

Meeting of Passenger Advisory Panel

Minutes

Meeting date: 16/10/2025

10:00 – 12:00 Held virtually

Present:

Susan James – London TravelWatch (Chair)
Katherine McGowan-Downey – Transport Focus
Owain Davies – Level Playing Field
Cynthia van der Linden – Belgian Rail Ombudsman
Peter Stonely – Independent (Trading Standards experience)
Lydia Horbury – Bus Users UK
Judith Turner – Rail Ombudsman
Natalie Freeman – Rail Ombudsman
Matthew Thomas – Rail Ombudsman

Apologies

Naomi Creutzfeldt – Professor of Law and Society, Kent Law School

Minutes prepared by the Rail Ombudsman secretariat.

The Chair declared the meeting open at 10am.

A) Introductions

Panel members introduced themselves and explained their background to the Panel. New panel members were Lydia Horbury, taking the place of Claire Walters at Bus Users UK, and Katherine McGowan-Downey, from Transport Focus. Susan James, formerly Vice-Chair, has become Chair, replacing Jon Walters who has stepped down from the Panel. Jon is now the Rail Ombudsman's Independent Assessor.

B) Actions from the last meeting

MT presented an update against the action log.

Of note, the adjudication outcome profile was discussed, including the reduction over time in the proportion of cases upheld in full. However, it was noted that a significant majority of cases were resolved at simple or mediation stages. Consistency across the sector was discussed and it was noted that outcome profiles do vary between operators and except in the case of disputes upheld in full, whether a particular approach is best is a nuanced question.

C) Review of the Rail Ombudsman's objectives (Chair)

SJ presented an overview of the Rail Ombudsman's Annual Business Plan objectives, with the aim of using the Panel in its advisory capacity to support successful delivery of relevant objectives. An objective focussed on using insight to achieve impact in the sector had strong appeal to the Panel, with SJ seeking views from all Panel members. Disability issues emerged as a clear theme for focus, where it was envisaged that the Rail Ombudsman's casework insight and expertise on the Panel could help to drive continuous improvement in the sector.

Also, success against the objectives could be considered through the lens of users.

The read-across between the Statutory Appeals Bodies' insight into passengers' driving issues and the insight the Rail Ombudsman can generate was clear: using Transport Focus's findings on what matters to passengers could frame fruitful insight work focussed on key issues.

The merits of separate and combined meetings were discussed, with a consensus that both formats have value. JT noted the value of these discussions to the Rail Ombudsman's Board.

MT discussed Rail Ombudsman work on Passenger Assistance, which is closely related to the root cause analysis project undertaken in collaboration with the Statutory Appeals Bodies and Govia Thameslink Railway. MT gave an overview of content and the resulting recommendations to the sector and passengers. The Rail Ombudsman would like to engage the industry – Redress Support Group run by RDG a key forum – but also passenger and disabled people's organisations.

JT discussed an example of consumer vulnerability in a recent incident on the network, noting that work in the sector on vulnerability awareness was important.

D) Operational update and Summary Performance Report

MT updated the panel on the recent annual contract audit by ORR. A report was due imminently at time of meeting.

Case volume has increased noticeable recently, broadly in-line with seasonal variations and forecasts, but the recent uplift is more striking. The RO will continue to monitor performance with volume providing important context.

NF provided an operations update.

The RO's new website was launched in July 2025 along with a new case management system (CMS) in the same month. NF acknowledged that some technical difficulties had been experienced with the transfer of out-of-scope cases to Transport Focus and London TravelWatch, the Statutory Appeals Bodies.

NF reported that the RO team will be attending staff disability and vulnerability awareness training on the 19th November.

MT presented the Summary Performance Report and discussed with the Panel.

E) Panel Member perspectives on: procuring objective evidence in cases concerning accessibility issues

NF presented an overview of a case in which the Rail Ombudsman's Independent Assessor had recommended engagement with the Advisory Panels on the subject of evidence gathering. NF advised that the Rail Ombudsman will prepare a case study addressing the theme.

Panel members discussed the case and sought further details. Of note, the role – perceived and actual – of CCTV evidence was discussed. There was consensus that CCTV, although potentially very useful, does not guarantee a complete evaluation of an interaction.

Availability of footage / retention periods were discussed, and it was noted that there must be clarity around what passengers can expect. The burden of proof on the passenger was raised, in the context of an operator's ability to gather and retain useful evidence. It was suggested that an operator's inability to present CCTV evidence could give weight to the consumer's argument – the operator having the potential to refute a claim but losing the evidence with which to do so.

In the bus sector, passengers are often advised to raise a Subject Access Request to obtain CCTV, and retention periods mean that it may then be unavailable. Bus Users have engaged successfully with the sector to extend retention periods and ensure these align with stated complaints procedures.

Staff statements were also considered – Panel members agreeing that statements given at the time of an incident are especially useful but also noting that staff members will typically make a report if they believe a notable incident has occurred – this may not be apparent to them at the time of the interaction, only in the subsequent complaint. It was the experience of the Belgian Rail Ombudsman that in word-against-word scenarios it can be very difficult to make a decision.

The potentially useful role of body-worn video was also discussed.

Impact Statements can be useful and should be gathered; from the perspective of disabled passenger experience in particular, the specific impact of an incident on them must be recognised. The case discussed raised questions of how a particular issue – in this case the availability of a table seat on a train – could affect passengers with specific needs differently.

F) Member updates - brief update on any key activities or issues impacting passengers from the perspective of the Panel Member

SJ noted:

- The increasing prevalence of neurodivergence issues being raised in complaints and particularly in instances of unpaid fares.

- Generic policy complaints – passengers noting that 'nothing has changed yet' in reference to rail reform. Passengers seek reassurance of improvement rather than compensation.
- A revenue protection example whereby a passenger was apparently forced to pay a penalty fare up front when not required to do so. As a result of engagement on the issue, the operator's staff will be re-briefed.
- In London, gate-pushing and tailgating are becoming increasingly problematic and many passengers seek the reassurance of a revenue protection presence.

KM-D noted:

- Transport Focus's publication of a report on revenue protection previously.
- The increase in revenue protection activity by operators.
- The complexity of fares and ticketing; in the context of revenue protection matters discussed, it is important to take steps to ensure honest mistakes are not punished.
- Updated information on operator websites.
- Transport Focus responding to the ORR consultation on retailing code of practice.

Discussion around revenue protection matters included whether there was any evidence of a correlation between financial pressures and consumer behaviour on the network – passenger attitudes questioning paying for routinely delayed services, and also for services where it is evident others are not paying, were known to be evident.

OD noted:

- Results from Level Playing Field's Annual Fan Survey
- Accessible travel was a clear, significant barrier to disabled people's ability to attend sports events.

LH noted:

- Work around accessibility charters with DfT
- Challenges for those seeking concessionary passes
- The work of the Accessible Transport Alliance.

PS noted reflections on the issues raised.

G) Review of matters arising, actions and close

Action	Date to achieve	Responsibility
Organise next meeting – maybe early February	Decided by end of Nov	Rail Ombudsman/Chair
RO to provide information on the type of cases that go to adjudication	Presented at next meeting	Rail Ombudsman
Update ToR and resend	By Christmas	Rail Ombudsman
<p>Doodle poll/survey monkey for agreement from members about every other meeting to be joint with members.</p> <p>The joint meeting will also achieve the evidence to show how information flows between both panels.</p>	By Christmas	Rail Ombudsman.
Advise members that the focus of the panel for the next 12 months will be to discuss and provide feedback to the RO's achievements and objectives	Next meeting	Rail Ombudsman