



TAXI LICENSING AND INSURANCE FRAUD

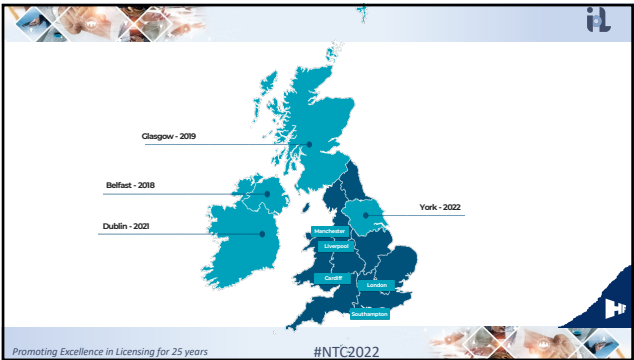
KEVIN HOCTER
HORWICH FARRELLY SOLICITORS



People. Not just lawyers

Promoting Excellence in Licensing
@instofficensing
#NTC2022





Glasgow - 2019

Belfast - 2018

Dublin - 2021

York - 2022

London
Cardiff
Birmingham
Glasgow
Edinburgh
Manchester
Liverpool
Belfast
Dublin

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'Our vision is to be the most client-focused and innovative law firm in our chosen markets'

Counter Fraud

Large Loss Fraud & Credit Hire Fraud

Large & Complex Injury

Property Damage

Intelligence & Desktop Investigations

Professional Indemnity

Product Liability

Costs & Infant Approvals

Recoveries

Credit Hire & damage

Motor & Casualty (EL/PL) volume

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Our Clients include:











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TYPES OF INSURANCE FRAUD

HORWICH FARRELLY INVESTIGATE DIFFERENT TYPES OF FRAUD STEMMING FROM ROAD TRAFFIC ACCIDENTS

- Exaggerated Personal Injury
- Staged Accident
- Phantom Passenger

- Induced Accident (often with Stogie Vehicle)
- Contrived Accident
- Credit Hire Fraud

CREDIT HIRE AGREEMENT
EXAMPLE



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All speakers views are their own and not necessarily the views of the IoL

[illegible]

October 2021

Conduit for client meeting with local licensing authority

December 2021

Second fraud ring identified (Newcastle)

February 2022

Third fraud ring identified (Newport) & meeting with client and licensing authority

July 2022

Guest Speaker at South East (IOI) event in Chichester

August 2022

Articles published nationally on Sheffield case success

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COLLABORATION & TOOLS

PERTINENT RULES & REGULATIONS FACILITATING COLLABORATIVE INVESTIGATIONS

- Local Government (Miscellaneous Provisions) Act 1976 (50)(3) – Taxi Drivers are required by law to report accidents to their Council within 72 hours. Meaning there are independent records of an accident, pertinent to a claim, including Vehicle and Personal Injury records.
- Taxi And Private Hire Vehicle (Safeguarding and Road Safety) Act 2020 – Act given Royal Assent in March 2022. Act requires authorities with safeguarding or road safety concerns about a taxi or PHV are required to share information with other authorities by a central database. This includes where a driver is poses a risk to road safety whilst driving, or where they may be unsuitable to hold a taxi or PHV driver's license for other reasons relating to the safeguarding of passengers or road safety.
- Local Government Association Guidance – "It is important that your decisions need not, and should not, be based solely on convictions. Licensing committees are able to take into account soft intelligence provided by the police and other partners...crucially, the evidential threshold for licensing committees is not the 'beyond reasonable doubt' standard which is the criminal standard of proof for criminal trials...there is no doubt that this information can and should be taken into account and may sometimes be the sole basis for a refusal, a suspension or revocation."

COLLABORATIONS & TOOLS

WHAT CAN WE DO TO HELP YOU?

- Accident Report Forms
- Training
- Increased awareness of fraud

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EXAMPLE 2

LICENSING AUTHORITY - SHEFFIELD OUTCOME - DISCONTINUED AND EXEMPLARY DAMAGES AWARDED - SAVINGS - £75,000

A collaboration was achieved where a claimant in Sheffield. The claimant alleged that he was unable to read, write or speak English thus meeting all requirements to be transferred to a common law jurisdiction by Presumption. However, we were provided with a transcript of an interview between him and Sheffield TLA, under question where he spoke perfect English. A statement was served in proceedings.

NOTES FROM THE INTERVIEW

1. I have been asked to attend the court as a witness. I have been asked to provide evidence in the case of the claimant. I have been asked to provide evidence in the case of the claimant. I have been asked to provide evidence in the case of the claimant.

2. I have been asked to attend the court as a witness. I have been asked to provide evidence in the case of the claimant. I have been asked to provide evidence in the case of the claimant. I have been asked to provide evidence in the case of the claimant.

3. The claimant has been asked to attend the court as a witness. I have been asked to provide evidence in the case of the claimant. I have been asked to provide evidence in the case of the claimant. I have been asked to provide evidence in the case of the claimant.

4. I have been asked to attend the court as a witness. I have been asked to provide evidence in the case of the claimant. I have been asked to provide evidence in the case of the claimant. I have been asked to provide evidence in the case of the claimant.

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CLAIMED AND SHAMED

The claimant's vehicle was stationary in a car park. We have attempted to contact the claimant. We have attempted to contact the claimant. We have attempted to contact the claimant.

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THANK YOU FOR LISTENING

ANY QUESTIONS?

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