



## **Enforcing Blue Badge Fraud – an update**

**July 2015**

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All our documents are available in hard copy in 14pt type size as standard. We also provide word and pdf versions of our documents on our website – [www.imtac.org.uk](http://www.imtac.org.uk). In addition we will provide information in a range of other formats. These formats include:

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## **About us**

Imtac is a committee of disabled people and older people as well as others including key transport professionals. Our role is to advise Government and others in Northern Ireland on issues that affect the mobility of older people and disabled people.

Our aim is to ensure that older people and disabled people have the same opportunities as everyone else to travel when and where they want.

Imtac receives support from the Department for Regional Development.

## **About this report**

The Blue Badge Scheme is hugely important to the mobility of disabled people and older people in Northern Ireland. Around 110,000 people benefit from the parking concessions offered by the Scheme.

In 2011 Imtac published a report<sup>1</sup> looking at misuse and fraud in relation to the Blue Badge Scheme. The report examined the importance of the Blue Badge to disabled people, how the Blue Badge is misused, the impact of fraud and evidence for the level of fraud. The report looked at current and potential mechanisms for tackling fraud and made eight recommendations designed to improve enforcement of fraud.

Imtac has decided to revisit and update the 2011 report for a number of reasons. Firstly the Committee believes that whilst many instances of misuse of the Scheme in Northern Ireland are being addressed by parking enforcement arrangements managed by Transport NI, measures to tackle fraud involving illegal use of the Badge have not progressed to the same extent. Secondly there have been developments in Great Britain around tackling Blue Badge fraud since 2011. Finally we wanted to revisit and update evidence of Blue Badge Fraud in Northern Ireland.

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<sup>1</sup> [Enforcement of Blue Badge fraud and misuse \(2011\)](#)

## Developments in Great Britain and Ireland

Since the publication of 2011 Imtac report there have been significant changes to the Blue Badge Scheme in Great Britain. Central to these changes is the Blue Badge Reform Strategy which has tackling fraud and misuse as a key aim. The reforms introduced in England, Scotland and Wales since 2011 include:

- The introduction of independent medical eligibility assessments
- The introduction of the Blue Badge Improvement Service which enables amongst other things enforcement officers to check details of Badges issued anywhere in Great Britain
- The introduction of new powers for local authorities to tackle fraud including on the spot seizure
- The introduction of a new badge design that makes forgery more difficult
- Legislation to enable local authorities to charge more for the Badge – additional resources are then used to fund improvements to the scheme

Research undertaken by the three administrations in Great Britain show high levels of support for the changes amongst Blue Badge holders and the public in general.

Complimenting changes to the scheme there has been a greater priority given to gathering evidence on Blue Badge Fraud. A recent National Fraud Authority Report<sup>2</sup> estimates that around 500,000 badges are being used fraudulently in England at a cost of £46 million to local authorities. The report highlights evidence gathered by Blue Badge Fraud Investigation Ltd showing that in busy retail areas 40-60% of Blue Badges are being used fraudulently.

The Department for Transport (DfT) issues annual statistics<sup>3</sup> relating to prosecutions taken for Blue Badge fraud in England. The latest figures show that such prosecutions are increasing particularly amongst local authorities in major urban areas where the Badge is of most value. A Scottish Executive consultation issued in 2012 indicates that 20-30 prosecutions are taken each year in Edinburgh and 51 prosecutions were taken in Glasgow following two “sting” operations.

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<sup>2</sup> [Annual Fraud Indicator \(National Fraud Authority 2013\)](#)

<sup>3</sup> [Blue Badge Scheme statistics: 2013](#)

Local authorities in London have led the way with measures to tackle Blue Badge fraud. The umbrella body for councils in London has produced a good practice guide<sup>4</sup> that identifies the following as key factors in tackling fraud:

- Political buy in
- Building strong evidence to take prosecutions
- The importance of a multi-agency approach – including the enforcement officers, fraud team, police, town centre managers and the communications/PR team
- Targeting activity where the problem is greatest
- Publicising success
- Using all legislation available
- Costs – there needs to be recognition that costs of enforcement will not be recouped and that costs should be balanced against wider social benefits.

Wales published “A Modern Blue Badge for Wales: Action Plan<sup>5</sup>” in 2010. The Action Plan set out a series of measures to improve administration of the scheme, broaden eligibility and concessions available and tackle fraud and misuse. As part of the Plan Wales joined the Blue Badge Improvement Service (BBIS) in 2012. Wales also set up an expert group to assist with the implementation of the Plan.

In the Republic of Ireland the Blue Badge is called the Disabled Person’s Parking Card. The scheme is administered by the Disabled Drivers Association and the Irish Wheelchair Association. The cost of the Badge is €35. In 2011 the Irish Government introduced legislation<sup>6</sup> to change the scheme tightening eligibility and enabling new measures to tackle misuse.

## **Developments in Northern Ireland**

The changes made in Great Britain around the Blue Badge Reform Strategy have not been introduced in Northern Ireland. A consultation<sup>7</sup>

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<sup>4</sup> [Tackling Blue Badge Fraud - A Good Practice Guide \(London Councils 2012\)](#)

<sup>5</sup> [A Modern Blue Badge Scheme for Wales \(2010\)](#)

<sup>6</sup> <http://www.irishstatutebook.ie/2011/en/si/0239.html>

<sup>7</sup> [Changes to the automatic eligibility criteria, Scheme administration, Blue Badge fee and free parking in the Department's car parks](#)

was issued by DRD that contained proposals to implement some of the changes including joining the Blue Badge Improvement Scheme, introducing the new badge design and increasing the level of fee for the Badge. The Department published a report<sup>8</sup> on the consultation in March 2015 that showed support from the majority of respondents for the introduction of these measures.

Potential fraud was again highlighted in the most recent report<sup>9</sup> of the National Fraud Initiative (NFI) in Northern Ireland. The report suggests that around 5000 badges are in circulation for people who have subsequently died. The report acknowledges that Transport NI has introduced changes since the previous report to address this issue, which was covered by one of the recommendations of the 2011 Imtac report. The NFI report also highlights the potential positive changes in Great Britain relating to the Blue Badge Improvement Service, suggesting there may be merit in Northern Ireland joining the service.

### **Update on evidence of fraud in Northern Ireland**

Since 2011 Transport NI has continued to fund two dedicated Blue Badge Enforcement Officers based largely in Belfast City Centre. During this time 1918 enquiries have been made about Blue Badge use and 148 penalty charge notices issued. No further prosecutions have been taken in relation to Blue Badge Fraud with only one person prosecuted here to date.

In our 2011<sup>10</sup> report Imtac highlighted a number of surveys undertaken by the Committee looking at Blue Badge usage in Belfast City Centre. These surveys indicated a high usage of Blue Badges particularly in the retail core of the city centre where around 40% of on-street parking bays were being used by Blue Badge holders. Since 2011 Imtac has conducted two further surveys looking at Blue Badge use. The first survey undertaken in 2012 compared Blue Badge use in locations that charge for on-street parking and locations where on-street parking is free. The survey found that Blue Badge use was significantly higher in locations where charges applied. The second survey was undertaken partly to further inform this work and looked at Blue Badge use in Belfast City Centre in September and October 2014. The findings of the survey

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<sup>8</sup> [Report on the public consultation on the review of the Blue Badge Scheme in Northern Ireland](#)

<sup>9</sup> [National Fraud Initiative: Northern Ireland \(June 2014\)](#)

<sup>10</sup> All four reports are available at <http://imtac.org.uk/publications.php>

are broadly similar to both the 2010 and 2011 surveys with 40% of parking bays in the core of the city centre being used by Blue Badge holders.

## **Modernising the Blue Badge Scheme**

The Blue Badge is essential to the mobility of many disabled and older people in Northern Ireland. Imtac believes there is strong evidence from Great Britain that the Blue Badge reform and modernisation process is delivering positive change in relation to improving the scheme for older and disabled people and tackling fraud. The Committee is concerned that Northern Ireland is being left behind the other administrations in Great Britain and Ireland in relation to the reform and modernisation of the Blue Badge Scheme.

The recently published outcome of the consultation on proposed changes to the Scheme in Northern Ireland shows support from the majority of respondents to elements of the changes introduced in the rest of the United Kingdom including joining the Blue Badge Improvement Scheme and the introduction of the new design of Badge. Imtac welcomes the recommendation from the DRD to develop more detailed proposals for these changes but we recommend the Department publish a clear timescale for developing and implementing these proposals.

Other elements of the modernisation process in the rest of Great Britain were not dealt with by the recent consultation process in Northern Ireland. Two specific measures in particular warrant further investigation. Firstly Imtac recommends the Department examine whether introducing the additional powers given to local authorities to tackle Blue Badge fraud in Great Britain could benefit users of Scheme in Northern Ireland. Secondly we recommend the Department use evidence from Great Britain to assess whether independent mobility assessments could provide a more effective assessment of discretionary awards of the Blue Badge than current arrangements in Northern Ireland.

## **Tackling Blue Badge Fraud**

Fraud and misuse of the Blue Badge has the potential to undermine public confidence in what is an essential Scheme for disabled and older people. The modernising measures mentioned previously in this report have the potential to improve enforcement. Other simple changes could also be introduced to make it easier to identify Badge Holders. In Great

Britain, for example, it is not uncommon for the serial number of the Badge to contain indicators which will inform enforcement officers of whether the Badge holder is male or female or a driver or passenger. Many of the recommendations of the 2011 Imtac report are still relevant and should be also be explored. We have included the previous recommendations in Appendix A.

Imtac recognises the difficulties around tackling Blue Badge Fraud. Identifying fraud is a major challenge. The work of enforcement officers to date and our own surveys of Blue Badge use suggest that fraud maybe a problem but we have no clear idea of the extent. Measures that could help identify the prevalence of fraud carry a significant cost and the current financial climate is a clear restriction. For this reason Imtac is supportive of increasing the fee for the Blue Badge on the understanding that additional resource will be invested in improving the Scheme for users.

Despite these difficulties Imtac would like to work with the Department to develop proposals to improve enforcement of Blue Badge Fraud. One lesson to be learned from the evidence gathered in developing this report. Given the limited resources available measures to tackle Blue Badge fraud should be concentrated in major towns and cities where the Blue Badge has greatest value and particularly locations where on-street parking charges are in place.



## **Appendix A – Recommendations from the 2011 Imtac report**

### **Improving enforcement – recommendations for the future**

Evidence from the Department for Transport shows that there is widespread support for better enforcement for the Blue Badge Scheme both amongst users of the scheme and the general public. In Northern Ireland Imtac has welcomed and supported the steps taken by Roads Service, NSL and the PSNI to enforce misuse of the Blue Badge. It is fair to say that to date results have been modest despite investment of time and resources. We do however believe that the steps taken have provided evidence that misuse and fraud of the Blue Badge is a problem here. The Committee believe it is now time to look at a fresh approach to tackling the issue.

Northern Ireland has certain advantages over other regions of the UK that can help with better enforcement. Key to the success of any enforcement regime is good administration of the Scheme, partnership and information sharing between the parking enforcement and Badge issuers. In Northern Ireland Roads Service provides both functions and over the last few years progress has been made to develop good partnership working. Further work has been done to develop relationships with PSNI.

Building on the progress to date Imtac would recommend the following:

#### **Recommendation one: DRD should establish a dedicated Blue Badge Fraud Team**

To date the Parking Enforcement Team and NSL has taken the lead in all enforcement issues including illegal use of the Badge. However the powers of parking enforcement are limited around illegal use of the Blue Badge and if we are to tackle the problem we should look at a dedicated Blue Badge Fraud Team linked to the Blue Badge Team. Parking enforcement should continue to play a key role in sharing information about misuse.

#### **Recommendation two: DRD should make greater use of powers to confiscate Blue Badges that are being misused**

Roads Service needs to use the ultimate sanction of confiscating the Blue Badge from people where misuse is proven. Currently it is the policy of Roads Service to consider confiscation if misuse occurs on three occasions. Imtac is broadly supportive of this approach but believe the Badge should be automatically confiscated after three offences.

**Recommendation three: DRD should look at further powers to tackle fraud and misuse by extending grounds for refusal or withdrawal of Badges**

The Department for Transport recently announced plans to extend the powers local authorities have in tackling Blue Badge fraud and misuse in England and Wales. This includes powers for local authority personnel to confiscate badges on the spot and plans to legislate to clarify wrongful use of the Badge. DRD must make sure that Roads Service here have the same powers to tackle misuse and fraud.

**Recommendation four: DRD should work with PSNI to ensure more prosecutions are brought for Blue Badge misuse and fraud**

It is vital that more prosecutions are brought against people who misuse the Blue Badge. Imtac believes that only highly publicised prosecutions will reduce the level of misuse and send out the message that Blue Badge misuse is unacceptable. We need to build on the partnerships developed to date between Roads Service and PSNI to ensure that more prosecutions take place.

**Recommendation five: All stakeholders need to raise awareness of the need for appropriate fines for Blue Badge misuse and fraud**

One issue that needs to be addressed is the low level of fines incurred for misuse. We all need to raise awareness of the need to send out a clear message, through appropriate fines, that Blue Badge misuse is unacceptable.

**Recommendation six: Successful prosecutions for Blue Badge misuse should be widely publicised**

Successful prosecutions should be publicised widely by Roads Service.

**Recommendation seven: DRD should provide mechanisms for the public to report Blue Badge fraud and misuse and publicise this widely**

Roads Service should also provide a means for the general public to report misuse of the Badge.

**Recommendation eight: DRD should improve mechanisms to recover expired Badges as well as Badges of people who have died**

As well as Badges currently issued to Holders in Northern Ireland there are many badges in circulation that have not been returned to Roads Service when expired or when the holder has died. We need to look at ways to encourage more people to return Badges to Roads Service when they have expired or are no longer needed.

Some of our proposals have significant resource implications. Imtac is aware that in the current climate securing additional resources is extremely challenging. However it should be made clear that Blue Badge misuse is fraud that costs us all as taxpayers in lost revenue. The cost of enforcement needs to be balanced against the loss in revenue involved particularly if plans to extend on-street parking charges to more locations in Northern Ireland are progressed. Equally important is the impact misuse and fraud has on disabled people in lost parking opportunities and the damage to public image of a scheme that is vital to so many disabled people.