

## **Freedom of Information Act 2000 (FOIA)**

### **Decision notice**

**Date:** 1 July 2025

**Public Authority:** Transport for Wales

**Address:** 3 Llys Cadwyn, Pontypridd, CF37 4TH

#### **Decision (including any steps ordered)**

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1. The complainant has requested Transport for Wales (TfW) to disclose information relating to the Rail Settlement Plan ticket specifications and public keys. TfW refused to disclose the requested information citing section 31(1)(a) of FOIA (prevention of crime).
2. The Commissioner's decision is that TfW is entitled to withhold the requested information under section 31(1)(a) of FOIA. It however breached section 17(1) of FOIA by failing to inform the complainant that it required additional time to consider the public interest test within 20 working days of the receipt of the request.
3. The Commissioner does not require further steps.

#### **Request and response**

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4. On 22 November 2024, the complainant wrote to TfW and requested information in the following terms:
  - "- Rail Settlement Plan Aztec ticket type "06" specifications - ordinary travel tickets
  - Rail Settlement Plan Aztec ticket type "08" specifications - digital railcards
  - Any other Rail Settlement Plan specifications you hold on the issuance of Aztec barcodes and/or digital tickets for the railways

- Public RSA keys/certificates used by you to issue such Aztec barcodes, in either X.509, PKCS#1, PKCS#12, or other appropriate format for conveying the public half of an encryption key

-The same public keys of any other issuer who can issue digital tickets valid on rail services under your purview.”

5. TfW wrote to the complainant on 23 December 2024 to inform them that it considered the requested information is exempt from disclosure under section 31(1)(a) of FOIA but it required additional time to consider the public interest test.
6. TfW responded on 21 January 2025. It refused to disclose the requested information citing section 31(1)(a) of FOIA.
7. The complainant requested an internal review on 21 January 2025.
8. TfW carried out an internal review and notified the complainant of its findings on 18 February 2025. It upheld its application of section 31(1)(a) of FOIA.

### **Scope of the case**

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9. The complainant contacted the Commissioner on 18 February 2025 to complain about the way their request for information had been handled.
10. The complainant has submitted the same request to five public authorities. Four of those have coordinated their response to the Commissioner via DfT Operator Ltd (DFTO). TfW has provided its own response but this simply refers to the submissions the Commissioner has received from DFTO, saying that it wishes to rely on section 31(1)(a) of FOIA for the reasons DFTO has already explained.
11. During the Commissioner’s investigation DFTO disclosed further information to the complainant on behalf of the four public authorities it represented. The requested information for this complaint is exactly the same. The Commissioner therefore sees no purpose in ordering disclosure again, as it is the same and the complainant is already in receipt of it.
12. The Commissioner therefore considers the scope of his investigation is to establish whether or not TfW is entitled to rely on section 31(1)(a) of FOIA for the remaining withheld information. He’ll also consider the timeliness of TfW’s response to the request.

## Reasons for decision

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### Section 31(1)(a) – prevention of crime

13. Section 31(1)(a) of FOIA allows a public authority to withhold information if its disclosure would or would be likely to prejudice the prevention or detection of crime.
14. It is a qualified exemption. So, in addition to demonstrating that the exemption is engaged, a public authority must establish that the public interest in favour of disclosure is outweighed by the public interest in favour of maintaining the exemption.
15. TfW explained that the withheld information is Rail Settlement Plan specifications (RSPS) documents, which are highly technical documents that explain how UK train tickets are encoded and checked for validity. The remaining withheld information includes information like how barcodes are generated, how validators (ticket scanners) check them and how cryptographic keys are used to stop forgery.
16. TfW argued that disclosure would be likely to make fraud easier and increase the risk of such crimes across the UK. The documents include:
  - The exact structure of UK barcode tickets (how data is formatted).
  - The logic validators used to decide if a ticket is real or fake.
  - How and when keys are used or rejected (e.g. fallback rules if something fails).
  - Cryptographic processes and what happens if a key is compromised.
17. It confirmed that these documents are not the same as the EU standards the complainant refers to (like European Railways Agency (ERA) B.12) in their complaint to the Commissioner. TfW advised that those EU standards are high level and do not include the UK specific systems or the actual logic used in real devices.
18. TfW commented that there has already been a real world case in Germany where fraudsters used publicly available eTicket specifications (similar to ERA B.12) and a stolen single signing key to create fake but valid tickets. It said the fraudsters' barcodes passed all checks because the information they needed to make an apparently valid but fraudulent ticket was public.

19. TfW advised that that level of fraud has not occurred in the UK because the RSPS documents are kept secure and confidential. Without them, someone would need to both steal a key and reverse-engineer the entire barcode system, which is much harder. It argued that disclosing the remaining withheld information would remove that second barrier of necessary protection to fraudulent tickets being successfully made.
20. TfW said that the industry estimates from 2023 that as much as £250m is lost to fraud and ticketless travel in the UK and disclosing the remaining withheld information would be likely to affect all retailers including third parties who may then have a claim against publicly owned operators. It then stated that the UK rail system is currently subsidised by the taxpayer who would suffer the ultimate loss.
21. The Commissioner has reviewed the remaining withheld information and discussed the specific contents with DFTO directly (who has provided the submissions on which TfW rely) and he is satisfied that disclosure would be likely to prejudice the prevention and detection of crime. Therefore, section 31(1)(a) of FOIA applies.
22. The remaining withheld information contains specific technical information, at a granular level, which would be likely to allow those interested in creating fraudulent tickets to do this in the UK, and do this successfully. TfW has explained how the remaining withheld information is not the same as the EU standards the complainant has referenced and how it would enable someone to create fake but successful rail tickets.
23. The Commissioner is aware that fraud and ticket evasion is an issue in the UK. TfW has also highlighted an incident in Germany, where the technical specifications were available and a key stolen, which enabled criminals to create fake but valid tickets.

### **Public interest test**

24. TfW advised that it recognised the public interest in transparency, particularly where technical standards affect consumer-facing infrastructure. However, it considers the public interest is already met by the availability of the following information:
  - High-level Rail Delivery Group (RDG) documentation (e.g. National Rail Conditions of Travel, interface guides)
  - ERA B.12 (for European comparators)
  - The ability for vendors and developers to access specifications via RDG's ASSIST platform under controlled conditions.

25. It is TfW's view that the public interest rests in maintaining the exemption. Disclosure would be likely to increase the ability of criminals to create fake but valid rail tickets in the UK. This is not in the wider interests of the public.
26. It argued that there is a financial public interest in protecting the rail network from avoidable losses. It again referred to the industry's estimate for 2023, which suggests as much as £250 million lost each year to fraud and ticketless travel. TfW stated that disclosure would significantly increase the risk of further fraud, including through third-party channels. This is not in the public interest. It also stated that those third-party retailers may in turn seek redress from publicly owned operators, making the taxpayer the ultimate bearer of any resulting costs, which again is not in the wider interests of the general public.
27. The Commissioner accepts there is a public interest in openness and transparency and in members of the public understanding how rail tickets are created and successfully checked as legitimate. He recognises that there are issues with fraud, fair dodging and ticketless travel in the UK and the public has a legitimate interest in knowing what processes and checks are in place to combat those issues.
28. However, in this case the Commissioner has accepted that disclosure of the remaining withheld information would be likely to increase the production and use of fraudulent (but valid) rail tickets and thereby prejudice the prevention and detection of crime. This is not in the interests of the wider public and such consequences of disclosure override the public interest factors in favour of disclosure.
29. The Commissioner also notes the financial implications of increased fraudulent tickets, which would ultimately be borne by the public. Increased loss of revenue would reduce resources for improving and maintaining rail services and infrastructure. Again, such consequences are not in the public interest.
30. For the above reasons, the Commissioner has concluded that the public interest in favour of disclosure is outweighed by the public interest in favour of maintaining the exemption.

## **Procedural matters**

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31. The Commissioner is satisfied in this case that it was reasonable for TfW to extend the 20 working day limit prescribed by section 10 of FOIA to consider the public interest test. The request was complex and involved a number of other public authorities. TfW however failed to notify the complainant of the need for this extension within 20 working days of the

receipt of the request (it did not notify the complainant until 23 December 2024). TfW therefore breached section 17(1) of FOIA.

## **Other matters**

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32. The Commissioner would like to remind TfW that section 10(3) of FOIA and the extension it permits must only be used in exceptional circumstances and he considers no more than an additional 20 working days is reasonable. It is also a requirement to inform the complainant of the need for an extension within 20 working days of the receipt of the request, specify the exemption it considers applies and explain why that exemption is engaged.
33. The Commissioner would also like to remind TfW that it should be prepared to explain why an extension was needed in a given case if it was asked to do so.
34. Further information can be found on section 10(3) here:

[Time limits for compliance under the Freedom of Information Act \(Section 10\) | ICO](#)

## **Right of appeal**

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35. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)  
General Regulatory Chamber  
PO Box 11230  
Leicester  
LE1 8FQ

Tel: 0203 936 8963

Fax: 0870 739 5836

Email: [grc@justice.gov.uk](mailto:grc@justice.gov.uk)

Website: [www.justice.gov.uk/tribunals/general-regulatory-chamber](http://www.justice.gov.uk/tribunals/general-regulatory-chamber)

36. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
37. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

**Samantha Coward**  
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**Information Commissioner's Office**  
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