

## AFGØRELSE FRA ANKENÆVNET FOR BUS, TOG OG METRO

- Journalnummer:** 2018-0136
- Klageren:** XX  
2300 København
- Indklagede:** Metroselskabet I/S v/Metro Service A/S  
**CVRnummer:** 21 26 38 34
- Klagen vedrører:** Kontrolafgift grundet manglende billet. Klageren købte en billet til sig selv og en billet til sin cykel i en billetautomat på stationen men medtog kun cykelbilletten fra automaten
- Parternes krav:** Klageren ønsker kontrolafgiften annulleret  
Indklagede fastholder denne
- Ankenævnets sammensætning:** Nævnformand, landsdommer Tine Vuust  
Rasmus Markussen  
Torben Steenberg  
Bjarne Lindberg Bak  
Helle Berg Johansen

Ankenævnet for Bus, Tog og Metro har på sit møde den 31. oktober 2018 truffet følgende

### **AFGØRELSE:**

Metroselskabet I/S v/Metro Service A/S er berettiget til at opretholde kravet om betaling af kontrolafgiften på 750 kr.

Beløbet skal betales til Metroselskabet I/S v/Metro Service A/S, 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 på [www.domstol.dk](http://www.domstol.dk), [www.advokatsamfundet.dk](http://www.advokatsamfundet.dk) og /eller eget forsikringssselskab om eventuel forsikringsretshjælp.

-oOo-

### SAGENS OMSTÆNDIGHEDER:

Klageren, som er fra Letland og ikke-dansktalende, valgte den 28. juni 2018 at rejse med metroen hjem, fordi hans cykel var punkteret. Derfor købte han på Frederiksberg st. en billet til sig selv og til sin cykel i billetautomaten. Han medtog imidlertid kun cykelbilletten fra automaten, fordi han regnede med, at den ene betaling af 24 + 13 kr. også ville blive gennemført på én billet. Herefter han steg om bord på metroen.

På strækningen mellem Nørreport st. og Øresund st. var der kontrol af klagerens rejsehjemmel, og da han kun foreviste en cykelbillet, blev han kl. 21:05 pålagt en kontrolafgift på 750 kr.

Klageren anmodede den 28. juni 2018 Metro Service om at annullere kontrolafgiften og anførte til støtte herfor som ovenfor, samt at kontrollørerne behandlede ham dårligt, fjendtligt og racistisk og havde sagt: "you people" samt talt til ham på russisk. Han var i god tro og prøvede at forklare kontrolløren, at han regnede med, at billetterne ville være på samme stykke papir, når han havde betalt for dem samlet. Han bad forgæves kontrolløren om at tilkalde politiet. Kontrolløren lavede nogle testkøb, hvor der en af gangene blev printet en hundebillet i stedet for en cykelbillet. Han viste kontrolløren sin netbankoversigt, hvor der var trukket et beløb svarende til en voksenbillet og en cykelbillet. Efterfølgende tog klageren tilbage til billetautomaten, men enten måtte en anden have taget billetten, eller også havde automaten slet ikke printet den.

Metro Service fastholdt den 2. juli 2018 kontrolafgiften med henvisning til selvbetjeningsprincippet, samt at klagerens gode tro ikke kunne medtages i vurderingen, at det er passagerens eget ansvar at være i besiddelse af den korrekte billet, at deres stewarder ikke må sagsbehandle, at det klart stod angivet på billetten, at den kun var gyldig for en cykel, at der hænger zonekort på alle stationer, at stewarderne er uddannede til at håndtere sådanne situationer alene og kan tilkalde politiet, hvis der er problemer med identifikation af vedkommende, samt at deres stewarder ikke taler russisk.

Klagerens billet så således ud:



Under den efterfølgende ankenævns sag har klageren anmodet om at se video og evt. audio fra den pågældende kontrol, samt at se logs, der dokumenterer, at automaten ikke var løbet tør for papir. Derudover har han gjort gældende, at den steward, som kom til under kontrolforløbet ikke var en overordnet og spurgte, hvor klageren var fra. Herefter talte stewarden til ham på russisk, hvilket er racistisk for en person fra Letland, som har deres eget sprog.

Metro Service har gjort gældende, at der ikke var nogen supervisor på arbejde på det omhandlede tidspunkt, og at en steward selv afgør, om en kontrolsituation kræver, at en supervisor tilkaldes. Ingen af de stewards, som var på arbejde den pågældende aften, taler russisk. Det overvågningssystem, som registrerer, hvis en automat løber tør for papir, har ikke registreret nogen fejlmelding fra den pågældende automat, der virkede både før og efter klagerens billetkøb, og udstedte voksenbilletten 4 sekunder efter cykelbilletten. Endelig har de oplyst, at der ikke kan fremskaffes video eller audio fra kontrollen, som sluttede med, at klageren og stewarden gav hinanden hånden.

### **ANKENÆVNETS BEGRUNDELSE:**

Klageren kunne ved kontrollen den 28. juni 2018 kun forevise en cykelbillet, men ikke nogen rejsehjemmel til sig selv, hvorfor kontrolafgiften på 750 kr. blev pålagt med rette.

Metro Service har fremlagt logs fra automaten, der dokumenterer, at billetautomaten udskrev de to billetter med 4 sekunders mellemrum, og virkede både før og efter. Ankenævnet lægger på den baggrund samtidig til grund, at automaten ikke var løbet tør for papir.

Det er passagerens eget ansvar at have gyldig rejsehjemmel, herunder at sikre sig at man er i besiddelse af den korrekte billet. Den omstændighed, at klageren kan dokumentere at have betalt for en billet til voksen og cykel, kan ikke føre til et andet resultat, da billetter er upersonlige og derfor kun er gyldige for ihændeleveren på billetteringstidspunktet. En kvittering kan derfor ikke gøre det ud for en billet, og kan ikke indgå i bedømmelsen af, om der på kontroltidspunktet blev forevist gyldig rejsehjemmel.

Pligten til at betale kontrolafgift er ikke betinget af, om passageren bevidst har forsøgt at unddrage sig betaling for rejsen, og da rejse på dette er et område med mulighed for omgåelse af reglerne om at kunne forevise gyldig rejsehjemmel, er det ankenævnets opfattelse, at der ikke har foreligget sådanne særlig omstændigheder, at klageren skal fritages for kontrolafgiften.

Ankenævnet bemærker, at det ikke er muligt for Metro Service at fremlægge overvågningsklip.

Det er ankenævnets opfattelse, at en steward ikke er tvunget til at tilkalde en supervisor eller politi på passagerens anmodning, hvorfor ankenævnet ikke udtaler kritik vedrørende denne faktuelle del af kontrollen.

Vedrørende klagerens påstand om at være behandlet nedladende og at være blevet råbt til, er dette bestridt af Metro Service, men ankenævnet bemærker, at en sådan adfærd i givet fald er uprofessionel.

For så vidt angår klagerens påstand om at være blevet behandlet racistisk, falder dette uden for ankenævnets kompetence, men kan henhøre under Ligebehandlingsnævnet.

## 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, som trafikvirksomhederne har vedtaget pr. 1. marts 2018, fremgår hjemmelen til udstedelse af en kontrolafgift. Det anføres således bl.a., at passagerer, der ikke på forlangende viser gyldig rejsehjemmel, herunder er korrekt checket ind på rejsekort til deres rejse, skal betale en kontrolafgift. Det gælder også, hvis passageren har købt rejsehjemmel via en mobil enhed, der ikke kan kontrolleres, f.eks. hvis denne er løbet tør for strøm eller gået i stykker. Det er passagerens ansvar, at rejsehjemlen er endeligt modtaget på den mobile enhed før påstigning. Som passager uden gyldig rejsehjemmel betragtes også passager, der benytter kort med begrænset tidsgyldighed (f.eks. pensionistkort) uden for kortets gyldighedstid, eller hvis andre rejsetidsbegrænsninger ikke overholdes (f.eks. for hvornår cykler må medtages). Passagerer, der rejser alene på andres rejsekort personligt eller med en anden kundetype, end passageren er berettiget til, rejser uden gyldig rejsehjemmel. Kortindehaveren skal altid selv være checket ind på kortet på de rejser, hvor et rejsekort personligt benyttes. Rejsekortet må endvidere ikke være så slidt/tildækket, at navnet ikke kan læses.

Passagerer, der ikke på forlangende viser gyldig rejsehjemmel, herunder er korrekt checket ind på rejsekort til deres rejse, skal betale en kontrolafgift på 750 kr. for voksne.

## PARTERNES ARGUMENTER OVER FOR ANKENÆVNET:

### Klageren anfører følgende:

"1) Company steward communication. In communication with me metro company steward was aggressive, hostile, racist and yelled at me. He told me to shut up and used racist expressions like "You people...". He did not call the police although I insisted on doing this. Then 2nd steward joined our conversation and insisted on speaking Russian with me, but spoke in secret with 1st controller in Danish.

2) I was issued fare evasion ticket although I have paid for the ride in the train of the company. I paid for the ticket in Fredriksberg station ticket machine, but did not take the paper ticket from the machine. There are 2 possibilities: I just forgot to take it or the machine did not print it out for me. Metro company can not acknowledge whether the ticket was printed out. I took train ride, steward checked that I do not have paper ticket and started to harass me. He also wrote fare evasion ticket for me although I provided information that I have paid for the ride, just did not have the paper ticket confirmation. Metro company customer service checked the situation and still did not cancel the faulty fine. More details on the case:

28.06.2018 I went to Copenhagen Fredriksberg metro station with my bike to get home to station by name Øresund. I went to electronic card ticket issue machine. Put the destination, selected that I need adult (24 DKK) and also bicycle (13 DKK) ticket for the ride and paid with my credit card. Took ONE ticket out of the machine as paid only one time and took the metro train home. There was control on that train and with no stress I presented the ticket and here the harassment from Metro company started. Steward said that I have only bicycle ticket and I should go out in the next station. I said that I paid also for the passenger ride, but he said that I have to get out in the next station. When we arrived in the next station which was Nørreport I tried to explain my situation that I paid for the adult ticket also but it is not just printed on the ticket - I

thought as I paid once that also ticket would be the one for adult and bicycle. I tried to explain situation and showed printout from my bank account on the phone that I paid 37 DKK - which means that I paid also for passenger ride. He did not want to help me and then I asked him to call for supervisor to resolve the issue. Then I told him to go with me to the machine and try to buy new ticket as I was wrongly convinced that there should be just one ticket with adult and bicycle information on it . I even asked him to call the police to resolve this situation. He said that will call police but did not do that. I had to convince him to go to credit card machine to do tests whether there is only one ticket or 2 tickets for bicycle and adult separately. I tried to prove my point even with calling the police but then the controller became aggressive , shouted at me , but I convinced him to go to ticket machine. We made first test ticket purchase there and although I put bicycle and adult tickets the machine gave me dog and adult tickets. I thought that there is something wrong with metro ticketing system and insisted that steward brings supervisor. I thought that he called supervisor, as another person in metro uniform approached us, but this was just his colleague who did not join the conflict situation. Then we made 2nd test ticket purchase and that time all went as it should with 2 tickets separately for adult and bicycle. While I was arguing with steward his attitude was very hostile and aggressive he called me "You people " and told to shut up although I tried to prove him my point of view. After 2nd test ticket purchase I apologized to the steward but said that still this is unfair and I showed my bank account printout in the phone that I paid 37 DKK for both adult and bicycle ticket, but just left he ticket in the machine. Then 2nd steward also joined the discussion and asked where I am from . I said that I am from Latvia. Then 2nd steward asked me whether I speak Russian. I said that I do, but that I would like to continue to communicate in English so everybody would understand everything. Anyways assuming that I speak Russian because I come from Latvia is mildly said racist. We have our own language in Latvia and it is Latvian. Anyways 2nd steward started to talk to me in Russian, but I continued communication in English. What did he want to tel me in Russian which he could not say in English. He spoke something in secret with 1st steward in Danish which I could not understand and then we filled the documents for fining me although steward admitted that most probably I have paid for the ticket, but he does not care, he does not want to resolve the situation and I have to call after 3 days to the number on the fine and try to resolve the situation. Afterwards I went back to Fredriksberg station and tried to find my adult ticket but did not find it. There could be 2 reasons why: somebody already took it or the machine did not gave it all. I filed also formal complaint for the steward and situation in Metro company [www.m.dk](http://www.m.dk) webpage and today received the answer that they do not find anything wrong in the situation. They could not acknowledge whether ticket machine in Fredriksberg station printed or not the paper ticket for me. "

### **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.

This basic rule is a premise for the self-service system used in the Metro. This information available on [www.m.dk](http://www.m.dk) and on Din Offentlige Transport - <https://www.rejsekort.dk/~media/rejsekort/pdf/flr/faelles-landsdaekkende-rejseregler.pdf> as well as on the Information walls on all stations. The Information walls are all in both Danish and English language.

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.

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. 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.

In the case in question, the complainant and was met by a steward inspecting tickets on the 28<sup>th</sup> of June 2018 at app. 21:05 between Nørreport station and Øresund station. The complainant, who brought a bicycle, showed a bicycle ticket but not an adult ticket. As the complainant was not able to present a valid ticket for himself, a fare evasion ticket was issued, according to the travel regulations.

In this case, the complainant objects to the fare evasion ticket itself and to the fact that he considers himself badly and racially treated by the steward and his colleague.

As far as the fare evasion ticket is concerned, there is no doubt that the fare evasion ticket was imposed correctly.

The complainant bought a bicycle ticket and an adult ticket at the station at Frederiksberg station. The travel rules require passengers to check by themselves whether the ticket delivered corresponds to what was expected. If the complainant had taken a look at the ticket he was holding in his hand, he would immediately have realized that it was only a bicycle ticket.

We have checked that the ticket machine operated as it should and we can see that both the bike ticket and the adult ticket was delivered within 4 seconds, see the attached pdf-file 'Udskrift fra billetautomat'. Why the complainant was only in possession of a bicycle ticket at the inspection, we cannot answer, but can only relate to the fact that the complainant did not have a valid ticket for himself.

A ticket is impersonal and therefore only valid for the holder if it is displayed on inspection. Subsequent display of impersonal tickets cannot be accepted, which also applies to, for example, bank statements.

Since there is no doubt that the complainant did not have a valid ticket for himself when he was inspected and since the ticket machine operated flawlessly, we are of the opinion that the fare evasion ticket was imposed correctly, thus maintaining our claim for payment of fare evasion ticket no [...] of 750, - kroner.

We take statements about racist behavior very seriously and therefore we have been in dialogue with the steward who issued the fare evasion ticket. We have sent him the complainant's inquiry and asked for his experience of the situation.

The steward definitely cannot recognize the complainant's description.

The steward explains that the complainant first believed that the ticket machine at Frederiksberg station had to be defective and therefore had only printed a bicycle ticket. The steward also explains that the complainant was upset and loud and demanded that a supervisor be called, however, a request that the steward did not follow as the supervisor was no longer on duty. On the other hand, the complainant's behavior attracted a steward colleague's attention, who therefore appeared on the spot to make sure everything was ok, which is the normal procedure for the steward corps.

The complainant asked the steward to go with him to the Nørreport ticket machine to prove that Metro's other ticket machines prints a single ticket for an adult and a bicycle and that the vending machine at Frederiksberg was therefore defective.

The ticket machine at Nørreport worked exactly as the ticket machine at Frederiksberg station. And when the complainant realized this, he told the steward that he could see that it was him who had made a mistake and the whole situation ended in agreement with the complainant and the steward shaking hands.

The complainant states that, in addition to requiring a supervisor, he called for the police to be summoned, while the steward stated that the complainant did not mention the police at all.

The complainant's accusation of racism is based on that the second steward asked the complainant where he came from to which the complainant responded from Latvia, after which the second steward should have begun to speak Russian to the complainant, but Danish secretly with the first steward.

According to the steward, no Russian was spoken at any time, and we can substantiate the steward's statement that, as far as we know, no one in the steward corps speak Russian.

For good measure we have been inquiring about the stewards who were on duty that night in the area around Nørreport; In that group there are people who speak Swedish, Pakistani, African and French dialects,



besides Danish and English, but no one speaks Russian. The fact that the two stewards spoke Danish to each other is not strange since Danish is our primary working language and the conversation between the two stewards may well have been regarding operational-related topics.

The complainant also states that the steward have told him that he should wait 3 days and then call Customer Service if he would object.

We do not understand that at all. The steward has, on his own initiative, told the caseworker, that he - as he always does - told the complainant how to write and object if he wanted to. In addition, it is also printed on the actual fare evasion ticket, in both Danish and English, how to complaint. We can also add that the complainant did not wait 3 days to appeal, but made a written objection on the website less than two hours after receiving the fare evasion ticket.

Of course, we are very sorry if the complainant has had the experience of being met with racism, but we are also of the opinion that there must be a misunderstanding on the part of the complainant.

As mentioned above, we are in no doubt that the actual fare evasion ticket was rightly imposed."

### **Klageren anfører hertil:**

"Although answer from Metro company representative is long and detailed there are couple of things I completely disagree:

1) So Metro company acknowledged that I bought a correct adult ticket for the metro ride I took. So I paid for the metro ride and did not cheat the company by taking a free ride. In other words I paid for the same service which I am fined as if I had not paid for the service. This is not true because I paid for the service and should not pay fine as not paying for it. I paid money, took the service so why I am fined as if I have not paid? As Metro company has acknowledged this situation I can not understand why Metro company does not cancel erroneous fare evasion ticket. Metro company evaluated the situation and have concluded themselves that I paid for the service. I acknowledge that the steward just did what he had to do, but as Metro company customer service has analyzed the situation later in a longer period of time and concluded that I paid for the service then why Metro service is still imposing the fine?

2) Udskrift fra billetautomat - is not the proof that ticket machine printed out the paper ticket for my adult ride. This document only proves that I paid for the service which I am falsely fined. Here you only can see that the money transaction was successful, but it does not mean that the ticket machine printed out the PAPER ticket. So does Metro company has any other ticket machine logs or surveillance camera data proving not only that I have been charged for the ride correctly, but also that the machine worked correctly and printed out also PAPER ticket for me? Does Metro company ticket machines has some other sensor logs showing that paper ticket was printed or there is some surveillance camera showing what was printed out in the machine ticket tray.

3) I would like to make correction on time when the incident started - steward inspected my ticket between 20:43 and 20:53 - not 21:05.

4) Metro company stewards are definitely lying and covering the truth for couple of things:

a) I asked the 1st steward to bring police myself. More on this: if the steward says that I was upset and loud and even attracted attention of the surrounding stewards is this not a standard procedure for your stewards to call police to resolve the incident. Or Metro company stewards come together so they could harass and bully one customer more efficiently in a larger group. Police, not second, third or ninety stewards should be involved in such situations - stewards have no repressive rights on people.

b) 2nd steward definitely spoke with me in Russian, but how can we prove or disapprove of such thing? This is question to Metro company. Metro company has surveillance cameras in the place where incident occurred - do they also record audio? Stewards also have some equipment on them - does the Metro company records audio from this steward equipment for such cases as we have now. Metro company has surveillance data and knows the identity of the steward which spoke to me in Russian. So I would like to ask Metro company to check what is the name of the 2nd steward and where he was born, studied and worked previously. Check also his CV for spoken languages, place of birth, education and previous work experience and most probably You will find out that the 2nd steward is fluent in Russian and is lying."

## Indklagede anfører hertil:

"The complainant wrote *"One quick remark on this case - please tell what is the job title in the Metro company for the steward which spoke to me in Russian. Is he just an ordinary steward or also steward supervisor?"*

We have already answered that the steward did not speak Russian. But we can inform that the steward who issued the fare evasion ticket is a regular steward.

1. As we have already answered in our mails, an impersonal ticket is only valid if it is presented at ticket control. That you can later show that a ticket has been purchased / paid is not relevant because the ticket is impersonal and can be used by anyone who displays it.
2. Our ticket machines are online with a surveillance system that 'pings' if the machine has paper jam or is running out of paper or similar. There is no registry of any errors of any kind on the ticket machine that the complainant used and we have already submitted documentation that the machine worked both before and after the complainant's purchase.
3. The bicycle ticket presented by the complainant was bought at 20:43 at Frederiksberg station. It is therefore excluded that the ticket control should have taken place at. 20:43 as the complainant claims. The electronic registration of the fare evasion tickets commences at 21:05:00 and ends at 21:10:02.
4. (a). No, it is not a common procedure to invoke the police automatically when / if a passenger attracts attention by, for example, behaving loudly and upset. A very important part of the stewards' basic education is conflict management, a subject that the stewards also receive regular training in. The police in Copenhagen will of course attend if it is called, but as a rule, we try to solve most situations without police intervention.

(b). As we have already explained, we are taking charges of racist behavior very seriously. And as we have answered before, we are sorry if the complainant feels racially treated, but we are, as already explained, also convinced that in the specific case there is a misunderstanding, as the complainant and the steward departed by shaking hands with each other. The stewards do not carry recording equipment, either audio or visual. It is true that there are video equipment at the stations. But firstly, the actual situation may not be recorded at all, as the monitoring is primarily intended to monitor railway safety at the stations. And even if the situation should have been recorded, it has also been deleted again. Video recordings will be automatically deleted after a maximum of 28 days, unless an official and reasoned request has been made for a certain video frequency to be secured and handed over to, for example, the authorities.

Any steward who is offered a recruitment at Metro must be able to deliver a clean criminal record and a clean child certificate and must be able to deliver both continuously during the recruitment period, as well as annual security certificate and security approvals. In addition we also take into consideration, the background, education, language proficiency, professional experience as the individual candidates represent, as well as references from eg previous employers and more. There are many conditions that must be met satisfactorily before you are offered a job as metro steward. But in addition to all the above mentioned, we do not intend - as requested by the complainant - to investigate further matters such as birthplace, childhood and the like.

Once again, we are very sorry if the complainant has felt racially treated, but it does not change the fact that the complainant could not present a valid ticket for himself when controlled. And therefore we maintain our claim for payment of the same."

## Klageren anfører hertil:

"Thanks for message - as I understand from their answers Metro Service tries to cover up the uncomfortable truth about their operation. If they wanted they could provide proof which would show what really happened in Norreport station - but they choose to wait out so all proof is gone, so the truth could not be clarified. Metro company also tries to manipulate with answers and facts because I am not stating that steward who issued the fare evasion ticket spoke to me in Russian - I have written couple of times that this was 2nd



steward which joined conflict afterwards. Metro company is trying to put focus only on one steward, although there were 2 stewards involved in situation.

They try to misguide my statement about ticket inspection. See my previous e-mails. I wrote that:

3) I would like to make correction on time when the incident started - steward inspected my ticket between 20:43 and 20:53 - not 21:05.

In last email they write that I have claimed that ticket inspection happened at 20:43 - I did not state so. I said between 20:43 and 20:53 - because I bought couple of test tickets in Norreport station at 20:53. More on Metro steward conflict management policy - does it state that in case of conflict with customer more stewards should be involved in the conflict resolution? Why 2nd steward joined the conflict when Metro company states that stewards should handle conflict independently? If the 2nd steward was not supervisor - why did he join the conflict at all?

Is it possible that Metro company gives information to Appeal Board about 2nd steward's language proficiency? I hope Metro company has not deleted these records, too...

Metro Company also writes that there is some surveillance system which ping the ticketing machines and also some registry of errors of ticket machine operation. If there are such records I would like to ask the Metro Company to present these logs because only thing they have presented is transaction log of the machine so there is no evidence that machine had no errors or malfunction during the same time.

To summarize facts:

- 1) Metro Company took my money for using their service and on top of it also fined me for the same service as if I have not paid for it. If I paid for service - why I am fined as if I have not paid? And for what service did I pay then if I am fined for Metro company transportation service. For what did I pay?
- 2) Metro Company could provide only evidence that I paid them for service, but they do not have any direct evidence that I received acknowledgement from their side in the form of ticket for this payment. Metro Company presented ticketing machine transaction log, but did not provide machine registry for errors in the same time to be sure that machine did not malfunction at that time.
- 3) Metro Company is withholding important information which would shed light on harassment claim I have described although they have all means clarifying it."

På ankenævnets vegne



Tine Vuust  
Nævnetsformand