The impact, if any, which the devolution of railway policing will have in terms of retaining specialist skills and knowledge built up by British Transport Police officers;

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.

These points are intertwined. Particular consideration should be given to ensuring sufficient routes for career development within the ‘railway’ speciality; while policing careers are fluid and many officers move between forces if a horizontal move (out of ‘railways’) is the usual route to promotion the ‘railway’ skills and knowledge will haemorrhage.

The BTP has extensive counter-terrorism skills and knowledge. To ensure this is retained, a dedicated counter-terrorist unit (CTU) should be created within the new Scottish ‘railways police’ structure which should collaborate directly with the BTP while also feeding into the Specialist Crime Division. If specialist CT equipment (e.g. in relation to CBRN) is held centrally by the BTP will new equipment be purchased by Police Scotland? Will the railway operators have to fund this?

Will the new ‘railways police’ continue with projects such as Servator? Will they collaborate with future projects running in England/Wales?

Some other brief comments, which do not relate directly to the points:

- As noted by respondents to the consultation, it is questionable whether the SPA is an appropriate conduit for accountability over the railways. Whatever governance structure is adopted should be required to have representatives with a) experience of the railway service providers’ interests; b) experience of railway passenger’s interests; and c) experience of railway employee’s interests. Requiring the SPA to ‘engage’ with such groups is not sufficient.
- The railways community is very different from that of the ‘local’ police. The diversity can be easily overlooked. For example, s.85L(2) does not include businesses operating in railway stations. These are a part of the relevant community and should be consulted.
- Why is railway property defined more narrowly than in Railways & Transport Safety Act 2003? (s.31(e) ‘on other land used for purposes of or in relation to a railway, (f) on other land in which a person who provides railway services has a freehold or leasehold interest’)?
- As I noted elsewhere (Scottish Justice Matters, June 3, 2015), this bill, and the consultation that preceded it, puts the cart before the horse. A putative benefit is the enhancement of railway policing in Scotland through direct access to the specialist resources of Police Scotland. No evidence has been
produced to back this statement. What gap exists in the BTP that could be ameliorated through access to the specialist resources of Police Scotland? Why is integration the best means to access these resources rather than some collaboration? What specialist resources of the BTP might be lost through integration? Why weren’t these – and other – questions answered before a bill was tabled?

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