



15 February 2018

Lord Berkeley
House of Lords
London
SW1A 0AA

berkeleyafg@parliament.uk

Dear Lord Berkeley,

During the debate of the draft Criminal Justice (Scotland) Act 2016 (Consequential Provisions) Order 2017 in the House of Lords on Wednesday 10th January, I undertook to write to you in response to your query regarding funding for the British Transport Police in Scotland and the practical implications of cross-border policing. You asked for clarification on who will fund the British Transport Police in Scotland, how that will be applied to train franchises, and the implications for cross-border operations devolving responsibility for railway policing.

Future funding of the policing in Scotland, once the British Transport Police's functions have been transferred, is a matter for the Scottish Government. We understand that it is their intention to charge the railway operators as the British Transport Police currently do. Any train operator who runs services in both Scotland and in England and Wales will therefore be charged separately for the policing services received.

Arrangements will be put in place to provide for officers of the BTP and Police Scotland to have jurisdiction to police in the others' normal jurisdiction when necessary to ensure effective policing across the border. Through the Joint Programme Board, the two Governments are working together with the two forces and the two police authorities to identify the legislative provisions necessary to achieve this. The border clearly cannot be a barrier to the effective policing of the railway. Mutual aid arrangements will remain in place.

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I will be placing a copy of this letter in the Library of the House of Lords.

Yours sincerely



**Lord Duncan of Springbank
Minister for Scotland**

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