relation to motoring matters and to their professional affairs. Here the Appellant hasn't.
 33. The Tribunal gave due regard to the overall picture here, but the offence and its circumstances were simply too serious and removal was necessary. Sometimes offending is so serious that when put in the balance between good character and previous exemplary driving, against on the other hand the offence, the offence is still so serious that removal is appropriate. This is such a case.
 34. The consequences of removal were considered carefully by the Tribunal to determine if it was proportionate in all the circumstances, bearing in mind the Appellant's arguments concerning the impact on his family life and more, and came to the firm view it was. The Tribunal gave careful consideration to the Appellant's age and likely employability, alongside

his evidence that he hoped to retire in the next two years and that both he and his wife had worked together as ADIs until her recent ill health. A warning here was insufficient for an ADI that had shown disregard for motoring law requirements. Removal was appropriate.

35. The Appeal is dismissed with immediate effect. The Registrar's decision was correct.
(Signed) HHJ David Dixon David Rawsthorn Martin Smith DATE: 27th August 2026 5
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