



Policy relating to the conduct of Private Hire

And

Hackney Carriage Licence Holders

1 INTRODUCTION

- 1.1 This policy has been produced in accordance with the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976 (as amended).
- 1.2 This policy relates to the general conduct of licence holders.
- 1.3 It also relates to circumstances where a licence holder may have received penalty points for a driving offence, is under investigation in respect of any criminal offence, on police bail pending the outcome of an investigation or circumstances that have led to criminal proceedings in the Magistrate's or Crown Court or the conviction of an offence.
- 1.4 For the purpose of clarity any reference to licence holder in this document includes Hackney Carriage Drivers, Private Hire Drivers, Hackney Carriage Vehicle Proprietors, Private Hire Vehicle Proprietors and Private Hire Operators.
- 1.5 This Policy will be used for the determination of whether a current licence holder remains fit and proper to hold a licence.
- 1.6 This document aims to provide guidance to any person with an interest in public hire and private hire licensing. In particular, but not exclusively:
 - Private Hire and Hackney Carriage Drivers and Private Hire Operators
 - Licensing Officers
 - Members of the Regulatory Panel
 - Magistrates hearing appeals against local authority decisions
- 1.7 Where Licensing Officers have delegated powers to consider the fitness and propriety of a current licence holder they will utilise this Policy when making a decision. Cases may also be referred to the Licensing Panel. Whilst Officers and the Regulatory Panel will have regard to the Policy, each case will be considered on its individual merits and, where the circumstances demand, the Regulatory Panel may depart from the Policy. Offences and circumstances not specifically identified in this Policy may also be considered depending on the circumstances.
- 1.8 In exercising its powers the Council will expect licence holders to conduct themselves in a manner which demonstrates that:
 - they remain fit and proper to hold a licence
 - they do not pose a threat to the public
 - the public are safeguarded from dishonest persons
 - the safeguarding of children, young and vulnerable persons is not put at risk
 - they do not cause any person to take offence at their actions or words
 - they do not cause any person to believe their actions or language are inappropriate
 - they do not cause any person to fear for their physical safety
 - they do not cause any person to doubt their integrity

- they do not cause any person to take offence due to their lack of respectability, cleanliness and hygiene in their dress or person
- they comply with every reasonable requirement of every person hiring or being conveyed in the vehicle
- they ensure that the private hire vehicle complies with the fitness standard set out by the Council
- they do not bring in to disrepute the integrity of the Council for having granted such a person a licence
- they adhere to the conditions and regulations pertaining to the licence

1.9 Should a licence holder conduct themselves in such a way that is in conflict with any of the above this may lead the Council to consider they are no longer a fit and proper person to hold a licence.

2 DECISION MAKING

2.1 The powers of the Council will be exercised in accordance with the Council's Constitution. This means that where an officer has the delegated authority to act they will do so. In circumstances where an officer does not have such delegation the matter will be referred to the Licensing Panel. This does not preclude an officer referring a matter to the Regulatory Panel when it is considered appropriate to do so. Each case will be considered on its own merits, and the Council will provide reasons for all decisions made when a licence is suspended or revoked.

2.2 Decisions will be made in accordance with the Council's Enforcement Policy where appropriate. The priority of the Council when determining the most appropriate action will be the protection of the Public.

3 DISCLOSURE AND BARRING SERVICE

3.1 Hackney Carriage and Private Hire Driver licences are normally issued for a period of three years. Disclosure and Barring Service (DBS) checks are undertaken before the grant of a licence and every three years before a licence can be renewed.

3.2 Private Hire Operator licences are normally issued for a period of five years. A Basic Disclosure is required before the grant of a licence and every five years before the licence can be renewed.

3.3 Licence holders can subscribe to the DBS update service which enables them to reuse a DBS certificate by allowing the Council to go online and carry out a status check to find out if the information on the certificate is current and up to date.

3.4 Licence holders may be required to have further checks through the Disclosure and Barring Service at the discretion of the Council.

4 MEDICAL REQUIREMENTS

4.1 Hackney Carriage and Private Hire Drivers are required to undertake a medical examination on initial application for a licence and thereafter every three years, with checks being undertaken annually from age 65.

- 4.2 The medical examination must be undertaken by a General Practitioner in the medical practice to which the driver is registered.
- 4.3 The standards applied to the medical examination are the Group 2 medical standards applied by the DVLA.

5 FAILURE TO REPORT MATTERS

- 5.1 Licence holders must disclose if they are under investigation in respect of any criminal offence, on police bail pending the outcome of an investigation or whether any criminal proceedings in the Magistrate's or Crown Court have started against them.
- 5.2 In accordance with licence conditions licence holders must notify the Council within 48 hours, details of any:
- motoring offences or penalty points received
 - fixed penalty notices
 - cautions, warning or reprimands received
 - anti-social behaviour order (or other order) issued by a court
 - criminal convictions received
 - change in medical condition or long term prescribed medication which may affect ability to drive
- 5.3 Licence conditions also require that a licence holder must notify the Council within 7 days details of any:
- change of address
 - change of contact telephone number
- 5.4 Licence holders must also report to the Council any incidents which may lead to a complaint against them.
- 5.5 If a licence holder is found to have failed to disclose any of the above or other matters which may affect their fitness and propriety to hold a licence it will be regarded very seriously by the Council as the Council will have been denied the opportunity to promptly consider whether the licence holder remains fit and proper to hold a licence. Failure to properly disclose any of these matters may lead to a licence being suspended or revoked and may also lead to prosecution.
- 5.6 An existing licence holder who is subject to an ongoing police investigation or criminal proceedings may, subject to the circumstances, have their licence suspended or revoked if it is in the interest of the public and the Council is no longer satisfied that they are a 'fit and proper' person. If it is in the interest of public safety such suspension or revocation will have immediate effect.
- 5.7 The Council has a responsibility to protect the public and, in this regard, may use information provided to prevent and detect fraud, to enforce legislation and to comply with statutory obligations, and may share the information, for the same purposes, with other organisations

6 EXPECTED STANDARDS OF BEHAVIOUR

- 6.1 Wirral Council expect licence holders to behave in a fit and proper manner at all times commensurate with their position as licence holders.
- 6.2 Licence holders are expected to avoid confrontation, and to address disputes through the proper legal channels. In no circumstances should they take the law into their own hands.
- 6.3 Licensed drivers and operators are expected to be honest and trustworthy. Drivers deal with cash transactions and valuable property may be left in their vehicles. Drivers often deliver unaccompanied property which gives an indication of the trust that is placed in licensed drivers. It would also be reasonably easy for a dishonest driver to defraud the public by demanding more than the legal fare. Operators are aware of properties being empty when taking bookings for example when the householder is going on holiday. Licence holders must not abuse their position of trust.
- 6.4 Passengers paying for a transport service rely on their driver to get them to their destination safely. Hackney Carriage and Private Hire Drivers are considered to be professional drivers and must be fully aware of all Road Traffic legislation and conditions attached to the licence and must always have the appropriate insurance in place. Licensed drivers are expected to drive at all times in accordance with all relevant traffic regulations and the Highway Code, and should never drive in an aggressive or dangerous manner. This is the case whether passengers are being conveyed in the licensed vehicle or not.
- 6.5 Licensing Enforcement Officers carry out the day to day compliance and enforcement functions of Wirral Council's Licensing Section. This is done through compliance checks for adherence to the regulations and conditions pertaining to the driver, vehicle, and operator licences.
- 6.6 Licensing Enforcement Officers investigate complaints received from members of the public and partner agencies such as Merseyside Police. Complaints received by the Licensing Section regarding the conduct of licence holders will be investigated and appropriate action will be taken in accordance with this Policy and Wirral Council's Enforcement Policy.
- 6.7 Any failures on behalf of the licence holder to adhere to the criteria, conditions and regulations pertaining to their licence may be dealt with under delegated authority in accordance with Wirral Council's Constitution and the Council's Enforcement Policy.
- 6.8 Matters which may be investigated include, but are not limited to, the following:
- conduct of a licence holder
 - poor driving standards
 - breach of conditions of licence
 - poor condition of a licensed vehicle
 - failing to present a licensed vehicle for inspection
 - change in a licence holder's medical condition
 - failure to convey passengers in wheelchairs

- failure to convey passengers with assistance dogs
- inappropriate use of social media
- providing false information to the Licensing Section
- failure to report matters to the Licensing Section as required by regulations or conditions of licence
- abusive manner towards Licensing Officers
- any behaviour of a licence holder that is in conflict with those listed in paragraph 1.8 of this Policy

- 6.9 Licence holders must advise the Licensing Section of any incident which they believe may lead to a complaint against them. Failure to do so could lead to action being taken which may include a licence being suspended or revoked. In circumstances where it is considered to be in the interest of public safety the licence will be revoked with immediate effect.
- 6.10 It is Wirral Council's policy to provide advice and guidance to the licensed trade in order to promote the highest level of protection to the public. Licence holders should therefore seek advice if they have any doubt as to how they should comply with the conditions of their licence, or find themselves in a situation where their conduct may be brought into disrepute.
- 6.11 Misconduct will generally involve behaviour which falls below the standard expected of a licensed driver. This may relate to the conduct of the driver or their standard of driving. Misconduct of a licensed driver may involve the use of rude, inappropriate or unreasonable language, inappropriate behaviour, or dishonest practices. It may also include circumstances where a driver may have been arrested or cautioned for an offence but where no further action was taken or criminal conviction imposed. In these circumstances the licence holder may be referred to the Regulatory Panel who will consider whether the licence holder remains a fit and proper person to hold a licence.
- 6.12 Wirral Council is particularly concerned about conversations of a sexual nature between licensed drivers and passengers.
- 6.13 Whilst it should be obvious that it is completely unacceptable for a licensed driver to engage in sexual activity of any kind with a passenger, Wirral Council is of the firm view that there is also no excuse, justification, or reason, for a licensed taxi or private hire driver to engage in any form of conversation with passengers of a sexual nature even if the conversation is instigated by the passenger, or that the driver just thought the conversation to be 'banter'.
- 6.14 It is completely inappropriate in the context of an individual being licensed to convey members of the public, and even though it may appear that the passenger is not objecting to such conversation, in reality this may well be because they feel uncomfortable and uncertain how to react, or afraid as to their personal well-being if they were to object or refuse to engage with the conversation. Such conversations are particularly inappropriate where the passenger is a young person or is vulnerable through intoxication, disability, or any other reason.
- 6.15 Wirral Council will be firm in dealing with any licensed driver who takes advantage of his position to indulge in such conversations, and will take robust action where necessary.

7 COURSE OF ACTION TAKEN BY THE LICENSING SECTION

- 7.1 Licensed drivers and operators have close regular contact with the public and a firm line will be taken with those who commit an act of violence, are found to operate without the appropriate insurance being in place, demonstrate dishonest behaviour or cause a passenger to feel unsafe whilst in a licensed vehicle.
- 7.2 The course of action taken by Wirral Council will be proportionate to the incidents or allegations being investigated. Action taken by the Licensing Section may include the issuing of a written warning, or the suspension or revocation of a licence under delegated powers. In circumstances where it is considered to be in the interest of public safety the licence will be revoked with immediate effect. In certain circumstances the matter may be referred to the Licensing Panel.
- 7.3 The Licensing Section's overriding concern is to protect the public from unscrupulous and dishonest practices and ensure public confidence is maintained in the honesty and integrity of licence holders.
- 7.4 A licence holder who has shown a propensity to fail to adhere to the conditions and regulations pertaining to their licence should expect to have action escalated to the highest level to protect the public.
- 7.5 In all cases the history of the licence holder, including the existence of previous complaints, any advice and warnings previously issued, and the circumstances surrounding any alleged incident, will be taken into account. These matters will be used to determine the most appropriate course of action deemed necessary and proportionate in the circumstances.
- 7.6 Even if a complaint appears to be isolated or is the first recorded against a licence holder, having taken all matters into consideration, Wirral Council may deem it appropriate and proportionate to revoke or suspend the driver's licence and may decide that, in the interests of public safety, such decision should have immediate effect
- 7.7 The Council may not be satisfied that a licence holder remains a fit and proper person to hold a licence for any good reason. If adequate evidence that a person is a fit and proper person is not adduced or if there is good reason to question or doubt the evidence provided, then that could amount to good reason to refuse to renew a licence or to revoke the licence.
- 7.8 In considering evidence of a licence holder's good character and fitness to hold a licence the Council will consider the nature of the conduct as well as the impact of this conduct on the public, the nature of the offence and the penalty imposed, and any other factors which might be relevant.

8 REGULATORY PANEL

- 8.1 In circumstances where a licence holder has committed an offence whilst holding a licence and is seeking to have their licence renewed they will be referred to the Regulatory Panel for their application to be considered. There may also be other circumstances where there are concerns about a licence holder being 'fit and proper'

to continue to hold a licence when they will be referred to the Regulatory Panel who will consider the matter. These circumstances may arise following complaints about the licence holder or conduct is such that the officer considers it appropriate to refer the matter to the Regulatory Panel. Licence holders will be advised of the procedure that will be applied at the Regulatory Panel where they will have the opportunity to attend and put their case forward.

- 8.2 Each licence holder referred to the Regulatory Panel will be considered on their individual merits. In those circumstances the Licensing Panel will decide whether the licence holder remains a fit and proper person to hold a licence. In certain cases, the Panel may consider it appropriate to allow a licence holder to continue to hold a licence, for instance where an offence is isolated and the circumstances of its commission are such that the Panel consider it is not relevant to the licence holder's suitability as a Private Hire or Hackney Carriage Driver or Private Hire Operator.
- 8.3 In some circumstances the Regulatory Panel may consider the licence holder remains a fit and proper person to continue to hold a licence however the Panel may impose a sanction on the licence holder, for example issue the licence holder with a warning or referral to a driver awareness course.
- 8.4 The overriding consideration of the Regulatory Panel will always be to protect the public. Licence holders should be aware that the grant of a licence places a significant responsibility on the holder which by the nature of close contact with members of the public requires the holder to be a person proven to be capable of fulfilling the trust placed in them by the hirers of vehicles
- 8.5 Being a licensed Hackney Carriage or Private Hire Driver or Private Hire Operator is a responsible position and the Council takes its public protection role very seriously. The Council will only allow a licence holder to continue to hold a licence if they are satisfied that they are 'fit and proper'.

9 CRIMINAL RECORD CHECK

- 9.1 In determining whether to grant a Private Hire or Hackney Carriage Driver Licence or Private Hire Operator Licence the Council will have considered any convictions, including spent convictions as appropriate, in accordance with the Rehabilitation of Offenders Act 1974 (Exceptions) (Amendment) Order 2002.
- 9.2 Information from the Disclosure and Barring Service (DBS) or Disclosure Scotland will again be required before the renewal of a licence and will be kept in strict confidence while the licensing process takes its course and will be retained no longer than is necessary and in any event will be destroyed in accordance with the requirements of the Data Protection Act 1998 and in accordance with good practice after the application is determined or any appeal against such determination is decided.
- 9.3 The disclosure of a criminal record or other information relating to criminal matters will not necessarily debar a licence holder from continuing to hold a licence. The Council will however consider all information on an enhanced DBS and Disclosure Scotland and will take a serious view of any special Police warnings contained therein. Whether or not a licence holder will be allowed to continue to hold a licence will depend upon whether or not they can satisfy the Council that they remain a fit and proper to hold such a licence.

10 RELEVANCE OF CONVICTIONS

- 10.1 The Council has adopted the following Policy relating to the relevance of convictions for current licence holders.
- 10.2 The policy does not deal with every type of offence, and does not prevent the Council from taking into account offences not specifically addressed in the policy, or other conduct, which may be relevant.
- 10.3 If a licence holder has a conviction for an offence not covered by the policy regard will be had to the nature of the offence, the penalty imposed and any other factors which might be relevant. Offences described in the policy and similar offences, though differently entitled in any statutory provision, modification or re-enactment, will be taken into account in accordance with the policy.

11 RENEWAL APPLICATIONS

- 11.1 It is the responsibility of the licence holder to ensure that a licence is renewed before it expires. If an individual continues to work as a hackney carriage or private hire driver, or continues to operate private hire vehicles after a licence has expired, an offence is committed which could lead to **prosecution and may** affect the consideration of any further application for a licence.

12 NO RIGHT TO WORK

- 12.1 A Private Hire or Hackney Carriage Driver Licence or Private Hire Operator Licence is only granted if an applicant has the right to work in the UK. If a licence holder's right to work has been revoked or has expired their licence will lapse.

13 LICENSING OFFENCES

- 13.1 A serious view will be taken of any licensing offences committed by a licence holder whilst being the holder of a Hackney Carriage or Private Hire Driver, Proprietor or Operator licence. The following are examples of licensing offences which may be committed by licence holders. Licence holders have a responsibility to ensure they are aware of the law regarding hackney carriage and private hire. If a licence holder is unsure they should contact the Licensing Section for advice.
- 13.2 This Policy does not deal with every type of offence, and does not prevent the Council from taking into account offences not specifically addressed in the Policy, or other conduct, which may be relevant.

14 FAILURE TO WEAR OR DISPLAY BADGES

- 14.1 A serious view will be taken should a licence holder fail to comply with the requirement to wear or display the badges issued by the Licensing Section to identify the individual as a licensed driver. As this is a matter which can impact on the safety of the public the licence holder should expect their licence to be suspended with immediate effect until they are able to comply with the legal requirement.

15 PLYING FOR HIRE

- 15.1 There is a clear distinction between public hire and private hire. Only licensed hackney carriage vehicles, driven by hackney carriage drivers, can be flagged down on the street. The offence of 'plying for hire' is committed when a licensed private hire driver makes a private hire vehicle available for public hire.
- 15.2 It is not appropriate for private hire drivers to park in prominent positions without a pre-booked journey having been provided to them by the relevant private hire operator. Examples of such locations include, but are not limited to areas where people are likely to congregate, locations with a high level of footfall, near bars or nightclubs, or near a taxi rank. If witnessed by a Licensing Enforcement Officer, or evidence is made available to a Licensing Enforcement Officer, the licensed driver should expect further action to be taken which would include the checking of booking records held by the relevant private hire operator. If practicable this action would also include a full inspection of the driver and vehicle against the conditions relating to both licences.
- 15.3 The Licensing Authority conducts operations to check if private hire drivers are knowingly plying for hire. If a licensed driver is found to be committing this offence during such an operation, they should expect the matter to result in a prosecution against them in the Courts. The licence holder should also expect their private hire driver licence to be revoked with immediate effect.

16 FAILURE TO PRESENT A LICENSED VEHICLE FOR INSPECTION

- 16.1 Proprietors of both Hackney Carriage and Private Hire vehicles are periodically requested to present their vehicles for inspection by a Licensing Officer. The purpose of the inspection is to ensure the vehicle remains in such a condition that it continues to meet the required standard for use as a licensed vehicle.
- 16.2 If there is good reason why a particular time or date is not suitable for the presenting of the vehicle the vehicle proprietor should contact the Licensing Section to advise and request an alternative time and date. Failure to do this may result in further action being taken by the Licensing Section which may include the suspension or revocation of the vehicle licence and the Private Hire or Hackney Carriage Driver licence.

17 MOTORING OFFENCES

- 17.1 The receipt of any penalty points must be reported to the Licensing Section.
- 17.2 A licence holder's driving record will be taken into account and the Council will consider the nature and volume of motoring offences. A poor record of driving could raise doubts about a licence holder's fitness and propriety to continue to hold a licence and indicate a disregard for the law.
- 17.3 The action taken by the Licensing Section will range from a written warning up to the revocation of the Private Hire or Hackney Carriage driver licence.
- 17.4 Any person who tots up **more than 6 penalty points** on their DVLA driving licence will be referred to the Licensing Panel.

17.5 When considering motoring offences the Council will consider the nature and seriousness of the offence(s) and will have regard to the following:

18 DRIVING OFFENCES INVOLVING LOSS OF LIFE

18.1 An extremely serious view is taken of a driving offence resulting in the loss of life. Such offences include causing death by dangerous driving, causing death by careless driving whilst under the influence of drink or drugs, or other similar offences. In such circumstances a licence will generally be revoked with immediate effect.

19 DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS

19.1 Licence holders who commit an act of, or are being investigated for an allegation of, driving under the influence of alcohol or drugs, or where a licence holder has been disqualified from driving as a result of such an offence will generally have their licence revoked with immediate effect.

20 DRIVING WITHOUT INSURANCE

20.1 A licensed Private Hire or Hackney Carriage Driver who does not have valid appropriate insurance in place will generally have their licence revoked with immediate effect

21 OTHER SERIOUS TRAFFIC OFFENCES

21.1 Generally, the Council class a serious traffic offence when 6 or more penalty points have been imposed on a DVLA driving licence in respect of any single offence. However, some offences where less than 6 penalty points are imposed may, subject to the circumstances, be classed as a serious offence. Offences which could lead to a driving disqualification will be treated as a serious offence. In such circumstances a licence holder will generally have their licence revoked with immediate effect. Types of offences classed as a serious offence in addition to the above include, dangerous driving, failure to stop after an accident and a driving disqualification under the 'totting up' provisions whereby a driving licence is endorsed with 12 points or more.

22 MISCELLANEOUS TRAFFIC OFFENCES

22.1 Generally individual traffic offences where less than six penalty points are imposed on a DVLA driving licence will not prevent a person from being allowed to continue to hold a licence. A licence holder with more than 6 penalty points for such offences will be referred to the Regulatory Panel who will consider whether the licence holder remains a fit and proper person to continue to hold a licence. Failure to report the imposition of points on a DVLA licence may result in a Private Hire or Hackney Carriage Driver licence being revoked.

OTHER OFFENCES

23 SEXUAL AND INDECENCY OFFENCES

23.1 Licence holders who commit an act or are being investigated for an allegation of indecent exposure, indecent assault, importuning or any sexual offence, or commit an

offence in relation to the above matters will generally have their licence revoked with immediate effect.

23.2 Any licence holder who is registered under the sex offenders notification requirements on the Sex Offenders Register will generally have their licence revoked with immediate effect.

24 VIOLENT OFFENCES

24.1 A licence will generally be revoked with immediate effect if a licence holder commits an act of violence, is being investigated for, or is charged with or convicted of an offence of violence whilst holding a licence.

24.2 Offences involving violence include:

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| ▪ Assault occasioning actual bodily harm | ▪ Grievous Bodily Harm |
| ▪ Assault on police | ▪ Common assault |
| ▪ Assault with intent to rob | ▪ Wounding |
| ▪ Battery | ▪ Wounding with intent |
| ▪ Robbery | ▪ Arson |
| ▪ Violent disorder | ▪ Riot |

25 POSSESSION OF AN OFFENSIVE WEAPON

25.1 A licence holder who commits an offence of possessing an offensive weapon, is being investigated for, or is charged with or convicted of an offence of possession of an offensive weapon, including a firearm, will generally have their licence revoked with immediate effect.

26 PUBLIC ORDER OFFENCES

26.1 Licence holders who commit public order offences or are being investigated for, or have been charged with or convicted of an act of public disorder will be referred to the Regulatory Panel who will consider whether the licence holder remains fit and proper to continue to hold the licence.

26.2 Public order offences include:

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| ▪ Affray | ▪ Drunk and disorderly |
| ▪ Criminal damage | ▪ Disorderly behaviour |
| ▪ Using threatening, abusive or insulting words or behaviour | ▪ Causing harassment, alarm or distress |

27 DRUG OFFENCES

27.1 A serious view is taken of any drug related offence, in particular offences involving possession with intent to supply.

27.2 Where a licence holder commits a drug related offence or is being investigated for, or has been charged with or convicted of such an offence their licence will generally be revoked with immediate effect.

28 DISHONESTY OFFENCES

28.1 A serious view is taken of any offence or actions involving dishonesty. A licence holder who commits a dishonesty offence or is proven to act dishonestly will generally have their licence revoked.

28.2 Offences involving dishonesty include:

- Theft
- Fraud
- handling or receiving stolen goods
- conspiracy to defraud
- taking a vehicle without consent
- perverting the course of justice
- Burglary
- benefit fraud
- forgery
- obtaining money or property by deception

29 RACIALLY AGGRAVATED OFFENCES

29.1 Licence holders who commit a racially aggravated offence, are being investigated for or been charged with or convicted of a racially aggravated offence will generally have their licence revoked with immediate effect.

29.2 Offences involving racial aggravation include:

- Racially-aggravated criminal damage (s.30 Crime and Disorder Act 1998)
- Racially-aggravated s.4 Public Order Act 1986 offence (fear of provocation of violence) (s.31(1)(a) Crime and Disorder Act 1998)
- Racially-aggravated s.4A Public Order Act 1986 offence (intentional harassment, alarm or distress (s.31(1)(b) Crime and Disorder Act 1998)
- Racially-aggravated s.5 Public Order Act 1986 offence (harassment, alarm or distress) (s.31(1)(c) Crime and Disorder Act 1998)
- Racially-aggravated s.2 Protection from Harassment Act 1997 offence (harassment) (s.32(1)(a) Crime and Disorder Act 1998)
- Racially-aggravated s.4 Protection from Harassment Act 1997 offence (putting people in fear of violence) (s.32(1)(b) Crime and Disorder Act 1998)