Abigail Grenfell   Open Rights Group
Licensing and Network Regulation   LG.G05, Langdale House
One Kemble Street   11 Marshalsea Road
London, WC2B 4AN   London SE1 1EN

RE: Passenger Information Consultation

Dear Ms Grenfell

The Open Rights Group is a leading civil society organisation campaigning for a rights based approach to information and communication technologies. After extensive consideration and research we have come to the conclusion that data produced by public sector or organisations carrying out some public service should be made freely available. This includes free reuse and provision in an accessible format.

In response to the questions you ask for consultation, we will engage selectively where we can make a useful contribution.

1.   Do you agree that there is a lack of clear accountability in the current framework for providing information to passengers?

During our work on transport data, supporting independent developers of information systems, we have encountered a clear lack of accountability for the provision of information.

Integrated information and live data feeds must be delivered overall despite the fragmentation of the network, and the current model has not performed well. Independent application developers we are in communication with, are currently bypassing NRE to obtain the information directly from operators. This brings into question the role of NRE, and who is responsible for providing an accurate full picture beyond one franchise or line.

2.   Do you agree that licences are the best place to set out aligned accountabilities for providing information?

ORG does not have a preferred view on licenses versus industry regulation, as long as the objective of improving the information to users is achieved.

3.   *Do you agree the split of responsibilities described is sensible?*

In relation to the split of responsibilities for information provision between train operators, Network Rail and station operators, we agree with the recommendation, but with caveats in relation to integration as seen above.

4. Are there any other changes in the way the industry handles information for passengers that would complement new licence obligations and help the industry deliver the needed improvements?

The provision of information about service disruption in our view should not be the only focus of live information. By the time there is a transport crisis is too late for users to find out how to best obtain the information they need. We need a change in attitudes to and practices around live transport information to ensure users can plan ahead proactively and not simply react.

We believe that the Darwin system, or any reliable similar source, live feed should be made publicly available online at all times, not just to station boards. This would allow third party development of channels that would ensure users receive the information in the most suitable way. These could range from mobile applications, web integration, dedicate appliances, etc.

Current models of in house provision of information through a limited number of websites, or restrictive exclusive licensing to individual application developers unavoidably limit the reach to rail users. During the last winter snow rail disruption many users were relying on private Twitter messaging for live updates. Charging rail users typically £60 per year for accessing information via existing mobile phone apps licensed by NRE seems excessive, unnecessary and difficult to justify, particularly if the information is not up to date, as shown in your research.

5. Do you have any suggestions to improve the proposed licence drafting?

Independently of the lines of responsibility, additionally we would like to see an obligation for the information or data feeds to be made available for reuse under an open license (as in www.opendefinition.org), and also for the technical formats to be accessible and based on open standards for easy interoperability with third party distribution channels.

7. What impact do you think these proposals would have?

Transport data and information is very high in our agenda as it is an excellent example of digital technologies potentially having an immediate positive impact on the quality of life of citizens. It also enables a very direct public scrutiny of quality of services.

Research from the University of Washington on live local transit information shows clear evidence of positive effects:

"strongly increased overall satisfaction with public transit, decreased waiting time, increased transit trips per week, increased feelings of safety, and even a health benefit in terms of increased distance walked when using transit."

(http://trid.trb.org/view.aspx?id=1091413)

While some of these results will not be directly transferable to national rail, we believe there will be overall positive effects.

Making the data publicly available would have positive effects in terms of competition and innovation.

We can see this form the experience of Transport for London. The open data initiative in the London data store shows that transport data has the highest demand of all the data available. Several companies are developing products based on this data.

Also, during a recent consultation we attended with the Cabinet Office around the creation of a Public Data Corporation it was felt very strongly on the part of both civil organisations and businesses that transport data should be made available despite the issues involving third party private companies. This was ranked as a priority.

8. What extra information about how these conditions would work in practice would be useful?

Proposals to increase the obligation, speed and quality of information exchange for all parties in the licenses are to be welcome, but it seems the focus of the consultation may appear too centred on the internal operations of the network, important as these may be, rather than the aim of improving the end service to users and their experience.

In order to ensure the reforms achieve their desired objective, we strongly believe the reality that users will receive rail information from a variety of channels -- rather than just station boards or franchise websites -- should be recognised, and an open system should be designed around this reality.

Please do not hesitate to contact us for further information or clarifications.

Best regards, Javier Ruiz

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