



15 February 2018

Lord Harris
House of Lords
London
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Dear Lord Harris,

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 questions you raised relating to the Scottish Government's policy to integrate the responsibility for railway policing within Police Scotland, following devolution of that responsibility. You asked a number of questions relating to the number of officers to be transferred to Police Scotland and the terms and conditions on which this will be done, the Government's infrastructure policing review, and the responsibility for costs arising from the devolution of railway policing. I have set out the answer to these queries below.

You asked about the number of officers potentially affected by the transfer and how this related to the Scottish Government's policy of a statutory floor on police numbers. The exact number affected by the transfer will depend on numbers in post at the time of the transfer, but the expectation is this will be approximately 200 officers and around 70 civilian support staff. This represents well under 10% of the British Transport Police's existing front line police officer complement. During the passage of the Railway Policing (Scotland) Act 2017 through the Scottish Parliament assurances were provided by the Scottish Government and Police Scotland that a specialist railway policing service will be maintained in Scotland.

The Scottish Police Authority is now required by that legislation to agree the priorities, objectives, arrangements and costs for railway policing with railway operators. The Scottish Government and Police Scotland have provided assurances that railway policing is not related to wider police numbers.

You asked about the terms and conditions on which the officers will transfer and the training they will receive. Scottish Ministers have provided assurances to the Scottish Parliament that British Transport Police officers and staff in Scotland will transfer to Police Scotland with their current terms and conditions of service including pensions. It should be noted that there are currently no firearms trained officers in the British Transport Police in Scotland.

You sought an update on the Government's Policing Infrastructure Review. The Prime Minister recently re-stated her ambition for a more joined-up approach to infrastructure policing, bringing together the specialist forces – the Civil Nuclear Constabulary, Ministry of Defence Police and the British Transport Police. This is a continuation of extensive work which has already taken place. An Infrastructure Policing Board, to drive collaboration and increased integration, and consider further the proposals for a merger to create an infrastructure force, is being established. The case for the British Transport Police to be included in any future merger is to be reviewed by this Board.

Finally, you asked about the responsibility for costs arising from the devolution of railway policing. The underlying principle of the approach to the transfer is that costs should lie where they fall. Any additional cost burden which falls on the British Transport Police as a result of the transfer of its functions in Scotland will need to be met by the British Transport Police Authority. We are working with the British Transport Police Authority to seek to ensure that these are kept to the minimum necessary, in order that any additional costs, which must be met through increased charges to the railway operators, are minimised. Any additional costs in Scotland will be the responsibility of the Scottish Government, and the Scottish Police Authority.

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

Yours sincerely

A handwritten signature in black ink, appearing to read 'M. Duncan', with a long horizontal flourish extending to the right.

**Lord Duncan of Springbank
Minister for Scotland**

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