



**RTPC - Roads and Transport Policing
Command**

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Dear Helen,

Concerns with Uber not reporting Serious Crimes to Police

On the 4 March 2017 Uber have had contact from a passenger informing them of a serious incident involving an Uber (and TfL Licensed PHV) driver. The nature of the allegation was that during a booked journey a road rage incident has developed between the driver and another road user. During this incident the driver has taken what the passenger believed to be a handgun from the glovebox and left the vehicle to pursue the other party on foot. At this point the passenger has fled the vehicle in fear.

On becoming aware of this incident Uber have spoken to the driver and ascertained that it was in fact pepper spray he had taken from the glovebox and not a handgun. Pepper spray is legally classified as a firearm and every weapon carried on the street represents a threat to public safety.

At this point Uber have dismissed the driver and made LTPH Licensing aware. On becoming aware of this on the 10 April 2017 the MPS have opened an investigation into what clearly appears to be a criminal offence.

Further contact has taken place between the MPS and Uber in an attempt to identify the passenger (a significant witness) and also to find out why Uber haven't reported this directly to police. Uber have stated to the MPS that they are not obliged to report this, or similar matters, and are only required to notify TfL as per regulations. Uber have refused to provide any further information unless a formal request under the Data Protection Act is submitted.

Another more worrying case, took place last year. The facts are that on the 30 January 2016 a female was sexually assaulted by an Uber driver. From what we can ascertain Uber have spoken to the driver who denied the offence. Uber have continued to employ the driver and have done nothing more. While Uber did not say they would contact the police the victim believed that they would inform the police on her behalf.

On the 10 May 2016 the same driver has committed a second more serious sexual assault against a different passenger. Again Uber haven't said to this victim they would contact the police, but she was, to use her words, 'strongly under the impression' that they would.

On the 13 May 2016 Uber have finally acted and dismissed the driver, notifying LTPH Licensing who have passed the information to the MPS.

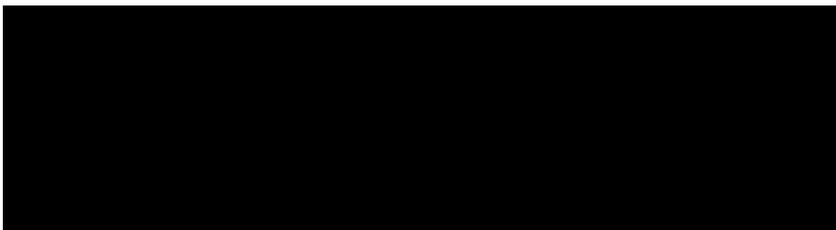
The second offence of the two was more serious in its nature. Had Uber notified police after the first offence it would be right to assume that the second would have been prevented. It is also worth noting that once Uber supplied police with the victim's details both have welcomed us contacting them and have fully assisted with the prosecutions. Both cases were charged as sexual assaults and are at court next week for hearing.

Uber hold a position not to report crime on the basis that it may breach the rights of the passenger. When asked what the position would be in the hypothetical case of a driver who commits a serious sexual assault against a passenger they confirmed that they would dismiss the driver and report to TfL, but not inform the police. While the process for sharing information between LTPH Licensing and the MPS works this clearly represents a further risk as it is reliant on more links in a chain.

In 2016 the MPS were made aware of 6 sexual assaults, 2 public order offences and 1 assault which were first reported to Uber and then subsequently to LTPH Licensing. The delay in the offence occurring and a report coming to the attention of police ranged from a matter of weeks to 7 months. The two public order offences mentioned above are subject to a 6 month prosecution time limit so subsequently both were taken no further as by the time we became aware of the offence we had no power to proceed, despite both having clear evidence of an offence taking place.

The significant concern I am raising is that Uber have been made aware of criminal activity and yet haven't informed the police. Uber are however proactive in reporting lower level document frauds to both the MPS and LTPH. My concern is twofold, firstly it seems they are deciding what to report (less serious matters / less damaging to reputation over serious offences) and secondly by not reporting to police promptly they are allowing situations to develop that clearly affect the safety and security of the public.

Yours sincerely



Neil Billany