

Exton Advisors



Exton advise on the funding of a collective competition claim against Govia Thameslink Railway

Tom Steindler · Thursday, July 8th, 2021

Exton Advisors have advised the proposed class representatives on the funding and ATE solutions for one of the most significant UK collective actions in the UK rail industry. An application to commence an opt-out collective action was launched in the Competition Appeal Tribunal on the 6th July 2021 against Govia Thameslink Railway Limited (GTR) and its parent companies, The Go-Ahead Group Plc and Keolis (UK) Ltd. Preliminary indications show that millions of passenger journeys will have been affected by the alleged unlawful conduct.

The claim alleges that GTR is infringing UK competition rules by issuing fares restricting travel to Southern and/or Thameslink train brands on the London-Brighton mainline and then inflating the prices passengers must pay for fares allowing travel on two or all three GTR train brands. The claim also alleges that GTR unlawfully inflates fares where passengers use Oyster or contactless payment facilities to tap in or tap out at London Victoria platforms 13 and 14.

Two seasoned rail campaigners Edward Vermeer and David Boyle seek to represent the class of passengers who have suffered damages arising from the claim, and have instructed law firm Maitland Walker LLP. The action is being funded by LCM Funding UK Limited, a highly experienced third-party litigation funder, and insurance is in place to cover adverse fees or costs.

Exton Director John Astill comments: “Opt-out collective actions are transforming access to justice for consumers and Exton is delighted to have been able to advise Edward and David. Funding and insurance solutions are coming under increasing scrutiny from both the Tribunal and Defendants, so it’s vitally important the right solutions are in place from the outset”.

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