Witness Name: **Catherine Crawford**

Statement no: **First**

Exhibits: **CC33**

Date: 29 February 2012

THE LEVESON INQUIRY

Exhibit CC33 to the

Witness Statement of **Catherine Crawford**

Metropolitan Police Authority: Website archive

Agenda

Professional Standards Cases Sub-committee
18 July 2011
10.00am
10 Dean Farrar Street, London SW1H 0NY

Part 1

Items to be considered while the press and public are present

1. Apologies for absence
2. To receive any declarations of interests from members of the Authority
3. Minutes of the Sub-committee meetings held on 16 May 2011 (part 1)
4. Update on pension forfeiture appeals
5. Update on the dip sampling of closed complaints
   To update the Professional Standards Cases Sub-Committee of the work in progress in respect of dip sampling of closed complaints and conduct files.
6. Oral report on access to electronic police databases (Oral report)
   The Sub-committee is to be briefed on steps taken to prevent the mishandling of police information.
7. Annual report of the Professional Standards Cases Sub-committee
   This report provides an update on activity within the Professional Standards Cases Sub-committee over the previous committee year, highlighting the performance of members and officers against the standard orders.
8. Update on equalities issues (oral report)
9. **Exclusion of press and public**
   To resolve that the press and public be asked to leave the meeting during discussion of the remaining item of business because exempt information as defined in paragraph 1 of Part 1 Schedule 12A of the Local Government Act 1972 is likely to be made known.

Please note that members of the press and public must leave the meeting at this point.

Part 2

Items to be considered after the exclusion of the press and public

10. Annual report of the Professional Standards Cases Sub-committee (Part 2)
    Exempt Appendix 1
11. Urgent items (if any)
    In accordance with subsection 4.2.4 of Part A of the MPA Standing Orders, the Sub-committee Chair may agree to consider items deemed to be urgent. The reasons for urgency will be recorded in the minutes of the meeting.

12. Police Pensions Regulations 1987 – Application for Forfeiture.
    To determine whether an application to the Home Secretary for a certificate of forfeiture is warranted.
13. Police Pensions Regulations 1987 – Application for a Certificate of Forfeiture
    To determine whether an application to the Home Secretary for a certificate of forfeiture is warranted.
14. Police Reform Act 2002 – allegations against an ACPO rank officer (Oral report)
    To receive an update on complaint/conduct matters concerning an ACPO officer.
15. Police Reform Act 2002 – allegations against an ACPO rank officer
    To consider allegations against a Senior Officer in accordance with the Police Reform Act 2002 and associated Regulations.
16. Police Reform Act 2002 – allegations against an ACPO rank officer
    To consider allegations against a Senior Officer in accordance with the Police Reform Act 2002 and associated Regulations.
17. Police Reform Act 2002 – allegations against an ACPO rank officer
    To consider allegations against a Senior Officer in accordance with the Police Reform Act 2002 and associated Regulations.
18. Police Reform Act 2002 – allegations against an ACPO rank officer
    To consider allegations against a Senior Officer in accordance with the Police Reform Act 2002 and associated Regulations.
19. MPA Professional Standards Unit Update
    To receive an update on active cases within the MPA Professional Standards Unit.
20. Minutes of the Sub-committee meetings held on 16 May 2011 (part 2)

Metropolitan Police Authority: Website archive

Minutes

Minutes of the meeting of the **Professional Standards Cases Sub-committee** held on 18 July 2011 at 10 Dean Farrar Street, London SW1H 0NY.

Present

Members

- Reshard Auladin
- James Cleverly
- Chris Boothman
- Tony Arbour
- Joanne McCartney

MPS officers

DAC Mark Simmons (pro tem) and Carl Bussey attended for part of the proceedings

MPA officers

- Catherine Crawford (Chief Executive)
- Jane Harwood (Deputy Chief Executive)
- Helen Sargeant (Solicitor)
- Kalyanee Mendelsohn and Ashleigh Freeman (Professional Standards Officers)
- John Crompton (Treasury Unit) and Annmarie Frenchum (Professional Standards, Unit Administrator)
- Julie Norgrove (Director, Audit, Risk and Assurance) and Ken Gort (Head of Counter Fraud) attended for part of the proceedings.

1. Apologies for absence

(Agenda item 1)
1.1 An apology for absence was submitted on behalf of Valerie Brasse.

2. Declarations of interests

(Agenda item 2)
2.1 None were recorded.

3. Minutes of the meeting held 16 May 2011

(Agenda item 3)
3.1 The minutes of the abovementioned meetings were approved as a correct record.
Resolved – that the minutes of the meeting of 16 May 2011 (part 1) be agreed.

4. Update on pension forfeiture appeals

(Agenda item 4)
4.1 The Sub-Committee noted this report.

5. Update on the dip sampling of closed complaints

(Agenda item 5)
5.1 The Sub-Committee resolved to defer this item for its next meeting.

6. Oral report on access to electronic police databases

(Agenda item 6)
6.1 The Sub-Committee resolved to defer this item for its next meeting.

7. Annual report of the Professional Standards Cases Sub-Committee

(Agenda item 7)
7.1 The Sub-Committee resolved to defer this item to its next meeting.

8. Oral update on equalities issues

(Agenda item 8)
8.1 The Sub-Committee resolved to defer this item to its next meeting.
This meant that agenda items 5, 6, 7, 8, 12, 13 and 16 would be deferred so that these matters could be given proper consideration; item 15 will be delegated to apply for dispensation to IPCC; item 17 will be delegated to Chief Executive and the Chair; item 18 will be discussed.

9. Exclusion of press and public

(Agenda item 9)
9.1 A resolution was put to exclude the press and public from the meeting during the remaining agenda item as it would be likely to disclose exempt information as described in Part 1, Schedule 12A of the Local Government Act 1972 (as amended).
Resolved – That the press and public be excluded from the meeting during the remaining agenda items.

Part 2: Summary of exempt items

10. Annual report of the Professional Standards Cases Sub-Committee (Part 2)

(Agenda item 10)
10.1 Members resolved to defer this agenda item until its next meeting.

11. Urgent items

(Agenda item 11)
11.1 The Chair stated that two urgent items of business had been submitted to be considered in conjunction with agenda item 18. He therefore proposed that a number of Sub-Committee agenda items be deferred.

12. Police pensions regulations – application for forfeiture

(Agenda item 12)
12.1 Members resolved to defer this agenda item until its next meeting.

13. Police pensions regulations – application for a certificate of forfeiture

(Agenda item 13)
13.1 Members resolved to defer this agenda item until its next meeting.

14. Police Reform Act 2002 – allegations against an ACPO rank officer

(Agenda item 14)
14.1 Members resolved to defer this agenda item until its next meeting

15. Police Reform Act 2002 – allegations against an ACPO rank officer

(Agenda item 15)
15.1 Members resolved to delegate the decision to the Chief Executive in consultation with the Chair of the Sub-Committee.

16. Police Reform Act 2002 – allegations against an ACPO rank officer

(Agenda item 16)
16.1 Members resolved to defer this agenda item until its next meeting.

17. Police Reform Act 2002 – allegations against an ACPO rank officer

(Agenda item 17)
17.1 Members resolved to delegate the decision to the Chief Executive, which is to be made in consultation with the Chair of the Sub-Committee.

18. Police Reform Act 2002 – allegations against an ACPO rank officer

(Agenda item 18)
18.1 Joanne McCartney and Chris Boothman excluded themselves from consideration of this item and left the room prior to its being discussed. Members considered allegations concerning two ACPO officers and two former ACPO officers.

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Metropolitan Police Authority

PROFESSIONAL STANDARDS CASES SUB COMMITTEE

Minutes of the meeting of the Professional Standards Cases Sub-Committee held at 10 Dean Farrar Street, London SW1H 0NY, on Monday 18 July 2011 at 10:00 a.m.

PRESENT:

Members: Reshard Auladin (Chair), James Cleverly, Chris Boothman, Tony Arbour and Joanne McCartney.

MPS officers: DAC Mark Simmons and Acting Commander Carl Bussey

MPA Officers: Catherine Crawford (Chief Executive), Jane Harwood (Deputy Chief Executive), Helen Sargeant (Solicitor), Kalyanee Mendelsohn and Ashleigh Freeman (Professional Standards Officers), John Crompton (Treasury Team) and Annmarie Frenchum (Professional Standards, Unit Administrator).

Julie Norgrove (Director, Audit, Risk and Assurance) and Ken Gort (Head of Counter Fraud) attended for part of the proceedings.

Part 2

10 ANNUAL REPORT OF THE PROFESSIONAL STANDARDS CASES SUB-COMMITTEE (PART 2)
(Agenda item 10)

10.1 Members resolved to defer this agenda item until its next meeting.

11. URGENT ITEMS
(Agenda item 11)

11.1 Two urgent items were received from Deputy Commissioner Tim Godwin. These two items were considered under agenda item 18.

12. POLICE PENSIONS REGULATIONS – APPLICATION FOR FORFEITURE
(Agenda item 12)

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12.1 Members resolved to defer this agenda item until its next meeting.

13 POLICE PENSIONS REGULATIONS – APPLICATION FOR A CERTIFICATE OF FORFEITURE
(Agenda item 13)

13.1 Members resolved to defer this agenda item until its next meeting.

14. POLICE REFORM ACT 2002 – ALLEGATIONS AGAINST AN ACPO RANK OFFICER
(Agenda item 14)

14.1 Members resolved to defer this agenda item until its next meeting.

15. POLICE REFORM ACT 2002 – ALLEGATIONS AGAINST AN ACPO RANK OFFICER
(Agenda item 15)

15.1 Members resolved to delegate the decision to the Chief Executive in consultation with the Chair of the Sub-Committee.

16. POLICE REFORM ACT 2002 – ALLEGATIONS AGAINST AN ACPO RANK OFFICER
(Agenda item 16)

16.1 Members resolved to defer this agenda item until its next meeting.

17. POLICE REFORM ACT 2002 – ALLEGATIONS AGAINST AN ACPO RANK OFFICER
(Agenda item 17)

17.1 Members resolved to delegate the decision to the Chief Executive in consultation with the Chair of the Sub-Committee.

18. POLICE REFORM ACT 2002 – ALLEGATIONS AGAINST AN ACPO RANK OFFICER
(Agenda item 18)

18.1 Joanne McCartney felt that, in view of opinions she had expressed in public concerning certaining ACPO rank officers who were mentioned in agenda items 18, she should not be involved in the consideration or determination of this agenda item. This was by virtue of the questions

 Exempt item 23

she had asked about the handling of the phone hacking investigation, and the fact that she had been obliged to reiterate these questions which were evidence of the fact that she was not satisfied with the replies she had been given.

18.2 Chris Boothman confirmed that whilst speaking to the press last week following the Strategic and Operational Policing Committee meeting on Thursday 14 July he stated that the Commissioner's position was becoming increasingly difficult.

18.3 On that basis, Joanne McCartney and Chris Boothman then left the meeting and took no further part in the Sub-Committee's deliberations. James Cleverly informed attendees he was present on the Politics Show and Radio 5 Live where he informed presenters he would not be discussing matters which were due to be discussed at PSCSC meetings.

18.4 It was noted that the MPS would be submitting two items of urgent business. The Sub-Committee proceeded to consider the two urgent items in conjunction with complaints previously received.

18.5 Deputy Assistant Commissioner Mark Simmons attended the meeting at this point to submit the background papers to the two reports - which had been submitted in accordance with the MPA's urgency procedure. These included: an email John Yates sent to Catherine Crawford, dated 18.07.11, correspondence and documentation relating to the award of the contract to Chamy Media and an email conversation between MET HR and John Yates dated 27.02.09-11.03.09 regarding the appointment of Amy Wallis. Members did not accept the 18 July 2011 email from John Yates for the purposes of this meeting as at this stage they were simply being asked to consider whether this was a conduct matter, whether to record and then if a conduct matter was recorded whether to investigate locally or refer to the IPCC. The Sub-Committee did not ask for views of senior officers when they received complaints or considered conduct matters – that was a matter for any investigation.

18.6 The Chair asked DAC Simmons to stay whilst all attendees read the documents in case Members required any assistance with them.

18.7 The Chair asked Mr Simmons, whether it was normal practice for the MPS or MPA to sign contracts as the copy of the contract with Chamy Media only contained the signature of Neil Wallis. Mr Simmons said the assumption was that there would be another copy of the contract which was signed by both parties and this could be made available. There being no further questions for Mr Simmons he was asked to leave the room in order for the documents to be discussed.

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18.8 A Member referred to rumours that AC Yates was due to announce his resignation later in the day The Chief Executive said that AC Yates had given no indication to the Authority that he was minded to resign and that she had heard no such rumour.

18.9 Members looked at the conduct and complaint allegations relating to AC Yates. Members first discussed the referral from the Deputy Commissioner about the letting of the contract to Chamy Media. Having read the documents Members felt that there were a number of points of fact which they were still not clear on, such as the date on which Neil Wallis had commenced working for the MPS. Members also commented on what appeared to be slack procedures within the MPS, in that there appeared to be an informal working relationship with Neil Wallis that the MPS were attempting to formalise.

18.10 A Member commented that it was in the public domain that AC Yates and News of the World (NoTW) executives had dinners with each other, and it was unclear from the documentation whether the award of the contract to Mr Wallis was influenced because of any friendship or because he was already working for them. Also Members commented that there are clearly verbal discussions between Neil Wallis and Dick Fedorcio which are not documented. Members discussed how this matter should be dealt with. They had concerns that they did not have enough information before them in order to make a decision as to whether it was a conduct matter in relation to AC Yates. The Director of Audit, Risk and Assurance said the established procedure would be for her Directorate to fully investigate how this contract was awarded and produce a report which would then be referred to this Sub-Committee for consideration. Members resolved that this was the appropriate way forward and in addition that the MPA should write to the MPS about the conduct of Dick Ferdorcio as evidenced in the papers and to seek assurances that the MPS were conducting their own investigation into this member of their staff.

18.11 Members then discussed the second referral from the Deputy Commissioner relating to the employment in the MPS of the daughter of Mr Wallis, having read the accompanying emails. Members discussed that it appeared to have been instigated by AC Yates to Martin Tiplady, then Director of HR. A Member commented that the public perception was that the MPS and NoTW are obsessed with image and questioned whether Amy Wallis was only given a position with the MPS due to her father's connection with senior officers at the MPS.

18.12 Members then considered whether this amounted to a conduct matter in accordance with the PRA 2002, and if so, whether it should be recorded. Members considered that this was a conduct matter in that there was an indication that AC Yates may have behaved in a manner

 Exempt item 23

which would justify the bringing of disciplinary proceedings, and the relevant standards of professional behaviour were honesty and integrity and discreditable conduct, in that a senior officer appeared to be recommending an individual to the Director of HR and asking him to consider whether there were any opportunities within the MPS on the basis that she was the daughter of Neil Wallis. Members felt that this was inappropriate and that, as a senior officer, he should recognise that he would have some influence that his involvement would have on the HR process.

18.13 Members next considered whether the matter should be recorded, and considered the relevant section to be that an allegation should be recorded where it relates to the gravity or other exceptional circumstances which make it appropriate to record the matter. Members resolved that this was satisfied and that the conduct should be recorded as the matter concerned a senior officer, it is a matter of public interest, it concerns the transparency of recruitment procedures and the apparent bypassing of the recruitment procedures, the relationship with NoTW, and that the email was not simply a postbox passing the CV on as he adds further comments and would have known the influence that such an email would have.

18.14 Members next considered whether to refer the matter to the IPCC. It did not consider that any of the grounds for mandatory referral were met, but did consider that the grounds for voluntary referral were satisfied by reason of the gravity of the matter and the exceptional circumstances, for the reasons given above, and also with reference to the IPCC statutory guidance as set out in the papers.

18.15 Members returned to the matters set out in agenda item 18. These were complaints against current and former officers. They first looked at the complaints received from members of the public against AC Yates regarding the review of the investigation into allegations of phone hacking by the News of the World ("the phone hacking allegations"). The MPA had received four complaints against AC Yates. Members were satisfied that the MPA was the appropriate authority to deal with the allegations.

Complaint by [redacted]

18.16 Members considered that this complaint was a considered grievance about the conduct of a senior officer, but did not consider that he was adversely affected or had witnessed the conduct as defined in the PRA 2002 and explained in the IPCC statutory guidance. Members therefore determined that this complaint did not fall within the statutory definition of a complaint.

Complaint by [redacted]

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18.17 Members considered that this complaint was a considered grievance about the conduct of a senior officer, but did not consider that [redacted] was adversely affected or had witnessed the conduct as defined in the PRA 2002 and explained in the IPCC statutory guidance. Members therefore determined that this complaint did not fall within the statutory definition of complaint.

Complaint by [redacted]

18.18 Members considered that this complaint was a considered grievance about the conduct of a senior officer, but did not consider that [redacted] was adversely affected or had witnessed the conduct as defined in the PRA 2002 and explained in the IPCC statutory guidance. Members therefore determined that this complaint did not fall within the statutory definition of complaint.

Complaint by [redacted]

18.19 Members considered that this complaint was a considered grievance about the conduct of a senior officer, but did not consider that [redacted] was adversely affected or had witnessed the conduct as defined in the PRA 2002 and explained in the IPCC statutory guidance. Members therefore determined that this complaint did not fall within the statutory definition of complaint.

18.20 Members next considered whether these allegations were conduct matters under the PRA 2002. The allegations being:

(a) a failure to re-open the original investigation into phone hacking by NoTW;
(b) misleading Parliament on numerous occasions regarding the investigation;
(c) attending social meetings with senior journalists at the NoTW whilst the investigations were ongoing;
(d) knowing that criminal acts were committed by police officers and that they were accepting money from reporters at NoTW.

18.21 Members noted all the documentation that had been presented to them, which included comments made by AC Yates in an interview for the Sunday Telegraph, in which he said that "*Perhaps I should have been more demanding. I am accountable, and it happened on my watch, and it's clear I could have done more.*" and in which he admitted that the decision not to widen the investigation was "*a pretty crap one*".

18.22 Members noted the press reports of the evidence that AC Yates gave at the Home Affairs Select Committee (HASC) that on choosing not to reopen the case had been a poor decision.

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18.23 Members considered that as he has publicly stated that it was a poor decision, that there was an indication that he had behaved in a manner which would justify the bringing of disciplinary proceedings, and the relevant Standard of Professional Behaviour was Duties and Responsibilities.

18.24 Members next considered whether they should record this matter and considered that it related to conduct whose gravity or other exceptional circumstances make it appropriate to record the matter, due to the fact that he had admitted he had made a poor decision and the significant impact on public confidence. Members next considered whether to refer the recordable conduct matter to the IPCC. Members did not consider that any of the grounds for mandatory referral were met, but did consider that the grounds for voluntary referral were met.. The reasons for voluntary referral were for the reasons identified above and the significant impact on public confidence, the specific concerns about the matters raised and taking account of the guidance on voluntary referrals set out in the IPCC Statutory Guidance.

18.25 Members also noted that there were also press reports that he had social meetings with senior journalists from the NoTW at this time, but that he had told the HASC that this was acceptable because he was not investigating these matters. Members considered the press reports and considered that on the evidence before them this was not a conduct matter as there was no indication that he may have committed a criminal offence or behaved in a manner which would justify the bringing of disciplinary proceedings by having such social engagements.

18.26 Members next looked at the complaints and conduct allegations relating to Sir Paul Stephenson.

18.27 The MPA had received one complaint from a member of the public, [redacted] in which she alleges that the police have sat on evidence relating to phone hacking since 2002, and her complaint was against Sir Paul Stephenson due to the fact that he has headed the investigation (she states from 2002).

18.28 Members considered that this complaint was a considered grievance about the conduct of a senior officer, but did not consider that [redacted] was adversely affected or had witnessed the conduct as defined in the PRA 2002 and explained in the IPCC statutory guidance. Members therefore determined that this complaint did not fall within the statutory definition of complaint.

18.29 Members next considered whether any of the matters before them in relation to the Commissioner were conduct matters under the PRA

2002. Members noted that in relation to the review conducted by AC Yates, Sir Paul Stephenson had asked AC Yates to look into any new information, and noted that this was by way of an unprepared remark.

18.30 Members noted that the Commissioner, Sir Paul Stephenson, had commented at the Strategic and Operational Committee of the MPA on the 14 July 2011 that he did not supervise Assistant Commissioners (an equivalent rank to Chief Constables). Members discussed the role of Commissioner and Assistant Commissioners. Members considered that one would have thought that the Commissioner was the line manager of other senior officers. They were of the view that they would have expected the Commissioner to find out what AC Yates did do in relation to the investigation, and also to take action when AC Yates recently admitted that he had made a poor decision not to reopen the investigation.

18.31 Members next considered whether these fell within conduct matters under the PRA 2002. They considered that there was an indication that the Commissioner had behaved in a manner which would justify the bringing of disciplinary proceedings, and the relevant Standards of Professional Behaviour were Duties and Responsibilities, in particular in relation to the review conducted by AC Yates and his oversight of it, and then the apparent reluctance, as expressed at the Strategic and Operational Policing Committee on 14 July 2011 to take responsibility in his capacity as Commissioner for the actions of AC Yates for the way in which he conducted the review.

18.32 Members considered that the conduct matter should be recorded as it related to conduct whose gravity and other exceptional circumstances made it appropriate to do so. This was conduct about the most senior police officer, about his role in the review of the police investigation, and how he supervised senior officers, and therefore the significant impact on public confidence.

18.33 Members next considered whether to refer the matter to the IPCC. They considered that although this did not satisfy the criteria for mandatory referral, that they should voluntarily refer this to the IPCC. This was on the basis that this was a matter that had a significant impact on public confidence and concerned the most senior officer on the MPS in a very high profile investigation and having considered the IPCC Statutory Guidance in relation to voluntary referrals to the IPCC.

18.34 Members also noted the press reports and comments about dinners that the Commissioner had attended with NoTW executives. They did not consider on the information that they had available that this amounted to a conduct matter.

18.35 Members also noted the press reports and comments about the

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Commissioner staying at Champney's and the fact that the PR for Champney's was managed by a firm whose Managing Director was Neil Wallis. Members noted that New Scotland Yard had said that the Managing Director of Champneys was a close personal friend of the Commissioner. They resolved that there was no indication that a criminal offence had been committed or that he had behaved in a manner that would justify the bringing of disciplinary proceedings, and therefore this was not a conduct matter.

18.36 Members next considered the conduct of former Assistant Commissioner Andy Hayman, and in particular noted paragraphs 12 – 14 of the report. Members noted that they had jurisdiction to consider conduct matters relating to former senior officers. Members noted that former AC Hayman conducted the initial investigation into the phone hacking allegations in 2005/6 which led to the arrest of the two individuals at the NoTW. Members considered his role and media reports on this matter, in particular that he allegedly failed to uncover evidence of hacking crime victims' voicemails messages during the initial investigation, and in addition, that former deputy prime minister Lord Prescott, and three others, have been allowed to seek relief by way of judicial review in respect of their claims that there were human rights breached in the police handling of their cases.

18.37 Members next considered whether there was an indication that he had either committed a criminal offence or behaved in a manner which justified the bringing of disciplinary proceedings. Members considered the relevant standard was: Duties and responsibilities - Police officers are diligent in the exercise of their duties and responsibilities. Members considered that there was an indication that he may have behaved in a manner which justified the bringing of disciplinary proceedings, and therefore this was a conduct matter under the PRA 2002.

18.38 Members also considered that the matter should be recorded as a recordable conduct matter because the alleged conduct related to conduct whose gravity or other exceptional circumstances made it appropriate to record the matter. Members gave the following reasons: he was a senior officer, that this was a matter of significant public interest that has the potential to undermine public confidence in the MPS, and in the interests of transparency.

18.39 Members also considered that this matter should be voluntarily referred to the IPCC on the grounds of the gravity of the matter and other exceptional circumstances. The reasons included because the conduct indicated could have a significant impact on public confidence.

18.40 Members next considered the conduct of former Deputy Assistant Commissioner Peter Clarke, and in particular noted paragraphs 15 – 16

of the report. Members consequently considered whether his conduct in relation to the phone hacking investigation was a conduct matter under the Police Reform Act 2002.

18.41 Members noted that he was involved in the initial investigation into the allegations of phone hacking by the News of the World in 2005/6, and that there have been allegations of the failure of the initial investigation to uncover evidence of hacking of crime victims' voicemail messages. In addition, former deputy prime minister Lord Prescott, and three others, have been allowed to seek relief by way of judicial review in respect of their claims that there were human rights breaches in the police handling of their cases.

18.42 Members next considered whether the matter was a conduct matter. Members considered whether there was an indication that he had either committed a criminal offence or behaved in a manner which justified the bringing of disciplinary proceedings. Members considered the relevant standard was: Duties and responsibilities - Police officers are diligent in the exercise of their duties and responsibilities. Member considered that there was an indication that he may have behaved in a manner which justified the bringing of disciplinary proceedings, and therefore this was a conduct matter under the PRA 2002.

18.43 Members also considered that the matter should be recorded as a recordable conduct matter because the alleged conduct related to conduct whose gravity or other exceptional circumstances make it appropriate to record the matter. In reaching this decision, Members gave the following reasons: he was a senior officer, that this is a matter of significant public interest that has the potential to undermine public confidence in the MPS, and in the interests of transparency.

18.44 Members considered that this matter should be voluntarily referred to the IPCC on the grounds of the gravity of the matter and other exceptional circumstances. The reasons included because the conduct indicated could have a significant impact on public confidence.

18.45 The Chair requested members now consider the matter of suspension. Members were referred to paragraphs 70 – 74 of the report. Members noted the seriousness and implications of a senior officer being suspended. Members had serious concerns about AC Yates' relationship with Neil Wallis and the NoTW. They considered that this relationship could be perceived as having influenced his conduct and that this had the potential to significantly undermine public confidence. They considered whether temporary redeployment would be appropriate but did not consider that this would address the concerns about public confidence in the MPS being undermined. They considered that having regard to the nature of the two recorded conduct matters, the public interest required that AC Yates should be

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suspended. Members provided the following reasons: the concerns identified regarding the relationship between AC Yates and Neil Wallis/NoTW, that the recorded conduct matters were being referred to the IPCC due to the exceptional circumstances/ gravity of the alleged conduct, the impact on public confidence in policing, and that it was important that at this time he was not in MPS offices or on MPS duties for reasons of public confidence in the police force. Members were informed that they must keep the suspension conditions under review as set out in the Regulations.

18.46 Members delegated the actual exercise of the suspension to the Chief Executive.

RESOLVED –

(i) Not to record the allegations made by any or all of the individuals as a complaint against the Commissioner or AC Yates.

(ii) To record two conduct matters about AC Yates, one conduct matter about Sir Paul Stephenson, one conduct matter about Andy Hayman and one conduct matter about Peter Clarke.

(iii) To voluntarily refer the five recorded conduct matters to the IPCC.

(iv) That AC Yates should be suspended and to delegate the exercise of the suspension to the Chief Executive.

(v) Director of Audit, Risk and Assurance to fully investigate how the contract with Chamy Media was rewarded and bring a report back to the Sub Committee for consideration.

(vi) The MPA to write to the MPS about the conduct of Dick Fedorcio as evidenced in the papers and to seek assurances that the MPS were conducting their own investigation into this member of staff.

The meeting closed at 12.45 pm

Signed.....

Dated.....