



MINISTRY OF TRANSPORT

# **TAXI INDUSTRY SAFETY AND SECURITY TASKFORCE**

## **FINAL REPORT**

**December 2007**

**Final Report by the  
Taxi Industry Safety and Security Taskforce  
Chaired by Mr David Madden**

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## Foreword

Taxis play a central role in the New South Wales transport network. Each day, around the clock, people rely on taxis. Right across the community – people in business; people in wheelchairs, people needing to get to the airport or get home after a late night function; people who do not own cars – people depend upon taxis for safe and efficient door-to-door transport.

In the past ten years, there has developed in the NSW taxi industry a strong framework of taxi safety initiatives based on the work of the *Report into Taxi Driver Safety* commissioned by the then Department of Transport in 1995 (the Keatsdale Report). Founded on research and consultation relating to driver safety issues; the NSW approach to taxi industry safety has produced a range of measures which stand up well in comparison with any jurisdiction in the world.

In the past ten years, there has developed in the NSW taxi industry a strong framework of taxi safety initiatives based on the work of the Report into Taxi Driver Safety commissioned by the then Department of Transport in 1995 (the Keatsdale Report). Founded on research and consultation relating to driver safety issues; the NSW approach to taxi industry safety has produced a range of measures which stand up well in comparison with any jurisdiction in the world.

Emergency alarms monitored at a central location, security shields and/or security camera systems - all are compulsory for taxis in the major transport districts of Sydney, Newcastle, Wollongong and the Central Coast (and are commonplace elsewhere across the State). This safety equipment is complemented by community and enforcement initiatives and additional Government-regulated and Industry requirements such as driver training.

The physical risks facing taxi drivers, however, remain present in our community and periodically we are tragically reminded of the vulnerable nature of a taxi driver's work.

In early 2006 a taxi driver, Mr Youbert Hormozi, was killed when his own taxi was driven over him on a suburban Sydney street. Mr Hormozi had simply picked up two passengers from a standard taxi rank in the early hours of a Wednesday morning.

In quick succession, Mr Hormozi's death was followed by a series of separate physical attacks on drivers in other parts of Sydney - each apparently motivated by robbery. This sequence of events focussed community attention on the safety of taxi drivers working in Sydney. Were current measures working? Could more be done?

The Taxi Industry Safety and Security Taskforce was formed by the NSW Government to assess the risks faced by taxi drivers, research and review existing safety initiatives, and to develop new strategies and I was appointed Taskforce Chair.

The Taskforce comprised representatives of the NSW Taxi Council, NSW Country Taxi Operators' Association, Transport Workers Union (NSW Branch), NSW Taxi Drivers Association, The NSW Police Force, WorkCover NSW and the NSW Ministry of Transport.

The Taskforce conducted formal meetings between June and October 2006 and a final meeting in September 2007. At these meetings the Taskforce discussed the content of reports and research data from NSW, Australia and international jurisdictions, together with information tabled in line with the Taskforce members' industry knowledge and expertise.

Current prescribed standards and initiatives were detailed and the role of technology in safety provision was examined, as was the role of community cooperation. Discussions between the Chair and representatives of camera technology companies also informed the Taskforce.

In its work the Taskforce has found that through better coordination, cooperation and targeted initiatives; taxi industry safety across NSW can be enhanced. The Taskforce sought to articulate an approach for updating the current taxi driver safety and security framework and a range of possible initiatives to ensure safety issues are addressed in an informed, coordinated and comprehensive manner.

In July 2007 an Interim Report was released, detailing the Taskforce's findings and presenting a series of recommendations for safety in the taxi industry. Arising from the Interim Report was the important action of commissioning an industry survey to inform the Taskforce as it developed its Final Report.

The Taskforce believed it was important to ensure its Final Report had been tested against members of the industry themselves. In order to ensure a strong level of taxi industry engagement, a sample of drivers and operators were surveyed on their views of safety in the industry, the initiatives put forward in the Interim Report and their impact on the working environment.

Since the Taskforce convened there have been further assaults and robberies committed against taxi drivers in NSW and another tragic death. Taxi driver Robert Woodger was killed while working an evening shift in Sydney during June 2007. At the time of writing charges have been laid but the matter remains before the courts. The case of Mr Woodger serves as a further reminder of the gravity of the issues discussed in this Report.

It should be noted that this Report refers generally to “taxi drivers”. This term is intended to be inclusive of both bailee drivers and owner/operators who also drive their cabs. The latter category represents the majority in country NSW and this important distinction is acknowledged.

The ideas canvassed and recommendations made here by the Task Force are not the end of the process of improving safety in the taxi industry. There is considerable work to be done in refining standards, implementing change and acknowledging and addressing the concerns of those in the taxi industry. To achieve this, the industry must work together, drivers, operators and networks.

Of course there are differing views within the taxi industry but as Chair of this Taskforce I found the representatives of the industry committed and focussed on planning safety initiatives but also capable of acknowledging competing points of view.

It is my intention for this report to capture what can be achieved immediately, together with a clear direction for the future and a process by which technological advances, ideas and changes can be effectively and professionally introduced into this important component of the transport sector, the Taxi industry.

I am grateful to the Deputy Premier and Minister for Transport the Hon John Watkins MP, the Ministry of Transport for their support through the Taskforce process and I thank Taskforce members for their valuable contribution to the Taskforce on the important issue of preserving the safety of those workers who provide us with a safe journey home.

**David Madden**  
**Chair**  
**Taxi Industry Safety and Security Taskforce**

# **Chapter One**

## **Recommendations**

The recommendations of the Taskforce are:

### **Awareness and respect**

1. The Ministry of Transport and the NSW Police Force to prepare a trial program for application in 3 Sydney and 2 country NSW Local Area Commands where meetings are held between representative taxi drivers and the Police Local Area Command to share concerns and strategies for improved taxi industry safety.
2. The current taxi driver educational curriculum to be reviewed to ensure all practical safety issues are addressed (safety, customer service and communication). Taxi driver trainees should be able to demonstrate knowledge through practical, as well as theoretical, examination.
3. The Taxi Industry and the Government to cooperatively develop print and electronic media campaigns to focus public and industry attention on taxi industry safety. Promotional campaigns should be run ahead of peak business periods such as the Christmas Holidays and in conjunction with targeted Ministry of Transport enforcement activity.

### **Information and Data**

4. Current information on taxi related crime in NSW is needed for Government and Industry to most effectively plan and implement taxi safety improvements. The Ministry of Transport and The NSW Police Force should jointly commission research in this area to guide future initiatives.
5. Taxi drivers to be actively encouraged to report minor incidents through the Police Assistance Line.
6. The NSW Police Force to adapt its reporting requirements to clearly accommodate taxi-related crime. The Police Assistance Line to be adapted so it is able to record fare evasion and a 'taxi-related crime' identifier is placed against recorded reports of serious incidents involving taxis.
7. Taxi Drivers to be able to report designated serious matters to Police through an incident reporting system which does not necessarily interrupt their regular shift. A template for this process to be centrally developed by The NSW Police Force and the Taxi Industry for application in each Police Local Area Command.

## **Enforcement**

8. A community awareness campaign to highlight the crime of fare evasion to be developed and coordinated by the Taxi Industry and the Government.
9. The Government to increase the current penalty for the offence of fare evasion.
10. A 'Police Stop' campaign, similar to those run by Police in the USA, to be placed on trial in a selection of a Police Local Area Commands.

## **Technology and Equipment**

11. The Government to require both console and floor emergency switches to be fitted in all NSW taxis. Retrospective fitting should also apply. The Taxi Advisory Committee to fund this initiative.
12. Drivers' door-locking technology to be fitted to all taxis with driver security screens fitted. Funding for this proposal to be investigated.
13. Mandatory security cameras in every taxi throughout the State to be enforced from 1 July 2008 (per Passenger Transport Regulation 2007), funded by taxi operators. The provision of financial grants for hardship cases should also be offered. Consideration to be given to dashboard-mounted video screens also being compulsory.
14. The Taxi Industry and Government to jointly sponsor the development of a security screen which is suited to the needs of taxi drivers and passengers.
15. The Ministry of Transport to review all current equipment standards (vehicle tracking devices, security screens and camera systems) to reflect current technology. Minimum standards must be set and there must be a particular emphasis on camera capacity, image recording and retention, image transfer to remote location and other options.
16. The Ministry of Transport to conduct 5 year reviews of regulatory requirements and standards relating to taxi driver safety.

## **Point of pick-up improvements**

17. The Taskforce endorses the introduction of secure ranks. These ranks to be facilitated by Government and a Secure Rank arrangement to be considered for application by each Liquor Accord in NSW.

18. The Minister for Transport asks the Minister for Gaming and Racing to reinforce the existing link between the licensing approvals for hotels and the consideration of transport issues, particularly involving taxis. Including transport issues in the licensing approval process for registered clubs should also be considered as part of the next review of *Liquor Amendment (Social Impact Assessments and Licence Fees) Regulation 2004*.
19. Taxi voucher schemes and other similar schemes serve a valuable role and should continue to be promoted as a viable safety option through the Taxi Industry and hotels and clubs.
20. The Ministry of Transport to review current laws as they relate to enabling taxi drivers to require passengers to demonstrate an ability to pay the fare, or to require part-payment of the fare, prior to the hiring. The review to specifically address current prohibition of a taxi driver demanding a fare be paid upfront, in line with the Victoria's Transport (Taxi-Cabs) Regulations 2005 Section 41.

### **Governance**

21. Engage a standing Government and Industry advisory body which includes taxi driver representation to formally address taxi driver safety initiatives. This body would oversee current initiatives, monitor technological advancements and provide regular advice to the Minister for Transport regarding taxi industry safety issues.

### **Longer term work**

22. Government to review the current exemption for taxi drivers in NSW from wearing seat belts under Schedule 1 of the Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999.

## **Chapter Two**

# **Taskforce Discussion and Report Development**

### **Taskforce Stage One**

#### **2.1 Discussion**

Is the taxi industry safe? Do taxi drivers feel safe in their workplace? What threats are perceived? Do they exist? Is it less safe to catch a taxi at night? Are our safety measures working? What can we do to improve them?

The initial concern of the Taskforce was to gather available data in order to quantify the risk situation in NSW for both taxi drivers and passengers – to pursue a solution by first establishing a clear definition of the problem which exists.

Information from research into the taxi industry generally was added to local data, as well as the knowledge and expertise Taskforce members brought to the process. The role of technology was examined as was the role of community cooperation.

From the various discussions and assessment of research data from Australia and overseas, it was quickly apparent that there are no magical solutions available. A balance must be sought between the respective needs of drivers and their passengers. The taxi industry, the community and Government, however, can be reassured that the safety initiatives deployed in NSW are consistent with those applied in one form or another across Australia and in comparable international jurisdictions.

The combined application of technology, equipment, proactive and reactive initiatives and community cooperation to the issue of taxi industry safety in NSW has generally offered a very effective level of protection for drivers and passengers.

Following the Keatsdale Report in 1995 there quickly developed a clear approach to the application of the key security strategies – security cameras and driver safety screens, vehicle-tracking devices and emergency duress radio “M13” alarms back to the taxi fleet base.

In the late 1990s, these safety features were supported by a renewed focus on driver training and industry education, the development of Government/Industry coordinated and localised response measures (such as secure ranks), improved data collection and revised penalties for offences against taxi drivers. This combination of initiatives enabled an effective level of protection for drivers and passengers. Notwithstanding these improvements though, drivers continue to

face unacceptable levels of risk and further work is needed to evaluate the effectiveness of existing and proposed safety measures.

It was recognised early in the Taskforce process that the taxi industry has many unique features, not the least of which being the way many bailee taxi drivers “pay in” for each shift, for the right to collect passengers. The fact that such drivers are effectively independent contractors ‘working for themselves’ means that there is not a single collective entity which the Taskforce could approach in order to gauge the opinions of drivers. While the representative bodies that were part of the Taskforce assisted greatly, access to larger groups of drivers was not readily available. This is why a comprehensive survey of 1200 taxi drivers and operators was conducted in parallel with the release of the Interim Report.

Taxi drivers have varied opinions on issues of safety and the Taskforce found that their concerns were more often than not about numbers of taxis available or other issues with financial, rather than safety, impacts. For many drivers, safety was simply dismissed as an issue the moment it was raised.

## **2.2 The Interim Findings**

Supported by the findings of the Industry Survey, the Taskforce found that opportunities exist to improve safety through implementing complementary measures grouped under six general headings:

### **2.2.1 Promoting greater awareness and respect**

The promotion and development of a stronger culture of respect and understanding between taxi drivers and taxi passengers can deliver important benefits in the pursuit of taxi safety.

Better communication between drivers and clients and a better general awareness of how certain behaviours can either trigger or avert incidents will help reduce violence.

There must be a better focus by drivers on customer service and the image they present to the community at large. We also need a taxi industry that better appreciates the lot of taxi drivers and the respective roles that passengers, taxi owners, taxi regulators and law enforcement officers play. With these factors in place then catching a taxi can be made safer for all concerned.

### **2.2.2 Information and Data**

To promote taxi industry safety in NSW, greater attention must be paid to data collection and research relating to the industry.

Greater access to data and research by Government and Industry would enable more informed and targeted development of policy and enforcement activity.

A refined approach to the reporting and collection of incident data would produce a reliable and accessible source of current information.

### **2.2.3 Enforcement**

Simple reforms would enable a greater appreciation among The NSW Police Force of the significance of taxi-related crime.

The imbalance in the rate of occurrence between what are perceived as 'minor' crimes (frequent) and 'major' crimes relating to taxis means Police are not able to give certain areas of crime an appropriate level of attention. Greater focus on taxi related crime needs to occur with a stronger relationship between The NSW Police Force and taxi drivers required. Section 7 provides further information on these issues.

Access to clearer data and better application of legislative tools will enable local Police to more effectively address criminal activity.

### **2.2.4 Technology and Equipment**

Safety equipment is a vital weapon in deterring and prosecuting criminal behaviour.

The use of safety screens, camera systems and alarm systems must, however, be underpinned by other safety initiatives such as education of taxi drivers and passengers.

Advances in technology will continue and will need to be monitored to ensure that upgrades to existing systems can be planned and implemented in a managed fashion. A balance between costs and benefit must be struck and can be achieved with regular attention to developments in safety equipment to ensure a measured approach that accommodates the differing needs in the range of environments taxis operate in NSW – from suburban Sydney and its Central Business District to locations in rural NSW.

### **2.2.5 Point of passenger pick-up improvements**

Cooperative schemes between taxi networks and venues can be very effective in reducing the elements of risk which threaten the safety of people in and around taxis. Strategic application of a range of ideas – such as secure ranks and voucher systems – in places where they will have greatest impact should be fostered.

Experience has shown that where the identity of the passenger is known prior to their entry into the taxi, there is a much less chance of violence occurring.

### **2.2.6 Governance**

For best results, regulation, oversight and consultation must underpin the coordinated safety measures employed in NSW.

A permanent taxi industry oversight body can have a valuable role in overseeing safety initiatives and serving in an advisory capacity to the Government. It is understood that such an advisory body will be recommended in the report of the NSW Taxi Taskforce. Section 10 further explores these matters.

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## **Taskforce Stage Two**

In its Interim Findings, the Taskforce argued for the benefits of an understanding of the prevalence of taxi-related crime through better data but also through an understanding of prevailing industry attitudes. An Industry Survey based on the premise established in the Taskforce Interim Report was commissioned by the Ministry of Transport for presentation to the Taskforce.

The information presented in the subsequent survey report by Taverner Research underpinned the final deliberations and formation of the recommendations of the Taskforce.

### **2.3.1 Taxi industry demographics**

Taxi drivers come from a myriad of backgrounds; representing all walks of life. The following table captures briefly the breadth of the taxi industry (driver and operator) demographic.

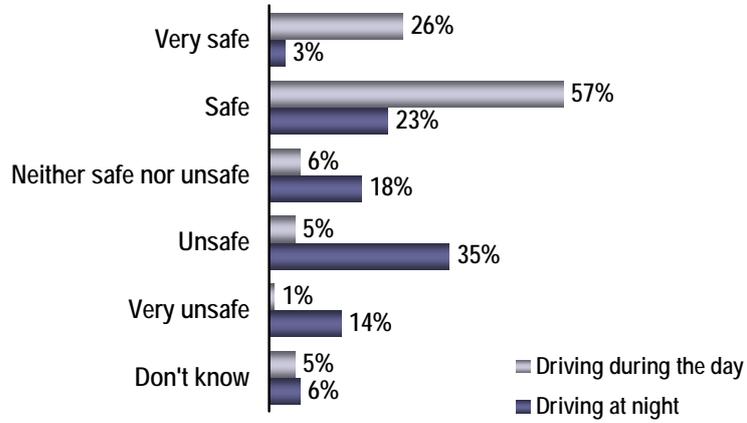
**Table: Taverner Research Survey sample <sup>1</sup>**

	Survey Sample	
	#	%
<b>Driver or operator*</b>		
Authorised taxi driver	859	71
Owner operator	222	18
Accredited operator	127	11
<b>Area of operation</b>		
Sydney	795	66
Newcastle/Hunter/Central Coast	182	15
Wollongong/Illawarra	116	10
Other NSW	115	10
<b>Gender</b>		
Male	1158	96
Female	50	4
<b>Age</b>		
18 – 24	22	2
25 – 44	448	37
45 – 64	652	54
65+	86	7
<b>Preferred language at home</b>		
English	687	57
Total NESB	521	43
Arabic	89	7
Punjabi	63	5
Bengali	66	5
Mandarin	48	4
Urdu	49	4
Other	206	17
<b>Level of education</b>		
Primary school	42	3
Secondary school	508	42
Vocational/Trade diploma/apprenticeship	178	15
Undergraduate diploma/associate diploma	113	9
University degree	267	22
Post-graduate degree/diploma	94	8
(Refused / Don't Know)	6	<1
<b>TOTAL</b>	<b>1208</b>	<b>100%</b>

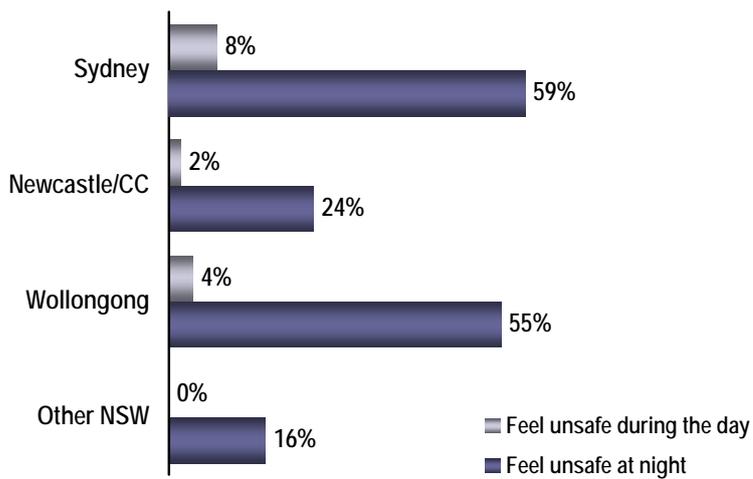
\* All drivers and operators are referred to as 'drivers' in this report.

## 2.3.2 Driver Perceptions

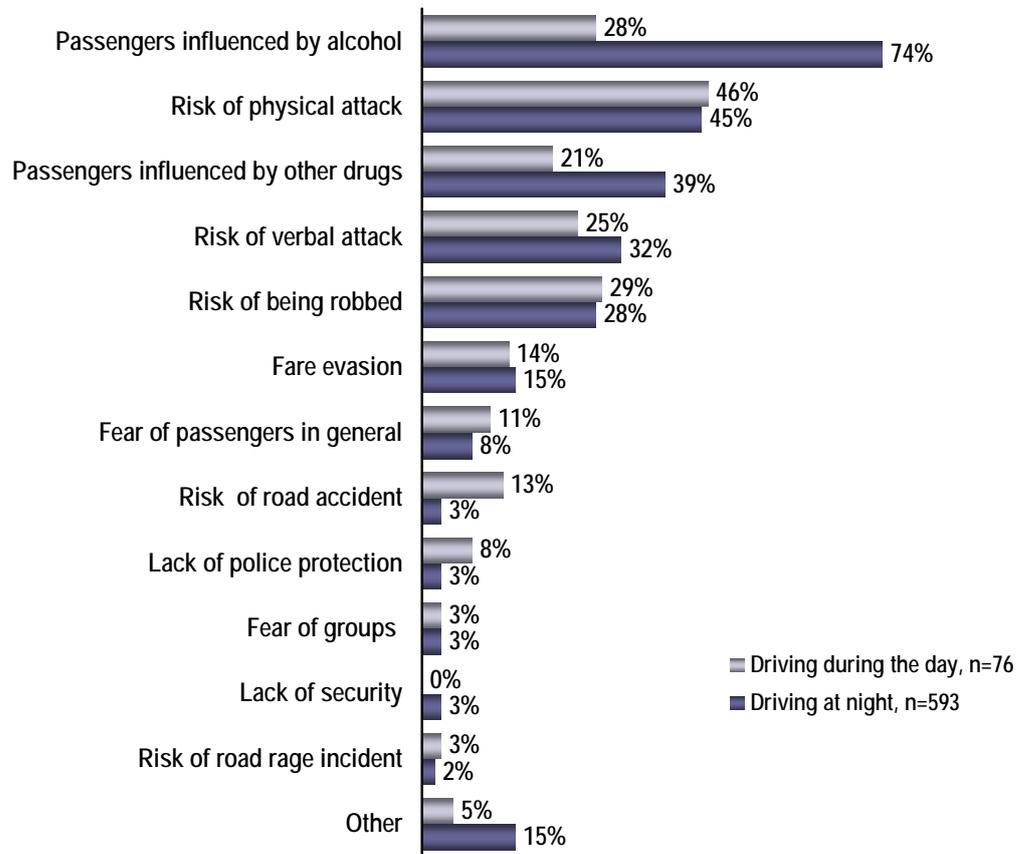
### 2.3.2.1 How safe do drivers feel?<sup>2</sup>



### 2.3.2.12 Perception of safety by location<sup>3</sup>



### 2.3.2.3 What makes drivers feel unsafe?<sup>4</sup>



The information provided in the 2007 Industry Survey provided additional clarity and impetus to the Taskforce. A full representation of the Taskforce assessment process and the conclusions and recommendations which were reached are detailed in the following chapters.

## **Chapter Three**

### **Methodology**

The Taxi Industry Safety and Security Taskforce was announced in June 2006 by the Premier, the Hon Morris Iemma MP, and the Deputy Premier and Minister for Transport, the Hon John Watkins MP to assess the risks faced by taxi drivers, research and review existing safety initiatives, and develop new strategies.

#### **3.1 Taskforce Terms of Reference**

1. Prepare a safety risk assessment profile for drivers and passengers in NSW taxis. What risks exist, where and when are they present?
2. Undertake research into driver safety initiatives/ issues to assist in the development of new safety strategies
3. Review the suitability of current taxi driver safety initiatives and develop strategies for improvement as appropriate.
4. Can equipment in taxis and remote tracking and communication be improved in NSW?
5. Do safety issues for taxi drivers and passengers require more effective promotion within the industry and to the general public?

#### **3.2 Taskforce membership**

Membership of the NSW Taxi Industry Safety and Security Taskforce:

Mr David Madden (Chair)  
Mr Les Blake (WorkCover NSW)  
Mr Howard Harrison (NSW Taxi Council)  
Mr Darcy Waller (replaced Ms Angela Humphries) (Transport Workers Union)  
Mr Michael Jools (NSW Taxi Drivers Association)  
Mr Bill Grant (replaced Mr Roy Wakelin-King) (Ministry of Transport)  
Senior Sergeant Paul Whyte (NSW Police Force)  
Mr Brian Wilkins (NSW Country Taxi Operators' Association)

Members were also asked to nominate a proxy from their organisation:

Mr Tony Sheldon and Mr Daniel Kicuroski (Transport Workers Union)  
Sergeant Michael Plass (The NSW Police Force)  
Mr John Bowe (NSW Taxi Council)  
Mr Richard Garvey (NSW Country Taxi Operators' Association)  
Ms Michelle Strathmore (TDA)  
Mr Ian Blume and Ms Janet Corbett (WorkCover NSW)

### **3.3 Taskforce discussions**

The Taskforce conducted formal meetings between June and October 2006, then again in September 2007. In addition there were meetings between the Chair and individual members. At its formal meetings, the Taskforce discussed and assessed reports and research data from NSW, around Australia and international jurisdictions, along with information from the Taskforce members' knowledge and expertise.

The role of technology was examined, as was the role of community cooperation. Discussions between the Chair and representatives of camera technology companies also informed the Taskforce.

The Chair undertook a number of informal discussions with taxi drivers to further gauge their views on safety and security issues.

### **3.4 Taskforce research**

The key documents which informed the Taskforce were:

*NSW Taxi Driver Guide to a Safer Workplace*, NSW Taxi Council, 2006.

*Research Report: Taxi Driver Security Survey*, Taverner Research, 2007.

*Taxi Driver Safety Summit And Workshop Summary And Outcomes* Perth, Western Australia April 1996

*Taxi Driver Safety – A Report to the NSW Department of Transport*. December 1995 (The Keatsdale Report)

*Taxicab Safety Issues An Independent Report* Bidhu Jha October 2001

*University Of South Australia Taxi Safety Initiatives Study Final Report* 27 March 1997

*Violent Assaults On Taxi Drivers: Incidence Patterns And Risk Factors* Australian Institute Of Criminology *Trends & Issues In Crime And Criminal Justice* No. 178 Claire Mayhew

*Work-Related Violence Case Studies* (UK) Health And Safety Commission

## **Chapter Four**

### **Current safety and security requirements**

Over the last 25 years driver safety and security requirements have developed in line with the need for improved protection and in response to the circumstances surrounding actual attacks on drivers.

Current requirements for taxi driver security equipment and technology are set under the Passenger Transport Regulation 2007 and associated Orders published in the NSW Government Gazette.

#### **4.1 M13 Alarm Systems**

Taxi emergency radio alarm (“M13”) systems have been mandatory in Sydney, Newcastle and Wollongong taxis for many years. Prior to the Passenger Transport Act and its Regulations in 1990, there were specifications set for “the Wollongong, Newcastle and Sydney Metropolitan Transport Districts” by an Engineering Specification for taxi radio alarm systems which was published by the then Department of Motor Transport – referring to a Commonwealth Government standard for ‘Radio Communication Systems’. In the event of an emergency incident, the M13 alarm system enables the driver to discretely notify his or her network as to the emergency status and position, to enable the network to notify the Police that their assistance is required.

The radio alarm requirement continued in 1990 under the Regulations which supported the Passenger Transport Act 1990 in conjunction with a requirement for all taxis in NSW to have a boot lock release device enabling the boot compartment to be released from inside, should a driver be locked inside by an attacker.

#### **4.2 Vehicle Tracking Devices**

In 1995, a WorkCover NSW grant enabled the Department of Transport (now the Ministry of Transport) to fund an investigation and report into risks faced by taxi drivers in their workplaces and strategies available to address those risks. The work was performed for the Department by Keatsdale Pty Ltd and the ‘Keatsdale Report’ provided the blueprint for safety initiatives in the NSW taxi industry for the next 10 years. Among other issues, the Keatsdale Report noted majority support by taxi networks and drivers for Global Positioning System (GPS) tracking systems and surveillance cameras.<sup>5</sup>

Specifications for automatic vehicle tracking devices using GPS technology were first published in December 1996 and were installed as a requirement in Sydney taxis by July 1997. Following activation by the driver of an “M13” radio alarm, such devices automatically provide the network with information on the taxi’s identification, position, speed and direction of travel without any driver input.

Since July 1998, a GPS-based vehicle tracking device has also been a mandatory requirement for taxis in the Newcastle, Wollongong and Central Coast taxi licensing areas.

### **4.3 Security Screens**

Specifications for driver protection security screens in Sydney, Newcastle, Wollongong and the Central Coast were published in March 1997 and the screens installed by August 1998. Driver protection screens are made of moulded plastic and provide protection to drivers from physical attack from behind.

No alteration to screen standards has subsequently been made.

### **4.4 Security Cameras**

In February, 2000 taxi operators in Sydney, Newcastle, Wollongong and the Central Coast were given the option of installing a surveillance camera instead of a driver security screen. This followed a trial of cameras in NSW taxis after representations to Government that some drivers would prefer them to security screens.

The current specification for security camera systems in taxis were gazetted on 20 July 2001 by Order Pursuant to 7B(5) under the Passenger Transport (Taxi-Cab Services) Regulation 1995. The specification provides 42 requirements for issues such as a two camera minimum, image capture, image storage, camera housings, visibility in the vehicle and an operational power system to ensure continued camera function.

### **4.5 Country areas**

In country areas, while vehicle tracking by GPS is widely used but not mandatory, in many locations it is not realistic to expect that a network base will be available to monitor an alarm system.

### **4.6 Driver Training**

In addition to security equipment requirements, following the recommendations of the Keatsdale Report, a new driver training course curriculum was developed (Taxicare Plus) which included safety strategy training. This was implemented from 1999 as required curriculum in NSW taxi driver training schools. WorkCover and the Department of Transport also produced and distributed a brochure on safety strategies for taxi drivers.

#### **4.7 Passenger Transport Regulation 2007**

The Passenger Transport Regulation 2007, effective from 1 September 2007 and replaced the Passenger Transport (Bus Services) Regulation 2000, Passenger Transport (Taxi-cab Services) Regulation 2001, Passenger Transport (Private Hire Vehicle Services) Regulation 2001, Passenger Transport (Ferry Services) Regulation 2000 and the Passenger Transport (General) Regulation 2000.

The two new safety-related provisions were

- Prescribe wilful damage to taxis, hire cars and tourist vehicles as an offence by passengers, as already applies in respect of buses and ferries. Part 5 Division 2 Clause 55 provides for a penalty of up to 10 units.
- Require all taxis in Sydney, Newcastle, Wollongong and the Central Coast to have approved driver security cameras fitted by the 1st March, 2008, and all remaining taxis to have them fitted by the 1st September, 2008. Part 8 Division 1 Clause 114.

## **Chapter Five**

### **Awareness and respect**

#### **5.1 Respect**

The Taskforce found that in general there is a lack of attention to or understanding of the problem of taxi related crime within the broader community, including within law enforcement and regulating agencies – unless there is a serious incident.

A better understanding of the vulnerability of taxi drivers is needed, along with an appreciation of the vital service they perform and the often inhospitable locations and unsociable hours they routinely endure in the course of their work. A greater awareness gained through education of drivers and passengers could make a significant difference, ameliorating this area of risk.

The Taskforce believes there can be definite gains made through the promotion of initiatives such as the NSW Taxi Council Driver of the Year Awards. This award commenced in 2006 and is an excellent means of raising the profile of the industry and promoting respect for drivers and the essential work they do across the community.

Importantly, there is scope for taxi drivers to recognise the rights of passengers, without whom they would not have employment. Some drivers do not deliver a high level of customer service and thereby create a negative image which can reflect on the industry more broadly. While drivers rarely get repeat business from 'rank or hail' hirings or ad hoc bookings over the radio network, customer experience of bad service tarnishes the reputation of the industry as a whole. Reports of overcharging, rudeness, failure to assist passengers, not knowing where to go and other complaints are regularly made about taxi drivers.

While the Taskforce's Terms of Reference aim at improving safety, taxi drivers must also consider how to promote the best possible image of themselves, as mutual respect is a starting point for reducing the possibility of incidents.

#### 2007 Industry Survey Report

In the Industry Survey, the following question was put to respondents: "The Taskforce is considering establishing regular meetings between Police Local Area Commanders and representative taxi drivers with the aim of sharing concerns and strategies for improved safety. How strongly do you agree or disagree that such meetings should be introduced?"

The Industry Survey Report presented an over-90% rate of support for the prospect of increased cooperation between local Police and the taxi industry will be widely supported by drivers.<sup>6</sup>

On the subject of representation of stakeholders at meetings, best results would be achieved through participation of peak industry and driver groups. The Taskforce noted, however, that representation of drivers by peak groups in country areas may be problematic and that it was likely that in some locations individual operators and drivers would be required to participate.

## **5.2 Communication in the taxi**

Some drivers need to better understand the role that good communication skills play in their jobs. In this context it should be acknowledged that many drivers are from non-English speaking backgrounds – indeed they comprise at least 60% of Sydney drivers.<sup>7</sup> Being a good taxi driver is not just about being able to drive a vehicle from one destination to another, it is about dealing with the passenger who is, after all, paying the fare for a service.

As well as being a basic aspect of good customer service, good communication skills can help avoid confrontation and potentially dangerous situations arising or escalating. The ability to defuse a minor disagreement before it becomes an argument is a simple but invaluable skill.

The overwhelming response by the many taxi drivers interviewed within the Taskforce process was that good interpersonal communication skills are critical, as is tolerance for the behaviour of passengers – to a reasonable limit.

One driver remarked:

*“When the passenger gets into my cab, he is the King. If he follows football, so do I. If he thinks my type should go home, I tell him I am going. I agree with what they are saying, five minutes later they are out and I will never see them again.”*

The Taskforce does not condone racism or suggest that drivers must tolerate offensive remarks from their passengers but regards the above comment as valuable in demonstrating how a pragmatic approach can help avoid a confrontation that achieves nothing in the long run – and may well put the driver's safety at risk.

A driver has little chance of changing the thinking or behaviour of an offensive or simply rude passenger in the short time that the passenger travels in their cab. While agreeing with the passenger may not be necessary, neither is engaging with them and in these cases, discretion may often be the better part of valour.

## 2007 Industry Survey Report

The Industry Survey reported from its sample that 43% of respondents preferred a language other than English to be spoken at home. This workforce profile indicates that for those drivers new to the English language the ability to communicate simply and directly is all the more valuable.

The Industry Survey reported that “Drivers who speak English at home are also more likely to feel safe (86% during the day and 35% at night) compared to drivers who speak other languages (NESB) at home (79% during the day and 15% at night)”.<sup>8</sup>

Further, the Survey reports that 32% of those drivers who felt unsafe at night indicated a fear of verbal abuse. Of those who felt unsafe during the day, the figure was 25%.<sup>9</sup>

### **5.3 Driver Training**

The Taskforce took strong notice of the Industry Survey finding of strong industry support for an improved training focus – communication skills were a key element. 99% of respondents answered positively when asked:

*How strongly do you agree or disagree that the current taxi driver educational courses should include more information on safety, customer service and communication skills and students should be required to demonstrate good communication and customer service skills?*<sup>10</sup>

The Taskforce noted too, that a recent consumer survey suggested a high incidence of verbal conflict between taxi drivers and passengers – almost “a third of commuters have had an argument with a taxi or bus driver about bad service”.<sup>11</sup>

Chapter 8 of this Report deals with safety equipment technology but in a training context the Taskforce also noted the importance of taxi operators ensuring their drivers are familiar with the safety equipment in their cab. A taxi driver’s familiarity with their work environment is an important safety measure in itself.

In discussing the benefits of driver training the Taskforce noted that (after compulsory accreditation training) driver attendance at additional training courses can often be poor. Any review of training provision must consider the current hesitation that drivers have regarding training and whether different approaches can assist outcomes. Ongoing training, at-depot courses and other ideas may have appeal, but are of little value if drivers will not attend the training courses.

The Taskforce discussed the 'TaxiCare Professional' training package developed in recent years but not yet applied. The Taskforce believes this package should be revisited and considered for application, noting that additional costs to drivers is also an issue which can be a barrier to their participation.

#### **5.4 Public education**

The Taskforce considered that well-placed media campaigns could have a significant impact on driver and passenger behaviour.

In particular, the possibility of promotional campaigns ahead of the busy social periods in December and January each year was discussed and endorsed. A program to address and emphasise the Government's 'respect and responsibility' theme for taxi drivers and the general community would be of benefit. The Government and the taxi industry have previously collaborated on pre-Christmas period publicity messages and this should again be made a priority.

The Taskforce also noted the value of the NSW Taxi Council publication *NSW Taxi Driver Guide to a Safer Workplace*, distributed in early 2006 and of regularly placing safety information in the Council's monthly magazine, *Meter*.

#### 2007 Industry Survey Report

The Industry Survey asked respondents "How strongly do you agree or disagree that there should be an education campaign to raise awareness that fare evasion is a criminal offence and offenders can be prosecuted?"

The response was a very strong support for a public education campaign regarding fare evasion. The approval rating of 94% was the highest recorded for any of the Taskforce's proposals.<sup>12</sup>

### **5.5 Recommendations**

1. The Ministry of Transport and The NSW Police Force to prepare a trial program for application in 3 Sydney and 2 country NSW Local Area Commands where meetings are held between representative taxi drivers and the Police LAC to share concerns and strategies for improved taxi industry safety.
2. The current taxi driver educational curriculum to be reviewed to ensure all practical safety issues are addressed (safety, customer service and communication). Taxi driver trainees should be able to demonstrate knowledge through practical, as well as theoretical, examination.

3. The Taxi Industry and the Government to cooperatively develop print and electronic media campaigns to focus public and industry attention on taxi industry safety. Promotional campaigns should be run ahead of peak business periods such as the Christmas Holidays and in conjunction with targeted Ministry of Transport enforcement activity.

## Chapter Six

### Information and Data

Following its review of research data it was clear to the Taskforce that it is not currently possible to establish a thorough, current risk profile or data-map of taxi-related crime in NSW. There are many reasons for this, including under-reporting of incidents and variations in the way the information is recorded and collated and how it is analysed.

Three substantive empirical studies into taxi driver safety have been conducted for Australian jurisdictions. These were published in Queensland (1993), New South Wales (1995) and Victoria (1996) and together provide a useful background of issues.

The NSW Police Service Computerised Operational Policing (COPS) database captures taxi related crime, but does so too broadly. COPS classifies any incidents as taxi-related crime if it occurs within or in the vicinity of a taxi and includes incidents at taxi ranks regardless of whether or not the taxi is parked at the rank. COPS data does not include information as to whether a shield was in place within the taxi, destinations or any other information relating to the fare and a range of other valuable data items.

Fresh, targeted industry information would be of immense value providing guidance to the Government and Industry in identifying issues and developing its ideas in response.

#### 6.1 Reporting of Assaults and Fare Evasion

The Taskforce noted that Australian research uniformly showed that under-reporting of incidents was common in the taxi industry. It was agreed that this accorded with the impression strongly held by Taskforce members regarding the experience in NSW setting.

The Industry Survey confirmed this situation. It reported "three-quarters of drivers who experienced at least one fare evasion (77%) and robbery (78%) in the last year had not reported the incidents to police. 59% of drivers who had experienced physical assault had not reported the event to police."<sup>13</sup>

Drivers frequently opt not to report 'minor' crimes and fare evasion is the most frequently occurring of these. Indeed, the Taskforce found an alarming level of tolerance that some drivers had for violence against them before they would report a matter.

The Taskforce found that under-reporting was caused by a combination of factors. Drivers are not inclined to disrupt their shift and their earning time in

order to visit a Police Station and complete an incident report – a process which is acknowledged as generally taking two hours or more.

#### 2007 Industry Survey Report

The Survey found that “a higher proportion of drivers reported losing time or money with reporting robbery (95%) and physical assault (96%) than when reporting fare evasion (90%).”<sup>14</sup>

#### **6.1.1 The Police Approach to reporting**

Other drivers have indicated that Police do not adopt a standard approach to reports by drivers of crimes against them. The Taskforce was informed of incidents where some Police had claimed that fare evasion is a ‘civil matter’, others were unsure of the legislation and indeed in some cases, there was anecdotal evidence given that the Police blamed the driver for picking up intoxicated passengers.

#### 2007 Industry Survey Report

The Industry Survey also gauged industry attitudes to Police handling of reported crimes. “34% of drivers report being ‘very satisfied’ or ‘satisfied’ with how their most recent report was handled by Police. This is the same for fare evasion, robbery and physical assault.”<sup>15</sup>

Further, the Report suggested that “contrary to reports that the Police response to reports of physical assault are handled better than report of fare evasion, 45% of drivers reporting a physical assault were ‘very dissatisfied’ with response from police. This compares with 37% being ‘very dissatisfied’ with the response to a reported fare evasion.”<sup>16</sup>

The Taskforce also noted that, in some instances, it is apparent that a driver’s poor level of spoken English can increase the difficulty of filing an incident report, particularly in relation to the recording of evidence, such as the description of the offender and the events surrounding the crime.

Another issue identified by the Taskforce was the impact of the forensic procedures legislation (Crimes (Forensic Procedures) Act 2000). Many Police are apparently unaware of how to process and store the video images taken from taxi security cameras in such a way as to not jeopardize the prosecution case. Greater familiarity and efficiency will follow as The NSW Police Force better incorporate taxi-related crime into their core business.

### **6.1.2 The Police Assistance Line**

The Taskforce noted significant gains would be made from cooperation between the NSW Police Force and the Ministry of Transport to adapt the Police Assistance Line (PAL) to better record taxi-related crime. The PAL is a service whereby victims of non-emergency offences can report crime to Police by telephone (131 444), rather than by attendance at a Police Station.

Through the PAL, taxi drivers can be encouraged to report all non-emergency offences in this more convenient manner, thereby increasing reporting rates by drivers and ensuring that Police data is more truly reflective of actual rates of crime. Some work may also be needed to ensure that the PAL recording framework reflects the data needed for analysis relating to the taxi industry.

Each time an 'event' is recorded through the PAL it is added to the COPS database. COPS data then informs relevant Local Area Commands of local crime events and a localised Police crime management response to individual events or event patterns is developed.

Currently the PAL will not record an event if there is sufficient detail to identify a suspect. This level of detail requires a driver to attend a Police station and report in person. If this situation is addressed there would be benefits in reporting efficiency and therefore reporting rates.

When a violent incident occurs it remains very important that the incident is reported to the 'Triple-O' emergency line or to a Police Station. All other incidents should be reported to and recorded by the PAL.

Proper adherence to these procedures will help to ensure that victims of assault receive immediate assistance and that appropriate data is collated and recorded to assist with assessment and planning of future initiatives to reduce the probability of future incidents. When these procedures are understood by both drivers and Police officers, a significant step will have been taken and such arrangements are currently under development.

Through the representative of the NSW Police Force the Taskforce sought preliminary advice from the PAL on the ideas within the *Interim Report* to enable appropriate reporting through the PAL. The Taskforce was encouraged to be advised that preliminary work had already commenced in this general area, (involving the Ministry of Transport and the NSW Taxi Council) and that advice from the PAL identified no barrier to the Taskforce's proposals.

### **6.1.3 Improved reporting process**

The Taskforce identified a major goal for improving taxi driver incident reporting rates as to enable drivers to report crime without unreasonably interrupting their

shift and opportunities for earning income. Completing Police statements is time consuming and many drivers prefer not to spend part of their shift in this activity. Indeed, Police officers are often at their busiest on the busier nights for taxi drivers – Friday and Saturday – and this situation can exacerbate a driver's frustration.

An initiative in Tamworth was viewed by the Taskforce as having significant potential for wider adaptation. There, an 'Incident Reporting Procedures' format was developed by Police at Tamworth and the Tamworth taxi cooperative. The procedure is underpinned by the evidence-quality images that some in-vehicle security cameras produce and is designed specifically to increase reporting and successful prosecution of 'minor offences' in cabs, particularly fare evasion.

The Tamworth initiative seeks to avoid incidents being forgotten due to a lack of available time on the part of both driver and Police. All actions must be completed within 3 days of an incident. Under the Tamworth procedures, the driver need not spend shift time completing the reports required. The total time required of the driver may be similar, with less inconvenience as regards their earning capacity.

#### The Tamworth Police reporting model

Sequence of events:

1. Driver completes a 'Transport Security Incident Report Form' as soon as possible on the day of the incident and presents the form at the Police Station.
2. The next day the driver completes a handwritten statement and requests a camera download.
3. The Police Security Liaison Officer will complete the download onto a disk and deliver to the Police Station for action.
4. Further contact with the driver is made by Police as required.

There is nothing that stops the driver reporting the matter at the time it occurs so that the investigation can commence sooner, but it is a decision the driver can make.

#### 2007 Industry Survey Report

"The main suggestion for improving reporting procedures was to enable reporting over the phone in line with the Taskforce recommendation to adapt the Police Assistance Line to better record taxi crime."

The Industry Survey results appear to underscore the value of exploring this approach: “Two-thirds of drivers would be ‘much more’ (48%) or ‘a little more’ (17%) willing to report fare evasion if the process were made easier.”<sup>17</sup>

## **6.2 Research**

Informing the Taskforce conclusions which formed the Interim Report were the findings of three Australian empirical studies - also confirmed by overseas research – that there are eight risk factors associated with violence against taxi drivers.

This research indicates that passengers on journeys involving a combination of following characteristics are more likely to commit assault:<sup>18</sup>

- male;
- young;
- evening or night;
- inebriation;
- a “hail” from the street;
- inner-city pick-up point;
- disadvantaged socioeconomic clients; and
- the pursuit of fare-evaders by drivers.

The role of alcohol in increasing the likelihood of assaults on taxi drivers cannot be underestimated. NSW Police Force statistics show a clear pattern relating to ‘persons of interest’ in the assaults on taxi drivers, where 70% of recorded events since 1998 involved alcohol-affected passengers.<sup>19</sup>

Just as the link between alcohol abuse and violent crime is a broader burden on society, it also represents a significant problem for taxi drivers. The reality is that passengers picked up late in the evening, particularly from city and suburban hotels and clubs, are frequently intoxicated and in some cases their resultant behaviour may be violent and offensive. In this situation, the passenger may be too drunk to drive their own vehicle and/or their behaviour has been so offensive that they have been ejected from the licensed venue by security. It is ironic that such a passenger relies on taxi drivers to provide a safe journey home yet can represent an increased risk to the safety of that driver.

Equally, the impact of drugs in the community and the affect they have on passengers is also a serious issue for taxi drivers. This is most particularly because, in some cases, even the driver’s very best negotiation and communication skills will not be able to influence the behaviour of a severely drug affected passenger.

The Taskforce endorses efforts by the Government to ensure greater law enforcement against illegal drug use and to curb under-age and binge drinking. The Taskforce further endorses efforts to make licensed venue owners more responsible and accountable for the safety of their patrons as they leave their premises.

Research also demonstrates a link between assault rates and the ethnicity of taxi drivers. The *Keatsdale Report* documented that 60% of Sydney taxi drivers were from a non-English speaking background (NESB). The Report found the “rate of multiple robberies per year of Asian drivers was seven times that for drivers of English-speaking background, while that of drivers from the Indian sub-continent was six times. Noting also that the “rate of assault of drivers from the Indian sub-continent was 50% higher than the average rate for all drivers”; the Keatsdale Report also found that these driver groups were strong supporters of the use of proposed driver safety equipment.<sup>20</sup>

Further specific research will be of immense benefit in promoting taxi industry safety, both for the practical application of the Taskforce’s proposals in the short term and to better inform future action.

### **6.3 Recommendations**

4. Current information on taxi related crime in NSW is needed for Government and Industry to most effectively plan and implement taxi safety improvements. The Ministry of Transport and the NSW Police Force should jointly commission research in this area to guide future initiatives.
5. Taxi drivers should be encouraged to report minor incidents through the Police Assistance Line (PAL)
6. The NSW Police Force must adapt its reporting requirements to clearly accommodate taxi-related crime. The Police Assistance Line must be able to record fare evasion and a ‘taxi-related crime’ identifier must be placed against recorded reports of serious incidents involving taxis.
7. Taxi Drivers should be able to report designated serious matters through an incident reporting system which does not necessarily interrupt their regular shift. A template for this process to be centrally developed by the NSW Police Force and the Taxi Industry for application in each Police Local Area Command.

## Chapter Seven

### Enforcement

Through evidence from a range of stakeholders the Taskforce heard that the response from the NSW Police Force is routinely excellent when taxi drivers are the victims of serious physical assault or homicide. These crimes against taxi drivers however, are not recorded sufficiently to be readily defined as 'core' Police business.

There are four basic charges for offences against taxi drivers:

- Assault (Crimes Act 1900)
- Robbery (Crimes Act 1900)
- Malicious damage (Crimes Act 1900)
- Fare evasion (Passenger Transport Regulation 2007)

The Taskforce observed a gap in existence between what are perceived by police officers to be 'serious' and 'minor' issues . A clearer understanding of the genuine nature of driver safety issues and a consistent relationship between The NSW Police Force and taxi drivers and the Taxi Industry must be fostered.

While crimes such as fare evasion are a more frequent occurrence, there is no commonly understood and clearly defined response for Police at the Local Area Command level. The Taskforce believes this is an area where much improvement can readily be achieved.

For the very serious crime of driver assault, Government legislation - the Crimes (Sentencing Procedure) Act 1999, provides guidelines in sentencing, establishing a clear framework for Police action. Most importantly, incidents of assault are prioritised and acted upon as 'mainstream' criminal matters.

Passenger Transport Regulation 2007 Section 163 sub-clause 2 is relevant to prosecution for fare evasion. The NSW Police Force advised that a Field Court Attendance Notice (FCAN) is the most appropriate format for infringing an offender and the Taskforce noted that successful prosecution for fraud was difficult to achieve, as it must be proven an offender never intended to pay the fare.

By addressing the manner in which the offence of fare evasion is typically handled, there are significant gains to be made. It was apparent to the Taskforce that a range of different approaches are currently taken by different police officers to the single offence of fare evasion, with some defining it as a 'civil matter' or not even recognising it as a crime. This lack of consistency should be addressed.

## 2007 Industry Survey Report

The 2007 Industry Survey suggested that “only 9% of drivers say that fare evasion is not a problem, with drivers in non-urban areas of NSW (17%) most likely to take this view. Wollongong (52%) and Sydney (45%) drivers are most likely to say fare evasion is a ‘major problem’ while drivers in other areas tend to say it is a ‘minor problem’.”<sup>21</sup>

When the Industry Survey tested the frequency of crime against individual drivers, it found that in the previous 12 months “77% of drivers had experienced at least one fare evasion in the last year, with drivers reporting an average of 8 fare evasion incidents in the last year. 22% of drivers have been robbed in the last year and 16% had experienced a physical assault.”<sup>22</sup>

Based on records from the past ten years the NSW Police Force advised the Taskforce that less than 10 charges (or equivalent) are issued per year across the state along with a similar number of Infringement Notices.<sup>23</sup> It is clear to the Taskforce that fare evasion is a regular and frequent occurrence in the taxi industry.

The Taskforce believes there would be value added through the creation of a Police Standard Operating Procedures document or intranet-based set of procedures for Police officers. This ‘procedural template’ could be supported by a campaign raising awareness in the broader community and the Police Force of the message that fare evasion is a criminal offence and offenders can be prosecuted.

A complementary community awareness campaign to highlight the crime of fare evasion should be undertaken and the penalty for this offence in NSW increased as a further deterrent to potential offenders.

### **7.1 “Police Stop” campaigns**

The Taskforce considered that a program recently implemented in the United States of America could have possible merit in NSW.

So-called ‘Police Stop’ campaigns involve Police officers in vehicles or stationary traffic operations (such as random breath testing stations) randomly stop taxi vehicles to check the safety of passenger and driver.

The New York City TRIP initiative (Taxi Robbery Inspection Program) provides for cabs to be stopped without establishing need or probable cause. Under TRIP, taxi owners register their vehicle for the program and have their drivers sign consent forms, with eligible cabs then displaying a visible decal both inside and outside the cab. A similar program runs in Boston.<sup>24</sup>

The value of these programs was thought to be their pro-active nature and adaptability to Australian conditions. As an addition to regular Police traffic patrols, similar programs could be easily implemented into Police core business. It is important to understand that such programs do not require Police to search taxi occupants, the driver or the vehicle, or to conduct any other check of the bona fides of the occupants, but simply to check on the safety of the driver. Indeed, in some cases the taxi does not need to be pulled to the curb as the inquiry can occur when vehicles are stationary at traffic lights or other brief delay. The check is confirmed in seconds, not minutes. Accordingly, an increased fare for the passenger is not an issue to be considered.

Of course taxis may still be stopped for legitimate search and detain practices, but the "Police Stop" campaign is aimed at undertaking immediate and regular welfare checks of drivers.

### 2007 Industry Survey Report

The Taskforce considered such programs could also be valuable in assisting to improve the relationship between drivers and local Police, a relationship which seems to have deteriorated in recent years, particularly in urban and busy areas. The Industry Survey suggested above 70 percent support among drivers for such a scheme in NSW.<sup>25</sup>

The Taskforce noted that Wollongong may be a logical location to trial this scheme, with the Industry Survey recording a high level of drivers reporting to feeling unsafe.<sup>26</sup>

## **7.2 Recommendations**

8. A community awareness campaign to highlight the crime of fare evasion to be developed and coordinated by the Taxi Industry and the Government.
9. The Government should increase the current penalty for the offence of fare evasion.
10. A 'Police Stop' campaign, similar to those run by Police in the USA, should be placed on trial in a selection of a Police Local Area Commands.

## Chapter Eight

### Technology and Equipment

Taxi services in Australia are a people-oriented service industry. There is an acknowledged distinction in the manner Australian passengers typically interact with taxi drivers here compared with other countries. Passengers, particularly men, often sit in the front seat and actively engage drivers in conversation. Consideration of technology, such as driver protection screens, needs to recognise these cultural differences. Accordingly, this Report does not propose an environment in which the driver is physically separated from the passenger but aims for a balanced approach which recognises the safety of both driver and passenger, as well as the need for communication between the two.

#### 8.1 The capacity of technology to provide solutions

The views of four Australian technology manufacturers were sought on the opportunities, limitations (within the taxi industry) and general issues affecting the provision of security technology.

The major technological changes since 1998 were judged to be in-camera image memory capacity (and relative cost), advances in lens technology and advances in the software which drives systems. The Taskforce noted the following key points regarding the storage of camera images:

- There are no technical barriers - only cost barriers.
- Camera image memory is no longer as costly as it once was.

The manufacturers asserted the importance of supporting the technology with an effective chain of evidence; that is enforcement procedures must be in step with the available technology.

While views differed in relation to the relative merits of camera image types and the value of different technologies - a 5-year review of Government standards as proposed by the Taskforce was agreed to be a balanced proposal.

The meeting with technology providers discussed the viability and implications of a 'live feed' to a screen inside the taxi and found this is a possibility available at a cost estimate of approximately \$1000 per vehicle. The option of 'split screens' and continuous feed (without use of memory capacity) were also canvassed.

The rate of growth in capacity offered by new technology was discussed. It was predicted that in the coming two years, a 'breakthrough' of some kind could be expected. For example, the arrival of mobile broadband was regarded as a genuine prospect.

In a submission to the Taskforce Chair, the NSW Taxi Drivers Association proposed further directions in improved technology (Appendix G). The Chair

considers that presently some of these initiatives are beyond the capacity of current effective and economical technology. The NSW Taxi Drivers Association's initiatives are noted but are best regarded as a goal to be approached as safety improvements continue to be made, technology continues to evolve and new ideas appear.

### 2007 Industry Survey Report

Approximately 90% of all respondents were in support of regularly improving safety technology, including improvement in the quality of camera images and memory capacity.<sup>27</sup>

## **8.2 Security Camera Systems**

The current specification for security camera systems in NSW taxis was introduced in July 2001 (refer to section 4.4) provides minimum requirements for a system to be fitted for the purpose of recording images in or of a taxi.

The Taskforce welcomed the 2006 announcement by the Minister for Transport that security cameras would become mandatory safety equipment in all NSW taxis. The Taskforce strongly supports this initiative.

The Taskforce endorsed a Ministry of Transport proposal that operators fund their own cameras, with this additional cost factored into the annual Independent Pricing and Regulatory Tribunal (IPART) taxi fare determination process.

Another initiative which received widespread support during the Taskforce deliberations was the placement of a screen, or alteration to the despatch screens, to include an image of what is being recorded by the camera. In the same manner as in many service stations and other convenience stores where the camera image is displayed to the customer, thereby reinforcing to them that they are being recorded, this scheme aims to highlight the risks to a potential offender of identification and prosecution for offences and to prevent incidents occurring. The makers of current taxi technology consider such an addition possible and relatively low in cost, although this will require further investigation of both costs and benefit.

Knowing that technology is available, the placement of a video screen inside the taxi – preferably mounted on the dashboard for maximum visibility to passengers – could be a valuable initiative. The Taskforce resolved to support these screens based upon industry advice and a perception that commercial support will appear for such a recommendation. Industry concern regarding potential obstruction of vision inside cabs was noted and safety standards must reflect these issues.

Access to images was also noted as an important issue. Access to images must continue to be clearly restricted to appropriately accredited officers.

The Taskforce discussed the application of minimum standards. A camera specification suggested by the NSW Taxi Drivers Association was noted and support for a camera-image minimum standard of 7 days storage was recorded.

It was resolved that the Ministry-prescribed minimum standards for equipment should include camera image storage and in-vehicle video screens.

### 2007 Industry Survey Report

Significant industry support existed for the suggestion of camera screens being fitted inside taxis. Support was highest in Sydney (76%) and Wollongong (77%).<sup>28</sup>

### **8.3 Fitted emergency radio alarm switches**

A fitted emergency radio “M13” alarm switch is mandatory for taxis in the Sydney, Newcastle, Central Coast and Wollongong licensing areas (section 4.1 refers).

The Taskforce noted that many cabs in country NSW were fitted with alarm switches despite their being no licensing requirement. An important point was thought to be central here – an alarm switch serves no purpose if it is not monitored at all times a cab is on the road. The Taskforce noted an excellent initiative in Orange, where a single base serves a number of other taxi cooperatives based in towns in the region. This initiative should be investigated for application by other regional taxi operators and cooperatives.

#### **8.3.1 Dual alarm switches**

At present there is not a standardised location an M13 switch must be fixed relative to the driver. In practice this means that the switch is fitted in one of two places – on the vehicle’s dashboard or on the floor of the vehicle near the driver foot pedals.

The Taskforce considers that a double M13 switch placement could offer practical benefit to drivers - removing any risk present where a driver is working in a vehicle where the M13 switch is in an unfamiliar position - at low cost and readily achievable in a taxi’s regular visits to an auto-electrical workshop.

An arrangement for the retrospective fitting of either dash-mounted or floor-mounted switches to all vehicles would be a fairly straightforward process if it were aligned with the current Sydney taxi three-times a year mandatory Authorised Taxi Inspection Station assessment.

While such an addition may increase the number of false alarms, which is at present extremely high, it would presumably reduce uncertainty and increase the

likelihood of the driver successfully activating the alarm during an emergency. The immediate practical benefits of a second switch appeared obvious to the Taskforce.

The Taskforce was advised by the Ministry of Transport that a realistic cost estimate to fit dual switches across NSW was \$250,000 at the price of \$40 per new switch.

The Taskforce suggests that a 12-month implementation period be provided for operators to arrange for second switches to be fitted. A date should be set by the Ministry for Transport as soon as funding and regulatory arrangements have been determined.

#### 2007 Industry Survey Report

A strong level of agreement appeared for this initiative – over 70% from respondents.<sup>29</sup>

### **8.4 Global Positioning Systems (GPS) - based Vehicle Tracking Devices**

The current requirements for a GPS-based automatic Vehicle Tracking Device (VTD) which provides information to the network or cooperative of the taxi's position, speed and direction have been in place since November 2002 for all taxis in Sydney, Newcastle, Wollongong and the Central Coast. This is a requirement pursuant to an Order under the Passenger Transport Regulation 2007, through which minimum standards for VTDs are provided.

The use of GPS is universally accepted as a vital part of the taxi safety framework and is strongly endorsed by the Taskforce. The capacity for VTD to provide a 'track' of various aspects of a taxi's movement - taxi meter activities, vehicle movements was noted.

The issues discussed on this general subject related to the reliability of equipment, the role of compliance and the limitations of available technology – the need to ensure that regulation and enforcement is in step with the capacity of the equipment.

The Taskforce acknowledges the significant investments made into safety equipment by the large Sydney networks in VTD and other beneficial electronic equipment.

### **8.5 Driver Protection Screens**

Driver protection screens are currently a requirement for taxis in Sydney, Newcastle, Wollongong and the Central Coast, unless a security camera is fitted.

The Taskforce heard that screens are not popular with some drivers or passengers and it is a matter of public record that driver concerns were raised prior to the 'either/or' arrangement regarding cameras and screens. Many Australian passengers, particularly men, tend to sit in the front seat but, regardless of the passenger's location a screen presents a partial barrier to communication.

It is noted there is successful mandatory application of driver screens in a number of North American jurisdictions and in other international jurisdictions, notably London. The Taskforce also noted a very different set of circumstances in these places had created the impetus for screens to be introduced. This point was regarded as being of central relevance and it was further noted that such a climate is not present in NSW. For example, in North America the impetus for mandatory screens has come over the past 10 years from concern at alarming gun-related murder statistics. All of London's licensed taxicabs (over 20,000) are fitted with factory-installed partitions. These 'screens' were originally a passenger privacy feature but obviously provide a level of security for drivers too.

In NSW, the need for mandatory screens in taxis has not been advocated by public, Industry or Government. It was suggested to the Taskforce that the reason drivers are generally opposed to screens is that an attractive model has not yet been made available to them. This includes loss of passenger comfort, as well as communication and safety considerations.

A 2006 Taxi Council estimate suggests there are around 600 screens in NSW. The vast majority being in the Sydney licensing area.

#### 2007 Industry Survey Report

The 2007 Industry Survey reported that the vast majority of NSW taxi drivers (83%) have not driven a taxi with a security screen in the last year.

The Survey found that the prevalence of screens is higher in Sydney (11% of Sydney drivers have a security screen 'all of the time') or 'more than half the time' and, in line with where drivers feel safest, security screens are least prevalent in Newcastle and the Central Coast and rural NSW.<sup>30</sup>

The survey made clear that there was no current push for mandatory security screens. 59% of drivers expressed dissatisfaction with this prospect.<sup>31</sup>

The Taskforce is convinced that security screens must remain a part of the range of options for safety equipment available to Australian taxi drivers and research shows that many drivers express a preference to drive with screens.

The Keatsdale Report documented that many drivers of non-English speaking backgrounds are more likely to favour screens (section 6.2 refers) and this finding was echoed in the 2007 Industry Survey.

While “Sydney (34%) and Wollongong (35%) drivers are most likely to agree with mandatory security screens”, there is a consistent theme in that “41% of drivers from non-English speaking backgrounds agree that security screens should be mandatory compared to 22% of English speaking drivers.”<sup>32</sup>

The Industry Report comments that “the design of security screens appears to be a deterrent to drivers wanting to use them. While only 8% regularly drive taxis with security screens at present, 52% of drivers say they would be at least a little keen to use better designed security screen.

While the Taskforce notes that “a third of drivers in Sydney (36%) and Wollongong (31%) and half the drivers in Newcastle /Central Coast (52%) and other NSW (50%) would not welcome better designed security screens.”<sup>33</sup>

The Taskforce considers that it may be possible that the value of screens in promoting safety for taxi drivers has not been properly realised in NSW, but that this may be possible.

The Government should lead a revision of industry attitudes to security screens, particularly the attitudes of drivers. To this end, it should explore what design possibilities can be developed through a funded design tender. This concept would best be managed by an Industry advisory body such as that discussed at section 9.1.

While there is no case to mandate security screens, it is clear that when well designed they make a drivers work environment safer – while the driver remains in the vehicle.

In a recent announcement, the Government of Victoria responded to its own taxi industry research by funding a tender in order to pursue a more applicable taxi security screen product.

According to the Victorian Government’s statements, a “recent Victorian trial has found that drivers generally support the idea of protection screens but feel the screen currently approved for use in Victoria has problems with its design, making some people hesitant to use them.”<sup>34</sup>

The Victorian Government will sponsor the development of a security screen which is more agreeable to taxi drivers and passengers. A trial process will take place in 2009 following the screen development process.

The Taskforce noted the recent report by a Victorian Government Taxi Safety Taskforce. The plan outlines 8 action items and all of them are consistent with initiatives already present in NSW or proposed in this Taskforce Report. At Appendix D is an associated media statement.

## **8.6 Driver's door lock**

Designed to complement a security screen, an optional self-locking door enables a driver to be fully enclosed and safe from an attacker outside the vehicle. The Taskforce understands that currently these devices are manufactured by the sole security screen manufacturer in Australia and represent a low-cost addition to enhance the value of a security screen.

The general application of these devices to those taxis fitted with screens and cameras should be explored both for new fittings and retrofitted door locks and Industry advice suggests any taxi can be equipped by an auto-electrician for less than \$100.

Once again, the immediate benefits and ready application of this measure leads the Taskforce to suggest a 12-month implementation period be provided for operators to arrange for driver's door locks to be fitted. A date should be set by the Ministry for Transport as soon as funding and regulatory arrangements have been determined.

## **8.7 Review of prescribed standards**

The Taskforce proposed that regulatory requirements and standards for safety and security devices in NSW taxis should be reviewed every 5 years in line with the mandatory regulatory review process. An additional review could be undertaken as needed to address significant new technology.

Some of the cameras and equipment currently in use may be outdated and while providing a level of comfort and safety may not be able to be used for various technological reasons, including an inadequate storage or memory base. In some respects the technology is improving and making significant advancements but the standards have not kept pace.

Government-mandated standards are central to an effective process to update current safety equipment. The Taskforce recommended that the Ministry of Transport should engage an independent party to perform a review of all current NSW equipment standards.

The Taskforce noted the need for this review to be conducted as a priority because many country operators are ready to install cameras but are awaiting the latest standard before embarking - as it is initially, an expensive program.

A possible review of individual aspects of the current specification – particularly regarding camera equipment - was not judged as the most practical. Rather, it was considered that a more practical approach would be a full review of all the specifications. Cost implications must be considered as part of this process, as should the particular circumstances of smaller networks.

## **8.8 External taxi lights**

There was no support among Taskforce members for external alarm lights which could be activated at the time of an incident. There was particular concern at the possibility such lights would act to attract unwanted attention from passers-by, increasing the risk of confrontation and incident.

For these reasons, although the Taskforce noted this concept has been addressed in other reports and regarded as significant, it was not pursued further in any detail. While there may be some value in these lights, its potential significance was rated far lower than other measures.

## **8.9 Recommendations**

11. The Government to require both console and floor emergency switches to be fitted in all NSW taxis. Retrospective fitting should also apply. The Taxi Advisory Committee to fund this initiative.
12. Drivers' door-locking technology to be fitted to all taxis with security screens fitted. Funding for this proposal to be investigated.
13. Mandatory security cameras in every taxi throughout the State to be enforced from 1 September 2008 (per Passenger Transport Regulation 2007) funded by taxi operators. The provision of financial grants for hardship cases should also be offered. Consideration to be given to dashboard-mounted video screens also being compulsory.
14. The Taxi Industry and Government to jointly sponsor the development of a security screen which is suited to the needs of taxi drivers and passengers.
15. The Ministry of Transport to review all current equipment standards (vehicle tracking devices, security screens and camera systems) to reflect current technology. Minimum standards must be set and there must be a particular emphasis on camera capacity, image recording and retention, image transfer to remote location and other options.
16. The Ministry of Transport to conduct 5 year reviews of regulatory requirements and standards relating to taxi driver safety.

## **Chapter Nine**

### **Point of pick-up improvements**

The Taskforce endorses current NSW Government initiatives aimed at tempering the effect of alcohol-related crime and anti-social behaviour. The better management of these social problems has immediate benefits in reducing a large portion of criminal behaviour involving taxis. As discussed at section 6.2 the Taskforce was advised that NSW Police statistics show a clear pattern relating to assaults on taxi drivers, with 70% of recorded events since 1998 involving alcohol-affected passengers.

The encouragement of cooperative initiatives such as Liquor Accords provide an opportunity to reduce offences against taxi drivers on any given night, but particularly on the busier times of Friday and Saturday nights.

The Taskforce took note of NSW Office of Liquor, Gaming and Racing material relating to Liquor Accords across NSW. Liquor Accords are voluntary industry-based partnerships working in local communities to introduce practical solutions to liquor-related problems. Liquor Accords include members from the local business community, local councils, Police, Government departments and other community organisations. They reach agreements on ways to improve the operation of licensed venues so that entertainment venues and precincts are safe and enjoyable.

Liquor Accords exist in each Police Local Area Command and their potential value in addressing taxi safety issues at a local level is clear. The value of actively planning for the dispersal of patrons from licensed premises is also clear and the Taskforce saw value in promoting such planning in order to promote consistency for taxi drivers called upon to transport passengers from pubs and clubs.

The Taskforce suggests that a basic level of planning for transport for patrons be made part of any application for a liquor license. Contact with the Taxi Industry can be easily facilitated centrally or at local level and Ministry of Transport input can also assist. Recent work regarding Secure Taxi Ranks appears to be ideal preparation for this cooperative work (section 9.1 refers).

The Taskforce had concerns over the need to consider the responsibility of venue owners beyond their boundaries. Where does the responsibility and accountability of a venue owner (or a promoter at a major event venue) for an intoxicated patron end? Does it include circumstances where that person enters and begins damaging a taxi or abusing a driver? These issues need further consideration by the Taskforce, local Liquor Accords and venue operators.

## 9.1 Secure taxi ranks

The Ministry of Transport presented a briefing at a Taskforce meeting on the introduction of secure taxi ranks in Sydney over recent years and on an ongoing trial of ranks in Sydney and regional locations, funded by the Taxi Advisory Committee with the agreement of the NSW Taxi Council and the TWU. The Taskforce strongly supports the concept as a valuable part of the broader cooperative approach to removing potential threats to taxi drivers and passengers.

A secure taxi rank is a rank patrolled by trained security staff late at night at locations busy with patrons from popular entertainment precincts. Secure ranks began operating in 2001 at three locations in the Sydney Central Business District (CBD) at Park Street, the Four Seasons Hotel and at Chifley Square. Three security guards supervise these ranks on Friday and Saturday nights between 8:00 pm and 3:30 am.

Informed by the success of the CBD secure ranks, new locations were trialled in Manly, Albury, Griffith and Wagga Wagga during the summer months in 2005 / 2006 and have steadily been expanded. There are now over 30 NSW locations operating either permanently or on a trial basis (Appendix C relates). Secure Ranks are cooperative ventures involving the NSW Taxi Council, local Government authorities, The NSW Police Force Local Area Commands, local taxi networks and the Ministry of Transport. These secure ranks operate on Friday and Saturday nights between 10:30 pm and 5:00 am, staffed by at least two security guards.

The new Secure Ranks were evaluated through trial periods via weekly reports from the security firms on patronage, number of occupied taxis leaving the rank and the average and longest waiting time for taxis. The stakeholders – hotels, clubs, local Police and local government authorities were also consulted.

The Taskforce was informed that the evaluation of the Secure Ranks showed they:

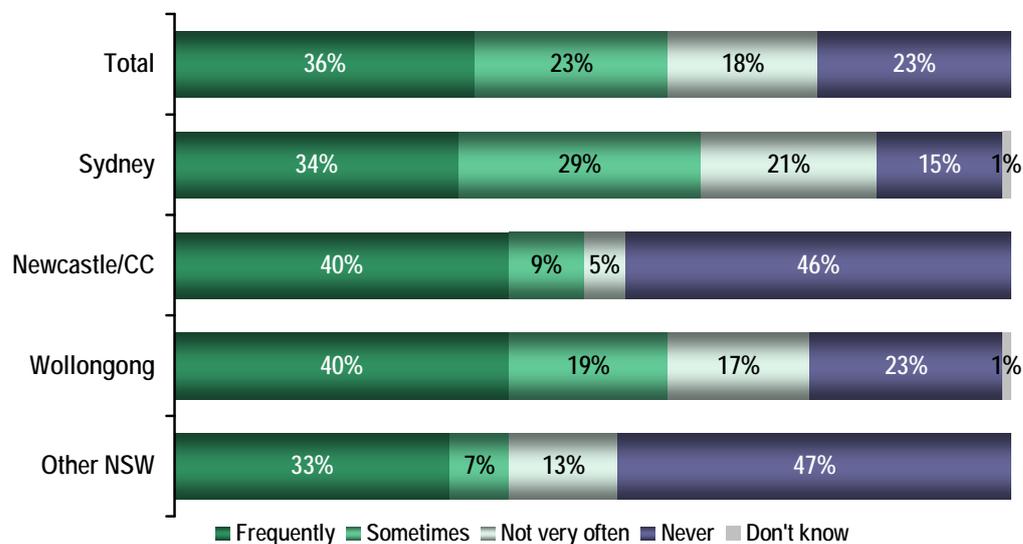
- Provided a safer environment for waiting passengers and taxi drivers;
- Led to less local vandalism, anti-social behaviour and street disturbance;
- Promoted orderly conduct of patrons;
- Made passengers feel safer;
- Increased multiple-passenger hiring; and
- Increased patronage at existing ranks.

It was notable from interviews conducted by the Taskforce, that the most successful secure ranks involved a high degree of cooperation among relevant stakeholders – taxi operators, taxi drivers, security officers and Police.

## 2007 Industry Survey Report

“All respondents were asked their frequency of using secure taxi ranks, with over half (59%) using them at least sometimes. Newcastle/Central Coast and Wollongong drivers (40%) are somewhat more likely to frequently use secure taxi ranks; however Sydney taxi drivers are significantly more likely to use them at least sometimes. “The majority of drivers (77%) agree that secure taxi ranks improve conditions for drivers”.

### Frequency of using secure taxi ranks<sup>35</sup>



## 9.2 Taxi Voucher Schemes

The Taxi Council estimates at least 150 hotels and licensed clubs now participate in taxi voucher schemes across Sydney, often with links to local Liquor Accords. Under the scheme, a patron seeking a taxi from a venue must produce photo identification; the venue then records the patron’s details and books a taxi for them. This scheme differs from use of a secure rank, as the venue itself controls the environment of the pick-up location.

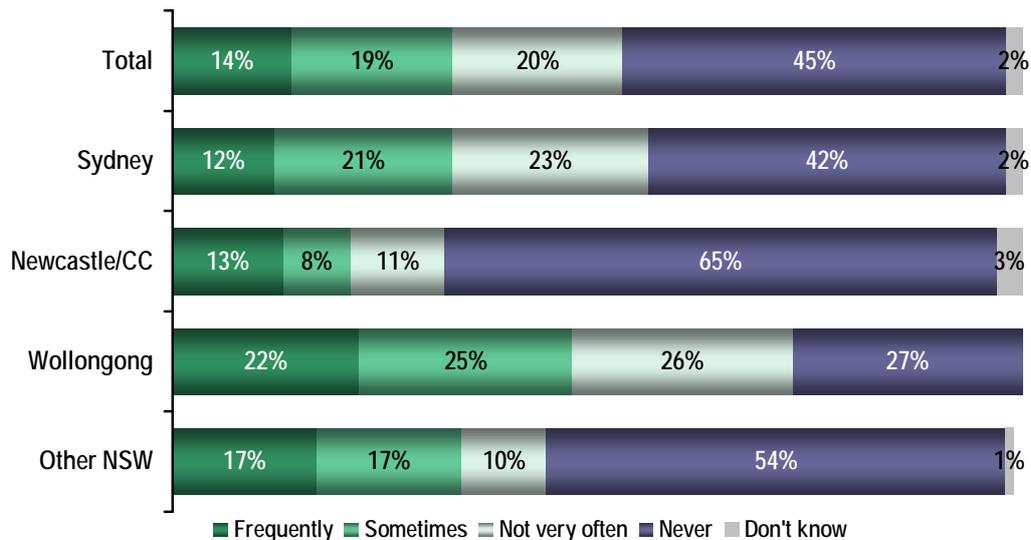
The concept is a simple one - a passenger whose identity has been recorded is less likely to commit an offence against the taxi driver. Drivers will therefore feel more confident of their safety.

Though not applicable to all locations – the Taskforce agrees that these schemes can also have a role to play in reducing the risk of taxi-related crime.

Schemes which attempt to identify the passenger prior to entry into the taxi are generally supported but must be balanced to ensure that discrimination is not an issue and that the broader community has the opportunity to use this valuable taxi-based service.

2007 Industry Survey Report

**Frequency of using taxi voucher schemes<sup>36</sup>**



**9.3 Licensed venues and transport considerations**

Noting the strong links between licensed premises, intoxicated persons and taxi industry safety issues, the Taskforce addressed the possibility of developing a formal link between planning for patron transport and the responsibilities carried by licensed premises themselves.

In fact, current legislation already provides the opportunity for this focus to be increased. New rules which apply to hotel and liquor store licenses commenced in 2004; introducing a social impact assessment (SIA) process for the grant and removal of these licenses.

**9.3.1 The Liquor Act 1982**

The *Liquor Act 1982* was amended in order to replace the ‘needs test’ with a social impact assessment requirement.

Sections 62B to 62F of the *Liquor Act 1982* provide for the Liquor Administration Board to consider a social impact assessment as part of any consideration of an

application for the grant or removal of a hotelier's licence or an off-licence (retail) (a bottle shop).

Section 62F(1) empowers the Board to approve a social impact assessment provided in connection with a relevant application, if the Board is satisfied that the:

*- Social impact assessment complies with the Act and the Liquor Amendment (Social Impact Assessments and Licence Fees) Regulation 2004; and*

*- Overall social impact of the application being granted by the Licensing Court will not be detrimental to the local community or the broader community.*

Section 62F(3) provides that the Minister may issue written guidelines to the Board in relation to the following matters:

1. The factors that are to be taken into account by the Board in determining a social impact assessment;
2. The criteria for determining the local community and the broader community;
3. The manner in which the Board is to exercise its functions in relation to a social impact assessment; and
4. The appropriate form for a social impact assessment.

Under section 62F(4), the Board is subject to the guidelines issued by the Minister.

### **9.3.2 Factors To Be Taken Into Account By The Board In Determining A Social Impact Assessment**

#### Category A Social Impact Assessment

For the purposes of clause 18B(4) variations to a location-specific condition of the licence may be made, but only if such a condition is not relevant to the new premises (such as a requirement to patrol a certain street, where that street is no longer near the new premises). In considering such a variation the Board should consider replacement of the relevant condition with a new location-specific requirement, in preference to the full removal of a condition.

#### Category B Social Impact Assessment

In determining a Category B social impact assessment, the Board must take into consideration (in addition to the information provided under clause 18E) the following:

- The density of hotelier's licences and bottle shops in the area, compared to the Statewide average;

- The ratio of young person and adult population per hotelier's licence and bottle shop compared to the Statewide average, and the population density of the area compared to both the Statewide average and the density of hotelier's licences and bottle shops in the area;
- The cumulative effect of multiple applications in a single area and the resulting increases in density;
- Any submissions or other information that may be provided by NSW Police;
- Alcohol-related crime data for the Local Area Command compared to the Statewide average;
- Drink driving and other related road safety data for the Local Area Command, compared to the Statewide average;
- The proximity of the proposed premises to any area where police have identified problems with public drinking, and the potential for exacerbation of these problems if the relevant application is approved;
- Whether the granting of a licence will have a detrimental impact on Aboriginal or NESB communities in the local area;
- **In the case of a hotel, public transport facilities available to patrons, particularly if it proposes to trade after midnight:**
- The demographic profile, in particular data which may indicate certain social 'risk' factors, such as high unemployment;
- Impacts on the ability of the broader community to service potential increases in social health outcomes from increased access to licensed venues;
- The proximity of the proposed licence to relevant facilities, measured in metres in a straight line.

The legislation allows the Minister responsible for the Liquor Act and the Liquor Administration Board (Minister for Gaming and Racing) to advise the Board of the matters that may be taken into account within a Social Impact Assessment.

Whilst the legislation allows for the assessment of public transport issues in any SIA, it does not apply universally, nor does it apply to Registered Clubs. There is an opportunity for the issue to be given greater focus by ensuring that the Board carefully consider the transport issues associated with any licensee.

#### **9.4 Cashless technology**

The Keatsdale Report states its view that "wider application of existing Card payment systems ... offer the prospect of reductions in the levels of cash being carried in taxis. In this regard the incentive for robbery will be apparently reduced. The Report found however ... that drivers were being assaulted and robbed for relatively small amounts – between \$25 and to \$300".<sup>37</sup>

The NSW Taxi Council estimates 98% of Sydney taxis now carry an EFTPOS facility. The Taskforce endorses efforts to continue the move towards cashless technologies, in the same manner as broader society has moved to such

practices. However, it is important to note that there will be a need to retain a capacity for cash payment, as many members of the community still use such methods and need to be supported.

Other methods of alternative payment, such as 'smart cards', can also be explored but taxis cannot be permitted to exclude passengers based on access to a specific payment option.

## **9.5 Payment prior to journey**

The Taskforce discussed the merits of drivers being permitted to require payment or part-payment of the fare by passengers prior to a journey commencing, such as is possible in Victoria. There are obvious benefits for a driver, though there is also concern that this suggestion may be provocative to some passengers.

However, the apparently successful provision of such a measure in Victoria is of definite interest. Section 41 of the Victorian Transport (Taxi-cabs) Regulation 2005, (Capacity to Pay), states:

*(1) The driver of a taxi-cab may, before a hiring starts or at any time during a hiring, ask a passenger to demonstrate to the driver's reasonable satisfaction that the passenger has enough money or other means to be able to pay the estimated fare for the hiring.*

*(2) The driver of a taxi-cab may, before a hiring starts or at any time during a hiring, require a passenger to pay a deposit of up to the estimated fare for the hiring*

A similar provision exists under section 63 of Queensland's Transport Operations (Passenger Transport) Regulation 2005 (Fares and charges for taxis):

*4) If the driver of a taxi believes he or she will not be able to obtain the fare at the destination, before starting the hiring, the driver may require the hirer to pay the estimated fare or agreed amount for the hiring as a deposit.*

### 2007 Industry Survey Report

A strong level of support was found for a possible pre-pay law change – upwards of 80% of respondents to this initiative supported it.<sup>38</sup>

There is currently no such provision in NSW legislation. NSW Regulations provide for a driver to "refuse to accept a hiring if the intending passenger cannot, on request, satisfy the driver that the person is able to pay the estimated fare" – however, this is distinct from a capacity to demand part payment of a fare

before hiring commences. The potential value of such regulatory amendments in NSW needs to be considered.

## **9.5 Recommendations**

17. The Taskforce endorses the introduction of secure ranks. These ranks to be facilitated by Government and a Secure Rank arrangement to be considered for application by each Liquor Accord.
18. The Minister for Transport asks the Minister for Gaming and Racing to reinforce the existing link between the licensing approvals for hotels and the consideration of transport issues, particularly involving taxis. Including transport issues in the licensing approval process for registered clubs should also be considered as part of the next review of *Liquor Amendment (Social Impact Assessments and Licence Fees) Regulation 2004*.
19. Taxi voucher schemes and other similar schemes serve a valuable role and should continue to be promoted as a viable safety option through the Taxi Industry and hotels and clubs.
20. The Ministry of Transport to review current laws as they relate to enabling taxi drivers to require passengers to demonstrate an ability to pay the fare, or to require part-payment of the fare, prior to the hiring. The review to specifically address current prohibition of a taxi driver demanding a fare be paid upfront, in line with the Victoria Transport (Taxi-Cabs) Regulations 2005 Section 41.

## **Chapter Ten Governance**

The Taskforce agreed on the importance of an appropriately representative and expert advisory group to ensure taxi safety initiatives are properly implemented and monitored. It was noted that a Driver Safety Committee was formed in 1995 to implement the Keatsdale Report findings and this body oversaw the assessment and implementation of the Report's recommendations.

The initiatives proposed by the Taskforce in this Report will similarly benefit from the attention of a body charged with ensuring safety measures are properly implemented. An ongoing function will also be important – as section 8 of this report identifies the development of new technology and ideas will regularly offer up potential new solutions. Questions must be asked at appropriate intervals where new equipment and solutions can assist or replace those currently in use.

A standing advisory body for taxi policy already exists in the Taxi Advisory Committee. The Taskforce understands this body has previously served an active role in identifying, developing and overseeing Taxi Industry policy initiatives and has a developed corporate governance structure. This template may be readily applicable and a safety and security sub-committee of the Advisory Committee appears a logical fit to perform an oversight function for safety initiatives in the taxi industry.

### **10.1 Recommendations**

21. A standing Government and Industry advisory body which includes taxi driver representation is needed to formally address taxi driver safety initiatives. This body should oversee current initiatives, monitor technological advancements and provide regular advice to the Minister for Transport regarding taxi industry safety issues.

## Chapter Eleven

### Longer term work

This Final Report of the NSW Taxi Industry Safety and Security Taskforce is a summary of the Taskforce's deliberations and the evidence it was able to collect as it addressed its Terms of Reference.

The Taskforce's initial concern was to gather available data in order to quantify the safety risks for both taxi drivers and passengers in NSW – to develop solutions by first establishing a clear understanding of the problems faced.

The Taskforce has identified the areas it believes are central to developing an understanding of industry attitudes and safety issues. The Recommendations herein are intended as a range of complementary strategies to provide strong safety coverage while balancing the financial and policy needs of the taxi industry, its customers and Government – as law enforcer and regulator of industry standards.

In addition to the issues set out in its Terms of Reference, the Taskforce identified additional issues worthy of further assessment.

#### 11.1 Driver fatigue

Taxi drivers work an average of 12 hours per shift, usually between 3.00am and 3.00pm, or 3.00pm to 3.00am. Many drivers work multiple shifts in a week and will often work much of a weekend to maximise their earnings. There are no regulations in place to limit the number of hours a taxi driver may work. It has previously been established that driver fatigue can severely impair judgement and is a major contributor to road fatalities and injuries in NSW.<sup>39</sup>

The Taskforce heard that the WorkCover NSW Transport Industry Reference Group recently developed guidance material in the area of fatigue management. The issue of taxi driver fatigue was assessed by the Group in the context of standards applied to drivers of long-haul trucks and bus services and a specific reference to the taxi industry appears in the WorkCover NSW document *Transport and Storage Industry Fatigue Resource* (Appendix E).

The Taskforce notes the following WorkCover NSW Transport Industry Reference Group (NSW Taxi Council and the Transport Workers Union were represented) assessment:

“Taxi operators and taxi drivers must comply with the requirements of the *OHS Act 2000* and *OHS Regulation 2001*. The NSW Taxi Council addresses the issue of fatigue in their training for taxi drivers and operators. Their publication *OHS Awareness for Taxi Operators* outlines

the risk and symptoms of fatigue and provides strategies to help manage fatigue.”

The document *OHS Awareness for Taxi Operators* is given to new operators in an accredited training ‘resource kit’ for the certificate required by an operator in order to be accredited in NSW.

The Taskforce considers the current arrangements to be appropriate and endorses the consideration of taxi drivers in any subsequent discussion of fatigue management for transport workers.

## **11.2 Seatbelts**

Presently, taxi drivers in NSW are exempt from wearing seat belts under Schedule 1 of the Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999.

The justification for the exemption has been the argument that drivers could be restrained from behind during an assault if they are wearing a seatbelt.

Conversely, it has previously been argued that there is a greater risk of a driver being injured as a direct result of not wearing a seatbelt during an accident, than the risk of assault related to wearing a seatbelt.

An additional argument was heard by the Taskforce relating to the air-bag safety mechanism fitted in most taxi cabs. Given airbags are designed to function in tandem with the front seat safety belts. It was clear to the Taskforce that this issue merited further investigations.

## **11.3 Recommendations**

22. Government to review the current exemption for taxi drivers in NSW from wearing seat belts under Schedule 1 of the Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999.

## Endnotes

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- <sup>1</sup> *Taxi Driver Security Survey*, Taverner Research, page 10
- <sup>2</sup> *Taxi Driver Security Survey* p11
- <sup>3</sup> *Taxi Driver Security Survey* p12
- <sup>4</sup> *Taxi Driver Security Survey*, p13
- <sup>5</sup> *Taxi Driver Safety – a Report to the NSW Department of Transport*, Keatsdale, p66
- <sup>6</sup> *Taxi Driver Security Survey*, p27
- <sup>7</sup> *Taxi Driver Safety – a Report to the NSW Department of Transport*, p22
- <sup>8</sup> *Taxi Driver Security Survey*, p12
- <sup>9</sup> *Taxi Driver Security Survey*, p13
- <sup>10</sup> *Taxi Driver Security Survey*, p32
- <sup>11</sup> *MX Sydney*, 27 April 2007, p4
- <sup>12</sup> *Taxi Driver Security Survey*, p32
- <sup>13</sup> *Taxi Driver Security Survey*, p19
- <sup>14</sup> *Taxi Driver Security Survey*, p19
- <sup>15</sup> *Taxi Driver Security Survey*, p22
- <sup>16</sup> *Taxi Driver Security Survey*, p5
- <sup>17</sup> *Taxi Driver Security Survey*, p17
- <sup>18</sup> *Violent Assaults on Taxi Drivers*, Australian Institute of Criminology, 2000.
- <sup>19</sup> Presentation by NSW Police Force representative to Taskforce Meeting.
- <sup>20</sup> *Taxi Driver Safety – a Report to the NSW Department of Transport*, p66
- <sup>21</sup> *Taxi Driver Security Survey*, p19
- <sup>22</sup> *Taxi Driver Security Survey*, p17
- <sup>23</sup> Presentation by NSW Police representative to Taskforce Meeting.
- <sup>24</sup> *Robbery of Taxi Drivers*, Martha J Smith, US Department of Justice
- <sup>25</sup> *Taxi Driver Security Survey*, p29
- <sup>26</sup> *Taxi Driver Security Survey*, p4
- <sup>27</sup> *Taxi Driver Security Survey*, p30
- <sup>28</sup> *Taxi Driver Security Survey*, p29
- <sup>29</sup> *Taxi Driver Security Survey*, p30
- <sup>30</sup> *Taxi Driver Security Survey*, p14
- <sup>31</sup> *Taxi Driver Security Survey*, p15
- <sup>32</sup> *Taxi Driver Security Survey*, p15
- <sup>33</sup> *Taxi Driver Security Survey*, p15
- <sup>34</sup> *The Victorian Taxi Safety Strategy – Protection Screens for Drivers*, 2007
- <sup>35</sup> *Taxi Driver Security Survey*, pp25-26
- <sup>36</sup> *Taxi Driver Security Survey*, p27
- <sup>37</sup> *Taxi Driver Safety – a Report to the NSW Department of Transport*, p74
- <sup>38</sup> *Taxi Driver Security Survey*, p30
- <sup>39</sup> Ministerial Inquiry into the Taxi Industry. *Interim Report* p46