BRIEFING PAPER: Integration of BTP Scotland into Police Scotland

The British Transport Police Federation (BTPF) welcomes the opportunity to share the serious concerns of BTP officers in Scotland. This paper outlines the areas of greatest concern, those being:

1. Impact on the public
2. The causes of integration stalling
3. The stated aims of the Scottish Government

BTPF would welcome the opportunity to discuss these matters in more detail.

1.0 IMPACT ON THE PUBLIC

When recommending integration was paused, the Joint Programme Board (JPB) stated that it would not be possible to deliver a ‘successful and safe’ integration by April 2019. The pause must seriously consider the challenges which need to be overcome to ensure public safety is not comprised and consider the cost to the public purse.

BTP Federation would like to see an independent review of the decisions made so far, and those that will be taken over the coming months during the re-planning process.

1.1 Loss of experienced specialist officers and staff

The loss of experienced BTP officers and staff from railway policing is a significant risk to public safety. Research by Dr Kath Murray (University of Edinburgh) and Dr Colin Atkinson (University of the West of Scotland) found that nearly two-thirds of respondents had given serious thought to leaving the force because of integration and more than 80% of officers and staff in Scotland do not support integration.¹

These officers and staff are specialists in railway policing. Their expertise and effectiveness has been commended by, amongst others, the HMICS². The importance of understanding the railway environment, and the safety critical issues and policing challenges it poses, should not be underestimated. The loss of this knowledge and expertise will impact on public safety.

² Source: HMICS http://www.btpolfed.org.uk/pubs/hmics_strategic_overview.htm
1.2 Cost of training
Over time Police Scotland can recruit to outstanding vacancies, but at a cost to the public purse. There are question marks over: how long it will take to train Police Scotland officers in this environment; the time they will need to understand the railway environment, and; how long it will take them to re-build working relationships with safety critical members of rail staff who assist and understand BTP.

1.3 Command and control
Regardless of where a crime on the rail network is reported, it is recorded by BTP. Officers can speak to colleagues and rail staff around the country to ensure evidence can be captured without delay. This is a successful, seamless command and control system that is effective. This Federation questions the risks of changing or replacing this with an unproven system in the current climate, given the threat of further terrorist attacks.

It remains unclear what will happen post-integration when two forces will potentially receive reports of crime/incidents on the railway. The first action of both forces will be to determine where the crime has taken place and then which force has primacy, creating a delay. A seamless command and control system is crucial to assist with the detection of offenders, evidence gathering and a timely hand-back following a fatality on the rail network, amongst other matters.

2.0 THE CAUSE OF INTEGRATION STALLING
Integration has stalled because of several factors but this Federation has been informed that ICT issues in Police Scotland pose one of the most significant risks to the delivery of a safe railway-policing model.

It shares these concerns and questions what is being done to ensure a seamless command and control system can be established, and at what cost.

There are several risks that are evident and being discussed openly, as well as those which are not. Each risk has a cost associated with it, but these costs remain unclear. Indeed, how these costs will be met and by whom also remains unclear. If, as suggested costs will be met by the Police Transformation Fund, there will be an impact on Police Scotland. The question remains as to the extent of that impact, both financially and operationally.

It remains unclear whether there is a financial impact on the Train Operating Companies (TOCs) and whether, in turn, those costs will be passed on to the travelling public.

3.0 THE STATED AIMS OF THE SCOTTISH GOVERNMENT
In delivering the integration of BTP Scotland into Police Scotland, the Scottish Government has stated it will achieve three aims: seamless command and control; access to specialism in Police Scotland; greater accountability of railway policing
As identified in section two, an effective and efficient seamless command and control system already exists across the rail network.

In respect of access to specialism within Police Scotland, this Federation questions what specialism the force has for railway policing that BTP doesn’t currently have. It is this Federation’s submission that other than occasional air support, very few specialisms will be required from Police Scotland.

BTP has the specialist teams and departments familiar to most police forces (CID, dogs, firearms etc) with the added benefit of all officers being railway specialists. As was seen during the Manchester Arena and London Bridge terrorist attacks, protocols are already in place for forces to work together in the event of a major incident.

The third aim of the Scottish Government is that of accountability. BTP is already accountable to several departments and organisations, ranging from the Department for Transport (DFT), Scottish Government Ministry of Transport through to Her Majesty’s Inspectorate of Constabulary (HMIC/S) Inspections and Transport Focus Groups. It is also accountable to organisations that are external to the policing environment. These are rail industry specific and include the Railway Accident Investigation Bureau (RAIB) and the Office of Rail Regulators (ORR).

Introducing greater accountability to the Scottish Police Authority through the collaborative setting of future policing objectives would enable the excellent service delivery of the BTP to be maintained while acknowledging the Smith recommendations. This would also provide a greater say in the railway policing of Scotland by the Scottish public.

**THE FUTURE: ACHIEVING DEVOLUTION BY CONSENT**

BTP Federation welcomes the decision to pause integration. We would now like to see a full benefit analysis, detailed consideration of risks, full cost analysis and an independent review of any decisions made during the re-planning process.

As we see it, there are five key aims to be considered:

1. To achieve the aims of the Smith Commission with devolved and accountable railway policing in Scotland
2. To ensure that Scottish policing priorities are encompassed by railway policing.
3. To retain specialist railway policing to deliver effective and efficient policing that keeps passengers safe and has the confidence of the rail industry
4. To ensure that security, particularly counter terrorism on the railway, in both Scotland and the UK is not compromised by fragmented command and control
5. To ensure that there is support among police officers and staff for change so that they stay in railway policing, and put an end to uncertainty and declining morale

It is our belief that these aims could be easily achieved through a commissioned service model, similar to the second of the three options proposed at the outset of the integration.
A commissioned service model strengthens accountability, improves access to Police Scotland resources and retains the specialist skills of BTP officers without any of the operational or financial risks. Furthermore, this would remove the issue of pensions liabilities, training costs and the issues around terms and conditions.

On that final point, the terms and conditions of BTP officers is perhaps one of the most challenging issues of the integration process and one, which has been woefully underestimated. While the Justice Minister has spoken of a ‘triple-lock guarantee’ the detail of this has not be shared or quantified.

Significant concerns remain over: the status of BTP officers and the legal mechanism of transfer; future representation by a staff association; the future management and cost of BTP officers and staff pensions; the impact of the proposed segregated closed pension scheme; the wellbeing of officers and staff.

**IN CONCLUSION**

Devolution of railway policing does not require the dissolution of an effective police service. BTP is a successful organisation, the services of which enables passengers to feel safe, rail staff to be secure in their working environment, addresses crime, and prevents and reduces delays to rail services.

The aims of the Scottish Government can be achieved through a commissioned service model; a model which would strengthen accountability, improve access to Police Scotland resources and retain the specialist skills of BTP officers without any of the operational or financial risks. It would also remove the issue of pension liabilities, training cost and the challenges of terms and conditions.

Devolution can be achieved in cost-effective way without any associated risk to public safety. It seems only logical, now that integration has been paused, to revisit this option and give it the due consideration it deserves. Any refusal to consider other options would only support the view that the Scottish Government do not view that keeping the public safe is a priority.

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