Justice Committee
Railway Policing (Scotland) Bill
Written submission from the Office of Rail and Road

Context
The railways are experiencing significant growth. This creates a variety of additional challenges for policing such as increased passenger flows in and around stations, frustrations leading to aggressive behaviour from passengers to staff and crowd control at peak periods. The demand for high quality policing has never been stronger. The threat of terrorism has increased. This indicates the possibility of a terrorist act on a train.

A specialised unit
A specialised unit has specific and enhanced knowledge of the legislation that applies to the rail network.

It has mastery, born out of long experience, of the type of crime perpetrated on the rail network particularly trespass, vandalism, level crossing misuse and metal theft. It knows what preventative actions are effective and how best to deal with rail-specific criminal misdemeanours in the most efficient manner.

It understands industry specific processes and is able to keep current with changing industry practices.

It can react in a timely, efficient and competent manner to fatalities, suicides and other serious incidents, minimising delay and the additional safety risk that can arise during perturbed working.

Its police officers are deployed exclusively on railway matters and are not diverted to other policing demands, such as processing suspects which would normally have been handed over to Police Scotland.

Communication and Liaison
There are wide and deep communication and liaison channels, developed over many years, between the British Transport Police (BTP) and the rail industry. These channels are refreshed by constant interface between police and rail managers, allowing the police to keep pace with a constantly evolving, dynamic industry. It also allows industry to access prompt advice on the preventative measures required to reduce crime.

There are established arrangements for regular liaison between the industry and BTP at all levels. This has generated a network of contacts which makes all players readily accessible to each other, facilitating speed of engagement when incidents occur and trust in the capabilities of each side.
Competence and Capability

Police competence on the railways derives from long experience, familiarity with the particular environment and training tailored to the specific challenges that rail throws up. It is not the same as generalised policing.

Individual police officers take time to develop the competencies required for policing a railway and these skills require constant refreshment. There is a risk of dilution, either by bringing in staff without rail knowledge or by moving staff to other duties, could prejudice their efficiency and effectiveness.

Conclusion

It is for the Scottish Government to make what policing arrangements it deems appropriate for Scotland. However if these arrangements are to change, in the interests of safety, the ORR would wish the rail industry to continue to be protected by at least the same level of competency and resourcing in policing in the future as it does now.

An effective process should be applied to identify the risks to the safety of Scotland’s railway which will arise from this proposed change. Those risks must be properly evaluated with appropriate risk control measures put in place where required. We would want to see a range of Key Performance Indicators (KPIs) spread across all functional policing areas that will allow auditing and monitoring of police activity. These KPIs will ensure that the rail industry enjoys the same level of police support on the rail network after integration of BTP into Police Scotland as it has done before. There should also be measures in place to address failures in achieving KPIs in a swift and effective manner.

Office of Rail and Road
22 March 2017

Annex

About ORR

ORR is the independent economic and safety regulator of British railways and the monitor of performance and efficiency for England’s Strategic Road Network. We regulate Network Rail, including setting the targets it has to achieve and reporting regularly on its performance. We regulate health and safety standards and compliance across the whole rail industry. We oversee competition and consumer rights issues – driving a better deal for rail passengers and taxpayers and regulate the High Speed 1 (HS1) link to the channel tunnel. Since April 2015, we’ve been monitoring Highways England to hold the company to account on its commitments to improve the performance and efficiency of England’s Strategic Road Network.