



Department
for Transport

Consultation: Changes to the Rail Penalty Fares appeals process

February 2015

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Introduction

Lost revenue costs train operators, rail passengers and taxpayers who subsidise an estimated 120,000 journeys made daily by fare evaders on the rail network. The Association of Train Operating Companies (ATOC) estimates that £240 million is lost each year through fare evasion.¹

The Government introduced the current Penalty Fares scheme in 1994 to reduce the revenue loss triggered by ticketless travel on Britain's railways. The scheme was part of the Railways (Penalty Fares) Regulations 1994, made under section 130 of the Railways Act 1993. The Department for Transport (DfT) is responsible for the legal framework under which penalty fares operate. Train Operating Companies (TOCs) must sign up to this if they wish to issue penalty fares.

Before Penalty Fares were introduced, passengers found without a valid ticket were subject to costly criminal sanctions and this did little to recover lost revenue. The current industry led Penalty Fares scheme works to deter fare evasion by establishing clear and immediate financial consequences. TOCs can now work actively to protect their revenue, reducing costs to the taxpayer and rail passengers.

Under the Penalty Fares scheme, passengers who are found without a valid ticket for their journey must pay a penalty fare of £20 or twice the full single fare to the next station at which the train calls, whichever is the greater. This is only the case if they have had the opportunity to buy a ticket and have passed signs stating the consequences of not having a valid ticket.

¹ATOC, £240m cost of fare dodging on the railways - top 10 'dodgy' excuses revealed, <http://www.atoc.org/media-centre/previous-press-releases/2013/06/17/240m-cost-of-fare-dodging-on-the-railways-top-10-dodgy-excuses-revealed/>

Passengers who have been given a penalty fare can appeal against the decision through one of two appeals bodies: Independent Penalty Fares Appeals Service (IPFAS) or Independent Revenue Collection and Support (IRCAS). These bodies make the final decision on individual appeal cases by implementing their DfT approved Code of Practice.²

In order to safeguard the interests of passengers and taxpayers and enable continuous improvement, the DfT believes it is appropriate to keep the penalty fares system under review. Whilst the Government considers that the system is working effectively, it is important to consider whether there are any aspects that do not meet modern standards.

The Government recognises efforts already made by the industry to improve the passenger experience of penalty fares, including the introduction of the *Ticketing Irregularities Code of Practice (2013)* which standardised many processes and codified good practice.³ It also recognises the concerns raised by passenger watchdogs Passenger Focus and London TravelWatch.

This consultation considers initial proposals to build on the considerable progress made by the industry so far, by making changes to the penalty fares system. The consultation does not propose to change the level of the penalty fare itself. Comments on the proposals are welcome and will inform Ministerial decisions on what steps to take forward in the coming months. Your comments may also inform thinking on whether a further review is needed in the future. The government may hold a further wider review on penalty fares in the future.

This consultation only proposes changes to the penalty fares process in England and Wales. The Railways Act 2005 devolved penalty fare regulation in Scotland to Scottish Ministers.

² IPFAS Code of Practice, <https://www.penaltyfares.co.uk/static/appeal.aspx?from=20>
<https://www.penaltyfares.co.uk/static/appeal.aspx?from=1>

IRCAS Code of Practice, https://www.ircas.co.uk/docs/ias_codeofpractice.pdf.

³ ATOC, Ticket Irregularities Code of Practice, http://www.nationalrail.co.uk/static/documents/content/Ticket_Irregularities_Code_of_Practice.pdf

How to respond

The consultation period began on 3 February 2015 and will run until 27 April 2015. Please ensure that your response reaches us before the closing date. If you would like further copies of this consultation document, it can be found at web address www.dft.gov.uk/consultations/open or you can contact Simon Feast if you need alternative formats (Braille, audio CD, etc.).

Please send consultation responses to:

Email: penaltyfaresconsultation@dft.gsi.gov.uk

or

Penalty Fares Consultation
Rail Executive - Passenger Services
Department for Transport
4th Floor – Great Minster House
33 Horseferry Road
London
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When responding, please state whether you are responding as an individual or representing the views of an organisation. If responding on behalf of a larger organisation, please make it clear who the organisation represents and, where applicable, how the views of members were assembled.

A list of those consulted is attached at Annex B. If you have any suggestions of others who may wish to be involved in this process please contact us.

Freedom of Information

Information provided in response to this consultation, including personal information, may be subject to publication or disclosure in accordance with the Freedom of Information Act 2000 (FOIA) or the Environmental Information Regulations 2004.

If you want information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence.

In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information, we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Department will process your personal data in accordance with the Data Protection Act (DPA) and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties.

Aim of the consultation

- 1.1** This consultation seeks comments from stakeholders and other interested parties on the proposed administrative changes to the penalty fares appeals process in England and Wales.
- 1.2** The Government also welcomes wider views on the current Penalty Fares scheme and appeals process.
- 1.3** The Government considers that the current penalty fares appeals process is broadly effective, but may need updating in some specific areas in order to safeguard the interests of passengers and taxpayers.
- 1.4** The DfT is consulting on the following administrative proposals and inviting additional comments and suggestions to aid future policy formulation:
 - The introduction of a ‘stop the clock’ provision when dealing with penalty fare appeals. It is proposed that the 21 day deadline for payment would be suspended for the duration of the appeal, restarting only following an unsuccessful appeal.
 - The introduction of a requirement for all appeals bodies to be independent of transport operators and owning groups.
 - The establishment of a third stage appeals process. The proposal will see the establishment of an Independent Appeals Panel (IAP) who would have a final decision on individual appeals.
 - The strengthening of DfT oversight on the penalty fares appeals process. The Government will exercise its right to request high level penalty fare and appeals data.
 - The removal of the threat of criminal sanctions from reminder letters.
- 1.5** The DfT has initially considered the potential impact on industry stakeholders and passengers. This is detailed under

our analysis of each proposal. Your feedback on our assumptions is welcome.

- 1.6** These proposals are at an early stage of development. Your comments will be taken into full consideration following the closure of the consultation.

Structure of consultation document

- 1.7** This document puts forward proposals on a number of administrative changes to the penalty fares appeals process. For each item consulted, the following structure is used:

- **Background** - a summary of how the existing process operates and the challenges it brings.
- **Proposed change** - a detailed explanation of the proposed change.
- **Impact** - the envisaged impact on industry stakeholders and passengers, should the proposed change take effect.

Proposed changes to the penalty fares appeals process

Introduction of 'Stop the clock'

Background

- 1.8** When given a penalty fare, passengers are informed by rail staff how to appeal against the decision. If a passenger decides to appeal, they must contact the relevant appeals body who will review their case and make a decision based on scenario frameworks, their Code of Practice and discretion.
- 1.9** IPFAS and IRCAS are the two bodies that currently handle appeals from passengers contesting a penalty fare. Both bodies take different approaches to processing appeals.
- 1.10** Currently, IPFAS gives passengers 21 days to pay the penalty fare. If a passenger appeals against a penalty fare and is successful, they may still be charged an administration fee triggered by late payment.
- 1.11** IRCAS currently operate a different system. The 21 day deadline for payment is suspended throughout an appeal. It is only restarted following the issue of an unsuccessful appeal outcome letter.
- 1.12** Concerns have been raised about the appeals process, particularly about passengers being charged administrative fees before the outcome of an appeal case is confirmed or even after it has been upheld.

Proposed change

- 1.13** The DfT would require the 'stop the clock' approach to be implemented by all penalty fares appeal bodies. This could be enforced through amendments to the DfT approved Code of Practice used by the appeals bodies.
- 1.14** Implementing 'stop the clock' would mean the 21 day deadline for payment is suspended at the point an appeal is received by the appeals body.
- 1.15** Once the appeal body issues the passenger with a letter notifying them on the outcome of their appeal, the clock would resume.
- 1.16** If the appeal was unsuccessful, the passenger would be given an additional seven days to make the payment. After this time, administrative fees may be charged.
- 1.17** It is proposed that further appeals will be accepted within a specified timeframe. If a third stage appeal process is implemented as proposed in this consultation (see 1.34-1.49), the number of appeals would be limited to three. In each instance the clock would be stopped.
- 1.18** TOCs would remain able to employ debt collectors if necessary when a payment is not received from a passenger whose appeal has been rejected by an appeals body.

Impact

- 1.19** IRCAS and Transport for London (TfL) already practice 'stop the clock'. We think implementing a consistent approach may reduce passenger confusion, particularly at important National Rail/TfL interfaces in London.
- 1.20** The DfT's initial view is that the cost of implementing 'stop the clock' would be negligible to IPFAS and TOCs.
- 1.21** We believe the proposal would ensure that passengers who feel they have wrongly been awarded a penalty fare can appeal without the fear of additional charges.
- 1.22** However, there is a potential risk that passengers who have been awarded a penalty fare may keep appealing in order to avoid payment. It is anticipated that this could happen in a

small number of cases and other proposals in this consultation may provide suitable mitigation.

- 1.23** We anticipate that this proposal will have minimal financial impact for IRCAS as the body already operates the proposed system. IPFAS may need to review internal processes and this could incur minor costs.

Q.1 Do you agree with the proposal to implement new rules on 'stopping the clock' during the penalty fares appeals process? Yes/No. Please provide your rationale having regards to impacts on passengers and additional costs to the industry.

Establishing the independence of appeals bodies

Background

- 1.24** In order to ensure the standard of the penalty fares appeals bodies, the DfT requires them to enforce an approved Code of Practice.
- 1.25** Each Code of Practice states that the appeals bodies must operate independently from any train operator who charges penalty fares when judging the outcome of an appeal.
- 1.26** Concerns have been raised about the fact that IPFAS is a subsidiary of a TOC. This situation has emerged as a result of a changing franchise landscape since privatisation in 1996. Ownership of IPFAS was first transferred from British Rail to Connex South Eastern and now rests with the current route franchisee, Southeastern (part of the Go-Ahead group).
- 1.27** Whilst we do not consider this has had a negative impact on passengers in practice – we are confident that IPFAS has acted objectively and properly in discharging its functions – we believe that if we can make changes to establish its independence without doubt and secure the highest possible standards of transparency we should do so.

Proposed change

- 1.28 The DfT would introduce new rules to the Strategic Rail Authority's (SRA's) Penalty Fares Rules (2002)⁴ that would prohibit TOCs from using appeals bodies that are financially or managerially associated in any way with transport operators or owning groups.
- 1.29 The Code of Practice used by each penalty fares appeal body would require updating to prohibit them from being financially or managerially associated in any way with transport operators or owning groups.
- 1.30 Southeastern and the Go-Ahead group would need to be provided with sufficient notice to arrange the separation of IPFAS.

Impact

- 1.31 TOCs would be required to use an independent appeals body that is financially and managerially independent from transport operators or owning groups.
- 1.32 In recognition of the potential adverse impact, Southeastern would be given until January 2016 to effect the determined change.
- 1.33 If the decision is to maintain IPFAS as an appeal body, Southeastern would be responsible for finding a new buyer.

Q.2 Do you agree with the proposal to establish the independence of all penalty fares appeals bodies? Yes/No. Please provide your rationale having regards to impacts on passengers and additional costs to the industry.

⁴ <https://www.ircas.co.uk/docs/SRA%20-%20Penalty%20Fare%20Rules%202002.pdf>

Establishing a third stage appeal

Background

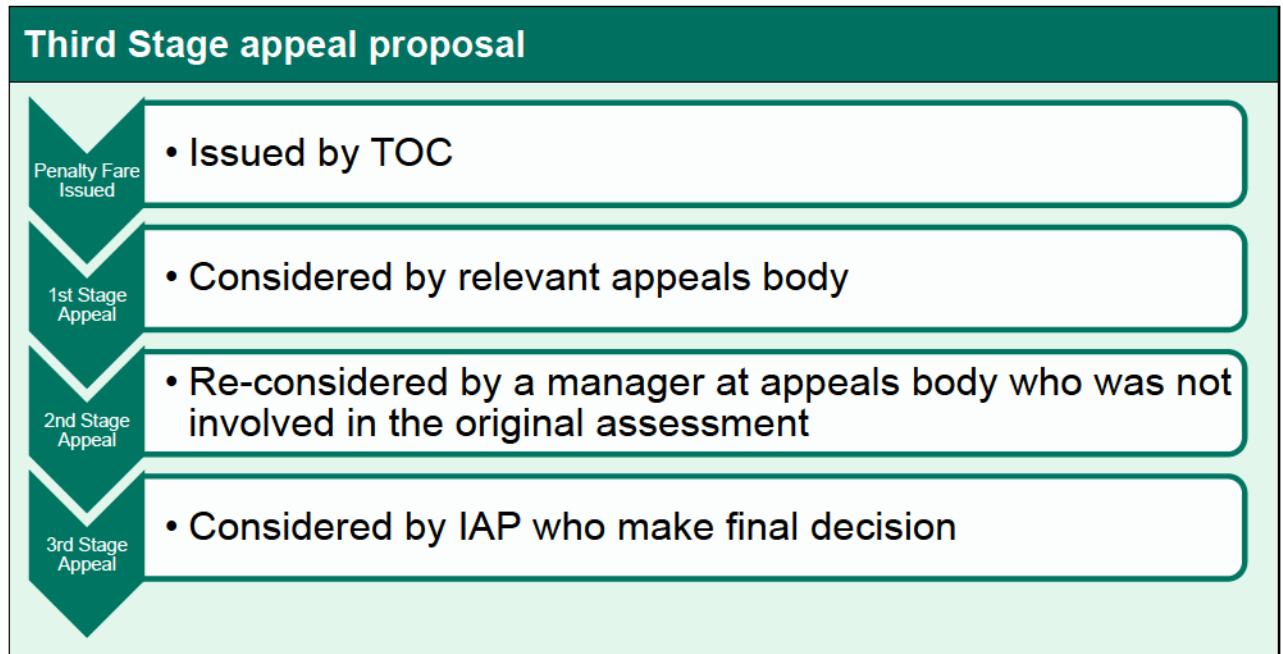
- 1.34** At IPFAS and IRCAS, passenger appeals undergo detailed review by trained members of staff. If a passenger appeals against the first appeals body decision, the case is escalated and reviewed for a second time by a member of the management team who was not involved in the initial review.
- 1.35** Between each stage, passengers have the opportunity to submit any further supporting evidence before the case is re-examined from the beginning. Managers occasionally perform internal audits of the appeals to ensure consistency is maintained.
- 1.36** There is no limit on the number of appeals a passenger is able to make per case. This means in a small number of cases, disputes continue over a considerable length of time.
- 1.37** The penalty fares appeals bodies can refer passengers to relevant watchdogs (Passenger Focus and London TravelWatch) if they wish to raise concerns. The watchdogs do not have the power to overturn decisions, but they can raise issues for consideration.
- 1.38** TfL follow a different three-stage appeal process. The first appeal made by a passenger is reviewed by Independent Appeals Service (IAS).⁵ If the decision of IAS is rejected by the passenger, a second stage appeal is reviewed by the TfL Youth and Penalty Fares Manager. If the decision of this manager is also rejected by the passenger, the case is considered by an Independent Appeals Panel (IAP) who make the final decision.
- 1.39** The IAP established by TfL comprises three persons of suitable standing and expertise. They are entirely independent from TfL, its subsidiaries, contractors, operators and providers. They are appointed by TfL in consultation with London TravelWatch and receive a modest fee for their services. TfL is bound by the decision of the IAP.

⁵ Independent Revenue Collection and Support (IRCAS) and Independent Appeals Service (IAS) are trading names of Independent Transport Associates Limited (registered England & Wales Number: 04784751).

Proposed change

- 1.40** The DfT would update Rule 9 of the SRA's Penalty Fares Rules (2002). The update would include reference to the establishment of a third stage appeal process that all appeals bodies used by TOCs must implement.
- 1.41** The appeals process followed by each TOC would be structured as depicted in Fig. 1. The IAP could comprise three people with relevant expertise and standing, much like the TfL IAP. They would be independent of all TOCs, owning groups and appeals bodies.
- 1.42** TOCs operating a penalty fare scheme would be responsible for ensuring they meet the amended rules. They could work together to establish and fund a nationwide IAP equivalent to provide the final review of appeals or could set up more than one IAP. TfL estimates that IAP members commit to between 12 and 15 days per year to this role.
- 1.43** Like TfL, TOCs could engage with passenger watchdogs to source recommended candidates to sit on the IAP panel to make decisions. The candidates would not be employees of the watchdogs.
- 1.44** Passenger watchdogs would remain unable to overturn decisions on individual cases. However, they could feedback broader concerns to the TOCs, appeals bodies and DfT.

Fig. 1



Impact

- 1.45** This proposal could help to align the two industry processes and reduce confusion amongst passengers choosing to appeal penalty fares. This is particularly the case for passengers using rail services in the London area.
- 1.46** The additional appeals stage would provide passengers with further assurance that their appeal is being dealt with in a fair and consistent manner in line with DfT approved criteria.
- 1.47** The limit on three appeals would end the present situation where a dispute can continue over a considerable length of time with no payment being made. Appeal cases would have a finality. This would make the appeals process clearer for passengers and enable TOCs to be more efficient at revenue control.
- 1.48** Although some costs may be incurred when establishing IAP panels, the cost to maintain the third stage is expected to be small. The DfT does not anticipate many appeals reaching the third stage. IAP members may only be required a few times a year by each TOC and could be paid a modest fee as they are by TfL. TOCs could work together to reduce costs by setting

up a nationwide IAP panel rather than duplicating efforts individually.

- 1.49** It is expected that proposals would cause minimal disruption for IRCAS. They already operate as proposed for TfL and would simply be replicating these processes across the rest of the body. IPFAS may have to amend a number of internal processes to meet the requirements of this proposal.

Q.3 Do you agree with the implementation of a third stage appeal in the appeals process? Yes/No. Please provide your rationale having regards to impacts on passengers and additional costs to the industry.

Q.4 How would the industry establish and fund a third stage appeal? Please provide your rationale having regards to impacts on passengers and additional costs to the industry.

Strengthening DfT oversight

Background

- 1.50** Government oversight on the actions of appeals bodies has intentionally been light touch, in line with previous government policy to filter responsibility to the industry and passenger watchdogs. Although we do not wish to interfere in the detail as processes are working effectively, we would like to gain further confidence on the functioning of the current system through improved access to high level data.

- 1.51** The DfT already has powers to request data from train and station operators, as granted in the SRA Penalty Fares Rules, 2002 under Rule 10.3.

A train or station operator must promptly supply any information or explanations that the [DfT] asks for in connection with charging or a proposal to charge penalty fares. This includes any information needed by the [DfT] to investigate complaints or to confirm that an operator is

following the Regulations and these rules. It also includes any information needed to decide whether to prevent the charging of penalty fares under rule 13, or to exercise the [DfT]'s powers under rule 5.5. If the [DfT] asks a [Transport Watchdog] to help it carry out any investigation connected with penalty fares, the operator must reply to any request for information made by the [Transport Watchdog] as if it was made by the [DfT].

- 1.52** ATOC have suggested periodically publishing appeals figures to reveal the number received and upheld.
- 1.53** In 'Ticket to Ride - an update', Passenger Focus requested that train companies set out how many penalties are issued, for what and how many are overturned. The watchdog has also suggested that appeals should be audited to check appeal body and TOC compliance more closely.⁶

Proposed change

- 1.54** The DfT proposes to request the following data from TOCs to support periodic high level 'health checks' of the appeals system and to enable continuous improvement:
 - a. How many penalty fares have been issued and for what reason (data split by TOC).
 - b. How many penalty fares have been appealed (data split by TOC and reason).
 - c. How many of these appeals have been upheld.
- 1.55** It would be compulsory for TOCs to provide the required data to the DfT at required intervals. This data could provide the DfT with high level oversight of key statistics and confirmation that TOCs and appeals bodies are adhering to their approved Code of Practice and framework. It would also alert the DfT to problem areas so suitable action could be taken.
- 1.56** Where results suggest that there may be poor adherence to the penalty fare rules, TOCs or appeals bodies could first be required to provide an explanation. If this explanation is

⁶ <http://www.passengerfocus.org.uk/research/publications/ticket-to-ride-an-update>

unsatisfactory, TOCs or appeals bodies could be notified of the issues they need to address and set a deadline for change. Sanctions may then be imposed if follow-up reviews show a continuing need for improvement.

- 1.57** TOCs would be required to finance the audit of the penalty fares appeals bodies and procure the services of independent suppliers to do so. This approach has proved successful in the past with the audits of performance statistics under the previous Passenger's Charter compensation regime. This requirement would form part of a TOC's franchise agreement if they are signed up to the Penalty Fares scheme.
- 1.58** ATOC should continue with plans to publish periodic reports on appeals that detail the number of appeals received and number upheld split by TOC.

Impact

- 1.59** The DfT would have high level oversight of the appeals process. Passengers would be further reassured that TOCs and appeals bodies are adhering to their approved Code of Practice.
- 1.60** The DfT estimates the financial impact on TOCs to be minimal. Independent suppliers could be used to audit penalty fares if this process was not already taking place.

Q.5a Do you agree with the proposal to strengthen DfT oversight on the penalty fares and the appeals process? Yes/No. Please provide your rationale having regards to impacts on passengers and additional costs to the industry.

Q.5b How frequently should the audits take place? Please provide your rationale having regards to impacts on passengers and additional costs to the industry.

Removing the threat of criminal sanctions from reminder letters

Background

- 1.61** Passengers who do not immediately pay their penalty fare are often sent reminder letters by TOCs asking for payment.
- 1.62** Concerns have been raised over the threatening tone of some penalty fare payment reminder letters. The DfT is aware of some instances where passengers have been threatened with criminal sanctions inappropriately to encourage the payment of debt.
- 1.63** The non-payment of a penalty fare itself is not a criminal matter. As it is a civil offence, the threat of criminal prosecution to recover debt is inappropriate and misleading.
- 1.64** The non-payment of a penalty fare can be used as evidence to support the case for intention to avoid paying a fare. Under the Regulation of Railways Act 1889 this is a criminal matter that can lead to a fine of £1000 and three months imprisonment.
- 1.65** Appeals bodies can refer unsuccessful appeals back to TOCs with the recommendation of pursuing prosecution for a criminal offence for the non-payment of a penalty fare.
- 1.66** Passengers are notified of the decision of the appeal body by letter. In some cases where the appeal is rejected, TOCs

choose to not pursue individual cases further based on the balance of benefit/cost.

Proposed change

- 1.67** The DfT could issue guidance on the pursuit of penalty fares payment, stating what language is acceptable in reminder letters from TOCs.
- 1.68** The guidance would ask TOCs to make it clear to passengers when civil or criminal sanctions are being pursued and why.
- 1.69** The DfT expects to work with TOCs to ensure staff are suitably trained on the specified guidance, as well as other matters.
- 1.70** TOCs would remain able to pursue criminal sanctions in cases where this is advised by relevant appeals bodies.
- 1.71** If a TOC was found to ignore issued guidance, the Government could withdraw their right to operate a penalty fares scheme.

Impact

- 1.72** This proposal would directly address concerns raised by passenger watchdogs and would prevent inappropriate threats of prosecution from TOCs to passengers.
- 1.73** The removal of the threats from reminder letters could reduce the number of penalty fares that are settled at that stage. The DfT predicts this will impact a small number of cases.
- 1.74** Passengers would be provided with further assurance that their case will be dealt with fairly as references to criminal sanctions would only be raised when appropriate.

Q.6 Do you agree with the proposals to remove inappropriate threats of criminal sanctions from penalty fare payment reminder letters? Yes/No. Please provide your rationale having regards to impacts on passengers and additional costs to the industry.

Additional comments

- 1.75** Comments received in response to this consultation will aid policy formulation. The DfT could implement any combination of the proposals featured in this consultation or work to pursue alternative policies.
- 1.76** The Government welcomes comment on the proposals featured in this consultation, as well as any additional recommendations on how the penalty fares system could be further improved.

Q.7 Do you have any additional comments or suggestions that you believe the Government should consider when examining potential changes to the penalty fares system? Please provide your rationale having regards to impacts on passengers and additional costs to the industry.

What will happen next

A summary of responses, including the next steps, will be published within three months of the consultation closing on website

www.gov.uk/dft

Paper copies will be available on request.

If you have questions about this consultation please contact:

Penalty Fares Consultation
Rail Executive - Passenger Services
Department for Transport
4th Floor - Great Minster House
33 Horseferry Road
London
SW1P 4DR
Telephone 0300 330 3000

Further background information can be found at website

www.gov.uk/dft

Question and answer brief

Below is a list of frequently asked questions about these proposals. If you still have questions after you have read this section please contact:

Email: penaltyfaresconsultation@dft.gsi.gov.uk

or

Penalty Fares Consultation
Rail Executive - Passenger Services
Department for Transport
4th Floor – Great Minster House
33 Horseferry Road
London
SW1P 4DR
Telephone 0300 330 3000

Q.) Why are you consulting again on changes to penalty fares?

The DfT is consulting to address concerns raised by passenger watchdogs and the wider rail industry regarding the fairness, consistency and transparency of the penalty fares appeals process. In 2009, the DfT held a consultation on a proposed increase to penalty fares. This proposal is not currently being pursued.

Q.) When would the proposed changes potentially come into effect?

Changes to the appeals process will be considered on a case-by-case basis and therefore the proposed changes may not be introduced simultaneously. Attention will be paid to the potential impact of proposed changes to stakeholders when setting deadlines.

Q.) The proposed practise of 'stopping the clock' is unusually generous. Could it not promote increased use of the appeals mechanism?

The Government does not believe that passengers should be penalised for exercising their legal right to appeal. IRCAS has already made the choice on business grounds to introduce this provision, and we have noted an increased use in other industries, including the parking industry.

Q.) You have presented five different proposals. Based on consultation responses, would you only be looking to bring in one of these proposals?

The comments received in response to this consultation will aid policy formulation. According to feedback, the DfT could move to implement any combination of the proposals included in this consultation or work to pursue alternative policies.

Q.) Who would fund the third stage appeals process?

This proposal is not yet fully defined. It is likely that the third-stage in the appeals process would be funded by TOCs who choose to operate a penalty fares scheme.

Q.) As an appeals body, we follow our code of practice and appeals scenario criteria as approved by the DfT – why should we now be required to change our ownership?

The DfT does not believe the appeals bodies have taken part in any wrong doing. However, we do see TOC ownership of an appeals body as inappropriate. It fails to meet modern standards of transparency or best reflect passenger interests.

Q.) As part of the third stage appeal proposal, why would you limit the number of appeal stages a passenger can make to three?

By having three clear stages of appeal, the passenger could be further assured their case has been fully and independently reviewed.

At present, a passenger can appeal as many times as they wish. The Government believes that the introduction of a limit on the number of appeals that can be made by an individual would provide a clear end point. This would free resource and allow payment to be pursued more efficiently.

Q.) Why is the DfT seeking to introduce new guidance on how penalty fare payment can be pursued?

Passenger Focus have presented the DfT with evidence of the language currently used in some penalty fare reminder letters. The DfT wishes to ensure that passengers are not misled and the language in letters is appropriate.

Annex A: Consultation principles

The consultation is being conducted in line with the Government's key consultation principles which are listed below. Further information is available at <https://www.gov.uk/government/publications/consultation-principles-guidance>

If you have any comments about the consultation process please contact:

Consultation Co-ordinator
Department for Transport
Zone 1/29 Great Minster House
London SW1P 4DR
Email consultation@dft.gsi.gov.uk

Please do not send consultation responses to this address.

Consultation principles

Departments will follow a range of timescales rather than defaulting to a 12-week period, particularly where extensive engagement has occurred before;

departments will need to give more thought to how they engage with and consult with those who are affected;

departments should explain what responses they have received and how these have been used in formulating policy;

consultation should be 'digital by default', but other forms should be used where these are needed to reach the groups affected by a policy; and

the principles of the Compact between government and the voluntary and community sector will continue to be respected.

Annex B: List of those consulted

- London TravelWatch
- Passenger Focus
- Independent Penalty Fares Appeals Service (IPFAS)
- Independent Revenue Collection and Support (IRCAS)
- Association of Train Operating Companies (ATOC)
- Abellio Greater Anglia Ltd
- DB Regio Tyne and Wear Ltd
- First Greater Western Limited
- Govia Thameslink Railway Limited
- London & Birmingham Railway Limited (London Midland)
- London & South Eastern Railway Limited (Southeastern)
- Merseyrail Electrics 2002 Limited
- NXET Trains Limited (c2c)
- Stagecoach Midland Rail Limited (East Midlands Trains)
- Stagecoach South Western Trains Limited
- Southern Railway Limited
- The Chiltern Railway Company Limited
- Transport for London (TfL)
- Ministry of Justice
- Office of Rail Regulation
- Passenger Transport Executive Group
- Welsh Government