House of Commons
Transport Committee


Ninth Special Report of Session 2014–15

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The Transport Committee

The Transport Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Department for Transport and its Associate Public Bodies.

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The Reports of the Committee and the formal minutes relating to that report are available in a printed volume. Written evidence is published on the internet only.

Committee staff

The current staff of the Committee are Gordon Clarke (Clerk), Nick Beech (Second Clerk), Alexandra Meakin (Committee Specialist), Adrian Hitchins (Senior Committee Assistant), Stewart McIlvenna (Committee Assistant), and Hannah Pearce (Media Officer)

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Ninth Special Report

On 29 October 2014 we received a response from the Government to the Transport Committee’s Fifth Report of 2014–15, Security on the railway, which we publish with this Special Report.1

Introduction

British Transport Police

1. Transport providers pay for specialist railway policing. That is a cost-effective arrangement for taxpayers, if the BTP meets the needs of both the railway industry and the travelling public. That requires effective governance and accountability. (Paragraph 4)

We welcome the Committee’s endorsement of the principle of transport providers funding specialist policing for the railway. As well as establishing the continuing need for the BTPA, the Part 1 report of the independent triennial review of the British Transport Police Authority (BTPA) published on 14 July 2014 concluded that the overall level of compliance with good practice on corporate governance is good, with just a few omissions and weaknesses which will be addressed.

Part 2 of the review considered a wider range of issues raised by the industry about the effectiveness of the BTPA in the discharge of its functions and the industry’s ability to influence outcomes. The Part 2 report, which was published on 21 October 2014, acknowledges that there is some frustration on the part of the industry in relating the costs incurred to the services delivered by the British Transport Police (BTP) and explores what can be done to create a more harmonious and productive relationship between the Force, the Authority, industry and passengers. The report also reflects the generally positive view of the BTPA’s current leadership as well as an improving trend in its willingness to act collaboratively and to consult.

British Transport Police Authority

2. The Secretary of State for Transport must appoint at least one new member of the BTPA in order to comply with the Railways and Transport Safety Act 2003. In addressing that point, the Secretary of State should appoint a member from Passenger Focus, which is the statutory body representing the interests of rail users and is therefore best placed to advance the interests of passengers. (Paragraph 8)

A recruitment campaign is being launched to recruit four new members of the BTPA, three of which are to have knowledge of and experience in relation to the interests of persons providing railway services and one in relation to the interests of railway employees. There are currently four members of the BTPA which represent passenger interests.

1 HC 428, published on 5 September 2014.
Although we value Passenger Focus’s role in providing the passenger voice in the development of rail policy, including on policing and security issues, we think that passenger representation on the BTPA can best be served by casting wider than just appointing a member of Passenger Focus. Board members must be selected on merit.

3. It is important that the BTP and the BTPA work together effectively, but the BTPA must be mindful of its obligations to oversee the work of the BTP and to drive performance by setting realistic but challenging targets on crime reduction and crime prevention. The BTPA must avoid any perception that it is too close to the people whom it should be holding to account. (Paragraph 9)

The BTPA believes that the objectives set out in its Strategy to 2019 (20% crime reduction, 20% disruption reduction, 10% increase in confidence) represent a significant challenge for the BTP and are drivers for a fundamental redesign of both BTP’s operating structure and ways of working in order to ensure they are achieved. These ambitious targets were set following eight consecutive years of crime reduction, a 12% reduction in police related disruption since 2008-09 and continued increases in passenger confidence. The BTPA believes that delivery of these further improvements is only possible because of the mature relationship which now exists between the BTPA, the BTP and its various rail stakeholders and which has been developed over the 10 years since the BTPA’s establishment.

Department for Transport

4. We are satisfied that the BTP should be a DfT responsibility. The DfT must maintain and develop its liaison links with the Home Office to ensure that the specific operational requirements of the BTP are addressed in future Home Office legislation. (Paragraph 13)

As mentioned above, the Part 1 report of the BTPA triennial review concluded that the BTPA/BTP should remain a DfT responsibility. The BTP is wholly funded by the rail industry. In contrast, the territorial forces are funded by the taxpayer and therefore fall under the jurisdiction of the Home Office. It therefore seems right that Ministerial responsibility for the BTP rests with the DfT which has a better understanding of the specific needs of the railway. The BTP’s mission is to protect and serve the railway environment and its community, keeping levels of disruption, crime and the fear of crime as low as possible. These aims are clearly closely aligned with the DfT’s overall objectives for the railway.

We are aware that there are a number of areas where BTP officers do not enjoy the same powers as officers from the territorial forces, and which the BTP would like to see addressed. We are keen to use opportunities to rectify any anomalies, which was the case when we ensured that the Antisocial Behaviour, Crime and Policing Act 2014 contained a provision to bring the firearms licensing arrangements applicable to BTP officers into line with those which apply to officers from other police forces.

More recently, we have been considering amendments tabled during the Committee Stage of the Infrastructure Bill which would extend the BTP’s powers when dealing with railway-related traffic offences and would more generally extend the BTP’s jurisdiction to act outside of the railway environment. When we are convinced that legislative change is merited, we will seek to influence the Home Office to bring such changes.
necessary to ensure that the BTP can operate effectively, we will take opportunities to
deliver change.

**Risk-based rail policing**

5. We were convinced by the case for a risk-based approach to policing Britain's railways. We were impressed by the BTP's commitment to tackling crime while minimising delays for the travelling public. (Paragraph 15)

The Department strongly endorses the BTP's risk-based approach to policing which seeks to minimise disruption and is commercially aware without compromising the BTP's duty to protect and serve the public. The BTP's approach to dealing with crime and incidents is professional and respectful of the needs of victims whilst being mindful of the impact this may have on the wider operation of the rail network. It is our understanding that most stakeholders strongly support the railway having a separate and dedicated police force that is responsive to the particular needs of the industry.

**Counter terrorism**

6. The BTP has a proven record of successful risk-based, counter-terrorist policing, which depends on accurate and up-to-date intelligence. The BTP must maintain and develop its liaison links with other police forces and the security services to ensure that it has the latest intelligence on major threats. (Paragraph 17)

We understand that BTP Special Branch participates in a daily video conference with representatives from the Metropolitan Police Counter Terrorism Command, Regional Counter Terrorism Units, Regional Counter Terrorism Intelligence Units, certain non-Home Office Forces (Ministry of Defence Police and Civil Nuclear Constabulary) and the Security Service. This ensures that the BTP is fully aware of significant intelligence and police activity taking place across the UK. BTP Special Branch contributes to an Association of Chief Police Officers weekly briefing covering investigations, operations and incidents examined by the Counter Terrorism and Domestic Extremism police network and receive assessments on a daily basis from the Joint Terrorism Analysis Centre covering a range of threats to the UK.

Daily business for BTP Special Branch involves sharing intelligence with other forces and agencies, through dissemination of intelligence reports and briefings and through the uploading of information to the national Counter Terrorism database, in line with requirements of the Management of Police Information. The Department works closely with the BTP’s Counter Terrorism Support Unit, ensuring they have the latest threat assessments and intelligence to effectively deploy resources throughout the London rail network and elsewhere. The BTP continues to invest in technology which improves its ability and capability to communicate with partner agencies and share the most sensitive intelligence and information.

7. Following the reorganisation of TRANSEC, it is important that the DfT maintains sufficient expertise at a departmental level to address major threats to both the railway and other transport modes. (Paragraph 18)
When TRANSEC was reorganised its modal security functions (including land transport security as well as aviation security and maritime security) were brigaded with modal directorates to improve the joint delivery of sector policy with Counter Terrorism security policy. But we always recognised the need to maintain a central capability to address cross-cutting issues, receive threat information, coordinate the security response and ensure wider awareness where sectoral concerns raised issues for other modes. This capability was created as part of the reorganisation and is an integral part of our current structure. We keep resourcing under constant review to ensure it reflects the threat picture.

**Expanding specialist transport policing**

8. There may be value in applying BTP's specialist approach to policing the railways to other transport modes, such as aviation. In particular, if the BTP's funding structure and close working relationship with transport providers were replicated at airports, it could minimise delays, maximise security and reduce the cost of policing for the taxpayer. The DfT should examine the case for expanding the remit of the BTP to include (a) aviation and (b) other modes of transport. (Paragraph 21)

The structure of the BTP responds to the very specific requirements of the railways, with its need for policing across force boundaries and in a unique operating environment. Airports do not raise cross-boundary issues and can therefore be policed by local forces who provide a tailored response based on the specific security needs of the airport and the surrounding area.

Airports and the wider aviation industry work closely with their local police forces through formal committees (as required under the Police and Crime Act 2009), and airports pay for policing at airports. Security screening of passengers, baggage etc. is undertaken by the airports themselves to standards set by the Government or internationally, and are enforced by the Civil Aviation Authority. The Government therefore does not accept that moving to a different policing model would save costs, reduce delays or improve security.

Part 1 report of the BTPA triennial review commented that there is nothing new in the idea that the BTP's role could be expanded to take on policing roles in the transport sphere currently carried out by other forces. It referred to options of that kind being looked at in 2010 but not pursued at the time. The Part 1 report concluded that, at that stage, there was no clear opportunity for merger with another body and no current case for pursuing this option. The Government agrees with that conclusion.

**Crime statistics**

9. We welcome the overall decrease in crime on the railway. However, there is no room for complacency, because the high-level statistics mask increases in serious crimes involving assault, sexual offences and racial harassment and areas where the BTP can improve its performance. The BTPA must fulfil its core function of setting the BTP challenging but achievable targets. (Paragraph 27)

The BTPA believes that the targets it sets for the BTP under the current 20-20-10 Strategy to 2019 are demanding and promote not just a culture of performance improvement but also of innovation. Targets are agreed in a process which takes account not only of defined
strategic priorities, but also of those issues that are most important to passengers and the rail industry. Having the right targets allows the BTP to deploy its resources in order to respond more effectively to evolving policing challenges. There are some good examples of focused efforts which have produced real results such as the first phase of Operation Guardian which has driven out what is believed to be an under-reporting of sexual offices and the Hate Crime Strategy which is now being developed in response to the BTPA’s recent scrutiny of BTP’s equality objectives relating to service delivery.

**Fear of crime**

10. The DfT, the BTP, Network Rail and train operators must address not only crime, but the fear of crime in order to maintain and grow the railway. Visible policing is a proven means of enhancing passengers’ perceptions of security. We therefore welcome the BTP’s plan to deploy more officers on patrolling railway stations at key times. To fulfil its oversight role, the BTPA must monitor the implementation of the BTP’s deployment of more officers at railway stations and examine how this affects passengers’ perceptions of their personal security. (Paragraph 34)

The BTPA welcomes the Committee’s support for the strategic objective it has set for the BTP to increase confidence by 2019 as measured by the National Rail Passenger Survey and the Transport for London Tube Passenger Survey. The BTP has committed to reinvest over £8m of savings into 200 additional frontline officers deployed across the rail network. The actual deployment of resources against target is monitored by the BTPA’s Finance Committee which is important information not only for its impact on passenger confidence but also because it is a key driver in the model used to allocate charges for policing to the rail industry.

The impact of various initiatives to address passenger and staff confidence is monitored by the BTPA’s Performance Review Committee. The BTPA is also engaged in a piece of work with rail industry partners to understand the totality of policing and security resources on the railway and how these can best be deployed to improve passenger and staff confidence.

11. We approve of the inclusion of compliance with the Secure Stations and Safer Parking schemes as a factor in rail franchise negotiations. However, Secure Stations are of little benefit if passengers cannot get to and from them safely. To secure full value from such investments, improvements to railway station security should be accompanied by complementary improvements to station car parks. (Paragraph 35)

We recognise the importance of passengers being able to access the station in safety. The Rail Franchising process recognises that a safe and secure ‘whole’ journey must be part of any successful bid. Future franchise requirements will continue to require bidders to demonstrate this commitment, based on the needs of the passenger. Research into Secure Stations and Safer Car Parks has shown they have a greater collective impact upon crime reduction and security than in isolation. Therefore, these will be important considerations for the bespoke safety and security requirements of a franchise; and the future franchise specification process will ensure bidders have access to appropriate data related to crime and security as well as Rail Safety and Standards Board implementation tools that will assist bidders in designing suitable and relevant solutions.
Vulnerable children and young people

12. Accurate data are crucial to, first, defining and, secondly, solving problems. We welcome the BTP's assurance that it will examine its available data on runaway children and young people. We look forward to seeing the results of its analysis, which will inform not only our inquiry but the work of charities such as Railway Children. If that analysis of the BTP's data requires significant resources, the DfT should make them available to facilitate the protection of vulnerable children and young people. (Paragraph 38)

The BTPA has drawn up an updated statement of responsibilities and accountabilities to ensure that there is clear and up-to-date guidance in relation to the BTP’s approach to safeguarding. All Child and Youth Protection (CYP) forms are now being collated centrally to allow for a structured method of referral and storage, and a bespoke IT system has been recommended in order to house data for safeguarding and vulnerable persons. This will allow for easier interrogation and extraction of data. This is being considered as part of the Integrated System Project to allow all BTP systems to efficiently interact with one another. A recommendation has been made for the establishment of a dedicated and centralised team of resources to provide an overview of safeguarding issues and collation of data. This will also support further multiagency working.

13. Although the welfare of a runaway young person or child is the long-term responsibility of a local authority safeguarding board, it is the BTP’s short-term responsibility while that young person is in its care. The BTPA must set the BTP appropriate targets in relation to child protection to bring the BTP in line with other police forces and to capture the extent and importance of the BTP’s responsibilities. (Paragraph 40)

The BTPA and the BTP have been working together for the last 18 months to understand the range and nature of safeguarding issues for children and young people that are relevant to policing operations on the railway. This work has included the development of a training package, in partnership with Barnardos, to assist BTP officers which ultimately could be shared with frontline rail staff who could support the BTP in identifying young people at risk who might migrate to rail stations as a place of safety. The BTPA is currently considering a number of options for agreeing suitable objectives for the BTP to ensure that it meets its responsibilities to children and young people, including when children are within its care. In this way the BTPA will mirror the commitments given by the Police and Crime Commissioners to meet their duties in relation to the Children Act 2004.

14. Child protection at railway stations is an emerging issue. We commend Railway Children for raising it, which allowed us to alert the Minister. The DfT should ensure that the BTPA sets the BTP appropriate targets on child protection. In addition, the Minister should convene a seminar involving departmental officials, the BTP, the BTPA, Railway Children and other NGOs and the Transport Select Committee to ensure that policy and practice in this area is fit for purpose. (Paragraph 41)

We are pleased that the Committee has raised the profile of this important issue. The Minister of State met with leading representatives of the Railway Children charity on 9
September 2014 and has agreed to hold a seminar with key stakeholders in the autumn to agree a way forward.

We understand that the BTPA is considering appropriate targets which might include something around the training of BTP officers and staff in parallel with partnership working with the industry and advocacy groups such as Railway Children. Any final decisions on this will be informed by advice provided by advocacy groups such as Railway Children and other experts in the field.

**Cable theft**

15. We welcome the sharp decline in incidences of cable theft, which has translated into reduced delays for the travelling public and decreased costs for Network Rail. (Paragraph 43)

The Government has taken concerted action to tackle cable theft and wider metal theft at the national level, not just on the railway. This has met with substantial success. Earlier this year, we agreed with the Home Office to provide together a further £500,000 to extend the National Metal Theft Taskforce Programme. The Government has invested more than £6 million in the initiative since it was launched in January 2012.

The Taskforce comprises a BTP led ‘fusion unit’ (intelligence, coordination across police forces and other law enforcement agencies and partner organisations) and funding support for specific projects and enforcement operations to tackle metal theft across all affected sectors. The Taskforce has contributed to significant reductions in metal theft across the affected sectors, including large reductions to disruption caused to the rail network. The Taskforce’s coordinated national days of action against scrap metal dealers have so far resulted in more than 1000 arrests for theft and related offences and police have seized over 600 vehicles involved in criminality.

The Government has also sought to reduce opportunities to trade in stolen metals. The Scrap Metal Dealers Act 2013, which came into force in October 2013, has clamped down on rogue traders and gives local authorities and the police new powers to inspect premises. Additionally legislation now prohibits cash transactions, creates a register of scrap metal dealers and requires that all transactions are fully verifiable/auditable including through a requirement to provide name and address details. The combined effort of targeted enforcement actions and tougher legislation have produced a more hostile environment for those engaged in this illegal trade.

Network Rail reports a continuing downward trend with delays to passengers and costs to Network Rail both being well below the levels seen in previous years. Figures for 2013/14 are around a 45% improvement on 2012/13, with 2014/15 figures currently indicating that the trend has been declining further during the first half of the year.