

The Chair & Members
Education, Children and Young
People Scrutiny Panel
Civic Offices
Guildhall Square
Portsmouth
Hants

Licensing Service

Civic Offices
Guildhall Square
Portsmouth
PO1 2AL

Our Ref: CSE/Licensing
Date: 08 September 2016

Dear Chair

LICENSING SERVICE RESPONSE TO CHILD SEXUAL EXPLOITATION RISKS - HACKNEY CARRIAGE AND PRIVATE HIRE MATTERS

Thank you for asking the Licensing Service to contribute to the review into child sexual exploitation. I understand that the remit of the panel is to consider measures being taken by a number of service providers, including licensing, in reducing CSE risks.

I have written this response in advance as I will be on leave until 26 September. I thought it might be helpful for members to have an overview prior to this date and also by way of introduction.

This response expresses the collective views of the service and on behalf of the Licensing Manager, Nickii Humphreys and the licensing team. The team has accumulated over 120 years combined and extensive licensing experience in both supervising and dealing with the respective hackney carriage and private hire trades in Portsmouth and on behalf of the licensing authority.

Additionally, the licensing management team is supplemented by a former highly experienced police Chief Inspector who had extensive operational control for the city together with significant and extensive experience of dealing with major crime and accordingly has a local knowledge and networking experience that is second to none.

The service is responsible for probably the largest combined private hire and hackney carriage undertaking¹ on the south coast. The current numbers are as follows:

- **Private Hire Operators** **19**
- **Private Hire Vehicles** **972**
- **Private Hire Drivers** **1076**
- **Hackney Carriages** **234**
- **Hackney carriage drivers** **288**

¹ Source - issued licences on licensing Uniform database - September 2016

The Licensing Service is situated in a self-contained area on the lower ground floor of the civic offices and has an extensive public counter and reception area together with dedicated interview rooms used by both licensing and police staff.

The service "co-shares" space with the Hampshire Constabulary Licensing and Alcohol Harm Reduction team and whilst those police officers are mainly dealing with alcohol premises and the late night economy - the ability to mutually share information and/or intelligence and to respond quickly to matters has proved to be invaluable in protecting the public interest.

The Licensing Manager reports to the Assistant Director of Culture & City Development and ultimately to the Licensing Committee under the chair of Councillor Julie Swan.

Everything we do is based on the core concept of protecting the public interest and ensuring that drivers, vehicle proprietors and their operators remain "fit and proper" at all times.

Underpinning the work of the service is the recently approved statement of licensing policy for the control, supervision and enforcement of the hackney carriage and private hire trades within the city. This far reaching policy received council approval in March 2016 following extensive consultation with the respective trades and other interested parties leading to formal approval by the Licensing Committee. The link to the policy is shown below:

<https://www.portsmouth.gov.uk/ext/documents-external/lic-hackney-carriage-private-hire-licensing-policy-final-v3.pdf>

The policy recognised and reflected (at para 1.8 on page 5) on the disturbing and troubling CSE matters affecting Rotherham Metropolitan Council² together with other high profile cases involving Milton Keynes and South Ribble and recommended changes and improvements across the board to ensure all persons in the taxi trade are "fit and proper".

The policy has been adopted by members and officers alike and the important main changes that might be relevant to this panel in considering CSE matters are as follows:

- Clear guidance on disciplinary action against drivers involved in sexual contact with passengers after being raised by councillors - para 1.7 at page 4
- A new power for officers to revoke driver licences where the immediate interests of public safety are apparent - para 24 at page 19
- The re-confirmation of the legal principles for assessing "fit and properness" on the civil burden of the "balance of probabilities" and training to members and officers alike each and every year on the use of these extensive powers - para 1.6 at page 41
- New policy guidelines on the relevance of convictions (or conduct) at para 5.2 and pages 47/48 and reproduced at **appendix A and A1**.
- DBS criminal record checks to an enhanced standard AND to require all checks to be against the position of child and adult workforce in line with the workforce regulated activity requirements - para 8.1 at page 90.

² The "Casey report" by Louise Casey CB dated February 2015 which examined in detail the conduct of the council's licensing unit so far as the licensing control of the taxi undertaking was concerned in relation to widespread CSE concerns. This followed on from the Jay report.

- Criminal record checks for ALL persons over the age of 10 and who have lived overseas by way of "certificates of good conduct" - para 8.1 at page 50
- The use of spent convictions (on individual merit) and the use of "soft intelligence" where necessary in determining whether an applicant or driver is deemed to be "fit and proper" - para 4.1 at page 55
- The use of CCTV (front and rear) in licensed vehicles effective from 01 April 2016 for new cars and to be phased in by 01 September 2017 for all vehicles - this will provide empirical evidence - para 5.3 at page 102
- The strengthening of operator and driver conditions to require operators to keep a record of all complaints made for a period of 6 months together with a requirement to report **immediately** any complaint against a driver that affects the public safety; together with a requirement to keep GPS vehicle tracking records for 6 months -with the driver compelled by licensing condition to report any arrest, detention, charges etc within 24 hours - pages 108 and 115
- The absolute expectation of collating and analyzing complaint trends against drivers with weekly meetings held between licensing enforcement and management to discuss any and all safety issues with an emphasis on safeguarding matters - para 11.3 at page 139³

We have liaised with Hampshire Constabulary, Barnado's and internal colleagues to help promote "Operation Make Safe". For example, distribution lists have been given to the Police to contact the respective taxi and late night economy trades and meetings have been held with staff from Barnado's (Lisette Dennis) to promote a "countywide" approach to any identified training needs on this subject. The Hampshire and Isle of Wight Licensing Officers Group have received presentations to attending staff on CSE matters.

We have encouraged and ensured the use of "loop strap lines" by taxi operators to all their drivers with the following electronic message:

**Young person in taxi? Who are they with? Where are they going? Are they safe?
Any concerns call police on 101 quote OP MAKESAFE**

Voluntary CSE training seminars are to be held on 26/27 September 2016 and the respective hackney carriage/private hire trades have been invited to attend. The attendance request email dated 08 September 2016 is attached and I will report direct to the panel on the level of feedback and attendance.

³ As contrasted with the apparent divided licensing system in Rotherham where the "policy and enforcement" teams did not meet, communicate or even share the same computer database to discuss complaints against drivers. They had no policies in place to determine the concept of "fit and proper" and felt action could only be taken upon conviction of a person. Source - Casey Report - February 2015

Our comprehensive knowledge test has been expanded to include reference to CSE matters and a screen snapshot is shown below:



Child sexual exploitation

As a driver you have a moral responsibility to report any concerns you may have about the welfare of young people who you transport in your vehicle.

Things to watch out for:

- Behaviour of people travelling together especially if there are adults with young people
- Young people being picked up and taken to hotels, particularly at odd times of the day and night
- Adults putting a young person, who may be under the influence of drugs or alcohol, into your cab.

Please click [here](#) to view a poster with some more information.



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Likewise, there are notices displayed prominently within the licensing public reception areas and these have been in place since June 2016 - see attached photographs at **appendix B**.

We do not believe there is a prevalent CSE risk within the Portsmouth hackney carriage or private hire trades but accept that, on occasion, individual circumstances have arisen with drivers having consensual sex with passengers of adult age. This has led to driver licences being revoked by the Licensing Sub Committee notwithstanding the absence of any alleged criminality and subsequent appeals to the Magistrates' have been dismissed.

Equally, we accept that we should not be complacent and continue to work closely with the appointed trade representatives and established operators on all subject matters including CSE concerns. From a licensing point of view, Portsmouth is a "tight and compact" city and the panel can be hopefully reassured that the respective hackney carriage and private hire trades keep their ears to the ground and persons in the trade would not knowingly tolerate any suggestion of exploitation.

The licensed operators and fleet garage proprietors know their respective licences would be at immediate risk if they were associated in anyway with drivers using licensed vehicles to carry out any illegal activity.

There are no moves afoot to consider compulsory CSE training for drivers and/or operators and we hope that the voluntary attendance at the forthcoming "Make Safe" seminars will go some way to assuring the scrutiny panel of the steps being taken by the licensing authority working in partnership with Hampshire Constabulary.

Yours faithfully

For Licensing Manager