

Annex D – Example invite to interview letter to suspected misuser

Local Authority Address

Phone:

Fax :

**NAME and ADDRESS OF
SUSPECTED OFFENDER**

Our Ref:

Your Ref:

Date:

Dear (NAME)

Road Traffic Regulation Act 1984

Chronically Sick and Disabled Persons Act 1970

I am writing with reference to the Blue Badge serial number **XXXXXXX**; issued by **(LOCAL AUTHORITY)** to **(BADGE HOLDER NAME)** of **(BADGE HOLDER ADDRESS)**. On **(DAY AND DATE)** this disabled badge was observed on display in motor vehicle **(VEHICLE MAKE)** registration number **(XXXXXX)**, whilst parked in a Blue Badge only parking bay located in **(LOCATION)**.

A disabled badge security check found the holder of this disabled badge was at home whilst the disabled badge was in use in **(LOCATION)**. On your return to this vehicle an officer from **(LOCAL AUTHORITY)** requested you to present this disabled badge for inspection, as the officer had reason to believe the disabled badge was not being used by the badge holder. You were given an opportunity to surrender the disabled badge whilst this matter was investigated, however you declined this opportunity. The officer therefore exercised his statutory power to retain the badge under section 21(4D) of the Chronically

Sick and Disabled Persons Act 1970.

It appears to the issuing authority that this disabled badge was not being used in accordance with the requirements of the Disabled Persons (Badges for Motor Vehicles) Regulations 2000. It was in use by you in the vehicle listed above in the absence of the badge holder.

It is therefore alleged that on **(DAY AND DATE)** you did park a **(VEHICLE MAKE)** motor vehicle registration number **(XXXXXX)** in a Blue Badge only parking bay where a restriction is in force "Disabled badge holders only" located in **(LOCATION)**; and did in the absence of the badge holder display a Blue Badge serial number **(XXXXXX)**; bearing the name **(BADGE HOLDER NAME)** ; you were therefore using the vehicle listed above in circumstances, where a Blue Badge concession would be available if that vehicle was being used by the person to whom the badge was issued; contrary to the provisions of, section 117 of the Road Traffic Regulation Act 1984, the section 21 of the Chronically Sick and Disabled Persons Act 1970.

This is a formal request for you to attend the offices of **(LOCAL AUTHORITY)** for interview to discuss the alleged offence. As this is a matter in which criminal legal proceedings could be taken, the interview will be conducted under 'caution' and be audio recorded in accordance with Codes C and D of the Police and Criminal Evidence Act 1984.

I have made a provisional appointment for **(TIME, DAY AND DATE)**. Please could you contact this office by **(AN APPROPRIATE DATE)** to indicate whether or not you will be attending the interview. If you do not respond, I will assume that you will not attend. If you are unable to attend on the provisional date, please contact me to arrange an alternative date or time.

On the day of the interview please report to the **(LOCAL AUTHORITY)** reception, and ask for **(INVESTIGATION OFFICER)**.

You are advised that you do not have to say anything by return but it may harm your defence if you do not mention when questioned, something which you later rely on in court. Anything you do say may be used in evidence.

You have a right to seek legal advice, should you wish to do so. I would suggest you show this letter to your advisor at an early stage.

Should you have any questions please do not hesitate to contact me.

Yours sincerely

NAME

Parking Investigation Officer

ISSUING LOCAL AUTHORITY