Justice Committee

Railway Policing (Scotland) Bill

Written submission from David Grant

For the past 18 years I have worked for the British Transport Police (BTP), the last 12 years as a Sergeant. My postings have included Gloucester, Cardiff, Bristol, Manchester, Preston and Lancaster.

This response to the consultation is provided in a personal capacity and is not given on behalf of BTP, although I will of course draw heavily on my experience of working for BTP.

Introduction

The history of policing is inextricably linked to that of the railways, and with the earliest of police forces being those that were set up to police the railways. When the railways were built the companies built stations for the trains. At some of those stations police were based. To differentiate those stations they were referred to as ‘police stations’ – a term that survives today. Another of the early jobs of the railway police was to control the movement of trains, including operating the signalling and changing the switches (points) that moved trains from one track to another – something that was known as ‘point duty’ (today a term associated with directing road traffic). In areas around the Scottish border I still hear older rail workers referring to the signallers as ‘bobbies’.

The history of the British Transport Police and its predecessor forces has been one of innovation – first police force to use dogs, first police force to employ female officers. Today that tradition continues, and I can state from personal experience that BTP has never been a force to stand still (in fact, when I first joined BTP, the recruitment brochures described it as “a Force on the move”).

For me, questions about what British Transport Police does that makes it relevant – or not – for the 21st Century are not something that I have just thought about because of the situation in Scotland now. BTP has been reviewed several times during my time with the force, and every time someone external questions the very reasons for my employer’s existence, it has to be something that stops and causes me as an individual to think about what I am doing. This is my life; when I chose to pursue a career in public service I chose to work for the British Transport Police. I never wanted to work for a Home Office force, so when someone questions whether BTP should even exist, it is essentially questioning my life choices – and, as you can appreciate, that makes it something very personal and close to my heart. But this is not a response based on sentiment, but instead is based on those 18 years working for BTP and as such a well-developed understanding of the value that BTP adds to policing Britain’s railways.

I will now comment on some of the specific headings for which feedback has been requested.
1. The impact, if any, which the devolution of railway policing will have in retaining specialist skills and knowledge built up by British Transport Police officers.

One of the most common things I have heard said, usually by Constables, in Home Office forces is that they ‘often get to incidents on the railways before BTP’, with the inference being why don’t they just deal with whatever it is in its entirety rather than having to hand it over to BTP? I have certainly heard the same comments made during the discussions on railway policing in Scotland. But this is a very simplistic statement and completely misses the point that the British Transport Police is a SPECIALIST police force.

To put this into a different context... There is a saying amongst police officers that if you ever stop a vehicle you can’t see over the top of you call a traffic police officer. Why? Because traffic police officers are specialists in their field. They work for the same force as their colleagues, but their specialist knowledge makes them stand out in their field. For example, I know nothing about tachographs and if I thought that I had a relevant offence in front of me I would not be able to deal with it without getting a specialist traffic officer in to deal with those specific offences.

Yes, we can both deal with basic offences... I would have no problem dealing with a public order offence committed by a motorist, in just the same way that a traffic police officer could deal with a public order offence committed by a passenger on a railway station. But that is where the similarities end.

Railway policing is incredibly complex and well beyond the abilities and knowledge of your standard police officer. I know this for a fact because during the past 18 years I know that Home Office officers I have spoken to day in and day out do not even know the basics – and by that I mean have an understanding or knowledge of the Railway Byelaws. But railway policing is so much more... most of the legislation that my colleagues and I use on a daily basis was put on the statute book in Victorian times at the same time as the railways were being built, and it is good legislation that has stood the test of time. Knowledge of that legislation, sharpened by daily use, is just one of the things that contribute to BTP being a specialist force.

BTP officers are also trained to the same standard nationally. The railway is a safety-critical environment and officers have to be track safety trained and certified just to walk along the railway lines in the course of their work. The railways also have a language unique to the industry and officers have to use that very specialised language to communicate with railway staff, especially to ensure that those safety-critical messages are passed in a way that makes them understood by all parties. We can be talking about the ‘up fast’ or the ‘down slow’, ‘the cess’, ‘the 4-foot’, ‘the 6-foot’ or ‘the 10-foot’ – to give just a few examples.

There are other, less tangible skills that BTP officers possess and that is around the fact that we are policing an environment where everyone is on the move. It is so far removed from policing a housing estate, where you may know who you ne’er-do-wells are and where they live. For us, our specialist skills extend to being able to spot that one person in a crowd of hundreds and thousands of people walking past you. And that is a real skill – it is developed from constantly observing people using the railway, how those people move around a station, and spotting that one
individual who does not follow those established patterns of movements. This is not an interchangeable skill with local police officers. You cannot take an officer off the streets, stand them on a station, and expect them to see the passengers in front of them as a BTP officer would. That skill comes from their experience of being immersed in the railway environment – and in the same way that burglars are burglars (because that’s what they know), there are many people who will only commit crime on the railways, because that is what they know.

I believe that there will be a loss of experience that will significantly impact on the policing of the railways in Scotland due to the dilution of BTP being absorbed into the much larger structure that is Police Scotland. Even saying that it will be ring-fenced, or numbers will be maintained, does not provide me with sufficient confidence. A lot will depend on the individual circumstances of each officer and what they could or could not do personally. For me, if I was faced with being absorbed into Police Scotland (albeit still in some railway police department) I would instead apply to move to England and work for BTP there – but that is only because my personal circumstances would allow me to do that. There must be BTP officers in Scotland who would do likewise, or retire, or consider alternative employment. Policing is no longer a career for life, and I have recently seen colleagues around me in England with nine or 15 years’ experience as Constables leaving to work in the private sector. It would be unwise to expect all the BTP officers in Scotland will be happy with a move to Police Scotland, because, if like me, they probably chose to work for BTP.

2. The impact, if any, which the devolution of railway policing will have in terms of cross-border security arrangements;

3. The impact, if any, of ensuring consistency in delivering passenger safety and maintaining confidence within railway policing.

For me this is the biggest area of concern. I work for the BRITISH Transport Police. We police BRITAIN’s railways. For me, ‘cross-border security arrangements’ does not just mean how we deal with passengers and freight on the east coast and west coast main lines, it means the very future of railway policing in Britain as a whole.

If Police Scotland assumes responsibility for policing the railways in Scotland where does that leave the rest of us who work for BTP? Will my uniform jacket have “BRITISH“ (* except Scotland) TRANSPORT POLICE” written on the back? How can BTP survive if you remove an integral part of ‘Britain’ from the Transport Police? It will collapse like a house of cards. The relevance of BTP as a ‘specialist police force for the railways’ will cease to exist, because the Law of Unintended Consequences will come into play, and by Police Scotland taking over railway policing (whether or not it ‘works’) it will mean that having a ‘specialist’ police force for the railways in England & Wales ceases to be a sustainable argument. By default, the action taken in Scotland has the ability to weaken the policing of the whole railway system across Britain. That would be a weakening of cross-border security on a national scale. Like it or not, Scotland is part of the UK, and what Scotland does or does not do must surely be considered in the wider context of national security?
On a more local level, I am currently based in Lancashire on the West Coast Main Line. As such I am dealing with cross-border trains (passengers and staff) on a daily basis. For me it is very important to know that the officer I speak to in Glasgow or Edinburgh has exactly the same Policing Plan priorities that I have. If I am investigating an assault on a member of rail staff, or a theft of passenger property, I know that that officer will fully appreciate the importance of my enquiries because those same offences will be in exactly the same framework in Scotland as they will be in England or Wales.

Police Scotland, as with all Home Office forces, will have different priorities to BTP. They may prioritise domestic burglaries and domestic violence. But BTP doesn’t police houses – so domestic burglary will never feature in a BTP Policing Plan. If railway policing is just a small department within the much bigger organisation that is Police Scotland, then the priorities for the railway will barely register in that bigger picture. I know that if I delay a train in Preston then it will have a knock on effect to either London or Glasgow. I need to know that an officer policing the railway in Scotland fully understands those implications too. Working as I do on the West Coast Main Line I cannot begin to comprehend how I would deal with a totally separate police force being responsible for the same train on the same stretch of line just an hour away from me.

We have regular cross-border football traffic, and Blackpool is a popular destination for people from Glasgow, plus the Virgin train crews change at Preston (with the Scottish crews returning north from here). I don’t see the railways in Scotland being something separate that can be severed from the rest of the network. To me, on a daily basis, I am constantly working with Scottish train crews, Scottish passengers, and liaising with my colleagues in Scotland. All I know is that if I had to deal with Police Scotland as often as I had to deal with my colleagues in BTP Scotland, then MY job would be far more difficult. And if my job, as just one officer, would be that much more difficult then so would that of all other BTP officers that police cross-border services.

So, Police Scotland taking over railway policing in Scotland has the very real potential to see the demise of specialist railway policing across the whole of Britain. That is in addition to the unnecessary complications that having two separate police forces, with differing priorities, would bring to frontline policing.

4. The possibility that officers tasked with railway policing in Scotland may be abstracted from their core rail policing duties in order to support wider operational roles within Police Scotland.

I was once told following story (and whether or not it is likely to be true I will leave for the reader to decide): A Home Office force was paid to police a light rail system. The payment, by the company that operated the system, was based on the force supplying a specified number of officers to police the network. It subsequently came to light that the police force had assigned the specified number of officers on paper only, and it turned out that there were a large number of officers that were on long-term sick leave, or were non-operational for one reason or another and had been shown to be the ‘dedicated’ officers the company had specified. And then the company found out what had been going on…
The abstraction of railway police officers into other areas of Police Scotland operations is an absolute given.

If BTP currently has an office on a railway station, and Police Scotland has a police station a mile down the road, will both police stations be maintained? Clearly not. The one that will go, to make the necessary financial savings that Police Scotland so desperately need to make, will be the one on the railway station. If the officers are not based on the stations, as they are now, in effect you have an operational abstraction straight away. Virtually all calls I get to meet a train due to some disorder or crime taking place are at such short notice – often just five minutes’ notice – that if I wasn’t based in an office on the platform then offenders would escape, crimes would go undetected, calls for service unanswered, and confidence in the police would plummet.

People often forget that the BTP polices more than just passengers. We also deal with freight services, and the Network Rail and other contractors who are often working when train services are suspended. Yet consider Christmas Day and Boxing Day when there are no trains running. Will Police Scotland use the railway police officers to backfill their shifts that are busy with domestic incidents across the city? When rail services run down early on New Year’s Eve, will those railway officers find a skeleton staff left as everyone else is called in to police the Hogmanay celebrations in the city centre? Of course they will. Whatever Police Scotland says it will or will not do now, it cannot make a blanket decision that whatever it decides now will hold true for the future. At least if those railway police officers remained part of British Transport Police then they are part of a force whose only remit is to police the railways. Anything less than that is going to be a degrading of the police service to the railway community.

**Conclusion**

Working for British Transport Police has been an honour and a privilege and I firmly believe that BTP is the best police force for Britain’s railways, be those in England, Wales or Scotland. If it didn’t work, then we would be seeing calls across the country for Home Office forces to take over railway policing – but that isn’t happening. BTP has the fewest complaints per 1,000 employees in British policing (69 against a national average of 142). As a Force we are best placed to serve the railway community – a specialised police force that is as relevant today as it was when the railways were first built. I truly hope that the Scottish Government will realise that having a single national police force for the railways is the ONLY option that will provide the best service for the community. To remove Scottish railways from BTP will, unwittingly, lead inevitably to the abolition of the British Transport Police across the remainder of the country. Given that this is a force that is proven to work so well, and is held in such high regard, will that not be a price too high to pay?

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