Independent review of train operators' revenue protection practices

Annex B: Timeline

Table B.1 Timeline of developments in revenue protection since 1999

Date	Event
January to May 1999	New byelaws for each TOC are gradually issued. This follows an extensive consultation exercise over preceding years to develop a new 'framework' of byelaws by the industry. This framework introduces the current wording for byelaw 18, making it an offence not to hold or present a valid ticket. The byelaws come into effect in December 2000.
7 July 2005	The Railway Byelaws 2005 come into force, replacing various separate byelaws established by individual TOCs and other historical railway byelaws. These provide for a more consistent and joined up approach, establishing a single set of byelaws for the mainline network.
5 October 2011	Transport for London (TfL) introduces its own railway byelaws for services and stations run by or on behalf of TfL (with the Railway Byelaws 2005 ceasing to apply – though the travel and fares provisions are

Date	Event
	essentially the same).
22 May 2012	Transport Focus (then known as Passenger Focus) publishes 'Ticket to Ride'. Informed by the experiences of passengers accused of travelling without a valid ticket, this sets out various concerns with how revenue protection is operating, including the use of penalty fares and prosecutions, and makes some recommendations for improvements.
May 2013	The ATOC Approved Code of Practice: Arrangements for travel ticket irregularities is published. The intention of this is to provide for ticket irregularities to be managed in a structured and consistent way by TOCs. It follows on from the Ticket to Ride publication the preceding year.
18 January 2014	The Merseyrail Railway Byelaws 2014 come into effect, introduced by Merseyrail to apply to the stations and services it operates (with the Railway Byelaws 2005 ceasing to apply to these – though the travel and fares provisions are essentially the same.
3 February 2015	Transport Focus publishes 'Ticket to Ride – an update', a follow-up to its 2012 report. As well as noting a number of issues that remain to be resolved, it sets out some further recommendations following its research.
14 April 2016	The 2016 Order, empowering TOCs to use the fast-track Single Justice Procedure (SJP) to prosecute offences under railway byelaws, takes effect.

Date	Event
6 April 2018	The Railways (Penalty Fares) Regulations 2018 come into effect, establishing – among other things – a third and final stage appeal option for those issued with a penalty fare. This involves an independent panel and is intended to provide greater protections for innocent passengers who make a mistake. (These do not apply to Scottish only services or those operated by or on behalf of the Scottish Government.)
14 June 2018	The Welsh Ministers (Transfer of Functions) (Railways) Order 2018 comes into effect, devolving further responsibilities from the UK Government to the Welsh Government. These include responsibility for issuing railway byelaws and any regulations relating to penalty fares for Welsh-only services or services provided for or on behalf of the Welsh Government.
3 February 2020	Transport Focus publishes a report setting out concerns regarding penalty fare appeals, which includes proposals for improvements to make the system more robust in terms of its fairness, independence and consistency.
23 January 2023	The Railways (Penalty Fares) (Amendment) Regulations 2022 come into effect. The principal change is to increase the level of penalty fare. However, this relates only to England, reflecting earlier devolution to the Welsh Government in 2018 (though in any case, penalty fares are not widely rolled out on Transport for Wales services until 2024).
Early 2024	Northern Trains brings the question of the lawfulness of using the SJP to prosecute under RoRA to DfT's attention.

Date	Event
March 2024	DfT began contacting TOCs, asking them to confirm whether they had used the SJP to prosecute RoRA offences. DfT then engaged the Ministry of Justice, which asked HMCTS to explore how the unlawful prosecutions could be remedied. DfT then worked closely with HMCTS to identify the TOCs involved and how many cases they had. This led to several test cases being brought to court, which were first heard in July 2024.
15 August 2024	Following the initial hearing in July, the Chief Magistrate quashes six convictions for fare evasion that were prosecuted under the SJP. This leads the way for just over 59,000 such convictions to be quashed over the following months. These attract significant media interest.
Autumn 2024	Various stories of individuals being prosecuted or threatened with prosecution for minor or apparently innocent breaches of the rules gain public attention.
13 November 2024	The then Secretary of State for Transport commissions ORR to carry out a review into revenue protection.
15 January 2025	Transport Focus proposes a set of initiatives regarding revenue protection practices to improve the experience of passengers.
6 March 2025	The Ministry of Justice consults on proposals to improve oversight and regulation of private prosecutions, including the use of the SJP. This applies to all private prosecutors, including TOCs.

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