Dear Margaret,

**Railway Policing (Scotland) Act 2017 implementation update**

The purpose of this note is to provide the Committee with details of progress made towards devolution of railway policing in Scotland.

As you will recall, the option under development is based on the consensus amongst stakeholders reached at our event on 6 November 2018; that legislation currently in force could be used to swiftly enhance accountability for railway policing in Scotland, based on the design principles agreed with stakeholders and set out in my letter to you of 13 December 2018.

Officials of the SPA and BTPA have worked closely together to give practical effect to our consensus with stakeholders, and have developed a proposal for the establishment of a Scottish Railways Policing Committee as a sub-committee of the BTPA under paragraph 12(b) of Schedule 4 of the Railways and Transport Safety Act 2003. Draft Terms of Reference and a Memorandum of Understanding have been prepared and will be subject to formal consideration and approval by the Boards of the BTPA and SPA, and ultimately by Scottish Government and UK Government Ministers.

The proposal is that the Committee will be chaired by the Scottish member of the BTPA and will comprise two members of the BTPA and two members of the SPA. The Authority Chairs and Chief Executives will have standing invitations to attend Committee meetings and the Committee’s Secretariat will be provided by the BTPA. The Committee will meet quarterly and meetings will be held in Scotland. As is the practice of the SPA, papers will be publically available in advance and meetings will be open to the public, except where there are stated and justifiable reasons for business being considered in private. The Committee’s responsibilities will include: to review and report on the planning and performance of railway policing in Scotland; to review and report on the cooperation and close working of the British Transport Police (BTP) and Police Scotland; and to scrutinise BTP’s public and stakeholder engagement work.
Any proposal will of course need to have a significant bedding in period, and be subject to rigorous review in due course, to ensure it is sufficiently robust in practice. Following such a review, we will reflect on its findings and consider the need for any future practical or legislative changes to future proof the devolution of railways policing in Scotland.

In tandem with the work to develop a new and strengthened level of accountability for railway policing in Scotland, the Chairs of the BTPA and the SPA have worked jointly with the Chief Constables of BTP and Police Scotland to encourage and support the further development of areas of inter-operability between the two police services to ensure that the optimal policing service is provided to Scotland’s communities, travelling public and train operators.

I hope this update is helpful and I look forward to sharing finalised arrangements with you in the near future.

HUMZA YOUSAF