

Legal claim launched against Great Northern, Southern and Thameslink after millions double-pay for fares in London

A hearing has been set by the Competition Appeal Tribunal (“CAT”) to take place **at 10:30am on Wednesday 22 March 2023** (the “CPO Hearing”).¹

The CPO Hearing is in respect of a claim launched on 24 November 2021 by Justin Gutmann, formerly of Citizens Advice, on behalf of millions of passengers who have allegedly paid twice for part of their journeys whilst travelling with Govia Thameslink Railway (“GTR”), (the “**Proposed Claim**”).

The Proposed Claim is against GTR (and its parent companies) which operates the following franchises:

- i. Thameslink
- ii. Southern
- iii. Great Northern

Following a case management conference which took place on 15 November 2022, the CAT has confirmed a further hearing should take place so that the CAT can consider the following:

- i. if Mr Gutmann (the person proposing to be the class representative) is suitable to act on behalf of the proposed class and should be certified to bring the claim; and
- ii. if the Proposed Claim itself is suitable to be brought as a collective action and whether it should proceed to a full trial.

The CPO Hearing is to take place at 10:30am on Wednesday 22 March 2023 .

Background to the Proposed Claim

Mr Gutmann alleges that GTR, as the operator of the Great Northern, Southern and Thameslink franchises has breached competition laws by charging TfL Travelcard holders too much for travel on their routes.

Travelcard holders have already paid for their travel within the relevant TfL zones, so a Travelcard holder would only need to purchase a (cheaper) ‘boundary’ fare or ‘extension’ fare for the remainder of their route, to get to their destination. Mr Gutmann alleges that GTR does not make boundary fares sufficiently available for purchase. The claim is estimated to be worth around £73.3 million in damages.

Who is eligible?

Passengers who owned a Travelcard at any time from 24 November 2015 and also purchased a rail fare from a station within the zones of their Travelcard to a destination outside of those zones may be eligible for compensation.

¹ The Competition Appeal Tribunal is a UK specialist tribunal with cross-disciplinary expertise in law, economics, business and accountancy whose function is to hear and decide cases involving competition or economic regulatory issues.

What next?

The CAT will now determine whether or not Mr Gutmann's claim is allowed to proceed to trial. If the claim is permitted to go forward, then those affected will not have to pay any legal fees, nor contact lawyers.

Affected passengers who **live in the UK** will automatically be included in the claim, although they can choose to opt-out in due course.

Affected passengers who **do not live in the UK** will also be eligible to join the claim but must proactively opt-in.

As the case progresses, we will provide more detail as to what rail users will be required to do to either opt-in or opt-out.

Further information

The claim's website and social media channels are available from the day of launch at BoundaryFares.com, where affected passengers can sign up to receive further information regarding the legal proceedings. Justin Gutmann is also available for interview.

Notes to Editors

Justin Gutmann seeks to be certified by the Competition Appeal Tribunal as suitable to represent the interests of millions of passengers who have suffered alleged harm as a result of harmful practices engaged in by Govia Thameslink Railway (and its parent companies). He is aiming to ensure that the train companies have to pay back the money which they earned from passengers paying twice for part of their journeys.

Mr Gutmann has a wealth of experience working in the consumer rights sphere and he has strong expertise in the transport sector. He has spent a large part of his professional life dedicated to consumer welfare, public policy and market research. Mr Gutmann's job prior to retirement was as Head of Research and Insight at Citizens Advice. Mr Gutmann also spent eight years working for London Underground as a Market Planning Manager.

Justin Gutmann is represented by Charles Lyndon and Hausfeld & Co LLP and his claim is funded by Woodsford Group Limited, a founding member of the Association of Litigation Funders of England and Wales.

For further information please contact:

Robin Pagnamenta

Kekst CNC

For the Solicitors acting for Mr Gutmann, please contact:

Rodger Burnett

Charles Lyndon

T: +44 (0)20 7172 1022

E: rodger@charleslyndon.com

Luke Streatfeild

Hausfeld

T: 0207 936 0902

E: Istreatfeild@hausfeld.com

T: +44 (0)20 7554 1750

E: media@boundaryfares.com



@BoundaryFaresCollectiveAction



@BoundaryFaresCollective