

202200303962

Appendix A

From: [REDACTED] **On behalf of Minister for Transport**
To: [REDACTED] **-Minister for Transport**
Cc: [REDACTED]
Subject: RE: Alcohol on trains
Date: 15 June 2022 11:40:00

Hi [REDACTED],

Apologies for the delay in getting back to you.

To confirm, I am afraid Ms Gilruth is unavailable to meet with SRH. To note, Ms Gilruth's views on this issue remain unchanged.

Many thanks

[REDACTED]

[REDACTED] The Scottish Government | St Andrew's House, Edinburgh, EH1 3DG

Email: MinisterFT@gov.scot

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From: [REDACTED]

Sent: 08 June 2022 08:11

To: Minister for Transport <MinisterFT@gov.scot>

Cc: Reeve W (Bill) <Bill.Reeve@transport.gov.scot>; [REDACTED]

Subject: RE: Alcohol on trains

Hi [REDACTED]

As per request I contacted [REDACTED] and I have received the following email from [REDACTED] regarding his position on alcohol on trains

"[REDACTED] believe it or not [REDACTED] position on the alcohol ban is as follows

We welcome the ban - however it's not working as cannot be policed & becomes impossible to manage when staff confront passengers - as you tell them to put the drink away & as soon as you are gone - they are drinking again

Therefore scot rail have a ban on alcohol that is ineffective in real terms

[REDACTED] **Section 30(b)(ii)**

[REDACTED]

From: [REDACTED]

To: Minister for Transport

Cc: Reeve W (Bill) [REDACTED]

Subject: RE: Alcohol on trains

Date: 08 June 2022 08:10:00

HI [REDACTED],

As per request I contacted [REDACTED] and I have received the following email from [REDACTED]-regarding *his* position on alcohol on trains

"[REDACTED] believe it or not [REDACTED] position on the alcohol ban is as follows

We welcome the ban - however it's not working as cannot be policed & becomes impossible to manage when staff confront passengers - as you tell them to put the drink away & as soon as you are gone - they are drinking again

Therefore scot rail have a ban on alcohol that is ineffective in real terms

[REDACTED] Section 30(b)(ii)

[REDACTED]

From: [REDACTED]

To: [REDACTED]

Subject: Re: Alcohol on trains

Date: 07 June 2022 17:23:56

[REDACTED] believe it or not **[REDACTED]** position on the alcohol ban is as follows

We welcome the ban - however it's not working as cannot be policed & becomes impossible to manage when staff confront passengers - as you tell them to put the drink away & as soon as you are gone - they are drinking again

Therefore scot rail have a ban on alcohol that is ineffective in real terms

[REDACTED] Section 30(b)(ii)

[REDACTED]

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On 7 Jun 2022, at 16:36, **[REDACTED]** wrote:

Hi **[REDACTED]**,

Can you advise what **[REDACTED]** position is on alcohol on trains. I think the ban is proving difficult to enforce but that doesn't mean to say that still isn't the best position. Would welcome your views.

Thanks

[REDACTED] Transport Scotland

Buchanan House

58 Port Dundas Road

Glasgow

[REDACTED]

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From: [REDACTED] On Behalf Of Minister for Transport
Sent: 07 June 2022 16:31
To: [REDACTED] Minister for Transport
<MinisterFT@gov.scot>
Cc: Reeve W (Bill) <Bill.Reeve@transport.gov.scot>; [REDACTED] **Subject:** RE: Alcohol on trains

Hi [REDACTED],
The Minister would like to know what [REDACTED] views are on this. Grateful for advice on that.
Many thanks
[REDACTED]

[REDACTED] The Scottish Government | St Andrew's House, Edinburgh, EH1 3DG |
Mobile: [REDACTED] | **Email:** MinisterFT@gov.scot
Ministerial Preferences - [Jenny Gilruth - Minister for Transport](#)

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From: [REDACTED]
To: **Minister for Transport**
Cc: Reeve W (Bill) [REDACTED]
Subject: Alcohol on trains
Date: 06 June 2022 16:44:00

Minister
You will be aware ScotRail has been developing options relating to the current ban on consumption of alcohol on trains. I have been advised the paper for SRT Board consideration is due on 16th June. The discussion will take account of all stakeholder views, including those of [REDACTED] (that have been made public) and any further representations that are made.
I have requested SRH engage with yourself prior to any decision being taken, knowing your keen interest in this issue, anti-social behaviour and passenger safety in general.
SRH has asked if you would be available to discuss prior to the meeting on 16 June.

[REDACTED]
Transport Scotland
Buchanan House
58 Port Dundas Road
Glasgow

[REDACTED]

From: [REDACTED]

To: Gibb C (Chris); Joanne Maguire

Cc: Alex Hynes; Reeve W (Bill);-[REDACTED]

Subject: RE: Alcohol on trains

Date: 06 June 2022 16:37:00

Yes of course I will contact Private Office and request a meeting. Attendees?

[REDACTED]

From: Gibb C (Chris) <Chris.Gibb@railholdings.scot>

Sent: 06 June 2022 16:36

To: [REDACTED] Joanne Maguire

<joanne.maguire@scotrail.co.uk>

Cc: Alex Hynes <alex.hynes@scotrail.co.uk>; Reeve W (Bill) <Bill.Reeve@transport.gov.scot>;

[REDACTED]

Subject: RE: Alcohol on trains

[REDACTED],

Please can you facilitate such an engagement before 16th June.

I would observe that the "alcohol ban" is widely ignored by passengers and not enforced (and not easy to enforce) by most railway staff.

Chris Gibb

Chief Executive

chris.gibb@railholdings.scot

[REDACTED]

Please also send calendar invitations to [REDACTED]

I work flexibly – so whilst sometimes it suits me to email outside normal working hours, I do not expect a response outside your own.

Scottish Rail Holdings

Buchanan House

58 Port Dundas Road

Glasgow

G4 0HF

From: [REDACTED]

To: [REDACTED]

Subject: RE: Alcohol on trains

Date: 06 June 2022 16:34:00

Looks like it was on the back of this rather than a specific briefing request. It may well just be a brief update that Chris sent rather than a full briefing, however we would say that we have asked the Minister is consulted prior to any decision being made. Thoughts?

[REDACTED]

From: [REDACTED]
To: Gibb C (Chris); Joanne Maguire
Cc: Alex Hynes; Reeve W (Bill);-[REDACTED]
Subject: RE: Alcohol on trains
Date: 06 June 2022 16:30:00

Hi Chris,
Thanks for the update, could is suggest prior to making a final decision you engage with the Minister knowing her keen interest in this topic, anti-social behaviour and passenger safety in general.

[REDACTED]

From: [REDACTED]
To: [REDACTED] **Subject:** FW: Alcohol on trains
Date: 06 June 2022 16:03:00

FYI

From: Gibb C (Chris) <Chris.Gibb@railholdings.scot>
Sent: 06 June 2022 15:59
To: [REDACTED]; Joanne Maguire
<joanne.maguire@scotrail.co.uk>
Cc: Alex Hynes <alex.hynes@scotrail.co.uk>
Subject: RE: Alcohol on trains

[REDACTED]

SRT Board will consider this on 16th June. The discussion will take account of all stakeholder views, including those of [REDACTED] (that have been made public) and any further representations that are made.

This is an operational matter for the SRT Board to decide, and to consider any passenger and employee safety implications under the terms of its Safety Certificate.

Regards

Chris Gibb
Chief Executive
chris.gibb@railholdings.scot

[REDACTED]

Please also send calendar invitations to [REDACTED]

I work flexibly – so whilst sometimes it suits me to email outside normal working hours, I do not expect a response outside your own.

Scottish Rail Holdings
Buchanan House
58 Port Dundas Road
Glasgow
G4 0HF

From: [REDACTED]

To: Gibb C (Chris); Joanne Maguire

Subject: FW: Alcohol on trains

Date: 06 June 2022 13:46:00

Afternoon all,

A couple of months back there was talk of a paper being prepared for SRT board regarding options for the reintroduction of alcohol on trains, a revised approach or to retain the ban.

Could you advise where this stands and what are the next steps. I have been contacted by the Minister as she has an urgent meeting with Justice and Health Ministers where this will be one of the agenda items.

Apologies , I appreciate there is a new format for these discussions/decisions and I had went straight to the Safety team a few weeks back but should have come through yourselves, which has caused the delay. Could you provide an update on the status as we are getting pressed by PO for an update.

Thanks

[REDACTED]

Transport Scotland

Buchanan House

58 Port Dundas Road

Glasgow

[REDACTED]

From: [REDACTED]

To: [REDACTED]

Subject: Alcohol on trains

Date: 20 May 2022 08:41:00

Morning gents,

A couple of months back there was talk of a paper being prepared for SRT board regarding options for the reintroduction of alcohol on trains, a revised approach or to retain the ban.

Could you advise where this stands and what are the next steps. I have been contacted by the Minister as she has an urgent meeting with Justice and Health Ministers where this will be one of the agenda items.

Also if this has been shelved then that would be an equally important update for her.

Thanks

[REDACTED]

Transport Scotland

Buchanan House

58 Port Dundas Road

Glasgow

[REDACTED]

From: [REDACTED]
To: [REDACTED]
Cc: TS Rail Directorate Communications
Subject: RE: Alcohol on trains
Date: 19 May 2022 15:43:05

Hi all

The meeting is between Ms Gilruth and the Minister for Public Health, Women's Health and Sport next Thurs (26th). Briefing is required for Tues 24th at 4pm. See attached email.

Thanks

[REDACTED]

From: [REDACTED]
Sent: 19 May 2022 14:53
To: [REDACTED]
Cc: [REDACTED]
Subject: Alcohol on trains

All – a ministerial meeting has been set for next week and briefing is required.

[REDACTED] has the details. Can you advise whether the proposed paper on alcohol on trains that SRT/SRH were preparing for [REDACTED] has been received and if so its recommendations. I understand that [REDACTED] advised the minister that the board were meeting to discuss the paper/options. Can you please liaise with [REDACTED] thanks.

[REDACTED]

Transport Scotland

7th Floor

Buchanan House

58 Port Dundas Street

Glasgow

G4 0HF

I have returned to the office at Buchanan House

Email/MS Teams: [REDACTED]

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Re-introduction of alcohol on trains
Date: 05 May 2022 08:42:15

Morning [REDACTED]

In Red Below hope it helps, fairly simple approach using the existing bylaws, [REDACTED] have a different approach in that they have amended their bylaws to make the expectation more manageable.

Stay Safe

[REDACTED]

Classified as INTERNAL

[REDACTED]

ScotRail
Atrium Court, 50 Waterloo St
Glasgow
G2 6HQ

Tel: [REDACTED]
Mobile: [REDACTED]
Email: [REDACTED]
Web: www.ScotRail.co.uk

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From: [REDACTED]
Sent: 04 May 2022 15:33
To: [REDACTED]
Cc: [REDACTED]
Subject: Re-introduction of alcohol on trains

Afternoon [REDACTED] -and [REDACTED]
Can I introduce [REDACTED] and [REDACTED] who you may have had previous dealings with. I have asked them to lead on alcohol on trains topic as the Minister has been made aware that ScotRail is considering options for a potential re-introduction of alcohol (sale and consumption) on rail services. This was also discussed at a meeting the Minister had with [REDACTED]
We have been invited to a meeting with SG Justice, Health Colleagues as well as the Minister. In advance SG colleagues have provided the following bullet points on their understanding of the legal position and rail bye laws (see below).

[REDACTED Section 29(1)(c)]

Understanding the above what we need prior to the discussions with the Minister is answers to the following points

[REDACTED Section 29(1)(c)]

Could you provide guidance on the above 4 bullet points and share with this circulation list. I assume these may be pretty straightforward and covered by railway byelaws, but appreciate you help with a contribution to the questions. The meeting is due late next week.

Thanks in advance

[REDACTED]

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: Re-introduction of alcohol on trains
Date: 04 May 2022 15:32:00

Afternoon [REDACTED] and [REDACTED]

Can I introduce [REDACTED] and [REDACTED]-who you may have had previous dealings with. I

have asked them to lead on alcohol on trains topic as the Minister has been made aware that ScotRail is considering options for a potential re-introduction of alcohol (sale and consumption) on rail services. This was also discussed at a meeting the Minister had with [REDACTED].

We have been invited to a meeting with SG Justice, Health Colleagues as well as the Minister. In advance SG colleagues have provided the following bullet points on their understanding of the legal position and rail bye laws (see below).

[REDACTED Section 29(1)(C)]

Could you provide guidance on the above 4 bullet points and share with this circulation list. I assume these may be pretty straightforward and covered by railway byelaws, but appreciate you help with a contribution to the questions. The meeting is due late next week.

Thanks in advance

[REDACTED]

From: [REDACTED]

To: [REDACTED]

Subject: FW: Re-introduction of alcohol on trains

Date: 04 May 2022 15:04:00

From: Reeve W (Bill) <Bill.Reeve@transport.gov.scot>

Sent: 29 April 2022 16:46

To: [REDACTED]

Cc: [REDACTED]

Subject: FW: Re-introduction of alcohol on trains

Dear [REDACTED],

I would wish, prior to that discussion, to understand the legal basis of the current ScotRail ban on alcohol; the powers used for previous event-related bans and the previously established restrictions between 21.00 and 10.00 (I think that's right ?); and whether any other GB TOCs are proposing or have in place a similar ban ?

Thanks,

Bill

From: [REDACTED]

Sent: 29 April 2022 14:01

To: Minister for Transport-<MinisterFT@gov.scot>[REDACTED]

Cc: [REDACTED] Reeve W (Bill) <Bill.Reeve@transport.gov.scot>;-[REDACTED]

Subject: RE: Re-introduction of alcohol on trains

[REDACTED]

Can you send invite to [REDACTED] at TS please (if not already).

I will be on leave on 26 May 2022

Regards

[REDACTED]

Rail Directorate – Transport Scotland

[REDACTED] I am working remotely - e-mails are still being monitored and I can be

contacted on the mobile number above.
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From: [REDACTED] On Behalf Of Minister for Transport
Sent: 29 April 2022 13:54
To: [REDACTED] Minister for Transport-<MinisterFT@gov.scot>
Cc: [REDACTED] Reeve W (Bill) <Bill.Reeve@transport.gov.scot>[REDACTED]
Subject: RE: Re-introduction of alcohol on trains

Afternoon [REDACTED],

The meeting came about on the back of a meeting with [REDACTED] (attached) and then subsequent discussions around the reintroduction of alcohol that Ms Gilruth was concerned about. The Minister then asked us to approach Ms Todd for a meeting, which she agreed to (attached).

I included yourself and [REDACTED] in the invite on the advice of [REDACTED] who suggested it could be relevant for your team.

There will also be TS colleagues from the rail team (copied) supporting who may be better placed to speak on the policy-related questions below.

In all, I think Ms Gilruth is keen to be having these discussions proactively with relevant parties in preparation of any reintroduction. Let me know if I can provide any more help on this.

Thanks,

[REDACTED] The Scottish Government | St Andrew's House, Edinburgh, EH1 3DG

Email: MinisterFT@gov.scot

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From: [REDACTED]
Sent: 28 April 2022 17:18
To: [REDACTED] Minister for Transport-<MinisterFT@gov.scot>
Cc: [REDACTED] **Subject:** Re-introduction of alcohol on trains

Hi [REDACTED],

I hope you're well. Thank you for sending through a diary invite for a meeting with the Minister for Transport and officials to discuss the re-introduction of alcohol on trains.

Could you please provide a bit of context on how the requirement for a meeting came about.

• I thought it would be helpful to advise that we (licensing team in justice) didn't have any part in putting in place the alcohol ban back in November 2020 and so not clear why we have been invited to a discussion/consideration of its removal now ?. However, if a licensing policy team / presence is required, I'm happy to attend/accept the meeting

invite. I presume lead officials / the relevant team who were involved in scaling back SG Covid restrictions will be invited to this discussion with the Minister ?.

[REDACTED Section 29(1)(c)]

Happy to have a quick call on MS Teams if you want to discuss directly.

Kind regards,
[REDACTED]

[REDACTED]
Scottish Government
Justice Directorate
Criminal Justice Division

To: [REDACTED]

Cc: [REDACTED]

Subject: RE: Proposed changes to Alcohol Prohibition on ScotRail Services

Date: 05 April 2022 08:28:00

Attachments:

Hi **[REDACTED]**

Could you advise where this paper currently sits and what the next steps are. The Minister is aware of the paper and has made her opinion known.

Could you also share the final paper with us.

TIA

[REDACTED]

From: [REDACTED]

To: [REDACTED]

Cc: [REDACTED]

Subject: RE: Proposed changes to Alcohol Prohibition on ScotRail Services

Date: 24 March 2022 12:27:04

Afternoon **[REDACTED]**

[REDACTED] Section 30(b)(ii)

The key aspect of this option would be the ability to extending it to dry lines of route, when anti-social and crime levels dictate.

Kind Regards

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

cid:image001.png@01D676EA.54B940A0

“Unless otherwise stated above, this e-mail is considered OFFICIAL”

From: [REDACTED]

Sent: 24 March 2022 11:29

To: [REDACTED]

Cc: [REDACTED]

Subject: RE: Proposed changes to Alcohol Prohibition on ScotRail Services

[REDACTED]

[REDACTED] is still off I am afraid.

For my perspective – Option 3 looks like the most appropriate although – the option refers to point 4 in the background – I assume that is from your exec paper which I haven't seen so can't comment on that.

Regards

[REDACTED]

Rail Directorate – Transport Scotland

Mobile - [REDACTED]

I am working remotely however e-mails are still being monitored and I can be contacted on the mobile number above

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To: [REDACTED]

Cc: [REDACTED]

Subject: RE: Proposed changes to Alcohol Prohibition on ScotRail Services

Date: 24 March 2022 11:29:18

[REDACTED]

[REDACTED] is still off I am afraid.

For my perspective – Option 3 looks like the most appropriate although – the option refers to point 4 in the background – I assume that is from your exec paper which I haven't seen so can't comment on that.

Regards

[REDACTED]

Rail Directorate – Transport Scotland

[REDACTED]

I am working remotely however e-mails are still being monitored and I can be contacted on the mobile number above

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From: [REDACTED]

Sent: 24 March 2022 11:09

To: [REDACTED]

Cc: [REDACTED]

Subject: RE: Proposed changes to Alcohol Prohibition on ScotRail Services

Gents

We are submitting the paper this afternoon to be put forward at the next exec for support.

if possible can you give any comment around the proposal as it stands and we can pick up the wider discussion on Friday.

Apologies for the rush but we want to get this across at the next exec

.

If you can get back to me it would be appreciated

[REDACTED]

[REDACTED]

Atrium Court, 50 Waterloo St, Glasgow, G2 6HQ.

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-----Original Appointment-----

From: [REDACTED]

Sent: 23 March 2022 10:16

To: [REDACTED]

Cc: [REDACTED]

Subject: Proposed changes to Alcohol Prohibition on ScotRail Services

When: 25 March 2022 13:30-14:00 (UTC+00:00) Dublin, Edinburgh, Lisbon, London.

Where: Microsoft Teams Meeting

Gents

Can you spare 15 to 30 minutes so we can update and seek your thoughts on our proposals around the alcohol ban going forwards.

We are looking at the below options, with our preference being No.3 , also being aligned to a medium/long term plan to amend our By-laws to Mirror **[REDACTED]** rail in relation to the carriage Alcohol.

Options

1. Status Quo-adopting the Covid measures total ban, as business as usual
2. Revert to the 2012 implemented ban, 2100-1000hrs curfew, including the ability to implement Dry trains for events
3. Revert to the 2012 implemented ban, 2100-1000hrs curfew, including the ability to
 - a. implement Dry trains for events
 - b. but additionally extending it to Dry lines of route, when anti-social and crime levels dictate (see point 4 in Background)

Let me know if you can attend

Stay Safe

[REDACTED]

Microsoft Teams meeting

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From: **[REDACTED]**

To: "[REDACTED]"

Subject: RE: Alcohol Policy Steering group

Date: 28 December 2020 09:54:00

HI **[REDACTED]**

,

I shared your email up to rail Director level as the options need input from more senior staff. I appreciate the options you have listed below are for consideration and potential development and introduction. The feedback I have received is as follows;

[REDACTED Section 30(b)(ii)]

However that's not to downplay the importance of safety and wellbeing for staff and passengers alike, but there are well established mechanisms for controlling unruly and antisocial behaviour short of a full ban, and efforts might better be spent optimising those.

- Would be interested to know what is driving these considerations – TS had previously agreed to the current temporary ban on the basis it was temporary and would help mitigate against ASB during COVID

- In the Hybrid suggestion – we are not sure of the rationale for selected routes being exempt – could this be elaborated on please.
- Who/what is driving the bye-law change proposal?
Hope this helps

[REDACTED]

From: [REDACTED]
To: DL for Rail Management Team; [REDACTED]
Subject: FW: Alcohol Policy Steering group
Date: 21 December 2020 14:19:00

All,
 See below, ScotRail are seeking opinions from stakeholders. Could you provide any feedback to me please and I will co-ordinate a reply.

[REDACTED]

From: [REDACTED]
Sent: 21 December 2020 14:13
To: [REDACTED]
Subject: Alcohol Policy Steering group

[REDACTED] We have established a Alcohol Policy Steering group and have generated 3 options in respect of our approach to the carriage and consumption of Alcohol on our services , our present approach is I conflict with the existing approach and would require a bylaw change, would like your considered options as stakeholders prior to the submission of the final paper to the ScotRail Executive.

A. Options

1. Status Quo-adopting the Covid measures total ban with the adoption of proposed by-law, as business as usual
2. Revert to the 2012 implemented ban, 2100-1000hrs curfew, with the adoption of proposed by-law, including the ability to implement Dry trains for events
- 3 Hybrid Approach; -
 - a. Total Ban on alcohol across our network, with the adoption of proposed by-law.
 - b. Application of 4.3 of the proposed by-laws to exempt the after named routes from a total ban but maintaining the 2100-1000hrs curfew, including the ability to implement Dry trains for events
 - Edinburgh to Glasgow Express
 - 7 City's routes
 - 6 Scenic routes

B. Bylaw change

[REDACTED Section 29(1)(c)]

Existing By-law

4. Intoxication and possession of intoxicating liquor
 - (1) No person shall enter or remain on the railway where such person is unfit to enter or remain on the railway as a result of being in a state of intoxication.
 - (2) Where reasonable notice is, or has been, given prohibiting intoxicating liquor on any train service, no person shall have any intoxicating liquor with him on it, or attempt to enter such a train with intoxicating liquor with him
 - (3) Where an authorised person reasonably believes that any person is unfit to enter or remain on the railway, or has with him intoxicating liquor contrary to

Byelaw 4(2), an authorised person may: (i) require him to leave the railway; and (ii) prevent him entering or remaining on the railway until an authorised person is satisfied that he has no intoxicating liquor with him and/or is no longer in an unfit condition

Proposed By-Law

4 INTOXICATION AND POSSESSION OF ALCOHOL

4.1 No person shall enter, attempt to enter or remain on the railway where that person is unfit to enter or remain on the railway as a result of being in a state of intoxication.

4.2 No person shall enter, attempt to enter or remain on the railway while in possession of an open container of alcohol, unless expressly permitted to do so by the Operator in a particular area. *

4.3 No person shall consume alcohol on the railway, unless expressly permitted to do so by the Operator in a particular area.

4.4 Without prejudice to Byelaws 4.2 and 4.3, where reasonable notice is, or has been, given prohibiting alcohol on any train or on any part of the railway, no person shall have any alcohol with him on such a train or any part of the railway, or attempt to enter such a train or any part of the railway, whilst in possession of alcohol.

4.5 Where an authorised person reasonably believes that any person is unfit to enter or remain on the railway or is in contravention of any provision of Byelaw 4, the authorised person may: (i) require him to leave the railway; and (ii) prevent him entering or remaining on the railway until the authorised person is satisfied that he is in a fit state to enter or remain on the railway and is no longer in contravention of any provision of Byelaw 4.

*note:- This was implemented by Merseyrail in 2014. Section 4.4 within the amended by-laws, allowing the ban of the consumption of alcohol on trains, whilst allowing the carriage of un-opened alcohol.

Stay Safe

Classified as INTERNAL

[REDACTED]

Atrium Court, 50 Waterloo St, Glasgow, G2 6HQ.

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From: Communications

Subject: NEWS: Alcohol ban introduced on Scotland's Railway

Date: 12 November 2020 11:34:19

ScotRail's rules for safer travel

[Alcohol ban introduced on Scotland's Railway](#)

People travelling on Scotland's Railway will not be allowed to consume alcohol either on trains or at stations, ScotRail has announced.

With effect from Monday, 16 November, the restrictions on alcohol will be applied across the country, as the train operator continues to support the public health measures put in place by the Scottish Government to tackle coronavirus.

The new measures will help to maintain the physical distancing required while travelling and will also support greater use of face coverings at all stages of the journey.

This is a temporary measure as ScotRail continues to deliver a safe environment for people to travel by train, and it will be reviewed continuously as government guidelines change.

Customers will be informed about the changes via messages on social media channels, customer information screens, and announcements at all stations.

The restrictions will be supported by the **[REDACTED]**, who will assist railway staff where required to ensure that people follow the guidance.

Body cameras will also be used by some frontline staff to help with the enforcement of the restrictions.

The consumption of alcohol is currently banned on ScotRail services between 21.00 and 10.00.

[REDACTED], said:

"Throughout the pandemic, our people have been working flat out to deliver a safe and reliable service for customers throughout the country.

"Our five rules for safe travel have been followed by customers and the introduction of these restrictions on alcohol will help to ensure that our staff and customers remain safe.

"We ask that everyone travelling on our trains, and passing through stations, play their part and comply with this clear guidance."

[REDACTED], said:

“**[REDACTED]** welcome this ban on alcohol that will help to keep our staff and passengers safe. We are encouraging all of our members to wear body cameras which will help to keep everyone safe while these restrictions are in place.”

NOTES TO EDITORS

When does it apply?

The new temporary measures will be introduced on Monday, 16 November and will be in place 24 hours a day.

Where does this apply?

Customers will not be allowed to consume alcohol onboard ScotRail trains or at stations.

Is this a permanent ban on alcohol?

No, this is a temporary policy put in place to support public health measures and keep people safe during the pandemic.

Can customers still carry unopened alcohol?

Customers can still carry unopened alcohol in a bag. Customers are not allowed to consume alcohol on board ScotRail trains or at stations.

What if someone refuses to stop drinking?

ScotRail staff will explain to customers that the consumption of alcohol is not allowed and remind them that this is to help protect peoples’ health during the pandemic. As with the current policy, **[REDACTED]**would be called if required.

Need more information?

Contact the press office on **[REDACTED]** Visit our website www.scotrail.co.uk or click on one of the icons below:

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From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Alcohol policy - identifying enhancements
Date: 23 September 2020 13:29:56
Attachments: [Alcohol Prohibition Brief.docx](#)

[REDACTED]

Please see below in response to the questions asked

- I was wondering what prompted the original review noted in [REDACTED]
- original e-mail

It was identified that this process was due a review, and a steering group was convened to look, at what the present Alcohol policy looks like, is it effective, does it require further support, does the restriction need to be extended

- You mention TU engagement through the Joint Safety Committee and within the Alcohol Policy steering group where there is TU representation – What was the respective TU reaction to this?

All TU's, were supportive of this action

- Is the proposed change permanent or to be reviewed as COVID restrictions begin to ease again (acknowledging current developments).

This is only during the time that SG has Covid measures in place and will be reviewed in light of any changes made by the SG

- Has ScotRail analysed the impact on retail revenue,(acknowledging that there is no hospitality at present) i.e. if alcohol sales go down what is the likely impact on other products?

As there is no on-train hospitality at this time this was not considered to be an impact, when we are in a position to reinstate Hospitality then we will review the requirement to have this extended prohibition in place and best how to get a balance.

- Has ScotRail scoped out the marketing impact for tourist routes – what about the [REDACTED] baskets for example?

Again this is a blanket prohibition during Covid measures, this is a question that I will take to the Alcohol Policy Steering group when considering the wider piece

TS would want to see any comms plan and also if ASR has plans to get union support (quote) for it any release.

I have attached a briefing note in relation to this which includes the comms plan, can it be noted that these are provisional dates, [REDACTED] from [REDACTED] is looking to endorse this initiative through our Comms Strategy and we will reach out to other TU's

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[REDACTED]

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ATTACHMENT

ScotRail Alcohol Prohibition during Covid-1: - Briefing Note

Purpose

The purpose of extending the alcohol ban at on our services and at our stations to 24/7 is to support the Public Health Measures implemented by the Scottish Government during this pandemic. The consumption of alcohol when considerations must be given to physical distancing and the wearing of face masks during the pandemic is counter intuitive.

The ban also has the potential to reduce the levels of low-level Antisocial Behaviour related to alcohol consumption as we come out of Covid measures over the next few months.

For this approach to be successful it requires the supporting “Policing” and “policing” strategies (support plan is being developed along with associated RA)

Stakeholder Engagement

This has been raised with all Rail Unions, through the Joint Safety Committee and has their full support.

A paper was presented to the ScotRail Executive and was adopted for implementation.

[REDACTED] have been engaged with, and support with the proposal, with the request of a Multi-agency approach be taken to the policing of the prohibition

We have reached out to **[REDACTED]** to replicate this at the two managed stations Edinburgh Waverly and Glasgow Central High Level.

Transport Scotland as franchise manager, has been contacted for comment and requested clarification around engagement and communications plans, this has been provided to them. **[REDACTED]**

Communication Strategy

Internal

Message	Channel	Date / Frequency	Responsible	Comments
██████ to discuss on HoS call .	HoS call	2 September	CM	Add to ██████ notes for HoS call .
Email to hospitality from ██████	Email	TBC	CM	Hospitality staff are already concerned about jobs. Email from ██████ would reassure them that this is just for the COVID period and not a long term change.
All staff email	Email	TBC	CM	All staff email to explain the changes
Frontline staff specific email	Email	TBC	CM	Same as above but just with a bit more detail around policing etc.
Yammer Q&A (if we feel it's required)	Yammer	TBC	CM	

Media and Social

Message	Channel	Date / Frequency	Responsible	Comments
24/7 alcohol ban due to Covid	Press release	TBC	JB/GB	
24/7 alcohol ban due to Covid	Facebook	TBC	Social	
24/7 alcohol ban due to Covid	Twitter	TBC – frequent scheduled posts throughout the ban	Social	One post a day Mon-Thurs then 2/3 posts at the weekend.

Timings

Message	Channel	Date
Email to Hospitality from [REDACTED]	E-mail	<u>9th October 2020</u>
All Staff Email	E-mail & Weekly whistle	12 th October 2020
Frontline staff specific email	E-mail	12 th October 2020
Yammer Q&A	Yammer	If required 14 th /15 th October 2020
24/7 alcohol ban due to Covid	Press Release	12 th October 2020
24/7 alcohol ban due to Covid	Facebook	12 th October 2020
24/7 alcohol ban due to Covid	Twitter	12 th October 2020

Commencement of Prohibition		19 th October 2020
-----------------------------	--	-------------------------------

Pack will be ready for 7th October 2020 sent to [REDACTED] for sign off on 8th October 2020

From: [REDACTED]
Sent: 22 September 2020 16:11
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Alcohol policy - identifying enhancements

[REDACTED]

In addition to the questions raised earlier:

- Is the proposed change permanent or to be reviewed as COVID restrictions begin to ease again (acknowledging current developments).
- Has ScotRail analysed the impact on retail revenue,(acknowledging that there is no hospitality at present) i.e. .if alcohol sales go down what is the likely impact on other products?

Has ScotRail scoped out the marketing impact for tourist routes – what about the [REDACTED] baskets for example?

If there is any additional loss of income associated with this development I just want to be clear that there will be no impact on SG subsidy requirements.

Best regards,

[REDACTED]

Rail Directorate – Transport Scotland

[REDACTED]

I am working remotely however e-mails are still being monitored and I can be contacted on the mobile number above

For agency and travel information visit our [website](#)

Transport Scotland, the national transport agency
Còmhdaill Alba, buidheann nàiseanta na còmhdaill

From: [REDACTED]
Sent: 22 September 2020 13:08
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Alcohol policy - identifying enhancements

Hi [REDACTED]

Many thanks for the further information – a couple of points arising:

I was wondering what prompted the original review noted in **[REDACTED]**

- original e-mail
- You mention TU engagement through the Joint Safety Committee and within the Alcohol Policy steering group where there is TU representation – What was the respective TU reaction to this?
- TS would want to see any comms plan and also if ASR has plans to get union support (quote) for it any release.

Copying in **[REDACTED]** for a view.

Kind regards

[REDACTED]

Rail Directorate – Transport Scotland

[REDACTED]

I am working remotely however e-mails are still being monitored and I can be contacted on the mobile number above

*For agency and travel information visit our **website***

Transport Scotland, the national transport agency
Còmhhdhail Alba, buidheann nàiseanta na còmhhdhail

From: [REDACTED]

Sent: 22 September 2020 10:14

To: [REDACTED]

Subject: RE: Alcohol policy - identifying enhancements

[REDACTED], see below the go live date will be confirmed by the end of the week

The actual plan for change

The plan is relatively simple, in that the 2100-1000hrs ban is extended to 24/7, We will police it as we do now, no consumption on our services or within our stations whilst prohibition in place.

Customers will be allowed to carry unopened alcohol onto our services if its within a bag and not on open display.(no change from our present approach)

We are formulating an action plan to support front line staff when we implement this change.

Plans for staff/TU engagement

We have engaged with the TU's through the Joint Safety Committee and within the Alcohol Policy steering group where there is TU representation

Communications Strategy

Dates still have to be confirmed working back from the “go live date” (these will be formalised 22/09/20)

Internal

Media and Social

Hope this gives you further info to consider

Stay Safe

[REDACTED]

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[REDACTED]

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cid:image004.png@01D690E6.502A36F0

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From: [REDACTED]

Sent: 21 September 2020 08:50

To: [REDACTED]

Cc: [REDACTED]

Subject: RE: Alcohol policy - identifying enhancements

Hi [REDACTED] - Thanks for this – hope you are well.

[REDACTED] is on leave for two weeks (from Friday). Based on the information provided it does seem to be the right thing to do in the current circumstances – however before TS can fully consider, it would be helpful to see the following:

- The actual plan for change – what it applies to etc – e.g. Is this restricted the consumption or does it include carrying of alcohol on your services
- Plans for staff/TU engagement
- A wider communication plan

In the meantime, I have copied in [REDACTED] for awareness

Happy to discuss

Regards

[REDACTED]

Rail Directorate – Transport Scotland

[REDACTED]

I am working remotely however e-mails are still being monitored and I can be contacted on the mobile number above

*For agency and travel information visit our **website***

Transport Scotland, the national transport agency
Còmhhdhail Alba, buidheann nàiseanta na còmhhdhail

From: [REDACTED]

To: [REDACTED]

Cc: [REDACTED]

Subject: RE: Alcohol policy - identifying enhancements

Date: 18 September 2020 14:58:55

Afternoon **[REDACTED]**

Things have developed around our Alcohol Ban, the steering group is still looking at our approach, but whilst we are within Covid Measures we thought that a 24/7 ban on alcohol on our services would support the Public health effort, keeping the focus on physical distancing and wearing of face coverings whilst traveling.

Our Exec has agreed to this position and it is supported by **[REDACTED]**.

We are now looking at the mechanics of when and how we introduce the 24/7 ban on our trains and stations over the next few weeks

As our franchise manager and stakeholder your thoughts and support on this would be appreciated.

I did try to phone to chat over

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[REDACTED]

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From: [REDACTED]

To: [REDACTED]

Subject: FW: Alcohol Ban extension V2 paper.docx

Date: 31 August 2020 13:10:20

Attachments: [Alcohol Ban extension V2 paper.docx](#)

Hi guys, I'll review and copy you into the return for info.

ATTACHMENT

To: [REDACTED]
From: [REDACTED]

Date: June 2020

Ref: Covid-19 Extension of Alcohol ban to all Services

Purpose

The purpose for this paper is to explore the necessity to enhance our Alcohol ban during Covid Recovery measures

Background

On 23rd March 2020 the Scottish Government implemented Lock down measures to reduce the risk of large-scale transmission of the Covid-19 virus. These measures have had significant impact on numbers of public using the Public Transport systems.

As part of Recovery Planning the Scottish Government has taken a stepped approach over 4 Phases

Phase 1 was initiated on 28th May 2020 which allowed members of the public greater freedom of movement for exercise, but still restricted travel, on Public Transport to essential workers. Scottish Government advised the use of Face Coverings whilst using public transport, but did not make these mandatory

During Phase 1 we saw our services used for non-essential travel (Balloch, Gourock and Ayr). We also seen an uplift in reports of persons under the influence of alcohol on our services and within our stations. (CCIL entries and CCTV Logs)

Allowing the consumption of alcohol on our services whilst we have a compulsory measure of the wearing of face coverings on public transport from the Scottish Government is counter intuitive.

ScotRail are carrying out an Alcohol Policy Review with the inaugural meeting held on 2nd July 2020

As we enter Phase 3 of the lock down recovery we have seen a rise in alcohol fuelled incidents on our network.

On Friday 31st July 2020 [REDACTED] and [REDACTED] carried out an initiative at Balloch in relation to persons traveling to the location due to hot weather, a large quantity of alcohol was confiscated from youths coming off our services.

Over the weekend of Friday 7th August and Sunday 9th August 2020 we recorded 15 incidents of disturbance or assault within our network, which resulted in Delay / Disruption. Alcohol was recorded as being a contributing factor. There were no incidents as a direct result of persons drinking on our services

At present we have the following By-laws in respect of possession of intoxicating liquor, and in respect of 4.2 below our notice is that intoxicating liquor is prohibited on our services between 2100hrs and 100hrs each day.

Railway By-Laws

4. Intoxication and possession of intoxicating liquor

(1) No person shall enter or remain on the railway where such person is unfit to enter or remain on the railway as a result of being in a state of intoxication.

(2) Where reasonable notice is, or has been, given prohibiting intoxicating liquor on any train service, no person shall have any intoxicating liquor with him on it, or attempt to enter such a train with intoxicating liquor with him

(3) Where an authorised person reasonably believes that any person is unfit to enter or remain on the railway, or has with him intoxicating liquor contrary to Byelaw 4(2), an authorised person may: (i) require him to leave the railway; and (ii) prevent him entering or remaining on the railway until an authorised person is satisfied that he has no intoxicating liquor with him and/or is no longer in an unfit condition

Options

1. ScotRail through powers within Railway By-laws 4(2) publish a notice that during Covid-19 Recovery process, Intoxicating liquor will be banned from ScotRail Train Services. *
2. ScotRail apply through legal process to amend Section 4 of the By-law to make it an offence to drink alcohol from an open receptacle. This would prevent the consumption of Alcohol on the railway but allow persons to carry alcohol home. As per Below **

4 INTOXICATION AND POSSESSION OF ALCOHOL

4.1 No person shall enter, attempt to enter or remain on the railway where that person is unfit to enter or remain on the railway as a result of being in a state of intoxication.

4.2 No person shall enter, attempt to enter or remain on the railway while in possession of an open container of alcohol, unless expressly permitted to do so by the Operator in a particular area.

4.3 No person shall consume alcohol on the railway, unless expressly permitted to do so by the Operator in a particular area.

4.4 Without prejudice to Byelaws 4.2 and 4.3, where reasonable notice is, or has been, given prohibiting alcohol on any train or on any part of the railway, no person shall have any alcohol with him on such a train or any part of the railway, or attempt to enter such a train or any part of the railway, whilst in possession of alcohol.

4.5 Where an authorised person reasonably believes that any person is unfit to enter or remain on the railway or is in contravention of any provision of Byelaw 4, the authorised person may: (i) require him to leave the railway; and (ii) prevent him entering or remaining on the railway until the authorised person is satisfied that he is in a fit state to enter or remain on the railway and is no longer in contravention of any provision of Byelaw 4.

Recommendation

This paper is submitted with the caveats that

- we acknowledge that due to the open nature of our network we have a limited resource to police this ban, both from an internal and external aspect.
- There is a potential for a rise in Threatening and Abusive Behaviour or Physical Assault directed to Station and On-Board staff as a result of challenging members of the public around this issue.

We consult fully with **[REDACTED]** in relation to the enforcement and application.

- We acknowledge that 4.1 of the bylaws should be enforced at gated stations to reduce incidents attributed to alcohol.

It is the recommendation that the ScotRail Executive support and implement Option 1 in relation to the prohibition of Intoxicating Liquor, with the implementation of Option 2 being investigated as a long-term solution.

*note: - this will implement a total ban on the carrying of intoxicating liquor, this includes the situation of persons purchasing alcohol to take home and carrying it on our services

note:- This was implemented by **[REDACTED] in 2014. Section 4.4 within the amended by-laws allow the running of dry trains.

From: [REDACTED]

Sent: 27 August 2020 13:35

To: [REDACTED]

Subject: Alcohol Ban extension V2 paper.docx

[REDACTED]

As per our conversation, this is the paper that was presented to the ScotRail exec.

They have agreed in principle to adopting Option 1 only ,during the Covid measures . This would see our present alcohol prohibition approach extended to 24/7 rather than the 2100-1000.

This came with a couple of caveats

- We are fully engaged with **[REDACTED]** in respect of the implementation
- We have the ability through partnership working to focus on problem areas to educate and enforce (people preloading on train and traveling into larger cities)
- A strong Communications package is developed for both internal and external audience (We are working on that with our Comms team)

We would appreciate your SLT's observations, thoughts and support on this approach.

If you could get back to me so we can progress, it would be appreciated.

WE will approach TS through a separate channel

Stay Safe

[REDACTED]

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From: [REDACTED]

Sent: 23 July 2020 16:25

To: [REDACTED]

Cc: [REDACTED]

Subject: RE: Alcohol policy - identifying enhancements

Afternoon **[REDACTED]**

Thanks for the input from a TS perspective, we will see what the outcome of the internal steering group.

We will then invite a number of stakeholders into the group, if there is any material change to our approach.

This is a difficult nut to crack as we have to be assured we (The industry) can police any restriction we decide on , over what is a very open access network.

I will look to engage with you when we have the outcome of the review.

There was no driver for the review, but we were acutely aware that circumstances and demographics have changed since the Policy was adopted and were looking to see if it was

1. Being implemented as it should
2. And was fit for purpose

If you need any other information don't hesitate to contact

Stay Safe

[REDACTED]

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From: [REDACTED]

Sent: 23 July 2020 13:24

To: [REDACTED]

Cc: [REDACTED]

Subject: FW: Alcohol policy - identifying enhancements

Hi **[REDACTED]**,

Firstly can we ask is there a driver for the review, or is it simply time for a review?. Also we need to be mindful of any associated costs especially during the EMA period.

For info -Transport Scotland were not involved in previous discussions to shape the alcohol policy, however were fully supportive of the initiatives proposed and implemented. For info I have attached lines used at the time which give a clear indication of the support whilst noting using existing Byelaws without requiring a change to legislation. It would therefore be safe to assume Ministers would support any further enhancements to the ScotRail policy to reduce any anti-social behaviour on trains.

ScotRail has launched its policy on tackling anti-social behaviour, particularly associated with excess alcohol consumption on trains following a year long review working in conjunction with the **[REDACTED]**. Scottish Government supports all measures that reduce anti-social behaviour on trains including that fuelled by alcohol consumption.

Ministers therefore welcome this approach from ScotRail which is being implemented using the existing Railway Byelaws without any change to legislation required.

From experience through Ministerial correspondence the main thrust of complaints appear to be passengers experiencing ASB with little visible action from barrier staff, on-board staff or [REDACTED]. Our response, depending on each individual issue normally outlines that it is impossible for [REDACTED] officers to cover all services, but officers do travel on any potential problematic services as part of their monthly tasking processes. Additionally we advise that front line staff receive training for defusing ASB without being confrontational and passengers should in the first instance make staff aware of emerging issues.

We also encourage the use of 61016 text service which enables passengers and staff to report any instances of anti-social behaviour in real time which assists [REDACTED] to meet services on route.

From a TS perspective any enhancements to the ScotRail policy could possibly focus on more high profile measures to prevent intoxicated passengers travelling. I appreciate this is easier said than done, especially policing passengers travelling to main hubs rather than from which is much easier to manage.

If you feel it would be beneficial for TS to be involved in discussions I would be happy to volunteer as part of my passenger satisfaction role.

[REDACTED]

Transport Scotland
Buchanan House
58 Port Dundas Road
Glasgow

[REDACTED]

From: [REDACTED]

Sent: 08 July 2020 11:32

To: [REDACTED]

Cc: [REDACTED]

Subject: Alcohol policy - identifying enhancements

Hi **[REDACTED]**

We are currently reviewing our alcohol policy to identify any potential enhancements. As such this involves looking at the byelaws (extract below), current arrangements, challenges and issues. We will be seeking views from **[REDACTED]** but would also like to get TS's own view regarding this byelaw and the current implementation of this. Could you please assist?

Railway Byelaws

Intoxication and possession of intoxicating liquor

(1) No person shall enter or remain on the railway where such person is unfit to enter or remain on the railway as a result of being in a state of intoxication.

(2) Where reasonable notice is, or has been, given prohibiting intoxicating liquor on any train service, no person shall have any intoxicating liquor with him on it, or attempt to enter such a train with intoxicating liquor with him.

(3) Where an authorised person reasonably believes that any person is unfit to enter or remain on the railway, or has with him intoxicating liquor contrary to Byelaw 4(2), an authorised person may: (i) require him to leave the railway; and (ii) prevent him entering or remaining on the railway until an authorised person is satisfied that he has no intoxicating liquor with him and/or is no longer in an unfit condition.

Any questions please get in touch.

Thanks,

[REDACTED]
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[REDACTED]
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