Justice Committee

Railway Policing (Scotland) Bill

Written submission from Alisdair Burnie

In accord with the invite for views, I duly submit to the Justice Committee: I also understand and have read and agree to the terms and conditions in making this submission. This submission should be considered as evidence to the Committee and it may be published.

Please consider this submission to be from an individual, it is not the view of the Company (British Transport Police), of which I am an employee.

The anticipated impact of the move on skills retention

While noises have been made to effect that railway specialist Policing skills will be retained, by forming a unit within Police Scotland (should integration happen), this is naïve and impractical in a number of ways. It has been reassured that BTP Officers and support staff will transfer with no detriment, but the likely location of Police Scotland posting has not been clarified. Many Officers, will therefore seek to avoid transferring due to this uncertainty and will react by seeking such as retirement where possible or alternative employment convenient to their current homes. Civilian staff, having seen the reduction in staff numbers and low morale existent in Police Scotland, doubt there are actually any vacancies which would be sustainable and job security is in apparent peril.

In summary, the numbers of BTP Officers and staff who would actually reach Police Scotland will be significantly less than expected and we are already small in number. This will be a primary reason for skills shortage and lack of skills, knowledge with experience retention following integration. There is also concern that the railway specialised training such as track safety, has not been mentioned and may not be in place.

Finally, redundancy has not been mentioned but will surely have to be an option; this will result in a large uptake. The redundancy situation must be at least touched upon, it cannot be ignored.

Cross-border security arrangements

Recently some have aired views that cross border sea, road and air travel and their current security and Policing arrangements, can be mirrored for rail. Nonsense. None of those modes have intermediate halts, nor attract the transient crime types and methods which BTP understand and can combat. The current national BTP Intelligence, crime recording and command and control systems which seamlessly “follow” real time incidents will be disconnected and only available via slow time clunky exchange of information protocols and means which have not even been considered yet. I have no idea how cross border football traffic can be dealt with as competently as now, and Police Scotland Officers crossing the border on continuous duty will need sworn in for England and Wales (BTP Officers are UK wide sworn in).
As Acting BTP Scotland Crime Manager, I can relate numerous examples of efficient cross border Policing, best practise in abundance and over a century of lessons learned being applied, where BTP Scotland or any intermediate BTP post en route, can adopt and take ownership of crimes in progress, physically and electronically, know how to deal and cope with legislative and procedural differences and all the time system readers can see and know the most up to date status. I can task any Officer in BTP nationally to conduct a crime enquiry task, irrespective of that crime's locus, immediately. Can a Police Scotland Crime Manager based in one legacy Force area do the same with another legacy Force area in Scotland never mind UK? I know they cannot do so efficiently due to different systems and various other practical reasons, delays will occur, justice outcomes could be adversely affected and delayed while victim and witness service will be reduced.

Criminals will probably be eagerly looking forward to integration and I predict an increase in cross border crime with a corresponding decrease in effective Police tactics. Unfortunately this might not be realised or seen via statistics. I can quickly and accurately produce cross border BTP crime statistics, but will Police Scotland be able to?

For example a crime committed en route between London and Glasgow and the exact location is not known. BTP will record and investigate using the end location Glasgow. A Scottish crime then. The investigating officer can easily arrange retrieval of all relevant on and off train CCTV archive usually the most prudent first action. They will also know this must be obtained within 7 days (on train CCTV archive overwritten limit), they will also know where the subject train now is to physically get it (could by now be anywhere on UK network) and deal with all victim and witness updating as their enquiry progresses. This might mean deploying BTP anywhere in UK to obtain such as evidence and statements on their behalf.

This same scenario would present Police Scotland with various serious difficulties. Firstly Scottish Crime Recording Standards dictate the start location of the journey would be the locus and a transfer of crime from Police Scotland to relevant to locus BTP England and Wales would be sought but declined as Home Office Crime Recording and Counting Rules dictate the end location is the locus (an English crime then). So an enquiry gap results while that issue is resolved. Meantime enquiry is stalled, due the Scottish or English crime recording issues. When an investigator is identified and can proceed, the CCTV on train archive will be in danger of expiry and that’s even if the Investigator knows where to get it from. Victim will get reduced and maybe ineffective Police service compared to the way BTP Scotland deal now.

Finally, we all live in a statistical world. I can quantify cross border crime for reasons already mentioned. To do this obviously, the crime flow, type and quantity in both directions must be known. The aforementioned locus of crime issue alone will prevent accurate measure of this, post integration. Police Scotland might well have a cross border crime (potentially recorded via at any of their eight different legacy Force crime recording systems) count, but to complete the data they will somehow need to obtain “both directions” crime data, the full crime picture in other words.
In summary cross border crime on the railways will increase and it cannot be measured with accuracy, nor tasked to investigators efficiently, a total difference to the current BTP Scotland abilities.

Cross border terrorism must also be mentioned. The largest single contributor in this regard is the very long running mutual rail staff /BTP Operation Alert. While this is not the forum to explain its evidenced benefits in combatting and disrupting terrorism, this will also cease at the border. BTP also have a tried and tested categorisation of such incidents, based on Intelligence and which is understood by all involved who know and understand what is expected of them, based on that categorisation. This will also vanish with integration. Of course there is a categorisation arrangement for such incidents within Police Scotland but, it does not take railway environments, moving locations, densely occupied hubs and the like.

**Passenger safety and confidence**

Please refer to the above and also note BTP Scotland via external surveying know victim satisfaction with BTP, and their service experienced as victim of crime is consistently very high. This will reduce. Safety and feeling of safety will reduce both for the travelling public and also railway staff, simply because they no longer see Police in the stations and on the trains.

**Relationships with rail operators**

If the current high levels of service, both actual and experienced as I honestly fear, relationships will suffer. The unions will also be loud on this. They will attack the level of costs re their Policing Service Agreements as service will be reduced. While we should not quote anecdotal evidence, I have to on this occasion though: it is that rail staff across the board generally fears reduced Police service post integration. Their disaffection will manifest in many ways but I predict at least threats to strike if the services to them are perceived as reduced.

**How the role or terms and conditions of BTP officers could be affected**

Very complex, although lots have been said, the reassurances lack essential detail and definition to make a decision as to whether to “go to Police Scotland”. The pension’s ramifications are complex and quite frankly scary to most. I include already retired BTP Officers and staff. The related pension schemes are strong and understood, while there is no perception that a safe and suitable pension arrangement will exist after any integration.

We also don’t know if current home base will be considered in posting. We do not know why Officers are more mentioned than civilian support staff, will it be the case that there are no vacancies and redundant after integration will become a fear. Let’s face it the financial woes of Police Scotland are well in the public domain. We are safe where we are but will not be where it is proposed we go.

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