

22 August 2018

Cabinet Secretary for Justice
Cabinet Secretary for Transport, Infrastructure and Connectivity

BRITISH TRANSPORT POLICE (BTP) INTEGRATION

Purpose

1. Following activity over the past week and the extensive media coverage over weekend of 18/19 August, exploration of alternative approaches to the integration of BTP in to Police Scotland are offered for consideration.

Priority

2. Urgent – this paper is commissioned following a meeting with Director of Safer Communities SGLD, SpAds and officials on 20 August and new positioning information received from PS on 21st ahead of your meeting with PS and SPA on 23rd August.

Background

3. The Cabinet Secretary for Justice is aware the re-planning exercise underway has been focussed solely on full integration as set out in the Railway Policing (Scotland) Act 2017. Alternative approaches to integration have not previously been explored in any detail. Officials have worked to the timeline set out when the re-planning exercise was commissioned in February 2018 i.e. the replan will conclude at the end of this month (August) with a Gateway Review scheduled to take place 10/11/12 September.

4. The timeline below was planned in line with the replanning activities for full integration which (at this time) is still current -

- 23 August - Cabinet Secretary for Justice scheduled to meet with PS and SPA to discuss BTP Integration.
- 28 August - The next Joint Programme Board (JPB) is scheduled to take place. Expectation was for membership to sign-off the re-plan and recommend to Ministers a viable date for full integration ahead of an independent assurance review (currently scheduled for w/c 10 September).
- 30 August - SPA Board meets to consider the JPB's advice following the meeting on 28 August.
- End September – Respond to Justice Committee on outcome of re-planning activities and announce new date for full integration

Update

5. Yesterday (21/08) Police Scotland formally informed SG officials that their organisation is not in a position to identify an optimal date for integration at this time and is therefore unable to support the announcement of a revised timetable for full integration. PS have confirmed their intention to report this position to both the JPB (intended for 28th) and the SPA Public Board (30th) meeting next week. PS's new position is that the re-planning

activity, as it stands, has not developed a sufficiently strong evidence base on which to agree a new 'go live' date. Police Scotland's specific concerns are as follows:

- The overall cost of integration is still unknown
- The future funding model remains unclear
- The benefits of integration remain unclear
- The ICT timeline and potential future cost is still based on very high level estimates which themselves are still subject to clarification from SG around future funding, given our bid for resources to support our proposed investment in the digital, data and ICT capacity and capability of Police Scotland.
- There has been insufficient engagement and reach through the PMO into the wider rail industry during the re-plan process.
- There remains no agreement on the future split of assets and liabilities.
- There continues to be insufficient clarity on the future T&Cs (including pensions) of transferring officers and staff.
- The unknown impact of diverting resources away from existing Police Scotland strategic change programmes to address the aforementioned areas of concern.

The joint programme office has been seeking further clarity and developing plans on all of these areas over the course of the replanning exercise. We have been clear from the outset of the replanning work that we did not expect to have every aspect of the future work defined by the end of the replan, but we expected to have a clear sense of the timescales that would be required to reach conclusion. Several of the points raised are dependent on each other and the majority of the areas of significant concern are within the remit of PS and/or SPA. Officials have therefore responded to Police Scotland to seek clarity on when they may be able to provide a sufficiently strong evidence base on the areas with their remit to enable us to consider a potential date for integration.

6. Margaret Mitchell MSP, Convener Justice Committee wrote to Cabinet Secretary for Justice on 21 August *'noting that in recent weeks there has been much speculation in the media that the plans within Scottish Government may be about to change'* and *'requesting an update on the situation and more specifically confirmation of whether your plans have changed'*. A copy of this letter is attached at Annex C.

7. Cabinet Secretary is due to meet with [redacted], [redacted] Director of Business Integration (PS) and Kenneth Hogg, Interim Chair (SPA) on the 23rd which is an opportunity to hear their position.

8. On Thursday 16 Aug Cabinet Secretary discussed his consideration of whether there could be an alternative approach to integration with First Minister. It is our understanding that all further options were to be explored and further advice to be submitted.

Current position

9. All available options are provided in table format at Annex A highlighting each option, the rationale and pros and cons for each. However Ministers must be aware the Railway Policing (Scotland) Act 2017 provides only for full integration [redacted].

10. [redacted].

[redacted].

11. [redacted].

Recommendation

12. Ministers to [redacted] and discuss [redacted] with SG officials tomorrow.

13. [redacted].

DRAFT

BTP Integration: Communications plan

Timings:

Monday 27 August

- Cabinet meeting – Cabinet Secretary for Justice informs Cabinet of current position
- SPA Board papers published – as soon as this happens, the following actions will be taken by officials/Comms:
 - Cabinet Secretary responds to letter from Scottish Parliament Justice Committee Convenor, Margaret Mitchell MSP
 - Cabinet Secretary writes to UK Government
 - Statement from Cabinet Secretary to media issued
 - Depending on timings, media bids undertaken Monday evening or Tuesday morning

Tuesday 28 August

- SG / UKG officials meet

Thursday 30 August

- SPA Board meeting.

Statement – to be issued once SPA board papers are published and letters have been issued:

Justice Secretary to examine further options for devolution of railway policing

Further options to deliver the devolution of railway policing to Scotland are to be explored.

A re-planning exercise commissioned by the Scottish Government in February has led to new information and a decision by Justice Secretary Humza Yousaf to re-examine the available options, up to and including full integration of the British Transport Police into Police Scotland.

Mr Yousaf said:

“Since Parliament voted to integrate railway policing into Police Scotland, we have worked closely with the UK Government and others to deliver this.

“Police Scotland and the Scottish Police Authority have been supportive through this process and provided assurances of their ability to incorporate the change as part of their wider transformation agenda.

“Throughout this process we have been committed to listening to officers and staff. We will re-examine all options for the devolution of railway policing, with clear governance structures that ensure accountability to the Scottish Parliament.

“The absolute priority for all those involved is the safety and security of officers, staff and those who use Scotland’s railways. I intend to update Parliament following summer recess. In the meantime I want to pay tribute to the ongoing commitment of officers and staff of both police services, who I look forward to meeting with in the near future.”

Background:

The decision to integrate BTP into Police Scotland was based upon several factors following the cross-party agreement to devolve responsibility to the Scottish Parliament.

Following a re-planning exercise announced by the SG in February to ensure robust delivery plans were in place, new information and advice has come to light which has allowed us to better understand the issues which impact the timing of integration.

BTP Integration: Core narrative

The decision to integrate BTP into Police Scotland was based upon several factors following the cross-party agreement to devolve responsibility to the Scottish Parliament.

Following a re-planning exercise announced by the SG in February to ensure robust delivery plans were in place, new information and advice has come to light which has allowed us to better understand the issues which impact the timing of integration. We will be giving this new information serious consideration and will be seeking an urgent meeting with SPA after their Board meeting on Thursday to consider the implications for integration planning and all available options for the devolution of railway policing.

The priority for both Governments and the two services is the safety and security of officers, staff and those who use our railway network.

We have listened to the views of officers and staff through the Joint Programme Board and the re-planning exercise.

We understand the frustrations of BTP officers, staff and their families and the uncertainty they have faced, however I am confident that this approach will allow the various parties involved to fully explore the options available and get the best possible outcome.

We have committed to looking at all of the options to achieve the spirit of the devolution of railway policing, outlined in the Smith Commission and will seek to achieve the transparency, oversight, governance and accountability that the Scottish

Parliament rightly expects across policing in Scotland. Integration remains the long term goal to achieving devolution. I will keep this under review and consider a phased approach, considering other options in the short to medium term.

We will continue to work very closely with the UK Government, police and authorities to ensure the benefits of devolved railway policing, whatever shape the model takes going forward.

The BTP provides a specialist function which is highly valued by the Scottish Government, the railway industry, staff and passengers, and we have always made clear it is essential this specialism is maintained.

BTP and Police Scotland have a track record of collaboration and an excellent partnership – we will build upon this as we explore further options around the policing of Scotland's railways.

We will never compromise the safety of the public.

Further background:

In November 2013 the ambition to integrate the functions of the BTP into Police Scotland was confirmed and published in Scotland's Future. In December 2013 the Scottish Government presented a case to the UK Government for the integration of the BTP in Scotland into Police Scotland. In November 2014 devolution of BTP was recommended by the Smith Commission, and reached through cross-party agreement.

At the same time, the UK Government proposed creating a national infrastructure police force, bringing together the Civil Nuclear Constabulary, the Minister of Defence Police and the British Transport Police, meaning BTP in Scotland would be a standalone rail service in Scotland.

In December 2016 the Railway Policing (Scotland) Bill was introduced to the Scottish Parliament, passed in July 2017 and became the Railway Policing (Scotland) Act.

Following the passage of the Act, work has continued under the oversight of the Joint Programme Board (JPB) to deliver the detailed arrangements for integration. The JPB is jointly led by the Scottish Government and the UK Government Department for Transport with representatives from the Scottish Police Authority, BTP Authority, the BTP and Police Scotland.

Since the passage of the Act, the JPB has achieved progress in moving towards the full integration of railway policing in Scotland in several key areas:

- The JPB has agreed that officers and staff will transfer on their current terms and conditions and will retain their existing dual status on transfer
- The JPB has agreed that a proposal is developed for submission to the pension scheme trustees that would allow existing officers and staff to continue to have access to their current pension scheme on transfer
- Draft provisions to provide the necessary powers for effective cross border policing have been developed and are being tested with JPB members

- The development of a joint Q&A agreed amongst JPB partners setting out the status of the programme's work which will be regularly updated.

The original scheduled date for integration was 19 April 2019.

BTP Integration: Q&A

General

What has changed since you pushed this through Parliament? Why was this decision not made years ago?

The purpose of the replanning exercise was to identify when a fully integrated high quality service could be delivered. Some of the evidence emerging has deepened our understanding of issues which must be given serious and appropriate consideration. We remain committed to the full integration of railway policing into Police Scotland, as legislated for by the Scottish Parliament, and will keep this under review.

However, we are now examining interim arrangements that could give effect more quickly to the Smith Commission's cross-party recommendation to devolve railway policing to the Scottish Parliament.

What are the timescales for undertaking this work?

The Cabinet Secretary for Justice will be meeting with Police Scotland and SPA immediately after their Board meeting on Thursday to discuss this work and the necessary timescales for completion. The Cabinet Secretary will update Parliament after summer recess.

What has been spent financially on this so far?

Police Scotland held two separate competitive tender processes in relation to BTP Integration. One for Programme Management Support and the other for specialist integration Due Diligence analysis. The successful bidder for both tenders was Ernst & Young who have been engaged through Police Scotland/SPA. The tenders are priced at £400,000 and £298,000 respectively and are being delivered on budget. Scottish Government engaged an independent consultant through Harvey Nash Recruitment at a rate of £595 per day charged. All other costs were provided to the Scottish Parliament's Justice Committee in May 2018.

The work that has been undertaken via these contracts, and the wider investment of time from the agencies involved has enabled us to better understand the issues surrounding full integration and will assist in assessing other options that may be considered.

What guarantees can you give to officers and staff about the security of their jobs now and in the future?

The current arrangements will continue to be led by BTP. We will continue to keep officers and staff updated and informed as we consider all the available options up to and including integration.

What guarantee can you give to the public that the public transport network will continue to be safe and monitored during this time?

Safety and security are the priority for all involved. We will ensure that the right arrangements are in place to police our railway network delivering the safety and security the public expect

Why are you delaying it when there is no appetite to integrate, and no stakeholder support?

We are working closely with our stakeholders to look at all options up to and including full integration.

When will it be re-introduced (if the intention is to look at it again)?

The intention has always been to fully integrate and this remains so.

What are you going to do until that date to ensure you answer all the questions that have been left unanswered until now (and remain so)?

We are continuing to engage with and work closely with all our key stakeholders to seek solutions and we will examine all options up to and including full integration.

Does this underline the fact that Police Scotland are underfunded?

We have protected the police revenue budget in real terms over the lifetime of the Parliament – meaning an additional £100m investment over five years – and provided £31m of reform funding in this financial year. In addition, we have ensured that Police Scotland will retain £25 million following the long awaited UK Government agreement to enable Police Scotland to recover VAT, putting more funding directly to day-to-day policing.

Is it a sign of incompetence that 250 officers can't be merged into a force the size of Police Scotland?

This is a challenging and complex piece of work and considerable work has been done to assess the risks, opportunities and challenges that it presents. The safety and security of the travelling public is paramount and we cannot allow that to be compromised in any way.

Policing in Scotland has embarked on an ambitious transformation to implement the ten year strategy 'Policing 2026: Serving a Changing Scotland'. Significant change has already been successfully delivered and there are further plans to build on this.

What does this mean for the future governance of BTP in Scotland?

As is currently the case, BTP in Scotland is the responsibility of and answerable to the BTPA and UK Government. Although the long term aim is full integration of railway policing, we will examine other options in the short/medium term.

Will you be bringing in any further legislation to replace the integration legislation?

We are taking time to re-examine all available options up to and including full integration which was legislated for in the Railway Policing (Scotland) Act 2017 and our decision will give effect to the recommendations of the Smith Commission.

Does this mean UKG will continue to have control over/responsibility for BTP in Scotland?

Until such times as a decision is made regarding this, the British Transport Police will continue to deliver policing of our railways and they are answerable to UKG.

Can you guarantee officers and staff that this will not be re-introduced in another form?

It remains our intention to fully integrate. However, we are looking at all available interim options which will give effect to the recommendations of the Smith Commission'

If pressed in response to SPA Board paper:

1. Police Scotland Concern: Clarity on costs and benefits

Scottish Government Position:

- **Costs** - *Re-planning has identified high level cost categories and estimated costs are emerging. Full cost estimates can only be finalised once the final date for full integration has been agreed by all parties and this will continue to be discussed with partners as we look at all interim options as well as full integration.*
- **Benefits** - *The initial benefits of railway policing integration were set out in the Policy Memorandum of the Railway Policing Bill. The re-plan work has highlighted some high level complexities, as well as the potential for additional benefits and dis-benefits of integration, all of which we will explore with partners as we consider all available options for devolution of railway policing.*

2. Police Scotland Concern: The establishment of an evidence based critical path to arrive at revised go-live date

Scottish Government Position:

An impact assessment has been conducted to inform the critical path to integration. This has revealed new information and advice to provide a better understanding of issues that impact the timing of integration. An essential issue is to ensure that systems to support the devolution of railway policing in Scotland are designed and delivered as part of Police Scotland's current plans for ICT transformation.

3. **Police Scotland Concern:** Confirmed indemnification for SPA from Scottish Government for potential future pensions liabilities.

Scottish Government Position:

Work will continue to ensure that existing pension rights will be retained by BTP staff and officers at the point of to Police Scotland. A proposal was made by the Scottish Government in January 2018 to the BTP Trustee which will see officers and staff retain access to their current pension arrangements by the creation of a segregated fund.

4. **Police Scotland Concern:** The **future funding arrangement** for railway policing in Scotland

Scottish Government Position:

The Scottish Government has identified and is exploring options for future funding of railway policing in Scotland. Initial consultation with the rail industry in Scotland has been positive and further work is planned in collaboration with SPA, Police Scotland and industry partners to fully develop a preferred option.

Case K (Katherine)

Subject: [redacted] British Transport Police Integration

From: Bell D (Donna)
Sent: 27 August 2018 15:38
To: [redacted]; [redacted]
Cc: [redacted]
Subject: [redacted] British Transport Police Integration

Yes all in the one email please.

From: [redacted]
Sent: 27 August 2018 15:37
To: [redacted]
Cc: Bell D (Donna); [redacted]
Subject: [redacted] British Transport Police Integration

Hi [redacted] – are the letters going up to the Cab Sec for clearance before 4pm?

Should we send everything in the one email for him to look at?

[redacted] | Senior Media Manager | Communications DFM, Education and Justice | Scottish Government | St Andrew's House, Edinburgh EH1 3DG | [redacted]

From: [redacted]
Sent: 27 August 2018 15:29
To: [redacted] Bell D (Donna) <Donna.Bell@gov.scot>; [redacted] [redacted] [redacted] Russell GE (Gillian) <Gillian.Russell@gov.scot>; [redacted] [redacted] [redacted] [redacted]
Subject: [redacted] British Transport Police Integration

All – please see attached revised letters to go to SP Justice Committee and UKG Ministers. (please note I've noted on Secretary of State for Transport's letter that we will also cc to SofS for Scotland, David Mundell)

[redacted]

From: [redacted]
Sent: 27 August 2018 15:20
To: Bell D (Donna); [redacted] [redacted] [redacted]; Russell GE (Gillian); [redacted] [redacted] [redacted] [redacted] [redacted]
Subject: [redacted] British Transport Police Integration

Have spoken to [redacted] and will send this version to the Cab Sec just now (which just has one small additional tweak from Donna).

[redacted] | Senior Media Manager | Communications DFM, Education and Justice | Scottish Government | St Andrew's House, Edinburgh EH1 3DG | [redacted]

From: [redacted]
Sent: 27 August 2018 14:46
To: Bell D (Donna) <Donna.Bell@gov.scot>; [redacted] [redacted] [redacted] Russell GE (Gillian) <Gillian.Russell@gov.scot>; [redacted] [redacted] [redacted] [redacted]

Subject: [redacted] British Transport Police Integration

Thanks Donna/[redacted] – have made those changes in version attached.

Grateful for any further comments by 3.15 so I can send up to Cab Sec to look at immediately after the public discussion in Arran.

[redacted] | Senior Media Manager | Communications DFM, Education and Justice | Scottish Government | St Andrew's House, Edinburgh EH1 3DG | [redacted]

From: Bell D (Donna)

Sent: 27 August 2018 14:37

To: [redacted] [redacted] [redacted] [redacted] Russell GE (Gillian) <Gillian.Russell@gov.scot>; [redacted] [redacted] [redacted] [redacted] [redacted]

Subject: [redacted] British Transport Police Integration

One small tweak- thanks
Donna

From: [redacted]

Sent: 27 August 2018 14:31

To: [redacted] [redacted] [redacted]; Bell D (Donna); Russell GE (Gillian); [redacted] [redacted] [redacted] [redacted] [redacted]

Subject: [redacted] British Transport Police Integration

Hi all,

Following discussion with Cab Sec on the call, here is a revised release to reflect his thoughts on the key points.

Grateful for urgent views.

Thanks,

[redacted]

[redacted] | Senior Media Manager | Communications DFM, Education and Justice | Scottish Government | St Andrew's House, Edinburgh EH1 3DG | [redacted]

From: [redacted]

Sent: 26 August 2018 18:46

To: Cabinet Secretary for Justice <CabSecJustice@gov.scot>; Yousaf H (Humza), MSP <Humza.Yousaf.msp@parliament.scot>

Cc: [redacted] [redacted] [redacted] First Minister <firstminister@gov.scot>; Bell D (Donna) <Donna.Bell@gov.scot>; Russell GE (Gillian) <Gillian.Russell@gov.scot>; [redacted]; [redacted] [redacted] [redacted] [redacted] Nicolson S (Stuart) Special Adviser [redacted][redacted] [redacted] [redacted]

Subject: [redacted] British Transport Police Integration

Cabinet Secretary,

Please find attached a draft SG press release which we would propose to issue to media (*in parallel with Ministerial letters to the Justice Committee and UKG*) following the SPA's publication,

tomorrow afternoon, of papers for Thursday's SPA Board meeting, including a paper outlining Police Scotland's position re: integration.

The SG release has been drafted based on our understanding of the current position; while we expect to make some amendments following further discussions tomorrow, we agreed with Policy and SpAds the attached initial draft for Ministers to consider ahead of those discussions.

An internal-facing Q&A will be finalised through the course of this evening and in light of any further developments tomorrow.

[redacted]

From: [redacted] **On Behalf Of** Cabinet Secretary for Justice

Sent: 24 August 2018 12:52

To: First Minister

Cc: Cabinet Secretary for Justice; Bell D (Donna); Russell GE (Gillian); [redacted] [redacted] [redacted] [redacted] [redacted] [redacted] [redacted] [redacted]

Subject: [redacted] British Transport Police Integration

[redacted]

PS/ First Minister

Please see [redacted] from Mr Yousaf for the attention of the First Minister to provide an update on British Transport Police Integration.

Mr Yousaf will [redacted] to Cabinet on Monday (27th August) on this subject, a copy is attached below for information.

[redacted]

Kind regards,

[redacted]

[redacted] | Deputy Private Secretary
Office of Humza Yousaf, Cabinet Secretary for Justice

Scottish Government, Room 1W.11, St Andrew's House, Regent Road, Edinburgh, EH1 3DG | 0131 244 2553 |
CabSecJustice@gov.scot | www.gov.scot |

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Your JPB News #3

British Transport Police Integration

Chairs' Update | 31 August 2018



JPB Joint Chairs
Donna Bell: Scottish Government
Dan Moore: Department for Transport

"The Justice Secretary Humza Yousaf announced on Monday that further options to deliver the devolution of railway policing are to be explored. This decision follows extensive work by all partners during the recent re-planning exercise.

New information and advice to Ministers from Police Scotland is now available and provides a better understanding of the practicalities and timing of implementation, particularly relating to ICT.

As a result, the Scottish Government will continue to work with Police Scotland, the Scottish Police Authority, the British Transport Police Authority, the BTP, the UK Government and other partners to re-examine options. The Scottish Government remains committed in the long term to full integration, as legislated by the Scottish Parliament, and will keep this under review. However, interim arrangements will now be identified that could enable the devolution of railway policing in Scotland more quickly, in line with the Smith Commission recommendations.

We aimed to improve engagement with officers and staff throughout the re-plan and we would like to thank you for your willingness to participate and for sharing your thoughts. Your voice will continue to be critical as we move forward with this process.

We understand that this is a challenging time for you and that you will continue to have questions that we need to answer. Mr Yousaf will update Parliament following summer recess and we will do everything we can to give you the information you need.

In the meantime, we remain grateful for your specialist, professional work in keeping rail users and staff safe and secure - this continues to be hugely appreciated. "

Announcement Summary

The full Scottish Government news release can be found at:
<https://news.gov.scot/news/railway-policing>

The announcement has also been trending on social media. Here is some of the Twitter coverage:



Humza Yousaf @Humza... · 12h
Our long term goal for full integration will be kept under review.

Immediate priority will be to give effect to the Smith Commission's recommendations. I will bring together relevant stakeholders to explore options to do this. I have written to Justice Committee to update them.

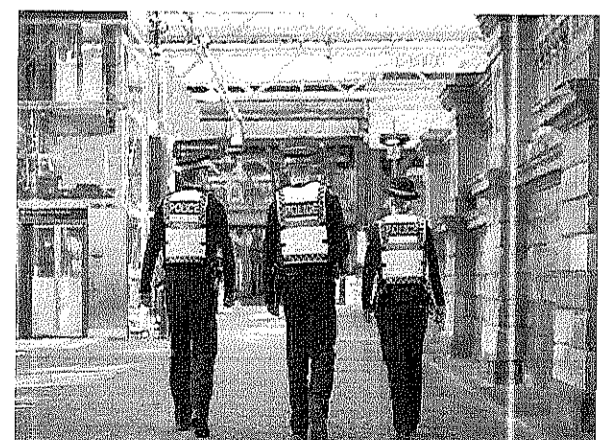
7 10 25



BTP Federation @BTPoF... · 21h
Options for the devolution of railway policing are to be re-examined. We are reassured to see decisive action being taken after last weekend's speculation

Railway policing
news.gov.scot

3 16 43





T: 0300 244 4000
E: scottish.ministers@gov.scot

Margaret Mitchell MSP
Convener, Justice Committee
The Scottish Parliament
Edinburgh
EH99 1SP
justicecommittee@parliament.scot

27 August 2018

Dear Convener.

Integration of British Transport Police into Police Scotland

Thank you for your letter of 21 August regarding recent speculation in the media that the plans to integrate the British Transport Police into Police Scotland may be about to change.

I am writing to you with an update on current issues in relation to the integration of railway policing in Scotland.

The re-planning exercise has, as the Justice Committee are aware, been underway since February to revisit the timeline for integration.

Police Scotland informed my officials on Wednesday 22nd August that, in their view, the re-planning activity, as it stands, does not provide a sufficiently strong evidence base on which to agree a new date for full integration of railway policing in Scotland.

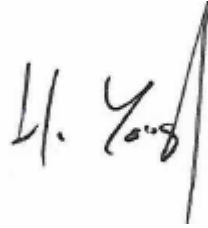
I understand that the emerging issues will be discussed at the SPA Board on Thursday 30th August. I intend to meet urgently with the SPA and Police Scotland after the Board discussion. I recognise there is a need to identify arrangements that could give effect more quickly to the Smith Commission's cross-party recommendations. As such I will bring together relevant stakeholders and consider options for the devolution of British Transport Police.

Our long term goal remains the full integration of railway policing into Police Scotland as legislated for by the Scottish Parliament and I will keep this under review.

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I intend to return to Parliament with a further update early in the next session.



HUMZA YOUSAF

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T: 0300 244 4000
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Rt Hon Chris Grayling, MP
Secretary of State for Transport
Department for Transport
Great Minster House
33 Horseferry Road
London
SW1P 4DR

27 August 2018

Dear Chris,

Integration of British Transport Police into Police Scotland

I am writing to you with an update on current issues in relation to the integration of railway policing in Scotland.

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I understand that the emerging issues will be discussed at the SPA Board on Thursday 30th August. I intend to meet urgently with the SPA and Police Scotland after the Board discussion. I recognise there is a need to identify arrangements that could give effect more quickly to the Smith Commission's cross-party recommendations. As such I will bring together relevant stakeholders and consider options for the devolution of British Transport Police.

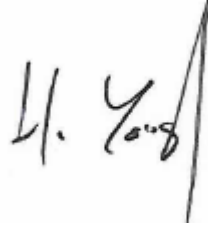
Our long term goal remains the full integration of railway policing into Police Scotland as legislated for by the Scottish Parliament and I will keep this under review.

I am aware our respective officials have worked closely on a range of matters to give effect to this policy and I am grateful for the positive and helpful support your department has provided to date and will seek to ensure that these relationships are maintained.

I will provide you with a further update early in the next Parliamentary session.

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

A copy of this letter has also been sent to Rt Hon Jo Johnson MP, Minister of State for Transport and Rt Hon David Mundell MP, Secretary of State for Scotland.



HUMZA YOUSAF

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By e-mail

27 August 2018

Integration of British Transport Police into Police Scotland

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I understand that the emerging issues will be discussed at the SPA Board on Thursday 30th August. I intend to meet urgently with the SPA and Police Scotland after the Board discussion ~~to consider interim options available~~ as I remain committed to the full integration of railway policing into Police Scotland as legislated for by the Scottish Parliament and I will keep this under review. However I recognise there is a need to identify interim arrangements that could give effect more quickly to the Smith Commission's cross-party recommendations.

I intend to return to Parliament with a further update early in the next session.

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HUMZA YOUSAF

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Rt Hon Chris Grayling, MP
Secretary of State for Transport
Department for Transport
Great Minster House
33 Horseferry Road
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27 August 2018

Integration of British Transport Police into Police Scotland

I am writing to you with an update on current issues in relation to the integration of railway policing in Scotland.

Police Scotland informed my officials on Wednesday 22nd August that, in their view, the re-planning activity, as it stands, does not provide a sufficiently strong evidence base on which to agree a new date for full integration of railway policing in Scotland.

I understand that the emerging issues will be discussed at the SPA Board on Thursday 30th August. I intend to meet urgently with the SPA and Police Scotland after the Board discussion. I remain committed to the full integration of railway policing into Police Scotland as legislated for by the Scottish Parliament and I will keep this under review. . However I recognise there is a need to identify interim arrangements that could give effect more quickly to the Smith Commission's cross-party recommendations.

I am aware our respective officials have worked closely on a range of matters to give effect to this policy and I am grateful for the positive and helpful support your department has provided to date and will seek to ensure that these relationships are maintained.

I will provide you with a further update early in the next Parliamentary session.

A copy of this letter has also been sent to Rt Hon Jo Johnson MP, Minister of State for Transport and Rt Hon David Mundell MP, Secretary of State for Scotland.

HUMZA YOUSAF

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St Andrew's House, Regent Road, Edinburgh EH1 3DG
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Meeting to discuss progress on integration of Railway Policing
23.08.2018 11.30- 12.30

Present

Cabinet Secretary for Justice
Gillian Russell, Scottish Government
Donna Bell, Scottish Government
[redacted], Scottish Government
Kenneth Hogg, Scottish Police Authority
[redacted], Police Scotland
[redacted], Police Scotland
[redacted], Special Adviser

1. Update from Police Scotland on re-planning progress

[redacted] provided an update on re-planning and confirmed there are key strategic concerns that remain. Police Scotland's risk appetite in this context remains low and the priority is always the safety of the public. Given that, Police Scotland does not feel that the re-plan, as it stands, presents a sufficiently strong evidence base on which to agree a new 'go live' date. Areas of particular concern are set out below:

- I. The overall cost of integration is still unknown.
- II. The future funding model remains unclear.
- III. The benefits of integration remain unclear.
- IV. The ICT timeline and potential future cost is still based on very high level estimates which themselves are still subject to clarification from SG around future funding, given our bid for resources to support our proposed investment in the digital, data and ICT capacity and capability of Police Scotland.
- V. There has been insufficient engagement and reach through the PMO into the wider rail industry during the re-plan process.
- VI. There remains no agreement on the future split of assets and liabilities.
- VII. There continues to be insufficient clarity on the future T&Cs (including pensions) of transferring officers and staff.
- VIII. The unknown impact of diverting resources away from existing Police Scotland strategic change programmes to address the aforementioned areas of concern.

On that basis Police Scotland have low confidence on their ability to set a credible date for integration, so do not at this stage plan to offer one.

Kenneth Hogg (KH) confirmed that as Accountable Officer for the SPA, on the basis of the advice from Police Scotland, he would not be in a position to agree a date either.

Both [redacted] and KH were clear that the re-plan had exposed the challenges of integration very clearly and had worked well.

The Cabinet Secretary also reiterated his focus on public safety. Given the advice received he accepted that, after discussion, it would not be possible to progress full integration at this time.

The Cabinet Secretary sought advice from officials on the alternatives that might be available to achieve devolution of railway policing. A brief discussion took place on the range of options that may be available and the implications of each. Officials confirmed they would provide further advice as quickly as possible.

The Cabinet Secretary also asked officials to draft:

- A note to send to FM to provide an update
- A letter to Margaret Mitchell Convenor of the Justice Committee to provide an update on the position
- A letter to UK Government Ministers to provide an update on the position
- A communications plan to ensure that officers and staff are kept informed about developments

Officials confirmed they would engage with partners to consider alternative options in the coming days.