

AFGØRELSE FRA ANKENÆVNET FOR BUS, TOG OG METRO

Journalnummer:	2019-0028
Klageren:	XX England
Indklagede: CVRnummer:	Metroselskabet I/S v/Metro Service A/S 21268489
Klagen vedrører:	Kontrolafgift på 750 kr. grundet manglende check ind af flere rejsende på rejsekort samt stewardens påstand om at hendes pas var falsk
Parternes krav:	Klageren ønsker, at ankenævnet annullerer kontrolafgiften, fordi hun blot gjorde, som metromedarbejderen havde instrueret hende i at gøre Indklagede fastholder kontrolafgiften
Ankenævnets sammensætning:	Nævnsformand, landsdommer Tine Vuust Rasmus Markussen Torben Steenberg Asra Stinus Helle Berg Johansen

Ankenævnet for Bus, Tog og Metro har på sit møde den 19. juni 2019 truffet følgende

AFGØRELSE:

Metro Service er berettiget til at opretholde kravet om klagerens betaling af kontrolafgiften på 750 kr.

Klageren skal betale beløbet til Metro Service, som sender betalingsoplysninger til klageren.

Da klageren ikke har fået medhold i klagen, tilbagebetales klagegebyret ikke, jf. ankenævnets vedtægter § 24, stk. 2, modsætningsvist.

- oOo -

Hver af parterne kan anlægge sag ved domstolene om de forhold, som klagen har vedrørt.

Klageren henvises til at søge yderligere oplysning om eventuel bistand i forbindelse med sagsanlæg fx på www.domstol.dk, www.advokatnoeglen.dk og /eller eget forsikringssselskab om eventuel forsikringsretshjælp.

SAGENS OMSTÆNDIGHEDER:

Klageren, som er dansk statsborger, boende i udlandet, men som ikke taler dansk, rejste med sin søster på et rejsekort Flex den 18. december 2018. De skulle med metroen fra lufthavnen og spurgte de servicemedarbejdere, som stod ved billetautomaterne om, hvorledes man checkede flere passagerer ind på rejsekortet.

Ifølge klageren fulgte de herefter nøjagtigt de oplysninger, som de modtog, og steg på metroen. Rejsekortet er indstillet til "engelsk", hvorfor teksten på standen fremkommer på engelsk.

Ved efterfølgende kontrol af rejsekortet var der kun registreret check ind at én voksen, hvorfor klageren blev pålagt en kontrolafgift.

Den 23. december 2018 anmodede klageren Metro Service om at annullere kontrolafgiften og gjorde gældende, at hun havde fulgt instrukserne fra medarbejderen i billetsalget, at informationen på engelsk om check ind er forvirrende og sidder så lavt på standen, at man ikke kan læse den, samt at hun havde tilbudt stewarden at stå af og få fejlen korrigeret, hvilket var blevet afvist.

Metro Service fastholdt kontrolafgiften og henviste til, at informationen om ekstra check ind ser således ud, og at man ved spørgsmål kan kontakte kontrolrummet via det gule opkaldspunkt.

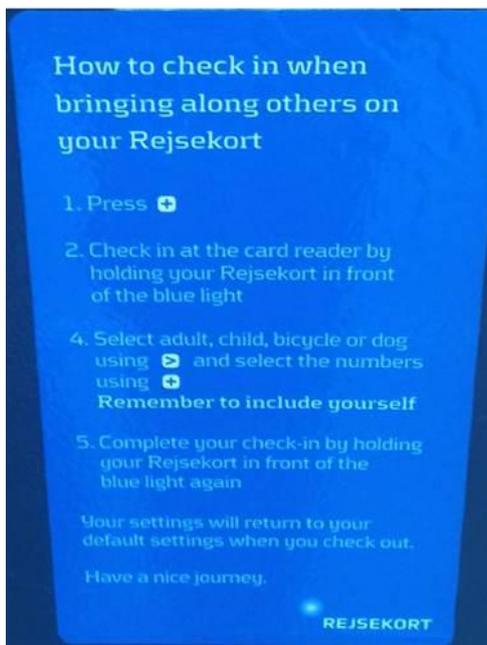


Derudover beklagede de, at stewarden ikke havde levet op til hendes forventninger, men at deres opgave består i at udstede kontrolafgifter til alle, der ikke foreviser gyldig rejsehjemmel og at sagsbehandling sker i kundeservice efterfølgende.

Under klagen til ankenævnet, har klageren endvidere gjort gældende, at stewarden sagde, at hendes pas var forfalsket, fordi hun er dansk statsborger uden et cpr-nr. i passet.

Metro Service har i forbindelse med klagerens indsendelse af et billede fra billetsalget i lufthavnen præciseret, at der ikke er tale om et bemandet billet salg i lufthavnen, som klageren har gjort gældende, men DSB-medarbejdere, som kan hjælpe med billettering ved automaterne.





Nærbillede af den engelske tekst på standerne.



Den engelske tekst på standeren, når der er checket 2 voksne korrekt ind.

ANKENÆVNETS BEGRUNDELSE:

Ankenævnet har tidligere til baggrund anmodet Rejsekort A/S om at få nærmere oplysninger om procesforløbet/transaktionen mellem standeren og rejsekort, når kortet føres forbi standeren, og til standerens display viser teksten "OK god rejse". Ankenævnet har endvidere spurgt, om der foreligger undersøgelser eller oplysninger fra andre, der kan verificere Rejsekort A/S' udsagn om, at det hidtil ikke er forekommet, at rejsekort er checket korrekt ind, uden af dette er noteret på rejsekortet.

Rejsekort A/S har som svar herpå indsendt en redegørelse om rejsekortlæsernes virkemåde fra East/West, der leverer rejsekortsystemet, som har følgende konklusion:

"The overall conclusion is that the system is designed so that the validator will only show OK if the check in or check out was successful and data written to the card."

Ankenævnet har foranlediget Rejsekort A/S til at foretage en analyse af systemet og registrering af data. Rejsekort A/S har herefter gennemført en omfattende og grundig analyse af logning af mere end 30 mio. transaktioner. Analysen har vist, at alle transaktioner med rejsekortet, herunder forsøg på check-ind eller check-ud, er registreret i rejsekortsystemet. Der er imidlertid fundet 341 forekomster af såkaldte "duplicate transactions", hvor den pågældende transaktion ved enten check-ind eller check-ud ikke blev gengivet på selve rejsekortet, men hvor transaktionen alene var registreret i Back Office.

Efter resultatet af denne analyse har ankenævnet ikke grundlag for at fastslå, at der kan forekomme transaktioner på klagerens rejsekort, herunder forsøg på check-ind, som ikke er registreret i back-office.

Ankenævnet har fra indklagede selskab modtaget oplysninger fra Back Office om denne sags konkrete rejse, som bekræfter oplysningerne på klagerens rejsekort om, at der ikke var checket to rejsende ind på klagerens rejsekort, men kun een.

På baggrund af det anførte, har ankenævnet ikke grundlag for at konstatere, at klageren havde checket sit rejsekort korrekt ind for flere rejsende på den pågældende rejse, hvor kontrollen foregik, idet check-ind af mere end én rejsende ikke var noteret på rejsekortet eller fremgår af oplysningerne i Back Office.

Det fremgår af rejsekort rejseregler, at rejsekort skal checkes ind ved rejsens begyndelse, og at det er passagerens eget ansvar at være checket korrekt ind.

Kontrolafgiften for manglende check-ind blev derfor pålagt med rette.

Dette er et område med stor mulighed for omgåelse af passagerens pligt til at sørge for betaling af sin rejse, hvis det accepteres, at der er checket ind på rejsekortet, uanset at dette ikke er registreret på kortet eller i Back Office.

Ankenævnet kan således ikke lade klagerens oplysninger, om at hun fulgte instruksen fra de pågældende DSB-medarbejdere i lufthavnen, føre til, at kontrolafgiften skal annulleres. Ankenævnet har lagt vægt på, at det af klageren anførte om at have fulgt *instrukser fra en ansat i billetsalget* i den konkrete sag ikke krævede, at Metro Service spurgte nærmere ind til dette.

Ankenævnet bemærker, at når stewards anmoder passageren om at identificere sig, er det uprofessionelt, hvis stewarden herefter kalder dokumentet for en forfalskning, hvis passageren foreviser identitetspapirer, som ikke umiddelbart er stewarden bekendt.

RETSGRUNDLAG:

Ifølge § 2, stk. 1, jf. § 3 nr. 3 i lovbekendtgørelse nr. 686 af 27. maj 2015 om lov om jernbaner, gælder loven også for metroen. Af § 14 stk. 1, fremgår jernbanevirksomhedernes adgang til at opkræve kontrolafgift og ekspeditionsgebyr for passagerer, der ikke foreviser gyldig rejsehjemmel (billetter og kort). Jf. § 14 stk. 4, fastsætter transportministeren nærmere regler om jernbanevirksomhedens adgang til at opkræve kontrolafgift og ekspeditionsgebyr, jf. stk. 1.

I henhold til § 4 i bekendtgørelse nr. 1132 om kontrolafgifter af 08. september 2010, fastsætter jernbanevirksomheden bestemmelser om kontrolafgift i forretningsbetingelserne.

I de fælles landsdækkende rejseregler er der hjemmel til at udstede kontrolafgifter. Det anføres bl.a., at passagerer, der ikke på forlangende viser gyldig billet eller kort, herunder korrekt indchecket rejsekort, skal betale en kontrolafgift på 750 kr.

PARTERNES ARGUMENTER OVER FOR ANKENÆVNET:

Klageren anfører følgende:

I am not a Danish resident, and therefore not accustomed to traveling by public transport in Denmark. So before checking in, I contacted a member of the Metro staff and asked how I added an extra passenger to my card. He kindly told me the procedure. I executed the procedure exactly as he had instructed and boarded the train. I was shocked when a ticket inspector told me, that I had not added an extra passenger, and I was issued with an evasion ticket!

The ticket inspector gave a completely different instruction to what the first member of the Metro staff had told me.

I asked the ticket inspector if we could get off at the next station so she could guide me through the correct procedure and in this way correct the mistake. She was in no way accommodating and told me, that she would not help me at all.

I will in no way dispute the fact, that the extra passenger had not been added correctly to my card, but I do expect a certain degree of understanding and service from the Metro staff in circumstances such as this.

On receiving the evasion ticket in my email, I used the complaint form supplied to explain the situation, expressing that I had in no way an intent to evade the fare, and had actually enquired, but was given wrong instructions by a member of the Metro staff.

I have now received an answer to my complaint, in which Metro still uphold their claim, stating their reason being, that if I was in doubt of how to add an extra passenger, I should have contacted the staff.

As you can understand from the above, I have been given wrong information by the exact people I am being told to contact if I was in doubt! This makes no sense at all. It would appear, that Metro have not read or understood my initial complaint.

Unlike other companies, Metro will not accept any responsibility for mistakes performed by their own staff.

I have not had any intent to evade the fare, on the contrary, I did what any person in doubt would do, namely contact a member of the Metro staff and ask how I could add the extra passenger correctly.

I therefore still claim innocence in the act of trying to evade the extra fare.

To emphasize my point, a few days after the above incident, on Valby station, I tried to add an extra passenger to my card in the exact way that the ticket inspector had told me. This method also failed. That makes it two members of Metro staff that don't know their own procedures.

I then tried to read the instructions on the check-in machine, but had to give up, as the English version was written in very small print and placed so low to the ground, that it was too stressful for me to kneel so far down.

Luckily, a kind gentleman helped me through the correct procedure, and even then, it was not until the third attempt that it actually succeeded.

I have enclosed a photo of the check-in machine so you with your own eyes can see the issue.

I am sure you will agree, that the circumstances for giving information, either in writing or verbally by the Metro staff, are not in any way acceptable, and yet Metro expect their passengers to put up with this. It is a disgrace.



I hope I have made my complaint very clear to you, and you will agree with me, that under the circumstances, the fare evasion ticket is to be annulled.

Indklagede anfører følgende:

“Like all other means of public transportation in the greater Copenhagen area, the Copenhagen Metro employs a self-service system, where the passenger is responsible for being in possession of a valid ticket, for the entire journey, before boarding the train. Passengers must be able to present a valid ticket on demand to the ticket inspectors.

In cases where passengers are not able to present a valid ticket, a fare evasion ticket will be issued, which is currently DKK 750, - for adults. This basic rule is a prerequisite for the self-service system that applies to travel by public transport. The above mentioned information is available on www.m.dk and on Din Offentlige Transport - <https://www.rejsekort.dk/~media/rejsekort/pdf/flr/faelles-landsdaekkende-rejseregler.pdf> as well as on our information boards which are placed at every station. The information boards contain travel information in both English and Danish.

Our Metro staff is trained to issue fare evasion tickets to all customers without a valid ticket. They do not distinguish between an intentional or unintentional mistake. They only check the validity of the ticket. It is unfortunately not sufficient to enquire with a member of the public, regarding ticket information, as they may not be adequately informed concerning the journey the passenger wishes to undertake. In order to ensure correct travel information passengers should contact our Metro staff either in person or via call points on the station or in the Metro trains.

Call points can be found on all of our ticket vending machines, as well as yellow call points in several other places in every one of our stations. These call points can be used if the passenger requires assistance or guidance. The call point will connect the passenger directly to an operator in our control tower, which is manned 24 hours a day.

In the case in question, the complainant and her companion was met by a steward inspecting tickets on the 18th of December 2018 at app. 19:42 between Femøren station and Frederiksberg station. The complainant and her companion presented a rejsekort of the type 'Flex' with just one person checked in. As only one of

the two travelers had a valid ticket, a fare evasion ticket was issued to the complainant according to the travel regulations.

In the inquiry to the Appeals Board, the complainant writes that she does not believe that Metro has read and understood her original complaint, because in the reply the case handler has explained that if you are in doubt about how to check in more travelers on one rejsekort, you must ask a Metro employee or use one of the yellow call points for guidance.

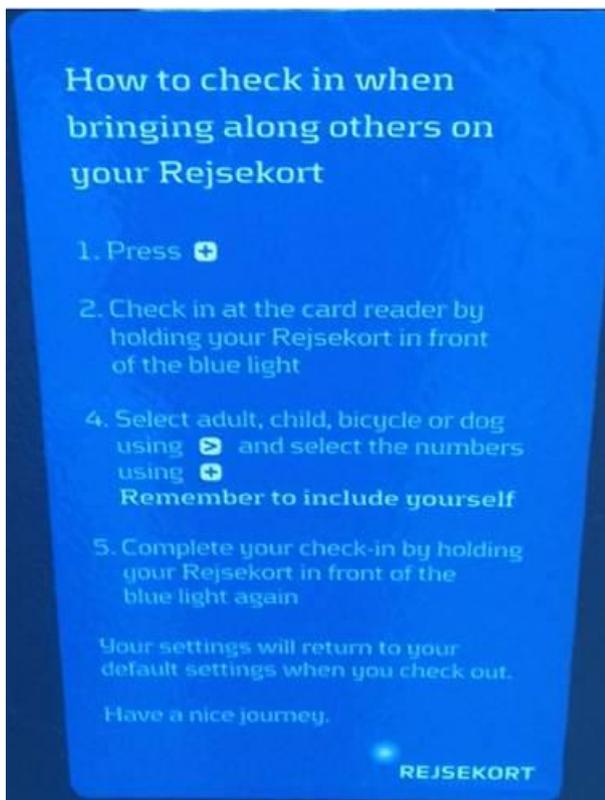
The complainant informs the Appeals Board that she herself had asked an attendant in the ticket office and that she (the complainant) cannot be held responsible for the fact that the staff gave her incorrect instruction.

We are wondering about the complainant's explanation, because there is no ticket office for bus, train and metro at the airport.

In her inquiry to the Appeals Board, the complainant has attached a photo of a card reader that is allegedly taken at Valby station illustrating that the check in extra guidance is insufficient.

But the complainant received her fare evasion ticket on her way from the airport station (where the journey started) towards Frederiksberg station. Below we have inserted photos of the check in extra card readers at the airport and in our opinion the guides are adequate. The English guide is not written in a smaller print than the Danish one and even though it is placed under the blue point, we definitely believe that it is at a readable height.





The complainant also states that the steward did not show sufficient good service by accommodating the complainant's offer to get off the train at the next station to correct the mistake.

Our stewards have many tasks; One of them is, among other things, controlling tickets. However, a steward may not handle any sort of case-by-case procedure, but may only decide whether a valid ticket can be presented in the ticket situation and, if not, issue a fare evasion ticket. Case processing is done exclusively by the Customer Service Department after written inquiry.

The requirement to obtain a valid ticket before boarding the train applies to everyone, and if no valid ticket can be presented, the steward must not refrain from issuing a fare evasion ticket and instead let the passengers descend from the train for the purpose of obtaining the correct and valid ticket.

Since the guidance on the card readers at the airport must be considered sufficient and since the complainant cannot have asked a metro staff at any ticket office at the airport, we believe that the lack of an extra check in, is due to the complainant's incorrect operation of the card reader why we maintain that the fare evasion ticket is issued on the right basis and thus maintains our requirement for payment of fare evasion ticket."

Til dette har klageren skrevet:

"Metro states that information is available on different internet sites as well as on information boards at every station. This is all very well but has nothing at all to do with the case in hand, and must therefore be discarded.

I fully agree that the Metro staff is trained to issue fare evasion tickets to customers that cannot produce a valid ticket. I would add, that the staff is in fact very well trained in that particular discipline, as I have felt the full impact of such a ticket inspector. Maybe Metro should use an equal amount of training of their staff

in the act of good customer service and understanding. If the latter had been the case, we would have avoided all this inconvenience for all parties, and my travel would have been a positive experience. As it is, this is not the case at all.

To emphasize the above, I will give my account of the encounter with the ticket inspector in question; On being contacted by the ticket inspector, I produced the travel card and did not expect any questions, as I was sure my travel companion and I had paid correct fare. Much to my surprise, the ticket inspector told me, that there was one fare missing, and that I would be fined for this evasion.

On producing my passport as identification, the ticket inspector claimed that my passport was a fake passport, and asked for another form of ID. Obviously, the ticket inspector is ignorant to the fact, that Danish citizens living abroad do not have CPR numbers. It was very hard to convince the ticket inspector that the passport actually was genuine. I find this behavior very offensive and not in any way customer friendly. Only because my sister, who was traveling with me, also has a Danish passport without CPR number, did the ticket inspector give me the benefit of the doubt, but was still very suspicious of us. I doubt this behavior is tolerated in any customer service organization anywhere in the world.

I explained to the ticket inspector, that we had enquired a member of staff at the ticket office of how to add an extra passenger on the travel card. I carried out his instruction to the letter, and could therefore not understand how the fault could arise. I also offered to get off at the next station together with the ticket inspector and correct the mistake under the ticket inspector's supervision. The ticket inspector declined this service and proceeded to write out the fine, telling me, that it was not her job and she did not have the time to do so. So to add insult to injury, the ticket inspector then proceeded to get off the train at the very next station !

In Metro's reply to my complaint, Metro state – quote" It is unfortunately not sufficient to enquire a member of the public, regarding ticket information, they may not be adequately informed concerning the journey the passenger wishes to undertake" unquote. In my case, I did NOT enquire a member of the public, but an official member of staff at the ticket office on the ground level in the arrival hall at terminal 3 CPH.

Much to my surprise, Metro state in their reply, that there is no ticket office at the airport and I should have contacted an official. This comment contradicts reality and the actual fact of the matter, as I will prove below.

Here is a photo of the ticket office in question, low and behold, there are two official members of staff in the photo also !

In order to obtain this photo, I have had to inconvenience my brother, who lives in Denmark, to go to the airport and take the photo of the ticket office. The photo is captured on 06 FEB 2019 at 18.04.

Maybe Metro would like a copy of the photo, so their complaint department can see what the ticket office looks like, where it is situated and what an official member of staff looks like, so they in future won't make such an incorrect and embarrassing comment.

For the benefit of Metro complaint department, I enclose a photo of two official members of staff aiding the public in the (obviously) difficult task of obtaining a ticket and understanding how to add extra passengers to the travel card.



In Metro's reply to my comments, Metro also state that there is sufficient information on the check in stand and also on information boards. I am in no doubt this is true, but Metro seems to neglect the fact, that I had already been given the information needed of how to carry out the procedure by one of their own staff members (see photo above). I had therefore no need to observe the information boards, and subsequently, did not do so. This is in no way a fault on my behalf and cannot be judged as neglect. As I have proven by photographic evidence, Metro are denying the facts that there is a ticket office at the airport and there are official members of staff present there. All talk about how I should have conducted myself if I was in doubt, must therefore be discarded, as it has no relevance to the actual situation. Further more. Metro seem to confuse 2 different incidents of non working function of adding extra passengers to the travel card and photo of check in stand. The incident at Valby, was a few days after the encounter with the ticket inspector on the Metro train at my arrival at CPH. I was therefore very particular in getting it right this time. The ticket inspector had told me, that there is an instruction on the check in stand, so that is what I was looking for. The photo of the check in stand at Valby shows very clearly, that the English instructions are in no way accessible for humans over the age of 50, unless of course Metro expect their customers to be so agile, that they can crawl on their hands and knees to read the instructions. Bearing in mind, that I had already received incorrect instructions from an official member of Metro staff (at the airport) and had received an evasion ticket in return, I was reluctant to contact a member of staff. This is the incident where I contacted a member of the public for assistance. Even a Danish citizen, a frequent traveler, could not get it to work correctly before the third attempt. I know this does not prove my point, but it does imply, that it is not as easy as Metro make it out to be.

On my return to the UK, I observed the check in instructions at the airport. I am therefore not in doubt, that Metro are referring to the correct information.

In Metro's conclusion for upholding the claim on the ticket evasion, fine of DKK 750 it is stated – quote” Since the guidance on the card readers at the airport must be considered sufficient and since the complainant cannot have asked a Metro staff at any ticket office at the airport, we believe that the lack of an extra check in, is due to the complainants incorrect operation of the card reader why we maintain that the fare evasion ticket is issued on the right basis and thus maintains our requirement for payment of evasion ticket No. 0xxxx of DKK 750. “ unquote.

I believe that I, by photographic evidence, have proven the existence of the ticket office at the Copenhagen Airport. I also believe that I, by photographic evidence, have proven the existence of official members of staff at said ticket office. These two main reasons for Metro to uphold their claim have thus been exposed as being in defiance of factual evidence. Metro's point of me not performing correct procedure when checking in an extra passenger on the travel card, could be correct, as there did not appear an extra passenger on the card, but taken into account, that I had carried out the procedure as instructed by an official member of staff, I believe this should be to the advantage of the passenger who actually seeks information at an official level, even if this information turns out to be faulty.

I am disgusted about the way I have been treated by the ticket inspector with respect to defining my passport as a fake. I am equally disgusted about the fact, that Metro claim there is neither a ticket office or official members of staff at the airport. But to top it up with the insinuation that I cannot follow simple instructions is an insult. In fact, I should be the one getting compensation for all the hassle I have had.

All this aside, I will agree to a settlement of paying the correct fare for one person for the travel between Copenhagen airport to Frederiksberg station, but I will not pay the evasion fine of DKK 750,-“

Hertil har Metro Service gjort gældende:

“We have carefully read the complainant's latest comments and looked at the attached photos.

First of all, we must inform that the complainant has not spoken to Metro staff, but to DSB's employees. But in the specific case, however, it makes no difference.

We do not agree with the complainant that the long line of ticket machines is the same as a manned ticket sales, even if DSB has service personnel in the area around the machines.

But of course we have contacted DSB and asked them if it is likely that the staff who were at work the day the complainant was at the airport, could have given the wrong explanation of how to make a group check into a rejsekort.

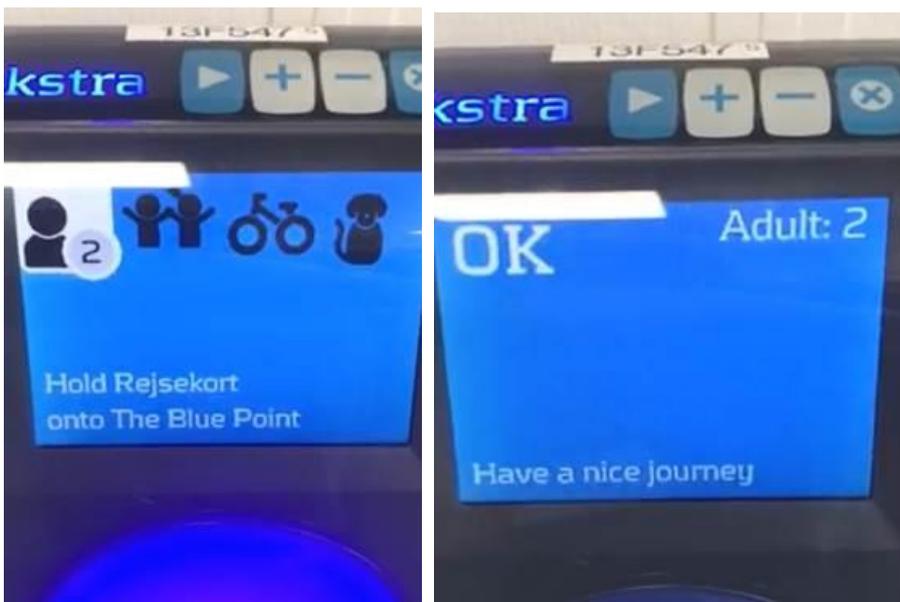
However, DSB states and emphasizes that the staff at the airport are extremely experienced and knowledgeable on all procedures regarding cards and tickets, and therefore reject that the staff should have given the incorrect guidance to the complainant.

We also do not agree that the English guide on the card readers in the Airport are in no way accessible for humans over the age of 50, unless they can crawl on their hand and knees.

The guide is located approx. 90 centimeters above the floor, which, by experience, works fine. See also the photo below.



From Rejsekort A/S, we have been informed that the rejsekort used by the complainant and her companion is set to 'English language'. This means that the text on the card reader has also been in English. If the complainant had checked in 2 travelers correctly, 2 adults would have been in the text on the display, see the photos below.



All our stewards undergo a long education in, among other things, good customer service. But the education does not, however, include knowledge of passport rules and other legislation for Danes residing abroad.

We must apologize if the complainant does not believe that the ticket steward was friendly and service minded, but it does not change the fact that the complainant did not have a valid ticket.

With reference to previously submitted material, we still believe that the responsibility for the lack of check-in cannot be placed with either Metro or DSB why we maintain our claim."

Hertil har klageren svaret:

"I must admit, that I had never expected the content in the latest reply that Metro has given. It appears, that Metro has my documentation and comments mixed up and are now claiming that the staff at the ticket office at the Copenhagen airport in my attached photos is not their staff.

So just to recap the line of events in this case, it is as follows:

I arrive at Copenhagen airport and ask an official member of staff at the ticket office how to add an extra passenger to my travel card. I carry out the procedure to the letter and board the train. A ticket inspector tells me I have only one ticket. I explain the situation to her, but she will not hear any talk of this, nor will she help me correct the error. She issues a fare evasion ticket.

I write a complaint to Metro where I explain the situation, stating that I had obviously received wrong instructions by one of their official staff at the ticket office.

Metro uphold their fare evasion ticket. The reason being that there is no ticket office at the airport and therefore I cannot have spoken to an official member of staff as I have claimed.

I send photo documentation of the ticket office and the official staff at the ticket office at Copenhagen airport. Thus proving that there actually is a ticket office manned with official staff present. It is this staff I have received information from, as I have claimed all along.

Metro now admit that there actually is a ticket office at the airport and there is staff there. However, Metro now claim it is not the correct *type* of office and therefore not the correct *type* of staff ! Metro also write that they have contacted the "DSB" staff at the ticket office and asked if they could have given a wrong explanation. This is not the case. Therefore Metro still uphold their claim of the issued fare evasion ticket.

I have now had to inconvenience my family in Denmark once again to go and look at Copenhagen airport arrival area, to see if there should somewhere be a specific METRO ticket office and official METRO attendants. After a very thorough search of the entire arrival hall, the result was negative. There is no such METRO ticket office or indeed any official METRO staff.

I therefore conclude that the ticket office and official staff I have spoken to and sent photo documentation of, is the ONLY type of ticket office and the ONLY type of official staff present in the entire arrival hall. As it also very clearly shows in the photos, it clearly states in big letters " DSB - tickets for train, metro and bus". Thus indicating that "DSB" sells tickets for train, metro and bus. To visitors arriving straight off the airplane, it is obvious that this is the place to buy your ticket and ask the staff for information.

Metro now also claim, "a long line of ticket machines is not the same as a manned ticket sales". I claim that a place that has official staff helping you with buying tickets is definitely a "manned ticket sale" as the photos clearly show. Metro also state that they have contacted the "DSB" staff at the ticket office and asked if they could have given wrong information. Honestly, do Metro really expect the staff there to admit they could give wrong information? Is this the same "DSB", who has, just recently, been noted for their negative ratings and credibility in connection with customer service? I understand they now have to pay fines for not refunding tickets correctly, on time or at all.

Now that Metro realizes that, their reason for upholding the fare evasion ticket has been refuted with photo documentation to support it, Metro now turn to explaining – in great detail - what I *should* have done!

What I should have done instead of what I actually did do has absolutely no relevance on the course of events in question. It appears that Metro now are grasping at straws to try to prove their point.

At first I thought Metro was just eager to get their way in this matter; it now appears to have turned into an obsession for Metro. In no way will they even consider the fact that I could have received wrong information and my description of the events actually *could* be possible. I have presented so much documentation to the contrary of all Metros claims and talk of what I should have done. It seems that every time I present documentation that supports my claim and undermines theirs, Metro think up some new reason for upholding their claim, no matter how pitiful the reason is.

In their latest reply, Metro boast about their staff undergoing a lengthy education in amongst other things "good customer service". The fact of not knowing about passports is understandable but actually not, what I complained about. I complained about how the ticket inspector handled the situation and stating that my sister's and my own passports were fake and in so doing, made us –the customers – appear to be criminals

in front of all other travelers in the train. The fact that the ticket inspector did in no way even try to help us tells me, that the individual has either missed the day of education or not understood the meaning of “good customer service”. I am sure that so publicly exploiting customers is not part of staff education. Experiencing how this whole matter has been handled by Metro, with never ending new excuses every time old ones have been refuted, tells me that more than one person has missed this particular education lesson.

As stated all along, I do not dispute the fact that the fare was not in order, but the reason for the disorder was wrong instruction, not an intention to evade payment. I have stated all along in previous communications that I am willing to pay the fare due for the travel between Copenhagen airport and Frederiksberg station. I had gone to great lengths to check in correctly by asking the official staff for the correct procedure.

It is obvious from the above (and previous correspondence) that I had never intended to evade the required fare, so I will therefore not accept the fare evasion penalty.”

På ankenævnets vegne



Tine Vuust
Nævnensformand