

## Fare Evasion Prosecution

### Going to Court - Frequently Asked Questions



**Q. Why am I going to Court?**

A. Because it is alleged that you have committed an offence – details of the alleged offence are on the summons.

**Q. Do I have to attend the Court in person?**

A. No – if you are pleading guilty, you only need to complete the form on the reverse of the summons and return it to the Court, along with the means form which asks for your financial incomings and out-goings.

**Q. Where can I obtain advice about my case?**

A. You should seek the advice of either a solicitor or the Citizens Advice Bureau. Details of these are available from your local library or any Magistrates' Court.

Transport for London CANNOT give any advice with regard to completing the forms or on how you should proceed.

**Q. What happens if I just ignore the summons?**

A. The Court may decide to allow the matter to proceed in your absence and you will have no opportunity to put your case across to the Judge.

**Q. Where is the Court?**

A. The address of the Court is on the summons. For details of how to get there, call Transport for London Travel Information on 020 7222 1234 or use the Journey Planner at [www.tfl.gov.uk](http://www.tfl.gov.uk)

**Q. Why have I not received a Penalty Fare Notice?**

A. Penalty fares are only issued in circumstances where the passenger has been unable to produce a ticket for the journey being made. If the Inspector suspects that this is as a result of a deliberate attempt to avoid paying the fare, then the matter is likely to be reported for prosecution as opposed to dealing with it by way of a penalty fare.

**Q. Can I just pay the £100 costs that are on the summons and have the case withdrawn?**

A. No – you must respond to the summons, either in writing or in person. The £100 costs on the Summons represent a contribution to Transport for London's costs and will normally be awarded by the Court only if you are convicted.

**Q. If I attend court will I have access to free legal representation?**

A. It is unlikely that you will have access to free legal representation known popularly as legal-aid in cases of this nature, but you must contact the court direct for further information.

**Q. What happens if I wish to plead Not Guilty?**

A. You should either sign the appropriate box on the reverse of the summons and send it to the Court, or attend Court as directed and plead Not Guilty in person. A further date will then be arranged for a trial when the Inspector concerned will also be present.

**Q. Will I be able to question or challenge the Inspector in Court?**

A. Yes. If you plead Not Guilty, you will have an opportunity to put your own questions to the Inspector regarding the offence.



**Q. Will I get a Criminal Record?**

**A. Yes, if you are convicted of the offence, you would have a criminal record registered in your name.**

**Q. If the Court convicts me in my absence, would I have a right of appeal?**

**A. Yes, but you need to contact the Court as soon as you receive the memorandum of conviction.**

**Q. If I did not attend Court how would I learn of the outcome?**

**A. The Court would normally write to inform you of the outcome of the hearing. If however you do not hear from the Court within 2 weeks of the hearing, you should contact the Court directly.**

**Q. If convicted how do I pay any fine or costs?**

**A. You would need to contact the Court about payment options.**

Further information, including the Transport for London Revenue Enforcement and Prosecution Policy, can be obtained from [www.tfl.gov.uk](http://www.tfl.gov.uk)