

Justice Committee

Railway Policing (Scotland) Bill

Written submission from Alan Kavanagh

I am a constable serving with BTP based in Scotland working on mobile response with responsibility for policing the greater Glasgow area.

I have 24 years' service and have worked with BTP since joining in 1993.

Throughout my service, BTP has been subjected to many reviews both internal and external, with the most potentially damaging being the attempts to disband Scottish Division and merge with Police Service of Scotland.

BTP in Scotland have stations in the following areas: Glasgow, Edinburgh, Motherwell, Paisley, Dalmeir, Kilwinning, Stirling, Perth, Dundee, Kirkcaldy, Aberdeen, Inverness.

Broken down, Glasgow and Edinburgh provide 24 hours' response cover and maintain presence at the following key locations:

- Glasgow Central
- Glasgow Queen Street
- Glasgow Subway
- Edinburgh Waverley

Within our number, based in Scotland, we have access to the following skills basis on a direct access basis:

- Mobile Response
- Neighbourhood Policing Teams
- Criminal Investigation Department (CID)
- TASER capability (deployed currently at major hub stations in Glasgow and Edinburgh)
- Search
- Public Order
- Method of Entry (MoE)
- Crime Scene Examination (CSE)
- Covert policing abilities
- Special Branch

In addition, should the need arise, we can draw on resources maintained centrally at Force Headquarters, among them being:

- Major Investigation Team
- Special Response Unit (SRU)
- Counter Terrorism Support Unit (CTSU)
- Working at Heights team (WAH)
- Firearms capability

BTP nationally maintain a single point command and control system called Control Works and this manages all resources force wide. This is backed by access to GPS enabled Airwave to ensure maximum deployment opportunities and afford officer safety.

At present, at our key locations, we utilise intelligence to determine where our resources are best deployed and carry out regular tasking and coordination meetings, usually involving partner agencies.

One of our main strengths is the ability to remain customer and industry focussed whilst providing a qualitative policing service to the travelling public and industry alike.

This is exemplified when dealing with incidents upon the railway. The decision to close an operational railway is not one taken lightly and we are all mindful of the consequences for arbitrarily closing it on a whim or an ill perceived sense of overwhelming operational need.

We carry this out by consulting with our customers and asking them where they feel our presence will be better served to meet the ever-changing needs of a modern transport infrastructure system which is rapidly expanding, examples of this include dedicated policing teams to provide security to the Borders railway project, EGIP (Edinburgh to Glasgow Improvement Project) and the Alloa reintroduction project.

A main facet of our operations is safeguarding. This is protecting vulnerable members of the public who are in danger of harming themselves on the railway network. It is a vital part of what we do and has been lauded by mental health professionals and charities alike as being innovative and has shown proven successes in protecting individuals.

Unfortunately, when individuals do harm themselves on the railway network, it falls on us to deal with the aftermath. This requires a joined-up approach and utilises us working seamlessly with partner agencies, namely PSOS (Police Service of Scotland) SFAR (Scottish Fire and Rescue) NWR (Network Rail) Scottish Ambulance Service.

BTP currently have a unique and proven system of dealing with non-suspicious fatalities that occur on the railway network. On receipt of an incident of this nature, the reporter of the incident (usually a train driver) calls in on a dedicated first account line where they speak to a BTP officer of supervisory rank and provide details of the incident. This is then relayed to control room supervision and is classified based on the information available. Resources are deployed and the incident, if not involving complex recovery techniques, will be concluded within an average of 90 minutes. This is carried out with due deference to the deceased but also minimises delays on the network which can have far reaching implications.

Our policing plan is determined by our Police Authority, in consultation with stakeholders both public and industry.

The impact of merging with PSOS firstly will have the following effects:

- Uncertainty among current BTP staff (both officers and staff) of their status in the grander scheme and how it will impact, personally, financially and operationally.
- Dilution of skills attained by BTP officers, particularly insofar as personal track safety (PTS) is concerned
- Loss of local accountability with stakeholders
- Loss of dedicated national skills set that can be used reciprocally in Scotland, England and Wales (Force wide)
- A loss of contact established over many years of close working partnerships with rail industry and other agencies.
- Loss of ring fencing of transport policing ability in order to shore up resources elsewhere, leaving the rail network vulnerable and exposed.

It is a feeling, shared by others that the idea of absorption into PSOS will lead to a void in railway policing and officers will be resourced to calls ordinarily out with their normal operational sphere.

The volume of calls will never match those received by a territorial police force such as PSOS but the need to provide a qualitative service to the industry remains nonetheless Industry have voiced their concerns and fierce opposition to these plans which would seem to amount to no more than a land grab to consolidate policing in almost all facets of Scottish society, the notable exception being Civil Nuclear Constabulary and Ministry of Defence Police.

As stated recently in evidence provided to the Transport Select Committee, The Deputy Chief Constable, Mr. Adrian Hanstock highlighted that, were there a requirement to merge the BTP into local geographic forces this would have happened some years ago but this would have been on the proviso that there would have to be some operational benefit in doing so. In this case, there appears to be none.

BTP are the specialist national police service for the railways and with it, brings some inherent infrastructure related hazards particularly insofar as PTS (Personal Track Safety) is concerned.

The railway is a dangerous place and legislation exists to prevent incursion onto its premises, British Transport Commission Act 1949, particularly Section 55, which creates the offence of Trespass on the railway and land in dangerous proximity to, the railway.

Officers must be certified to work on the railway track safely, but this is always in addition to an already burgeoning wealth of operational knowledge of the infrastructure and the hazards it presents, chiefly among them being OHLE (overhead line equipment which carries 25,000 volts of AC electricity) as well as high speed traffic.

Through Policing Service Agreements (PSA) BTP are contractually obliged to provide a policing service to those that contribute to its operation through a unique funding structure operating on the “user pays” principle.

This does not mean that any BTP officer cannot and will not operate outwith their specified jurisdiction. It provides resilience to colleagues from PSOS in case of emergency and for routine matters such as the detection of a crime or offence on what would ordinarily be part of PSOS patrol area. BTP have access to the dedicated Pinnacle crime recording system and frequently submit reports for accurate recording under SCRS (Scottish Crime Recording Standards) guidelines.

A unique facet of being a BTP Constable is that we are not designated as crown servants but as employees who have conditions of service and a contract of employment with our employers, BTPA (British Transport Police Authority)

This would create a unique problem when calculating pension contributions present and potential, the honouring of time served agreements insofar as rent allowance, travel facilities accrued if joining BTP prior to railway privatisation in April 1994, of which I am one. Designated “safeguarded staff”.

BTP have set up national operations to provide safety to rail users which are proven to work and provide results mindful of industry implications, of which we are cognisant.

These include:

- Operation Leopard – National anti-metal theft and asset protection strategy.
- Operation Pegasus (national CT strategy operating under the Governments CONTEST strategy to defeating terrorism)
- Operation Decade / Avert – safeguarding vulnerable persons who intend to commit self-harm on the railways.
- Project Servator – High profile anti-crime initiative deployed nationally at major hub stations to deter criminals and terrorists by using evidenced based patrolling techniques such as Operation Trafalgar (using anecdotal and factual crime data, establishing the best places to deploy resources effectively and with maximum yield).

In summary, there is a feeling of “if it isn’t broken, don’t fix it” insofar as the merger is concerned. BTP provide an industry standard service that have received praise from such umbrella organisations as HMIC and HMIC(S) in such matters as safeguarding, innovative use of mental health strategies and stop and search.

BTP’s maxim has always been to “treat each call for service as if it came from a member of your own family”. That family has, over time become the public, staff, police colleagues and industry. Let’s not break up that family.

Alan Kavanah
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