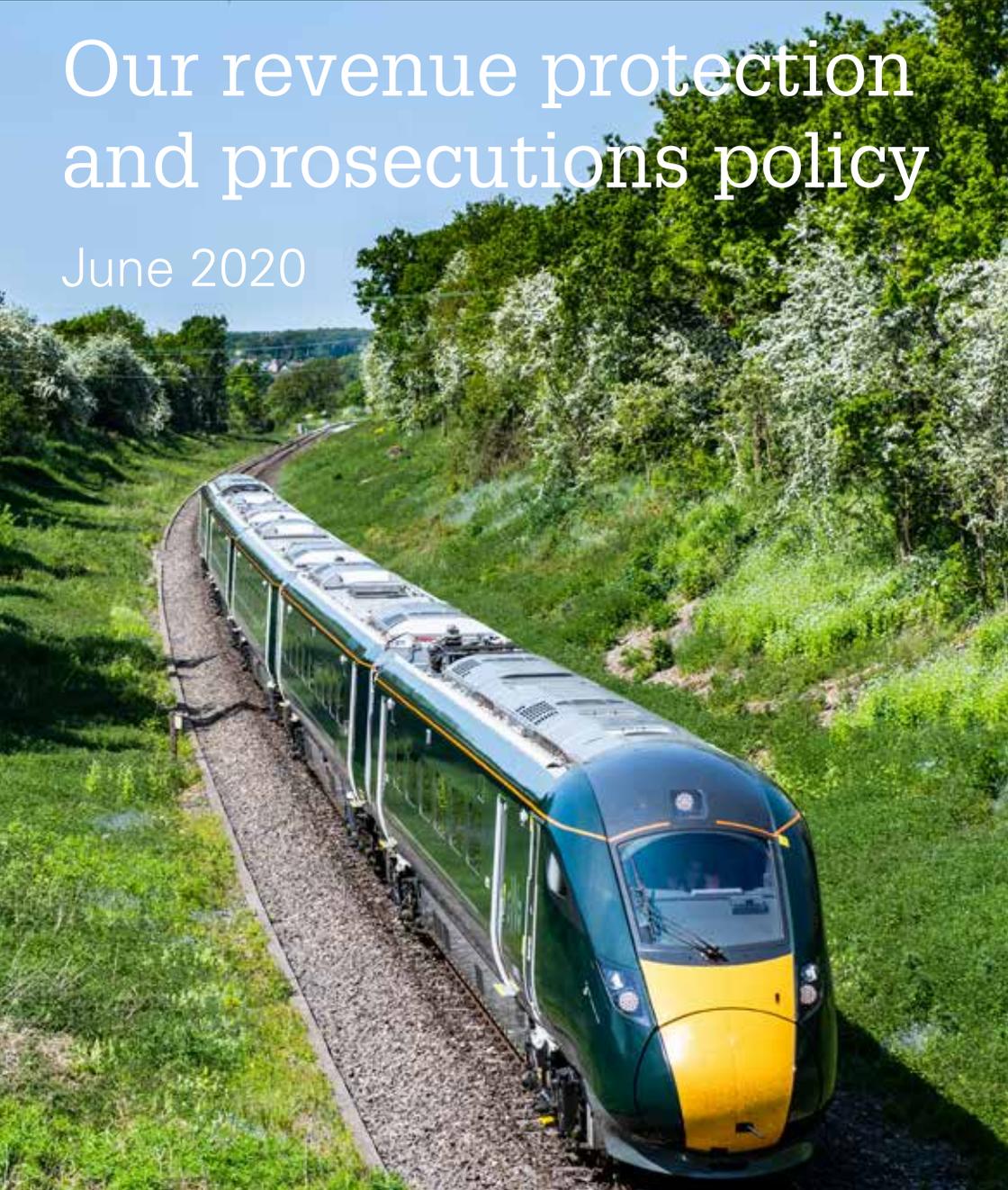




Great  
Western  
Railway

# Our revenue protection and prosecutions policy

June 2020





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# Our revenue protection and prosecutions policy

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This policy gives you everything you need to know about how we make sure our customers pay the right fare for their journey.

The policy follows the National Rail Conditions of Travel. This sets out what to expect from us, your responsibilities when you travel, and what could happen if you don't travel with a valid ticket.

If you'd like a copy of this policy, ask our Customer Support team.

Write to

**Freepost GWR CUSTOMER SUPPORT**

Call

**03457 000 125\***

Email

**GWR.Feedback@GWR.com**

We want to make sure everyone who travels with GWR pays the right fare for their trip. Our Revenue Protection and Prosecutions Policy helps us protect the customers who do, and deal with the customers who don't firmly and fairly.

# What you can expect from us

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## When you need a ticket

We give you the chance to buy a ticket for your journey from the station you leave from. If your station does not have ticket facilities, or they're not working, you can get your ticket on the train from a conductor at the same price.

## When we check your ticket

Our conductors, train managers and revenue protection inspectors check tickets at our stations and on our trains. So please keep yours with you for your whole journey – until you leave your destination station – in case we ask to see it.

There are times when our inspectors run special exercises where they work in plain clothes. So, you will not always be able to recognise them.

## If you did not buy a ticket

We have staff specially trained to deal with fare evasion and revenue protection and fraud. Some of them can conduct interviews under caution and report people to our Prosecutions department.

If you did not buy a ticket when you had the chance, what happens next will depend on which member of staff asks to see your ticket.

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**If you are stopped by an inspector, they may:**

- Charge you a full price Anytime ticket for your journey (with no discount).
- Report you to our Prosecutions department – which could mean you have to go to court.

**If you are stopped by a train manager or conductor, they may:**

- Charge you a full price Anytime ticket for your journey (with no discount).
- Give you an Unpaid Fare Notice.

We also have Ticket Examiners who can issue Unpaid Fare / Penalty Fare Notices, as well as charge full price Anytime ticket for your journey (with no discount).

# What we ask of you

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## Buy Before You Board

We operate under the Railway Byelaws. This means you must buy a valid ticket before you board our trains.

You can find out more about our range of tickets – and how to avoid things like penalty fares – in our Buy Before You Board Policy. It's available at all of our ticket offices and at [GWR.com](http://GWR.com)

## Buy your ticket as soon as you can

If there is an open ticket office or a working ticket machine at the station, or you are using an app or internet- then you must buy your ticket before you get on the train.

It's your responsibility to get to the station with plenty of time to buy your ticket.

If you can't buy a ticket before you travel, please try on the train, at a station you're changing at or, if there's no other option, your destination station.

If you don't buy a ticket when you have the chance, it may seem like you tried to avoid paying.

## For restrictions and discounts

If your ticket has restrictions, you must follow them. Only travel on a train with a ticket that is valid for that train at that time of the day.

If you buy a ticket using a Railcard discount, then you must show the Railcard and photocard with your ticket. It is your responsibility to carry it with you and show it when we ask you to.

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## Railcards

You aren't entitled to any discounts if you can't show us your Railcard when we ask to see it, we will ask you to buy a different ticket. We may give you an Unpaid Fare / Penalty Fare Notice, or report you to our Prosecutions department – which could mean you have to go to court.

If you own a Railcard, but have forgotten it, you can send a copy of it to our Prosecutions department where we'll review your case.

### **If you don't have a valid ticket**

If you can't show us a valid ticket for your journey, we may:

- Charge you the full price ticket.
- Give you an Unpaid Fare / Penalty Fare Notice.
- Report you to our Prosecutions Department.

### **If we ask for your details**

Our staff can ask you for your name and address if they think you have not paid the right fare. Please give them the right details – it's against the law to refuse or give the wrong details.

If you systematically or persistently travel without a ticket or without a valid ticket:

We will consider this to be a fraud matter and we will instigate a criminal investigation into your actions. You could end up in court as a result.

# Unpaid fare notices

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## We may issue an Unpaid Fare Notice

If you travel without the right ticket but can't pay when we ask you to.

### How to pay

You have 21 days to pay the amount shown on your notice. We won't charge you any extra costs in that time.

### There are four ways you can pay:

1. Pay online at **GWR.com/RevenueProtection**
2. Take your Unpaid Fare Notice to any GWR ticket office and pay by cash, debit or credit card (we don't accept cheques at our ticket offices).
3. Fill in the card payment slip on the Unpaid Fare Notice and send it to:  
**GWR UFN Department NE0205**  
**Vastern House**  
**Reading Station**  
**RG1 8FP**
4. Call our telephone payments line on **0118 3383 764\***

### If you don't pay on time

If you don't pay within 21 days, we'll send a reminder and give you another 14 days to pay. We'll also add an admin fee.

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## If you don't pay after the extra 14 days

We will pass your details to our Prosecutions department so they can start preparing for court. You can expect to get a summons about 14 days before your court date. There is more about this on page 11.

You can dispute the notice. We give you all the details of how to do this on the notice.

You need to write to:

**GWR UFN Department NE0205**  
**Vastern House**  
**Reading Station**  
**RG1 8FP**

You need to do this within 21 days of the date you got your notice, and include:

- A copy of the notice.
- Details of why you could not show a valid ticket or authority to travel when we asked you.
- The station you started your journey.
- The time and date of your trip.
- Any other relevant information.

# Penalty fare notices

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## If you travel in a penalty fare area from a penalty fare station without buying a valid ticket

We may issue you with a Penalty Fare Notice. This means you'll have to pay £20 or twice the full single fare to the next station, whichever is more.

If you want to continue your journey after the next station, you will have to buy a full priced single ticket for the rest of your trip or get off at the station on your notice. There you can choose from a range of tickets as if you were starting your trip from that station.

### How to pay

You have 21 days to pay the amount shown on your notice. We won't charge you any extra costs in that time.

### There are four ways you can pay:

1. Pay online at **GWR.com/RevenueProtection**
2. Take your Penalty Fare Notice to any GWR ticket office and pay by cash, debit or credit card (we don't accept cheques at our ticket offices).
3. Fill in the card payment slip on the Penalty Fare Notice and send it to:

**GWR PFN Department NE0205  
Vastern House  
Reading Station  
RG1 8FP**

4. Call our telephone payments line on **0118 3383 764\***

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## If you don't pay on time

If you don't pay within 21 days, we will add an admin fee to the amount you need to pay – unless you have submitted an appeal. We'll send you a reminder after 21 days and give you another 14 days to pay. If you don't pay the penalty and extra admin fee after this, you can expect to get a summons to go to court. There is more about this on page 11.

### **You can appeal against the notice**

Although we issue and manage Penalty Fare Notices, The independent Appeals Service (managed by ITAL) handles any appeals. If you want to appeal, you need to write appeal to The Appeals Service within 21 days of the date you got your notice.

### **You should include details of:**

- Why you could not show a valid ticket or authority to travel when we asked you.
- The station you started your journey.
- The time and date of your trip.
- Any other information relevant to your appeal.

### **You can submit your appeal in two ways:**

- At **[www.appealservice.co.uk](http://www.appealservice.co.uk)**
- To: The Appeals Service, PO Box 212, Petersfield, GU32 9BQ.

# What could happen if you do not pay your fare

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If we think you have avoided, or tried to avoid, paying the right fare for your journey, we may:

- Interview you under caution, in line with the Police and Criminal Evidence Act (1984).
- Pass your details to our Prosecutions department, in line with the Regulation of Railways Act (1889) and the Railway Byelaws.

If our Prosecutions department gets a report about you, they will write to you with details of what will happen next.

## **What does 'Interview you under caution' mean?**

If we think you avoided paying your fare, we might formally interview you and record your answers. If we do, we will caution you before we ask any questions, so you understand what's happening.

## **We'll do our best to settle out of court.**

Prosecution can have serious consequences on your personal and professional life. So, if you don't pay your fare, we will do everything we can to avoid taking you to court.

We'll probably send you an offer to settle out of court – usually asking you to pay an amount to cover your fare and our costs.

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## How to accept our offer

We'll give you 21 days to accept our offer to settle out of court. You can accept by paying the amount we've asked for.

### **There are two ways you can pay:**

1. Pay online at **GWR.com/RevenueProtection**
2. Call our telephone payments line on **0118 3383 764\***

### **Deciding to go to court**

Prosecution is normally a last resort and we look at every case individually. But there are times when we prosecute without trying to settle out of court first. This is usually when a customer has been reported to our Prosecutions department before.

We never take our decision to prosecute lightly. We will only go ahead if there is a high chance of a conviction and it is in the best interests of justice.

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## What happens if we go to court

You will get a court summons about two weeks before the date of your hearing in court. This will include:

- The details of the court hearing.
- A copy of the evidence we will rely on for the court hearing.
- Forms you can send to the court to tell them how you plead to the charges if you can't go, or do not want to go, to the hearing.

### **Contact our Prosecutions department**

You can still contact the Prosecutions department when you receive the summons if you want to discuss your case.

Email: **GWRProsecutions@gwr.com**

Open Monday to Friday 0900 to 1700  
(excluding bank holidays).

### **The maximum sentences for not paying your fare**

If you are found guilty of fare evasion in court, you will receive a sentence from the magistrates. The sentence you get depends on the offence and your explanation of what happened, as well as the magistrates.

If you are found guilty under the Railway Byelaws, you may have to pay a fine of up to £1,000. If you are found guilty under the Regulation of Railways Act, you may have to pay a fine of up to £1,000 and/or go to prison for up to three months.

You may also have to pay other charges if they apply to your offence. An example of another charge is a Victim Surcharge.

Being convicted of fare evasion could mean you get a criminal record as well. This could make it difficult for you to get a job, as well as other things like credit, insurance and visas for foreign travel.

### **You may have to pay our costs**

Whenever we go to court, we seek to recover our costs as well as claiming compensation for the unpaid rail fare.

We aim to make sure our genuine and honest fare-paying customers are not affected by the costs of tackling fare evasion. If our claim is successful, the court may order you to pay our costs.

### **Fraud**

People who persistently travel on our trains without a ticket or without a valid ticket may be subject to further and more detailed criminal investigation for offences of fraud under the Fraud Act 2006. If convicted for a fraud offence you could receive a sentence of up to 10 years in prison and or a fine.

GWR will actively investigate all instances of suspected fraud and will either refer matters to the police for consideration or prosecution or pursue private prosecutions where appropriate.



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# If you are unhappy

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## Speak to our Prosecutions department

If you aren't happy with the way we are handling your case, or you have any details you think will help, please email our Prosecutions department at **GWRProsecutions@gwr.com**

If you do not contact us, you may not have the chance to talk about your case before you go to court.

## Call our Customer Support team

If you are unhappy with the way any of our staff have treated you, please get in touch with our Customer Support team.

Call: **03457 000 125\***

Email: **GWR.Feedback@GWR.com**

Write: **Freepost GWR CUSTOMER SUPPORT**

Our Customer Support team can't help with cases though. You'll still need to resolve that with our Prosecutions department.

## Get in touch with Transport Focus

If you are still unhappy with how GWR has handled your case, you can get in touch with Transport Focus – an independent watchdog for transport users. They may be able to give you some advice or help you with any queries about your case.

Call **0300 123 2350\***

Go to **[www.transportfocus.org.uk](http://www.transportfocus.org.uk)**

\*Standard network charges may apply.

Calls from mobile numbers may be higher.



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