

Report to Licensing Committee

Date of meeting: 9th March 2020



**Epping Forest
District Council**

Subject: In- Vehicle CCTV in Taxis

**Officer contact for further information: Sally Devine
Committee Secretary: Adrian Hendry, ext. 4246**

Recommendations/Decisions Required:

To note the steps being taken in consideration of in- vehicle CCTV in hackney carriage/ private hire vehicles.

Report:

1. The Portfolio Holder for Commercial and Regulatory Services has requested that the licensing department consider the introduction of CCTV in taxis as a licensing condition, to help address driver vulnerability and safeguarding of passengers. It would also assist in the investigation of complaints and help the Council fulfill its statutory duty to protect public safety and to ensure drivers remain fit and proper to hold a licence.

2. The Committee will be aware from reports in the press and elsewhere of serious concerns regarding child exploitation, human trafficking, criminal exploitation, drug trafficking and domestic abuse and there have been a number of high-profile safeguarding cases in other areas of the country which has underlined the need for safeguarding issues to be seriously considered within the Council's hackney carriage/ private hire licensing policy.

3. The introduction of CCTV can have clear benefits for passengers, drivers and the licensing authority. Evidence drawn from complaints made to the Council demonstrates that complaints are not always easily resolved because it is one person's word against another, and this can sometimes have an unsatisfactory outcome for all parties. The introduction of CCTV would overcome this. Other benefits include:

- The Licensing Team will be better able to make informed decisions whether to take no action, suspend or revoke a licence following a complaint. This evidence can be used in court should the driver appeal a decision, and it may prevent a driver guilty of misconduct, from launching an appeal.
- It will reaffirm or increase public confidence in passenger safety towards those taxi drivers that abuse their position of trust;
- It will protect taxi drivers from threats or assaults from passengers including racially motivated abuse
- Where both cameras and audio recording are used, incidents of verbal and physical abuse can be recorded which will provide invaluable evidence for enforcement agencies, and in protecting drivers from false allegations made against them, which could potentially avoid them losing their licence and livelihood
- It should lead to a reduction in cases of actual and alleged incidents as both parties will be aware of the CCTV recording equipment
- It will lead to an overall reduction in crime levels

4. A Task and Finish Group commissioned by the Minister of State at the Department of Transport in 2018 recommends the mandatory introduction of cameras in licensed vehicles.

5. However, the Information Commissioners Office CCTV Code of Practice recognises that an important balance must be made between privacy and proportionality and that a mandatory policy around CCTV systems in taxis will require strong justification and should be kept under regular review.

6. Officers have made initial enquiries around the CCTV systems that are available and the likely costs. Discussions will also be had with internal and external partners, including with other local authorities that have already introduced CCTV for taxis in the Districts or are proposing to do so that we can learn from their experience.

7. We will be consulting with the Police and our Community Resilience Team to obtain local intelligence data around incidents connecting the taxi trade, safeguarding and criminality that may support the case for CCTV in taxis to reduce crime and protect public and driver safety

8. It is clearly important to work with the trade as far as possible when considering any policy, to ensure the key messages around why CCTV is being considered/ required, and the potential benefits to drivers are clearly communicated. It is also important to understand any concerns they may have, for example around cost and privacy. In the first instance we are consulting with taxi drivers and operators by letter/ questionnaire to establish their level of concern around their own personal safety and to obtain their views about in-vehicle CCTV. An example letter is attached as an appendix at the end of this report.

9. There are many factors to be considered before the Council could be in a position to mandate CCTV systems in taxis/PHVs. The Home Secretary's Surveillance Camera Code sets out 12 guiding principles that should be adopted, which include: justification of purpose and legitimate aim, individuals privacy; transparency; clear roles and responsibilities and good governance; rules and policies deletion of information not needed; restricted access; maintaining standards; securing against unauthorised access; ensuring legal compliance; showing evidential value; accurate and relevant supporting information.

10. Officers will provide an update report to the next Licensing Committee on progress to date.

Appendix : Letter/ Questionnaire to Taxi drivers

Dear Sir/Madam

Hackney Carriage & Private Hire Licensing Consultation 2019 Vulnerability in Taxis

The Council is concerned about the safety of both passengers and taxi drivers across the District and is considering how this can be improved.

The purpose of licensing Hackney Carriage and Private Hire Vehicles is to protect the public, and the Council must ensure that passengers can travel in a safe environment. Equally, we are concerned that Taxi Drivers may also be vulnerable to passenger abuse and even violence at times and we want to look at ways that protect drivers during their work.

One way this may be achieved is by fitting in-vehicle CCTV which could both protect the driver and the passenger from abuse or anti-social behaviour and can help defend cases of unfounded allegations. It can also have additional benefits by assisting in providing evidence following a traffic accident and it may reduce vehicle insurance premiums and protect your no claims bonus.

We would like to know your views about in-vehicle CCTV or any other suggestions you may have.

We would like your thoughts and comments on the following:

	Y	N
Do you always feel safe whilst working as a licenced driver?		
Do you feel more vulnerable at night?		
Have you been threatened or verbally abused in the last 2 years?		
Have you been physically harmed by a passenger in the last 2 years?		
Has a passenger refused to pay a fare in the last 2 years?		
Have you been the victim of racial abuse while driving your vehicle for work?		

Do you have in-vehicle CCTV fitted in your vehicle already? If yes, we would like your comments on whether you feel safer in your vehicle than before and whether there has been an improvement in passenger behaviour towards you. Please comment below		

The Council is considering whether to make it a licensing condition that all taxis operating within the Epping Forest District have in-vehicle CCTV. Would you support this? Please give any comments or reasons below		

If a licence condition was introduced requiring in- vehicle CCTV in all taxi's do you think that a period of time should be allowed for drivers to comply?		
What period do you think would be sensible? For example, you may think it should be an immediate requirement or you may think 1 year, 2 years or more should be allowed or at licence renewal. Please comment in the box below		

Please give any additional comments relating to in-vehicle CCTV or make any other suggestions to improve taxi driver and passenger safety

Your views are important to us. In order that they can be considered as part of this consultation, we need to receive responses by xxxxxxxx

The preferred method of correspondence to us is to complete the questionnaire and to email your comments to: licensing@eppingforestdc.gov.uk

Alternatively, you can send by post to:
The Licensing Section
Civic Offices
High Street
Epping
Essex CM16 4BZ.

Thank you for spending the time to consider this matter and if I can be of any assistance please contact me.

Yours sincerely

Mrs K Tuckey
Licensing Manager