# Train operators face scrutiny over harsh penalties for minor ticket errors amid complex fare system



Train operators in the UK have come under fire for what an inquiry has described as "disproportionate action" against passengers without valid tickets, amidst criticism of the country’s unnecessarily complex fare system. The probe conducted by the Office of Rail and Road (ORR) has highlighted a troubling trend where inconsistent treatment and outcomes for similar ticketing issues have become prevalent across the rail network.

Commissioned by former transport secretary Louise Haigh, the investigation sought to address public outcry following several high-profile cases where passengers faced severe penalties for minor errors. One particularly egregious case involved a passenger who inadvertently selected a wrong railcard discount and was threatened with prosecution. Following intervention from their local MP, the case was ultimately dropped, but it raised serious questions about the proportionality of the penalties imposed.

The ORR's findings pointed out that while many passengers may innocently travel without valid tickets due to simple mistakes—such as forgetting their railcard—these same reasons could be exploited by those attempting to fare evade. This duality complicates the role of rail staff, who often struggle to discern a passenger's intent when addressing fare discrepancies. The report noted that the current legal framework under railway byelaws categorically states it is an offence not to have a valid ticket, which has led to scenarios where even innocent errors result in stringent enforcements against unsuspecting passengers.

Moreover, the inquiry revealed growing frustrations among rail staff, who noted that fare evasion appears to have become "normalised" among certain groups of passengers. This cultural shift, alongside the convoluted fares system, has resulted in an environment where tackling fare evasion has become increasingly challenging. ORR director of strategy, policy and reform, Stephanie Tobyn, asserted that while strict revenue protection measures are vital for the industry’s sustainability, the accompanying enforcement must also be fair and proportionate to protect vulnerable passengers.

In response, Rail Minister Lord Hendy has pointed to the systemic issues that have arisen from decades of privatisation of the railway. He argued that the resultant lack of coherent oversight has fostered an environment of inconsistency, leading to frustration among passengers. The new initiative to centralise and streamline fare enforcement through the establishment of Great British Railways aims to alleviate these concerns and provide clearer guidelines in terms of passenger treatment during prosecutions.

This review of fare evasion policies will step up scrutiny on the practices of train operators. Following a court’s doubts regarding up to 75,000 criminal convictions related to fare evasion, several operators including DfT OLR Holdings and FirstGroup have begun to revisit earlier prosecutions. As they halt future actions under the offending single justice procedure, there is a potential for the quashing of fines, signalling a shift towards greater accountability in fare-related actions.

Engagement with passengers is also being prioritised; the ORR is reaching out to those who have faced penalties to better understand their experiences. This feedback will play a crucial role in shaping a more equitable system moving forward.

As the railway system grapples with ongoing fare evasion incidents—which cost tax payers an estimated £400 million annually—the balancing act between cracking down on deliberate fare dodging and ensuring the fair treatment of passengers is more critical than ever.

### 📌 Reference Map:

* Paragraph 1 – [[1]](https://www.irishnews.com/news/uk/rail-firms-taking-disproportionate-action-against-passengers-over-ticket-rules-57RRDBYUSFOUTN7WEDAXNZPUAE/), [[4]](https://news.sky.com/story/train-companies-to-face-review-over-how-they-prosecute-rail-fare-evasion-13253531)
* Paragraph 2 – [[1]](https://www.irishnews.com/news/uk/rail-firms-taking-disproportionate-action-against-passengers-over-ticket-rules-57RRDBYUSFOUTN7WEDAXNZPUAE/), [[2]](https://www.ft.com/content/aa06fe5f-97ca-485d-839d-9084c24ac872), [[5]](https://www.standard.co.uk/news/uk/louise-haigh-government-office-of-rail-road-transport-secretary-b1193710.html)
* Paragraph 3 – [[3]](https://www.ft.com/content/6609dae0-1084-4000-989d-054541969014), [[6]](https://www.standard.co.uk/news/uk/orr-louise-haigh-rail-delivery-group-department-for-transport-b1200150.html)
* Paragraph 4 – [[6]](https://www.standard.co.uk/news/uk/orr-louise-haigh-rail-delivery-group-department-for-transport-b1200150.html), [[7]](https://www.bbc.co.uk/news/articles/ckg0l8r3zy1o)
* Paragraph 5 – [[2]](https://www.ft.com/content/aa06fe5f-97ca-485d-839d-9084c24ac872), [[4]](https://news.sky.com/story/train-companies-to-face-review-over-how-they-prosecute-rail-fare-evasion-13253531)

Source: [Noah Wire Services](https://www.noahwire.com)

## Bibliography

1. <https://www.irishnews.com/news/uk/rail-firms-taking-disproportionate-action-against-passengers-over-ticket-rules-57RRDBYUSFOUTN7WEDAXNZPUAE/> - Please view link - unable to able to access data
2. <https://www.ft.com/content/aa06fe5f-97ca-485d-839d-9084c24ac872> - In November 2024, UK ministers initiated a review into how train operators handle fare evasion prosecutions. Transport Secretary Louise Haigh directed the Office of Rail and Road (ORR) to assess the appropriateness of prosecutions, especially in cases of minor ticketing errors. This move followed concerns over disproportionate actions by some train companies, which ranged from issuing fines to court prosecutions, potentially resulting in criminal records for passengers. The review also aimed to address issues stemming from the UK's complex ticketing system, with the government committing to simplify the fare structure as part of broader railway reforms.
3. <https://www.ft.com/content/6609dae0-1084-4000-989d-054541969014> - In June 2024, ten UK train operators began reviewing thousands of fare evasion prosecutions dating back years. This action followed a court casting doubt over the validity of approximately 75,000 criminal convictions. The review was prompted by concerns that the 'single justice procedure' (SJP) was unlawfully used for fare evasion cases under the Regulation of Railways Act 1889. Some operators, including DfT OLR Holdings and FirstGroup, halted new cases under the SJP and are reviewing past prosecutions. The review could lead to the quashing of fines and reversal of enforcement actions, though the exact number of affected cases remains uncertain.
4. <https://news.sky.com/story/train-companies-to-face-review-over-how-they-prosecute-rail-fare-evasion-13253531> - In November 2024, UK train companies faced a review over their prosecution and enforcement of rail fare evasion. Transport Secretary Louise Haigh tasked the Office of Rail and Road (ORR) to examine how fare evasion is handled, focusing on the clarity of ticketing terms and conditions and the appropriateness of prosecutions. The review aimed to address concerns that some train operators were taking disproportionate actions against passengers who made innocent mistakes, often due to the complex ticketing system. The government emphasized the need to balance combating deliberate fare-dodging with fair treatment of passengers.
5. <https://www.standard.co.uk/news/uk/louise-haigh-government-office-of-rail-road-transport-secretary-b1193710.html> - In November 2024, the UK government ordered an independent review of rail fare prosecutions and enforcement. Transport Secretary Louise Haigh announced that the Office of Rail and Road (ORR) would analyze how suspected fare evasion is handled, including assessing whether ticketing terms and conditions are clear for passengers and when prosecution is appropriate. This decision followed claims that train operators were taking disproportionate action against passengers, particularly in cases involving minor ticketing errors. The review aimed to ensure fair treatment of passengers while addressing fare evasion effectively.
6. <https://www.standard.co.uk/news/uk/orr-louise-haigh-rail-delivery-group-department-for-transport-b1200150.html> - In December 2024, the Office of Rail and Road (ORR) began a review of train fare prosecutions, seeking input from passengers who had been penalized or prosecuted for traveling without the correct ticket. The review aimed to understand how these cases were handled and to assess the fairness and consistency of enforcement practices. Passengers were invited to share their experiences through a questionnaire, contributing to the ORR's analysis of how suspected fare evasion is dealt with. This initiative was part of a broader effort to ensure fair treatment of passengers and address concerns over disproportionate actions by train operators.
7. <https://www.bbc.co.uk/news/articles/ckg0l8r3zy1o> - In November 2024, an independent review of rail fare evasion penalties was announced following reports of train companies taking disproportionate action against passengers who made innocent mistakes. Transport Secretary Louise Haigh tasked the Office of Rail and Road (ORR) to examine how prosecutions and enforcement for rail fare evasion are handled. The review aimed to address concerns that some train operators were prosecuting passengers over minor ticketing errors, often due to the complex ticketing system. The government emphasized the need to balance combating deliberate fare-dodging with fair treatment of passengers.