



# Railways and Transport Safety Act 2003

## 2003 CHAPTER 20

### PART 3

#### BRITISH TRANSPORT POLICE

##### *Information, &c.*

#### **56 Reports by Chief Constable**

- (1) As soon as is reasonably practicable after the end of each financial year the Chief Constable shall submit to the Authority a report about the policing of the railways in that year.
- (2) The Chief Constable shall publish a report submitted by him under subsection (1).
- (3) The Authority may require the Chief Constable to submit a report on specified matters connected with the performance of his functions.
- (4) The Authority may publish, or require the Chief Constable to publish, a report submitted under subsection (3).
- (5) But if the Chief Constable thinks that publication of all or part of a report under subsection (3) would be unnecessary, or undesirable for reasons of public interest—
  - (a) he may require the Authority to refer to the Secretary of State the question whether that report or part should be published, and
  - (b) the report or part shall be published only if the Secretary of State directs that it should be published.

#### **Commencement Information**

**11** S. 56 in force at 1.7.2004 by S.I. 2004/1572, art. 3(mm)

*Changes to legislation: There are currently no known outstanding effects for the Railways and Transport Safety Act 2003, Cross Heading: Information, &c.. (See end of Document for details)*

## 57 Annual report by Authority

- (1) As soon as is reasonably practicable after the end of each financial year the Authority shall issue a report about the policing of the railways in that year.
- (2) The Authority's report for a year must include an assessment of the extent to which—
  - (a) the objectives set for the year under section 50 have been achieved,
  - (b) the arrangements set out in the railways policing plan for the year under section 52 have been implemented, and
  - (c) the strategies set out in the relevant three-year strategy plan under section 55 have been implemented.
- (3) The Authority shall—
  - (a) publish each report under this section, and
  - (b) send a copy of each report under this section to the Secretary of State.

### Commencement Information

**I2** S. 57 in force at 1.7.2004 by S.I. 2004/1572, art. 3(nn)

## 58 Other reports to Secretary of State

- (1) The Secretary of State may by direction require the Authority to submit a report on specified matters connected with the performance of its functions.
- (2) The Secretary of State may by direction require the Chief Constable to submit a report on specified matters connected with the performance of his functions.
- (3) The Authority or Chief Constable shall submit a report required by direction under this section—
  - (a) in such form as may be specified in the direction, and
  - (b) within such period as may be specified in the direction.
- (4) The Secretary of State may—
  - (a) publish a report received under this section;
  - (b) require the author of the report to arrange for its publication.

### Commencement Information

**I3** S. 58 in force at 1.7.2004 by S.I. 2004/1572, art. 3(oo)

## 59 Statistics

- (1) The Secretary of State may require the Chief Constable to supply information about matters relating to crime committed on or in connection with the railways.
- (2) In particular, the Secretary of State may require information about—
  - (a) offences committed;
  - (b) offenders;
  - (c) criminal proceedings.

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- (3) The Chief Constable shall supply information required under this section at such times and in such form as the Secretary of State requires.
- (4) Where the Secretary of State receives information under this section he shall lay it or a summary of it before Parliament.

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**Commencement Information**

**I4** S. 59 in force at 1.7.2004 by S.I. 2004/1572, art. 3(pp)

## **60 Inquiry**

- (1) The Secretary of State may appoint a person to inquire into a matter connected with the Police Force.
- (2) The Secretary of State may require a person appointed under this section to conduct the inquiry in public or in private.
- (3) A person appointed under this section may summon a person to attend at a specified time and place—
  - (a) to give evidence;
  - (b) to produce a document.
- (4) Where the Secretary of State receives a report of an inquiry under this section he shall, in so far as he thinks it in the public interest, publish a summary of the report.
- (5) In the application of this section to an inquiry held in Scotland subsection (3) shall have effect as if for “summon” there were substituted “cite”.

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**Commencement Information**

**I5** S. 60 in force at 1.7.2004 by S.I. 2004/1572, art. 3(qq)

## **61 Inquiry: supplemental**

- (1) A person appointed under section 60 may—
  - (a) require evidence to be given on oath, and
  - (b) for that purpose, administer an oath.
- (2) A person appointed under section 60 may not require the production of a document relating to the title of land which is not the property of the Authority.
- (3) A person commits an offence if without reasonable excuse he—
  - (a) fails to comply with a summons under section 60, or
  - (b) obstructs or fails to co-operate with an inquiry under that section.
- (4) A person has a reasonable excuse for failure to comply with a summons if he is not offered payment of the reasonable costs of compliance.
- (5) A person who is guilty of an offence under subsection (3) shall be liable on summary conviction to—
  - (a) a fine not exceeding level 3 on the standard scale,

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- (b) imprisonment for a term not exceeding 51 weeks, or
  - (c) both.
- (6) The Secretary of State may direct the Authority to pay all or part of the costs incurred by a person in connection with an inquiry under section 60.
- (7) A direction under subsection (6) may include provision for taxation of costs.
- (8) In the application of this section in relation to an inquiry held in Scotland subsections (3) and (4) shall have effect as if for “summons” there were substituted “citation”.

#### Commencement Information

**I6** S. 61 in force at 1.7.2004 by S.I. 2004/1572, art. 3(rr)

## 62 Public consultation

- (1) The Authority shall make, and review from time to time, arrangements to obtain the opinions about the policing of the railways of—
- (a) passengers on the railways,
  - (b) groups of persons representing passengers on the railways,
  - (c) persons providing railway services,
  - (d) organisations representing persons providing railway services,
  - (e) employees of persons providing railway services,
  - (f) organisations representing employees of persons providing railway services,
  - (g) the Scottish Ministers,
  - (h) the National Assembly for Wales,
  - (i) organisations representing local authorities in England,
  - <sup>F1</sup>(j) .....
  - (k) the [<sup>F2</sup>Office of Rail and Road],
  - (l) the Rail Accident Investigation Branch,
  - <sup>F3</sup>(m) .....
  - <sup>F3</sup>(n) .....
  - (o) other persons with an interest in the railways whom the Authority thinks it appropriate to consult.
- (2) The Authority shall make, and review from time to time, arrangements to invite the co-operation of the persons listed in subsection (1) in preventing crime on the railways.
- (3) Before making or reviewing arrangements under this section the Authority shall—
- (a) consult the Chief Constable, and
  - (b) have regard to any guidance issued by the Secretary of State.
- (4) The Secretary of State may—
- (a) issue guidance about arrangements under this section;
  - (b) require the Authority to report to him on arrangements under this section;
  - (c) require the Authority to review arrangements under this section.

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**Changes to legislation:** There are currently no known outstanding effects for the Railways and Transport Safety Act 2003, Cross Heading: Information, &c.. (See end of Document for details)

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### Textual Amendments

- F1** S. 62(1)(j) repealed (1.12.2006) by Railways Act 2005 (c. 14), s. 60(2), **Sch. 13 Pt. 1** (with s. 14(4)(5), **Sch. 11 para. 11(2)**); S.I. 2006/2911, art. 2, Sch.
- F2** Words in s. 62(1)(k) substituted (16.10.2015) by The Office of Rail Regulation (Change of Name) Regulations 2015 (S.I. 2015/1682), reg. 1(2), **Sch. para. 2(c)**
- F3** S. 62(1)(m)(n) repealed (1.4.2006) by Railways Act 2005 (c. 14), s. 60(2), **Sch. 13 Pt. 1** (with s. 14(4)(5), **Sch. 11 para. 11(2)**); S.I. 2006/266, art. 2(2), Sch.; S.I. 2006/266, art. 2(2), Sch.
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### Commencement Information

- I7** S. 62 in force at 1.7.2004 by S.I. 2004/1572, **art. 3(ss)**

**Changes to legislation:**

There are currently no known outstanding effects for the Railways and Transport Safety Act 2003, Cross Heading: Information, &c..