

FOI Request (received 09 October 2024) - Reference: DFI/2024-0423

Freedom of Information request (FOI Act 2000)

I would like to request the following information for each of the years:

- January 2020 - December 2020
- January 2021 - December 2021
- January 2022 - December 2022
- January 2023 - December 2023
- January 2024 - September 2024

Number of persons holding a taxi driver license.

Number of persons holding a taxi driver license who have previous criminal convictions.

The range and type of convictions / offence e.g.:

- Murder
- Attempted murder
- Manslaughter
- Sexual offences
- Terrorist related offences including firearms / explosive offences
- Violent crime
- Burglary (including aggravated burglary)
- Drug offences
- Road traffic offences
- Public order offences
- Criminal damage
- All other offences

Number of persons who applied for taxi driver license and were given a Notice of Refusal of a Taxi Driver's License (Taxis Act (Northern Ireland) 2008).

Number of persons who application had been refused due to the Department for Infrastructure having the opinion that they were not a fit and proper person because of their previous convictions.

The range and type of convictions / offence e.g:

- Murder
- Attempted murder
- Manslaughter
- Sexual offences
- Terrorist related offences including firearms / explosive offences
- Violent crime
- Burglary (including aggravated burglary)
- Drug offences
- Road traffic offences
- Public order offences
- Criminal damage
- All other offences

Number of appeals in regard to a Notice of Refusal of a Taxi Driver's License (Taxis Act (Northern Ireland) 2008).

Number of successful appeals in regard to a Notice of Refusal of a Taxi Driver's License (Taxis Act (Northern Ireland) 2008).

The Department of Infrastructure's / DVA definition of a "fit & proper person".

Response (issued 04 November 2024)

Thank you for your letter dated 09 October 2024 requesting information under the Freedom of Information Act 2000 on taxi driver licensing held by this office in each of the following years:

- *January 2020 - December 2020*
- *January 2021 - December 2021*
- *January 2022 - December 2022*
- *January 2023 - December 2023*

- *January 2024 - September 2024*

The information you have requested is as follows:

1. *Number of persons holding a taxi driver licence*
2. *Number of persons holding a taxi driver licence who have previous criminal convictions*
3. *Number of persons who applied for taxi driver licence and were given a Notice of Refusal of a Taxi Driver's Licence (Taxis Act (Northern Ireland) 2008).*
4. *Number of persons whose application had been refused due to the Department for Infrastructure having the opinion that they were not a fit and proper person because of their previous convictions*
5. *Number of appeals in regard to a Notice of Refusal of a Taxi Driver's Licence (Taxis Act (Northern Ireland) 2008).*
6. *Number of successful appeals in regard to a Notice of Refusal of a Taxi Driver's Licence (Taxis Act (Northern Ireland) 2008).*
7. *The Department of Infrastructure's/DVA definition of a "fit & proper person".*

By way of explanation, I should first confirm that it is a legal requirement for the Driver and Vehicle Agency (DVA), as the licensing authority, to be satisfied that an applicant meets the necessary requirements before a taxi driver's licence can be granted.

All taxi driver licence applicants in Northern Ireland are required to provide an Enhanced Disclosure Certificate (EDC) which provides details of convictions relevant to their taxi driver licence application. EDCs containing information are issued directly to the applicant by AccessNI and not to the DVA. When an applicant receives their EDC, they may choose to continue with their application by providing the EDC to the DVA. If they do not provide the EDC, their application is cancelled, and no taxi driver licence is granted.

1. *Number of persons holding a taxi driver licence*

The number of persons holding a taxi driver licence form part of published National Statistics and can be accessed in Section 6.2 via the following link [Driver & Vehicle Agency Activity Statistics](#). National Statistics are subject to pre-release protocols, and the statistics you have requested for the period 01 July 2024 to 30 September 2024 will not be available until the Quarter 2 report is published, which is due at the end of December 2024.

2. *Number of persons holding a taxi driver licence who have previous criminal convictions*
When an EDC is submitted to the DVA, a decision is made in relation to the application taking account of the information contained in the EDC. The EDC is then subsequently destroyed. The destruction of the EDC is in accordance with AccessNI Code of Practice, a copy of which is available at the attached link [AccessNI Code of Practice](#). We therefore do not hold the information required to answer this question.
3. *Number of persons who applied for a taxi driver licence and were given a Notice of Refusal of a Taxi Driver's Licence (Taxis Act (Northern Ireland) 2008).*
4. *Number of persons who application had been refused due to the Department for Infrastructure having the opinion that they were not a fit and proper person because of their previous convictions*
5. *Number of appeals in regard to a Notice of Refusal of a Taxi Driver's Licence (Taxis Act (Northern Ireland) 2008).*
6. *Number of successful appeals in regard to a Notice of Refusal of a Taxi Driver's Licence (Taxis Act (Northern Ireland) 2008).*

Annex A, attached, provides information requested in questions 3, 4, 5 and 6 dating from January 2020 to September 2024. Under Section 40(2) of the Freedom of Information Act we cannot provide details on each offence. This section of the Freedom of Information Act exempts information if its disclosure would breach one of the data protection principles contained in the UK GDPR. In this instance the Department is concerned that the low number of refused applicants could lead to an individual's identity and their criminal history being disclosed. It is the Department's view that this would breach the first data protection principle as being unfair.

7. *The Department of Infrastructure's/DVA definition of a "fit & proper person".*
In the assessment of applications for a taxi driver licence, the DVA is required to determine whether an applicant is considered a fit and proper person to hold a taxi driver licence as set out in Section 23 (2) of the Taxis Act (Northern Ireland) 2008. This includes maintaining a balance between the need to ensure the safety of the public and the need to allow for the rehabilitation of offenders.
Any record of convictions will always be a material consideration in assessing repute. However, in assessing repute the DVA has an obligation to look beyond convictions and consider other information in cases where there may be a public safety risk. Each case is considered on its own merits and may result in the refusal of an application.

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