



PRESS RELEASE

For immediate release

Uber: Too big to regulate, but too big to fail

Westminster Magistrates' Court overturns TfL's ban on Uber operating in London

Westminster Magistrates' Court has today decided to grant Uber London Ltd (ULL) a licence to operate in London.

In his decision, Deputy Senior Judge Tan Ikram, stated that he had "sufficient confidence that ULL no longer poses a risk to public safety", finding that the company is now 'fit and proper' to hold a private hire vehicle operator's licence.

The Judge was tasked with determining whether the company, which has been plagued by safety concerns, had taken steps to address previous failings and ensure the safety of passengers, following TfL's decision not to grant it a licence, in November 2019.

The appeal was heard from 14th to 17th September, with judgement subsequently reserved until today.

Despite concluding that ULL "does not have a perfect record", the Judge notes in his decision that it "has been an improving picture". He recognises that ULL has "failed to identify fraud" but notes that they have "implemented extensive measures which have reduced incidents".

During the four-day hearing, witnesses for Uber admitted a number of serious and "alarming" failings putting passengers at risk, including describing an audit undertaken to identify fraudulent drivers as "a disaster".

Gerald Gouriet QC acting for the Licensed Taxi Drivers' Association (LTDA), an interested party in the case, outlined how drivers had used incorrect photos on nearly 14,800 trips and most of those who did so, had been dismissed by Uber, and some had had their licenses revoked by TfL. He also argued that Uber had tried to hide the problem from TfL and only informed the regulator when it was no longer possible to conceal it.

The Judge's decision notes that in his evidence, James Heywood, regional general manager for Uber in northern and eastern Europe, accepted that "the impression they [ULL] had given to TfL was that the issue had been addressed. That was wrong." Laurel Powers-Freeling, ULL's non-executive chair of the board also accepted that "a significant safety concern had not been highlighted effectively when it ought to have been".

However, the Judge, has chosen to give ULL the benefit of the doubt, noting in his reasoning that "I find this was misplaced optimism rather than an attempt to mislead."



Responding to the decision, Steve McNamara, General Secretary of the Licensed Taxi Drivers' Association (LTDA), an interested party in the case, said:

"Today's decision is a disaster for London. Uber has demonstrated time and time again that it simply can't be trusted to put the safety of Londoners, its drivers and other road users above profit. Sadly, it seems that Uber is too big to regulate effectively, but too big to fail.

"Uber's own witnesses admitted a series of failures to address the photo fraud issue, which put passengers at risk. Shockingly, they also accepted that they were not upfront with TfL – suggesting the issue had been addressed, when they knew full well it hadn't.

"By holding up their hands and finally accepting some responsibility, Uber has managed to pull the wool over the eyes of the Court and create the false impression that it has changed for the better. A leopard doesn't change its spots and we are clear that Uber's underlying culture remains as toxic as it has ever been.

"The Judge himself has recognised that Uber has more to do, noting that ULL is 'not perfect' but 'improving' and has 'reduced incidents'. He is setting a very low bar for a company whose track record clearly shows it can't be trusted to disclose serious incidents and one that has consistently failed to do the right thing. He is playing Russian roulette with the safety of Londoners and I fear it's only a matter of time until the next incident".

Ends

Notes to editors

The LTDA is the largest membership body of black cab drivers in London and has been the professional and authoritative voice of London taxi drivers for nearly 50 years. They are dedicated to supporting its 10,500 members, maintaining the high professional standards that London taxi drivers are known for and ensuring that the regulation governing the trade is fit for purpose.