

# **In-vehicle CCTV in taxis and private hire vehicles (PHVs) consultation**

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## What are we doing

We are reviewing the use of in-vehicle closed circuit television (CCTV) in London's:

- Taxis (black cabs)
- Minicabs and other private hire vehicles (PHVs)

## Why are we doing this

In February 2019 the Department for Transport (DfT) consulted on [proposed statutory guidance](#) for taxi and PHV licensing authorities on how to use their licensing powers to protect children and vulnerable adults.

The introduction to the statutory taxi and PHV standards explains why new measures are needed to protect children and vulnerable adults:

*“There is evidence to support the view that taxis and private hire vehicles are a high-risk environment. In terms of risks to passengers, this can be seen in abuse and exploitation of children and vulnerable adults facilitated and in some cases perpetrated by the trade and the number of sexual crimes reported which involve taxi and private hire vehicle drivers. Links between the trade and child sexual abuse and exploitation have been established in many areas and other investigations continue.”*

In July 2020, the DfT published the [final statutory taxi and PHV standards](#). The standards include a number of recommendations that taxi and PHV licensing authorities are expected to implement. The focus of the standards is on protecting children and vulnerable adults, although all passengers will benefit from the recommendations, which aim to better regulate the taxi and PHV sector.

The statutory standards do not recommend that licensing authorities must require all vehicles they license to have in-vehicle CCTV installed.

Instead the section on in-vehicle CCTV states that:

*“All licensing authorities should consult to identify if there are local circumstances which indicate that the installation of CCTV in vehicles would have either a positive or an adverse net effect on the safety of taxi and private hire vehicle users, including children or vulnerable adults, and taking into account potential privacy issues.”*

In accordance with the DfT standards, we are seeking views as to the positive or adverse effects of CCTV in vehicles on the safety and privacy of taxi and PHV users.

TfL is not making any specific proposals as to the installation of CCTV in vehicles at this stage but may bring forward a specific set of proposals in a second consultation depending on the evidence gathered in response to this consultation.

## Scope of the consultation

We are not consulting on specific proposals. Instead, we are seeking respondents' views on the following:

- Whether or not you think all taxis (black cabs) and PHVs (including minicabs) in London should have in-vehicle CCTV fitted as a mandatory requirement or whether the current position of allowing vehicle owners to choose to fit in-vehicle CCTV systems should be maintained
- What are your views of the local considerations to take into account in London and how this affects whether in-vehicle CCTV should be mandatory in all London licensed taxis and PHVs
- What positive impacts you think could be achieved if in-vehicle CCTV was in operation in all London licensed taxis and PHVs
- What adverse impacts you think may arise if in-vehicle CCTV was in operation in all London licensed taxis and PHVs

## Background

Transport for London (TfL) licenses and regulates London taxi and private hire services.

In London there are<sup>1</sup>:

- 14,309 licensed taxis
- 21,199 licensed taxi drivers
- 1,993 licensed private hire operators
- 107,512 licensed private hire drivers
- 81,259 licensed PHVs

## Taxi and PHV services

Taxis (black cabs) can be hailed on the street, at designated taxi ranks or booked in advance.

Private hire includes minicab and other services (e.g. limousines, chauffeur services, tour guides, some accessible transport services). PHVs must be booked with a licensed PHV operator prior to a journey starting.

London's taxis and PHVs provide a reliable, convenient and trusted service to Londoners and visitors.

The [Mayor's Transport Strategy \(MTS\)](#) recognises the important role taxis and PHVs play in the Capital's transport network. Policy 20 of the MTS seeks to "*ensure London has a safe, secure, accessible, world-class taxi and private hire service with opportunity for all providers to flourish.*"

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<sup>1</sup> TfL licensing data 10 January 2021

Taxis and PHVs are used for a range of different services where children or vulnerable adults may be travelling including:

- School run services
- Transport for children or adults with special educational needs and disabilities (SEND)
- Taxicard service – the Taxicard service provides subsidised taxi journeys for disabled London residents. The scheme is funded by TfL and the London boroughs and taxis are used for the majority of Taxicard journeys
- For some Dial-A-Ride journeys – Dial-a-Ride is a door-to-door transport service for London residents with a permanent or long term disability or health problem who face barriers with using other forms of transport

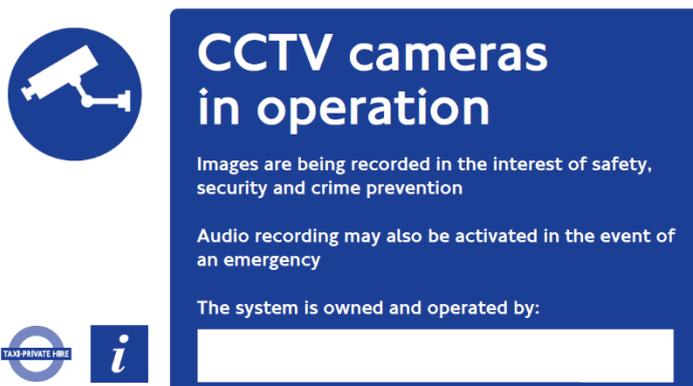
Taxis and PHVs are particularly important late at night, and taxi and PHV passengers travelling at night may be more vulnerable as:

- They may have consumed alcohol
- They may be travelling on their own for all or part of their journey
- They may be more likely to consider using an unbooked PHV

## In-vehicle CCTV in London taxis and PHVs

The current position for in-vehicle CCTV in taxis and PHVs licensed in London is:

- London licensed taxi and PHV owners are permitted to install a [TfL-approved in-vehicle CCTV system](#) in their vehicle, if they choose to do so. Vehicle owners, or operators, are the controllers of the system and are responsible for data management and ensuring the installation and operation of the system complies with the [Information Commissioner's Office \(ICO\) requirements](#)
- Where a London licensed taxi or PHV vehicle owner chooses to install and operate in-vehicle CCTV systems, these systems must meet the requirements set out in our [guidelines](#)
- There is no mandatory requirement for London licensed taxis and PHVs to have an in-vehicle CCTV system installed
- All London licensed taxis and PHVs with in-vehicle CCTV installed must display the signage shown below in a prominent position in the vehicle



Research conducted by TfL in 2017/18 and 2019/20 asked drivers if the vehicle they drove had in-vehicle CCTV installed. The results are shown below for the drivers who responded to the survey:

	<b>Taxi drivers – 2019/20<sup>2</sup></b>	<b>PHV drivers – 2017/18<sup>3</sup></b>
In-vehicle CCTV installed	9%	6%
Road facing CCTV installed	43%	27%
Other type of CCTV	3%	2%
No CCTV system installed	52%	69%

## London licensed taxis and PHVs

The legislation covering taxi and PHV services in London is different to the legislation covering taxi and PHV services in the rest of England and Wales.

- **London** – In London, taxis and PHVs can be used privately as well as to provide transport services. Anyone with a normal driving licence is permitted to drive a TfL-licensed vehicle for private purposes (e.g. going to the shops, taking children to school), even if they are not a licensed taxi or PHV driver
- **Outside of London** – Taxis and PHVs must always be driven by a licensed taxi or PHV driver, this excludes family and friends from using licensed vehicles for private purposes

As London licensed taxis and PHVs can be driven for private purposes by people who are not a licensed taxi or PHV driver, careful consideration is needed on whether it would be appropriate and proportionate to mandate the use of in-vehicle CCTV in all licensed vehicles.

This set of circumstances is unique to London and when responding to this consultation London specific factors should be taken into consideration. Information about the use of in-vehicle CCTV in taxis and PHVs in some other areas is enclosed in Appendix 1.

## What is in-vehicle CCTV

The main features of in-vehicle CCTV systems used in taxis and PHVs are:

- They record video footage of the driver and passengers inside the vehicle (this may or may not be on a continuous basis)

<sup>2</sup> Taxi and PHV Licensee CSS Kantar, 2019/20

<sup>3</sup> Taxi and PHV Licensee CSS Kantar TNS, 2017/18

- Some systems can record audio, although audio is not recorded at all times. Instead systems normally only record audio when the driver or a passenger activates this and will then only record for a few minutes
- Video and audio footage from in-vehicle CCTV in taxis and PHVs is not monitored in real time or livestreamed whilst being recorded
- Footage is stored for a specified retention period (e.g. 28 days) and can be accessed by authorised users during this period if there is an incident or complaint
- After the specified retention period has passed the video and any audio recorded is deleted
- Normally in-vehicle CCTV systems can be turned off when the vehicle is being used for private purposes

In-vehicle CCTV does not include external/road facing cameras such as dashcams. We are not reviewing the current arrangements for external/road facing cameras in this consultation.

Other types of in-vehicle CCTV systems may have been approved for use in taxis and PHVs by other licensing authorities. Any future proposals on the use of in-vehicle CCTV in taxis and PHVs in London would have to consider what type of in-vehicle CCTV should be used so as to strike the right balance between improvements in safety and the right to privacy.

### **Points for consideration**

The DfT's Statutory Standards paper refers to some of the benefits of CCTV. The DfT says that CCTV can provide additional deterrence to prevent the possibility of harm to passengers by drivers and investigative value if this sadly does happen. The DfT considers that the use of CCTV can provide a safer environment for the benefit of taxi/PHV passengers and drivers by:

- Deterring and preventing the occurrence of crime
- Reducing the fear of crime
- Assisting the police in investigating incidents of crime
- Assisting insurance companies in investigating motor vehicle accidents

The DfT notes that currently, only a small minority of licensing authorities have so far mandated all vehicles to be fitted with CCTV systems, but refers to the experience of those authorities which it says has been positive for both passengers and drivers. It also refers to the evidential benefits of CCTV which may increase the level of reporting of sexual offences. It also suggests that mandating of CCTV in vehicles may deter people from seeking a taxi or PHV licence with the intent of causing harm.

The DfT also recognises that offences may still occur even with CCTV operating. The DfT also recognises that the imposition of a blanket requirement to attach CCTV as a condition to a licence is likely to give rise to concerns about the proportionality of such an approach and will therefore require an appropriately strong justification and must be kept under regular review.

Appendix 1 to this consultation includes details of the use of in-vehicle CCTV in taxis and PHVs which other licensing authorities have included as conditions on licences. As well as the reasons for using CCTV as set out above, the reasons other licensing authorities have considered the use of and in some areas, mandated the use of, CCTV include:

- Increasing numbers of taxi-related crime, ranging from fare dodging to serious assaults
- Threats and assaults on drivers
- Allegations of drivers assaulting passengers
- Customers leaving vehicles without paying
- Allegations of theft associated with licensed vehicles
- Safeguarding; especially in relation to children and vulnerable adults
- Verbal and racial abuse against drivers
- Drivers coerced into providing drug runs
- Drivers have their vehicles damaged
- Angry disputes with passengers over fares

Other impacts on safety may include to:

- Deter taxi and PHV drivers from abusing or exploiting children and vulnerable adults
- Deter people from using taxis or PHVs to facilitate the abuse or exploitation of children and vulnerable adults
- Protect taxi and PHV drivers when false or malicious allegations are made against them
- Help reduce the fear of crime for taxi and PHV passengers and drivers
- Give the public confidence that taxis and PHVs are safe to use
- Give taxi and PHV drivers confidence that they are safer when working
- Deter hate crime and provide a valuable source of evidence when there is a hate crime incident
- Encourage people to consider becoming a taxi or PHV driver as they consider it a safe job

As recognised by the DfT, CCTV would not completely prevent offences and there are issues of privacy and proportionality that should be taken into account including:

- In-vehicle CCTV systems in taxis and PHVs being considered an invasion of privacy by passengers or drivers
- The misuse of information recorded by in-vehicle CCTV systems by drivers and/or operators/owners
- Ability for such systems to be hacked
- Security of individual CCTV systems
- Consistency in how in-vehicle CCTV systems used in taxis and PHVs is operated (e.g. some recording audio but others not) which could limit the use and negatively affecting passengers' and drivers' confidence in taxi and PHV services
- Some taxi or PHV drivers being reluctant to take certain passengers (e.g. wheelchair users) if they are concerned about doing something wrong, such

as not securing a wheelchair user in the correct position in the vehicle, and there later being a complaint or incident and their actions are recorded on CCTV

TfL would like to understand the circumstances in London that would mean that CCTV would impact the safety of passengers either positively or negatively. For example, are there increasing concerns about taxi and PHV-related offences? Are there concerns about the safety of children and vulnerable adults being transported by taxis and PHVs that other safeguarding steps cannot address? Is there a lack of confidence amongst drivers and passengers as to the safety of London taxis and PHVs? Are there any other issues that are specific to London that may benefit or be adversely affected should CCTV be mandated to be used in vehicles?

## Privacy issues

The use of CCTV in taxis and PHVs has an impact on the privacy of passengers and drivers. In August 2018, the Information Commissioner's Office (ICO) published a blog post about the use of in-vehicle CCTV in taxis and PHVs<sup>4</sup>. The ICO said the following:

- Before introducing any new in-vehicle CCTV or surveillance system, licensing authorities need to stop, think and check that they've taken the appropriate mitigating actions to minimise the risk of the loss or misuse of personal data captured by in-vehicle CCTV
- Three key points for licensing authorities to consider are:
  - **Start at the beginning** – go back to the start of your project and consider the problem you are seeking to address and whether an in-vehicle CCTV system would be a necessary, justified and effective solution. Take into account whether other, potentially less intrusive solutions exist that can achieve the same aim, as well as the effect that each aspect of the in-vehicle CCTV system may have on individuals, and whether their use is a proportionate response to the problem identified
  - **Conduct a Data Protection Impact Assessment (DPIA)** – the data protection legislation states that DPIAs must be carried out prior to the roll-out of any intrusive surveillance system and in-vehicle CCTV in taxis and PHVs is likely to be one of these systems. Licensing authorities need to be able to demonstrate they have conducted a DPIA to the ICO. If it is decided that an in-vehicle CCTV system is required, then a 'privacy by design' approach should be considered when making decisions about which equipment to purchase. Licensing authorities should identify which equipment is the most appropriate to meet the need and purposes it is required for
  - **Read the ICO's [Code of Practice for Surveillance Cameras and personal information](#)** – this is a guide to how systems should be run, plus it highlights particular problem areas and the responsibilities of controllers. Licensing authorities have statutory duty under the Protection of Freedoms Act to consider the Home Secretary's [Surveillance Camera Code of Practice](#)

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<sup>4</sup> ICO blog Continuous CCTV in taxis – where do councils stand? <https://ico.org.uk/about-the-ico/news-and-events/blog-continuous-cctv-in-taxis-where-do-councils-stand>

The ICO also said that taxi and PHV drivers have a right to privacy and that right is enshrined in law. The law states that the processing of personal data should be necessary for its purpose and proportionate. So where a vehicle is being used by a driver for their own private or domestic purpose, continuous recording is likely to be unlawful, unfair and excessive under data protection legislation and in breach of [Article 8 of the Human Rights Act 1998](#)<sup>5</sup>.

The ICO advises that in most circumstances the controller (under data protection legislation) with overall responsibility for all processing activities relating to mandatory in-vehicle CCTV and audio systems, including managing requests for the disclosure of recorded video and audio data, would be the licensing authorities, which for London would be TfL.

### **TfL consultation on in-vehicle CCTV in taxis and PHVs and the public sector equality duty**

A high-level impact assessment has been produced and this is enclosed in Appendix 2.

We are interested in whether you think having in-vehicle CCTV in taxis (black cabs) and PHVs (including minicabs) would have positive or negative impacts on people sharing characteristics protected under the Equality Act 2010. We're interested in what the impacts might be, how any negative impacts could be mitigated and how any positive impacts could be enhanced.

Should specific proposals be consulted on in the future we will prepare detailed impact assessments which examine the positive and negative impacts of the proposals.

This will include:

- Equality impacts
- Business and economic impacts
- Health and safety, including crime and disorder, impacts
- Environmental impacts

If it is required we will also prepare a data protection impact assessment (DPIA) of the privacy-related impacts.

### **Next steps**

Once we've reviewed all of the responses to the consultation and fully considered the positive and negative impacts identified, we'll consider whether any changes to the current position regarding in-vehicle CCTV in taxis and PHVs are needed.

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<sup>5</sup> Human Rights Act 1998, Article 8 Article 8, Right to respect for private and family life

1 Everyone has the right to respect for his private and family life, his home and his correspondence.

2 There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

Potential outcomes include:

- No change is made to the current position and taxi and PHV owners can continue to install TfL-approved in-vehicle CCTV in their vehicles if they choose to do so
- A second consultation is undertaken exploring a specific set of proposals regarding in-vehicle CCTV in taxis and PHVs
- There is no further consultation but instead options are explored to encourage vehicle owners to install in-vehicle CCTV in taxis and PHVs

When considering the timing of the next steps we will take into account the current situation and the impact the coronavirus pandemic has had on taxi and private hire licensees in London.

### **Improving safety in PHVs consultation**

In March 2018, we undertook a consultation on proposals to [improve safety in PHVs](#).

The proposals were intended to improve the quality, safety, accessibility and overall standard of PHV provision in London.

Areas covered in the consultation included:

- Introducing a driving assessment for PHV drivers
- Signage for PHVs
- Displaying PHV driver identification on PHVs
- Insurance requirements for PHVs
- Background checks for PHV drivers

Since the consultation closed, in June 2018, there have been several significant developments in taxi and private hire including:

In late 2017 the DfT commissioned a taxi and private hire Task and Finish Group, chaired by Professor Abdel-Haq:

- The membership of the group was:
  - Helen Chapman - Director of Licensing, Regulation & Charging, TfL
  - Rt Hon Frank Field MP - Member of Parliament for Birkenhead
  - Saskia Garner - Policy Officer, Personal Safety, the Suzy Lamplugh Trust
  - Ellie Greenwood - Senior Adviser (Regulation), Local Government Association
  - Dr Michael Grenfell - Executive Director, Enforcement, Competition and Markets Authority
  - Anne Main MP - Member of Parliament for St Albans
  - Steve McNamara - General Secretary, Licensed Taxi Drivers' Association
  - Mick Rix - National Officer for Transport and Distribution, GMB union
  - Donna Short - Director, National Private Hire and Taxi Association
  - Steve Wright MBE - Chairman, Licensed Private Hire Car Association
- The Group was tasked with:
  - Considering evidence relating to the adequacy of current taxi and PHV licensing authority powers, as set out in legislation and

guidance, making recommendations for actions to address any priority issues identified. Specifically:

- Identifying the current priority concerns regarding the regulation of the sector, based on evidence of impact and scale across England
- Considering, in particular, the adequacy of measures in the licensing system to address those issues
- Considering whether it would advise the Government to accept the recommendations made in the Law Commission's May 2014 report on taxi and PHV legislative reform relevant to the issues
- Making specific and prioritised recommendations, legislative and non-legislative, for action to address identified and evidenced issues

In September 2018, following a lengthy evidence gathering process, the Chair of the DfT commissioned Task and Finish Group set out his recommendations on taxi and PHV licensing in the independent report [Taxi and private hire vehicle licensing: recommendations for a safer and more robust system](#). One of their recommendations was that the Government should legislate for national minimum standards for taxi and PHV licensing which, if taken forward, would include some of the areas that had initially been covered in TfL's consultation.

In February 2019, the DfT launched its own consultation [Taxi and private hire vehicle licensing: protecting users](#). This consultation sought to address how licensing authorities can use their licensing powers to protect children and vulnerable adults. Following this consultation with trade, regulators and safety campaign groups, in July 2020 the Government issued [Statutory taxi and private hire vehicle standards](#).

Within these new statutory standards, there are several areas of crossover with TfL's original consultation. For instance, the issue of appropriate signage in vehicles and improving background checks on drivers are both addressed. To ensure that future London specific regulation remains aligned with the national picture, we placed the outcome of our consultation on hold.

The COVID-19 pandemic has also had an unprecedented impact on the taxi and private hire industry in London and during extraordinary and worrying times, licensees are facing significant personal and economic challenges.

In light of the above and after carefully considering the responses to our Improving Safety in PHVs consultation, we will be prioritising the implementation of the national Statutory Standards. Concluding our own consultation will enable us to implement a single set of improved standards, that align with the national framework and will mean there is not a sub-set of regional adaptations that drivers will have to adhere to in these challenging times.

We acknowledge that there are some areas of our consultation, such as the Advanced Driver Test, that will not be progressed at this time as part of this work. However, there are other areas that clearly overlap, such as the proposal to introduce additional signage in licensed vehicles which we will continue to progress.

Once the new national standards are introduced and are the new norm and the industry is on the road to recovery following the pandemic, we will review any outstanding proposals in our consultation to determine whether they are still required.

We are grateful for the contributions from industry on this consultation, the consultation responses remain on record and will be considered in the development of future regulations.

## Appendix 1 – Other licensing authorities

At present only a small number of taxi and PHV licensing authorities in England require in-vehicle CCTV to be installed in all taxis or PHVs they license.

The DfT's Taxi and Private Hire Vehicle Statistics, England: 2020 report<sup>6</sup> said that:

- Five per cent (13 out of 282) of licensing authorities had a requirement for all licensed taxis to have CCTV fitted
- Four per cent (12 out of 284) had a requirement for all licensed PHVs to have CCTV fitted
- Of the authorities with the CCTV requirement, eight had a requirement for the CCTV to have the facility to record audio in taxis, and the same number had the requirement for PHVs
- Almost all of the authorities without the CCTV requirement allowed licensed vehicles to have CCTV fitted:
  - Ninety-eight per cent (263 out of 282) for taxis
  - Ninety-eight per cent (266 out of 284) for PHVs

The requirements and specification for in-vehicle CCTV systems in taxis and PHVs vary between licensing authorities. Most allow video recording to be activated when a driver is working, although some require video to be recorded at all times when the vehicle is running.

The arrangements for audio recording, who can activate this and how long audio is recorded for once activated can also vary. Some licensing authorities require audio to be recorded in certain situations (e.g. when children are travelling in the vehicle).

Licensing authorities we've spoken to have reported that having in-vehicle CCTV systems in all licensed taxis and PHVs has had a positive impact on passenger and driver safety. Quantifying this is difficult but generally most stakeholders, including some who may not have supported in-vehicle CCTV initially, have acknowledged that it has been beneficial.

### Brighton and Hove

In April 2012 Brighton and Hove City Council introduced a requirement that licensed taxis and PHVs had to have in-vehicle CCTV installed. Six months after the policy was introduced they surveyed drivers and asked them if they agreed with the policy<sup>7</sup>. Seventy-two per cent of taxi drivers and 54 per cent of PHV drivers were supportive of the policy.

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<sup>6</sup> DfT Taxi and private hire vehicle statistics, England: 2020, [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/944680/taxi-and-private-hire-vehicle-statistics-2020.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/944680/taxi-and-private-hire-vehicle-statistics-2020.pdf)

<sup>7</sup> Brighton and Hove Hackney Carriage Unmet Demand Survey, October 2012, <https://present.brighton-hove.gov.uk/Posted/C00000116/M00004177/AI00030770/Enc1forHackneyCarriageUnmetDemandSurveyv2.pdf>

The public were also asked if they felt safe when using taxis and PHVs in Brighton and if they agreed with the Council's policy on CCTV. Eighty-eight per cent of respondents said they agreed with the policy.

### **Dunfermline**

In May 2014 Police Scotland introduced a trial of in-vehicle CCTV in taxis in Dunfermline. This was because of increasing numbers of taxi-related crime, ranging from fare dodging to serious assaults.

One year after the trial started the crime rate had significantly reduced with just two incidents since the launch, compared to a previous 41 reported incidents over the same length of time when the cameras were not in use.<sup>8</sup>

The trial was considered a success, although it remained voluntary for in-vehicle CCTV to be installed in vehicles, rather than becoming mandatory.

### **Exeter**

Exeter City Council require all licensed taxis to have in-vehicle CCTV installed. Information about the requirements and specifications is available in the licensing guidance published by the council.<sup>9</sup>

The use of in-vehicle CCTV in taxis in Exeter is intended to provide a safer environment for taxi drivers and passengers by:

- Deterring and preventing the occurrence of crime
- Reducing the fear of crime
- Assisting the police in investigating incidents of crime
- Assisting insurance companies in investigating motor vehicle accidents

The Council also say that the installation of in-vehicle CCTV will increase the chance of identifying passengers who assault drivers, identify if a driver who is the subject of a complaint is at fault, assist in reducing crime, and where a crime is committed assist the police in the identification of the offending passengers.

### **Gravesham**

Gravesham Borough Council requires all taxis and PHVs it licenses to have in-vehicle CCTV installed. The Council's licensing policy<sup>10</sup> states that "*Security for drivers and passengers is of paramount importance. The main areas of concern are:*

- *threats and assaults on drivers*
- *allegations of drivers assaulting passengers*

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<sup>8</sup> Taxi CCTV Lowers Crime Rate in Dunfermline, CabDirect, 15 July 2015, <https://www.cabdirect.com/taxi-trade-news/taxi-cctv-lowers-crime-rate-in-dunfermline/>

<sup>9</sup> Practices and Procedures for the control of Hackney Carriage and Private Hire Vehicles, Drivers and Operators

Licensing provisions including guidance notes for applicants, October 2020, <https://committees.exeter.gov.uk/documents/s75826/Appendix%20C.pdf>

<sup>10</sup> Hackney Carriage and Private Hire Licensing Policy 2018-2021, [https://www.gravesham.gov.uk/\\_data/assets/pdf\\_file/0003/491007/Revised-Hackney-Carriage-and-Private-Hire-Licensing-Policy-2018-21.pdf](https://www.gravesham.gov.uk/_data/assets/pdf_file/0003/491007/Revised-Hackney-Carriage-and-Private-Hire-Licensing-Policy-2018-21.pdf)

- *customers leaving vehicles without paying*
- *allegations of theft associated with licensed vehicles*
- *safeguarding; especially in relation to children and vulnerable adults*

The policy also says that *“CCTV cameras can be a valuable deterrent for such incidents and, as well as protecting the driver from unjustified complaints, help to:*

- *prevent crime*
- *identify the perpetrators of crime*
- *reduce the fear of crime*
- *increase the safety of drivers and passengers*

## **Portsmouth**

In Portsmouth all newly licensed taxis and PHVs were required to have in-vehicle CCTV installed from 1 April 2016, with existing licensed vehicles required to have it by 30 September 2017.

Information about the consideration of the use of in-vehicle CCTV is available in Portsmouth’s Statement of licensing policy.<sup>11</sup> The objective of having in-vehicle CCTV in taxis and PHVs is *“To protect the safety and welfare of drivers, passengers and other road users by requiring the mandatory provision of CCTV digital camera recording equipment in licensed hackney carriage and private hire vehicles”*.

## **Rotherham**

The Local Government Association’s (LGA’s) guidance<sup>12</sup> refers to Rotherham Council’s taxi camera policy and part of this is below<sup>13</sup>.

### **“6.13 Taxi Cameras**

*Suitable equipment, capable of recording both audio and video, must be installed in all licensed vehicles. The system must meet or exceed the council’s specification for taxi camera systems which can be found in Appendix T of this policy. The system must be operational at all times that the vehicle is being used as a licensed vehicle (i.e. for the carriage of fare paying passengers). The system does not need to be operational during other times (i.e. when being used for domestic purposes).*

*Video recording must be active at all times. Audio recording must be active in any of the following circumstances:*

- *An unaccompanied child (i.e. under 18) or vulnerable adult is being carried in the vehicle, or*

<sup>11</sup> Portsmouth City Council Statement of licensing policy, April 2016  
<https://democracy.portsmouth.gov.uk/documents/s10795/Hackney%20Carriage%20Private%20Hire%20Licensing%20Policy%20r.pdf>

<sup>12</sup> Developing an approach to mandatory CCTV in taxis and PHVs, LGA, December 2018,  
[https://www.local.gov.uk/sites/default/files/documents/5.42%20LGA%20Guidance%20developing%20an%20approach%20to%20mandatory%20CCTV%20in%20taxis%20and%20PHVs\\_WEB.pdf](https://www.local.gov.uk/sites/default/files/documents/5.42%20LGA%20Guidance%20developing%20an%20approach%20to%20mandatory%20CCTV%20in%20taxis%20and%20PHVs_WEB.pdf)

<sup>13</sup> Rotherham Metropolitan Borough Council Hackney Carriage & Private Hire Licensing Policy 2020 2023, pages 27-28, section 6.13, <https://www.rotherham.gov.uk/downloads/file/1801/hackney-carriage-and-private-hire-licensing-policy>

- *Where the driver and customer are involved in a dispute or the driver feels threatened by the behaviour of a passenger. Activation of audio recording must be triggered by the driver pressing a switch / button. Audio recording will continue until such time as the button / switch is pressed again. This switch will activate / deactivate audio recording independent of the passenger's audio activation button / switch.*

*There must also be the facility for the passenger to activate audio recording (independent of the driver) should the passenger wish to do so. Activation of audio recording must be triggered by the passenger pressing a switch / button. Audio recording will continue until such time as the button / switch is pressed again. This switch will activate / deactivate audio recording independent of the driver's audio activation button / switch.*

*Once activated (by either passenger or driver), the audio recording must continue for an uninterrupted period until it is deactivated. At the end of journey when the passenger leaves the vehicle, audio must be deactivated before another passenger enters the vehicle. If appropriate it must be reactivated should any of the situations above arise in relation to this new journey.”*

## **Sheffield**

In December 2006 a pilot was carried out that involved installing digital cameras in taxis and PHVs in Sheffield.<sup>14</sup>

The report from the pilot noted that it was quite common for taxi and PHV drivers in Sheffield to be subjected to verbal and racial abuse, to be coerced into providing drug runs, to have their vehicles damaged and to have angry disputes with passengers over fares. The report said that whilst less common, drivers were also threatened with violence, and also robbed and assaulted and this sometimes resulted in serious injuries.

Cameras were fitted in eight taxis and 25 PHVs to see if this would reduce the number of incidents experienced by taxi and PHV drivers in the city.

The pilot ran for six weeks – three weeks without cameras installed and then three weeks with cameras installed in the taxis and PHVs. The results from the pilot are shown below.

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<sup>14</sup> Sheffield taxi camera safety pilot study report, February 2007, [https://www.calderdale.gov.uk/nweb/COUNCIL.minutes\\_pkg.view\\_doc?p\\_Type=AR&p\\_ID=3412](https://www.calderdale.gov.uk/nweb/COUNCIL.minutes_pkg.view_doc?p_Type=AR&p_ID=3412)

	<b>Prior to in-vehicle CCTV being installed</b>	<b>After in-vehicle CCTV installed</b>
Fares monitored	2,202	897
Total number of Incidents	328	8
Percentage of fares when an incident occurred	14.9% of fares monitored	0.9% of fares monitored
Breakdown of incidents	<ul style="list-style-type: none"> <li>• 128 incidents of verbal abuse</li> <li>• 24 threats of violence</li> <li>• 3 assaults</li> <li>• 108 fare disputes</li> <li>• 52 incidents of passengers running off without paying fare</li> <li>• 13 incidents of vehicles being damaged</li> </ul>	<ul style="list-style-type: none"> <li>• 1 incident of verbal abuse – after the passenger had got out of the vehicle</li> <li>• 6 fare disputes – but disputed in a reasonable manner</li> <li>• 1 incident of a vehicle being damaged – caused by a person involved in a fight outside the vehicle and not a passenger</li> </ul>

The results showed a large reduction in incidents, from an average of one in seven fares to less than one in 100 fares.

The report also noted that in the initial research the cameras were especially welcomed by female taxi drivers and could help in increasing the number of women who are licensed drivers.

One driver also said that he had been able to reduce his taxi insurance premium by 15 per cent following the installation of a camera.

In 2013 Sheffield City Council planned to make it a requirement for taxis and PHVs to have in-vehicle CCTV installed but this was opposed and does not appear to have been taken forward, although vehicle owners can still have in-vehicle CCTV installed if they wish<sup>15</sup>.

### **Southampton**

In September 2013 Southampton City Council re-introduced a requirement for cameras to be installed in all taxis and PHVs. The purpose of this was to protect the public and drivers.

The cameras used continually record visual images and can record audio for a period of five minutes when this is activated by the driver.<sup>16</sup>

<sup>15</sup> Sheffield to make CCTV cameras in taxis mandatory, 07 February 2013, <https://www.bbc.co.uk/news/uk-england-south-yorkshire-21368629> and Union campaigns against mandatory CCTV cameras in Sheffield taxis, 16 February 2013, <https://www.bbc.co.uk/news/uk-england-south-yorkshire-21486927>

<sup>16</sup> Southampton taxi cameras, <https://www.southampton.gov.uk/business-licensing/licensing/taxis-private-hire/taxi-cameras.aspx>

## Warrington

Warrington Borough Council require all taxis and PHVs they license to have in-vehicle CCTV installed in order to:

- Protect drivers and the travelling public
- Deter and detect crime

The Council prepared a DPIA and a copy of this is available on their website.<sup>17</sup> Warrington Borough Council's DPIA includes:

- The purposes for which they considered the use of in-vehicle CCTV to be necessary and proportionate
- Alternative solutions considered
- Options for the system continuing to operate after the vehicle ignition is switched off
- Audio options
- How data is collected, stored and accessed
- The consultation they carried out
- Privacy issues, risks, and measures to eliminate or reduce the risk

Their policy on in-vehicle CCTV is also available on their website.<sup>18</sup> The policy sets out the purpose for having in-vehicle CCTV in taxis and PHVs and this is below:

### ***“Purpose***

*The Council is committed to safeguarding people, particularly vulnerable members of our society, and to taking appropriate steps to deter and prevent crime.*

*Our objectives are:-*

- *The protection of the travelling public and children using taxi support services.*
- *The protection of drivers.*
- *To ensure that licensed drivers remain fit and proper persons to continue to hold a licence.*
- *The protection of contracted support.*

*We recognise that our drivers provide an invaluable service as part of our integrated transport strategy. Drivers help to support vulnerable people, including the elderly and disabled users and transport children to and from school. They also serve the late night economy, often providing the only means of late night public transport.*

*In exercising its functions, including its safeguarding duties, the Council recognises that it must comply with the Data Protection Act and relevant human right provisions. CCTV systems that process personal data/information must comply with the*

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<sup>17</sup> Warrington Borough Council DPIA, for CCTV in licensed vehicles, [https://www.warrington.gov.uk/sites/default/files/2019-09/data\\_protection\\_impact\\_assessment.pdf](https://www.warrington.gov.uk/sites/default/files/2019-09/data_protection_impact_assessment.pdf)

<sup>18</sup> Warrington Borough Council Hackney Carriage and Private Hire Licensing Policy, 13 June 2018, [https://www.warrington.gov.uk/sites/default/files/2019-09/taxi\\_licensing\\_policy\\_approved\\_3rd\\_version\\_on\\_13.06\\_2018\\_by\\_the\\_licensing\\_cttee.pdf](https://www.warrington.gov.uk/sites/default/files/2019-09/taxi_licensing_policy_approved_3rd_version_on_13.06_2018_by_the_licensing_cttee.pdf)

*principles of the Data Protection Act. We are mindful of the “data protection principles” and supporting Codes of practice and guidance. The Crime and Disorder Act also requires the Council to consider crime and disorder reduction measures.*

*The Council, having considered all relevant matters, concluded at its full Council meeting in 8th December 2014 that it would assist the prevention and detection of crime in taxis and be reasonable, proportion and therefore lawful to introduce a licensing requirement for CCTV. The Council now requires all licensed vehicles to have CCTV equipment installed and operational.”*

## **Appendix 2 – TfL consultation on in-vehicle CCTV in taxis and PHVs and the public sector equality duty**

The purpose of the consultation is to determine whether there are circumstances in London which indicate that the installation of closed circuit television (CCTV) in London's taxis and private hire vehicles (PHVs) would have either a positive or an adverse net effect on the safety of taxi and PHV users, including children or vulnerable adults.

The consultation is being conducted in accordance with the Department for Transport's (DfT) [Statutory Taxi and Private Hire Vehicle Standards](#) published in July 2020 (para.s 7.7 to 7.12) which were themselves subject to an [impact assessment](#).

The primary aim of the Standards is to protect children and vulnerable adults following past abuses and exploitation which was facilitated through the use of taxis and PHVs but it is also hoped that all passengers will benefit from the recommendations contained in it more generally.

TfL allows the use of in-vehicle CCTV in London's taxis and PHVs but there is currently no mandatory obligation for vehicle owners to have in-vehicle CCTV. We are seeking views as to the positive or adverse effects of CCTV on the safety and privacy of taxi and PHV users, including children and vulnerable adults, so as to inform TfL as to whether there is any justification for a change to its current approach.

Once TfL has considered the consultation feedback, it will decide whether to bring forward proposals to make in-vehicle CCTV mandatory and if it does so any such proposals would be subject to a further consultation in which case consultees would be able to have their say on the detail of those proposals.

TfL keeps its obligations under the Equality Act 2010 (2010 Act) under review and this includes how any changes might impact on groups which are protected under the 2010 Act e.g. on grounds of age, disability, gender, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. These obligations include the public sector equality duty under which TfL must have due regard to (i) the need to eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the 2010 Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.

TfL's obligations under the 2010 Act apply whether or not TfL brings forward any proposals in relation to CCTV in London's taxis and PHVs or it maintains its existing practice of allowing as opposed to requiring the installation of in-vehicle CCTV.

In practice, a consultation on whether to bring forward proposals is different to a consultation on specific proposals because the impacts may be more difficult to ascertain as there are no proposals to impact assess. However, this is not to say that equalities should not be actively considered insofar as it can be but rather that

any consideration of impacts on protected groups is necessarily going to be less detailed and more thematic in nature.

In the event that TfL does decide to bring forward proposals (e.g. to introduce a requirement for London's taxis and PHVs to have CCTV), any such proposals would be subject to a further consultation including an equality impact assessment (EqIA) in accordance with TfL's usual procedures.

The purpose of this document is therefore to identify impact(s) that introducing a mandatory requirement that all taxis and PHVs must have in-vehicle CCTV installed may have on persons in protected groups, in so far as this is possible, in order to inform consultees' responses to the consultation. It will also be taken into account by TfL alongside any such responses when it decides what action to take (if any) following the consultation and it could feed into any future EqIA as appropriate.

## **Impacts**

Introducing a mandatory requirement that all taxis and PHVs must have in-vehicle CCTV installed could make London's taxis and PHVs a safer environment in terms of the:

- the deterrence and prevention of crime;
- the assistance CCTV evidence could provide to enforcement bodies in terms of the investigation and prosecution of crime; and
- a reduction in the fear of crime and an increase in the confidence that passengers, licensees and the public more generally feel about the safety of taxis and PHVs.

All of the above benefits would positively impact on persons within protected groups whether they are vehicle owners and/or drivers of taxis or PHVs, users of such services or members of the public more generally.

Examples of negative impacts for persons within protected groups (whether they are licensees, users or members of the public more generally) include that:

- they may feel uncomfortable about being recorded during their journey or that CCTV is an invasion of their privacy.
- the number of licensed taxis or PHVs may fall if vehicle owners cannot meet the costs of CCTV and they therefore decide not to apply for a licence or to renew their licence. Similarly, numbers of licensed drivers may fall if they rent their vehicle and rental costs increase as a result of in-vehicle CCTV being installed.
- there may be increases to taxi fares or fees and PHV fares paid by users as a consequence of the extra costs for licensees and the need for these costs to be recouped.

- increases in costs associated with being a licensee as well as increases in costs of using services for passengers would likely result in a reduction in the supply of taxis and PHVs which could mean that waiting times for services could increase and/or it becomes more difficult for passengers to hire a taxi or book a PHV at certain times or in some parts of London.

We also recognise that the COVID-19 pandemic has adversely impacted upon licensees' incomes as well as numbers of licences granted by TfL, levels of passenger demand and the availability of taxi and PHV services around London. Any consideration of what action (if any) to take following this consultation will include consideration of those impacts for members of protected groups as well as licensees more generally.