
From: [REDACTED]
Sent: 20 February 2018 14:01
To: [REDACTED]
Cc: [REDACTED]
Subject: Spad view needed - News Release - Michael Matheson - BTP - 21 February 2018

Spads,

Please see attached for immediate views.

For guidance, we now expect the letter to Committee to issue around 4pm subject to clearance and the news release will follow.

Police Scotland's line is below for info.

[REDACTED]

Deputy Chief Constable Iain Livingstone said: "Over the last few months, we have been assessing the feasibility of delivering integration by April 2019. It has become clear to Police Scotland that there are unresolved issues which mean effective operational integration cannot be achieved by that date without compromising public safety. Independent consultants have endorsed our position on this. "Planning for the integration of British Transport Police continues and we will be working closely with BTP and other partners over the next six months to determine a new date. The priority for Police Scotland, as always, is to ensure that we continue to deliver the highest possible standards of service and that all of our communities, including people who work on and use the rail network, are kept safe."

<< File: News Release - Michael Matheson - BTP - 21 February 2018.docx >>

From: [REDACTED]
Sent: 20 February 2018 14:07
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Spad view needed - News Release - Michael Matheson - BTP - 21 February 2018

Thx [REDACTED].

SpAds off copylist.

Do we need to somewhere, in Background, make clear what the initial expected/target/preferred/transition date was? While we're not giving a revised date because that precisely the purpose of the exercise we're announcing, it does read a little odd without any reference to the initial target/expected/preferred date, I think.

[REDACTED]

[REDACTED] | Communications Manager (Justice & Safer Communities) Scottish Government | 0131 244
[REDACTED] | [REDACTED]

From: [REDACTED]
Sent: 20 February 2018 12:14
To: [REDACTED]
Cc: [REDACTED]
Subject: Background note for press release - FOR ACTION
Importance: High

[REDACTED]

I spoke to [REDACTED] in comms who didn't want too much info for the background note. I have tried to include relevant background, role of JPB and milestones we have so far.

[REDACTED] is looking for a quick turnaround on this – as soon after the end of the meeting as possible. Grateful for comment/clearance.

Thanks

[REDACTED]

[REDACTED]
Programme Manager Police Division 0131 244 [REDACTED] BB [REDACTED]

From: [REDACTED]
Sent: 20 February 2018 13:31
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Background note for press release - FOR ACTION

Is this ok:

Background Note for comms

1. In November 2013 the ambition to integrate the functions of the BTP into Police Scotland was confirmed and published in Scotland's Future; and 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, with all-party agreement, the Smith Commission recommended that "the functions of the British Transport Police in Scotland will be a devolved matter".

2. In December 2016 the Railway Policing (Scotland) Bill was introduced to the Scottish Parliament. This Bill received Royal Assent in July 2017 and became the Railway Policing (Scotland) Act. Following the passage of the Act, work is continuing under the oversight of the Joint Programme Board (JPB) to deliver the detailed arrangements for the integration of the BTP in Scotland into Police Scotland. 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.

4. Since the passage of the Act, the JPB has achieved progress in 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. This will be regularly updated.

Regards,

[REDACTED]

Scottish Government, Police Division, St Andrews House, Edinburgh, EH1 3DG M: [REDACTED] T: 013124 [REDACTED] E: [REDACTED]

I work Mon-Fri and aim to respond to high priority emails within 2 days and all other emails within 5 days (sooner if possible). If your enquiry requires an earlier response than that please phone my mobile or text me.

From: [REDACTED]

Sent: 20 February 2018 13:36

To: [REDACTED]

Cc: [REDACTED]

Subject: RE: Background note for press release - FOR ACTION

Think so. Have incorporated.

[REDACTED]

From: [REDACTED]
Sent: 20 February 2018 17:52
To: [REDACTED]
Cc: [REDACTED]
Subject: BTP MERGER - BBC GMS BID - JUSTICE SECRETARY

Hi all

We have received a bid from BBC Good Morning Scotland programme for the Justice Secretary to appear on GMS to talk about the delay to BTP joining Police Scotland. At the moment they have only bid for the Cab Sec for the 8:10 slot, but are likely to ask Labour and/or the Lib Dems to appear.

Grateful for views on whether we should accept the interview request.

Also copying [REDACTED] who is on duty this evening to take forward.

Thanks

[REDACTED]

[REDACTED] | [Newsdesk Manager](#) | [Scottish Government](#) | 0131 244 [REDACTED] | [REDACTED] | [REDACTED] | <http://www.gov.scot>

From: [REDACTED]
Date: Tuesday, 20 Feb 2018, 5:53 pm
To: [REDACTED]
Subject: RE: BTP MERGER - BBC GMS BID - JUSTICE SECRETARY

Also adding Newsdesk to copylist.

[REDACTED] | [Newsdesk Manager](#) | [Scottish Government](#) | 0131 244 [REDACTED] | [REDACTED] | [REDACTED] | <http://www.gov.scot>

From: [REDACTED]
Sent: 20 February 2018 17:58
To: [REDACTED]
Cc: [REDACTED] Communications Justice; [REDACTED] News Desk
Subject: RE: BTP MERGER - BBC GMS BID - JUSTICE SECRETARY

Spoken to Cab Sec and he's happy to accept the bid

Sent with BlackBerry Work
(www.blackberry.com)

From: [REDACTED]
Sent: 20 February 2018 18:18

To: [REDACTED]

Subject: RE: BTP MERGER - BBC GMS BID - JUSTICE SECRETARY

Key Q&A

Have put question mark where my shorthand was not clear.

[REDACTED] also suggested he may be asked about 'business case'.

I'm just going to look out what lines we have re the survey, either to pre-empt that with some general lines about engaging staff.

1. How long will this be delayed

The Joint Programme Board hasn't reached a view on that; A revised integration date is precisely what this re-planning exercise has been commissioned to identify – based on issues which remain to be resolved.

2. Well, when will BTP officers and staff know the new integration date?

The re-planning work is expected to take a number of months, and after that the Board will agree?/advise? what the most appropriate integration date should be. [REDACTED]

3. There are reports that PS and BTP asked for integration to be delayed by at least two years. Is that timescale likely?

The Joint Programme Board, which includes both forces, did not agree a specific timescale. A revised integration date is precisely what this re-planning exercise has been commissioned to identify – based on issues which remain to be resolved.

4. Why has this happened?

Well clearly such a significant piece of public sector reform brings not only considerable opportunities but often complex and competing challenges. However, that is exactly why the Scottish and UK Governments established the Joint Programme Board – in order to monitor progress and identify the main areas of challenge to delivering integration within agreed timescales. I made clear to Parliament that Ministers would consider the issues brought to us by the Board, and that's what we've done here.

Police Scotland and BTP have recently been examining some of the operational programme ??? and the things that need to be done to ensure a safe, effective and smooth transition. And their advice to the Programme Board was that they need more time – and that was what was agreed.

5. It's clear that large parts of the BTP workforce in Scotland do not want to move to Police Scotland. Why are you pressing ahead rather than pausing?

Well, before Parliament passed the legislation which will deliver the amalgamation, we outlined the benefits of the reforms in terms of a unified command structure. However, we do acknowledge that there is a need for the Scottish Government, as well as our partners in the Programme Board, to deepen our engagement with BTP officers and staff. And the extended timescale provides an opportunity for us to do that. Career opps???

[REDACTED] | Communications Manager (Justice & Safer Communities) Scottish Government | 0131 244
[REDACTED] | [REDACTED]

From: [REDACTED]
Sent: 20 February 2018 18:43
To: Cabinet Secretary for Justice
Cc: [REDACTED] Communications Justice; [REDACTED] News Desk; [REDACTED]
Subject: RE: BTP MERGER - BBC GMS BID - JUSTICE SECRETARY

PS/Cabinet Secretary for Justice

Here is some material to support Mr Matheson's GMS interview tomorrow.

[REDACTED]

[REDACTED]
Deputy Director: Police Division
Scottish Government
1WR St Andrews House
Edinburgh EH1 3DG
0131 244 [REDACTED]

From: [REDACTED]
Sent: 21 February 2018 06:58
To: [REDACTED] Cabinet Secretary for Justice; Michael.Matheson.msp@parliament.scot
Cc: [REDACTED] Communications Justice; [REDACTED] News Desk; [REDACTED]
Subject: RE: BTP MERGER - BBC GMS BID - JUSTICE SECRETARY

Cabinet Secretary,

On *GMS*, the TSSA's Manuel Cortes focused on what he said was the long-standing specialist nature of BTP.

He suggested public servants on the JPB were doing their best to tell ministers that the merger plan was the wrong route, and he urged the SG to "simply bin the plans".

Mr Cortes said the union had no problem with devolution and "the most senior BTP officer in Scotland being accountable to the Scottish Parliament", but this could be achieved without "breaking up" the "unified command structure" of the BTP.

GMS' Gary Robertson made the point that specialist railway function would be retained under Police Scotland.

Mr Cortes also referred to BTP's specialist anti-terror unit, keeping the rail infrastructure, staff and passengers safe; he was then asked by *Mr* Robertson why Police Scotland's anti-terror unit couldn't pick this up.

- We can emphasise that Police Scotland, the second largest policing service in these islands, works closely and continuously with other UK police forces and security services today, and that won't change.

Finally, he was asked about terms and conditions of transfer, and our 'triple-lock' guarantee. Mr Cortes said he had seen no clarity or evidence to back up this promise.

:: Lib Dems' Liam McArthur is due on GMS at around 7.10am.

:: I can't access all newspapers yet, but looks as if the *Express* alone has splashed on the front page.

Aside from the expected political responses, below are some of the responses of stakeholders

[REDACTED]

[BTP Federation Chairman Nigel Goodband \(on Twitter\)](#): "There has been a clear message from BTP/A and Police Scotland that successful and safe integration cannot be achieved by April 2019. We welcome the entirely sensible decision to delay the 'go live' date. "We now hope to see a realistic timeframe being set which allows for better planning, greater analysis of the costs of integration, and deeper understanding of the risks. "The process to date has caused unnecessary worry and concern so we welcome the commitment to improving staff engagement and will continue to support this in any way we can."

[BTP Chief Constable Paul Crowther \(on Twitter\)](#): Scottish Government decision to revise timetable for integration of BTP Scotland into Police Scotland very much welcomed. Enables much more detailed planning and comprehensive implementation plan to be developed. Right decision to ensure we keep public safe.

[BTP Authority Chair Charlotte Vitty \(on Twitter\)](#): "This will allow for far greater engagement with our officers and staff as well as our wider stakeholders. Lots of hard work to date and more hard work ahead to deliver this effectively."

[BTP Superintendents Branch \(on Twitter\)](#): Ministers [@scotgov](#) announce delay to [@BTP](#) [@policescotland](#) [#merger](#) proposal. Welcomed by our members. Time will allow detailed review of unresolved complexities; deliver a date for safe handover & that everyone can have greater confidence in.

[REDACTED] | Communications Manager (Justice & Safer Communities) Scottish Government | 0131 244

[REDACTED] | [REDACTED]

From: [REDACTED]

Sent: 21 February 2018 07:05

To: [REDACTED]; Cabinet Secretary for Justice; Michael.Matheson.msp@parliament.scot

Cc: [REDACTED] Communications Justice; [REDACTED]; News Desk; [REDACTED]

Subject: RE: BTP MERGER - BBC GMS BID - JUSTICE SECRETARY

Lib Dems backed the bill at Stage 1 but voted against at Stage 3.

Sent with BlackBerry Work
(www.blackberry.com)

From: [REDACTED]

Sent: 21 February 2018 07:18

To: [REDACTED]; Cabinet Secretary for Justice; Michael.Matheson.msp@parliament.scot

Cc: [REDACTED]; Communications Justice; [REDACTED]; News Desk; [REDACTED]

Subject: RE: BTP MERGER - BBC GMS BID - JUSTICE SECRETARY

Mr McArthur told *GMS* the case had yet to be made, saying HMI had flagged that there was no business case made, and that the merger was a political decision.

Mr McArthur said it had never been made clear how the specialist rail function would be safeguarded, and the skills and expertise maintained.

Mr Robertson reminded him of his amendment proposing a ten year delay in implanting the PS-BTP Scotland merger, in order for Police Scotland to deliver 2026 reforms, and challenged as to why that would be necessary.

He suggested PS was facing “enough issues” in terms of finance and the outstanding issues around the merger of 8 regional forces

[REDACTED]

[REDACTED] | communications Manager (Justice & Safer Communities) Scottish Government | 0131 244
[REDACTED] | [REDACTED]

From: [REDACTED]
Sent: 20 February 2018 14:31
To: Cabinet Secretary for Justice; Minister for Transport and the Islands
Cc: [REDACTED]; DG Education, Communities & Justice; [REDACTED]; Communications Justice; [REDACTED]
Subject: BTP integration -letter to Justice Committee

[REDACTED]

As discussed please find attached a letter to be sent to the Justice Committee from Mr Yousaf, providing an update on progress with BTP integration. This follows on from the discussion with officials yesterday.

The Joint programme Board met this morning and all parties have confirmed their commitment to reprogramming the work to deliver integration as soon as possible, minimising risk and ensuring safe and secure transition.

Comms colleagues have already had information that the content of the JPB discussion is with the media, so it is important that this letter goes today, along with the news release which comms will forward under separate cover.

On that basis it would be helpful if you could confirm that Ministers are content with the letter and that you will issue to the Justice committee, ideally **before 4pm**.

We are liaising with colleagues in DfT, SPA etc to ensure our communications are coordinated.

Happy to discuss.

Thanks

<< File: Minister for Transport and the Islands letter to Convenor of the Justice Committee 21 February 2018 final.docx >>

[REDACTED]

[REDACTED]

Deputy Director

Police Division

Scottish Government

0131 244 [REDACTED]

From: [REDACTED]
Sent: 20 February 2018 14:45
To: [REDACTED] Cabinet Secretary for Justice; Minister for Transport and the Islands
Cc: [REDACTED]; DG Education, Communities & Justice; [REDACTED]; Communications Justice; [REDACTED]
Subject: RE: BTP integration -letter to Justice Committee

Further to [REDACTED]'s email, I attach a news release on the issue which has been cleared by spads and policy for both Ministers' clearance.

As [REDACTED] notes, media are aware of the story so we'd aimed to issue as soon as we can after the letter goes (subject to BTP updating their staff).

For info, Police Scotland lines are below.

[REDACTED]

Deputy Chief Constable Iain Livingstone said: "Over the last few months, we have been assessing the feasibility of delivering integration by April 2019. It has become clear to Police Scotland that there are unresolved issues which mean effective operational integration cannot be achieved by that date without compromising public safety. Independent consultants have endorsed our position on this.

"Planning for the integration of British Transport Police continues and we will be working closely with BTP and other partners over the next six months to determine a new date. The priority for Police Scotland, as always, is to ensure that we continue to deliver the highest possible standards of service and that all of our communities, including people who work on and use the rail network, are kept safe."

<< File: News Release - Michael Matheson - BTP - 21 February 2018.docx >>

From: [REDACTED]
Sent: 20 February 2018 14:57
To: [REDACTED]
Subject: RE: BTP integration -letter to Justice Committee

One thing this is missing is a line for background along the lines of:

The original scheduled date for integration was 19 April 2018.

Is this form of words ok for you? And do we have any idea what BTP might say publicly?

[REDACTED]

From: [REDACTED]
Sent: 20 February 2018 14:01
To: [REDACTED]
Cc: [REDACTED]; Communications Justice; [REDACTED]
Subject: Spad view needed - News Release - Michael Matheson - BTP - 21 February 2018

Spads,

Please see attached for immediate views.

For guidance, we now expect the letter to Committee to issue around 4pm subject to clearance and the news release will follow.

Police Scotland's line is below for info.

[REDACTED]

Deputy Chief Constable Iain Livingstone said: "Over the last few months, we have been assessing the feasibility of delivering integration by April 2019. It has become clear to Police Scotland that there are unresolved issues which mean effective operational integration cannot be achieved by that date without compromising public safety. Independent consultants have endorsed our position on this. "Planning for the integration of British Transport Police continues and we will be working closely with BTP and other partners over the next six months to determine a new date. The priority for Police Scotland, as always, is to ensure that we continue to deliver the highest possible standards of service and that all of our communities, including people who work on and use the rail network, are kept safe."

From: [REDACTED]

Sent: 20 February 2018 14:29

To: DeputyChiefOfficer@scotland.pnn.police.uk; dcc.crimeopsoffice@scotland.pnn.police.uk; Director Business Integration; [REDACTED]

Cc: [REDACTED]; 'DCC.Office@scotland.pnn.police.uk' (DCC.Office@scotland.pnn.police.uk)

Subject: PROTECT-OFFICIAL Draft Letter

Importance: High

PROTECT- OFFICIAL

EMBARGOED UNTIL PUBLISHED BY SCOTTISH GOVERNMENT

As discussed at the Special JPB meeting this morning a draft copy of the SG-Justice Committee letter and news release are attached:

Comments are requested by return and no later than 1530 hrs today.

SG will recirculate the final version of the published letter and news release once approved by Ministers.

Regards,

[REDACTED]

Scottish Government, Police Division, St Andrews House, Edinburgh, EH1 3DG M: [REDACTED] T: 013124 4[REDACTED] E: [REDACTED]

From: [REDACTED]

Sent: 20 February 2018 15:18

To: 'DeputyChiefOfficer@scotland.pnn.police.uk'; 'dcc.crimeopsoffice@scotland.pnn.police.uk'; 'Director Business Integration'; [REDACTED]

Cc: [REDACTED]; "DCC.Office@scotland.pnn.police.uk" (DCC.Office@scotland.pnn.police.uk)

Subject: RE: PROTECT-OFFICIAL Draft Letter

The JPB Q&A - referred to in the draft letter - is attached for the record:

Regards,

[REDACTED]

Scottish Government, Police Division, St Andrews House, Edinburgh, EH1 3DG M: [REDACTED] T: 013124 4[REDACTED] E: [REDACTED]

I work Mon-Fri and aim to respond to high priority emails within 2 days and all other emails within 5 days (sooner if possible). If your enquiry requires an earlier response than that please phone my mobile or text me.

From: [REDACTED]

Sent: 20 February 2018 16:07

To: DeputyChiefOfficer@scotland.pnn.police.uk; dcc.crimeopsoffice@scotland.pnn.police.uk; Director Business Integration; [REDACTED]

Cc: [REDACTED] 'DCC.Office@scotland.pnn.police.uk' (DCC.Office@scotland.pnn.police.uk); [REDACTED]; Communications Justice; [REDACTED]

Subject: SG letter to Convenor of the Justice Committee

The attached SG letter and copy of the JPB Q&A have been issued to the Justice Committee Convenor.

These papers are now NOT security protected.

The attached draft SG news release will issue at 1615 hrs today.

Grateful if BTP/BTPA/SPA/Police Scotland could copy all linked comms messages today/tomorrow to all JPB members.

Regards,

[REDACTED]

Scottish Government, Police Division, St Andrews House, Edinburgh, EH1 3DG M: [REDACTED] T: 013124 [REDACTED] E:[REDACTED]

I work Mon-Fri and aim to respond to high priority emails within 2 days and all other emails within 5 days (sooner if possible). If your enquiry requires an earlier response than that please phone my mobile or text me.

21 February 2018

Railway policing integration

Joint Programme Board to revise timetable.

The Joint Programme Board overseeing the integration of British Transport Police (BTP) in Scotland into Police Scotland has agreed to review the timetable.

A longer timetable will allow for enhanced engagement with officers, staff and their representatives on key issues, including pay and conditions.

A detailed re-planning exercise will now take place over the coming months to ensure robust delivery plans are in place for all of the key elements of the programme and to establish a new delivery date.

Justice Secretary Michael Matheson said:

“The Scottish and UK governments are working together to ensuring the legislation passed by Parliament last year is implemented as effectively as possible. The benefits of a single command structure and improved access to the full range of capabilities of Police Scotland will be delivered for railway policing, providing an enhanced service to both the rail industry and travelling public.

“While much has been achieved so far, we want to ensure a seamless transition which delivers continuity of service for rail users and staff. As I have previously said, any issues raised by the Joint Programme Board in their role as overseeing the project would be given due consideration.

“While a later integration date is disappointing, it will provide all partners with the opportunity to enhance the process of engagement, in particular with officers, staff and their representatives on key issues.

“The Scottish Government remains committed to delivering on our triple lock guarantee to protect the jobs, pay and pensions of BTP officers transferring to Police Scotland. The Scottish Government has met with the BTP Federation on a number of occasions in recent weeks and will continue to work closely with them on addressing the important issues raised by their members.”

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, with all-party agreement, the Smith Commission recommended that “the functions of the British Transport Police in Scotland will be a devolved matter”.

In December 2016 the Railway Policing (Scotland) Bill was introduced to the Scottish Parliament. This Bill received Royal Assent in July 2017 and became the Railway Policing (Scotland) Act. Following the passage of the Act, work is continuing under the oversight of the Joint Programme Board (JPB) to deliver the detailed arrangements for the integration of the BTP in Scotland into Police Scotland. 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 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.

Contact

[REDACTED]: 0131 244 [REDACTED] / [REDACTED]

BTP Integration Programme
Special Joint Programme Board Meeting
20 February 2018 from 11:00 – 13:00
St Andrews House, Edinburgh
Telephone Conference Facilities are available
Participants should dial: 0800 376 [REDACTED] and use Code: [REDACTED]#

Agenda

1. **Attendance and Apologies (Chair)**
2. **MTT Deliverability Assessment – Progress (PS/BTPA)** **JPB S-01**
3. **Next Steps (Chair/PMU)**
 - Gateway Review
 - Stakeholder Engagement
 - Agenda for 14th JPB on 6 March 2018
4. **Date/location of future meetings (PMU)**
 - 14th JPB: Tuesday 6 March 2018 13:00 – 15:00 London
 - 15th JPB: Tuesday 8th May 2018 12:00 – 15:00 Edinburgh
 - 16th JPB: Tuesday 24th July 2018 12:00 – 15:00 London

From: [REDACTED]
Sent: 15 February 2018 13:05
To: Director Business Integration; [REDACTED]; Deputy Chief Officer; DCC Office PSOS; [REDACTED]
'dcc.crimeopsoffice@scotland.pnn.police.uk'; [REDACTED]
Cc: [REDACTED]
Subject: BTP Integration Programme - Special Joint Programme Board Meeting - 20 February 2018

Dear All

Please see attached Agenda for the above meeting taking place on 20 February 2018 at 11am in St Andrews House Edinburgh.

<< File: Special JPB Agenda - 20 February 2018.docx >>

Paper JFB S-01 for agenda item 2 will follow on Monday 19 February 2018.

Regards

[REDACTED]
Programme Support Officer
Police Division
1R St Andrews House
[REDACTED]
0131 244 [REDACTED]
My work pattern is: ~ Mon-Thu 0800-1700
 Save Paper - Do you need to print this e-mail?
Main Switchboard Number – 0300 244 4000

From: [REDACTED]
Sent: 20 February 2018 14:19
To: [REDACTED]; 'dcc.crimeopsoffice@scotland.pnn.police.uk'; Deputy Chief Officer
(DeputyChiefOfficer@scotland.pnn.police.uk); [REDACTED]; Director Business Integration
(DirectorBusinessIntegration@scotland.pnn.police.uk); [REDACTED]
Cc: [REDACTED]
Subject: Special JPB - immediate actions

Following our special JPB earlier today we agreed a number of immediate actions for communicating decisions made in the meeting.

- 1). Scottish Government to circulate the draft letter to all JPB members as soon as possible which will be issued later this afternoon – this will form the core script to be used in all communications from JPB members and will form the basis of the Scottish Government news release.
- 2.) Scottish Government will send the letter to the Justice Committee this afternoon

3.) Scottish Government will make members aware when the final letter to the Justice Committee and News Release will issue. BTP/A will make officers and staff aware before any media reporting.

4.) Wider stakeholder engagement –

Police Scotland – to contact SPF and Unions

BTP – to make staff and officers aware and contact BTPF and TSSA as soon as the release goes live

BTPA/DFT – to contact RDG

SG (Transport Scotland) – to contact Scotrail

All – To refer to the upcoming stakeholder event in March, which will be an opportunity to discuss further – arrangements to follow.

5.) Any feedback and questions to be addressed to be directed to the PMU –

BTPProgramme@gov.scot

The draft letter will follow shortly.

[REDACTED]

[REDACTED] Programme Management Unit | Police Division | Scottish Government | St Andrews House | 0131 244
[REDACTED] | [REDACTED]

Please note I work Tuesday, Wednesday and Thursday

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

Margaret Mitchell MSP
Convener of the Justice Committee
Scottish Parliament

justicecommittee@parliament.scot

20 February 2018

Dear Margaret,

BRITISH TRANSPORT POLICE INTEGRATION

Thank you for your letter of 8 February in which you requested an update on a range of matters relating to the integration of the BTP in Scotland into Police Scotland. I thought it would also be helpful to update the Committee on the overall status of the programme. The Joint Programme Board overseeing the integration of BTP in Scotland into Police Scotland met this morning. Significant progress has been made on a number of aspects of integration such as secondary legislation and pensions, and on mapping BTP terms and conditions to ensure they are transferred intact. Further details on these areas are provided below.

Under the auspices of the JPB, Police Scotland and BTPA have established a joint project to deliver the operational aspects of the programme. As part of that joint work, a workshop including members of the senior command teams from both Police Scotland and BTP met earlier this month to review progress on operational matters and found that a number of significant issues remained to be resolved. As a result of this assessment, the JPB was advised this morning that further time is needed to deliver integration most effectively and safely for railway passengers, staff and officers. Their assessment is that the current scheduled date of 1 April 2019 will not be achieved.

Ministers have accepted this advice and a detailed re-planning exercise will now take place over the coming months to ensure robust delivery plans are in place for all of the key elements of the programme and to establish a new delivery date. This approach reflects Ministers' commitment to Parliament to keep the programme under review and to give any issues raised by the Joint Programme Board due consideration. This, in turn, reflects the importance I place on ensuring that a smooth transition is achieved which delivers continuity of service for rail users and staff. I would stress that I remain committed to ensuring the Act is fully implemented to ensure the benefits of a single command structure and improved access to the full range of capabilities of Police Scotland is delivered.

While a later-than-planned integration date is disappointing, I am clear that it also provides all partners on the JPB with an opportunity to enhance the process of engagement, in particular with officers, staff and their representatives on key issues, including those highlighted in your letter. The re-planning exercise will seek to ensure that additional opportunities for engagement are built into the timetable going forward. Ministers agree with the Committee's view that reaching agreement on the terms, conditions, benefits and pensions of BTP staff and officers is critical to achieving a seamless transfer of railway policing to Police Scotland.

In relation to pensions, the Scottish Government is in discussions with the Trustee of the British Transport Police Force Superannuation Fund and of the British Transport Police Shared Cost Section of Railways Pension Scheme to ensure that BTP officers and staff who transfer into Police Scotland retain access to their current pensions. A proposal to achieve this has been put to the Trustees for discussion, and once we understand their position on key issues we will be well placed to consult representatives of pension scheme members, including those representing retired members such as the National Association for Retired BTP Officers on the proposed way ahead. This approach will ensure that there is meaningful engagement which reflects the views of the Trustee on how such arrangements can best be made to work.

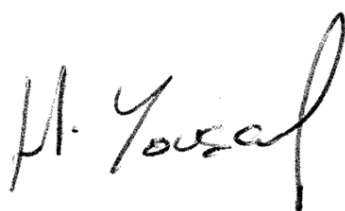
The JPB has agreed and published a Q&A for officers and staff which covers a number of issues related to pensions and terms & conditions, and I attach this for reference. The publication of the Q&A has prompted further questions from officers and staff, and we are working through these with a view to updating the Q&A on a regular basis.

Members of the Joint Programme Board (JPB), including officials of the BTPA, SPA, Police Scotland and the Scottish Government met recently with representatives of the BTPF on 13, 14, 15 December and 9 January in full-day workshops to compare BTP/Police Scotland terms and conditions of service, including pensions. These full-day workshops will continue this week on 20, 21 and 22 February, with more workshops expected as this mapping work progresses. The purpose of this exercise is to ensure that the existing terms and conditions are understood at a level of detail which will allow work to progress on ensuring no detriment during the transfer process. Officials met with TSSA on 20 December, 1 February and again jointly with TSSA/BTPF on 12 February with another joint meeting to follow on 19 March. We are also planning to step up engagement with the SPF in the period ahead. An early part of the engagement plan will be to hold an event for BTP officers and staff in March.

Draft Scotland Act Orders for the transfer of BTP officers and staff in Scotland into Police Scotland are at an advanced stage of preparation by UK and Scottish Government officials and we expect to be in a position to commence engagement on these with key partners and other stakeholders in the coming weeks. This will include unions and staff associations.

With regard to the future membership of the SPF by railway policing officers in Police Scotland, I confirm there has been no change to the position as in my letter to you of 15 November, however, we remain open to further engagement with both BTPF and SPF on this point.

The next JPB meeting will be held at the Department for Transport in London on 6 March when the JPB will further consider the re-planning exercise. Both the Cabinet Secretary for Justice and I are committed to supporting JPB partners to maintain momentum towards the seamless transition that we're working collectively to achieve. We will keep the Committee updated on how that work is progressing.



HUMZA YOUSAF

JOINT PROGRAMME BOARD UPDATE: DECEMBER 2017

BRITISH TRANSPORT POLICE INTEGRATION INTO

POLICE SCOTLAND:

The Story so far....

1. In Autumn 2014, the cross-party Smith Commission was established to agree further powers that should be devolved to Scotland. The Smith Commission Agreement was published in November 2014.
2. The Smith Commission Agreement was implemented by the Scotland Act 2016, which devolved a range of powers to the Scottish Parliament including the power to legislate for policing of the railways and railway property. The Act also designated the British Transport Police Authority (BTPA), the Chief Constable of the British Transport Police, the Deputy Chief Constable of the British Transport Police and the Assistant Chief Constables of the British Transport Police (the BTP Bodies) as cross border public authorities.
3. The Scottish Government has used the power which was devolved to it to legislate for the policing of railways and railway property. The Railway Policing (Scotland) Act 2017 was passed by the Scottish Parliament on 27th June 2017 and received Royal Assent on 1st August 2017.
4. The Railway Policing (Scotland) Act 2017 confers railway policing powers on the Police Service of Scotland (Police Scotland) and the Scottish Police Authority (SPA) and removes functions in relation to policing railways and railway property in Scotland from the British Transport Police Authority (BTPA) and constables of the British Transport Police Force (BTP). The Scottish Government has set a proposed date for Police Scotland to take on these railway policing functions of 1 April 2019.
5. There are mechanisms within the Scotland Act 1998 for certain changes to be made which are needed as a result of devolution:

Scotland Act Orders

6. Section 90 of the Scotland Act 1998 will allow for the transfer of the BTP officers and staff whose work relates wholly or partly to railway policing in Scotland to the SPA, and for the transfer of all assets and liabilities of the BTP Bodies used for their functions for policing railways in Scotland. This will be known as the 'section 90 Order'. The section 90 Order will be laid and debated in both the Westminster Parliament and the Scottish Parliament.
7. Section 104 of the Scotland Act 1998 will be used to make any provision that is considered necessary as a result of provisions in the Railway Policing (Scotland) Act 2017. For example, this Order will be used to make provision for cross-border

policing following devolution by the Police Service of Scotland and BTP. This will be known as the 'section 104 Order'. The section 104 Order is laid and debated by UK Parliament.

8. The Integration Programme is a developing situation; all partners very much understand the need to provide clear information as soon as possible so you are clear about how the transfer affects you. We are working hard to do so - we aim to update this Q&A regularly to make you aware of milestones and decisions taken. This Q&A reflects decisions taken to date by the Joint Programme Board. The Joint Programme Board would welcome any feedback to this Q&A. If you would like to get in touch, please email: BTPProgramme@gov.scot.

Q AND A

How will I be kept up to date with the process?

All parties in the Joint Programme Board (JPB) are committed to making this a success. This is why a key issue for the JPB from its very first meeting has been the transfer arrangements for officers and staff. This Q&A provides an update on this, particularly on some really important decisions that have been made in recent months. We will update this Q&A on a regular basis.

The JPB is committed to ensuring that all requirements for a successful transfer are fulfilled, including that you are kept updated – we will provide as much information as to how the transfer will affect you as soon as that is possible.

The BTPA will write to all affected constables and staff in the New Year.

GENERAL PRINCIPLES ON THE TRANSFER OF OFFICERS AND STAFF

What terms and conditions will I have when I transfer to Police Scotland?

The Joint Programme Board has agreed that BTP officers and staff will transfer on their current terms and conditions. The detail of how the terms will be transferred is now being worked through.

Will I keep my current pay rates and allowances?

Terms and conditions include pay and allowances so the plan is to transfer those as is.

Am I guaranteed that my terms and conditions will not change over time?

All organisations review their terms and conditions over time and employers, staff associations and unions often make proposals for adjustments to pay, terms and conditions. The key point is that any changes will be subject to negotiation with staff associations and unions, however there are no planned changes to terms and conditions.

How will I know that all my present terms and conditions will be transferred?

The project team is currently working with the BTPA, BTPF and Police Scotland to map out all the current BTP terms and conditions for officers. Once that is done we'll develop a plan to transfer those across.

How will the transfer take place?

The Programme Board is currently overseeing the development of legislation that will give effect to the transfer of officers, staff and assets. This legislation will be subject to scrutiny in the UK and Scottish Parliaments. We expect to be able to provide more details in the coming months.

What is dual status?

Under legislation, British Transport Police officers have “all the power and privileges of a constable” and also grants the BTPA the authority to appoint and employ Constables within the Force. So officers are both constables and employees.

Will I retain both my employee and constable status on transfer to Police Scotland?

Orders are currently being drafted to provide for officers to retain their existing dual status on transfer.

Who will represent officers after integration?

For BTP officers in Scotland, their status as constables will mean that those currently represented by the BTP Federation (BTPF) will become members of the Scottish Police Federation (SPF) under Regulation 4 of the Police Federation (Scotland) Regulations 2013.

When will BTP officers and staff be in a position to see a contract of employment?

Given there are no changes to the current provisions proposed, at this stage we would anticipate that there will be continuity of current contractual documents. If there is any change to this approach, this will be communicated well ahead of the transfer.

Does TUPE apply?

The UK and Scottish Government have agreed that TUPE will not apply in this case as TUPE does not apply to “the administrative reorganisation of public administrative authorities or the transfer of administrative functions between public administrative authorities.” However, both Governments have agreed that the principles of COSOP (the Cabinet Office Statement of Practice for staff transfers in the public sector) should be applied. The principles of COSOP will apply to both officers (as in the case of the BTP the officers are also employees of the BTPA) and staff.

What is COSOP?

COSOP is a Statement of Practice that set out the Government's policy on the transfer of staff. The policy is based on the principle that where TUPE does not apply in strict legal terms to certain types of transfer between different parts of the public sector, the principles of TUPE should broadly be followed (where possible using legislation to effect that transfer) and the staff involved should be treated no less favourably than if TUPE had applied. It also provides that there should be appropriate arrangements to protect occupational pensions, redundancy and severance terms of staff in all these types of transfer.

In any public sector body, such transfers are conducted on the basis that when functions are transferred from one organisation to another the staff will also be transferred with the work. Transferring officers and staff will continue to undertake railway policing functions once the transfer has taken place. The policy also states that organisations should, however, make every effort to provide an opportunity for those who wish to stay with or return to their original organisation to do so. However the transferring organisation must ensure consistent treatment of staff affected and the needs of the work when making any decision. It is important for the constables and staff that are currently providing railway policing in Scotland to transfer to the Scottish Police Authority and the Police Service of Scotland to ensure continuity of policing provision.

Can I continue to apply for other posts prior to integration?

Yes. Constables and staff whose employment is wholly or mainly concerned or connected with the policing of the railways in Scotland and who will be transferred on 1st April can continue to apply for other posts within the BTPA in the usual manner. The Programme Board will consider whether there needs to be some transitional arrangements for a short period immediately prior to transfer where the recruitment process may overlap the transfer date.

Who will actually transfer?

The BTP must provide the necessary officers and staff to maintain an effective railway policing function in Scotland. Analysis by the British Transport Police Authority (BTPA) suggests that around 60 staff (including specials) and around 230 officers based in Scotland would transfer to Police Scotland, with the final details currently being refined as part of the work of the Joint Programme Board.

Officers

What is the basis of the transfer of constables to the Scottish Police Authority?

Each person who is employed and appointed as a constable by BTPA and whose employment is wholly or mainly concerned or connected with the policing of the railways in Scotland will on 1st April 2019:

- a. have their contract of employment transferred to the Scottish Police Authority and therefore become an employee of the Scottish Police Authority. The Scottish Police Authority will simply step into the shoes of the BTPA;
- b. be deemed to have been appointed as a constable of the Police Service of Scotland in accordance with the Police and Fire Reform (Scotland) Act 2012 at the same rank such constable held immediately prior to 1st April 2019;
- c. have his/her period of employment with BTPA count as a period of employment with the Scottish Police Authority to ensure that the change in employment does not break the continuity of employment; and
- d. have his/her terms and conditions of employment transfer to the Scottish Police Authority.

Staff

What is the basis of the transfer of staff to the Scottish Police Authority?

Each person who is employed by BTPA whose employment is wholly or mainly concerned or connected with the policing of the railways in Scotland on 1st April 2019:

- a. have their contract of employment transferred to the Scottish Police Authority and therefore become an employee of the Scottish Police Authority. The Scottish Police Authority will simply step into the shoes of the BTPA;
- b. have his/her period of employment with BTPA count as a period of employment with the Scottish Police Authority to ensure that the change in employment does not break the continuity of employment; and
- c. have his/her terms and conditions of employment transfer to the Scottish Police Authority

TRAVEL ENTITLEMENTS

Will I keep all my current travel entitlements on transfer?

The Scottish Government has stated its intention to mirror the current travel entitlements on the transfer of BTP officers and staff.

The project team are working with partners to understand the current provisions for concessionary travel for BTP officers and staff in Scotland, in order to ensure arrangements are in place for 1 April 2019.

PENSIONS

What guarantee do I have that my pension will not change?

Pensions form part of Scottish Ministers "Triple Lock" guarantee on jobs, pay and pensions. On 9 May 2017 Mr Michael Matheson, Cabinet Secretary for Justice in the Scottish Government, gave clear assurances that the terms and conditions, pay and pensions of British Transport Police officers and staff will be the same as they are currently, or that an equivalent level of benefit will be provided to ensure transfer takes place on a no-detriment basis.

What pension scheme will I have?

The JPB has agreed that, subject to the approval of the trustee, existing officers and staff should continue to have access to their current pension scheme on transfer, and a detailed proposal is now being prepared for submission to the scheme trustee. There may be other requirements to continue to remain in the rail pension scheme and these provisions are being investigated so that we can be clear with staff and officers.

Officers and staff recruited after the merger with Police Scotland will become members of the relevant Police Scotland schemes for officers and staff.

Will I pay more into my pension?

The proposed approach will ensure continued membership of your current scheme which sets the rate of contributions you have to pay.

What will happen to my existing pension?

It is proposed, subject to approval by SPA Board and the scheme trustee, existing BTP officers and staff can remain in their existing schemes but will transfer to a new section within the schemes, with SPA becoming the designated employer for these new sections.

Will I have an option to transfer to the new section?

No – members will transfer to the new sections within the existing British Transport Police Force Superannuation Fund (BTPFSF) and Railway Pension Scheme (RPS) via compulsory transfer. This can be achieved where the benefits in the new section are no less favourable, which will be certified by actuaries.

Will my pension benefits remain the same on transfer to the new section?

Yes – the benefits will be precisely mirrored in the new sections.

When will the transfer to the new section happen?

With effect from the integration date on 1/4/2019

Why are new sections of the existing schemes being set up?

The new sections are being set up to protect the benefits for those transferring.

What happens to my pension if I choose to move out of railway policing and into another role in Police Scotland?

This is still being considered and arrangements will be communicated in due course.

What happens if I am promoted within Police Scotland?

Full consideration of what should happen if a rail officer seeks promotion will require to be worked through based on further information relating to pensions provisions etc. that is currently being established.

Will my pension scheme administrator change?

Whilst you remain in the Fund, your pension will continue to be administered by RPMI. All other decisions in relation to membership are still in development and will be communicated in due course.

What scheme will officers and staff assigned to railways policing join after 1/4/2019?

Any new recruits after 1/4/2019 will join Police Scotland and be subject to the Police Pension Scheme 2015 (for officers) or the Local Government Pension Scheme 2015 (for staff) in the local authority fund relative to the geographical location of their post.

Will I have an option to transfer to the Police Pension Scheme 2015/LGPS 2015 if I want to?

This option is not planned as part of the integration process, and due to key differences in the schemes there is currently no provision to offer transfer on comparable terms.

What happens if I have to retire on ill health?

The plan set out above is based on existing terms and conditions continuing to apply, and access to ill-health benefits remains at the discretion of the scheme trustees.

OPERATIONAL

During the transition phase of the Integration Programme, the overarching objective, from an operational perspective, is to ensure the continued safety of rail staff and the travelling public. This will be achieved through preservation of the railway specialism and command structures, by means of future proofing training programmes, securing the terms and conditions of the Officers and Staff transferring and honouring the wishes of those who want to remain within railway policing for the remainder of their service. In essence, where possible, the same people will be doing the same jobs at the same locations across Scotland to provide at least the same level of service currently delivered.

Would Rail Division continue to have a covert capability?

It is anticipated that this function will form part of the overall Police Scotland capability, however the focus on Rail related activity would be retained by the current officers and staff working under the Police Scotland command structure.

Will the command structure remain the same in Rail Division?

Yes. The plan is to retain the current command structure for railway policing in Scotland. The main change will be that the Divisional Commander will report to the Police Scotland Executive instead of the BTP one.

How will Rail Division resources be ring-fenced?

Railway Policing in Scotland will continue to be paid for by the railway industry through Railway Policing Agreements (RPA) and a cost allocation model. Discussions with the rail industry and key stakeholders will continue to develop a suitable structure for the Railway Policing Management Forum and additional engagement with other interested people to agree priorities, objectives and costs to provide this service.

Are there any plans to carry out a Training Needs Analysis?

A first draft training needs assessment has been completed by Police Scotland. This is intended to ensure the Railway Policing specialism is future-proofed and preserved. This is being further developed to look at all training requirements for BTP and Police Scotland Officers and Staff.

As a DC covering a large area in Scotland how will I be able to access the various ICT systems currently in operation in Police Scotland?

Police Scotland is continuing to work towards integrated national systems for key processes. As it stands, various national units within Police Scotland have arrangements in place to support the fact they work across the country. The BTP and Police Scotland are actively involved in this work to ensure the best available operational solution is reached.

Has consideration been given to A Division resources who work in Scotland transferring to Police Scotland?

This is an ongoing piece of work, however the expectation is that all staff who work in Scotland will transfer over.

What are the plans for Police Staff?

The plan is for all Police staff to transfer according to their current roles. For some roles, there will need to be a process of matching into Police Scotland structures which will be done through a process of consultation.

What will Taser look like in Rail Division?

All aspects of BTP working practices, including carrying of Taser and other PPE, will be subject to review prior to 1 April 2019, to ensure that any risks are mitigated, that there is no conflict with Police Scotland practices and that the transferring Officers have the legal competence to carry out their role. The carrying of Taser by non-Authorised Firearms Officers is in line with the model currently being considered within Police Scotland at Local Policing Divisions.

What will the training look like for probationers entering Police Scotland with regards Railway Policing?

This forms part of the Training Needs Analysis work being carried out, however the plan is for all probationers attending the Scottish Police College to receive a basic level of legislative and procedural input with regards to Railway Policing similar to that provided around Roads Policing. Any officer who subsequently applies to work in Railway Division will require to undergo the additional specialist training including the Personal Track Safety qualification to ensure they can operate effectively in the

specialist railway environment. This model mirrors that applied to other specialisms within Police Scotland.

What has been put in place to address cross border powers?

Cross border legislation is being prepared to ensure a seamless process. This draft legislation is now at an advanced stage, with the BTP and PS being closely involved in its preparation to help ensure its effectiveness.

Would there be a change to shift patterns and the Annual Leave process?

Shift patterns and allocation of annual leave will be an issue for the Divisional Commander in conjunction with the relevant ACC.

What about Specials?

Police Scotland intend that Specials, which play a critical role in the policing of the railways, will transfer from BTP to Police Scotland the same way as regular officers as part of the transfer process.

Could I apply for specialist training and remain in Rail Division?

Yes, there could be real opportunities for staff/officer development in such training helping officers and staff to play an even broader role. Example being an officer being trained as a non-dedicated firearms officer who could remain in Rail Division and be deployed on the network if the Threat Level was increased. It should be noted that there is high demand for such specialist training and any applicant would be required to go through the required process.

From: [REDACTED]

Sent: 23 January 2018 15:31

To: Cabinet Secretary for Justice; Minister for Transport and the Islands; Minister for Community Safety and Legal Affairs

Cc: Permanent Secretary; DG Education, Communities & Justice; [REDACTED]; POLICE : Senior Management Team; [REDACTED]; Communications Justice; [REDACTED]

Subject: Scottish Conservative Party Business - Justice Debate - 24 January 2018

**Cabinet Secretary for Justice
Minister for Transport and the islands**

Copy to:

**Minister for Community Safety and Legal Affairs
Permanent Secretary**

A Ministerial briefing note for the Scottish Conservative Party Business Justice Debate of 24 January is attached for your comments/approval.

A recent letter for the BTPF to the JPB Joint Chairs and a draft response is also attached for your information:

Regards,

[REDACTED]

Scottish Government, Police Division, St Andrews House, Edinburgh, EH1 3DG M: [REDACTED] T: 013124 [REDACTED] E: [REDACTED]

From: [REDACTED]

Sent: 24 January 2018 11:52

To: Minister for Transport and the Islands

Cc: Permanent Secretary; DG Education, Communities & Justice; [REDACTED]; POLICE : Senior Management Team; [REDACTED]; Communications Justice; [REDACTED]; Cabinet Secretary for Justice; Minister for Community Safety and Legal Affairs; [REDACTED]

Subject: RE: Scottish Conservative Party Business - Justice Debate - 24 January 2018

Minister for Transport and the Islands

Your opening response is updated to reflect comments by DCC Livingstone yesterday:

“Presiding Officer, as DCC Livingstone made clear in Committee yesterday, he believes operational integration can be achieved by April 2019. At the same time, Police Scotland has identified a number of support services where a longer transition period will be necessary; and the Joint Programme Board will consider this at their meeting next week. That is not an uncommon situation in integration programmes of this scale and nature.”

The Q&A provides additional support:

9. DCC Livingstone said that terms and conditions issues will not be concluded until after the transfer. How does that sit with what you have said?

- The JPB is working on the basis that terms and conditions and pensions will transfer “as is”. This is made clear in the Q&A material distributed by the Joint Programme Board
- What DCC Livingstone was referring to, is that any exercise to harmonise the terms and conditions of Police Scotland and transferring BTP officers would need to be considered after integration. Any harmonisation exercise would be based on a process of negotiation.
- There may well be areas where transferring BTP officers would be keen to see harmonisation. For example, pay scales for officers in Police Scotland are higher in many cases.

Regards,

[REDACTED]

Scottish Government, Police Division, St Andrews House, Edinburgh, EH1 3DG M: [REDACTED] T: 013124 [REDACTED] E: [REDACTED]

I work Mon-Fri and aim to respond to high priority emails within 2 days and all other emails within 5 days (sooner if possible). If your enquiry requires an earlier response than that please phone my mobile or text me.

From: [REDACTED]

Sent: 23 January 2018 15:31

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Cc: Permanent Secretary; DG Education, Communities & Justice; [REDACTED]; POLICE : Senior Management Team; [REDACTED]; Communications Justice; [REDACTED]

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Regards,

[REDACTED]

Scottish Government, Police Division, St Andrews House, Edinburgh, EH1 3DG M: [REDACTED] T: 013124 [REDACTED] E: [REDACTED]

SCOTTISH CONSERVATIVE PARTY BUSINESS:
JUSTICE DEBATE, 24 JANUARY 2018

TIMINGS

The debate will take place on Wednesday between 1550-1700 hrs.
The Minister for Transport and the Islands will have 6 minutes to open and the Cabinet Secretary for Justice will have 5 minutes to close.

Suggested amendment to S5M-10039 by Liam Kerr: Railway Policing - That the Parliament respects the devolution of railway policing as agreed in the Scotland Act 2016, but notes concern regarding the leadership challenges facing Police Scotland; believes that railway policing is of critical importance to public safety, particularly in responses to terrorism, and further believes therefore that it would be prudent to pause the integration of the British Transport Police into Police Scotland.

SCOTTISH GOVERNMENT AMENDMENT

Delete from: “but notes” to end and insert: “and the passage of the Railway Policing (Scotland) Act 2017; notes that the Joint Programme Board is closely monitoring progress of the integration programme; asks the Scottish Government to keep the programme timetable under review with advice from the Joint Programme Board; recognises that the Scottish Government has given guarantees to protect the jobs, pay and pensions of BTP officers and staff in Scotland; notes the publication of a series of workforce questions and answers to support this; and recognises the need for ongoing engagement with staff, officers and their representatives to ensure the terms of transfer are fully understood.

BRIEFING PACK CONTENT

- Opening remarks
- Closing remarks
- Summary page
- Q&A Briefing and Supportive Quotes

SCOTTISH CONSERVATIVE PARTY BUSINESS:
JUSTICE DEBATE, 24 JANUARY 2018

Opening remarks (750 words)

Thank you Presiding Officer. I welcome the opportunity to participate in this afternoon's debate.

Let me first reflect on the fact that this Parliament passed the Railway Policing (Scotland) Act in June last year. This is the basis on which work is progressing under the oversight of the Joint Programme Board chaired by the Scottish and UK Governments. My starting point is therefore that the will of Parliament is that integration should happen.

Let me first deal with the parts of the Conservative motion that refer to leadership in Police Scotland and the effectiveness of the police response to important issues such as terrorism. I am clear that the evidence does not support the concerns that have been expressed.

Last March the Prime Minister said: "Police Scotland is the second biggest force in the UK, with huge capabilities and capacity, and working with other police forces across the UK to help to keep us safe."

Police Scotland is directly connected to the UK-wide anti-terrorism network and we all saw media reports of armed Police Scotland officers at railway stations across Scotland last May when there was a critical state of alert. The reality is that BTP in Scotland already relies on Police Scotland for key anti-terrorism capabilities.

Of course, these matters were well rehearsed during the passage of the Railway Policing (Scotland) Act, but even in the last few days, we have seen further evidence of Police Scotland's effectiveness, bringing to justice nine members of a sophisticated organised crime gang who were sentenced to a total of eighty seven years in prison.

Presiding Officer, as Ministers have made clear in this chamber previously, successes such as this are built on the outstanding commitment of officers and staff, who provide leadership at every level. That strength in depth ensures public safety from a wide range of threats, including terrorism, every day in our communities, cities, airports and ports across Scotland. Police Scotland is therefore well placed to take on these additional responsibilities.

Presiding Officer, let me now turn to the progress of the integration programme, building on the update I provided to the Justice Committee on 31 October.

As members will recall, Ministers have given a clear triple-lock guarantee to secure the jobs, pay and pensions of railway policing officers and staff in Scotland. Secondary legislation is now being drafted on the basis that officers and staff will retain the same terms and conditions of service, the same pension and the same employment status. In short, planning is proceeding on the basis of transferring officers and staff “as is” in relation to terms and conditions.

The BTP Federation recently attended four days of detailed discussions on terms and conditions with three additional days scheduled in February and a further meeting with the Federation and the Transport Salaried Staffs’ Association planned for 12 February. That detailed work is allowing us to map the current terms of conditions and ensure they are transferred intact.

The Joint Programme Board recently published an extensive Q&A to help officers and staff understand what the transfer means for them, but we recognise that there are still areas where they are looking for greater detail. The Scottish

Government is therefore committed to continuing to engage with BTP officers and staff representatives to further develop materials that explain the transfer. This will be carried forward alongside face to face engagement with officers and staff led by Police Scotland and BTP, with a number of sessions having already having taken place.

Presiding Officer, as DCC Livingstone made clear in Committee yesterday, he believes operational integration can be achieved by April 2019. At the same time, Police Scotland has identified a number of support services where a longer transition period will be necessary; and the Joint Programme Board will consider this at their meeting next week. That is not an uncommon situation in integration programmes of this scale and nature.

Nevertheless, Ministers are committed to keeping the programme timetable under review with advice from the Joint Programme Board and if the Board highlights concerns or issues to Ministers, I assure Parliament that we will duly take those matters into consideration and update our plans as required.

Presiding Officer, rail policing in Scotland will have a strong future within Police Scotland that delivers high safety standards for passengers, staff and the rail industry. As we carry forward the integration programme, that will remain our focus and everything we do will be in support of that aim.

END

SCOTTISH CONSERVATIVE PARTY BUSINESS:
JUSTICE DEBATE, 24 JANUARY 2018

Closing remarks (response to debate plus 254 words)

A number of issues have been raised which I would like to respond to.

[Respond to key points of debate]

The Joint Programme Board, as the appropriate body to manage the programme, has made progress in a number of key areas in the past eight months. This includes agreement that officers and staff will be transferred with their current terms and conditions, including access to their current pension schemes. Nevertheless, as I assured Parliament on 29 November, I will keep that date under review as has always been the case.

Police Scotland has confirmed to this Parliament that its intention would be to maintain a specialist railway policing function within the broader Police Scotland structure. And Parliament has been assured by Police Scotland that the specialist knowledge, skills and experience of BTP officers and staff will be protected and maintained.

Alongside that, Police Scotland and the BTP Authority have strengthened their joint working in a Mobilisation, Transition and Transformation Programme to deliver operational integration. The pace of work is therefore continuing to build as the integration programme progresses.

Integration will ensure a railway policing function within Police Scotland that is fully accountable to the people of Scotland and the Scottish Parliament.

More than that, the creation of a single command structure for infrastructure policing in Scotland will, I believe, strengthen operational capability, including in relation to high priority areas such as counter-terrorism. The Conservatives support that philosophy in England and Wales, but not in Scotland.

Presiding Officer, our focus as a government will remain on ensuring that railway policing delivers high safety standards for passengers, staff and the rail industry.

I commend the amendment moved by the Minister for Transport and the Islands.

END

[REDACTED]