



Enforcement of Blue Badge fraud and misuse

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About Imtac

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 the Blue Badge Scheme¹

The Blue Badge Scheme, or the Disabled Persons Badge Scheme, provides parking concessions to disabled people. The concessions include parking in on-street accessible parking bays free of charge and in general on-street parking bays free of charge. This concession is usually, but not always, without time limit. Holders of the Blue Badge can also park on single or double yellow lines where doing so does not cause an obstruction. This concession is limited to a maximum of three hours. Badge Holders can also use the Badge to park in dedicated accessible parking bays in private car parks such as shopping centres.

People are automatically eligible for the Scheme if they qualify for certain benefits. For people who do not qualify for specific benefits there is a discretionary criterion where applicants must demonstrate difficulties walking distances. Badges are issued for a period of three years and must be renewed after this.

The Scheme in Northern Ireland is centrally administered by a branch of Roads Service in Enniskillen.

Why is the Blue Badge Scheme important?

Many disabled people have difficulties walking distances. Research undertaken in the 1980's indicates that for some disabled walking as little as 50 m without a rest can be difficult or impossible². The Blue Badge enables people to park as closely as

possible to their destination and is vital in enabling many disabled people to undertake everyday activities.

The Department for Transport recently commissioned research with Blue Badge Holders³. As part of this research Badge Holders were asked how not having the Badge would affect their lives. 75% of participants said they would go out less often and 64% of people said they would have to rely on family and friends. For a significant number of people (42%) the loss of the financial concession would limit their ability to go out as often or to do other things.

In Northern Ireland the importance of the Blue Badge Scheme to disabled people was clearly recognised in the Accessible Transport Strategy (April 2005)⁴. One of the seven strategic objectives contained in the ATS seeks to enable older people and disabled people to travel safely by car. The Blue Badge Scheme is identified by Government here as one of the key policies in achieving this. Currently in Northern Ireland there 100,304 individual disabled people who have a Blue Badge with a further 1061 Badges held by organisations who provide transport used by disabled people⁵.

How is the Blue Badge misused?

The concessions available under the Blue Badge Scheme are attractive in that there can be financial savings through free on street parking as well as the convenience of parking where non-disabled cannot without penalty (yellow lines). Clearly there is the potential for the Badge to be misused.

Research commissioned by DfT has identified a number of ways the Badge can be misused⁶. Types of misuse include misuse by the Badge Holder such as parking where they are not permitted or overstaying on a yellow line. These are generally parking offences and in Northern Ireland are enforced under the decriminalised parking enforcement arrangements managed by Roads Service.

Other types of misuse involve illegal use of the Badge. Illegal use includes:

- People using forged Badges

- People using Badges reported lost or stolen
- People using Badges that have expired
- People using the Badge of someone who has died
- People using a Badge when they are no longer eligible
- People using a Badge to obtain a concession where the Badge Holder is not present

In addition people can, potentially, obtain the Blue Badge illegally by making a false application.

What is the effect of misuse of the Blue Badge?

Blue Badge misuse has a significant effect on the mobility of disabled people. It means that parking opportunities for disabled people are taken by non-disabled people. Often this means disabled people cannot make their intended trip. The effect of misuse has been highlighted by the research carried with disabled people by the DfT and locally by the consultation undertaken by DRD into the development of the Accessible Transport Strategy.

Misuse also has a significant affect on how society views the Scheme. The Department for Transport has commissioned research with members of the public who do not hold a Blue Badge⁷. One of the findings of the research indicates that abuse of the scheme is seen as “widespread and substantial” by members of the public. It is clear that misuse damages the perceived credibility and value of the scheme.

The other major effect of misuse is the loss of revenue through parking charges. DfT has calculated the potential value of the Badge⁸. This can be difficult as there are many variables depending on the location where the Badge is used and how often it is used. The Badge is of most value in London where on-street parking charges are higher and the Badge entitles holders to exemption from the Congestion Charge. However the statistics show that in other cities the Badge has significant value and if used on regular basis can be worth over £2000 per year to the user. The total value of the concessions offered by the Blue Badge to all users in the UK is estimated at £300,000,000 a year.

In Northern Ireland the Badge is of most value where there are charges for on-street parking. Currently this applies in Belfast, Lisburn and Newry. Based on usage on a regular basis (5 days a week) and on current charges using the Badge in Belfast City Centre could be worth savings of around £2000 per year. Widespread misuse of the Badge could result in a significant loss in revenue for Government in Northern Ireland.

The recently published draft DRD Budget⁹ contains proposals to extend charging for on street parking to more towns and cities across Northern Ireland as a means to generate more revenue. If progressed extending charging for on-street parking will increase the value of a Blue Badge and therefore increase the risk of fraudulent use. Blue Badge fraud could diminish the revenue potential of extending parking charges.

What is the level of misuse of the Blue Badge?

As will be seen enforcement of misuse of the Blue Badge Scheme is not straightforward. As a result many local authorities do not proactively enforce misuse. This means that an accurate figure on levels of misuse of the Badge is extremely difficult. Research commissioned by DfT indicates that 4-6% of Badges issued are subject to fraud or misuse¹⁰. However the report recognises that this figure is based on the limited data available from those local authorities that are proactive in enforcing misuse and there is agreement that the level of misuse and fraud is likely to be higher.

In Northern Ireland Imtac has been working with Parking Enforcement in Roads Service and NSL around Blue Badge misuse. Since October 2008 NSL have dedicated two Traffic Attendants to Blue Badge Enforcement including misuse of the Badge. Working mainly, but not exclusively, in Belfast the Traffic Attendants have identified significant numbers of vehicles where misuse of the Blue Badge is suspected (see Appendix 1).

More recently the Northern Ireland Audit Office has published a report¹¹ that identified that over 5,000 badges have been issued to people who have since died. The report identifies the potential for fraud to take place through non-disabled people taking advantage of the concessions offered by the deceased persons Badge. The report includes the following case study:

“NFI matching identified that a badge holder had died in 2008. On investigation, it was found that a car displaying the deceased holder’s blue badge was issued with penalty charge notices for parking violations on four occasions in 2009. This case is ongoing.”

In addition to the work of Roads Service, NSL and the Audit Office Imtac recently undertook parking surveys in Belfast City Centre to ascertain how many Blue Badge Holders are using their concessions in the commercial core of the city¹². The results of our surveys indicate that on average 222 Blue Badge Holders park in the commercial core of Belfast City Centre on a weekday. This rises to over 250 Badge Holders at the weekend. Whilst Badge Holders use both yellow line and on-street bay concessions in the Belfast our surveys indicate that on average 40% of on-street parking in the commercial core of the City Centre is being used by Blue Badge Holders at any one time.

Other local authorities have undertaken similar surveys prior to undertaking enforcement around fraud and misuse of the Blue Badge. For example in Liverpool surveys indicated that 37% of on-street parking in the commercial areas of the City were being used by Blue Badge Holders. Subsequent enforcement highlighted that the majority of people using the Badge were not genuine Badge Holders. Whilst our surveys are not evidence of misuse, experience from elsewhere suggests they do indicate that misuse and fraud may be a significant problem in Northern Ireland.

Enforcement of fraud and misuse of the Blue Badge

Enforcement of some types misuse of the Blue Badge can be more difficult than others. The introduction of decriminalised parking enforcement in many local authorities has made detection of parking offences connected with misuse easier. It has also made it easier to detect misuse using expired or counterfeit Badges. However tackling other areas of misuse and fraud, such as making use of a Badge without the Badge Holder being present is much more difficult. Many local authorities only enforce this if made aware of a problem by a member of the public. A major barrier to better enforcement is the resources involved. One London Borough estimates the cost of Blue Badge enforcement at £120,000 per year¹³.

Local authorities where the Blue Badge has most value have led the way in enforcement of illegal use of the Blue Badge. Many Inner London Boroughs and some of the major metropolitan cities (such as Manchester) have tightened up enforcement considerably through dedicated Blue Badge Fraud Teams. This has resulted in higher levels of prosecutions and fines in these areas for Blue Badge misuse. The high profile nature of enforcement has also resulted in more members of the public reporting misuse.

Difficulties detecting some aspects and fraud and misuse of the Blue Badge are clearly illustrated by our experiences in Northern Ireland. Since decriminalised parking came into effect here many aspects of enforcement have improved including detection of counterfeit Badges and expired Badges. Further improvement has been made with the introduction of two dedicated Blue Badge Enforcement Officers including the detection of use of Blue Badges of people who are deceased. This recently resulted in the first successful prosecution in Northern Ireland for Blue Badge misuse. Despite these developments significant barriers make further progress difficult.

Currently NSL staff, Parking Enforcement and the Blue Badge Team work closely together on the enforcement. If an NSL officer suspects a Badge is being misused contact is made with the Blue Badge team who ring the Holder at home. If the Holder is confirmed as being at home a Penalty Charge Notice is issued and a letter is sent to the Badge Holder warning that future misuse could result in the Badge being taken away. Figures contained in Appendix 1 indicate that this approach is only successful in a relatively small number of cases. The reason for the low number of tickets issued is that often the Badge Holder cannot be reached or the car owner drives away before the Attendant can issue the penalty charge notice. The cost of two Blue Badge Enforcement officers is currently around £50,000 per year.

Traffic Attendants in Northern Ireland do have the power to inspect Blue Badges but have no powers to either confiscate or issue a fine (other than a standard Penalty Charge Notice) where misuse occurs. As a criminal offence, prosecutions for Blue Badge misuse or fraud must be brought through the courts, which requires a higher level of evidence and often the support of the police. Criminal offences are not the responsibility of parking enforcement

here but can be pursued by the Blue Badge Team as the issuer of the Badge. Prosecutions can be difficult and expensive and the fines in successful prosecutions often do not match the cost of bringing the prosecution (statistics show the average fine for misuse of the Badge in Great Britain is between £100 and £200¹⁴). These difficulties were all apparent in the recent successful prosecution.

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.

Appendix 1 – Blue Badge enforcement in Northern Ireland
September 2008 – November 2010

Town	Blue Badge misuse queries	Penalty Charge Notices issued	Vehicle drive away*
Belfast	1747	245	92
Ballymena	61	8	6
L/Derry	60	2	4
Bangor	40	2	0
Newtownards	32	1	1
Others	296	17	13
Totals	2236	275	116

*Vehicle drive away refers to when a Blue Badge Holder is confirmed as not being present but the vehicle drives away before a Penalty Charge Notice is issued

Appendix 2 – References

- ¹ For detailed information about the Blue Badge Scheme in Northern Ireland visit the NI Direct Website at <http://www.nidirect.gov.uk/index/information-and-services/people-with-disabilities/people-with-disabilities-motoring-and-transport/blue-badge-scheme/the-blue-badge-parking-scheme.htm>
- ² For a summary of the research see Inclusive Mobility – a Guide to Best Practice on access to pedestrian and Transport Infrastructure (Department for Transport 2003) available at <http://www.dft.gov.uk/transportforyou/access/peti/inclusivemobility>
- ³ Research with Blue Badge Holders Final Report (DfT 2008) available at <http://webarchive.nationalarchives.gov.uk/+http://dft.gov.uk/adobe/pdf/259428/281009/holdersreport.pdf>
- ⁴ Available at http://www.drdni.gov.uk/accessible_transport_strategy_for_northern_ireland_2015-10.pdf
- ⁵ Figures up to October 2010
- ⁶ Blue Badge Reform Strategy, Enforcement Evidence Base (DfT March 2010) available at <http://webarchive.nationalarchives.gov.uk/+http://dft.gov.uk/adobe/pdf/259428/281009/enforcementevidence.pdf>
- ⁷ Blue Badge Scheme research with wider public Final Report (October 2008) available at <http://webarchive.nationalarchives.gov.uk/+http://dft.gov.uk/adobe/pdf/259428/281009/publicresearch.pdf>
- ⁸ Enforcement Evidence Base (DfT 2010)
- ⁹ DRD Draft Budget 2010 Spending Proposals, Savings Delivery Plans and EQIA (DRD January 2011)
- ¹⁰ Enforcement Evidence Base (DfT 2010)
- ¹¹ National Fraud Initiative 2008-09 (NIAO February 2011)

¹² Available at www.imtac.org.uk

¹³ Enforcement Evidence Base (DfT 2010)

¹⁴ Enforcement Evidence Base (DfT 2010)