

# **TRADE CONSULTATION MEETING ON TAXI CAMERAS**

**Thursday 2<sup>nd</sup> May 2013.**  
**2pm – 3pm**

## **Attendance:**

Cllr Cunio  
Cllr Rayment  
Jim Martin  
Kevin May

Cllr Parnell  
Ben Atrill  
Ian Hall  
Clive Johnson

Cllr Thomas  
Phil Bates  
Perry McMillan  
Amy Mullan

Perry McMillan read out a joint statement at the start of the meeting. A copy is attached to these minutes.

### **1. Mandatory condition to have visual only cameras?**

- The Taxi trade want the camera system to be a voluntary decision of the driver.
- The camera system should be a benefit to the public as well as to the driver, for self protection to both parties. Although there is the impression throughout the taxi trade that the camera system is spying on the driver, when the council licence a driver, they should have 100% faith in them until they show otherwise.

### **2. If there is a condition to have cameras how important is it to the trade to have some element of audio recording?**

- Some of the taxi trade liked the idea of having some form of panic button or triggered audio, especially at night with the fear of threats of racial remarks, harassment.
- The ICO 2009 published guidance was not closely followed, as it clearly stated that no audio recording was allowed. Therefore there was an inadequate consultation period as this policy was rushed through.
- A camera without audio is just not worth having, the only evidence without audio is that the individual was in the taxi, there is no evidence of what happened.

### **3. Are there any aspects of the old camera condition the trade would like altered, such as choice of camera.**

- The taxi trade feel that the choice of the camera should be up to the individual. The camera the council found was £700 with expensive replacement parts, the taxi trade believe that a cheaper camera can be found.

- However, there is a certain threshold in price that will need to be paid in order to capture images at certain quality which will be integral to evidence.
  - The taxi trade need to propose and give examples of more appropriate cameras which could be used instead to Phil to help to find a system in which everyone agrees on. This can then be recommended to the licensing committee within the next 3 months.
- 4. The Council's ring fenced Licensing budget cannot subsidise the camera programme any longer. What impact will the removal of the subsidy have on the trade as the advice officers receive from HMRC is the full cost is recoverable in the first year as a legitimate expense?**
- Not discussed
- 5. How do the trade view the proposal to have a requirement for all of the fleet to have a camera fitted within a shorter set period, perhaps 6 months?**
- Not discussed
- 6. If there is a condition to have cameras then it will be intended that data will be only be disclosed on the report of a crime or a written (can be email) complaint or subject access request. What is the trades view on data only being accessed for complaints where the suspension of a driver is a possibility or are there any other conditions relevant?**
- Not discussed
- 7. What are the trades concerns with the Council being the data controller?**
- Anyone can be a data controller as long as they are registered with the ICO.
  - Any taxi driver can place the camera in their car and then become the data controller.

Chair.

Cllr Parnell, Cllr Thomas and Mr Phil Bates are aware – from the recent Consultation meeting – that the STA representative asked if questions could be put to Richard Ivory as he would not be in attendance today.

You are all aware that questions were submitted through Phil Bates, with a request for answers either prior to or at the commencement of this meeting. Though we thank Richard Ivory for his early response to those questions we are not impressed with the answers received.

They have only compounded the reasons that we sought advice after the Court process finished earlier this year.

There are a number of routes available to us two of which are:

1. With reference to the Data Protection Act: The decision regarding cameras in 2009 was flawed and as such was a breach of licensed drivers rights. As there is a 6 year window in which to file for compensation; claims are being prepared.
2. The Local Government Ombudsman.

Having said the above we are aware that the Council want this issue resolved at the earliest opportunity. The Trade also want a satisfactory and reasonable resolution.

If the camera system is for the protection of the public and that is why it is compulsory, then it is a false premise. It seems the SCC consider the driver to be a criminal? If so the Council licensing drivers is a waste of public money. It is also a total admission of the failure of the licensing department. Is the Council so incompetent in its checks on drivers that it needs a camera system to control them. It also shows a complete lack of faith in the trade and the licensing system.

On the other hand if the camera system is for the protection of the driver from unruly/violent passengers, then we should applaud the Council. And clearly the camera system should be voluntary, i.e. the driver's choice whether to have a camera or not.

Therefore in answer to your first question: Cameras should be a voluntary condition with compliant audio recording if required by the licensee.  
Making it a voluntary condition would alleviate all of the Council and Trade's concerns regarding the rest of the Council's agenda.

***If they go with voluntary we should then be prepared to move on and discuss how this would work etc. However, if they insist on compulsory then we analyse the past, go over Ivory's and the echo's responses etc as we discussed at our meeting.***