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| <p>1 2 (2.00 pm) 3 MS BOON: Sir, the next witnesses today are Anne Pickles and 4 Nick Griffiths. 5 MR NICK GRIFFITHS (sworn) 6 MS ANNE PICKLES (sworn) 7 Questions by MS BOON 8 LORD JUSTICE LEVESON: So we've moved from Suffolk to 9 Cumbria? 10 MS BOON: We have, sir. 11 Ms Pickles, please give your full name. 12 MS PICKLES: Anne Pickles. 13 Q. You have provided a witness statement to the Inquiry. 14 The copy I have isn't signed or dated, but is that what 15 you have in front of you? 16 MS PICKLES: It is, yes. 17 Q. Do you confirm that the contents are true to the best of 18 your knowledge and belief? 19 MS PICKLES: I do. 20 Q. Is it your evidence to the Inquiry? 21 MS PICKLES: It is. 22 Q. You've been associate editor at Cumbria Newspapers since 23 2006; is that right? 24 MS PICKLES: That's right, yes. 25 Q. You're responsible for content management across the</p> <p style="text-align: center;">Page 1</p> | <p>1 MR GRIFFITHS: I do. 2 Q. Is it your formal evidence to the Inquiry? 3 MR GRIFFITHS: Yes. 4 Q. You're crime reporter for the News & Star and also the 5 Cumberland News, and you have been since September 2004? 6 MR GRIFFITHS: Yeah. 7 Q. Your patch covers North and West Cumbria and Dumfries 8 and Galloway? 9 MR GRIFFITHS: Yeah. 10 Q. You began your career as a journalist in 1998. You've 11 always worked as a reporter, although before 1998 you 12 were involved in general reporting as well as crime 13 reporting. 14 MR GRIFFITHS: No, I have been -- I was crime reporter from 15 2004 onwards. I was a general reporter before that. 16 Q. I see. Sorry, you began your career in 1998. My 17 mistake. 18 MR GRIFFITHS: Yeah. 19 Q. I would like to ask you both about your impression of 20 the culture of relations between the media and Cumbria 21 Constabulary. Ms Pickles, first of all, at paragraph 2 22 of your statement, you say you've always been a local 23 and/or regional journalist. 24 MS PICKLES: Yes. 25 Q. You also state that the events which triggered this</p> <p style="text-align: center;">Page 3</p> |
| <p>1 main titles? 2 MS PICKLES: Mm-hm. 3 Q. You're also a lead writer, feature writer and columnist? 4 MS PICKLES: That's right. 5 Q. For the past four months you've been acting editor 6 responsible for the daily tabloid, which is the News & 7 Star, and the Cumberland News, which is the weekly 8 broadsheet? 9 MS PICKLES: Until February, yes. 10 Q. So you're no longer acting? 11 MS PICKLES: No, I'm associate editor now still. 12 Q. I see. Previously you were features editor and 13 assistant editor at the Yorkshire Evening Post, Leeds? 14 MS PICKLES: Yes. 15 Q. Your career in journalism spans 39 years? 16 MS PICKLES: Yes. 17 Q. Mr Griffiths, please give your full name. 18 MR GRIFFITHS: I'm Nick Griffiths, crime reporter of the 19 News & Star. 20 Q. You've also provided a witness statement to the Inquiry, 21 again not signed or dated. Do you have that in front of 22 you? 23 MR GRIFFITHS: I do, yes. 24 Q. Do you confirm that the contents are true to the best of 25 your knowledge and belief?</p> <p style="text-align: center;">Page 2</p> | <p>1 Inquiry are a world away from anything you or your 2 colleagues at any of the newspapers for which you've 3 worked have encountered. Would you describe then your 4 experiences of dealing with the police? 5 MS PICKLES: As a local and regional journalist, my 6 relationships with the police have necessarily been 7 built on a mutual trust and respect, with both press and 8 police understanding very well that we serve a common 9 purpose and a common community. So as journalists, we 10 build contacts and hope for some kind of rapport of 11 trust with police officers. That's the nature of the 12 game. We ask questions and we hope that they're able to 13 answer them for us. When they are not able to answer 14 them for us, we trust and believe that there's a very 15 good reason for that. 16 Q. To what extent is there trust between you and the Police 17 Service? 18 MS PICKLES: In Cumbria? 19 Q. Yes. 20 MS PICKLES: I'm aware of no issues of mistrust, distrust. 21 Q. Either way? 22 MS PICKLES: Either way. 23 Q. In terms of ensuring that a contact remains appropriate, 24 doesn't become overly close, where, in your view, does 25 the boundary lie?</p> <p style="text-align: center;">Page 4</p> |

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| <p>1 MS PICKLES: Well, it's -- there is -- there has to be -- 2 and in Cumbria, within Cumbria Newspapers, anyway, there 3 is -- a solid and well-regarded ethos of 4 professionalism. You have to remember that the county 5 we're from is large geographically, very sparsely 6 populated. It's often said that Cumbria's a village. 7 It is small, and police are our neighbours. They -- we 8 understand that we are an -- the media is an extra 9 resource to -- for the Police Service. They understand 10 that they, through us, serve their communities. So that 11 professional approach to our work is there every day in 12 every possible issue. It contrasts hugely to anything 13 that might have triggered this Inquiry. 14 LORD JUSTICE LEVESON: Do you see that you're also there to 15 hold the police to account? 16 MS PICKLES: Oh yes, of course. I think they understand 17 that too. 18 MS BOON: Again, at paragraph 2 of your statement, you state 19 that you believe that accountability and accessibility 20 are the bedrock of local and regional newspapers. 21 MS PICKLES: Mm-hm. 22 Q. I have been asked to ask you by a core participant 23 whether you consider it in your judgment that the 24 national media are accountable and accessible in the 25 same way?</p> <p style="text-align: center;">Page 5</p> | <p>1 question 3, page 58544. 2 MS PICKLES: Yes. 3 Q. That they rolled into Leeds and Bradford with 4 chequebooks to lead the national and international scrum 5 for an exclusive at any price. You say there was 6 a discernible shift in police/press relations: 7 "Police officers became nervous of trusting 8 journalists. Some, it was suspected, may have trusted 9 a touch too easily." 10 That was a historic example. Do you consider that 11 the behaviour of the national media has improved since 12 then in terms of reporting of local high-profile 13 incidents? 14 MS PICKLES: Not significantly. That period actually was 15 the period that formed my opinion that I should always 16 be a local or regional journalist. I didn't -- I wasn't 17 impressed by what I'd seen. There was no accountability 18 then. I think high-profile incidents more recently in 19 Cumbria have shown a similar drive by national and 20 international media, both print and broadcasting, to 21 grab whatever they can and then disappear again, pay for 22 it if necessary. I've always taken the view that if you 23 have to pay a lot of money for information, it's 24 probably not worth having in the first place. 25 So, no, I actually don't think there's been a huge</p> <p style="text-align: center;">Page 7</p> |
| <p>1 MS PICKLES: No. 2 Q. Why not? 3 MS PICKLES: Well, because throughout my career in local and 4 regional journalism I have experienced, obviously, 5 stories and incidents that both local and national press 6 have taken an interest in. It's always been my 7 experience that national media are able to sweep in, do 8 what they do and sweep out again into some sort of black 9 hole of anonymity. 10 The local press and regional press, we have to live 11 with the people on whose lives we are reporting. We 12 live and work with those people every day. They are 13 part of our community. The mantra of Cumbria Newspapers 14 is that the titles remain at the heart of the 15 communities they serve and we have to be mindful of 16 that. 17 So the way we work and the way the national media -- 18 not only press but also broadcasting -- work are just 19 entirely different. Absolutely entirely different. 20 Q. It's a quite historic example, but you do refer to the 21 conduct of the national media during the investigation 22 into the murders by Peter Sutcliffe. 23 MS PICKLES: Yes. 24 Q. And you state that the national media, to use your 25 impression, rolled into Leeds and Bradford -- this is</p> <p style="text-align: center;">Page 6</p> | <p>1 improvement over the years. 2 Q. I've been asked to ask you in relation to your last 3 words: 4 "Some, it was suspected, may have trusted a touch 5 too easily." 6 I've been asked to ask you what you mean by this, 7 police trusting "too easily". 8 MS PICKLES: I've had to think quite hard about 9 relationships with police officers and how they've 10 changed since then. I mean, we're going back a long way 11 there, you know, and I think journalists in those days 12 were quite proud to have favourite senior police 13 officers and some senior police officers had favourite 14 contacts within the media, and it all did get a little 15 chummy at some points. 16 There's a completely different culture these days. 17 I mean, we're all more aware of how dangerous those 18 relationships can be, and really -- well, clearly it is 19 seen elsewhere, but I don't think you see it in the 20 regions much these days. 21 Q. So when you're referring to officers trusting too 22 easily, do you mean within these close relationships 23 that you've described? 24 A. Yes. 25 Q. Mr Griffiths, please describe in your own words your</p> <p style="text-align: center;">Page 8</p> |

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| <p>1 impression of the culture of relations between your 2 newspaper or the newspapers you write for and the 3 police.</p> <p>4 MR GRIFFITHS: Generally pretty good. We're both sort of 5 after the same ends, really. We're both there trying to 6 get across certain information to the public. We want 7 to transmit that to the public as well. Certainly from 8 my own point of view, there's a trust there. It's 9 generally working quite well.</p> <p>10 Q. Do you have any concerns about the relationship at all? 11 MR GRIFFITHS: Not in general. I mean, there's practical 12 things you can sort of moan about from a journalist's 13 point of view, about speed of information and things 14 like that, but nothing sort of fundamentally wrong. The 15 relationship's always been fine, as long as I've been 16 a crime reporter. They've been pretty open on, you 17 know, most things, down from your sort of messages you 18 want to get out to people at sort of the most basic 19 level through to the major incidents we've had. It's 20 worked quite well with that as well, and ongoing 21 reorganisation of the force, they've always been open, 22 willing to sort of go into depth in interviews and so 23 on, yeah.</p> <p>24 Q. Ms Pickles, you give an interesting example in your 25 statement of the police seeking advice from the media</p> <p style="text-align: center;">Page 9</p> | <p>1 reporters?</p> <p>2 MS PICKLES: My understanding is that it was the Crime 3 Reporters Association, but --</p> <p>4 LORD JUSTICE LEVESON: Journalists, presumably, from that?</p> <p>5 MS PICKLES: Uh-huh, yeah.</p> <p>6 MS BOON: And this evidence comes from what the former 7 editor told you?</p> <p>8 MS PICKLES: Yes.</p> <p>9 Q. You refer to a meeting that followed, where the police 10 briefed you on what would follow in the complex inquest 11 hearings.</p> <p>12 MS PICKLES: Yes. We had 13 inquests. You can imagine how 13 terribly sensitive the whole thing was. I think -- as 14 I've described, this is a small community and it was so 15 terribly tragic, it touched everybody. The editor and, 16 I believe, the editor of the Whitehaven News, met in my 17 editor's office in Carlisle with some -- I believe the 18 director of communications and a senior police officer, 19 for a briefing on how those inquests would be ordered, 20 those 13 inquests would be ordered, so that we could 21 adequately staff those inquests and give contemporaneous 22 coverage, but also to establish with us that 23 particularly -- some particularly gruesome evidence 24 might be reported very sensitively because people were 25 suffering enough, to be honest with you, and that</p> <p style="text-align: center;">Page 11</p> |
| <p>1 following the tragedy of the shootings in June 2010. 2 Can you describe those circumstances?</p> <p>3 MS PICKLES: Yes. You -- I'm sure you can imagine how 4 chaotic, to some extent, that all was. It unfolded 5 very, very quickly. My understanding of it was, from 6 the previous editor, who was approached for this advice, 7 that some national crime reporters had approached the 8 police and asked for preferential treatment. They'd 9 wanted information first, before it was given to local 10 media. This led to the police contacting -- the police 11 communications department contacting the editor and 12 telling him what request had been made, did he have 13 a problem with this, did he want to be part of -- so 14 they were asking for off-the-record briefings, my 15 understanding is. And his advice was: "Absolutely not. 16 You shouldn't be favouring one section of the media 17 above another in any incident, never mind this one, and 18 no." But that decision had already been made by the 19 police, so he kind of endorsed, I suppose, or reinforced 20 that decision, so that information was made available to 21 everyone at the same time as and when it became right to 22 make that information available.</p> <p>23 Q. You refer to "some crime reporters". Are you able to 24 say whether it was the Crime Reporters Association as an 25 organisation or whether it was just certain crime</p> <p style="text-align: center;">Page 10</p> | <p>1 undertaking was given willingly and the sensitivity was 2 monitored right through those proceedings by the senior 3 editorial team, I being one of them.</p> <p>4 LORD JUSTICE LEVESON: Do you know whether that briefing had 5 been given to the nationals?</p> <p>6 MS PICKLES: I don't. I don't.</p> <p>7 MS BOON: I don't mean to ask you to repeat any evidence 8 unnecessarily, but another phrase that I pick up from 9 your statement is you describe the level of contact, or 10 the system of contact as an "old-fashioned system of 11 communication". What do you mean by that?</p> <p>12 LORD JUSTICE LEVESON: Not pigeon?</p> <p>13 MS PICKLES: Close. Where -- it is -- it is kind of 14 old-fashioned and possibly a bit cumbersome, but it does 15 work. Nick does -- has a face-to-face meeting every 16 morning at the police station, running through what 17 might have happened overnight, look at what might be 18 bubbling around in terms of crime trends, and then he 19 comes back to the office and we share that and we look 20 at what's going on. We staff our local courts as 21 a matter of course. Some days we come away with nothing 22 much, but we're there because we understand that we 23 represent the public in a public hearing, and somebody 24 has to be there. We use -- we make heavy use of our 25 press office, the police press office. I'm sure we</p> <p style="text-align: center;">Page 12</p> |

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| <p>1 badger them a lot more than they would like, because 2 there's only two of them. They're very tiny now because 3 they've been subject to cuts like everybody else. 4 So we're not exactly whiz bang in terms of perhaps 5 national media and some of the perhaps big four 6 publishers, you know, big four groups. We are local. 7 We use our local police station, we use our local office 8 to let us know what's going on. So, yeah, it can be 9 a bit cumbersome. We do make heavy demands on the 10 police, because we expect them to know what our 11 deadlines are and meet them, and they must shout about 12 us a lot sometimes, I think. 13 Q. I understand that Cumbria Constabulary does use social 14 media such as Twitter and Facebook. Do you use those as 15 means of obtaining information from the police? 16 MS PICKLES: Well, that's -- yes. Twitter is a personal 17 irritant. I don't know quite -- I wouldn't have thought 18 it was -- I can't speak for the paper's policy on it but 19 since officers have started tweeting, it's become an 20 obstacle, really, for us. It's almost a full-time job 21 now, monitoring Twitter for police officers' tweets, and 22 then -- of course, once they're out, they're completely 23 out of control. Nobody's monitoring Twitter. So it's 24 followed by all sorts of threads and streams coming 25 after an officer's tweet. You get a point where it may</p> <p style="text-align: center;">Page 13</p> | <p>1 the public. 2 Q. Is it not helpful in that it brings to your attention an 3 incident that might not otherwise have come to your 4 attention? Then you can follow it up by contacting the 5 press office to get more information. 6 MR GRIFFITHS: We should be getting that anyway. 7 MS PICKLES: I think if we're -- it takes us into an area, 8 doesn't it, of information that is authorised and 9 unauthorised? So you see a tweet that says, "I just 10 finished a drugs raid in Maryport", 140 characters. 11 That's about all you're going to get. There's nothing 12 you can do with that, absolutely nothing, apart from go 13 to the press office and say, "Can you tell me about this 14 drugs raid in Maryport? Can you tell me what went ..." 15 "Well, no. I don't know. There's only two of us here. 16 One's doing -- Tweet the officer who ..." It's almost 17 teasing. It just isn't formal release of information. 18 Okay, it's a sound bite, it's a tip, but it's not a very 19 useful tip if you can't authorise it afterwards. 20 Q. What about where there isn't the 140-character limit? 21 For instance, Facebook or one of those sorts of media, 22 where a full report can be given to you. Are those used 23 by the force? 24 MR GRIFFITHS: Yeah. 25 Q. Are they more useful?</p> <p style="text-align: center;">Page 15</p> |
| <p>1 be a touch ambiguous. You go to the press office: 2 "I've just seen a tweet that says blah, blah has 3 happened." "We have no information on that. Try 4 tweeting the officer involved." 5 From our point of view, it wastes time and it's just 6 it's just a blurring and a fudging of what was really 7 quite a streamlined way of getting information. So it's 8 a selfish point of view, but I do find -- I do find this 9 rushing to Twitter by the police a touch irritating. 10 Q. What's your view on that, Mr Griffiths? 11 MR GRIFFITHS: I pretty much echo it, to be honest. There's 12 sort of established procedures of getting information 13 out to us, and it -- like Anne said, it's more of an 14 irritant, really. There's little sound bites, little 15 bits of information coming out, not a lot of substance 16 there, and it's sometimes trouble then putting meat on 17 the bones to get it in a format that we can use. 18 We've got very sort of strict guidelines ourselves 19 on style and checking facts and making sure 20 everything's -- all the information's there that the 21 reader would need, whereas these 140-character things 22 coming out about an incident that the office themselves 23 has probably just dealt with, in my view, is a lot more 24 sort of -- well, it's not as grounded and not as 25 well-rounded as we would put in the paper to give out to</p> <p style="text-align: center;">Page 14</p> | <p>1 MR GRIFFITHS: Well, it's just a press release that's going 2 up. So I suppose it's useful for getting certain 3 information out, but press releases don't always have, 4 in my opinion, the information they should have that the 5 public would need. So I think the more reliable form 6 is -- more rounded form is what the media can offer. 7 Q. Going back to the old-fashioned system of communication, 8 Ms Pickles has said that you will go to the police 9 station every day to speak to people. 10 MR GRIFFITHS: Yeah. 11 Q. So your contact with individual officers is a daily 12 thing. 13 MR GRIFFITHS: Well, most days. If I can't get down there, 14 it will be over the phone, but yes. 15 Q. You've built up a rapport with a number of officers over 16 the years? 17 MR GRIFFITHS: Yeah. Well, you're working with these 18 people. It's a daily thing. You go down and you spend 19 20 minutes with them going through whatever's happened 20 overnight and what messages they want to get out, what 21 crimes they want highlighted as really needing an appeal 22 for information, and obviously it's like working with 23 anybody. If you're there every day, you know, you build 24 up a rapport. 25 Q. You mention that you have been, on occasion, given an</p> <p style="text-align: center;">Page 16</p> |

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| <p>1 officer's personal mobile phone number or home telephone 2 number. Why was that done? 3 MR GRIFFITHS: Basically for -- there's a lot of work you do 4 where you'll get given certain information, and perhaps 5 it's a failing on my part, but after I've put down the 6 phone and taken my notes, I sometimes need to ring back 7 and check things for accuracy or I'd forgotten to ask 8 something. Not everything you work on is to be filed in 9 30 minutes. Sometimes it's for a deadline in three 10 days' time and just as a matter of course, I'll say to 11 someone: "Are you around this afternoon? If I need more 12 information or any clarification, are you around in the 13 next couple of days?" They might mention they're off on 14 holiday and -- you know, I've been doing this seven 15 years, whatever it is now, eight years. Occasionally 16 they'll say, "I won't have my work phone with me. 17 Contact me on this number." 18 Q. I see. 19 MR GRIFFITHS: So it's just a case of: "Can I just check: 20 was that guy 38? Was it in Maryport where it happened?" 21 That kind of thing. 22 Q. Thank you. Touching then on hospitality, probably quite 23 briefly, Ms Pickles, you say in your statement you've 24 never accepted or provided hospitality to or from 25 Cumbria Constabulary? Page 17</p> | <p>1 Q. You do refer to, on occasion, being invited to a leaving 2 party or a social occasion where you say you might be 3 bought a pint out of politeness or you buy a pint out of 4 politeness? 5 MR GRIFFITHS: Yes. 6 Q. You say "leaving parties". What other social occasions? 7 MR GRIFFITHS: I mean, just to clarify on this, I mean in 8 the seven years or whatever I've been doing this, I can 9 probably count on one hand the amount of time I've been 10 on these occasions, and -- someone might be leaving who 11 I know, moving up, retiring. Occasionally the 12 department who I deal with in the morning might have 13 a sort of after works drinks and I'm invited along, pop 14 along for a couple of pints and it's what you do, isn't 15 it? You walk in and you say, "Do you want a pint?" 16 LORD JUSTICE LEVESON: This is entirely social? 17 MR GRIFFITHS: Yes. 18 LORD JUSTICE LEVESON: This isn't in an effort to sort of -- 19 MR GRIFFITHS: Purely social. 20 LORD JUSTICE LEVESON: -- get some story? 21 MR GRIFFITHS: No, purely social. 22 MS BOON: Is work ever discussed at those sort of occasions? 23 MR GRIFFITHS: They might talk about work, but only the way 24 you talk about work with your colleagues, moaning about 25 it, the frustration you get. I'm not there saying, Page 19</p> |
| <p>1 MS PICKLES: No. Me, not in Cumbria. 2 Q. So that's no tea, coffee or biscuits? Nothing like 3 that? 4 MS PICKLES: Since I came to Cumbria, I've not really been 5 a journalist out on the road so much. I've been more 6 office bound, so I don't come into regular contact with 7 police officers unless they're sort of in the street, 8 where I live. My hairdresser's husband band is a police 9 officer. I'm sure I've bought him a drink and I'm sure 10 he's bought me one, but it's on that level, you know. 11 Q. Yes. But there is a policy within the newspaper, 12 perhaps a theoretical one, that if you do accept 13 hospitality it needs to be signed off by the editor or, 14 if the editor accepts hospitality, by the chief 15 executive? 16 MS PICKLES: That's right. If Nick spends any money on 17 a police officer, he submits his expenses. I or the 18 editor will authorise those. Everybody knows where 19 money has been spent. Nick's expenditure, I have to 20 say, is very modest. 21 Q. Mr Griffiths, you refer to cups of coffee -- 22 MR GRIFFITHS: Yeah. 23 Q. -- that might be bought for you if you're attending the 24 police station for a briefing or an interview? 25 MR GRIFFITHS: Yes. Page 18</p> | <p>1 "Give me a list of all the drug busts you're going to do 2 in the next three weeks." 3 Q. Have you ever received information on one of those 4 occasions that you've wanted to print or have printed? 5 MR GRIFFITHS: No, because we don't talk about things like 6 that. 7 Q. Have you, Mr Griffiths, ever had experience of a police 8 officer or member of police staff putting any pressure 9 on you to water down a story or hide any information on 10 the ground that it would be unfavourable to that officer 11 or the organisation? 12 MR GRIFFITHS: No, not that I can think of. There are 13 occasions where you come across information and you then 14 go to the officer who you know is dealing with 15 a particular case and they might say, "For operational 16 reasons, would you please not print this until 17 further" -- and we'll abide by that because we're not in 18 the business of screwing up police operations. 19 Q. Yes, but not: "Please don't put this because it makes us 20 look bad", that sort of thing? 21 MR GRIFFITHS: No, I've never -- not that I can remember. 22 I mean, you know, I deal with X amount of people on an 23 average and if we did have that, we would never do that 24 anyway. 25 Q. No. I was asking whether you'd experienced that, rather Page 20</p> |

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| <p>1 than --</p> <p>2 MR GRIFFITHS: No.</p> <p>3 Q. Are you aware of any other reporters having such an</p> <p>4 experience?</p> <p>5 MR GRIFFITHS: No.</p> <p>6 Q. Have you had experience of receiving what might be</p> <p>7 termed "leaked information", information that an officer</p> <p>8 or member of police staff would be prohibited from</p> <p>9 sharing with you?</p> <p>10 MR GRIFFITHS: I don't know about prohibited, because, you</p> <p>11 know, no one's ever come to me and said, "Here's this,</p> <p>12 I'm not supposed to give you it." We've had things ahead</p> <p>13 of things happening. For instance, I mention in my</p> <p>14 statement about sometimes being given the heads up on</p> <p>15 certain incidents or ongoing stories where, for</p> <p>16 instance, you could have had a serious incident --</p> <p>17 series of front-page stories with appeals for</p> <p>18 information that could put fear of crime out there and</p> <p>19 then the police can pool the results and they've</p> <p>20 arrested or charged someone and they're aware that our</p> <p>21 deadlines are very tight, so they might say, "There's</p> <p>22 a press release coming out in an hour on this, can you</p> <p>23 hold off with the presses", as it were, "as long as</p> <p>24 possible?" But not leaked. You know, not: "I'm giving</p> <p>25 you this, but you shouldn't be having this."</p> <p style="text-align: center;">Page 21</p> | <p>1 to avoid identifying victims of sex crime. This is</p> <p>2 a small community, as I described, and communities</p> <p>3 within communities may only have, you know, a couple of</p> <p>4 streets. Where it happened may only have one teenage</p> <p>5 girl living there. So we've been given those kind of</p> <p>6 off-the-record -- I would also call them heads up, but</p> <p>7 for a very, very good reason: to inform our reporting,</p> <p>8 really, so that we can best accurately report what has</p> <p>9 happened.</p> <p>10 Q. When you say "off the record", do you mean not for</p> <p>11 publication?</p> <p>12 MS PICKLES: I do. That's what I mean, yes.</p> <p>13 Q. Mr Griffiths, I understand from your statement that</p> <p>14 you've had similar experiences where you've been given</p> <p>15 information. You give an example of where the police</p> <p>16 are aware of a quite serious car crash that could prove</p> <p>17 to be fatal.</p> <p>18 MR GRIFFITHS: Yeah.</p> <p>19 Q. And you were informed that that might be the case, so</p> <p>20 that you approach matters more sensitively?</p> <p>21 MR GRIFFITHS: Yeah.</p> <p>22 Q. You say that you would then take greater care</p> <p>23 approaching the family because they may have just been</p> <p>24 informed of a fatality. So that sort of --</p> <p>25 MR GRIFFITHS: Yeah.</p> <p style="text-align: center;">Page 23</p> |
| <p>1 Q. How do you receive those heads up? By what form of</p> <p>2 communication?</p> <p>3 MR GRIFFITHS: Just a quick phone call.</p> <p>4 Q. Do you get the impression it's just to you, as a local</p> <p>5 trusted journalist, or is it circulated more widely?</p> <p>6 MR GRIFFITHS: I don't know. It's not one of the questions</p> <p>7 I usually ask.</p> <p>8 Q. I'd like to ask you both about off-the-record</p> <p>9 communications. Ms Pickles, you state that</p> <p>10 off-the-record briefings and communications do occur.</p> <p>11 In what instances have you experienced those?</p> <p>12 MS PICKLES: I think we've had off-the-record guidance,</p> <p>13 which has been very useful. One example I can think of</p> <p>14 was when there was a particularly vicious attack on</p> <p>15 a man on a filling station forecourt by three men,</p> <p>16 I believe, with baseball bats. Really nasty. He was</p> <p>17 very, very seriously injured, hospital. For some time</p> <p>18 it wasn't known whether he would live or die, and the</p> <p>19 three ran off, escaped. We were given guidance that we</p> <p>20 shouldn't report this as these three guys running amok</p> <p>21 in Carlisle and therefore the whole of the city ought to</p> <p>22 be afraid of them, the inference being that we risked</p> <p>23 causing an awful lot of fear, perception of fear, when</p> <p>24 that was not necessary.</p> <p>25 I think we've been given also guidance on how best</p> <p style="text-align: center;">Page 22</p> | <p>1 Q. You give the same example as well about not</p> <p>2 inadvertently identifying victims. You were given some</p> <p>3 guidance to make sure you didn't?</p> <p>4 MR GRIFFITHS: Yeah.</p> <p>5 Q. On the question of training -- I just touch on that very</p> <p>6 briefly -- you state you've received on-the-job training</p> <p>7 on dealings with the police.</p> <p>8 MR GRIFFITHS: Yeah.</p> <p>9 Q. Has this included any guidance on the maintenance of</p> <p>10 appropriate relationships, where the boundaries lie and</p> <p>11 that sort of thing? Or perhaps from your evidence it's</p> <p>12 not been necessary?</p> <p>13 MR GRIFFITHS: Yeah, it's never relevant been an issue, to</p> <p>14 be honest. You just sort of pick it up as you go. No,</p> <p>15 sorry, that's wrong; you're given training but it's not</p> <p>16 a formal day-long training of: this is the do's and</p> <p>17 don'ts. When you're a young reporter, you ask other</p> <p>18 reporters, you ask your news editor: "What should I do</p> <p>19 with this? What should I do with that?" and it sort of</p> <p>20 forms your training as you go along.</p> <p>21 Q. Returning to Cumbria Constabulary's media operation in</p> <p>22 response to the shooting in June 2010. It's obviously</p> <p>23 a very large-scale operation to manage. Do either of</p> <p>24 you have any comments to make to the force's handling of</p> <p>25 the media, whether positive or negative?</p> <p style="text-align: center;">Page 24</p> |

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| <p>1 MS PICKLES: I thought it was very positive. We didn't want 2 to spend a lot of time harassing victims' families, 3 knocking on doors, looking for the screaming sensational 4 headlines. As I've said before -- I know I'm repeating 5 myself, it must be boring, but we have to live with 6 these people and we didn't want to cause them any 7 further distress. So we worked very closely with the 8 police liaison team, who were extremely helpful in 9 sourcing photographs, tributes and any information they 10 thought we might need, without us having to go camping 11 on people's door steps or occupying Whitehaven, so that, 12 for all it was a dreadful, dreadful incident, was 13 perversely, I know, an extremely successful police/local 14 media operation.</p> <p>15 Q. Do you agree with that, Mr Griffiths? 16 MR GRIFFITHS: Yeah, I do agree with that, yeah. 17 Q. In terms of the future -- you've both spoken very 18 positively about the present, but Ms Pickles first, do 19 you think any changes do need to be made to -- 20 I appreciate you don't feel that the relationships that 21 you have need any kind of recalibration, but do you feel 22 that police forces should have any systems for 23 monitoring or auditing relationships between officers 24 and reporters? 25 MS PICKLES: I think they already are, as far as they should</p> <p style="text-align: center;">Page 25</p> | <p>1 I agree with the principle of press offices because 2 I think they're extremely helpful and when they're 3 working well, are just invaluable, but it ain't big 4 enough, and that's the only change I would make, to be 5 absolutely honest with you. I don't think there's any 6 good reason to drive a wedge between local media and 7 local police officers.</p> <p>8 Q. Mr Griffiths, do you have anything to add? 9 MR GRIFFITHS: I'd echo that again. From a purely practical 10 point of view, since I'm the one having to stand up 11 stories in the morning, I'd just say extra red tape, 12 another form to fill out, would, like Anne said, just 13 put another barrier up. I think more often than not, 14 officers, if they're worried about having to fill out 15 another form, just wouldn't take your call. Most of the 16 time those calls are just to sort of clarify incidents, 17 inform the reporting as much as possible. 18 Q. What if there's no form to fill out, if it's just 19 a question of the officer recording time, date, who 20 they've spoken to, the fact of the contact in a pocket 21 notebook? 22 MR GRIFFITHS: Well, if it's that, I don't think it's 23 a massive problem, but I just think that -- I think any 24 more sort of -- anything more to fill out just means 25 more work for officers and they wouldn't want to</p> <p style="text-align: center;">Page 27</p> |
| <p>1 be. I think the relationships are monitored. They're 2 understood. We each know and understand our role in 3 supplying the public with the information to which it is 4 entitled, and those relationships are founded on that 5 understanding and that knowledge. I don't believe it is 6 broken. Frankly, I don't see what purpose can be served 7 by a police officer filling in a form every time he 8 speaks to a journalist or she speaks to a journalist. 9 And I can't -- I know it's -- I agree it's healthy to 10 review all relationships in this area from time to time. 11 It has to be healthy and it's good to look at it and 12 flush out the bad apples, but you know, there aren't 13 very many of those and I don't know why the rogue 14 miscreants weren't just dealt with existing law and 15 without having to haul the rest of the industry over the 16 coals for it.</p> <p>17 I think the relationship we have works well. It's 18 built on trust, it's built on respect and it is 19 professional. I would like to see a better-staffed 20 press office, more keenly conversant with media 21 deadlines that are not just print deadlines but online 22 deadlines. I mean, every -- even as small as that 23 office is, a 24-hour operation now. Two people in 24 a press office for Cumbria Constabulary is simply not 25 enough.</p> <p style="text-align: center;">Page 26</p> | <p>1 undertake that extra work. 2 Q. Is there anything else either of you would like to add? 3 MS PICKLES: Just that whether it's a form or a tick box or 4 whatever, sticking a red star on a piece of paper, it is 5 distancing two people, two organisations, who should be 6 working closely together to the same end, and I don't 7 believe that can be good in a community such as ours. 8 MS BOON: Thank you. Those are my questions. 9 LORD JUSTICE LEVESON: Of course -- 10 MR GRIFFITHS: Sorry, can I just clarify something from 11 before? When you asked that question about do I ever 12 ask officers whether to keep it just to myself or to -- 13 MS BOON: Yes. 14 A. It's not that I don't want it kept to myself, because 15 obviously my job's to get stories for the newspaper. 16 It's just my own personal style is not to ask that, 17 because I often find that if you flag it up, if it's 18 something that might be of interest to other media, it 19 puts an idea in their head to do it. I just wanted to 20 clarify that in case I was misunderstood. 21 LORD JUSTICE LEVESON: Ms Pickles, of course, we're not just 22 thinking about the relationship between the Cumbria 23 police and the journalists in the newspaper for which 24 you work. 25 MS PICKLES: No.</p> <p style="text-align: center;">Page 28</p> |

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| <p>1 LORD JUSTICE LEVESON: I readily recognise your observation 2 that we have to live with the people who we're serving, 3 so do I get the picture that you develop relationships 4 with your community -- I've heard before that local 5 newspapers develop relationships with the communities 6 which they serve, and with the people within those 7 communities. Then there's a big story, and along come 8 the national press, and they trample over everybody's 9 garden, literally and metaphorically. 10 MS PICKLES: Yes. 11 LORD JUSTICE LEVESON: They grab what they can, then the 12 next day they've gone and leave you to replant the 13 flowers. 14 MS PICKLES: Mm-hm, that's exactly right. 15 LORD JUSTICE LEVESON: And as a result, damage the 16 relationship which you nurture and have to build up 17 again? 18 MS PICKLES: They do have to be build up again. They do, 19 and every time there's another -- for want of another 20 word -- another fuss about this type of behaviour, we 21 get the backlash. So a straightforward court report 22 will perhaps, as an example -- and it's not a fictitious 23 one. This is real. Some guy's gone down for his crime 24 and his mother rings the news desk and says, "He didn't 25 mean to beat him up. He's a good lad, really, my son,</p> <p style="text-align: center;">Page 29</p> | <p>1 LORD JUSTICE LEVESON: It so happens I agree with you. So 2 one has to find a way -- do you agree? -- of trying to 3 cope with the excesses while preserving what is not 4 merely valuable but critical for local communities. You 5 are the ones that report the local football matches, 6 you're the ones that go into the local schools, you're 7 the ones that report on the courts, the health 8 authorities, the local authorities. It's critical that 9 you're able to do it. 10 MS PICKLES: Absolutely necessary. 11 LORD JUSTICE LEVESON: I didn't think you'd disagree with 12 that. 13 MS PICKLES: No. 14 LORD JUSTICE LEVESON: So would you agree the trick is going 15 to be to find a way is that allows you to do what you do 16 well, and to develop the relationship that works well 17 for your community, while at the same time preventing 18 that which does not work within the public interest? 19 MS PICKLES: That is my sincere hope for the outcome of this 20 Inquiry. 21 LORD JUSTICE LEVESON: Well, it's my hope as well, so we can 22 agree on that. 23 MS PICKLES: Okay. 24 LORD JUSTICE LEVESON: But the question then arises how you 25 do it. I'm not suggesting that either you or the police</p> <p style="text-align: center;">Page 31</p> |
| <p>1 and I know what you people are like because I've read 2 what's happening with journalists." So we've had: "I've 3 been watching the Leveson Inquiry. I know how you 4 people work." 5 Now, the stain from what has happened to trigger 6 this Inquiry and a number of reports tends to spread 7 across all sections of the media. 8 LORD JUSTICE LEVESON: Therefore it's rather important, 9 isn't it, to make sure that the context is described so 10 that people can understand precisely what we're 11 addressing, but if I could take your own two examples, 12 the Yorkshire Ripper was when? How many years ago? 13 I hate to ask you. 14 MS PICKLES: 18? A long time ago. 15 LORD JUSTICE LEVESON: Yes, it was, a very long time ago, 16 and yet you said in relation to the recent case in 17 Cumbria to do with Mr Bird, you saw similar sorts of 18 behaviour. 19 MS PICKLES: Well -- 20 LORD JUSTICE LEVESON: So here we are, in 20, nearly 30 21 years. It's the same thing. Do you think that's 22 healthy? 23 MS PICKLES: That isn't healthy. 24 LORD JUSTICE LEVESON: And appropriate? 25 MS PICKLES: That isn't healthy or appropriate.</p> <p style="text-align: center;">Page 30</p> | <p>1 or anybody should fill out a great form just because 2 your reporter wants to know a bit of news, wants to 3 speak to the community officer that deals with vandalism 4 on that estate or that sort of thing. But if you're 5 working within a very small environment, it's probably 6 easier to keep an eye on what everybody's doing. 7 MS PICKLES: Ish. 8 LORD JUSTICE LEVESON: If you're working in a very large 9 environment, it's not merely not easy; it's probably 10 absolutely impossible. 11 MS PICKLES: Mm-hm. 12 LORD JUSTICE LEVESON: So I want to know whether you can 13 help me -- and it may be you can't, but I want to give 14 you the opportunity of devising a mechanism which 15 encourages all that is good that you've spoken of: 16 openness and transparency of the police to the press and 17 a positive relationship dependent upon trust and mutual 18 co-operation for the benefit of the community. It does 19 all that -- 20 MS PICKLES: Right. 21 LORD JUSTICE LEVESON: -- but at the same time does not 22 simply generate a complete free-for-all where nobody 23 knows really what's going on and can therefore exercise 24 any measure of control. That's the reason behind 25 suggesting -- and it's only a suggestion, I'm not there,</p> <p style="text-align: center;">Page 32</p> |

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| <p>1 I'm listening and thinking -- that strategic issues 2 should be dealt with by an appropriate ranked officer. 3 MS PICKLES: Mm-hm. 4 LORD JUSTICE LEVESON: And local issues by anybody who has 5 the authority to deal with them. By that, I mean the 6 knowledge -- so they're not just talking off the top of 7 their heads; they know what they're talking about, and 8 the fact that that is operating is demonstrable in some 9 way. That's what I'm trying to get to. 10 MS PICKLES: Yes. There's responsibility too, though, for 11 closer control in newsrooms and in news organisations on 12 how journalists approach those relationships and how 13 they work. I think we've found ourselves here through 14 an absence of perhaps control, perhaps concern, perhaps 15 belief in the faith that a newspaper owes not only the 16 police and politicians and the system and democracy, but 17 its readers. You know, it's quite clear we're in a bad 18 place now in some sections of the media, but I still 19 think a lot of that, you know, the media has to blame 20 itself for and take responsibility for. 21 LORD JUSTICE LEVESON: I think you're probably absolutely 22 right. I say "probably" because I have to keep an open 23 mind to the very end. You're right in one sense: the 24 rogue miscreants could have been hauled over the coals. 25 But this isn't just criminality.</p> <p style="text-align: center;">Page 33</p> | <p>1 LORD JUSTICE LEVESON: Thank you. Thank you both very much. 2 MS BOON: Sir, would you like to take a short break before 3 the next witnesses or shall I call -- 4 LORD JUSTICE LEVESON: Are they coming together? 5 MS BOON: They are, yes. 6 LORD JUSTICE LEVESON: Very good. I think Mr Mackey is 7 going to get rather more, because he has other duties 8 now, so I warn him. All right. Five minutes. 9 (2.57 pm) 10 (A short break) 11 (3.06 pm) 12 MS BOON: Sir, the next witnesses are Mr Mackey and 13 Ms Shearer. 14 LORD JUSTICE LEVESON: Thank you. 15 MR CRAIG THOMAS MACKEY (sworn) 16 MS GILLIAN SHEARER (sworn) 17 Questions by MS BOON 18 MS BOON: Mr Mackey, first of all. Please give your full 19 name. 20 MR MACKEY: Craig Thomas Mackey. 21 Q. You've provided a witness statement to the Inquiry dated 22 13 February 2012? 23 MR MACKEY: Yes, that's correct. 24 Q. Do you confirm the contents of that statement are true 25 to the best of your knowledge and belief?</p> <p style="text-align: center;">Page 35</p> |
| <p>1 MS PICKLES: It's culture. 2 LORD JUSTICE LEVESON: Well, that's the question. 3 MS PICKLES: Yes. 4 LORD JUSTICE LEVESON: It's actually not entirely 5 straightforward -- 6 MS PICKLES: No. 7 LORD JUSTICE LEVESON: -- to get people to address those 8 issues within a mindset that is either: "We're doing 9 everything right -- maybe others are not, but we are", 10 or: "Our readers know best, and if our readers don't 11 like the paper they won't buy it", which might justify 12 anything. 13 MS PICKLES: Yes. 14 LORD JUSTICE LEVESON: If there's anything else you would 15 like to offer on this topic, I'd be interested, but 16 I understand your point and I absolutely understand that 17 it is of critical importance to celebrate the enormous 18 contribution that regional and local journalists make to 19 their communities and not to forget that when one deals 20 with the other side of the coin. 21 MS PICKLES: Yes. 22 LORD JUSTICE LEVESON: I can only say to those who telephone 23 your office and say, "Well, we know what you're like" 24 that it's far more nuanced than that. 25 MS PICKLES: It is. Thank you.</p> <p style="text-align: center;">Page 34</p> | <p>1 MR MACKEY: Yes, they are. 2 Q. Is this your formal evidence to the Inquiry? 3 MR MACKEY: Yes, it is. 4 Q. You are now Deputy Commissioner of the Metropolitan 5 Police Service? 6 MR MACKEY: Yes, that's correct. 7 Q. You've served with the police for over 27 years. 8 Between September 2007 and January 2012, you were 9 Chief Constable of Cumbria Constabulary? 10 MR MACKEY: Yes, that's correct. 11 Q. And you've previously served with Wiltshire, 12 Gloucestershire and also the HMIC? 13 MR MACKEY: Yes, that's correct. 14 Q. Ms Shearer, please give your full name? 15 MS SHEARER: Gillian Shearer. 16 Q. You've also provided a witness statement, haven't you, 17 that's dated 28 February 2012? 18 MS SHEARER: Yes, that's correct. 19 Q. Do you confirm the contents of that witness statement 20 are true to the best of your knowledge and belief? 21 MS SHEARER: Yes, that's correct. 22 Q. Is that your formal evidence to the Inquiry? 23 MS SHEARER: Yes, it is. 24 Q. You've been head of marketing and communications for 25 Cumbria Constabulary since 2005?</p> <p style="text-align: center;">Page 36</p> |

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| <p>1 MS SHEARER: That's correct.</p> <p>2 Q. Prior to that, you were a marketing and communications</p> <p>3 manager for a manufacturing company?</p> <p>4 MS SHEARER: Yes.</p> <p>5 Q. And before that, a regional public relations officer for</p> <p>6 the National Farmer's Union?</p> <p>7 MS SHEARER: Yes.</p> <p>8 Q. Ms Shearer, how many staff work for the press office?</p> <p>9 Is it just two now, two press officers, we've heard?</p> <p>10 MS SHEARER: Yes, two at the second, although our</p> <p>11 establishment, when we are fully staffed, is three in</p> <p>12 the press office, but in total my three is eight and</p> <p>13 what we do is build in resilience through other members</p> <p>14 of the team, so that they can support the press office</p> <p>15 when we need.</p> <p>16 Q. What proportion of staff that support you have</p> <p>17 a background in the media?</p> <p>18 MS SHEARER: At this moment in time, none, although when we</p> <p>19 originally formed the press office in 2006, two out of</p> <p>20 the three press officers had experience as being</p> <p>21 journalists.</p> <p>22 Q. Mr Mackey, dealing with their culture of relations with</p> <p>23 the media, your belief is that Cumbria Constabulary --</p> <p>24 so obviously speaking about your tenure of</p> <p>25 Chief Constable of Cumbria -- had in general, or has,</p> <p style="text-align: center;">Page 37</p> | <p>1 manage the media. This is able to happen because the</p> <p>2 press office is very clear in its values of working with</p> <p>3 the media and treating the media in a fair and equal</p> <p>4 way. For example, there are no off-the-record</p> <p>5 discussions except for background information ahead of</p> <p>6 complex court cases, there are no exclusives, there is</p> <p>7 no treating national and local journalists differently."</p> <p>8 First of all, you say there are no off-the-record</p> <p>9 discussions, but we heard members of the press say that</p> <p>10 there are off-the-record discussions. How can we</p> <p>11 account for that difference?</p> <p>12 MR MACKEY: I think it comes to this heart of what is "off</p> <p>13 the record". It's different with different parts of the</p> <p>14 media, and different media outlets will give you</p> <p>15 a different interpretation of what that means. I prefer</p> <p>16 and always work with "attributable" and</p> <p>17 "non-attributable". Everything we said to the media is</p> <p>18 absolutely attributable to an individual who said it.</p> <p>19 Some of it would be the context around things that were</p> <p>20 going on, so -- I think there was referred to some of</p> <p>21 the complex issues around the budget. Very clear that</p> <p>22 was always on the record, but expecting the media to</p> <p>23 understand a document which was probably 30 or 40 pages</p> <p>24 thick on what was the effect of the comprehensive</p> <p>25 spending review on a force, they would expect some</p> <p style="text-align: center;">Page 39</p> |
| <p>1 a positive relationship with the media but a better</p> <p>2 relationship with the local media than the national</p> <p>3 media. Is that still your view?</p> <p>4 MR MACKEY: Yes, that would be correct. Day-to-day contact</p> <p>5 was predominantly with the local media and regional</p> <p>6 journalists. Cumbria is quite unique in terms of its</p> <p>7 size and scale and is covered by a number of television</p> <p>8 regions. So regional journalists, regional news were</p> <p>9 the predominant people we worked with.</p> <p>10 Q. So is that a better relationship with the local media</p> <p>11 just because there's more contact, so a better chance to</p> <p>12 build up a better relationship, or is there something</p> <p>13 else at work?</p> <p>14 MR MACKEY: (a) They're probably more consistent, so you do</p> <p>15 build up a relationship and understanding, but also</p> <p>16 predominantly a community, from most of the work we've</p> <p>17 done, who took their views from the local media. So</p> <p>18 local newspapers, Radio Cumbria, BBC Look North, Border</p> <p>19 Television, that's where people went for their news on</p> <p>20 what was going on in the county.</p> <p>21 Q. Can I take you to paragraph 51 of your statement.</p> <p>22 That's our page 02286.</p> <p>23 LORD JUSTICE LEVESON: Which statement? Whose?</p> <p>24 MS BOON: Sorry, Mr Mackey:</p> <p>25 "The constabulary is very clear that its aim is to</p> <p style="text-align: center;">Page 38</p> | <p>1 context, some understanding around it. That was on the</p> <p>2 record.</p> <p>3 Q. Was there anything in the evidence of Ms Pickles and</p> <p>4 Mr Griffiths that surprised you when you heard what</p> <p>5 information was given off the record?</p> <p>6 MR MACKEY: No, didn't surprise me. I didn't know the</p> <p>7 particular circumstances of the incident in Carlisle</p> <p>8 with the attack, but I think that's still a live case.</p> <p>9 But apart from that, no.</p> <p>10 Q. In fact, Ms Shearer, the policy which we'll come to says</p> <p>11 that police officers are not to have off-the-record</p> <p>12 discussions. Was there anything in the evidence you</p> <p>13 heard this afternoon which makes you think police</p> <p>14 officers are contravening this policy?</p> <p>15 MS SHEARER: Absolutely not. I think it comes back to the</p> <p>16 terminology, and the use of "off the record". I think</p> <p>17 Ms Pickles picked it up when she talked about</p> <p>18 "off-the-record guidance" and I think there is a blur</p> <p>19 around the terminology.</p> <p>20 Q. Mr Mackey, a reading of your paragraph 51 is that</p> <p>21 off-the-record discussions are inconsistent with</p> <p>22 treating journalists equally. Is that your view? Do</p> <p>23 you have concerns about not-for-publication?</p> <p>24 MR MACKEY: I do have concerns about that, and I think the</p> <p>25 experience of the events in June tended to show how</p> <p style="text-align: center;">Page 40</p> |

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| <p>1 difficult the whole notion of going off the record is 2 now. When you're faced with a room larger than this 3 with 150 journalists there, it's very hard to say, 4 "We're going to go off the record with you three, and 5 the rest of you stay over there." Also, I think the 6 immediacy -- and while I understand the focus on the 7 printed media, the reality is now, as you're doing 8 a news conference or a briefing, people are tweeting 9 these issues live, and the notion that somehow you can 10 take people to one side and say, "Here's a different way 11 of looking at it" is problematic in practice, let alone 12 in principle.</p> <p>13 LORD JUSTICE LEVESON: Does that mean it's difficult to say 14 to this large room: "Look, I will say something, but 15 only to provide you with context so that you don't go 16 down the wrong track"?</p> <p>17 MR MACKEY: In that environment, sir, that would be 18 incredibly difficult. It was also the first time I'd 19 experienced what I would say -- would probably described 20 as citizen journalists, so students standing in the 21 queue behind national news reporters to do an interview 22 with you. It's very difficult to say, "Actually, what 23 we're going to do with something completely different." 24 So throughout that incident, we kept on the record.</p> <p>25 LORD JUSTICE LEVESON: That might actually make your job</p> <p style="text-align: center;">Page 41</p> | <p>1 relationships for us. You know, actually as the 2 Chief Constable with a strategic management team of the 3 organisation, this is not something I could do on 4 a daily basis, and that's very much where having 5 a professional heading the press office, having a press 6 team around you, adds that advantage in terms of the 7 ability to (a) spot things coming up, also by sitting 8 around the strategic management group of the 9 organisation, the chief officer group in that particular 10 force, to actually say: "You know what: the issue you're 11 debating today has a press line. Have we thought about 12 how we're going to give this to the press and what we're 13 going to do?"</p> <p>14 So it adds that sort of discipline at that level of 15 the organisation.</p> <p>16 Q. Moving on to the contact that both of you have with the 17 media. Mr Mackey, you had, you say, high levels of 18 media contact, which comprised interviews and briefings. 19 All of your contact was through the press office; is 20 that right?</p> <p>21 MR MACKEY: Yes, all my contact through the press office. 22 If I may give you a typical example: Police Authority 23 meetings, monthly, agendas would go out with backing 24 papers, probably ten days before, the press office would 25 send out something to all the local media contacts,</p> <p style="text-align: center;">Page 43</p> |
| <p>1 rather more difficult.</p> <p>2 MR MACKEY: It does in some respects, yes, sir.</p> <p>3 MS BOON: Ms Shearer, you make the point in your statement 4 that you would need a great deal of convincing before 5 you form the view that off-the-record briefings were 6 a good thing. Is there anything you want to add to what 7 Mr Mackey said or what you've said about off-the-record 8 briefings before I move on?</p> <p>9 MS SHEARER: No. I think I would expect the justification 10 to be incredibly significant and the sort of times that 11 I would perceive that to be is around counter-terrorism 12 and at that sort of level. That's the time when you 13 should be considering off the record. Everything else 14 should be on the record, if you are going to say it.</p> <p>15 Q. Mr Mackey, again in your statement, paragraph 54, 16 page 02287: 17 "I believe generally that Cumbria Constabulary's 18 relationship with the media is managed and appropriate 19 as a result of the close management and professionalism 20 of our press office." 21 One reading of that paragraph is that the 22 constabulary is trying to tightly control the media. Is 23 that a fair reading?</p> <p>24 MR MACKEY: No. I don't think that's a fair reading in 25 terms of that. It is around managing those long-term</p> <p style="text-align: center;">Page 42</p> | <p>1 saying, "Cumbria Police Authority is meeting on this day 2 at this time. It's going to consider the following 3 papers. The Chief Constable is available for interviews 4 or another appropriate member of the management team." 5 And the press office would then programme those 6 interviews in, my secretary or PA would literally get 7 a list and we'd work through ringing them or, if they 8 were TV, doing interviews outside or in the office, and 9 that's how we manage them.</p> <p>10 Q. Does your office receive direct approaches?</p> <p>11 MR MACKEY: Very occasionally direct approaches, but more 12 predominantly, they came as a result of either something 13 we were putting out or a particular incident breaking or 14 coming, at which point -- it's a fairly small building, 15 the media team are one end of a long corridor, the chief 16 officer team are the other end of the long corridor, and 17 it wasn't uncommon to see Gill or one of her team 18 running along saying, "There's something breaking", and 19 the approach we took was very much, if it was something 20 of strategic significance or a critical incident for the 21 force, that either a chief officer or a chief 22 superintendent would take the lead.</p> <p>23 Q. On the question of hospitality, Ms Pickles has described 24 the constabulary as less than generous in terms of 25 hospitality. Has that been your experience?</p> <p style="text-align: center;">Page 44</p> |

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| <p>1 MR MACKEY: I wouldn't describe us as "less than generous", 2 but there's not a wide culture of hospitality. That's 3 very much part of the community and where we were. It 4 wasn't the practice. I think I met the editor of the 5 News Group on two occasions over working lunches. That 6 would be more the normal. 7 Q. Sorry to interrupt you. I think on one occasion, it's 8 declared in the hospitality register a lunch with the 9 local newspaper editor. That was a Mr Hodgkinson; is 10 that right? 11 MR MACKEY: That's correct, yes. 12 Q. He was the editor-in-chief of Cumberland News. That was 13 also with you, Ms Shearer? 14 MS SHEARER: That's right. 15 Q. That was a lunch. Then there was another dinner or 16 lunch in March 2010? 17 MR MACKEY: Yes. One is in one register because it was paid 18 for by the newspaper. The other one we paid for. 19 Q. What were the purposes of those? 20 MR MACKEY: Just about promoting relationships with the 21 local media. Cumberland News Group, the north and west 22 of the county -- most of the media are part of the 23 Cumberland News Group and it was really about 24 understanding where we were. It also gave us useful 25 feedback, particularly me, on how we worked, how we were</p> <p style="text-align: center;">Page 45</p> | <p>1 well. 2 Q. As for the lunch -- the first lunch you refer to, not 3 the one with the DCC -- you refer in your statement to 4 wanting to meet in a neutral location so that you could 5 resolve tensions. 6 MS SHEARER: That's correct. 7 Q. So there was a business purpose behind that? 8 MS SHEARER: Absolutely. 9 Q. Mr Mackey, do you have any views on the ethics generally 10 of hospitality between the police and the media, whether 11 accepted or provided? 12 MR MACKEY: As a general purpose, I think it's -- I would 13 use the -- I think someone's referred to it previously 14 as the blush test in terms of it ought to be 15 proportionate, appropriate. It ought to be the sort of 16 thing that when you write it in the hospitality register 17 and it appears on the force Internet, you're entirely 18 comfortable in terms of what you've done and why you've 19 done it, and be very clear that there is a professional 20 reason and basis on why you're accepting hospitality. 21 It's not a nice to do. 22 Q. Just testing how far that goes, would you have concerns 23 if you heard that junior officers were meeting members 24 of the media in bars regularly for drinks? 25 MR MACKEY: I would, unless they actually knew the</p> <p style="text-align: center;">Page 47</p> |
| <p>1 perceived as an organisation, so some of those problems 2 that are inevitable with a small team around things 3 like, you know, not enough cover at weekends and into 4 the small hours. It's useful to hear that directly from 5 the editor in terms of these are the challenges we face. 6 Q. Beyond those lunches, you refer in your statement to 7 hosting an annual editors' dinner or editors' lunch 8 in December between 2007 and 2009. What was the purpose 9 of those lunches? Is it similar to what you've 10 described? 11 MR MACKEY: It was similar. That was bringing news groups 12 from across the county. We found -- that was not long 13 after I arrived as chief -- they actually became less 14 and less well attended. So we stopped those from being 15 an annual thing because in the reality, with a county 16 that's nearly 70 miles end to end, it's an awful lot to 17 ask the news editor from a paper in Barrow -- that's two 18 hours away -- to come up and have sandwiches with you 19 for half an hour. 20 Q. Ms Shearer, the only hospitality you accepted was the 21 lunch in 2007. The hospitality you provided, what was 22 that? 23 MS SHEARER: That was, again, with Mr Mackey, having one 24 lunch and then I subsequently had a lunch with 25 a reporter and I also accompanied our DCC for a lunch as</p> <p style="text-align: center;">Page 46</p> | <p>1 individual in a social environment, and I would be more 2 concerned if it was consistently the same person. 3 Q. Would the same apply to meeting members of the media for 4 meals in restaurants? 5 MR MACKEY: For me, it's about proportion and balance. It 6 might be entirely appropriate over a working lunch to 7 have a sandwich, a pizza or a cup of coffee, but 8 actually outside the working day in other environments, 9 you begin to get to the point where you have to question 10 (a) your own values, but also why are you doing it? Why 11 are you there? 12 Q. Mr Mackey, during your police career, have you become 13 aware of senior officers accepting what you've 14 considered excessive hospitality from the press? 15 MR MACKEY: Not from the media per se in my roles where I've 16 worked. Predominantly most of the places I've worked 17 have been relationships with local media. The only time 18 the issues have changed is usually when there's been 19 a significant major issue. In most of the forces I've 20 worked in, there's been a significant major issue at 21 some point during my tenure and national media and 22 international media have arrived and been part of that. 23 But I've not seen anything that's immediately come to 24 mind that I thought that's wrong. 25 Q. So you've not had concerns in the past about senior</p> <p style="text-align: center;">Page 48</p> |

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| <p>1 officers, fellow senior officers, thinking: "I perceive 2 that they're getting too close, that relationship they 3 have with that newspaper and I'm uncomfortable with it"? 4 You haven't had that experience? 5 MR MACKEY: No, not in terms of where I have worked. It's 6 a much more benign local media environment in most of 7 the places I've worked to date. 8 Q. Do you have any relationships with crime reporters that 9 you might call friendships? 10 MR MACKEY: No, not currently. 11 Q. Ms Shearer, do you? 12 MS SHEARER: No. 13 Q. Is it something that you've actively avoided, 14 Ms Shearer, or it's not just happened? 15 MS SHEARER: No, I haven't actively -- I just don't think 16 it's happened, no. 17 Q. Mr Mackey, you say "not currently". Does that mean in 18 the past -- 19 MR MACKEY: No, I -- it's not inconceivable that you can 20 form a friendship with an individual going forward, but 21 I think that's where you have to put personal and 22 professional into very different camps in terms of doing 23 it. I think in the current environment in -- that I was 24 working in in Cumbria, the reality was I think 25 Mr Griffiths was probably the only dedicated crime Page 49</p> | <p>1 "Are contacts with the media restricted to certain 2 staff or are all personnel within Cumbria Constabulary 3 able to deal with the media?" 4 You say: 5 "It depends on the type of contact from the media. 6 Staff are encouraged to respond to the media if that is 7 part of their job. For instance, we would expect an 8 officer to speak to the media if they put out an appeal 9 for witnesses and the media required further information 10 or an update. If there wasn't an operational or 11 business need, we wouldn't expect staff to talk to the 12 media." 13 Might criticism of this approach be that it appears 14 defensive and inward-looking, that the officer only is 15 to engage with the media if there's a business need? 16 How does that sit with the expectation that the police 17 should engage with criticism, admit mistakes? 18 MS SHEARER: I think police officers -- if there is 19 a mistake and we need to deal with it, that's the way 20 that the officers should deal with it, and it depends on 21 what scale within the organisation. So if something 22 happens operationally that's difficult, you would expect 23 the officer to deal with it, and it's about having that 24 empowerment at that level, and on the other end of the 25 scale, it's about me being able to -- or, as head of Page 51</p> |
| <p>1 reporter per se in the county. So no, not had those 2 sorts of personal relationships with journalists. 3 Q. Ms Shearer, direct contact between police officers and 4 members of the press isn't something that concerns you? 5 MS SHEARER: No, as long as there is a business-justifiable 6 reason of why the officers are talking to the press, 7 then that's fully acceptable. 8 Q. Do you expect all communication to go through you first? 9 MS SHEARER: No, I think there's a real difference between 10 what's strategic communication and what's sort of 11 general communication. Strategic communication, as we 12 talked about and Mr Mackey's explained, that would be 13 through press office and certainly for chief officers, 14 I would look after that. But certainly at a lower level 15 in regard to about crime prevention, witness appeals, we 16 would expect and we would actually encourage our 17 officers to be proactive and to talk to the media and 18 use the media. The media are a really valuable tool for 19 us, particularly in Cumbria, for getting our messages 20 out and we would encourage them and trust them to talk 21 to the media. 22 Q. If I can take you to paragraph 10.1 of your statement, 23 Ms Shearer. That's page 09687, picking up on your use 24 of the phrase "business need". You were asked the 25 question: Page 50</p> | <p>1 coms, being able to deal with it and then brief the 2 chief officers. 3 So it's about having an understanding and it's about 4 ensuring that if you are not involved with something, 5 that you -- and the person dealing with something -- so 6 a crime happens. The best person to talk about it is 7 that officer, and it's about making sure that people 8 understand that the officer should talk about it and 9 absolutely is entrusted and empowered to do so, but you 10 shouldn't be talking about it if it effectively isn't 11 your crime, as such. 12 Q. That's what you mean when you're referring to business 13 operational needs? 14 MS SHEARER: That's right. 15 Q. That perhaps takes us on to the force policies. I just 16 take you to a couple of passages. At tab 19 of the 17 bundle, there's the Police Authority and constabulary 18 anti-fraud and corruption procedure. This is a policy 19 dated 2009. Has it been updated, can either of you say, 20 or is this the version that was in force then? 21 MR MACKEY: I think this is the version that was in force 22 then. 23 Q. Section 10 of on that policy, internal numbering 9, our 24 reference 02855, this deals with offers and acceptance 25 of hospitality: Page 52</p> |

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| <p>1 "It is essential, when dealing with organisations or 2 individuals likely to benefit from the goodwill of the 3 authority or existing potential contractors, that you're 4 never placed in a position of owing favours. Your 5 conduct does not allow for any suspicion that you could 6 be unfairly favouring any particular third party over 7 others. Whilst a working lunch is often an acceptable 8 part of normal working relations, the following should 9 be avoided: hospitality received which constitutes more 10 of a social function; an excess of hospitality, both in 11 terms of frequency or lavish meals; hospitality which 12 could give rise to suspicions of favour. If there is 13 any doubt as to whether an invitation should be 14 accepted, your line manager/supervisor should be 15 consulted."</p> <p>16 This appears to be dealing with contracts and 17 procurement, but is this policy intended to apply across 18 the board or have I missed a section that deals with 19 that?</p> <p>20 MR MACKEY: No, you've not missed a section. It's also 21 specifically -- and it's covered in the back in terms of 22 the register of interests forms -- it's very much about 23 making sure that the Police Authority contractual 24 relationships and other relationships are clearly above 25 board in terms of where we -- that's the general reprint Page 53</p> | <p>1 understand what we do and why. Being proactive ensures 2 we are able to shout about our successes and dispel 3 rumour and speculation when things go wrong, so helping 4 to maintain and improve public confidence.</p> <p>5 "There is no hard and fast rule on who should speak 6 to the media but the best person is often the one who 7 knows the most about what they're talking about, is 8 comfortable speaking to the media and doesn't stray 9 beyond the immediate subject. Further tips on 10 conducting a media interview can be found in media 11 management procedures section 7.</p> <p>12 "We should only provide the media with factual 13 information about incidents, investigations or issues we 14 are directly involved in, and only after the permission 15 from the SIO [senior investigating officer] or OIC 16 [officer in the case]."</p> <p>17 So you're envisaging there that an officer would 18 speak to the officer in charge of the investigation 19 before speaking to the media?</p> <p>20 MS SHEARER: Yes.</p> <p>21 Q. Is that something that happens or is it just something 22 that's written in the policy?</p> <p>23 MS SHEARER: No, that is what happens. Quite often -- and 24 again, it depends on the range of the incident -- you'll 25 have your SIO, and a part of that is supported by Page 55</p> |
| <p>1 of the hospitality policy.</p> <p>2 Q. There's no other specific guidance to police officers 3 about accepting hospitality in force policy at present?</p> <p>4 MR MACKEY: No, it's dealt with as part of training.</p> <p>5 I refer to in my statement -- we refer to a process of 6 training called PASS, which we've just brought in, which 7 is around -- sorry, Cumbria have just brought in, which 8 is around being very clear with people -- and given the 9 size and scale of the organisation, you can be -- about 10 the risks are that posed by people you know and 11 associate with, areas to which you have access, then the 12 systems to which you have access, but also, again, being 13 very clear about the standards that are expected of you, 14 whether you're a member of police staff or a police 15 officer, and that's dealt with by an input from a chief 16 officer or a commander, when people join the 17 organisation.</p> <p>18 Q. The media management procedures media policy, January 19 2010. That's at tab 21. The first section, "Media 20 management procedures", 1.0, internal page 3 of 29 or 21 our 02876. Highlighting a few of the key parts of that 22 policy, as it appears. 1.2:</p> <p>23 "Proactive use of the media and linking in with the 24 constabulary's marketing activities is a great way to 25 inform the communities we serve and help them to Page 54</p> | <p>1 a media strategy and in there is identified a media 2 spokesperson, and normally, that is the senior 3 investigating officer, although there will be some 4 incidents where it's delegated.</p> <p>5 Q. Paragraph 1.5:</p> <p>6 "Anyone who provides information to the media should 7 update press office ..."</p> <p>8 LORD JUSTICE LEVESON: We'd just better slow down a bit. 9 We're going a bit quickly.</p> <p>10 MS BOON: "Anyone who provides information to the media 11 should update press office as to their actions and 12 what's been released wherever possible."</p> <p>13 I asked you before whether you would expect every 14 officer to contact you after contact with the media. 15 This would suggest that they should. Is that 16 a tolerated practice?</p> <p>17 MS SHEARER: No, not at all. I think you're taking the -- 18 it's very much at the letter there. Actually, in 19 practice, that isn't what happens. Everybody 20 understands if they're speaking to the media, if it's 21 a serious incident, then yes, it does come back through 22 press office, but low level, they're fully empowered to 23 do it, and I think, yes, on reading that paragraph, it 24 does sound slightly draconian, but that isn't what 25 happens in practice. Page 56</p> |

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| <p>1 Q. Over the page, one more paragraph that I wanted to take 2 you to. 1.9: 3 "We expect all officers and staff to maintain 4 professionalism, both inside and outside work. There's 5 a need for us to maintain professional working 6 relationships with the media. However, when officers or 7 staff do enter into personal relationships with anyone 8 who is part of a media organisation, it is expected that 9 work matters are not discussed outside work. Off the 10 record comments are not permitted. The constabulary 11 will not tolerate any police officer, police staff and 12 special constable who improperly discloses information 13 or intelligence (either deliberately or recklessly) to 14 the media." 15 So there's the prohibition that I referred to before 16 on off-the-record comments. Do you define or is it part 17 of training to explain to officers what it is they can't 18 do? The reason I ask is there is this misunderstanding 19 about what "off the record" actually means. Are you 20 clear that officers understand that? 21 MS SHEARER: There is training in place. All officers and 22 also police staff -- because what we have to remember, 23 particularly for us, our PCSOs, are an integral part of 24 talking to the media. So all officers and staff do 25 receive media training when they come in, and that's</p> <p style="text-align: center;">Page 57</p> | <p>1 your witness statement, you say as part of the induction 2 process, you speak to members of your staff. So you 3 give guidance as to what's appropriate contact, and you 4 define "appropriate contact" as having a business reason 5 to speak to the media about an incident in line with the 6 ACPO communication advisory group guidelines and your 7 own media management policy. That's how you're focusing 8 the mind of your staff, that they have that as a line in 9 their mind to follow? 10 MS SHEARER: Yes. 11 Q. I'd like to now ask you about the media operation that 12 followed the tragic shootings in June 2010. Ms Shearer, 13 you were appointed media coordinator and strategic lead 14 for the media and communications response to the 15 emergency. We have a statement from Mr Iain Goulding, 16 who was the senior investigating officer, whose 17 statement will be read in today. He said that all 18 police contact and communications with the media were 19 directed and controlled by your team. What in practice 20 did this involve for you? 21 MS SHEARER: It involved an immense number of calls coming 22 into our press office. Our press office normally takes 23 between 30 and 50 calls on a daily basis. I think it 24 was somewhere in the region of 300 to 500, depending on 25 the day, during that time. We had to bring in extra</p> <p style="text-align: center;">Page 59</p> |
| <p>1 sort of to set the context, and that's supported right 2 the way through. We do media training right the way 3 through the organisation up to chief officer level. So 4 that gives everybody a level platform of what is 5 expected for them. 6 Also, in light of obviously this Inquiry, the Filkin 7 report and the HMIC, we will be looking back at the 8 policy and having a look and actually clearing up some 9 of the ambiguity around "off the record" and things like 10 that. That's one of my actions, after I leave here 11 today, to do. 12 Q. Mr Mackey, you said that the constabulary has invested 13 in a significant media training policy for all officers, 14 including the chief officer's team. Will that comprise 15 input on how to maintain appropriate relationships? 16 MR MACKEY: I don't remember, honestly, in terms of that -- 17 in terms of the level of detail around that, but the 18 training was much more about working with the media, how 19 to work with the media, and it went all the way through 20 to -- Cumbria, as part of the selection for chief 21 officers, used media interviews as part of the selection 22 process. So given the relatively small size of the 23 organisation and the limited spans of command that were 24 there, everyone was involved in it. 25 Q. Ms Shearer, when you're dealing with the training in</p> <p style="text-align: center;">Page 58</p> | <p>1 staff to be able to do it and it's something that we 2 practice for during exercise and we regularly test out. 3 So we're bringing other staff from the organisation to 4 support our press office. But it is incredibly 5 difficult to deal with that number of calls coming in, 6 just in regard to the scale and the volume, when you do 7 have a small press office. 8 Q. We've heard from Ms Pickles about a request from the 9 Crime Reporters Association. Is that something you can 10 help the Inquiry with? 11 MS SHEARER: Yes, it is. 12 Q. Did you receive that request yourself? 13 MS SHEARER: The request originally came in from one of my 14 press offices who was posted out on the second day, and 15 we discussed it and they returned to the Crime Reporters 16 Association to say no, we weren't going to engage with 17 them in an off-the-record discussions. That came back 18 in on the third day, and it came back into myself there. 19 I think it goes back slightly during 2009. During 20 the floodings in West Cumbria, which again was a major 21 incident, Ms Pickles' editor at the end, Neil 22 Hodgkinson, was very vocal and very critical of us, 23 saying that we gave preference to the national media. 24 We didn't, and that was felt quite difficult for my 25 team, because we really did not.</p> <p style="text-align: center;">Page 60</p> |

15 (Pages 57 to 60)

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| <p>1 When I received the request from the Crime Reporters 2 Association, we took an informed view in regard to it 3 and I also spoke to Mr Mackey about what our decision 4 was going to be. What I did do -- we'd already told the 5 Crime Reporters Association no -- is go back to the 6 editor and basically say, "We're not going to do this, 7 but if we were going to consider doing it, would you 8 want to be part of it?" and to which he said, 9 "Absolutely. We should not be left out. If you are 10 speaking to the nationals on the off-the-record 11 basis..." which we don't do anyway, he would want to be 12 part of it. 13 Q. Ms Pickles then referred to a subsequent meeting about 14 how the inquests would play out, I think, and 15 Lord Justice Leveson asked whether that was a briefing 16 that was given to members of the national media. Can 17 you help with that? 18 MS SHEARER: Yes, I can. I think you have to understand in 19 Cumbria the local media has a really unique role. They 20 do a lot of reporting around crime, and actually the 21 people of Cumbria read their newspapers and believe the 22 newspapers. It was felt we were aware that a number of 23 the families in the inquest -- that some of the 24 information going into the public domain was the first 25 time it had been in the public domain and they were very</p> <p style="text-align: center;">Page 61</p> | <p>1 liaison officers, supported the families. It was an 2 immensely difficult time for them. 3 Q. When you refer to the media -- 4 LORD JUSTICE LEVESON: Hang on, can I understand that? Some 5 people were being approached by the press before they'd 6 been told by the police that their next of kin had been 7 involved? 8 MS SHEARER: Yes, that's correct. 9 LORD JUSTICE LEVESON: Did you ever get to the bottom of how 10 that was, how that came to be? 11 MS SHEARER: The really difficult thing for us, through all 12 of this in regard to trying to represent the families -- 13 and I think if you put yourself in that position when 14 they're contacted by a member of the media -- whilst for 15 us it might seem logical to ask them what organisation 16 they're from and what their name is, the families just 17 did not have that, so when we spoke to the families, 18 they would sort of say "a member of the press", but they 19 weren't able to identify to us who that member was. 20 LORD JUSTICE LEVESON: No, I wasn't so much trying to 21 identify which member of the press it was. I'm just 22 wondering how it all happened in the first place. 23 MS SHEARER: Oh right. 24 MR MACKEY: If I may assist, sir, some of it was around -- 25 this wasn't the first critical incident that had</p> <p style="text-align: center;">Page 63</p> |
| <p>1 uncomfortable around it, and we took the decision 2 because really we felt the only newspapers that would 3 cover it in that detail and prove to be right was the 4 local papers, and because of that basis, we went and we 5 spoke to them to let them know some the concerns that 6 the families had told us through our family liaison 7 officers. 8 We also spoke to them in regard to -- it was the 9 first time we'd had an inquest of that size in the 10 county -- to brief them in regard to what we were doing 11 around supporting them, what information would be 12 released at what stage. So it was just a background 13 information, but basically on behalf of the families, 14 about the importance of their reporting and the impact 15 that it had on the community. 16 Q. You set out in your statement that the main issues you 17 encountered related to what you describe as immense 18 pressure that the families of the victims experienced 19 from reporters. Could you talk us through those issues 20 and the actions that you took to address the 21 difficulties? 22 MS SHEARER: Absolutely. The families were just completely 23 and utterly overwhelmed in regard to the media contact. 24 Some of the media contact had happened before we had 25 been able to inform them, so we, through our family</p> <p style="text-align: center;">Page 62</p> | <p>1 happened in that part of the county and there was 2 actually a funeral that day that this happened. So the 3 national media were already there. So rolling news 4 programmes are taking footage of a scene, particularly 5 one of the first scenes outside the taxi rank, where 6 there is a body covered and members of the family could 7 identify who it was from that. 8 LORD JUSTICE LEVESON: Oh, I see. 9 MR MACKEY: So these are very small communities where if you 10 say -- and I won't -- to spare the families, some of the 11 locations -- but some of the small villages, there 12 aren't many people in them and when two people have been 13 killed in that village, it gets out very, very quickly, 14 goes around, and some of the families I know, from the 15 feedback they gave, found that particularly harrowing 16 and still talk about that. 17 LORD JUSTICE LEVESON: Yes, I can understand that. 18 MS BOON: Were there notable differences between the 19 behaviour of the national media on the one hand and the 20 local media on the other? 21 MS SHEARER: Yes, there was. The local media -- you will 22 see a number of occasions that we had to put out 23 instructions on all the media. The local media adhered 24 to those, whereas the national media didn't. 25 Q. What about, from your perspective, dealing with the</p> <p style="text-align: center;">Page 64</p> |

16 (Pages 61 to 64)

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| <p>1 national media? How did you find them?</p> <p>2 MS SHEARER: I think we found at times -- and particularly</p> <p>3 my team found them very aggressive towards us. They</p> <p>4 found them very difficult to please, and it means that,</p> <p>5 you know, once you came back to them with some answers,</p> <p>6 that wasn't sufficient, there were other answers, and at</p> <p>7 times, when they were dealing with them at press</p> <p>8 conferences, they found that they were put into very</p> <p>9 difficult situations where they had 20 journalists sort</p> <p>10 of shouting and requesting at them, and they did find</p> <p>11 that difficult.</p> <p>12 Q. You referred in an earlier answer to instructions to the</p> <p>13 press. I think one of them might be -- I might be able</p> <p>14 to take you to it. Tab 24, three pages in. Page 09737.</p> <p>15 Do you have that? It's entitled "Press note issued at</p> <p>16 1.48 pm". There's a paragraph headed:</p> <p>17 "Impact on the families. We've had a number of</p> <p>18 complaints from grieving families that they're feeling</p> <p>19 harassed by the press, who are positioning themselves</p> <p>20 outside their homes. I would urge all reporters and</p> <p>21 camera operators to respect the families' wishes for</p> <p>22 privacy at this very difficult time. Please be aware</p> <p>23 that the matter has also been raised with the Press</p> <p>24 Complaints Commission."</p> <p>25 That's the afternoon of the day after the shootings?</p> <p style="text-align: center;">Page 65</p> | <p>1 that effect?</p> <p>2 MS SHEARER: Yes.</p> <p>3 LORD JUSTICE LEVESON: Could you do me the courtesy of</p> <p>4 sending the Inquiry copies?</p> <p>5 MS SHEARER: Yes, of course.</p> <p>6 LORD JUSTICE LEVESON: Thank you.</p> <p>7 MS BOON: I asked you whether members of the press honoured</p> <p>8 that particular instruction and you said yes. Was that</p> <p>9 all of the press or certain sections, certain titles?</p> <p>10 MS SHEARER: Again, it was a split between local and</p> <p>11 nationals. The locals did honour it and the</p> <p>12 nationals -- from our understanding, because, forgive</p> <p>13 me, you're working on anecdotal evidence from the</p> <p>14 families -- didn't, and particularly our families</p> <p>15 recognised the television crews. The majority of them</p> <p>16 do have signage on their vans and they were able to tell</p> <p>17 us from that the crews that were still filming them,</p> <p>18 going in and out --</p> <p>19 LORD JUSTICE LEVESON: That's television?</p> <p>20 MS SHEARER: Yes, it is. It was a mixture. I use</p> <p>21 television because it was easy to identify them, but it</p> <p>22 didn't matter whether it was television or print</p> <p>23 newspapers. They still remained outside the properties.</p> <p>24 MS BOON: In fact, there were other instructions in these</p> <p>25 press notices which I won't ask to be displayed because</p> <p style="text-align: center;">Page 67</p> |
| <p>1 MS SHEARER: That's right.</p> <p>2 Q. First of all, you're responding to complaints from the</p> <p>3 families. Was this one of the instructions to which you</p> <p>4 were referring before?</p> <p>5 MS SHEARER: Yes.</p> <p>6 Q. Was this instruction honoured by members of the press?</p> <p>7 MS SHEARER: No, it wasn't.</p> <p>8 LORD JUSTICE LEVESON: What response did you get from the</p> <p>9 Press Complaints Commission?</p> <p>10 MS SHEARER: At that time, no response. The Press</p> <p>11 Complaints Commission were in contact with us, and the</p> <p>12 Press Complaints Commission were asking us that we ask</p> <p>13 people to ring them with issues --</p> <p>14 LORD JUSTICE LEVESON: Who? Who should be ringing the PCC</p> <p>15 with issues?</p> <p>16 MS SHEARER: The families.</p> <p>17 LORD JUSTICE LEVESON: The families?</p> <p>18 MS SHEARER: And again, that was a very difficult</p> <p>19 instruction when you're asking family members at that</p> <p>20 time -- and again, it goes back to --</p> <p>21 LORD JUSTICE LEVESON: Is this evidenced? Do you have any</p> <p>22 paper about this? Did you get a letter or anything from</p> <p>23 the PCC?</p> <p>24 MS SHEARER: No; emails.</p> <p>25 LORD JUSTICE LEVESON: You have some emails from the PCC to</p> <p style="text-align: center;">Page 66</p> | <p>1 they contain the names of the individuals and they may</p> <p>2 not want the publicity again, but there were</p> <p>3 instructions --</p> <p>4 LORD JUSTICE LEVESON: Tell me the page.</p> <p>5 MS BOON: Yes. Tab 24, sir, page 09756.</p> <p>6 LORD JUSTICE LEVESON: 09756.</p> <p>7 MS BOON: Yes.</p> <p>8 LORD JUSTICE LEVESON: These are delightfully not in order.</p> <p>9 MS BOON: I'm afraid not. It does make things more</p> <p>10 difficult, sir.</p> <p>11 LORD JUSTICE LEVESON: What's the point of numbering these</p> <p>12 documents if you're not going to put them in the right</p> <p>13 order?</p> <p>14 MS BOON: Sir, it's the third page from the back of tab 24.</p> <p>15 LORD JUSTICE LEVESON: I see. All right.</p> <p>16 MS BOON: It's the bottom operational note from Cumbria</p> <p>17 police press office. The paragraph below, sir:</p> <p>18 "The families of ..."</p> <p>19 LORD JUSTICE LEVESON: Yes. It names four people most have</p> <p>20 provided photographs and are urging all media to use</p> <p>21 these particular photographs instead of any others they</p> <p>22 may have acquired from other sources.</p> <p>23 MS BOON: Yes.</p> <p>24 LORD JUSTICE LEVESON: How did they get these? Do we know?</p> <p>25 MS SHEARER: We don't know how they got the original photos</p> <p style="text-align: center;">Page 68</p> |

17 (Pages 65 to 68)

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| <p>1 that they were running with. The families hadn't 2 released them. The families came to us with the photos 3 that they wanted their nearest and dearest to be 4 remembered by, and we had already circulated them, and 5 that wasn't being -- and that causes incredible 6 difficulties for -- upset for the families, hence we 7 reissued.</p> <p>8 MS BOON: Yes, the following day you make the same request. 9 MS SHEARER: That's right.</p> <p>10 Q. After you asked the second time, were the families' 11 wishes honoured?</p> <p>12 MS SHEARER: No. Some were, but there were still some 13 instances where no, it wasn't, and in actual fact, my 14 team then took to ring those individuals, newspapers and 15 journalists, to ask them please to use the correct 16 photos.</p> <p>17 Q. Did that help?</p> <p>18 MS SHEARER: It did help, yes, it did.</p> <p>19 Q. Were there any other instances like that, where, during 20 that operation, you asked the press not to do something 21 and they didn't honour the wishes of the family or 22 grieving relatives?</p> <p>23 MS SHEARER: I can't remember. It was very difficult and 24 that the families were forced into the public eye 25 through no choice of their own. .</p> <p style="text-align: center;">Page 69</p> | <p>1 and communities of West Cumbria, once the incident was 2 resolved, and we had the whole gambit of approaches to 3 individuals, very, very widespread talk about money 4 being available for certain photographs in the 5 community, and all the challenges that that brought with 6 a community that was in a state of shock and grief.</p> <p>7 It's fair to say that by the time we got through to 8 the inquest, the vast majority of the media, both 9 national and local, once they actually heard the scale 10 of what had gone on and heard the some of the details, 11 behaved with great respect during that process, and 12 I would highlight the approach of the media differently 13 during the first anniversary, where a number of the TV 14 events actually made the point at the start of: "We are 15 not filming in the town of Whitehaven. We're filming 16 outside today to respect the wishes of the local 17 community."</p> <p>18 Q. Were the experiences of the force any better when 19 Cumbria experienced the floods the year before?</p> <p>20 LORD JUSTICE LEVESON: Before you go to the floods, that is 21 the TV. I have a wide enough remit as it is, without 22 going into television behaviour.</p> <p>23 MR MACKEY: Yes, sir.</p> <p>24 LORD JUSTICE LEVESON: I'd be very interested to know about 25 the conduct of the rest of the media.</p> <p style="text-align: center;">Page 71</p> |
| <p>1 Q. Mr Mackey, you gave a briefing to the press the 2 following day?</p> <p>3 MR MACKEY: Yes, that's correct.</p> <p>4 Q. Is there anything that you want to add to your 5 experience of the local media or the national media 6 during this operation?</p> <p>7 MR MACKEY: I think a number of things, if I may.</p> <p>8 Q. Yes.</p> <p>9 MR MACKEY: First of all, it's an understanding and 10 appreciation of the scale of the media that arrive 11 nowadays in relation to an incident of this magnitude 12 and this complexity, and the challenges that brings. 13 But I think, as Gill's covered, it's also the 14 overwhelming feelings of the local community and the 15 families is one of anger and dismay at the way they were 16 perceived, they were treated, and at the long-term 17 presence of the media during this incident.</p> <p>18 I think if I could sort of characterise the media 19 involvement in a cycle around this. During the stage 20 when this incident was live, when Derek Bird was on his 21 rampage across West Cumbria, we used the media a lot and 22 you'll see the warning and informing notices going out, 23 asking people to stay away, and the local media and many 24 of the national media were very good in terms of that.</p> <p>25 It was then incredibly difficult for the families</p> <p style="text-align: center;">Page 70</p> | <p>1 MR MACKEY: I think -- as you've heard, I would characterise 2 that sort of relationship and cycle for all of the media 3 at a national level. So the print media, during the end 4 of the incident and the time they remained predominantly 5 in Whitehaven, which became the centre of this, that's 6 when we had the challenges with approaches to families, 7 we had allegations about offers of money and you name 8 it. The allegations came in in terms of the sort of 9 approach and style.</p> <p>10 I think, as I say, the overwhelming feel of the 11 communities -- and I can't speak on behalf of the 12 communities, but certainly the people I spoke to and 13 elected leaders and local members of the Church, was 14 just this anger and dismay at the way both the 15 communities had been portrayed and more particularly the 16 families and those involved in this incident had been 17 treated.</p> <p>18 MS BOON: I was going to ask if there is any contrast to be 19 drawn between the reporting then and the reporting 20 before of the floods.</p> <p>21 MR MACKEY: I think the reporting of the floods was 22 overwhelmingly really good in terms of the way it was 23 reported. In many ways, some members of the national 24 media understood very quickly -- because they were out 25 on the ground in West Cumbria, ie out and about --</p> <p style="text-align: center;">Page 72</p> |

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| <p>1 understood the impact of what had taken place, 2 particularly in relation to the damage to the 3 infrastructure and the tragic loss of our friend and 4 colleague, Bill Barker, and it was reported well, it was 5 balanced, there was an awful lot of work around what had 6 gone on, and was very much a feeling in the county that 7 we were all keen, across the county, not to get Cumbria 8 forgotten, that this tragic event didn't just happen in 9 2009 and everybody sort of disappear off and then the 10 county struggle to get back on its feet again with what 11 was substantial damage and dislocation of communities. 12 Q. Ms Shearer, during that time, did you experience 13 the level of aggression that you experienced? 14 MS SHEARER: No, we didn't, and I think the really important 15 thing for us was we were able to work really well with 16 the media, because they had an important role to play in 17 warning and informing. Because as you can imagine, sort 18 of the rain fell in the central Lake District and it 19 took a couple of days to come out into Worthington and 20 that area. So it was a really moving scene and the 21 media were incredibly supportive in helping us 22 delivering the warning and informing messages on an 23 hourly basis. 24 Q. Mr Mackey, just returning briefly to June 2010 and that 25 investigation and operation. You mention in your Page 73</p> | <p>1 They hadn't done it with an aim, but they'd just been 2 having a conversation and they hadn't realise what had 3 they were saying was going to be reported and it was 4 just purely down to naivety. 5 Q. I wasn't sure if you wanted to add something, Mr Mackey. 6 Your body languages suggested you might want to? 7 MR MACKEY: No, I -- now Gill reminds me of the case, 8 I remember it well in terms of the circumstances around 9 it. We were very strong as an organisation in terms of 10 trying to follow up media leaks, and I think it was 11 indicative that a colleague had felt sufficiently moved 12 to phone the confidential reporting line. So someone 13 had clearly felt that what was done was wrong and it 14 called it in. Thankfully, that was part of the culture 15 of Cumbria Constabulary and the people that work for it. 16 Q. That takes us neatly to the question of leaks. You 17 identify, Mr Mackey, that there were, since 1 December 18 2007, 11 suspected leaks to the media which warranted 19 investigation. If you want to refer to your statement, 20 it's paragraph 29, page 02279. 21 MR MACKEY: Yes, thank you. 22 Q. None of those were criminal investigations; is that 23 right? 24 MR MACKEY: No, they were police discipline investigations. 25 There was no criminal intent in relation to those Page 75</p> |
| <p>1 statement that there was an unauthorised disclosure from 2 a police officer and there was a report in the North 3 West Evening Mail. Could you tell us about what 4 happened then? 5 MR MACKEY: I don't remember the exactly detail. Gill, do 6 you remember -- is that acceptable, sorry? 7 Q. Yes. 8 MS SHEARER: Basically we obviously did media monitoring and 9 my team picked up the article in North West Evening 10 Mail. There was detail in there that hadn't been 11 released. We made a referral to our professional 12 standards department, but they had all -- we already 13 operate a confidential reporting line, and somebody who 14 had worked alongside the officer had contacted that 15 confidential reporting line. 16 So we put the two together, we were able to very 17 quickly identify the officer and we spoke to -- they 18 were spoken to on behalf of the organisation and given 19 advice about what they'd done. 20 Q. You say in your statement that the information given was 21 emotive and distressing to some victims' families. 22 MS SHEARER: That's right. 23 Q. In that circumstances, was management advice 24 a proportionate response, do you think? 25 MS SHEARER: Yes, it was, because it was an act of naivety. Page 74</p> | <p>1 incidents. 2 Q. Of the 11 that were investigated, in three the sources 3 were identified, two resulted in management action and 4 one in a warning from a superintendent. Again, 5 Mr Mackey, those are quite low-level outcomes. Can you 6 assist with the detail? 7 MR MACKEY: I can only remember in relation to one. I don't 8 know whether you can remember in relation to the other 9 two, Gill? 10 MS SHEARER: Yes. Superintendent's warning given. 11 An officer disclosed to a reporter that the Chief 12 Constable had not forwarded the police minister's 13 Christmas message was one. Management advice given, as 14 we've just talked about, and management action where 15 a PC sent to a local paper directing them to an article 16 from another publication that refers to a sex offender, 17 giving the offender's name. 18 MR MACKEY: So relatively, in the scheme of things -- and 19 a superintendent's warning at that time was a discipline 20 outcome in terms of the process. 21 Q. Yes, and I think, Mr Mackey, you say in your statement 22 that there was no evidence to suggest that there was any 23 form of inducement to provide the information, whether 24 financial or otherwise? 25 MR MACKEY: No. Page 76</p> |

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| <p>1 MR GARNHAM: Sir, sorry to interrupt, I think an error -- 2 I'm looking at paragraph 29 of Mr Mackey's statement. 3 The period he's describing is from 1 December 2007, not 4 2011. 5 MS BOON: Oh, I meant to say 07. 6 MR GARNHAM: And I think it was 11 leaks, not one. 7 LORD JUSTICE LEVESON: Thank you, Mr Garnham. 8 MS BOON: Mr Mackey, perhaps we can take this section as 9 read. You set out the systems in place for detecting 10 and preventing leaks and the auditing of the same. 11 Ms Shearer, in 2006, there was a restructuring of 12 the press office. You refer to in a new measure being 13 brought in to challenge articles that included 14 information from a police source. Why did you do this? 15 MS SHEARER: When I joined the constabulary, we didn't have 16 any policies or procedures around how we dealt with our 17 media, and our chief officers at the time were really 18 uncomfortable about this, so we brought the policies and 19 procedures in but we still had an issue around people 20 speaking and not giving their name to the media. 21 So what we did was when we had a particularly 22 high-profile case, we put media strategies in place 23 which have a delegated spokesperson to the media, and 24 then what we did after that is just challenge. So when 25 an article went out -- my team were responsible for</p> <p style="text-align: center;">Page 77</p> | <p>1 a huge help to us around investigations, and -- I used 2 an example of a missing person who was obviously from 3 Cumbria, who we then thought had come to London and we 4 were able to use retweets and we have a monitoring 5 system and we were able to sort of constantly be 6 reaching 20/40,000 of people at the same time. 7 So for that, for us, for a communication tool, it is 8 really beneficial. But it is an exciting time, it's not 9 without its challenges, and I think for us, as a police 10 service -- we're normally quite hesitant of taking on 11 new forms of communication, and for us, as a force, our 12 ability to embrace Twitter is really outstanding, and 13 something that, you know, it would take a long time, if 14 it were something different, for my team to create that 15 same enthusiasm. 16 Q. Mr Mackey, you've been nodding as Ms Shearer's been 17 speaking. Is the use of social media something you 18 would embrace for communicating with the communities? 19 MR MACKEY: Yes. It's a direct means of communication. 20 It's very quick, instantaneous. As Gill says, it 21 doesn't come without risks. It would be fair to say if 22 I was doing an assessment of where I am now to where 23 I was last year, Cumbria's probably a bigger user of 24 social media than the Metropolitan Police, even given 25 the size of the two organisation. It embraced Twitter,</p> <p style="text-align: center;">Page 79</p> |
| <p>1 media monitoring -- we would pick it up and have a look 2 and when it was unattributed, we would go back through 3 to the SIO and say, "Right, who's had access to this 4 information?" and just have a look at it. 5 So it was done very informally. It was just a very 6 mild challenge, and that then enabled us to make sure 7 that we didn't have any unattributed quotes and people 8 did actually make them attributed. 9 Q. Has that label "police source" now disappeared from the 10 local media? 11 MS SHEARER: Absolutely. 12 Q. You heard Ms Pickles and Mr Griffiths give their view on 13 the use of Twitter by the organisation. Is there 14 anything you wanted to say in response to the concerns 15 they've raised? 16 MS SHEARER: I think social media is an exciting time for 17 the way that we communicate -- 18 LORD JUSTICE LEVESON: It's not quite how she described it. 19 MS SHEARER: No, and it comes with an opportunity, and 20 I think we are all finding our feet around what social 21 media will look like, and I picked up their comments 22 today, which weren't new to me, and we are trying to put 23 something behind when they talk about officers putting 24 tweets out, so that we can put the two together. But 25 there are some times where social media actually has</p> <p style="text-align: center;">Page 78</p> | <p>1 Facebook, Bebo, all the social media far earlier than 2 most others, and it also has some real practical 3 examples. 4 I'd go back to the 2009 flooding where the 5 intelligence cell actually found a lot of people who had 6 been evacuated by Facebook status and followed things up 7 in a way that previously we'd have got in a car and gone 8 off and done things. 9 It also brings an immediacy to it in terms of last 10 Christmas' drink drive operation, information going 11 straight out on Twitter in terms of what we were doing, 12 where we were. It brings an immediacy and an 13 accountability in terms of what's going on. It's not 14 ideal, the limitation on characteristics, and it's not 15 without its challenges in terms of people going beyond 16 how they should in terms of their interaction, but as 17 a general principle, it's here to stay and I think we 18 have to embrace it. 19 Q. Returning, if I may briefly, to June 2010, when you were 20 experiencing the difficulties with journalists and 21 camera operators refusing to leave the families' door 22 steps, did you also consider reporting the matter to 23 Ofcom? 24 MS SHEARER: We didn't at that time, no. No, we didn't. 25 Q. Was there a reason why you didn't?</p> <p style="text-align: center;">Page 80</p> |

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| <p>1 MS SHEARER: No. The difficulty was about getting the 2 specifics. If we could, you know, say, "It was this 3 crew here" -- it was very difficult.</p> <p>4 LORD JUSTICE LEVESON: But you could be able to say it's the 5 BBC, and Ofcom could deal with television.</p> <p>6 MS SHEARER: Yes.</p> <p>7 LORD JUSTICE LEVESON: Or not. I'm not seeking 8 unnecessarily to castigate the BBC or whoever it was.</p> <p>9 MS BOON: Perhaps before I ask you about the future, 10 Mr Shearer, if I ask you about an example you give of 11 very responsible and trustworthy conduct on behalf of 12 members of the press, an example you give of a local 13 journalist finding some information which he or she 14 identified might be relevant to an investigation and the 15 publication of that information might prejudice an 16 investigation, and they got in contact with you. Is 17 that right? Do you want to give any more colour to 18 that example?</p> <p>19 MS SHEARER: I don't at this moment because it's still 20 active --</p> <p>21 LORD JUSTICE LEVESON: Thank you, yes. Move on.</p> <p>22 MS BOON: I will move on. I certainly don't want to 23 prejudice an investigation. We've obviously dealt with 24 conduct that's concerned you, but there's been conduct 25 that supports your trust in the media as well that</p> <p style="text-align: center;">Page 81</p> | <p>1 LORD JUSTICE LEVESON: Do they have to tell you about that 2 if they do?</p> <p>3 MS SHEARER: No. No. I think, again, when you're dealing 4 with higher level strategic issues, they should come 5 through the press office, but certainly if you're 6 dealing with low-level issues, then they are empowered 7 to talk to the media and they are a very good advocate 8 of talking to media.</p> <p>9 LORD JUSTICE LEVESON: That's not quite my question. You 10 don't need to know that people are talking to the press?</p> <p>11 MS SHEARER: No, you don't.</p> <p>12 LORD JUSTICE LEVESON: So you don't require them to at least 13 keep a note that they have, so that if it ever did come 14 about, you could ask the question: "Why is this person 15 always talking to that reporter?" That's not something 16 that you've been concerned with?</p> <p>17 MS SHEARER: I think we need to -- I've just come back from 18 an extended period of leave and it is something that we 19 need to look at. It is part of the work that I will 20 pick up after today to have a look at and review.</p> <p>21 Do I think it's healthy to ask officers to write 22 a little note in a notebook? I think that probably is 23 a good idea, and quite reasonably easy to do for them, 24 so that there is a note there. But are we looking at 25 draconian forms to fill in? That wouldn't be in my --</p> <p style="text-align: center;">Page 83</p> |
| <p>1 you've referred to in your statement.</p> <p>2 MS SHEARER: That's absolutely right.</p> <p>3 LORD JUSTICE LEVESON: I think for the future, when you're 4 going to -- we need to split these two witnesses up.</p> <p>5 MS BOON: Yes.</p> <p>6 LORD JUSTICE LEVESON: Because, Ms Shearer, I'm interested 7 in your view of what I was told by Ms Pickles about the 8 relationship between the press and the police up in 9 Cumbria. Mr Mackey has quite different issues to 10 address.</p> <p>11 She was very comfortable about the nature of the 12 relationship, and, well, you've heard her evidence. Do 13 you want to add anything to that?</p> <p>14 MS SHEARER: No, I think I would just support what 15 Ms Pickles said. We do have a good working 16 relationship. There are times when there were tensions, 17 frustrations, and I think you heard Mr Griffiths talk 18 about deadlines, but that's healthy. But generally, on 19 the whole, do the News & Star and Cumbria News Group 20 hold Cumbria police to account? Yes, they do.</p> <p>21 LORD JUSTICE LEVESON: Do I gather there is an 22 encouragement, from what you're saying, that individual 23 officers should engage with the media and deal with 24 them?</p> <p>25 MS SHEARER: Absolutely.</p> <p style="text-align: center;">Page 82</p> | <p>1 LORD JUSTICE LEVESON: Well, it wouldn't be in mine either. 2 Did you want to ask anything more?</p> <p>3 MS BOON: There's one more thing I wanted to ask Ms Shearer, 4 and that's arising from paragraph 23.2 of your 5 statement. That's at page 09692:</p> <p>6 "I had previously thought that the acceptance of 7 hospitality should be at an individual's discretion and 8 judgment but in line with our force policy. However, 9 given the recent developments, I will be making 10 recommendations to the constabulary that police 11 personnel do not accept any hospitality from the media 12 and all declines are reported to the press office."</p> <p>13 Do you remain of that view now, that no hospitality 14 whatsoever should be accepted?</p> <p>15 MS SHEARER: No, I don't. I think it's very much down to 16 what I'll be looking back at our policies to make 17 sure -- I think as we heard Mr Griffiths describe, when 18 he goes to a police station in the morning to accept 19 a cup of tea is acceptable, but I'll be making sure that 20 it's guidelines around there, that it gives our officers 21 an understanding of what is acceptable and what isn't 22 acceptable. So certainly, you know, I perceive it being 23 a good way of Mr Griffiths talking to his local officers 24 and would encourage that, but obviously it would be very 25 clear around what the boundaries are and what the</p> <p style="text-align: center;">Page 84</p> |

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| <p>1 principles are.</p> <p>2 LORD JUSTICE LEVESON: It seems to me there is a real</p> <p>3 difference between doing that on the one hand, or</p> <p>4 perhaps a police officer who a reporter has worked with</p> <p>5 for years saying, "I'm retiring -- come and have a drink</p> <p>6 with me on my retirement", to routine meetings in the</p> <p>7 pub chatting about the work of the day or the week or</p> <p>8 the month. They seem to be quite different. Would you</p> <p>9 agree?</p> <p>10 MS SHEARER: Absolutely.</p> <p>11 MS BOON: Sir, that's all I had for Ms Shearer.</p> <p>12 LORD JUSTICE LEVESON: Thank you very much.</p> <p>13 MS BOON: Mr Mackey, in your present role as Deputy</p> <p>14 Commissioner, we've already heard that it's your role to</p> <p>15 review the recommendations of the HMIC report and the</p> <p>16 Elizabeth Filkin report.</p> <p>17 MR MACKEY: Yes.</p> <p>18 Q. And then to report to the management board.</p> <p>19 MR MACKEY: Yes.</p> <p>20 Q. Can you give us any information about the progress of</p> <p>21 that review and any provisional findings that you may</p> <p>22 have made or your thinking at this time?</p> <p>23 MR MACKEY: Yes, thank you. A number of things have been</p> <p>24 put in place since my arrival nine weeks ago in terms of</p> <p>25 work around new interim media guidelines, and they're</p> <p style="text-align: center;">Page 85</p> | <p>1 We very much see this as interim guidelines. We're</p> <p>2 clearly mindful of anything that should come from the</p> <p>3 Inquiry or from elsewhere in terms of the work to do</p> <p>4 that, but it's actually an interim position that allows</p> <p>5 us to move forward in terms of both the relationships at</p> <p>6 a management board level and throughout the Metropolitan</p> <p>7 Police with the media.</p> <p>8 In relation to issues about reporting and recording,</p> <p>9 we are recommending that a note is made of it, and it's</p> <p>10 a note about the fact that the meeting took place, not,</p> <p>11 as sometimes has been believed, some sort of verbatim</p> <p>12 transcript, and we're suggesting additionally -- we're</p> <p>13 just looking at the feasibility of being able to do</p> <p>14 this -- for management board members, so that's the key</p> <p>15 members of the Metropolitan Police, that we make that</p> <p>16 available on the Internet, so there is a transparency</p> <p>17 and a visibility of the contact we're having with the</p> <p>18 media.</p> <p>19 So that's what we've done at this stage.</p> <p>20 Q. In terms of noting contacts with members of the media,</p> <p>21 it's just the fact of the contact?</p> <p>22 MR MACKEY: Yeah, it's the fact of the contact and a general</p> <p>23 point about what was discussed. What we're not asking</p> <p>24 for is a verbatim note. So, for instance: "Craig</p> <p>25 Mackey, Deputy Commissioner, met three editors on this</p> <p style="text-align: center;">Page 87</p> |
| <p>1 currently being consulted on within the Metropolitan</p> <p>2 Police Service and they're due to come to management</p> <p>3 board for sign-off in April. Those are interim</p> <p>4 guidelines. They pick up the recommendations from</p> <p>5 Elizabeth Filkin's report, they also pick up the wider</p> <p>6 work we've been doing with the Association of Chief</p> <p>7 Police Officers around trying to ensure that there is</p> <p>8 one set of media guidelines for policing insofar as it</p> <p>9 is possible to do.</p> <p>10 Done some work around the gifts and hospitality,</p> <p>11 both looking backwards and looking forwards in terms of</p> <p>12 the work around that new policy and the systems that are</p> <p>13 in place around it. We've opened up the world of social</p> <p>14 media and the work around that, so we have a social</p> <p>15 media policy, and talking about how individual boroughs</p> <p>16 and individual teams are putting information out into</p> <p>17 the public domain about policing operations across</p> <p>18 London and, some of the challenges of policing across</p> <p>19 London. And we're also going through a restructure of</p> <p>20 the DPA from a scenario of a part of the organisation</p> <p>21 that's predominantly focused on press, press activities,</p> <p>22 into a much wider media and communications that</p> <p>23 recognises the changes that are taking place, both in</p> <p>24 the local media and the national media in terms of what</p> <p>25 we do. So those are in place at the moment.</p> <p style="text-align: center;">Page 86</p> | <p>1 day", or "met a journalist in the outside of the court</p> <p>2 and I discussed X." Done.</p> <p>3 Q. One of the concerns that's been expressed by members of</p> <p>4 the media during this Inquiry has been that at the</p> <p>5 moment there's been something of a -- some have</p> <p>6 described it as a paralysis or a chilling effect. Words</p> <p>7 like that have been used to convey the message that</p> <p>8 officers are feeling that there's something wrong with</p> <p>9 contacting the media, they're less inclined to speak</p> <p>10 directly to members of the media. Is that something</p> <p>11 that you've sought to address in your interim position?</p> <p>12 MR MACKEY: Yes, we have sought to address the interim</p> <p>13 position, and I've also, in meetings with journalists</p> <p>14 and colleagues, had that feedback in terms of this</p> <p>15 perception that somehow the Metropolitan Police has shut</p> <p>16 down. I think, given everything that's going on, there</p> <p>17 was always going to be a rebalancing, and it's easier</p> <p>18 to bring the bar back down than it is to raise the bar</p> <p>19 at a later stage, so I think some of that is almost</p> <p>20 inevitable, given the coverage of what's been going on,</p> <p>21 but we recognise that in terms of the principles that</p> <p>22 we're trying to address in the interim guidelines.</p> <p>23 MS BOON: Thank you, sir. I have nothing further.</p> <p>24 LORD JUSTICE LEVESON: Right. First of all, just going back</p> <p>25 to Cumbria, would you agree with the view, as expressed</p> <p style="text-align: center;">Page 88</p> |

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| <p>1 by Ms Pickles and generally, that in relation to the 2 local press their relationship and their involvement in 3 the community is such that there simply is not the sort 4 of problem that has been identified in other contexts 5 with the national press? 6 MR MACKEY: Yes, I would. I don't think there's the 7 currency about media issues in the Cumbrian context that 8 there is in the national context here in London and the 9 opportunities to do anything about it are far less 10 limited in a Cumbria context, so it is a completely 11 different relationship, yes, sir. 12 LORD JUSTICE LEVESON: So you would agree with the 13 endorsement that I gave to Ms Pickles from your 14 perspective as well? 15 MR MACKEY: Yes, sir. 16 LORD JUSTICE LEVESON: You've travelled 250 miles, whatever 17 it is, from Carlisle to London. Have you, in the nine 18 weeks, been able to see either aspects that you 19 recognise from Cumbria -- and I notice the other forces 20 you've been involved in are comparatively small 21 forces -- or do you find it utterly different because of 22 the national dynamic? I'm just interested to get your 23 feedback on this. 24 MR MACKEY: Thank you, sir. It is different but not unique. 25 Real local stories still break in boroughs across</p> <p style="text-align: center;">Page 89</p> | <p>1 the Metropolitan Police Service or anyone else is taking 2 place; it is in relation to a policing context. 3 It's also then being very clear on the values of the 4 organisation. The Commissioner and many others were 5 very clear on the values of the organisation, around 6 transparency and integrity and how we do business. And 7 then also being quite clear for officers and staff that 8 we gather information on a different basis to the media. 9 We also have a duty of confidentiality in relation to 10 the information we gather. A lot of it is gathered for 11 a policing purpose. We share it only when it's right 12 and proper to do so, not just was because it's the right 13 thing to do. 14 I think the other thing that will help that slightly 15 febrile atmosphere is also the expansion of the media 16 beyond some of the traditional forms. I touched on the 17 issues around social media and many of the other ways of 18 communicating information. Because we're absolutely 19 clear we have work to do about the openness and 20 transparency and getting information out to communities 21 in terms of what we do, to secure legitimacy, but it's 22 being really, really clear why we're doing it and what 23 we're doing it for. That's what we're trying to manage. 24 LORD JUSTICE LEVESON: Of course, it might be said that an 25 Assistant Commissioner lunching with an editor is about</p> <p style="text-align: center;">Page 91</p> |
| <p>1 London, are dealt with by local journalists or have 2 a footprint that is perhaps the Standard or LBC or very 3 much a London feel to it. There is then the national 4 dynamic that makes things very different around London, 5 and that's the national media effectively responding as 6 a local media for London, and that does bring 7 a different dynamic in terms of the demands and 8 particularly the level of detail that's required to 9 service that. 10 LORD JUSTICE LEVESON: Have you given thought, in the 11 context of your review, to ways of ensuring what is good 12 within the local context, whether it's up in Carlisle or 13 in Gloucester or in Salisbury or in a London borough, 14 preserving that while, at the same time, addressing that 15 which has clearly caused problems, if the evidence that 16 I've heard is to be accepted, in a rather more febrile 17 atmosphere that may surround national policing and New 18 Scotland Yard? 19 MR MACKEY: Yes, sir, and I think it's about being very 20 clear on going back to some principles. So the first 21 principle very much around: why are you, as an 22 individual, having an interaction with the media? It 23 comes back to the questions earlier on about: it takes 24 place within a policing context. So being very clear, 25 that's why the interaction with me as a senior member of</p> <p style="text-align: center;">Page 90</p> | <p>1 developing relationships and police business. Now, I'm 2 sure a view will be taken about that and Mr Hogan-Howe's 3 said as much, but how is one going to be able to get the 4 understanding out there without creating the perception 5 that there are special relationships that feed back into 6 the Met? 7 MR MACKEY: I think, sir, that is about the transparency, so 8 things like the idea that contact at the senior level at 9 the Metropolitan Police is available for people to see 10 on the Internet, so you can actually see whether an 11 assistant commissioner is having meetings. It's also 12 very much about how we operate as a management board, 13 and I'm sure you've heard the Commissioner talking 14 around that in terms of the professional relationships 15 within the board, the ability to challenge each other 16 and address those issues. It is having those difficult 17 conversations. That's part of being a leader and 18 a manager. 19 LORD JUSTICE LEVESON: Yes. Is there anything else that you 20 feel that it would be helpful to cover in your evidence 21 as regards the work that you're now undertaking in the 22 Met? 23 MR MACKEY: I don't think so. Thank you, sir, I think I've 24 had the opportunity. Thank you very much. 25 LORD JUSTICE LEVESON: Thank you.</p> <p style="text-align: center;">Page 92</p> |

1 MS BOON: Sir, before you rise, may I add that the evidence
2 of senior investigating officer Iain Goulding, who was
3 the SIO in the Derek Bird investigation, is being read
4 in today.
5 LORD JUSTICE LEVESON: Thank you very much indeed.
6 10 o'clock tomorrow.
7 (4.26 pm)
8 (The hearing adjourned until 10 o'clock the following day)
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