



Scottish Government consultation on the integration of the British Transport Police in Scotland into Police Scotland - SPT response

Committee Strategy and Programmes

Date of meeting 9 September 2016

Date of report 16 August 2016

Report by Assistant Chief Executive (Operations)

1. Object of report

- 1.1 To recommend approval of SPT's draft response to the Scottish Government's consultation on its proposed arrangements to integrate the British Transport Police (BTP) in Scotland into Police Scotland¹.
- 1.2 The closing date for responses was 24 August and SPT's draft response, attached at Appendix 1, was submitted within deadline subject to Committee approval.

2. Background

- 2.1 The Scottish Government's consultation paper sets out the proposed arrangements to integrate the BTP in Scotland into Police Scotland. It invites views on how all those responsible can ensure a smooth transition towards integration, ensure railway policing in Scotland is subject to appropriate oversight by the Scottish Parliament, and maintain railway policing as a specialism.
- 2.2 Scotland's railways are a vital component of our national infrastructure, and the BTP provides a specialist railway policing function which is highly valued by the rail industry, railway staff and rail passengers. BTP also polices the London Underground, the Subway in Glasgow (through a contract) and various other elements of the UK's rail transport infrastructure.
- 2.3 In November 2014, the Smith Commission published its report detailing Heads of Agreement on further devolution of powers to the Scottish Parliament including the functions of the BTP in Scotland. Subsequently, the UK Parliament passed the Scotland Act 2016, which included provisions to transfer legislative competence over the policing of railways and railway property in Scotland to the Scottish Parliament.
- 2.4 The focus of the consultation paper is to invite views from key stakeholders on the approach to integration of BTP in Scotland into Police Scotland, including governance and accountability arrangements. The consultation responses will inform Government policy on how this can best be achieved, and the proposed legislative changes that will be presented for consideration by the Scottish Parliament.

¹ <http://www.gov.scot/Resource/0050/00502276.pdf>

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- 2.5 The Scottish rail network has around 2,800 kilometres of track and 358 stations (over 180 in the SPT area) and includes heavily used commuter routes, as well as regional routes for both passenger and freight travel. Scotland also has many rural routes providing lifeline services to remote settlements and to tourism and visitor attractions, as well as the UK's largest metropolitan system outside London, covering the SPT area. Around 93 million passenger journeys are made in Scotland each year, two thirds of these in the west of Scotland. BTP's remit also covers cross border inter-city and sleeper services.
- 2.6 BTP has Scottish headquarters in Cowcaddens, Glasgow and employs 281 staff across Scotland, of whom 225 are officers. In the west of Scotland, BTP officers are also based out of rail stations at Glasgow Central and Queen Street, Kilmarnock, Paisley, Dalmeir and Motherwell.
- 2.7 The cost of railway policing in Scotland is currently over £21 million per annum. This cost is supported by franchise payments and subsidies from the Scottish Government as part of its overall annual investment of over £700 million per annum in Scottish rail infrastructure and rail passenger services.
- 2.8 As noted, BTP patrol the Subway in Glasgow which has fifteen stations and over 13 million passengers a year. SPT pays for this service through a Police Services Agreement that is currently in place. During the busiest periods, such as when football or other major public events take place, the presence of BTP officers, bolstered by SPT's security team and stewards, provides an effective model for ensuring public safety. The arrangement has proved to be effective with crime on the Subway, including hate crime, remaining at consistently low levels.
- 2.9 As noted in the consultation document, BTP and Police Scotland already have well established partnership working arrangements as evidenced by their successful joint working during the 2014 Commonwealth Games.

3. Outline of proposals

- 3.1 Police Scotland has indicated its intention to maintain a specialist railway policing function within the broader Police Scotland structure accountable, through the Chief Constable and the Scottish Police Authority.
- 3.2 This consultation paper sets out proposed arrangements to integrate BTP in Scotland into Police Scotland. It invites views on how all those responsible can: ensure a smooth transition towards integration; ensure railway policing in Scotland is subject to appropriate oversight by the Scottish Parliament; and maintain railway policing as a specialism.
- 3.3 The Scottish Government state that having all of the major policing functions in Scotland under a single command structure will help to ensure a fully unified and integrated service for policing transport infrastructure, bringing specialist railway policing together with policing at airports and across our road network.
- 3.4 While intending to maintain a specialist railway policing function within its broader structure, Police Scotland has identified the options of BTP becoming a specialist railway policing function as part of its Operational Support Division, or aligning railway policing with its Border Policing Command.

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Key points of SPT's response

3.5 SPT's response to the consultation is attached at Appendix 1. The key points of the response are as follows:

- Concern at the loss or dilution of specialist skills within the BTP when transferred to Police Scotland.
- There is the opportunity for Transport Scotland and Regional Transport Partnerships to have greater oversight of the work of Police Scotland on the transport network.
- SPT considers that the current integration of BTP within Police Scotland provides the opportunity to consider the policing of public transport as a whole. Given that the largest public transport mode is bus – 77% of public transport journeys are by bus - it is surprising that there is no dedicated transport policing service outwith rail and Subway.

4. Conclusions

The Scottish Government is consulting on its proposed arrangements for the integration of BTP into Police Scotland. SPT's draft response is attached at Appendix 1.

5. Committee action

The Committee is recommended to approve SPT's draft response to the consultation, attached at Appendix 1.

6. Consequences

Policy consequences	<i>SPT's response is in line with the RTS.</i>
Legal consequences	<i>None directly.</i>
Financial consequences	<i>None</i>
Personnel consequences	<i>None</i>
Equalities consequences	<i>SPT's response calls for enhanced policing across the public transport network to promote improved public safety.</i>
Risk consequences	<i>None</i>

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For further information, please contact *Bruce Kiloh, Head of Policy and Planning*, on 0141 333 3740.

Appendix 1

Consultation on the integration of the British Transport Police in Scotland into Police Scotland RESPONDENT INFORMATION FORM

Please Note this form **must** be returned with your response.

Are you responding as an individual or an organisation?

Individual	
Organisation	X
Full name or organisation's name	SPT
Phone number	0141-333-3248
Address	131 St Vincent St., Glasgow
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Email	john.binning@spt.co.uk

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

Publish response with name	X
Publish response only (anonymous)	
Do not publish response	

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Yes	X
No	

CONSULTATION QUESTIONS

1. During the integration of BTP in Scotland into Police Scotland, how best can we ensure that the benefits of greater accountability and integration are delivered within the wider policing of Scotland's transport infrastructure? What additional benefits should we be looking to achieve?

Comments:

The additional benefits that should be considered are, potentially, the widening of the "transport" remit of BTP to include the wider public transport network rather than being almost exclusively that of a solely railways-based police force. Despite being the single biggest public transport mode – almost 80% of all public transport trips – there is no dedicated police presence on the bus network in Scotland. Previous pilot projects in the SPT area have shown that a dedicated bus-based police presence proves successful, SPT would be happy to share this information with the Scottish Government on request.

In addition, at a time of raised security threat, it is all the more important to maintain continuity of operation while extending the reach of the BTP Police to all public transport modes with a view to enhancing public confidence in the transport network. This approach could best be delivered by Police Scotland and transport operators working together to make the relevant judgments using a risk-based system. Regarding accountability, in addition to

the regular reporting that Police Scotland give to Community Planning Partnerships, it would be helpful if there could be a reporting mechanism established which allowed for Police Scotland to report on policing on transport to the boards of Regional Transport Partnerships such as SPT.

2. What are your views on how to ensure that the skills, knowledge and experience of BTP officers are retained within Police Scotland?

Comments

Whilst many skills are transferrable – regular police on crowd duty and BTP police on crowd duty at rail stations for example – there remains a danger that specific skills might be diluted if units are subsumed within the wider police workforce. The specific dangers associated with the rail network will be best understood by dedicated police staff as well as operational rail staff. By-laws and other specified rail based restrictions will also be better appreciated by these groups. Therefore it is essential that, in integrating BTP within Police Scotland, these issues are taken into account and are mitigated as part of the transition, and through future training.

3. What do you see as the best way for SPA to engage with the rail industry and passengers in setting railway policing priorities?

Comments

Should Police Scotland become the over-arching body for rail policing then engagement with the transport industry – specifically public transport but not limited to the rail element of that industry – will have to be undertaken in a structured and accountable form. An option which should be considered is that this is co-ordinated and governed by Transport Scotland in consultation with rail industry stakeholders and Regional Transport Partnerships.

4. What amendments to the current cost allocation regime should we consider?

Comments

The funding issue will become more focussed given that the funding element associated with rail operators will be primarily allocated from the ScotRail franchise holder – given that that operator will be the over-whelming operator associated with rail operations in Scotland. Cross border operators are to be treated differently but it is unclear if their cost allocation will be based on mileage, patronage, or service level – indeed it could be suggested that the Sleeper operator might have to be considered differently given the unique operating profile of that specific franchise operation. The “ring-fencing” of policing funds from the franchisee should perhaps be considered or potentially prioritised to ensure that funding is constant and consistent during the phasing of franchises. However, any widening of the function of a wider “Transport” Police body could mean that other transport operators could be called upon to specifically fund policing of transport (specifically public transport) in Scotland. Bus station operators, tram and bus and ferry companies could be called upon to contribute directly to the funding of officer presence which enhances the public perception of safety on their services/modes. This is currently the case on the Subway in Glasgow where SPT pays through a contract for a BTP presence.

5. What do you think should be included in a revised Police Services Agreement to maintain or enhance the policing service currently provided?

Comments:

It would be essential for any new PSA to give special emphasis to the need to police not only the rail network (and the unique and specialised requirements of this) but also consideration should be given to how improvements could be made to the policing of the wider public transport network, including the Subway.

6. What are your views regarding our proposals for BTP officers and staff transferring to Police Scotland? Do you have views on a preferred option for the timing of negotiating terms and conditions?

Comments:

SPT has no comment to make on the specifics of staff transfers. However, any transfer must honour the contract that SPT already has in place with BTP for the Subway.

7. What are the main points to consider when discussing the future of pensions for BTP officers and staff?

Comments:

SPT has no comment to make on this.

8. Are there any likely impacts the proposals contained in this consultation may have on particular groups of people, with reference to the “protected characteristics” listed on page 22? Please be as specific as possible.

Comments:

It is relatively unlikely that the proposals in this consultation will have significant additional impact on the groups listed, however, discriminatory and hate oriented crimes on public transport is prevalent and growing on some modes. A key priority for Police Scotland in taking over the duties of the BTP, and if those duties are extended to the wider public transport network, will be addressing instances of crime and the perception of the prevalence of crime on public transport. This can often be a major deterrent to public transport use by particular groups of people, and therefore Police Scotland, in partnership with Transport Scotland, RTPs and operators should seek to deliver solutions to these issues.

9. Do you think the proposals contained in this consultation are likely to increase or reduce the costs and burdens placed on any sector? Please be as specific as possible.

Comments:

It is vital that, in assuming any new duties from BTP, Police Scotland seek to work with those operators reliant on BTP support – SPT, ScotRail, for example – to minimise any potential increase in costs, and to ensure that some operators do not end up contributing disproportionately more for the same service. There are potentially economies of scale in the move, but should Police Scotland’s role in policing public transport be extended, costs may rise for operators.

10. Are there any likely impacts the proposals contained in this consultation may have upon the privacy of individuals? Please be as specific as possible.

Comments:

It is unlikely that privacy issues, or the perception of privacy issues, would be significantly altered by any proposals contained within this consultation. Increased CCTV surveillance across public transport modes is now seen as part of the wider public realm environment and is incorporated into virtually all streetscapes in Scottish towns and cities.

11. Are there any likely impacts the proposals contained in this consultation may have upon the environment? Please be as specific as possible.

Comments:

As per above it is unlikely that there would be any significant impacts, although this could depend on the final structure of a transport police force and whether or not it was altered to incorporate other modes which could, at the margins, increase travel need for officers or staff and thereby their environmental "footprint".