Penalty fares and prosecutions

Passengers who have incurred a penalty fare are often upset as they feel they have been accused of wrongdoing. London TravelWatch is not an official penalty fares appeals body but we recognise the stress and frustration that these can cause passengers and we have created this guide to answer some frequently asked questions.

What is a penalty fare?

A penalty fare is not a fine. It can be charged if a passenger fails to show on demand a validated Oyster/contactless payment card or valid ticket for the journey they are making.

The cost of the journey was only a few pounds. Why is the penalty fare so high?

Huge amounts of revenue are lost because fares have not been paid. The cost of the penalty fare is set to a high amount to be a deterrent and is set by the Department for Transport for Rail and Transport for London for the London modes. A lower cost is usually accepted if the penalty fare is paid within a specified timescale.

Why can't I just pay for the ticket?

Tickets must be purchased or Oyster/contactless must be validated before boarding the service (or with the driver on London's buses). A penalty fare is issued because a ticket was not available when requested or Oyster/contactless payment was not made before the journey began.

I couldn't find my ticket/Oyster/contactless payment card when the ticket inspector asked to see it so I was issued a penalty fare. But I know that I had paid.

A ticket inspector needs to see that a ticket has been purchased or an Oyster/contactless payment has been validated for the journey you are making. If a passenger fails to show this, a penalty fare may be issued. However, you can show your journey history when you appeal to demonstrate payment has been made. Bank statements are not accepted.

A staff member told me to board (without a ticket)

The penalty fare guidelines say that

In situations where a person appears to be acting for or on behalf of a train Operator, it is advisable for a customer to make a note of the person who has indicated travel is allowed; such as name (if a name badge is worn), physical description and where on the station they are located (outside ticket office, at the gates etc.). This can assist with later verification or appeal.

However, without the evidence of information provided by a staff member, it is difficult to use this as part of an appeal.

I have been issued a penalty fare. What do I do now?

All those who have incurred a penalty fare have the right to appeal to an independent penalty fares body three times. The third appeal will be heard by an independent panel. Details of how to appeal for the first stage will be given on your penalty fare notice. The subsequent correspondence will detail how to continue with this process.

All appeals must be made within the timescales given. If the timescales are not met, your appeal may be refused and you may not be allowed to continue to the next stage.

I did not appeal/pay in time and now there have been charges added and I can no longer appeal.

Further charges can be added if the appeal process is not followed or payment has not been made.

I have gone through the three stages of appeal but they have all been rejected. Can I still pay the lower amount?
Yes. You can pay the lower amount if you have followed all the appeal timelines. Transport providers have different times by when payment must be made so please check all letters and communications carefully.

I can prove that I have paid as the payment is recorded on my bank statement.
Bank statements show that payment has been made to TfL. They do not show the journey made and do not provide evidence that payment has been made for an individual journey.

I appealed online then did not hear anything further. I am now being asked to pay an increased amount.
This may be because your email was not received, or that the penalty fare appeal body has responded but this was diverted into your spam folder. The penalty fare appeals organisations advise people to add their email address to your contacts or safe senders list so follow-up notices do not go to spam. Alternatively, the status of any appeal can be viewed by logging in and entering the information prompts.

I appealed online and did not realise it had been rejected as the response went into my spam folder.
At the point of appealing online, there is information regarding responses being automatically diverted to spam folders and how to prevent this happening.

The gateline was open and I forgot to touch in. I shouldn't have to pay the penalty fare because if the gates were closed I would have remembered.
It is a passenger's responsibility to pay for the fare before they travel by having the correct ticket or validating their Oyster/contactless payment card.

I know I touched in and the CCTV footage at the station/on the bus will show this.
The CCTV cameras in London are for security purposes. They do not focus on gatelines or readers and will not be able to provide evidence that an Oyster or contactless payment card has been validated or if a paper ticket was used. However, your Oyster/contactless journey history will show that you touched in and this can be used to support your appeal.

The staff member was rude.
Please make any staff complaints directly to the transport provider so they can investigate your concerns. This is considered completely separate from your penalty fare appeal.

The name on my penalty fare notice is spelt incorrectly. Does this invalidate the penalty fare?
No. Minor errors such as spelling mistakes will not invalidate a penalty fare.

I can't afford to pay the penalty fare.
Please advise the independent appeal body of any financial hardship at the first point of your appeal and you may be offered a payment plan.

I ignored the penalty fare I was issued and am now receiving letters demanding payment of an increased fine/threatening court action.
Fare evasion is taken very seriously. Please do not ignore any letters or emails sent to you regarding your penalty fare.

I think this is wrong and I refuse to pay/appeal.
Non-payment of fares is taken very seriously. If the penalty fare remains unpaid, the transport provider may choose other options to recover the outstanding amount.

Why can't London TravelWatch overturn this penalty fare? What's the point of London Travelwatch?
London TravelWatch is not an official penalty fare appeal body because there are independent appeal companies in place.

Other revenue protection

The inspector took my details but did not give me any paperwork.
If you do not have a ticket or validated Oyster/contactless payment for the journey you are making, the inspector may decide to report this to the Revenue Protection team. They will decide how they wish to proceed and contact you directly.

I was using someone else's Zip card/concessionary travel card. My details have been taken and the card has been confiscated.
Concessionary travelcards such as a child's Zip card can only be used by the card holder. If you are found to be using a card that is not in your name, the card may be confiscated and the holder will need to ask TfL if they are willing to return it. The person found to be using someone else's concessionary card will usually be subject to a penalty fare or other revenue protection process.