

<p>1 Tuesday, 3 April 2012</p> <p>2 (10.00 am)</p> <p>3 LORD JUSTICE LEVESON: Good morning.</p> <p>4 MR JAY: Sir, the first witness today is Lucy Panton,</p> <p>5 please.</p> <p>6 MS LUCY REBECCA PANTON (affirmed)</p> <p>7 Questions by MR JAY</p> <p>8 MR JAY: Your full name, please?</p> <p>9 A. Lucy Rebecca Panton.</p> <p>10 Q. Thank you. You have provided the Inquiry with a witness</p> <p>11 statement dated 26 March, which has been signed by you.</p> <p>12 Is this your formal evidence to the Inquiry?</p> <p>13 A. It is.</p> <p>14 Q. You've made it clear at the start that you've been</p> <p>15 arrested in relation to Operation Elveden and therefore</p> <p>16 no questions will be asked which cover or might cover</p> <p>17 that terrain.</p> <p>18 A. Yes.</p> <p>19 Q. In relation to your career, Ms Panton, you explain that</p> <p>20 you pursued a career in journalism on a local paper.</p> <p>21 You then moved to National News, which is a news agency,</p> <p>22 where you worked as a crime reporter. You joined the</p> <p>23 Sunday People in the year 2000 and then you moved to the</p> <p>24 News of the World in September 2002, where you stayed,</p> <p>25 presumably, until its demise in July of last year; is</p> <p style="text-align: center;">Page 1</p>	<p>1 never in a sort of pub/restaurant setting.</p> <p>2 Q. Thank you. With Sir Paul, the contact was somewhat</p> <p>3 greater; is it fair to say that?</p> <p>4 A. Only marginally.</p> <p>5 Q. You say you went out on just one occasion, one-on-one,</p> <p>6 for a drink with Sir Paul. It's clear from your</p> <p>7 evidence that there was never a meal taken with him; is</p> <p>8 that right?</p> <p>9 A. Yes.</p> <p>10 Q. John Yates, can I ask you when approximately did you</p> <p>11 first meet him? Can you recall?</p> <p>12 A. I can't recall the first time I met him, but I'm</p> <p>13 estimating it would have been about a decade ago when</p> <p>14 I was on the Sunday People, and it would have been at</p> <p>15 briefings at the Yard in a group crime reporter setting.</p> <p>16 Q. So when the lunches were started in 2005 and they took</p> <p>17 place on a rota basis, you presumably attended some of</p> <p>18 those with Mr Yates, did you?</p> <p>19 A. I don't recall attending lunches with Mr Yates until he</p> <p>20 was in the anti-terror role, which is later, so --</p> <p>21 unfortunately, I don't have diaries to hand to check</p> <p>22 these things. I haven't had that many lunches with</p> <p>23 John.</p> <p>24 Q. Or dinners?</p> <p>25 A. Or dinners.</p> <p style="text-align: center;">Page 3</p>
<p>1 that correct?</p> <p>2 A. Yes, Mr Jay.</p> <p>3 Q. Thank you. We asked you some questions first of all</p> <p>4 about the nature and degree of contact with some named</p> <p>5 individuals. The first was Lord Stevens, and this was</p> <p>6 on page 18350. At that stage, if I may say so, you were</p> <p>7 relatively junior; is that correct?</p> <p>8 A. Yes.</p> <p>9 Q. You say your contact with him was minimal. You refer to</p> <p>10 the Crime Reporters Association briefing which took</p> <p>11 place on a monthly basis. At that stage, the lunches</p> <p>12 had not been instituted; is that correct?</p> <p>13 A. With Sir John?</p> <p>14 Q. Yes. The CRA lunches which we've heard reference to,</p> <p>15 I think those didn't start until 2005. So with</p> <p>16 Sir John, the contact was limited to the monthly</p> <p>17 briefings with the CRA, was it?</p> <p>18 A. Yes.</p> <p>19 Q. So was there ever an occasion that you had a meal with</p> <p>20 him or a drink with him, insofar as you can recall?</p> <p>21 A. No.</p> <p>22 Q. And Lord Blair, you say contact was minimal. We can</p> <p>23 pass over him, therefore, to Sir Paul Stephenson.</p> <p>24 A. Sorry, can I just clarify: at the CRA Christmas party</p> <p>25 and his own leaving do, I had drinks with Sir John, but</p> <p style="text-align: center;">Page 2</p>	<p>1 Q. You volunteer this fact: that he was a guest at your</p> <p>2 wedding, from which one can make the obvious deduction</p> <p>3 that you knew him sufficiently well to want to invite</p> <p>4 him. That's obviously right, isn't it?</p> <p>5 A. He was a police officer who was at my wedding, along</p> <p>6 with many other police officers.</p> <p>7 Q. Were these other senior officers?</p> <p>8 A. They were of different ranks.</p> <p>9 Q. May I ask you this: later in your statement, you refer</p> <p>10 to confidential contacts who you don't wish to identify.</p> <p>11 This is under answer 7, our page 18354. Would it be</p> <p>12 fair to say that the officers who attended your wedding</p> <p>13 would fit into that category?</p> <p>14 A. Some of them are friends. It's difficult to refer to</p> <p>15 them as confidential contacts when they are friends.</p> <p>16 However, I wouldn't want to list people. I don't think</p> <p>17 it's fair on them.</p> <p>18 LORD JUSTICE LEVESON: I have no interest in your private</p> <p>19 life, and you are entitled to be friends with whomsoever</p> <p>20 you want to be friends with. But I am obviously</p> <p>21 concerned with the impact on the Metropolitan Police of</p> <p>22 the relationship between journalists and officers of the</p> <p>23 Metropolitan Police, and obviously the closer the</p> <p>24 relationship, the greater the risk or the perception of</p> <p>25 risk. I'm sure you've followed enough of this Inquiry</p> <p style="text-align: center;">Page 4</p>

<p>1 to know what's concerning me. So you're perfectly 2 entitled to invite Mr Yates to your wedding, but what 3 you have described of your relationship with him 4 professionally doesn't seem to me to fit into: "Well, 5 let's have him at the wedding." 6 Now, there may be a very good reason, because there 7 are two people in a wedding, there's a husband as well, 8 and it may be that that's the reason and that's fine, 9 but you can understand why we're asking about the nature 10 of the relationship in order to get to whether it has 11 impacted on matters which concern the Inquiry. 12 A. There were a few people at my wedding who I would class 13 as working friends, who I didn't socialise with outside 14 of work, and Mr Yates falls into that category. 15 I certainly got on well with him, I had a good rapport 16 with him, but we didn't socialise outside of work. The 17 wedding was the only occasion. There were a lot of 18 people at my wedding. 19 MR JAY: So the many other officers you refer to, some of 20 those would be in the same category as Mr Yates and 21 others would be friends; is that fair, Ms Panton? 22 A. Yes. 23 Q. Were some of the officers who you would classify as 24 friends also confidential contacts of yours? 25 A. I would regard all police officers I know as Page 5</p>	<p>1 briefings. Is it right to describe them in that way? 2 A. That's correct. I think you've heard from other crime 3 reporters about the lunches we'd have. There would be 4 a press officer and a few -- small number of 5 journalists, and if it was an anti-terror lunch, we'd be 6 kept up to date with what the current sort of threats 7 were and how sort of national and global they were 8 coping with it. They were interested to see how we 9 perceived it as well, and how they thought our 10 readers -- how important they thought our readers 11 thought it was. 12 Q. I'm sure your confidential contacts varied to this 13 extent: that some were more forthcoming with you than 14 others. Were Messrs Hayman and Yates within the 15 forthcoming category or on the not-so-forthcoming 16 category? Can you help us with that? 17 A. I would say not so forthcoming, unfortunately. As 18 a crime reporter you would hope that all your contacts 19 were more forthcoming than they actually are. 20 Q. I'm sure that's right, Ms Panton, but is it right -- it 21 probably is, human nature being as it is -- that some 22 police officers were more forthcoming with you in their 23 informal discussions than others? 24 A. Yes. 25 Q. And your evidence to the Inquiry is that Messrs Hayman Page 7</p>
<p>1 confidential contacts. 2 Q. The position with Mr Hayman, as is clear from your 3 statement, is really the same as it is or was with 4 Mr Yates; would you agree? 5 A. Yes. 6 Q. You say: 7 "I would class him as a work friend but [you] did 8 not socialise with him away from work." 9 You say you had a couple of lunches, a breakfast 10 meeting, coffees and drinks meetings with him. Can you 11 recall any dinners? 12 A. I can't recall any dinners with Mr Hayman. There 13 were -- we used to attend the City of London charity 14 Child Victims of Crime dinner, where there was a table 15 of CRA reporters and some Met officers that changed 16 every year, and he certainly attended one of those, and 17 that was an evening function. 18 Q. Although Messrs Yates and Hayman, I think you would 19 describe both of them as confidential contacts, did they 20 provide you with information which was of interest to 21 your newspaper? 22 A. They provided general background on policing and the 23 areas that they were specialists in, which varied over 24 the years and changed, yes. 25 Q. So these were general background off-the-record Page 6</p>	<p>1 and Yates were in the school of not being forthcoming 2 rather than being forthcoming; have I correctly 3 understood it? 4 A. I found them very helpful in broader terms, because they 5 had a good overview, and obviously intelligent men who 6 knew their topic. However, they weren't forthcoming 7 with what I would say were News of the World stories. 8 Q. To be clear, what sort of stories are we talking about? 9 A. News of the World, crime stories that the paper were 10 interested in were predominantly -- crimes against 11 children featured very highly. So any child homicide, 12 child abuse. It was a very strong -- the paper felt 13 very strongly about exposing the people behind that, and 14 high-profile murders. 15 For example, this morning we have Daniel Bartlam, 16 the 15-year-old boy who has been convicted of the hammer 17 attack on his mother. I think that would be 18 something -- I'm just putting it into sort of something 19 topical -- that would be something that the News of the 20 World, if it existed, would be very interested in. It's 21 an unusual crime, son against a mother, and I think that 22 is the sort of -- 23 LORD JUSTICE LEVESON: But these very, very senior officers 24 wouldn't really be involved in the operational 25 investigation of even these horrific crimes, would they? Page 8</p>

<p>1 I mean, they're much more strategically orientated.</p> <p>2 A. Absolutely. That's why, I suppose, I didn't spend a lot</p> <p>3 of time with them. They were useful for strategic and</p> <p>4 overview, but to get stories that the News of the World</p> <p>5 were interested in, you'd have to go to court and listen</p> <p>6 to these cases and try and speak to the officers on the</p> <p>7 case. That was the important part of my job, as I saw</p> <p>8 it.</p> <p>9 MR JAY: Were they also useful in introducing you to people</p> <p>10 to whom you might wish to speak?</p> <p>11 A. I can't recall that they've ever made an introduction to</p> <p>12 a police officer. I would generally do that myself.</p> <p>13 Police officers would be in court covering their cases</p> <p>14 and it would be down to me to go and make that</p> <p>15 introduction.</p> <p>16 Q. Did you use Mr Fedorcio for that purpose?</p> <p>17 A. No.</p> <p>18 Q. So what was the purpose, then, of you meeting with</p> <p>19 Mr Fedorcio?</p> <p>20 A. Again, he knew what was going on as a general overview</p> <p>21 of the Press Bureau. He would -- he was important -- as</p> <p>22 a Sunday crime reporter, the job is very different to</p> <p>23 a daily. You were always on the back foot, generally,</p> <p>24 because court cases are obviously held during the week,</p> <p>25 the dailies get to report -- after every day, they have</p> <p style="text-align: center;">Page 9</p>	<p>1 A. On occasion.</p> <p>2 Q. There was one occasion when you used a computer in his</p> <p>3 room to type out a story. This is at the very back of</p> <p>4 your bundle, page 09623.</p> <p>5 A. Sorry, where is the page -- oh, at the bottom?</p> <p>6 LORD JUSTICE LEVESON: It's the very back of the last page.</p> <p>7 A. Excuse me a moment. (Pause) Yes.</p> <p>8 MR JAY: Is this the only occasion you used a computer in</p> <p>9 his office?</p> <p>10 A. Yes.</p> <p>11 Q. Could you assist us, please, as to where you were</p> <p>12 sitting when you typed this up?</p> <p>13 A. To my recollection, I was sat at his desk.</p> <p>14 Q. Were you using a mainframe computer or laptop?</p> <p>15 A. I can't recall. I was using a computer on his desk.</p> <p>16 Q. Okay. Can I ask you about the story. There's reference</p> <p>17 in it to a "prison source". Are we to deduce from that,</p> <p>18 although you're not going to name the individual, that</p> <p>19 there was someone within the prison, Wandsworth prison,</p> <p>20 who gave the News of the World this information?</p> <p>21 A. That's not the case.</p> <p>22 Q. I'm not going to ask you to identify the person who gave</p> <p>23 you this information, save to ask you in general terms</p> <p>24 what category that individual might fall. Was it</p> <p>25 a member of the public?</p> <p style="text-align: center;">Page 11</p>
<p>1 a new story, and by Sunday there isn't anything new, and</p> <p>2 Mr Fedorcio was important to me in trying to encourage</p> <p>3 the DPA to explain to the police officers what a Sunday</p> <p>4 paper needs, and that is briefings and things to be held</p> <p>5 back.</p> <p>6 So, for example, after a big court case -- and this</p> <p>7 is nationally as well; it doesn't refer to just the</p> <p>8 Met -- they often do a post-trial briefing and</p> <p>9 everything is given out, and the dailies have</p> <p>10 everything. What I saw as my role -- and I did act as</p> <p>11 the representative for the Sunday newspapers in the</p> <p>12 CRA -- was to try and remind them there is another</p> <p>13 newspaper outlet that needs their assistance, and could</p> <p>14 they perhaps hold back a photograph or arrange</p> <p>15 somebody -- if they were arranging interviews of</p> <p>16 victims' families, could they possibly hold something</p> <p>17 back for the Sundays.</p> <p>18 It is also relevant to big police investigations</p> <p>19 where, for example, they are hunting the offender. If</p> <p>20 they want maximum coverage, they have to keep the</p> <p>21 Sundays in mind and not just feed the dailies. So he</p> <p>22 was incredibly important to me for that.</p> <p>23 Q. You say you met for lunch and you also had drinks or</p> <p>24 coffee with him. On occasions, that was in his office,</p> <p>25 was it?</p> <p style="text-align: center;">Page 10</p>	<p>1 A. It was another journalist.</p> <p>2 Q. Was this journalist a contact of yours who often</p> <p>3 furnished you with stories?</p> <p>4 A. I'm not prepared to talk about sources of stories.</p> <p>5 Q. I'm not asking you to identify that individual. I'm</p> <p>6 just trying to ascertain whether that individual was</p> <p>7 a frequent source of yours or not.</p> <p>8 A. It depends how you describe "frequent".</p> <p>9 Q. Okay.</p> <p>10 A. I think I discussed other stories with this person, but</p> <p>11 I wouldn't say frequent.</p> <p>12 Q. So you don't know whether this journalist had a prison</p> <p>13 source or not? Are we to --</p> <p>14 A. I know this journalist very well and I trust and respect</p> <p>15 the professionalism of this journalist. I have no doubt</p> <p>16 they had a prison source.</p> <p>17 Q. Okay. Can I ask you, please, what was the urgency which</p> <p>18 is implicit in the message which we can see you sent to</p> <p>19 Mr Edmondson and others at the top of the page, given</p> <p>20 that this was a Thursday afternoon and the News of the</p> <p>21 World doesn't go to press until Saturday evening?</p> <p>22 A. The -- what we call "back of the book stories" -- so</p> <p>23 those are stories that are not as explosive, exclusive,</p> <p>24 smaller stories -- would often be put to bed and put on</p> <p>25 a page on a Friday, and this would probably come into</p> <p style="text-align: center;">Page 12</p>

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<p>1 that category. Also, news editors would want to get 2 their stories from their departments in the newspaper, 3 so they'd want to go into conference in the morning 4 knowing something about the story, as much as they 5 could, to pitch it in conference.</p> <p>6 Q. So were you under pressure to file this story?</p> <p>7 A. Yes. In the olden days, I think people used to knock on 8 doors, strangers, random residents, to use telephones 9 when they were under pressure. I think on this occasion 10 I just -- journalist instinct took over and I did what 11 it took to get the news desk off my back.</p> <p>12 LORD JUSTICE LEVESON: But you realised it would be 13 embarrassing?</p> <p>14 A. I think I've reflected on why I've written that. 15 I think what -- my point of writing that was because 16 I know how these things get pinged around in the office 17 and if someone saw a story being filed from someone 18 within Scotland Yard, it might start people asking 19 questions. They may not notice it has my name on it; 20 they may just notice the email at the top.</p> <p>21 MR JAY: Presumably this went from Mr Fedorcio's computer to 22 your email account and then you used a BlackBerry or 23 iPhone or whatever to forward it on to Mr Edmondson 24 et al; is that right?</p> <p>25 A. I believe I would have had the BlackBerry at that stage,</p> <p style="text-align: center;">Page 13</p>	<p>1 A. He didn't ask me to do that.</p> <p>2 Q. May I ask you about another email? This one relate to 3 Mr Yates. It's under tab 3 in the bundle you have, 4 Ms Panton. It's our page 06530.</p> <p>5 A. I have it.</p> <p>6 Q. We're now on 30 October 2010. This is going from 7 Mr Mellor to you. Mr Mellor is number two on the news 8 desk, is he?</p> <p>9 A. He was, yes.</p> <p>10 Q. He was, rather, yes.</p> <p>11 "Dave Wooding contact ..."</p> <p>12 He was the political editor, was he?</p> <p>13 A. He was, yes.</p> <p>14 Q. There's reference to an Al-Qaeda plot. This, I think, 15 was the inkjet plot, was it?</p> <p>16 A. Yes.</p> <p>17 Q. Then you say:</p> <p>18 "Thinks John Yates could be crucial here." 19 That's Mr Mellor talking, not you.</p> <p>20 A. I don't say that, no.</p> <p>21 Q. "Have you spoken to him?"</p> <p>22 That's Mr Mellor asking you whether you've spoken to 23 him, obviously.</p> <p>24 "Really need an exclusive splash line so time to 25 call in all those bottles of champagne ..."</p> <p style="text-align: center;">Page 15</p>
<p>1 yes. I'm not very good with technology, it has to be 2 said, and cutting and pasting on a BlackBerry was 3 probably beyond me at that point, and still now.</p> <p>4 Q. It would not be easy to type up all of this on 5 a BlackBerry. It would probably have taken an hour. 6 But it probably took you half an hour on Mr Fedorcio's 7 computer, didn't it?</p> <p>8 A. It wouldn't have taken me half an hour to bang that out, 9 no.</p> <p>10 Q. So you type very quickly, do you?</p> <p>11 A. Well, it's only a few paragraphs and it's my day job, 12 day-to-day job. You get used to filing at a furious 13 pace sometimes.</p> <p>14 Q. You obviously took the view that it wouldn't be helpful 15 for Mr Fedorcio for others to know you were using his 16 office computer, even though this email was only going 17 to three named individuals; that's correct, isn't it?</p> <p>18 A. I wouldn't know who they were sending it on to. That 19 was where I was concerned, and although I'd just sent it 20 to three people, when you file things it can go to any 21 number of people within that office, who wouldn't 22 necessarily understand who he was or the situation of 23 why I was filing from there.</p> <p>24 Q. Was it Mr Fedorcio who asked you to put that message on, 25 or did you do it off your own bat, as it were?</p> <p style="text-align: center;">Page 14</p>	<p>1 Are you saying that that was light-hearted banter 2 and nothing else?</p> <p>3 A. I don't think it was necessarily light-hearted. I think 4 he was putting pressure on me to get a story. I would 5 call that banter. It's the way that people spoke to 6 each other in our office. I would read that at that 7 time as banter mixed with a bit of pressure.</p> <p>8 Q. Unless the bottles of champagne were going to everybody, 9 Ms Panton --</p> <p>10 A. There were no bottles of champagne.</p> <p>11 Q. So he's got that completely wrong, Mr Mellor?</p> <p>12 A. He was, as I said, I believe, bantering with me.</p> <p>13 LORD JUSTICE LEVESON: Put the champagne to one side, just 14 for a moment. I can see why emails come back to haunt 15 those that send them.</p> <p>16 A. And those who receive them.</p> <p>17 LORD JUSTICE LEVESON: The inference is: "We need a splash 18 line, you have a relationship with this guy, you'd 19 better get something out of him." That's what this is 20 about, whether or not there's champagne there or not.</p> <p>21 A. Sure.</p> <p>22 LORD JUSTICE LEVESON: And the question arises, really, 23 whether that is a fair reflection of the perception of 24 your editorial staff of our relationship with Mr Yates.</p> <p>25 A. I think they hoped that you would be able to ring these</p> <p style="text-align: center;">Page 16</p>

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<p>1 people up and get -- bring in exclusives every week. 2 The reality is they know that doesn't happen, 3 unfortunately, otherwise we would have had bigger and 4 better crime stories than we did. 5 My recollection of this is that I did phone Mr Yates 6 and I don't believe I actually got to speak to him. 7 That was the reality, week in, week out. 8 MR JAY: But if anybody was going to provide you with the 9 material to assist your exclusive splash line, it was 10 going to be Mr Yates, wasn't it? 11 A. I would call many other contacts on a story like this. 12 It involves not just the police. There are other law 13 agencies that would be involved on something as high 14 profile. There would be many other people that I would 15 call. I wouldn't rely on one person. 16 Q. No. That's certainly true, Ms Panton, but if one is 17 looking for one someone the police, he would be the 18 first port of call for this -- 19 A. Naturally, yes. 20 Q. It's clear from the message above that you had been 21 unable to get hold of him, yet you were still trying -- 22 we can see that -- and you're telling us that you don't 23 recall speaking to him? 24 A. I don't recall speaking to him on that occasion. 25 Q. Although you had his personal mobile number, didn't you?</p> <p style="text-align: center;">Page 17</p>	<p>1 feature -- although it seems to associate with me, but 2 it didn't feature in my day-to-day working lunches very 3 much at all. Dry white wine and, as I explained before, 4 quite often soft drinks, as I was pregnant, or whatever 5 the circumstances would -- 6 Q. I understand. This is the evening, though, to be clear. 7 It doesn't say so in the question, but the credit card 8 receipt of Mr Hayman times the purchase of Verve 9 Clicquot champagne at about 9.50 in the evening. His 10 evidence was he couldn't remember who the journalist 11 was, but he said it was a News of the World journalist 12 and there are only two possibilities: either you or 13 a woman called Rebecca, who was standing in for you 14 while you were on maternity leave. 15 Can we be clear, Ms Panton: when did your maternity 16 leave end? Can you assist us on that? 17 A. I think it was 14 February was the first day back in the 18 office, and so that week was my first day back after 19 maternity leave. 20 Q. So when you say in your answer that you can't recall 21 meeting Mr Hayman, that might suggest that you are 22 unsure as to the solidity of your recollection. I know 23 it's five years ago, but it's either something that 24 clearly happened or did not. Are you able to assist us 25 as to whether it did or didn't?</p> <p style="text-align: center;">Page 19</p>
<p>1 A. I certainly did, yes, along with other senior officers' 2 mobiles. 3 Q. We also asked you deal with an occasion on the 4 evening of 1 February 2007 at the Oriol restaurant. 5 A. Could you tell me where we're -- 6 Q. Yes, we're back to your witness statement, paragraph 5, 7 page 18354. Do you see that? 8 A. Yes. 9 Q. Can I take it in stages? Have you ever been to the 10 Oriol restaurant? 11 A. I believe I have. I looked it up on the Internet after 12 this came up and I recognised the surroundings, but 13 I can't recall who I was there with. 14 Q. Have you ever been there with a police officer? 15 A. It's possible, but as I said just previously, I can't 16 recall who I've been there -- I just know I've been 17 there. 18 Q. Have you ever drunk champagne with a police officer? 19 A. Yes. With other people there. 20 Q. Yes. Does that include, within that category, 21 Mr Hayman? 22 A. In that category, with other people there, yes. We used 23 to have champagne at the CRA Christmas parties, just 24 a bottle at the beginning, or maybe two. It didn't flow 25 in huge quantities. And I have to say, champagne didn't</p> <p style="text-align: center;">Page 18</p>	<p>1 A. I have been furnished with a few further facts around 2 this and I am now confident to say that was not me. 3 Q. Was there ever an occasion when you shared a bottle of 4 champagne with Mr Hayman? 5 A. Only in a large group circumstance. I can't recall 6 drinking champagne with Mr Hayman other than that. 7 Q. Okay. You were asked on previous pages about various 8 occasions on which you either had lunch or dinner with 9 police officers, and your answers there are noted. 10 You've covered that ground. 11 Can I ask you about paragraph 8 of your statement, 12 where you say -- this is our page 18355: 13 "I am a journalist and therefore my objective is to 14 seek information but not to the detriment of a police 15 operation. I have never met a senior officer who is so 16 ill-informed and naive that he or she gives out 17 information that they were not authorised to divulge." 18 Were you given information from your contacts though 19 which was off the record and confidential? 20 A. Yes. 21 Q. How do you know whether or not they were authorised to 22 divulge it? 23 A. Because they are senior officers who would know what 24 they can and can't say, and they would be telling us 25 off-the-record stuff they felt was important that we, as</p> <p style="text-align: center;">Page 20</p>

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<p>1 crime reporters in the trusted CRA, needed to know.</p> <p>2 LORD JUSTICE LEVESON: Could I ask -- I readily recognise</p> <p>3 the interest in journalists in developing relationships,</p> <p>4 not just with police officers but all manner of people,</p> <p>5 but is this sort of relationship that you've developed</p> <p>6 one that was shared with all the CRA -- in other words,</p> <p>7 all those who specialised in crime across what we used</p> <p>8 to call Fleet Street -- or was this the development of</p> <p>9 a personal working relationship -- and I'm keeping it to</p> <p>10 that -- that allowed you, for your title, to get the</p> <p>11 background information that you wanted, which might not</p> <p>12 be available to others?</p> <p>13 A. I can't know what the other crime reporters, as such,</p> <p>14 talked about when they went to meet these people.</p> <p>15 LORD JUSTICE LEVESON: No, I understand that.</p> <p>16 A. I would say that the ones of us that got to know these</p> <p>17 people better, had built up that trust, would probably</p> <p>18 be spoken to in a more informal, relaxed way, because</p> <p>19 they knew us and trusted us.</p> <p>20 LORD JUSTICE LEVESON: And it might be one-to-one?</p> <p>21 A. It might be, yes.</p> <p>22 MR JAY: Did you ever receive information from senior police</p> <p>23 officers which formed the basis of an exclusive story?</p> <p>24 A. It was rare. I think one that I can recall that was</p> <p>25 brought up yesterday was the footage of the airline, the</p> <p style="text-align: center;">Page 21</p>	<p>1 A. There was definitely rivalry. It's a competitive</p> <p>2 business, journalism, as you're well aware. But</p> <p>3 generally, yes, I would say I generally get on with most</p> <p>4 people that I meet and certainly amongst crime reporters</p> <p>5 I have friends.</p> <p>6 Q. Was it a question of very often the Crime Reporters</p> <p>7 Association or the journalists who comprised it</p> <p>8 receiving information from the police which was</p> <p>9 necessarily pooled amongst them, but you were always</p> <p>10 trying to get ahead of your competitors by getting that</p> <p>11 little bit extra in a one-to-one meeting or whenever?</p> <p>12 A. I think you're always wanting to get more than your</p> <p>13 rivals, and certainly, again, if you're looking at it as</p> <p>14 a Sunday crime reporter, you have to be looking for</p> <p>15 something that isn't already out there. This is the</p> <p>16 constant grind of what a Sunday crime reporter has to</p> <p>17 do. You have to go beyond and find something new.</p> <p>18 Q. So were you trying to build up a special relationship</p> <p>19 with your contacts? In other words, a different and</p> <p>20 better relationship than your competitors were trying to</p> <p>21 build up with the same contacts?</p> <p>22 A. I don't think I went out there with the drive to get on</p> <p>23 with people better than anyone else.</p> <p>24 LORD JUSTICE LEVESON: Did you not? I would have thought</p> <p>25 that would be exactly what you'd want to do in order to</p> <p style="text-align: center;">Page 23</p>
<p>1 plane being blown up, showing what a shoe bomb could do,</p> <p>2 but that was something that was mentioned in passing</p> <p>3 that I followed up. It was me that went and suggested:</p> <p>4 "Could we do something on this?"; rather than them</p> <p>5 passing information on to me to provide me with a story,</p> <p>6 if you see what I mean.</p> <p>7 Q. Did you ever receive information from one of your</p> <p>8 contacts which corroborated or substantiated an</p> <p>9 exclusive story?</p> <p>10 A. From my contacts, in broad terms, yes.</p> <p>11 Q. Were you ever assisted by any of your contacts to this</p> <p>12 extent: that they put you in touch with an officer who</p> <p>13 could himself or herself provide you information which</p> <p>14 could form the basis of a story?</p> <p>15 A. I would meet police officers through other police</p> <p>16 officers. If you were down at court, you may have dealt</p> <p>17 with a detective who had been on another murder case,</p> <p>18 and they may be working alongside somebody you hadn't</p> <p>19 met before and you may be introduced in those terms,</p> <p>20 yes.</p> <p>21 Q. In terms of the CRA, presumably, although you were</p> <p>22 rivals with your competitors, you got on quite well with</p> <p>23 the people from whom this Inquiry has heard, or at least</p> <p>24 some of them? It was a friendly rivalry; is that</p> <p>25 a fair --</p> <p style="text-align: center;">Page 22</p>	<p>1 have the possibility of getting the better story.</p> <p>2 A. I didn't see it as a competition of favouritism.</p> <p>3 LORD JUSTICE LEVESON: No, that's --</p> <p>4 A. That's what I meant.</p> <p>5 LORD JUSTICE LEVESON: That's not quite what I meant.</p> <p>6 A. That's how I was interpreting it. Of course I wanted my</p> <p>7 contacts to speak to me and not other journalists, if</p> <p>8 that's what you were asking.</p> <p>9 MR JAY: We know that the News of the World did many sting</p> <p>10 operations, and, as you say in your statement, you would</p> <p>11 often need to hand over your findings to the police. Do</p> <p>12 you think that that put the News of the World in</p> <p>13 a stronger position vis-a-vis the police for information</p> <p>14 which might lead to exclusive stories?</p> <p>15 A. Sorry, can you repeat the question?</p> <p>16 Q. We know that the News of the World specialised in sting</p> <p>17 operations, and very often the fruits of those</p> <p>18 investigations were handed over to the police. Your</p> <p>19 statement says so. Do you think that that in itself</p> <p>20 placed the News of the World in a special position</p> <p>21 vis-a-vis the police?</p> <p>22 A. I don't think the News of the World was in a special</p> <p>23 position with the police. I think my role was to try</p> <p>24 and make these sting operations run as smoothly as</p> <p>25 possible, and by having someone who was used to dealing</p> <p style="text-align: center;">Page 24</p>

<p>1 with the police, I think the paper found it helpful and 2 the police often did.</p> <p>3 Q. In paragraph 15 of your statement, Ms Panton, 4 page 18359, you say, in the middle of that answer: 5 "On occasions, there were discussions about internal 6 politics at the Yard which you could class as gossip." 7 Although, you go on, the News of the World weren't 8 particularly interested in that. Are we including 9 within that what might be described as dissension within 10 the management board during Sir Ian Blair's reign as 11 Commissioner?</p> <p>12 A. I don't recall police officers particularly discussing 13 that with me. It was very much a topic that journalists 14 were talking about and would be asked, perhaps, of 15 police officers we'd meet on an informal level: "Is it 16 true that so-and-so's fallen out with so-and-so?" But 17 like I say, it wasn't really a topic that News of the 18 World would have been interested in and I didn't get too 19 heavily involved in these conversations.</p> <p>20 Q. You deal with off-the-record communications at 21 paragraph 22 and you say there are advantages on 22 occasions of off-the-record conversations. You provide 23 one example relating to the Raoul Moat case.</p> <p>24 LORD JUSTICE LEVESON: You identify "off the record" as 25 meaning not able to report under any circumstances.</p> <p style="text-align: center;">Page 25</p>	<p>1 A. Yes. There would be discussions, but usually not with 2 me.</p> <p>3 Q. So in each case, was there agreement with the police as 4 to what could be published in terms of a photograph or 5 not?</p> <p>6 A. From my recollection, all the raids that I went on, 7 there would have been a discussion. Again, not with me; 8 usually it was with someone more senior at the paper.</p> <p>9 Q. I think what's behind my question is: how would the News 10 of the World know how to safeguard the privacy or fair 11 trial rights of suspects or indeed victims? How would 12 the paper know? Would they rely on the police? Would 13 they have their own policy? Or would --</p> <p>14 A. We would rely on the police, I would say, to tell us 15 who -- from my recollection, we would be told by the 16 police if there were police officers who were covert, 17 officers that they couldn't have their pictures in, and 18 there would be a discussion, which sometimes took a bit 19 of thrashing out, of whether we could run the picture of 20 the suspect. I'm not aware of any time that we would 21 have photographed a victim.</p> <p>22 Q. Do you sense that the News of the World was receiving 23 preferential treatment from the police in relation to 24 these invitations to go along on these operations?</p> <p>25 A. No. In the majority of the cases we only went along</p> <p style="text-align: center;">Page 27</p>
<p>1 That's what you understand by "off the record"?</p> <p>2 A. Yes.</p> <p>3 LORD JUSTICE LEVESON: Are you surprised that different 4 people have different understandings of that phrase?</p> <p>5 A. No, because if you're -- I'm not surprised that the 6 public wouldn't --</p> <p>7 LORD JUSTICE LEVESON: I'm not merely talking about the 8 public. If you've been sitting here, as I have, for 9 these last --</p> <p>10 A. Sorry, yeah.</p> <p>11 LORD JUSTICE LEVESON: -- weeks, all sorts of different 12 explanations have been given of that phrase.</p> <p>13 A. That needs to be clarified, I think.</p> <p>14 LORD JUSTICE LEVESON: I think you're right, yes.</p> <p>15 MR JAY: Can I ask you about the term "police source". 16 Question 23, page 18362. Your answer is quite succinct: 17 "'Police source' is used liberally in reporting." 18 How do you use it, or how did you use it?</p> <p>19 A. It's been agreed that I'm not going to be asked any 20 questions that encroach on the police investigation.</p> <p>21 Q. Okay. On a number of occasions, you tell us in answer 22 to question 24, you went together with the police on 23 police arrest operations. Did the police advise you as 24 to whether photographs that your team took needed to be 25 pixelated or not, for example?</p> <p style="text-align: center;">Page 26</p>	<p>1 because we were involved in providing information to the 2 police. There was no preferential treatment, I would 3 say.</p> <p>4 Q. But other papers weren't providing information to the 5 police in the same way and quantity as was the News of 6 the World, were they?</p> <p>7 A. I can't answer what other papers provided to the police.</p> <p>8 Q. Can I ask you on a different topic, we had evidence from 9 Mr Webb that you had dealings with him. Is that right? 10 He's a private investigator.</p> <p>11 A. I recall speaking to him over two stories at my time 12 there. Would you like me to --</p> <p>13 Q. Just the general details, without intruding into 14 possible areas of privacy. Was one of the stories, if 15 I can take it shortly, involving a politician?</p> <p>16 A. Yes.</p> <p>17 Q. And the private life of that politician?</p> <p>18 A. Yes.</p> <p>19 Q. And the other was concerning a celebrity who had 20 recently returned to the United Kingdom after a sentence 21 of imprisonment elsewhere; is that right?</p> <p>22 A. On a child abuse case. (Nods head) That's correct.</p> <p>23 Q. Was the purpose of the instruction of Mr Webb, if I can 24 take the first example, to find out whether there was 25 a story?</p> <p style="text-align: center;">Page 28</p>

7 (Pages 25 to 28)

<p>1 A. To just make it clear, I wouldn't have instructed 2 Mr Webb; the news desk would have done. But if it had 3 been -- I would have been working on the story, I would 4 have communicated with him. I would never have 5 instructed him. 6 Q. Can I ask you about the culture of the News of the World 7 insofar as you're able to assist the Inquiry within the 8 certain restrictions you're operating under. First of 9 all, the culture of the workplace. We've heard evidence 10 that it was a tough place to work, it was highly 11 competitive. Is that fair or not? 12 A. That's fair. 13 Q. Do you feel that you were bullied or placed under 14 excessive pressure? 15 A. I wasn't -- I don't feel I was bullied by the editors. 16 I think we were all put under a lot of pressure. It 17 comes with the job. 18 Q. And the nature of the pressure you were put under, was 19 it simply a pressure to deliver within a timescale or 20 did it operate in other ways? 21 A. I think you were expected, as a specialist, to bring in 22 stories on your -- exclusive stories in your field. 23 It's, again, part of the job. 24 Q. And the way you would do that, self-evidently, would be 25 by cultivating your contacts and hoping they would</p> <p style="text-align: center;">Page 29</p>	<p>1 crime reporting is, and the role -- I mean, I'm at home 2 with my children now, I'm not working, but from what 3 I hear from my colleagues, the lines of communication 4 seem to have stopped between the police and the crime 5 reporters, and it makes me very sad to hear that. 6 I loved my job and I thought we all did a very 7 important -- played an important role in passing on 8 information to the police, and I would hate to see this 9 over, you know, crime reporting over, and the police 10 feeling that they can't have professional relationships 11 with journalists. So if there's any way I can help you 12 in your -- further in your tough task of making this 13 work in the future, please ask me. 14 LORD JUSTICE LEVESON: Well, you spoke about your passing 15 information to the police. Part of the risk has been 16 the extent to which the police have passed information 17 not specifically necessarily to you, but to you and your 18 colleagues. I am all for encouraging an open dialogue, 19 but do you see the risk that might be generated if the 20 relationship between the two gets somewhat out of 21 kilter? And if you do -- 22 A. I think you have to be professional about these 23 relationships, absolutely. 24 LORD JUSTICE LEVESON: And if you do, then by all means give 25 me a view as to how it should be fixed.</p> <p style="text-align: center;">Page 31</p>
<p>1 provide you with such stories in due course; is that 2 right? 3 A. That's right, as well as using other information that 4 came into the office. A paper like the News of the 5 World has lots of information that comes in from readers 6 from the public. 7 Q. So there are a range of sources; it's not just the 8 police. Is that -- 9 A. That's correct. 10 Q. -- a fair description? We heard -- let me put it in 11 this way -- that counsel mitigating for Mr Goodman in 12 the proceedings before Mr Justice Gross on 26 January 13 2007 said words along these lines: that at the paper the 14 ethical lines were often blurred. Would you agree with 15 that characterisation or not? 16 A. In my role, I would say I knew where the lines were and 17 I didn't cross them. I was very aware of the PCC. 18 Yeah. 19 Q. Is there anything else, Ms Panton, you'd like to say 20 about the evidence the Inquiry has received relating to 21 the News of the World -- I know it's a general 22 question -- or in relation to the police's interactions 23 with the News of the World and vice versa? 24 A. Not about that, but if Mr Leveson will allow me, I would 25 like to just make a comment on how important I think</p> <p style="text-align: center;">Page 30</p>	<p>1 A. Million dollar question. 2 LORD JUSTICE LEVESON: I'm only asking for a view. 3 A. A view? I think we just need to be more clear on the -- 4 there seems to be a huge amount of attention paid to the 5 dining out and I think that needs to be cleared up with 6 what is appropriate and what's not, and I think police 7 forces that are now battling with budgets being 8 squeezed, and press offices are -- they're closing down, 9 they're getting smaller, and this idea that a press 10 officer should be present every time they meet a -- 11 a police officer meets a journalist is just not ever 12 going to work. There are fewer and fewer press 13 officers. I think there needs to be a realistic -- 14 recommendations on how -- encouraging police officers to 15 speak to journalists and giving them the right training 16 to do so. 17 LORD JUSTICE LEVESON: Yes. I mean, you talk about the need 18 to be clear on hospitality. The risk, of course, is 19 that if hospitality reaches a certain level, there is at 20 least a perception that things have gone too far. Do 21 you think that over the years the line perhaps has 22 become too blurred and traditional perception of the 23 relationship has been one that is too close? 24 A. I think -- when you look at the crime reporters, I think 25 there hasn't been a blurring. I think contacts have</p> <p style="text-align: center;">Page 32</p>

<p>1 generally been at an appropriate level. I think when 2 you put the spotlight on something -- and, you know, as 3 a journalist myself, I know how it is that when things 4 get reported, it exaggerates the situation, but I don't 5 think on the whole that crime reporters have been over 6 the top in seeing people in their specialist field in 7 a hospitality -- you know, in a dining sense, in a lunch 8 sense or drinks sense.</p> <p>9 I think if you went to any specialist journalist, 10 you would find perhaps a lot more. A political 11 reporter, perhaps, meeting with MPs. I'm sure that 12 would be much more frequent.</p> <p>13 LORD JUSTICE LEVESON: Well, we might turn on to that in due 14 course, but you don't see a problem then about 15 individual titles developing specific and particular 16 relationships with senior police officers which aren't 17 necessarily available to other journalists?</p> <p>18 A. I think that each newspaper should be trying to forge 19 good relationships, and if others don't, then perhaps 20 they're missing out. It's not up to the paper that's 21 good at their job. You know, journalism is about making 22 contacts. If other papers haven't made as many 23 contacts, then maybe they're not --</p> <p>24 LORD JUSTICE LEVESON: But it may be then that senior police 25 officers are having to spend rather a long time being</p> <p style="text-align: center;">Page 33</p>	<p>1 A. In fact, my job title has now changed as well to head of 2 media.</p> <p>3 LORD JUSTICE LEVESON: Sorry?</p> <p>4 A. I'm now head of media, which incorporates social media 5 as well.</p> <p>6 MR JAY: You joined the MPS in 2008. Before then you had 7 a career in journalism. In particular, you worked at 8 the Daily Mail between 1999 and 2006, and then you left 9 to join a PR company and then you moved on to the MPS.</p> <p>10 The reason why you're here, perhaps in your own 11 words. You're not here under compulsion, unlike some 12 witnesses who have been served with formal statutory 13 notices; you're here voluntarily. Can you explain why?</p> <p>14 A. Absolutely. I felt it's important to give really a full 15 picture of the work of the directorate that I work for, 16 and the environment and the context that the 17 professional press officers that work under me work in, 18 and the challenges they face and to perhaps give that 19 fuller picture of the entirety of our work.</p> <p>20 Q. I think your concern is, as well, that the Inquiry has 21 received a partial picture, indeed an inaccurate 22 picture, and sometimes evidence has been taken out of 23 context.</p> <p>24 A. I think the out of context, certainly, yes.</p> <p>25 Q. We'll see that as we work through your evidence, but</p> <p style="text-align: center;">Page 35</p>
<p>1 fair and meeting specific journalists from different 2 titles, to the detriment ultimately --</p> <p>3 A. Of policing.</p> <p>4 LORD JUSTICE LEVESON: -- of getting the job done, yes.</p> <p>5 A. I certainly don't think that should be the case. 6 I think policing and getting the job done should come 7 first. I think there is a happy medium somewhere in 8 between.</p> <p>9 LORD JUSTICE LEVESON: Right.</p> <p>10 MR JAY: Thank you, Ms Panton.</p> <p>11 LORD JUSTICE LEVESON: Thank you very much indeed.</p> <p>12 MR JAY: Sir, the next witness is Mr Stearns, please?</p> <p>13 MR EDWARD JAMES STEARNS (sworn)</p> <p>14 Questions by MR JAY</p> <p>15 MR CHRISTIE: Your full name, please?</p> <p>16 A. I'm Edward James Stearns.</p> <p>17 Q. Your witness statement is dated 30 March. It's signed 18 by you under a standard statement of truth. Is this 19 your formal evidence to the Inquiry?</p> <p>20 A. It is.</p> <p>21 Q. In terms of your career, you are now the chief press 22 officer at the renamed Directorate of Media and 23 Communication?</p> <p>24 A. Yes.</p> <p>25 Q. Which used to be the Directorate of Public Affairs.</p> <p style="text-align: center;">Page 34</p>	<p>1 what things in particular spring to mind?</p> <p>2 A. I think I reference a couple of things in my statement. 3 I think the idea that we're closing down as well is an 4 issue, as a press office, and we are still providing 5 information and acting in a way as open as we can within 6 certain constraints that we have.</p> <p>7 Q. Thank you. The breadth of work of the DPA, on the 8 internal numbering, page 3 -- I'm afraid I don't have 9 the unique reference numbers for your statement because 10 it arrived quite recently, but it isn't just confined to 11 being a press office; you have much broader marketing, 12 advertising, social media and internal communication 13 functions?</p> <p>14 A. Correct, yeah.</p> <p>15 LORD JUSTICE LEVESON: Do you have the expertise to be able 16 to advise the Commissioner on what it might be 17 appropriate to put into the public domain? I mean, I've 18 heard yesterday and today the suggestion that actually 19 it was all the idea of -- well, I'm not sure now whether 20 it was Ms Panton or Mr Wallis, that this video should be 21 put out into the public domain, and the picture that 22 appears to be presented is that this came rather like 23 a bolt out of the blue to the police, who hadn't really 24 thought of doing this, and this idea justified an 25 exclusive demonstration of the video through the News of</p> <p style="text-align: center;">Page 36</p>

<p>1 the World. I'd like to know whether that's part of the 2 job of the body that you represent today, whatever it's 3 called, and whether that's something you do or have the 4 expertise to do or what? 5 A. That was before my time in the directorate, but I'd 6 absolutely hope that I would have had -- if I was aware 7 of that footage, that I would have thought about the 8 possibility of putting it out into the public domain 9 because it was something that might be of use to show 10 the damage that that bomb may have caused, and it's 11 certainly something that I would like to consider in my 12 role if that had come across my desk. I'm not sure if 13 the directorate knew with that footage, or at what stage 14 they did, but certainly that would be something that 15 I would at least consider and perhaps challenge officers 16 on the possibility of getting that out there into the 17 public domain. 18 LORD JUSTICE LEVESON: Does your department have the 19 relationship with the most senior officers -- I'm not 20 suggesting you go to restaurants with them -- lunch or 21 dine with them -- that would allow the free flow of 22 information so as to permit you to perform that 23 function? 24 A. I believe we do, yes. 25 MR JAY: You explain in paragraph 10 of your statement that Page 37</p>	<p>1 and their judgment. 2 Q. Okay. You also say in paragraph 10 that you're in 3 a position proactively to target sections of the press, 4 either in terms of geographical area or type of 5 newspaper. For example, the Financial Times would be 6 more interested in complex fraud than other newspapers, 7 and on the other hand, certain stories have more of 8 a tabloid appeal. 9 A. Yes. 10 Q. That's a judgment which you're, through your experience, 11 able to come to quite readily; is that fair? 12 A. Yes. Yes. 13 Q. Paragraph 13, please. You refer to the MPS servicing 14 nine national newspapers, eight Sundays, five national 15 TV channels, et cetera. So the whole range of media is 16 within your scope, as it were, and you have over 1,000 17 names of journalists and organisations on your database. 18 So when you proactively provide them with information, 19 is that through email and similar media? 20 A. We email and also post it on a website that the press 21 can look at. 22 Q. Is this website particular to the press? In other 23 words, is it like an intranet system, or -- 24 A. No, it's one that it's on -- that can be found, but it 25 is directed for the press to use. We don't promote it Page 39</p>
<p>1 each press desk will often have different reporters who 2 are particularly interested in their specialist area of 3 work. So if we were just to take one particular case, 4 namely counter-terrorism, you have expertise, do you, 5 within the directorate to deal specifically with the 6 sort of matter we've just been discussing; is that 7 right? 8 A. I have a desk that supports the counter-terrorism 9 command, yes. 10 Q. I think Sarah Cheesley is the head of that desk? 11 A. Correct. 12 Q. And she's in contact with the relevant officers within 13 specialist operations to provide the sort of information 14 we're talking about? 15 A. Her and her team, yes. 16 Q. How does it work, Mr Stearns? Does your office go out 17 to specialist operations to ask questions about 18 particular cases or does specialist operations come to 19 you with information which you can then disseminate or 20 is it a bit of both? 21 A. It's a bit of both, yes. 22 Q. How do you think specialist operations is in a position 23 to judge the sort of information which could usefully 24 enter the public domain or not? 25 A. As professional press officers, through their experience Page 38</p>	<p>1 to the public. 2 Q. Okay. Your relationship with the media now, 3 paragraph 15. You refer to an inbuilt tension between 4 police and the media as they go about their respective 5 businesses, and that's a healthy one. Does the balance 6 between the police and the media shift over time, 7 depending on the course of national events? How does it 8 work? Or is it something which is always the same? 9 A. I think the media will want to know everything, and 10 there are reasons why the police, operationally or for 11 personal -- in terms of victims, well, I can't give them 12 everything. So there is a tension and I think it's 13 something that has probably been around for many years. 14 Q. Have you noted any degree of frustration amongst 15 journalists along these lines: that they would prefer to 16 be dealing with individual police officers rather than 17 with your directorate? 18 A. I think that's a matter for individual journalists and 19 I suspect a question for them. 20 LORD JUSTICE LEVESON: No, it isn't, with respect. When 21 people come through to your directorate, are they 22 constantly saying, "We'd like to speak to the officer"? 23 A. That can often be said, yes. 24 LORD JUSTICE LEVESON: And do you see a value in encouraging 25 police officers to liaise directly with journalists or Page 40</p>

<p>1 not?</p> <p>2 A. There is a value in that, yes.</p> <p>3 LORD JUSTICE LEVESON: And do you encourage it?</p> <p>4 A. We encourage it, yes.</p> <p>5 LORD JUSTICE LEVESON: Well, we're going to have to come on</p> <p>6 to how that's recorded or if it's recorded.</p> <p>7 MR JAY: Yes. That's the next issue, really. The Solcara</p> <p>8 system, which others have called Spotlight. It's</p> <p>9 perhaps the newer label, but it's something that the</p> <p>10 Metropolitan Police have had for some years. The way we</p> <p>11 understand it to work is that all contact between the</p> <p>12 DPA and the media is recorded on this system; is that</p> <p>13 correct?</p> <p>14 A. Yes. The vast majority of contact is recorded on</p> <p>15 Solcara, yes.</p> <p>16 Q. When you refer to "the vast majority", this is the vast</p> <p>17 majority of DPA contact with the media; is that right?</p> <p>18 A. DPA contact, yes. The contact that we're aware of as</p> <p>19 the DPA will get recorded on the Solcara system.</p> <p>20 Q. The more difficult issue is what happens when police</p> <p>21 officers speak to journalists directly, either because</p> <p>22 you've put the journalists in contact with the police</p> <p>23 officer or because the journalist already knows the</p> <p>24 police officer. That, of course, happens. You're aware</p> <p>25 it happens. How often is that being recorded on the</p> <p style="text-align: center;">Page 41</p>	<p>1 A. It may result in a story that is developing in another</p> <p>2 way that perhaps they haven't got the -- a full picture</p> <p>3 of that they have spoken about, which may be not part of</p> <p>4 their domain and that may cause problems for another</p> <p>5 officer, potentially, in a case that they're on.</p> <p>6 Q. Yes. This is the advantage, is it, of having a focal</p> <p>7 point: that you can manage what goes out, so it's</p> <p>8 complete and not partial; is that, broadly speaking,</p> <p>9 correct?</p> <p>10 A. That is certainly a help, yes.</p> <p>11 Q. But on the other hand, you want to encourage officers</p> <p>12 speaking directly to journalists, but presumably from</p> <p>13 a position of knowledge and not partial knowledge?</p> <p>14 A. Absolutely.</p> <p>15 LORD JUSTICE LEVESON: So the trick is making sure you speak</p> <p>16 to the right policeman, and that the policeman speaks</p> <p>17 within his expertise and not outside his expertise?</p> <p>18 A. Absolutely.</p> <p>19 LORD JUSTICE LEVESON: Whatever rank.</p> <p>20 A. Absolutely.</p> <p>21 MR JAY: You tell us in paragraph 17 that the DPA does</p> <p>22 routinely and proactively release what many consider to</p> <p>23 be bad news, and then you give examples of that. Does</p> <p>24 any thought go to the timing of the release of such</p> <p>25 information or do you just put it out as with and when</p> <p style="text-align: center;">Page 43</p>
<p>1 system?</p> <p>2 A. To a large extent, we will record when the DPA has been</p> <p>3 involved in setting up a facility with an officer and is</p> <p>4 there -- will record that that has happened and taken</p> <p>5 place.</p> <p>6 Q. Is the policy now that if an officer has direct contact</p> <p>7 with a journalist, by whatever route, that officer is</p> <p>8 supposed to get in touch with you so that the matter can</p> <p>9 be recorded?</p> <p>10 A. There's some interim guidance that is -- guidelines that</p> <p>11 are coming in that I think the Deputy and the</p> <p>12 Commissioner have spoken about, and I would expect</p> <p>13 officers to be alerting us if they are talking to</p> <p>14 journalists.</p> <p>15 Q. How often does it come to your attention that officers</p> <p>16 have been speaking to journalists and yet you didn't</p> <p>17 know about it?</p> <p>18 A. It's not a regular occurrence.</p> <p>19 Q. When that occurs, is that a source of frustration to you</p> <p>20 or what is your reaction?</p> <p>21 A. Not always, no.</p> <p>22 Q. Sorry, so it's not always a source of frustration?</p> <p>23 A. It depends what the outcome of that conversation is.</p> <p>24 Q. So there are occasions when you're frustrated because --</p> <p>25 well, for what reason?</p> <p style="text-align: center;">Page 42</p>	<p>1 the news arises?</p> <p>2 A. We have to clear lines and prepare them and make sure</p> <p>3 the information we're putting out is correct, but we'll</p> <p>4 look to get it out as soon as we can in those</p> <p>5 constraints.</p> <p>6 Q. I mean, do you feel in these situations, when it's bad</p> <p>7 news about the police, that you're seeking to put the</p> <p>8 best possible interpretation on it, or do you just put</p> <p>9 it out as is?</p> <p>10 A. There may be opportunity to put context around certain</p> <p>11 issues, but often it is -- it speaks for itself, as an</p> <p>12 item of news, really.</p> <p>13 Q. Is there, as it were, a presiding mind behind it or is</p> <p>14 it really a decision for the DPA as to how this news is</p> <p>15 presented or how does it work?</p> <p>16 A. We work with officers when we're preparing our</p> <p>17 statements, so it will be a combined effort.</p> <p>18 Q. Thank you. In paragraph 18 you make it clear that the</p> <p>19 apparent reticence in some police officers as to the</p> <p>20 divulgence of information may be entirely justified.</p> <p>21 Can you, in your own words, please, explain that to us?</p> <p>22 A. If an officer is working on a case and they have certain</p> <p>23 lines of inquiry, clearly they need to be very careful</p> <p>24 about -- the information on that case doesn't compromise</p> <p>25 the inquiry that they're on.</p> <p style="text-align: center;">Page 44</p>

<p>1 Q. You say that the one function of the DPA -- I'm now on 2 paragraph 19 -- is regularly to negotiate between 3 cautious officers and an insatiable media -- that's 4 a nice way of putting it -- about where the balance 5 should be struck, giving as much information as possible 6 in order to keep the public informed but doing so in 7 a way that minimises impact on the criminal justice 8 process or operational effectiveness. So you, in many 9 ways, are the mediator, are you? 10 A. Yes. That can be the case, yeah. 11 Q. At paragraph 20, you deal with the issue or the 12 suggestion that the MPS has now withdrawn from 13 disclosing information to the media. A lot of 14 journalists have given that evidence to this Inquiry, 15 that that's what has happened since the summer of last 16 year, but you make it clear that this isn't the policy 17 or the result of actions by the DPA. Have I correctly 18 understood your evidence? 19 A. You have, yes. 20 Q. But is it something which has happened nonetheless, at 21 least to your understanding? 22 A. I think I say in the next paragraph actually that 23 I think that there has been a withdrawal perhaps from 24 personal police contacts, and I think they're seeing 25 what's happened and gone on around them and taken stock Page 45</p>	<p>1 must have arisen a lot, didn't it? 2 A. It did. 3 Q. It did? 4 A. And it can still do. 5 Q. And still does. Your surmise must be: well, it must be 6 an officer speaking, either authorised or 7 semi-authorised, to a journalist? What is your 8 thinking? 9 A. No, not always. The information to the journalist comes 10 from many, many different areas, and, no, I wouldn't 11 agree that I would always assume that it's officers, 12 certainly not. 13 Q. No, it's certainly not going to always be officers 14 because we've heard of the range of sources out there, 15 as it were, but often or indeed sometimes -- let's say 16 sometimes -- the source will be a policeman or 17 policewoman? 18 A. We're an organisation of 53,000 people and there will be 19 occasions -- I'm sure there still will be occasions 20 where that can happen. 21 Q. Do you have a view about the provision of hospitality by 22 journalists to police officers? 23 A. I believe that we've got a clear position where we are 24 with that, and my view is that that's a good one, in 25 where we're going with the guidance that the Deputy's Page 47</p>
<p>1 of that, and hopefully this process can lead to 2 a framework where they have more confidence in taking 3 that forward. 4 Q. So the informal communications between police officers 5 and journalists have dwindled in recent months. Is that 6 something, speaking frankly, which is, in one sense, 7 gratifying to you, because you now have greater control 8 about the information which is entering the public 9 domain, or is it something which you're concerned about? 10 A. I think there's potentially a bit of both. I wouldn't 11 say "gratifying", but if there are officers who are 12 still talking about areas that are not their 13 responsibility and they don't know enough about and 14 causing problems potentially for other investigations, 15 I don't see that as a good thing. So if that's stopped, 16 then that is good. If it means that there isn't an 17 openness and transparency that some journalists would 18 like to see, then hopefully we can come to somewhere 19 where we can find a line through that, so that we are 20 performing that as well. 21 Q. Presumably, if one is looking at the period 2008 to, 22 say, July 2011, there must have been many occasions when 23 you, looking through the morning's press cuttings, have 24 seen stories and you've asked yourself: "Where the hell 25 have they got that from?", putting it bluntly. That Page 46</p>	<p>1 been working on, and I think that gives us a very clear 2 set boundary, which is a fair place to be. 3 Q. Okay. Can we just see where you are in relation to 4 this? Have journalists ever provided hospitality to 5 you? 6 A. Yes. 7 Q. Is there over lunch or dinner? What sort of thing are 8 we talking about? 9 A. Lunch. Never dinner. Occasionally a drink without 10 lunch. 11 Q. Are we talking about something which is relatively 12 infrequent or did it happen quite often? 13 A. I would say on average, when I first started in 2008, 14 perhaps for the first couple of years, around once 15 a month, if that. 16 Q. Do you have a view about the principle of that, whether 17 it's a good thing or a bad thing? 18 A. I don't think that it means, if you are meeting 19 a journalist, that you are going to divulge a lot of 20 information that you shouldn't be doing. I think 21 it's -- it was a way -- and there are several ways -- of 22 networking and building contact with people that you are 23 going to be dealing with in your working life. 24 Q. Of course, this is two-way. The journalist is seeking 25 some things from you, but you of course are seeking Page 48</p>

<p>1 something from the journalist as well, namely to improve</p> <p>2 a working relationship, self-evidently, and also --</p> <p>3 well, the by-product of that is that that may be of</p> <p>4 assistance if an important story comes out which you</p> <p>5 wish to have some control over. Have I correctly</p> <p>6 understood it?</p> <p>7 A. Yes.</p> <p>8 Q. At paragraph 23, you say:</p> <p>9 "One accusation the Inquiry has heard about is press</p> <p>10 officers lying."</p> <p>11 I'm not sure, to be fair, that that accusation has</p> <p>12 been made in the Inquiry. It's more along the lines</p> <p>13 that the press office puts out a certain amount of</p> <p>14 information and no more, but not that the press office</p> <p>15 actively misleads. Do you follow me?</p> <p>16 A. I do follow you.</p> <p>17 Q. And you've explained the position there. I'm going to</p> <p>18 move on to the next topic, which is taking media on</p> <p>19 operations. Can I ask you this general question: you've</p> <p>20 identified the public policy reasons why journalists</p> <p>21 might, in principle, go along on such operation, but how</p> <p>22 are legitimate privacy concerns addressed in general</p> <p>23 terms?</p> <p>24 A. We have a form that the journalists sign. We brief</p> <p>25 them. We have press officers who go on the operations</p> <p style="text-align: center;">Page 49</p>	<p>1 A. I have no direct evidence of that.</p> <p>2 Q. It's really by process of elimination. Sometimes you</p> <p>3 are able to identify an alternative source, but on other</p> <p>4 indications there might not be one; would that be fair?</p> <p>5 A. Yes.</p> <p>6 Q. Okay. The section which deals with DPA staff and media</p> <p>7 employment. Most of this, I think, speaks for itself,</p> <p>8 Mr Stearns, and is very clear, but can I ask you this on</p> <p>9 paragraph 30, please, of your statement. You say, about</p> <p>10 eight lines down that:</p> <p>11 "Print journalism is, to a large extent, a youthful</p> <p>12 profession and a fairly brutal environment as one ages."</p> <p>13 Is that a statement which comes from your own</p> <p>14 knowledge or not?</p> <p>15 A. I worked in newspapers and certainly it's a very</p> <p>16 hard-working environment. I work hard now, but it's</p> <p>17 a very demanding environment and -- with anti-social</p> <p>18 hours, often not particularly family-friendly, and</p> <p>19 I think once people have come out of journalism, they</p> <p>20 would see it, perhaps for personal reasons, quite hard</p> <p>21 to go back into it.</p> <p>22 Q. In what sense, though, was it a brutal environment?</p> <p>23 A. It depends what -- I mean, there's different journalism,</p> <p>24 obviously. My own experience is print journalism.</p> <p>25 It's -- you're very -- you may be told to go from one</p> <p style="text-align: center;">Page 51</p>
<p>1 with them, who -- and they are briefed by them as well,</p> <p>2 and most journalists, to be fair, are well aware of</p> <p>3 their responsibilities.</p> <p>4 Q. Maybe one can test it in this way: that when you've read</p> <p>5 the stories as part of press cuttings which have come to</p> <p>6 you after such an operation, have you ever felt that the</p> <p>7 newspaper has gone too far in terms of possibly</p> <p>8 intruding onto the private rights of individuals or are</p> <p>9 you always content with what you read?</p> <p>10 A. I've been content.</p> <p>11 MR JAY: Is that a convenient moment?</p> <p>12 LORD JUSTICE LEVESON: Yes, certainly. We'll have just</p> <p>13 a few minutes.</p> <p>14 (11.29 am)</p> <p>15 (A short break)</p> <p>16 (11.39 am)</p> <p>17 MR JAY: Mr Stearns, paragraph 25, please, of your</p> <p>18 statement, when you refer to the media turning up on</p> <p>19 operations. The Inquiry has received quite a lot of</p> <p>20 general evidence along those lines and you make it clear</p> <p>21 it's not always owing to a tip-off within the police,</p> <p>22 and you give examples of that.</p> <p>23 A. Absolutely.</p> <p>24 Q. Are there situations where you believe that there has</p> <p>25 been a tip-off within the police?</p> <p style="text-align: center;">Page 50</p>	<p>1 end of the country to the next at the drop of a hat,</p> <p>2 with little consideration, perhaps, for what your</p> <p>3 personal circumstance might be. So it can be very</p> <p>4 brutal, perhaps, on your private life as well.</p> <p>5 Q. Okay. I'm sure in your present job the ethical lines</p> <p>6 aren't blurred at all; it's just a question of how much</p> <p>7 information you can put out consistent with competing</p> <p>8 public interests. But were the ethical lines ever</p> <p>9 blurred in your earlier jobs, in your view?</p> <p>10 A. No.</p> <p>11 Q. Can I ask you, please, next about leaks of information.</p> <p>12 You're fairly clear that leaks from within the MPA</p> <p>13 rarely happen. Is that a correct interpretation --</p> <p>14 A. Within the DPA?</p> <p>15 Q. Within the DPA, pardon me.</p> <p>16 A. Yes.</p> <p>17 Q. But do you have a view as to the preponderance of leaks</p> <p>18 from within the MPS more generally?</p> <p>19 A. We're a large organisation, so I think it would be naive</p> <p>20 to think that information isn't leaked from an</p> <p>21 organisation that is London's biggest employer. So I'm</p> <p>22 sure that it did and it will happen in the future, I'm</p> <p>23 sure.</p> <p>24 Q. Can I ask you a more general question. Particularly</p> <p>25 now, looking at the period before July of last year, did</p> <p style="text-align: center;">Page 52</p>

<p>1 situations ever arise where journalists were giving your 2 directorate advice as to how a story might play out in 3 the public domain? 4 A. Sorry, could you clarify that for me? What, you mean 5 that they were advising us, if they wrote the story, 6 what the outcome of that would be? Or -- 7 Q. Well, you might have the story, but you would want to 8 test the water with journalists as to how it would play 9 out in the public domain if told in a certain way. Did 10 you ever go to journalists to do that? 11 A. I'm not quite sure I understand. We have conversations 12 with journalists, but I'm not quite sure I understand 13 the nuance of that -- of what you're suggesting, sorry, 14 Mr Jay. 15 Q. Maybe it was overly subtle. Sometimes you would have 16 a story -- when I say a story, it is information which 17 you would want to enter the public domain -- but you 18 would be concerned as to how the media might deal with 19 the story or how the public might react to the story, so 20 you might want to take advice both internally, because 21 you have expertise internally, but also externally from 22 journalists as to how a particular story might play out. 23 A. I can't recall an occasion where I would do that. I'm 24 content with the professionals that work with me and the 25 knowledge of the police officers as well that might be Page 53</p>	<p>1 Q. Do you have any sort of perception, though, as to which 2 journalists tend to write more favourable, on the one 3 hand, or hostile on the other hand stories about the 4 MPS? 5 A. I think all journalists are capable and should be 6 capable of doing both. Journalists that I've come into 7 contact with that deal with our press office will write 8 both favourable and unfavourable stories and judge it on 9 its newsworthiness. 10 Q. You must have a perception, though, speaking to some 11 journalists: "Well, he or she is someone who tends to 12 write favourable stories about us, therefore I can deal 13 with that person in a certain sort of way; on the other 14 hand, he or she is someone who tends to be trickier." 15 Doesn't this go through your mind on occasions or not? 16 A. Different journalists have different agendas and 17 different newspapers have different areas of interest, 18 so certainly we're aware of that as a press office, but 19 I don't think that changes my behaviour towards them to 20 any great extent. 21 Q. Okay. You also make it clear in paragraph 36 that 22 there's no formal assessment, recording or grading of 23 media coverage. 24 A. That's correct. 25 Q. Just merely the fact of such coverage is noted and it's Page 55</p>
<p>1 involved in that particular case. 2 LORD JUSTICE LEVESON: Have you heard that police officers 3 did used to speak to their journalist contacts to ask 4 about their views on the presentation of material? 5 I mean, the evidence that I've heard over the course of 6 the last few weeks, has that caused you surprise? 7 A. It depends what they were talking to them about. If it 8 was a particular operational story or bad news story, 9 I'd be surprised if you would go to a journalist to talk 10 that through and how that might be presented, but if 11 they have a personal contact and relationship with 12 a journalist, there may be occasions when they do talk 13 about how they may be perceived in the press, but -- 14 LORD JUSTICE LEVESON: Not "may be"; apparently there were. 15 My question is different: are you surprised that they 16 felt it necessary to do that or appropriate to do it, 17 when they had the team that was available to the DPA to 18 help them in this area? 19 A. Yes. 20 MR JAY: Media monitoring next, Mr Stearns, paragraph 34. 21 This is dealing with some evidence we heard about 22 an alleged system whereby reporters are graded according 23 to whether they're favourable to the MPS or not, and you 24 categorically say there's no such system. 25 A. That's correct. Page 54</p>	<p>1 monitored for a whole host of reasons, which you 2 explain. 3 Off the record, next. I can deal with this point 4 quite shortly. Is this a term which, in your 5 experience, means different things to different people? 6 A. Yes. 7 Q. Is it your view, therefore, that it's a term whose 8 meaning should therefore be clarified, if not codified? 9 A. Yes. 10 Q. Can you help us, please, with the issue of social media. 11 There's a new strategy which you append to your 12 statement, and indeed there's a new communications 13 strategy generally, but in your own words, what are the 14 advantages and then the disadvantages of social media, 15 in particular Twitter and all these other forms of 16 communication? 17 A. It's an opportunity to reach new audiences. There's 18 opportunity within social media to have a conversation, 19 and our borough Twitter sites -- certainly that is one 20 of the top reasons why we're doing that. It's an 21 opportunity for us to get out context around issues to 22 the public, and ultimately it's another way of reaching 23 the public. 24 Q. In terms of disadvantages, you've given one case study, 25 as it were, which is the Baby P case, and you explain Page 56</p>

14 (Pages 53 to 56)

<p>1 what happened there. Again, that is all clearly set 2 out. There was a risk of prejudicing the second trial, 3 which was fortunately averted. 4 Crime Reporters Association next, Mr Stearns. Do 5 you feel that this is a sort of privileged clique or 6 not? 7 A. No, I consider them more experts in their field, and 8 they do have members that come and go and join the CRA. 9 So in terms of a clique, no. I suppose they're 10 privileged in that they are crime reporters and that's 11 why they join the Association. 12 Q. You explain -- this is where I got the date from -- in 13 about 2005, the CRA lunches were instituted, and you 14 explain how they worked, namely on a rotating basis. 15 I think the Inquiry has received evidence that those 16 lunches have now ceased; is that right? 17 A. I believe they have, but actually within the Inquiry, 18 that's where I heard that that had been a formal 19 decision. But it's -- certainly they haven't taken part 20 for, I think, a year or so, but they were organised by 21 my specialist operations press desk and I think it's 22 probably about a year or so that they haven't happened. 23 Q. Then, Mr Stearns, finally you deal with two particular 24 matters of concern in relation to Mr O'Neill's evidence. 25 This is on the internal numbering page 25 of your Page 57</p>	<p>1 deal with that specifically. 2 Can I deal with one perhaps general point in 3 paragraph 68 of your statement. You say: 4 "Since the summer, we have introduced a requirement 5 for any briefings with the media that DPA staff attend 6 or are involved in to be recorded." 7 I think you touched on this earlier, but does that 8 requirement also cover police officers more generally? 9 A. I believe the management board, they are recording their 10 contact with police -- with the press, and the guidance 11 that is coming out that the Deputy is working on, the 12 interim policy, is also going to -- is covering that. 13 I believe it's been shown to the Inquiry. 14 Q. Yes, okay. 15 LORD JUSTICE LEVESON: Just let me understand. That means 16 recorded so that every word is spoken is recorded or 17 recorded in the sense that it is noted that the meeting 18 took place, the general subject matter was X? 19 A. Yes, noted that the meeting took many place and general 20 subject matter. Certainly not a full note of the 21 meeting. 22 LORD JUSTICE LEVESON: So we should really say "noted", 23 rather than "recorded"? I mean, "recorded" suggesting 24 you have a tape recorder, but you haven't. Is that 25 right? Page 59</p>
<p>1 statement. 2 A. Yes. 3 Q. Can I just understand the concern as regards the first 4 case, which was the conviction for assault. What 5 Mr O'Neill said -- this is paragraph 63 -- is that the 6 press release didn't say that the officer had pulled 7 a 14-year-old boy from a car and head-butted him. Can 8 I just understand what you're saying about that? Are 9 you saying that that matter was covered in the IPCC 10 press release? 11 A. Yes. 12 Q. Were you aware that they were putting out a press 13 release, so for that reason the MPS press release didn't 14 cover it? Is that what you're saying? 15 A. Yes, and we also -- when the IPCC are involved in a case 16 that we're putting some lines out on, we'll say, "Refer 17 to the IPCC as well." 18 Q. All right. In this particular case, did your press 19 release refer to the fact that the IPCC had put out 20 their own press release? 21 A. From memory, it did, yes. 22 Q. I understand the point. Then the second point was -- 23 you deal with this in paragraph 66 of your statement, 24 involving a particular case. Again, I think that case 25 is probably self-explanatory and I don't think we need Page 58</p>	<p>1 A. On some occasions we will have a tape recorder when we 2 are facilitating a press interview, but certainly we are 3 not keeping that for the purposes of that record. It is 4 a note that the meeting has taken place. 5 LORD JUSTICE LEVESON: All right. 6 MR JAY: Is the general thinking this: that everything 7 should filter back to the DPA, the DPA has this Solcara 8 system, so all contact between the MPS and journalists 9 should be noted in one shape or form? If it's DPA 10 contact, then it's easy to do because you have control 11 the system. 12 A. Yes. 13 Q. But if it's an officer's contact, you should be informed 14 of that and then you can note the fact that it's 15 occurred. Is that the thinking? 16 A. I think it's -- on occasions, it would be a local note. 17 If it's a borough officer talking to his local paper on 18 a weekly sort of catch-up, I don't see that we need the 19 bureaucracy of bringing that to the press office and 20 I wouldn't like to see that. I wouldn't like to see it 21 becoming overly bureaucratic, certainly. 22 LORD JUSTICE LEVESON: I agree with that, as long as 23 somebody knows who is talking about what to whom. Is 24 that right? 25 A. Yes. Page 60</p>

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<p>1 LORD JUSTICE LEVESON: Somebody somewhere. It may be in the 2 borough. 3 A. Yes. 4 LORD JUSTICE LEVESON: The person who has the local contact 5 with the local newspaper is this particular 6 neighbourhood sergeant. 7 A. Yes. 8 MR JAY: Thank you very much, Mr Stearns. 9 A. Thank you very much. 10 LORD JUSTICE LEVESON: Yes, Mr Barr? 11 MR BARR: Good morning, sir. The next witness is Chief 12 Superintendent Barnett. 13 MR DEREK BARNETT (sworn) 14 Questions by MR BARR 15 MR BARR: Good morning. 16 A. Good morning. 17 Q. Could you tell the Inquiry, please, your full name? 18 A. Yes, I'm Chief Superintendent Derek Barnett. 19 Q. And you are presently the president of the Police 20 Superintendents Association of England and Wales; is 21 that right? 22 A. That's correct, yes. 23 Q. You provided the Inquiry with a witness statement. Are 24 the contents of the witness statement true and correct 25 to the best of your knowledge and belief?</p> <p style="text-align: center;">Page 61</p>	<p>1 a number of different ranks until your election as 2 vice president of the PSAEW in March 2007; is that 3 right? 4 A. That's correct. 5 Q. And you were elected president in 2010? 6 A. That's correct. 7 Q. If we could now look a little bit at the Association 8 itself. Is it right that it is recognised in the Police 9 Act? 10 A. Yes, it is. Following the police strike of 1919, the 11 Police Federation was formed, but that represented 12 officers only up to the rank of chief inspector, and it 13 was recognised in 1920 that there was a gap, and the 14 government of the day allowed superintending ranks to 15 meet once a year, which evolved into several meetings 16 a year. The OGSE(?) committee in 1952 formally 17 established the Association, which I think was then 18 formalised in the Police Act of 1964. 19 Q. The membership is comprised of those who hold the ranks 20 of superintendent and chief superintendent, and rather 21 like the Federation, you automatically become a member 22 if you are of the appropriate rank, but there's an 23 option to pay a subscription and to benefit from 24 additional services for representation and legal advice; 25 is that right?</p> <p style="text-align: center;">Page 63</p>
<p>1 A. Yes, they are. 2 LORD JUSTICE LEVESON: You may have seen or heard what 3 I said to the Federation representative yesterday. I'm 4 very grateful to you for preparing this statement. 5 I appreciate that, of course, many of the 6 responsibilities which are the subject of the Inquiry 7 would fall to the ACPO ranking officers but I was keen 8 that other ranks should have the opportunity of 9 providing such feedback or information as they could. 10 So I'm grateful to you for doing that. 11 Are you full-time within your association or are you 12 also -- do you also have operational police duties? 13 A. No, I am a serving chief superintendent, but full-time 14 seconded to the role of president of the Association. 15 LORD JUSTICE LEVESON: How long is that for? 16 A. It's for a three-year term of office. 17 LORD JUSTICE LEVESON: Then you go back to -- 18 A. Yes. 19 LORD JUSTICE LEVESON: -- operational duties? 20 A. Yes. 21 LORD JUSTICE LEVESON: Very good, thank you. 22 MR BARR: Chief superintendent, you tell us about your 23 career at paragraph 1.3. You joined the Cheshire 24 Constabulary in 1978 and you've served in a number of 25 different capacities in that constabulary and in</p> <p style="text-align: center;">Page 62</p>	<p>1 A. That's right, yes. 2 Q. You tell us that there are 268 chief superintendents and 3 1,170 superintendents, a total of 1,438 members. What 4 proportion of the overall membership are subscribing 5 members? 6 A. I think statistically 100 per cent. There are 7 a handful, I think less than double figures, that choose 8 not to. 9 Q. Your objectives as an organisation are, first of all, to 10 negotiate on matters of pay and conditions and to 11 provide support and advice to your members. But perhaps 12 of particular interest to this Inquiry -- and I'm 13 looking now at the second and third bullet points of 14 paragraph 2.2 -- are to lead and develop the Police 15 Service to improve standards of policing and to actively 16 contribute to help shape future policing policy and 17 practice at the national and strategic levels. 18 Does it follow that you have a particular interest 19 in the outcome of the O'Connor and Filkin reports, and 20 in due course in the recommendations that this Inquiry 21 will make? 22 A. Yes, that is correct. 23 Q. Can we now look at one or two specific topics and see 24 what the Association's position is on them. First of 25 all, the ACPO Communication Advisory Group guidance on</p> <p style="text-align: center;">Page 64</p>

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<p>1 handling the media. You tell us that, like other 2 witnesses, the Association has identified a gap in the 3 guidance, in that it doesn't say very much about the 4 ethical aspects and conduct issues arising when dealing 5 with the media. Is that right? 6 A. Yes, I think so. That's correct, yes. 7 Q. But you go on to identify another feature of the 8 guidance. You describe the current guidance as having 9 a low visibility. Could you, please, expand upon that 10 and tell us how that manifests itself in practice? 11 A. Okay. I think it was important in preparing the 12 evidence that we speak to our members, and the feedback 13 from them was that a number of them were aware of the 14 guidance but that it was primarily aimed at press office 15 professionals rather than operational police officers, 16 and those that had seen it thought it was a useful guide 17 but really didn't have a wide audience within our 18 membership, and hence the suggestion of low visibility. 19 Q. So what does the Association suggest might be done about 20 that? 21 A. We are happy to work along with The Association of Chief 22 Police Officers to revise the guidance, and also, once 23 that has been revised, to use our network and make sure 24 that every single superintendent and chief 25 superintendent gets an electronic copy of the new Page 65</p>	<p>1 Q. Is that because you think there is a problem with the 2 level of understanding of that at the present or is it 3 because you think it's a message that just simply needs 4 to be continually reinforced? 5 A. I think it's just a core element of policing, and when 6 a police officer becomes a sworn officer, they take an 7 oath of attestation, and they also take the Police 8 Service statement of common purpose and values, and 9 again, that's very explicit in there about the role of 10 integrity and impartiality. 11 Q. You tell us that one of the circumstances in which the 12 Association will help a subscribing member is if he or 13 she is libelled and it's not possible to sort out the 14 issue locally. Would that protection extend to helping 15 a member whose privacy had been invaded? 16 A. Yes, it would. In the course of their duties, that is. 17 Q. Can you help us with whether or not the Association has, 18 in your recollection, ever had to provide such 19 assistance to a member who has been the subject of 20 adverse comment by the media? 21 A. Yes, we have. We receive, on a regular but not frequent 22 basis, members who will report that they've had 23 unfavourable reporting in the media, and sometimes would 24 suggest that that's been inaccurate or libellous, and 25 they would seek our support in doing that. We have Page 67</p>
<p>1 guidance. 2 Q. So in other words, a much wider dissemination than has 3 been the case to date? 4 A. Absolutely, yes. 5 Q. And as well as disseminating it, is there anything that 6 the Association can do to ensure that it is read, 7 digested and understood? 8 A. I think so. I think the structures we have in place 9 would make that the case, that people would receive it 10 and would use it. 11 Q. Substantively you mention, at paragraph 25.2 of your 12 statement, page 13, that suggested changes include 13 greater clarity about relationships and off-the-record 14 briefings, and guidance about generic public order, 15 harassment by paparazzi and traffic offences relating to 16 media activity. These are the sorts of things that you 17 think that those dealing with the media ought to have in 18 mind as well as the general communication message? 19 A. Yes, I do. I think it would be very useful. 20 Q. You also -- I'm flicking back now to page 4 and 21 paragraph 6.4 -- advocate an unequivocal statement in 22 future guidance about the acceptance of payment for 23 information being wrong, criminal and a disciplinary 24 offence? 25 A. I think that should be explicit. Page 66</p>	<p>1 a process whereby we would seek legal opinion to see 2 whether that is the case, and if the legal opinion 3 supported that, we would assist the member in taking 4 legal action. That hasn't happened, to my knowledge, on 5 more than two occasions in the last six years. 6 Q. If I move now to the question of training, as 7 I understand your statement, you are suggesting that 8 there is room to improve training about the broader 9 relationship with the press and ethical concerns arising 10 from it, very much echoing -- 11 A. Yes. 12 Q. -- the criticism you make about the current guidance. 13 Is that a proper understanding of the Association's 14 position? 15 A. It is. Throughout a police career, at various ranks and 16 various specialisms, you will have training in relation 17 to dealing with the media. That tends to be, I would 18 call, on a sort of process level or a mechanical level, 19 what to do and what you don't do. It is less about the 20 ethics and some of the issues I think that have been 21 covered by this Inquiry, which I do think is a gap. 22 Q. In terms of how that gap is filled in practice, do you 23 think that it's something which ought to be done locally 24 or is there room for national guidance and national 25 standards? Page 68</p>

<p>1 A. I think there is room for national guidance and 2 standards, but I would add the caveat that training is 3 not the whole answer to this. It is a question, 4 I think, particularly with the new police professional 5 body that will be in place in November this year, of 6 making integrity and ethics core in all police training, 7 and particularly in the early parts of a police 8 officer's career.</p> <p>9 Q. If we move now to the present position, a number of 10 witnesses -- and you are one of them -- have talked 11 about the impact of the current scrutiny of relations 12 between the police and the media. You deal with it on 13 page 8 of your witness statement, at paragraph 13.7, and 14 you describe a heightened sensitivity in dealings with 15 the media at the moment. You say that many -- I think 16 here are you referring to many police workers in general 17 or are you referring only to your members?</p> <p>18 A. I think it's something that is general to the service.</p> <p>19 Q. You say: 20 "Many are sticking to the facts and some are seeking 21 to avoid contact altogether." 22 Now, is that a matter of real concern to you?</p> <p>23 A. I think what you're probably seeing is, quite 24 understandably, a sense of caution in people at the 25 moment, and I sense that the outcome of this particular</p> <p style="text-align: center;">Page 69</p>	<p>1 confidence and reassurance, but I also think in terms of 2 holding the police to account, it is good to have 3 a strong and active press.</p> <p>4 Q. Can we move now to off-the-record communications, which 5 you deal with in paragraph 15 on page 8 and the top of 6 page 9 of your statement. 7 The point that you in particular make is the need to 8 distinguish between an off-the-record conversation and 9 what you describe as a "managed confidential briefing". 10 Do you there mean by "off the record" a conversation 11 which can be printed but without attribution?</p> <p>12 A. I think it's a difficult distinction. I think the term 13 "off-the-record briefing" is probably unhelpful, because 14 it almost gives a sense that somehow there's an element 15 of secrecy about it. Really, what it is, I think, is 16 really a way of describing a routine conversation 17 between a police officer and a journalist that ought to 18 be the subject of note or record, not necessarily to 19 record it verbatim but to record the fact that it's 20 taken place, where and when and who between, and the 21 issues that are covered. But I think the term 22 "off-the-record briefing" is one that should be 23 consigned to perhaps the dustbin.</p> <p>24 Q. Are you in a position to suggest a replacement or would 25 you like to just stop at saying that the term "off the</p> <p style="text-align: center;">Page 71</p>
<p>1 Inquiry will be a watershed in the way that the police 2 and media deal with their relationships, and I think in 3 that sort of interim period, people are slightly 4 cautious as to what they may or may not do, which 5 I think is leading to this perhaps reticence to speak on 6 occasions.</p> <p>7 Q. Is part of the solution going to be giving clear 8 guidance about what police workers can and cannot say to 9 the media?</p> <p>10 A. Yes, I think that will be part of the answer, yes.</p> <p>11 Q. And providing a level of training and support which will 12 give them the confidence to know what is right and what 13 is wrong when dealing with the media?</p> <p>14 A. Yes. I think that is part of the answer, but I think 15 a greater part of the answer may be in the change of 16 culture, perhaps, and understanding of some of those key 17 issues of integrity and ethics, bringing those to the 18 fore, when people are dealing with certainly the media.</p> <p>19 Q. In terms of whether or not contact is desirable, are you 20 of the school that considers that it is important for 21 the police to get its message across to the media and 22 for the media to be able to hear from police as to 23 what's going on?</p> <p>24 A. I think it's very, very important for a number of 25 reasons, particularly in an operational sense and public</p> <p style="text-align: center;">Page 70</p>	<p>1 record" should fall out of official usage?</p> <p>2 A. I think the term "confidential briefing" describes it 3 very adequately.</p> <p>4 Q. Moving to the question of bribery, you support the 5 recommendation made by Sir Denis O'Connor that forces 6 should institute robust systems to ensure risks arising 7 from relationships and information disclosure, 8 gratuities and hospitality should be monitored and 9 managed. So it follows that you think there more that 10 can be done to reduce the risk of problems. Do you have 11 anything specific in mind at the moment or are you going 12 to approach the consultation which will, in due course, 13 take place with an open mind?</p> <p>14 A. We will approach that with an open mind.</p> <p>15 Q. On the question of leaks, at paragraph 17 of your 16 witness statement, you suggest that as far as you're 17 aware, you think the problem is more one of careless 18 disclosure or the thoughtless use of associate networks 19 than it is of a systematic and endemic problems. If 20 that is right, what is the solution, in your point of 21 view, to minimise the risk of leaks in future?</p> <p>22 A. I think certainly, again, coming back to the issue of 23 awareness, and -- I think it is occasionally easy for 24 police officers to be asked a question by a member of 25 the public or ostensibly a member of the public at</p> <p style="text-align: center;">Page 72</p>

<p>1 a crime screen, for example, or a public order incident, 2 and unwittingly give information which they believe to 3 be accurate and correct but isn't perhaps in the context 4 of the overall operation or the overall investigation. 5 So I think there is an issue about awareness to officers 6 of all rank. 7 But I also think I would echo what previous 8 witnesses have said, that in any organisation it is 9 likely to occur on occasions that people will leak 10 information deliberately. 11 Q. In terms of dealing with the careless disclosure, do we 12 come back to matters of training and perhaps, above all, 13 culture? 14 A. Yes, and that should start as soon as a police officer 15 becomes a constable. 16 Q. In terms of trying to work out how big a problem leaks 17 are from the police, one of the things you touch on in 18 your statement is a use of the term "police sources", 19 which may be a term used to disguise all sorts of 20 ultimate sources for information. What's your view 21 about the future use of the phrase "police sources"? 22 A. I think -- it's a term that's used by journalists quite 23 often, perhaps as shorthand. It also probably reads 24 well in the copy as well, but my experience is that 25 police sources are referred to on occasions when they</p> <p style="text-align: center;">Page 73</p>	<p>1 A. I think it's difficult, sir. If, for example, you put 2 a limit of £40, £50 or whatever, at what stage does £39 3 become acceptable, £41 doesn't? I think it creates 4 almost a -- 5 LORD JUSTICE LEVESON: You might not do it in money terms at 6 all. You might do it by way of description. 7 A. Which I think almost brings you to the subjectivity 8 rather than a clear defining line in terms of value or 9 level of hospitality or what level of hospitality is 10 appropriate or not. I just have a sense that if that -- 11 we are -- part of what the Home Secretary is trying to 12 do is to create policing more of a profession, and 13 I think it's important that if we are to do that, we 14 allow people professional discretion but hold people to 15 account for the hospitality that they have and make sure 16 the hospitality they do have is open and transparent. 17 MR BARR: Isn't there a difficulty that if insufficient 18 guidance is given, then the uncertainty which a lot of 19 witnesses, including yourself, are describing as 20 impairing the flow of information between the police and 21 the media -- that state of uncertainty may persist, 22 mightn't it? 23 A. It is, and it's for that reason that we have offered to 24 work with our colleagues in the Association of Chief 25 Police Officers in the guidance that they are drawing up</p> <p style="text-align: center;">Page 75</p>
<p>1 may not be police sources but it is convenient to say 2 that they are. 3 Q. Hospitality. Could I explore with you, please, where 4 the boundaries might properly lie, in the Association's 5 view. You make clear in your witness statement that you 6 don't think that a cup of coffee or even a lunch is 7 inappropriate. Where do you draw the line? 8 A. I think we have to be careful to have a proportionate 9 response to this, because I think what we have been 10 looking at here are some extreme cases. I would argue 11 that the vast majority of contacts that police officers 12 would have, particularly in my experience, are at a very 13 low level in terms of hospitality, and I think we have 14 to be careful that we don't introduce guidelines that 15 are quite -- that constrain people's normal 16 relationships. 17 It is very subjective as to what stage something 18 becomes inappropriate, and my sense is that we should 19 actually leave that to people's common sense and 20 judgment and their professionalism, but based on a very 21 clear code of ethics and guiding principles. I think 22 that is the right way to hold people to account. 23 Q. Is there a difficulty that if your -- 24 LORD JUSTICE LEVESON: So you wouldn't have any sort of 25 limit at all?</p> <p style="text-align: center;">Page 74</p>	<p>1 certainly at the moment. 2 Q. Are you accepting that in principle it needs to be 3 sufficiently clear that people know where they stand, 4 even if it may not be dotting every "I" and crossing 5 every "T" as to precisely how much may or may not be 6 spent on a specific occasion? 7 A. Yes, I do. 8 Q. I understand that you've been thinking about the concept 9 of public interest in terms of the flow of information 10 between the police and the media. Could you help us 11 with your current thoughts on that topic, please? 12 A. These are some discussions that we had with our members 13 as part of the preparation for the hearing, and a view 14 that we came to -- which is certainly not meant to be 15 definitive but it gave us some sort of clarity of 16 thought -- is information which, on the balance of 17 probabilities, is considered to be better for the public 18 good, that is disclosed or published, rather than kept 19 secret. This would include information in relation to 20 conduct that is corrupt, illegal, unethical or places an 21 individual or the general public at risk of harm. 22 Q. Obviously with questions of public harm there's an 23 immediate need for information to be made public. In 24 terms of internal corruption, if somebody finds out 25 about some wrongdoing internally, is it your view that</p> <p style="text-align: center;">Page 76</p>

<p>1 that person should try, first of all, to deal with it 2 internally through the chain of command, or should they 3 go straight to the media? 4 A. One would hope -- there are a number of courses 5 available to officers and staff. One is, as you've 6 described, through the chain of command. There are, in 7 most police forces, to my knowledge, a confidential 8 reporting line as well, and you would hope that that 9 would cover most eventualities. Perhaps in extreme 10 circumstances there may be an option to go outside of 11 that, but I think there is a very clear principle that 12 in those circumstances it can never be right to accept 13 payment for doing so. 14 Q. Indeed. So does it come to this: it's only if there's 15 public interest knowledge which is not being dealt with 16 by the organisation, and as a last resort, that it's 17 right to go outside? Is that right? 18 A. That's correct, yes. 19 Q. Press offices. You tell us -- I'm now looking at 20 page 11, paragraph 20 -- that in your view the press 21 office has become a vital component for modern policing. 22 You explain why at paragraph 20.1. Can I ask you this: 23 do you think that it is the solution to communication 24 between the police and the media, or is it only a part 25 of the solution?</p> <p style="text-align: center;">Page 77</p>	<p>1 MR BARR: Thank you very much. Those were all my questions. 2 A. Thank you. 3 LORD JUSTICE LEVESON: Chief superintendent, thank you very 4 much indeed. 5 A. Thank you. 6 MR BARR: Sir, the next witness is Dr Mawby. 7 DR ROBERT IAN MAWBY (affirmed) 8 Questions by MR BARR 9 MR BARR: Dr Mawby, could you confirm your full name, 10 please? 11 A. Yeah, Robert Ian Mawby. 12 Q. Subject to one typographical error in the 13 antepenultimate line on the first page where the word 14 "involving" should be "involved", are the contents of 15 your witness statement true and correct to the best of 16 your knowledge and belief? 17 A. They are. 18 Q. You tell us that you work in the Department of 19 Criminology at the University of Leicester, where you 20 teach criminology and undertake research. Before your 21 appointment at Leicester, you've previously worked at 22 the universities of Birmingham City, Keele and 23 Staffordshire. You have been a criminal justice 24 researcher since 1993 and you have undertaken many 25 research projects on the police covering, amongst other</p> <p style="text-align: center;">Page 79</p>
<p>1 A. It can only be a part of the solution, in my view. 2 Q. So you envisage a continuing flow of information between 3 journalists who are directly contacting police officers? 4 A. Yes, because I think it is important to remember that 5 the vast majority of contacts between the police and the 6 media are at very much a local level, whether it be 7 a borough level or town and village level, and it is 8 easy sometimes to get drawn into believing that all 9 contact is at a national level. 10 Q. Is that one of the reasons why it's so important that 11 standards and guidance are disseminated widely? 12 A. Yes. 13 Q. You explain the Association's support for Sir Denis 14 O'Connor's recommendations and also for 15 Elizabeth Filkin's recommendations, and also the desire 16 of the Association to play a part in their 17 implementation. Could you help us with how you see that 18 happening in practice? 19 A. Yes. We are actively engaged with our colleagues in The 20 Association of Chief Police Officers, and it is 21 something that we will be keen to contribute to. We 22 have also had discussions with Sir Denis' department as 23 well. The Filkin -- Elizabeth Filkin's report is very 24 much a Metropolitan Police matter, although I think the 25 principles can apply outside.</p> <p style="text-align: center;">Page 78</p>	<p>1 things -- and I'm picking out now what's of particular 2 interest to the Inquiry -- preventing police corruption 3 in transitional states and police/media relations; is 4 that right? 5 A. Correct, yes. 6 LORD JUSTICE LEVESON: Thank you very much for the obvious 7 work you've put into preparing this evidence, which 8 provides a different perspective to this aspect of the 9 Inquiry. 10 A. Thank you. 11 MR BARR: Focusing now on your research interest in 12 police/media relations, you've written a book, "Policing 13 Images: Policing, Communication and Legitimacy", which 14 was published in 2002, and you've participated in or 15 instigated various projects facilitated by ACPO, 16 latterly by the Association of Police Public Relations 17 Officers, or the Association of Police Communicators as 18 it now is, and that research has involved interviews 19 with press officers, police communicators, managers and 20 ACPO officers, observational research, three national 21 surveys and work as an academic sounding board; is that 22 right? 23 A. That's all correct, yes. 24 Q. Most recently, between 2006 and 2008, you conducted 25 a research project called "The Police, the Media and</p> <p style="text-align: center;">Page 80</p>

20 (Pages 77 to 80)

1 their Audiences", which was funded by the Economic and
 2 Social Research Council.
 3 **A. True.**
 4 Q. You set out at page 2 of your report, in brief terms,
 5 some of the theories that circulate in your field, but
 6 perhaps I could settle on the bullet point at the bottom
 7 of the page where you tell us about your own view, which
 8 is that relations between the police and the media are
 9 complex and that they differ according to a wide number
 10 of factors; that's whether they're local or national,
 11 across forces, across media formats, depending upon time
 12 and the circumstances of individual newsworthy events;
 13 is that right?
 14 **A. That's correct, yes.**
 15 Q. You describe, at various points in your witness
 16 statement, a constant tension between police and media
 17 which has to be the subject of negotiation. Can we
 18 explore that, first of all. What is at the root of the
 19 tension?
 20 **A. The root of the tension is the different roles and**
 21 **objectives of the police and the media. The police are**
 22 **in place to detect crime, to maintain order. The media**
 23 **are there to maximise their audiences, to run successful**
 24 **businesses, and also to hold the police to account. So**
 25 **although they have things in common, there's always**
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1 **going to be a bit of tension in that relationship, which**
 2 **will ebb and flow.**
 3 Q. Looking at that from the perspective of the public
 4 interest, in your opinion, is that constant tension in
 5 the public interest?
 6 **A. I would say so, yes, as long as that tension operates**
 7 **within a healthy framework, where the police are trying**
 8 **to be open and accountable and the media are trying to**
 9 **hold them to account and where there's clear channels to**
 10 **pass information.**
 11 Q. You tell us in your statement about the way in which
 12 relations between the police and the media may have
 13 changed over time, and you use as a starting point the
 14 research work conducted in the 1970s by Chibnall.
 15 **A. Yeah.**
 16 Q. He described -- I'm reading from your statement at
 17 page 5 now:
 18 "... seasoned crime reporters meeting detectives in
 19 smoky pubs, building relationships and exchanging
 20 information for hospitality."
 21 My first question to you is: apart from the fact
 22 that the pubs are now smokeless, has there been any
 23 change in those informal exchanges of information?
 24 **A. There has, yeah, and perhaps just to set out initially,**
 25 **Chibnall's research focused on Fleet Street and the Met,**
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1 **whereas the research I've done subsequently looks at the**
 2 **police/media relationship nationally throughout England.**
 3 **And the relationship has changed as far as my research**
 4 **has found out, to the extent that one crime reporter**
 5 **told me that you're more likely to meet a copper in the**
 6 **gym these days than in the pub.**
 7 Q. Do you think that that means that there is still some
 8 ongoing contact in the pub, or are those days completely
 9 gone?
 10 **A. Well, speaking from the research I've done, there was**
 11 **some contact, but it's minimal and not the part of the**
 12 **relationship that it once was.**
 13 LORD JUSTICE LEVESON: Are you talking here about the
 14 national relationship or in the Metropolitan Police?
 15 **A. I'm talking more about the national relationship.**
 16 LORD JUSTICE LEVESON: I get the distinct impression that
 17 there is a very real difference between the relationship
 18 between the Metropolitan Police and the most senior
 19 officers in the Met and between editors and local
 20 chief constables.
 21 **A. Yeah, that's the impression I get, yeah.**
 22 MR BARR: You then tell us about some of the other ways in
 23 which things have changed. First of all, I think, is
 24 the development of police press offices. They're not
 25 a new thing, are they? There have been press offices
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1 for a long time?
 2 **A. That's right. The first one was established in 1919,**
 3 **which was the Met's Press Bureau, and there wasn't a lot**
 4 **of growth in press offices after that until about 1960s,**
 5 **where they steadily were established throughout other**
 6 **forces.**
 7 Q. When they were first introduced in 1919, the reasons for
 8 their introduction were what?
 9 **A. There were a number of police scandals which had**
 10 **originated from leaks from detectives, where detectives**
 11 **had been selling information to journalists in pubs.**
 12 **That's back in 1919. And the Commissioner at the time,**
 13 **Sir Neville Macready, he didn't -- obviously he didn't**
 14 **like the idea of the corruption involved, and he set out**
 15 **to counter these informal communication channels with**
 16 **a formal communication channel. Hence he set up what**
 17 **was called the press office, the Press Bureau, which was**
 18 **just one person, his secretary, that went around the**
 19 **department of Scotland Yard collecting information and**
 20 **issuing two press releases, one in the morning and one**
 21 **in the afternoon. That was the extent of news.**
 22 Q. As we'll come to in a moment, although the press offices
 23 have rather changed over time, do the reasons for their
 24 existence still endure, are they the same ones?
 25 **A. Yes. The reasons are to provide a formal channel for**
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<p>1 communication, but McCreedy also wanted to -- what he 2 said is "cast back the shadows over Scotland Yard and 3 let people see in". So there was an intention to be 4 open and accountable. That was in 1919 and that still 5 exists today.</p> <p>6 Q. If we look now at what has changed in terms of how they 7 actually function, you describe -- I'm looking now at 8 page 10 -- how the press offices of today are really 9 probably more accurately described as corporation 10 communications departments.</p> <p>11 A. Yes, that's true. It's something of a misnomer, really, 12 press office, these days. In the three surveys that 13 I've carried out, the first 1996/1997 and the last 14 2006/2007, we see a definite pattern of movement from 15 press offices sort of moving back and corporate 16 communications moving in and the roles of the old press 17 offices expanding.</p> <p>18 Q. So has there been a trend of an increasing number of 19 communications professionals --</p> <p>20 A. Yes.</p> <p>21 Q. -- manning these posts?</p> <p>22 A. Yes, definitely. It's now force policy -- or on the 23 last survey, about 90 per cent of forces were recruiting 24 professionals and the survey found that about 400 25 professional communicators were employed across forces.</p> <p style="text-align: center;">Page 85</p>	<p>1 I described as the permeation of communications 2 throughout the force. This might comprise satellite 3 press offices in some areas, some larger cities, 4 perhaps, or it might comprise communication officers 5 working with specific teams.</p> <p>6 There's also non-communications specialist police 7 officers who might be given communications tasks, 8 media-oriented tasks.</p> <p>9 Q. It seems that yet another trend that perhaps might help 10 to explain the increase in size of press offices in 11 police forces is a growth in demand for media 12 information.</p> <p>13 A. That's right. That is something else which I was 14 interested to try and get a feeling for, and with the 15 proliferation of media in recent years, I was interested 16 to find out whether forces were dealing with more media 17 organisations or just more information from the same 18 number, and they didn't seem to be dealing with a lot 19 more media organisation but there was more traffic.</p> <p>20 Q. Can you help us with the consequence of all these 21 changes? What does it mean on the ground about the 22 flows of information between the police and the media?</p> <p>23 A. What it means is in terms of the rise of corporate 24 communications, although a lot of resource has been put 25 into it, it's just keeping up, really. They're running</p> <p style="text-align: center;">Page 87</p>
<p>1 That compares with 121 in 1996/1997, so quite some 2 growth.</p> <p>3 Q. And 215 in 2000/2001.</p> <p>4 A. Yeah.</p> <p>5 Q. So this has been a very rapid decade, between the 6 mid-1990s and the mid-noughties?</p> <p>7 A. That's right, yeah.</p> <p>8 Q. Is this trend continuing or not?</p> <p>9 A. Even at a time -- doing my last survey I was getting the 10 impression that cutbacks were happening. The few forces 11 that didn't participate in the survey -- I know that two 12 of them were restructuring at the time and so chose not 13 to take part -- and there was some research done towards 14 the end of last year, through freedom of information 15 requests, which suggests that I think about two-thirds 16 of forces have cut their budgets for corporate 17 communications. So that would seem to suggest that this 18 increase in numbers that I charted is possibly in 19 decline.</p> <p>20 Q. Another trend that you identify is a growing deployment 21 of communications professionals outside of police 22 headquarters.</p> <p>23 A. That's right. This is -- it was breaking the model, 24 really, of just having a headquarters press office and 25 no press offices elsewhere. It's something that</p> <p style="text-align: center;">Page 86</p>	<p>1 to stand still. And in terms of -- do you want me to 2 talk about the relationship between crime reporters --</p> <p>3 Q. What I'm getting it, first of all, is that press offices 4 have something of a gatekeeper function, don't they? So 5 if there are now many more communications professionals 6 and they're spreading out from the headquarters into 7 subordinate areas, does that mean there's at least 8 an attempt by police forces more tightly to control the 9 flow of information?</p> <p>10 A. I'm not sure. It's to facilitate the flow of 11 information, I think, as much as control it, because by 12 appointing other people who are not communication 13 specialists -- neighbourhood inspectors, for example, 14 it's -- if you're giving the responsibility to more 15 people, you're not really controlling it in the sense of 16 filtering it, funnelling it.</p> <p>17 Q. And if it proved to be necessary to have more 18 communications professionals and to have ever-growing 19 press offices or communications departments, are they 20 sufficient in themselves to meet the needs of 21 communicating with the media?</p> <p>22 A. No. I think they're a necessary but not sufficient 23 element of media relations, in that crime reporters may 24 use the press offices as a first stop but they need to 25 use other sources to build the stories, the specialist</p> <p style="text-align: center;">Page 88</p>

22 (Pages 85 to 88)

<p>1 crime reporters, to give them something extra, to give 2 them that edge that makes them a crime reporter. So 3 they will use information from the members of the public 4 provide them direct. There's leaks, of course, and 5 there's informal relationships, so not with police 6 communicators but with officers throughout force. 7 Q. Is it your impression that whether or not they're taking 8 place in the gym these days rather than the pub, that 9 that level of informal communication continues just as 10 it always has? 11 A. That's what crime reporters were trying to maintain, 12 yes. 13 Q. Is the driving force behind that the need to get 14 a competitive advantage -- 15 A. Yes. 16 Q. -- and to have more than the information that's just 17 been given out to everybody? 18 A. That's right, yeah. Yeah, it's the competitive 19 advantage. 20 Q. How are the police forces dealing -- and I'm talking now 21 nationally -- with the issue that inevitably arises of 22 ensuring that confidential information that shouldn't be 23 divulged isn't divulged during these informal contacts? 24 A. My understanding of that would be it's the trust that's 25 built up between the individuals involved. Page 89</p>	<p>1 you see these, at present, as complementing or replacing 2 the more traditional channels of communication? 3 A. Complementing at the moment. I think it would be 4 interesting to see how things develop. A number of the 5 managers of corporate coms that I spoke to talked about 6 a law of diminishing returns in dealing with the 7 traditional media, in terms of: there's only so much you 8 can do to get the coverage that you want for the things 9 that you need, and so the forces are looking more and 10 more to direct contact through their own new media 11 activities. 12 Q. I've been concentrating thus far on the changes on the 13 police side of things. On the media side of things, you 14 detected in your research a trend in terms of the 15 numbers of specialist crime reporters and indeed the 16 size of news-gathering teams. They appear to be going 17 downwards, don't they? 18 A. Yeah, that's one of the things I was interested to chart 19 with this apparent rise in police corporate 20 communications: what the balance was on the other side, 21 in terms of media, and with consolidation of ownership 22 in the media, industries and declining sales of 23 newspapers and budget cuts, I was interested to find out 24 what resources were being put into crime reporting, and 25 certainly on a local level, there was evidence that Page 91</p>
<p>1 Q. Can you give us, from your researches, some idea of the 2 levels to which crime reporters will go to maintain that 3 trust? 4 A. Yeah. A number of reporters said to me that they'd 5 rather lose a story than lose the trust of a valuable 6 source. So in that sense, if there was a story which 7 they thought wasn't appropriate to run, they would 8 perhaps not tell their editor about it and not pass that 9 information on. 10 Q. Do you get the impression that there is a significant 11 problem with leaks arising from these unofficial 12 channels of communication? 13 A. From the research I did, those informal channels, 14 I wouldn't think leaks arise from those. They tend to 15 provide the background information, the additional 16 information to stories that reporters are interested in. 17 It doesn't tend to be leaks that create a story on its 18 own. 19 Q. Where there are leaks of confidential information which 20 are then reported, can you assist at all as to where 21 they tend to come from? 22 A. No, I'm sorry. 23 Q. Another feature of the modern communications department 24 which you touch on is the increased use of new media by 25 police forces: the Internet and social networking. Do Page 90</p>	<p>1 there was less specialist reporters and smaller 2 news-gathering teams, and it was harder for corporate 3 coms departments to get specialists out to an event that 4 they were trying to interest the media in. 5 Q. So what impact has that had on the way in which the 6 media and police communicate? 7 A. I suppose it's -- rather than more meetings between the 8 crime reporters and the detectives, the press offices 9 will prepare packages which reporters can use from their 10 offices without going out and doing the 11 information-gathering. 12 Q. Is there an increased use of that sort of packaged 13 information? 14 A. There is an increased use of that, yeah. 15 Q. Moving now to an entirely different issue, that of the 16 role of private detectives in obtaining information from 17 police contacts for the media, your research has not 18 detected any evidence of that at all, has it? 19 A. No. At the time of doing the research, it just wasn't 20 on the radar. It just wasn't a topic of conversation. 21 Q. So would it be fair to say that that's not something you 22 particularly explored one way or the other? 23 A. No. No, the research I did was carried out before news 24 of that was emerging, so it was something that 25 I couldn't look at retrospectively. I thought it about Page 92</p>

1 **it retrospectively and wondered whether there may be**
 2 **some connection to the decline of specialists, whether**
 3 **there's now a need -- because of the declining numbers**
 4 **of crime reporters, whether the need for a private**
 5 **investigator rises there.**
 6 LORD JUSTICE LEVESON: When you did your research, had "What
 7 price privacy?" and "What price privacy now?" been
 8 published?
 9 **A. No.**
 10 MR BARR: Off-the-record conversations. You deal with these
 11 on page 7 of your statement and you start with the
 12 general observation, using a quotation:
 13 "The mere fact of the Commissioner of police taking
 14 editors into his confidence is calculated in itself to
 15 create a sympathetic attitude."
 16 Then you quote a very experienced crime reporter
 17 saying:
 18 "I like to deal with detectives. Most of the
 19 information is off record and if I used it, that would
 20 be it. Finished."
 21 From your research, did you get the impression that
 22 off-the-record conversations are important?
 23 **A. Yes. That quote that you mentioned, that was from the**
 24 **1930s, Lord Trenchard. Yes, those off-the-record -- or**
 25 **backstage briefing, really. I've watched and heard the**

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1 **debate over the terminology of "off the record". In**
 2 **terms of when I spoke to reporters about it, it was**
 3 **really about picking up the phone, speaking to regular**
 4 **contacts and building up their ongoing knowledge.**
 5 Q. Does it follow from that that there's a lot of this type
 6 of contact going on?
 7 **A. There was when I did the research, yes. It was the**
 8 **bread and butter work of the local crime reporter to do**
 9 **that.**
 10 Q. I take it from the two quotes that the expression you
 11 got was that it's important to both sides, to both the
 12 police and the media, to have these channels?
 13 **A. Yes, I think so.**
 14 Q. How does one ensure that people are clear about the
 15 boundaries and the status of such conversations and
 16 communications?
 17 **A. It's a good point. The impression I got from my**
 18 **research was it tended to -- the people that were**
 19 **prepared to speak off the record were the more**
 20 **experienced officers who knew what was and what wasn't**
 21 **permissible. The people that were more suspicious about**
 22 **talking to the media would be the younger officers who**
 23 **thought there might be more to put their careers at risk**
 24 **than to advance their careers by talking to the media.**
 25 **So I'm not sure it is clear.**

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1 Q. Does that suggest, as other witnesses have suggested,
 2 a need for clarity, guidance, training and perhaps even
 3 a change of culture?
 4 **A. Yeah. Obviously I've been following the proceedings and**
 5 **the guidelines which have been produced by ACPO, the**
 6 **2010 guidelines -- it's interesting, in that, as the**
 7 **previous speaker was saying, they had low visibility,**
 8 **and the guidance that is there is all very sensible but**
 9 **it does make you wonder how it is being disseminated, if**
 10 **at all, in the forces. So I think there is a need for**
 11 **that sort of information to be disseminated, to be built**
 12 **into training, introduced for probationer training.**
 13 **When I first started doing this research in the**
 14 **mid-1990s, there were some press offices that would do**
 15 **placements in their press departments in police forces,**
 16 **so that officers could do a placement in a press office**
 17 **and get to know how to deal with the media, and they'd**
 18 **do that for a short period and go back to operational**
 19 **policing with confidence in dealing with the media. I'm**
 20 **not sure that sort of thing goes on any more.**
 21 Q. Did it work?
 22 **A. I'm not sure if it was evaluated.**
 23 Q. Training and guidance. If it's necessary, should it
 24 come at a national level, or should it be left to local
 25 forces to decide --

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1 **A. I think it should be a combination of both. I think**
 2 **there should be high level principles, such as those**
 3 **which the ACPO guidelines embody, and those could be, as**
 4 **other people have said, extended to include matters of**
 5 **integrity and managing contacts, and then, at local**
 6 **level -- at regional level, there can be arrangements**
 7 **for a regional collaboration for training and**
 8 **familiarisation. Then at local level, there can be**
 9 **local training. So I see it as a mixture of those**
 10 **things.**
 11 Q. Your research has also looked at the way in which local
 12 police forces interact with the media and how national
 13 media interacts with the police. I'm looking now at the
 14 bottom of page 9 of your witness statement. You set
 15 out, at paragraph 8, what it is that your research
 16 indicated that local police forces were seeking to do in
 17 their relations with the media and what the media were
 18 doing. The media were seeking to build long-term
 19 relationships with local officers, police stations and
 20 press officers that would provide a consistent supply of
 21 information to fill space in their newspapers, radio and
 22 television programmes, and the crime reporters you
 23 interviewed consistently highlighted that they needed
 24 accurate and timely information, trust and honesty,
 25 access to police personnel and a better understanding by

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<p>1 the police of the non-monolithic media. 2 By that, do you mean the needs of the different 3 types of media? 4 A. Sure. I mean, A good example this morning was the 5 discussion about the different needs of a Sunday 6 newspaper from a daily newspaper. Different deadlines. 7 Q. Contrasting your research findings in relation to the 8 local media, how different was the national media? 9 A. Well, in talking to local police forces and local crime 10 reporters, they had common interests and there would be 11 tensions but they would rub along together pretty well, 12 and then if an incident occurred which brought in the 13 national media, then the national media were seen as 14 here today, gone tomorrow, in a way. The relationships 15 weren't built in the same way. 16 LORD JUSTICE LEVESON: We've had plenty of examples of that. 17 A. Yes. 18 LORD JUSTICE LEVESON: Where local reporters build 19 relationships with their communities, the national 20 reporters come in with a particular story, trample the 21 flowers and the locals have to try and rebuild the 22 relationship again. 23 A. Sure. I was provided with plenty of that kind of 24 evidence. 25 MR BARR: Perhaps on a related theme, page 15 of your Page 97</p>	<p>1 structured contact with the SIOs and controlling the 2 locations that the media have access to. That type of 3 thing. 4 MR BARR: Moving to a completely different topic, 5 cooling-off periods. Can we deal first of all with 6 police officers. Against the background of your 7 research and expert knowledge, what's your opinion about 8 whether or not a cooling-off period is needed for 9 a police officer leaving a police force and moving to 10 work in the media? 11 A. I would agree with the HMIC report, that they ought to 12 look into cooling-off periods. 13 Q. Do you think, if we look at it the other way around, 14 that there is any need for a cooling-off period for 15 a journalist leaving journalism and moving in to work, 16 for example, for a communications department of a police 17 force? 18 A. No, I don't think there should be a cooling-off period 19 because they come with all their expertise fresh and 20 it's been one of the consistent avenues of recruitment 21 for police press offices. We referred to earlier the 22 growth of professionalisation, and that's where the 23 professionalisation comes from. It comes from 24 recruiting local communicators. 25 Q. Looking to the future, you help us, at the bottom of Page 99</p>
<p>1 witness statement. You deal with how the police might 2 manage high profile criminal investigations and 3 inquiries, and you set out the findings of research 4 conducted by Feist in the late 1990s. 5 A. That's right, yeah. 6 Q. I won't read all the bullet points, but you set out what 7 the police might seek to gain. The reason I'm not 8 reading out all the bullet points of what an effective 9 media strategy might contain is because, in the next 10 paragraph, it seems to be summed up in a nutshell: 11 "Service the media's needs at arm's length." 12 Is that right? 13 A. I think so. That was the title of a paper by David 14 Wilson and his colleagues where they interviewed 15 a number of SIOs and analysed their common experiences. 16 They all recognised the need to deal with the media and 17 work with the media, but they felt there was a need to 18 keep some distance to maintain the integrity -- 19 LORD JUSTICE LEVESON: The media also have to understand 20 that the SIO is not there simply to provide information 21 to the media; he is there to do a job. 22 A. Sure, but that's the clash of objectives that 23 I mentioned earlier. 24 LORD JUSTICE LEVESON: I know, I know. 25 A. So in terms of keeping the distance, it's things like Page 98</p>	<p>1 page 17, paragraph 20, with observations about what the 2 introduction of police and crime commissioners is going 3 to mean. You tell us that at present, certainly at 4 least so far as your most recent survey goes, a large 5 number of police forces actually help to provide the 6 communications support to their police authorities. 7 A. That's right, yes. 8 Q. Is that relationship going to survive the restructuring 9 of the oversight arrangements? 10 A. I'd be surprised if it did. 11 Q. Why is that? 12 A. I think you have to look at the current arrangements to 13 see if they're transferable to see what's happening. 14 Police forces are supporting LPAs in some areas, but if 15 you look at the PCCs that are coming in, they're overtly 16 political in a way that LPAs aren't. They're party 17 political, in the very least. A lot of them have 18 a media profile before coming in, and in that respect, 19 they're going to be another policing stakeholder, 20 another policing voice competing with the chief 21 constable, with the police fed and with ACPO. I don't 22 see it as being workable that the police force press 23 office would be able to support them in the same way. 24 I think they probably need their own media advisers. 25 Q. So we can look forward and see dedicated communications Page 100</p>

25 (Pages 97 to 100)

<p>1 support for the new PCCs emerging with that consequent</p> <p>2 need for them to be properly trained, guided and so</p> <p>3 forth?</p> <p>4 A. True. That would be my guess, yes.</p> <p>5 Q. My final question arises from one of the papers that</p> <p>6 you've helpfully exhibited to your witness statement.</p> <p>7 The context of building in, rather than bolting on, is</p> <p>8 a concept at the centre of the paper. Perhaps I could</p> <p>9 best leave it to you, in your own words, to explain what</p> <p>10 you mean by that and why it's important.</p> <p>11 A. Okay. My interest in police communications has always</p> <p>12 been around enhancing the legitimacy of policing, and</p> <p>13 I think it's much better if communications is embedded</p> <p>14 into all policing activities, rather than just being</p> <p>15 seen to be bolted in at important times, for example</p> <p>16 when there's a serious event and the national and</p> <p>17 international media descend on an area.</p> <p>18 So I think it's essential that communication is --</p> <p>19 including through the media but not just through the</p> <p>20 media -- is supported and championed by ACPO. I think</p> <p>21 in local forces there ought to be a member of the ACPO</p> <p>22 team that is the communications champion, so that the</p> <p>23 press office has a direct line into the ACPO team.</p> <p>24 One of the things that's come up before is whether</p> <p>25 the head of corporate coms should be a police officer or</p> <p style="text-align: center;">Page 101</p>	<p>1 a member of the senior management team.</p> <p>2 A. Yeah, and you'll have similar arrangements in some</p> <p>3 forces, but not all of them.</p> <p>4 MR BARR: Thank you very much, Dr Mawby. Those are all my</p> <p>5 questions.</p> <p>6 LORD JUSTICE LEVESON: Thank you very much, Dr Mawby, and</p> <p>7 thank you again for your work.</p> <p>8 A. Thank you.</p> <p>9 LORD JUSTICE LEVESON: Right, 2 o'clock, thank you.</p> <p>10 (1.00 pm)</p> <p style="text-align: right;">Page 103</p>
<p>1 not. In most cases, it's not, and maybe that affects</p> <p>2 the status of corporate coms. If there's an ACPO</p> <p>3 champion that the head of corporate coms reports into,</p> <p>4 that's a clear line of accountability and communication.</p> <p>5 Q. Does it come to this: that if communications are</p> <p>6 embedded rather than bolted on, then we're more likely</p> <p>7 to have more appropriate communication, executed more</p> <p>8 confidently by more people, and hopefully consequently</p> <p>9 less unauthorised improper communication as opposed to</p> <p>10 the unauthorised, innocuous or helpful communication?</p> <p>11 A. Sure, we would hope so, supported by these things that</p> <p>12 we've talked about, you know: national guidelines,</p> <p>13 training, leadership, all those types of things.</p> <p>14 Perhaps the other thing to say about building in and</p> <p>15 bolting on is the level of development of corporate coms</p> <p>16 is very different across forces. Some -- one of the</p> <p>17 chiefs last week talked about organisational maturity.</p> <p>18 Some of them are more mature than others in the way that</p> <p>19 they use communications. In some forces, it might still</p> <p>20 be a case of mainly the mentality of an old-fashioned</p> <p>21 press office and bolting on communications. It is an</p> <p>22 uneven picture, despite this rise of corporate</p> <p>23 communications that I've described in my research.</p> <p>24 LORD JUSTICE LEVESON: You talk about a champion. In fact,</p> <p>25 actually, in the Metropolitan Police, the director was</p> <p style="text-align: center;">Page 102</p>	

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