

Report on Incident Involving Licensed Taxi Driver - Barry Austin
Taxi Driver's Licence No. 147

Summary Of Circumstances

At about 1840hrs on 19 February 2013, [REDACTED] (the complainer) who resides at [REDACTED], engaged the hire of a West Dunbartonshire Council licensed taxi at the taxi rank adjacent to Balloch railway station.

The complainer was alone at this time.

The taxi journey was from Balloch railway station to the complainer's home address.

On arrival at [REDACTED], the driver told the complainer that the fare was £3.30. The complainer handed the driver a £20 note and in response the driver stated: -

'Why did you not fuckin' tell me all you had was a £20 note'.

Furthermore the complainer states that the driver became aggressive towards her and continually used abusive language towards her.

The complainer challenged the driver regarding his language and pointed out to him that in her opinion it was the driver's responsibility to have change for his customers and thereafter exited the taxi.

The driver then told the complainer that if she did not pay the taxi fare he was going to report the matter to the Police.

The complainer again entered the taxi and was driven to a nearby shop where the driver suggested that he take the complainer's £20 note into the shop to get change.

The complainer states that she did not allow this to happen and that she went into the shop and obtained change to pay the correct fare to the driver.

On paying the driver, the complainer told him that she intended to make a complaint regarding his use of abusive language towards her and his aggressive attitude.

The driver told her that his name was John Reilly and that he operated from Co Op Taxis in Alexandria.

On returning to her home, the complainer telephoned Co Op Taxis, Alexandria, to register her complaint and was told that there was no person with that name operating from the company. She then contacted Alexandria & Dumbarton TOA and Wrights Taxis only to be given the same information.

The complainer then made her own enquiries locally, and established that the driver concerned may have been Licensed taxi driver Barry Austin.

On 20 February 2013 the complainer contacted WDC Licensing Team by telephone to report this incident and on 28 February 2013 she submitted her complaint in writing, by means of an e-mail.

On Monday 18 March 2013 the now subject of this report, Barry Austin attended at WDC Licensing Team, where he was interviewed by Licensing Officer James McArthur and Licensing Assistant Carol Ann Anderson.

During the interview, Barry Austin admitted that he was the driver concerned and that he clearly remembered the incident.

He further stated that when he explained to the complainer that he was short of change, she became abusive towards him and told him that she was unwilling to pay the fare. He stated that it was only when he told her that he was going to report the matter to the police that she went to a local shop to get the correct change to pay the taxi fare.

He strenuously denied acting in an aggressive manner or using abusive language towards the complainer and stated that, in his opinion, it was the complainer who was aggressive towards him.

However, Barry Austin admitted that when asked, he had given the complainer a false name and had provided her with false information in relation to the taxi company he operated from. He further stated *'I gave her a false name just to get rid of her'*.

At the conclusion of the interview Barry Austin was informed that a report on the circumstances surrounding this incident would be compiled and forwarded to WDC's Principal Solicitor who would decide on how this matter would be progressed.

Remarks

With reference to the incident which occurred on 19 February 2013, analysis of the information provided by the complainer and Barry Austin shows that each of them state that it was the other who was acting in an aggressive manner. There were no other witnesses to this incident who may have been able to corroborate the version of events provided by either person involved.

However, the complainer states that the driver concerned told her his name was John Reilly and that he worked for Co Op Taxis. During interview, Barry Austin admitted that he provided the complainer with a false name and false information in relation to which taxi company he operated from.

Condition 23 of the standard conditions issued to licensed taxi drivers on the grant of a licence, state: -

The driver of a taxi, while plying for hire or carrying a passenger, shall be clean and tidy in his person and adhere to the Dress Code for Taxi/Private Hire Car Drivers approved by West Dunbartonshire Council. The driver of a taxi shall conduct himself in a proper and civil manner.

Based on the information provided by both the complainer and Barry Austin himself, it is clear that the conduct of Barry Austin on this occasion was unacceptable and in breach of the above standard condition.

In view of the foregoing, it is requested that this report be forwarded to Mr. Nigel Ettles, Principal Solicitor, West Dunbartonshire Council, for consideration of the suspension of Barry Austin's Taxi Driver's Licence.

James McArthur
Licensing Officer
West Dunbartonshire Council