

Witness Name: **Catherine Crawford**

Statement no: **First**

Exhibits: **CC35**

Date: 29 February 2012

THE LEVESON INQUIRY

Exhibit CC35 to the
Witness Statement of **Catherine Crawford**

Metropolitan Police Authority: Website archive

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Agenda

Professional Standards Cases Sub-committee

20 July 2011

5.00pm

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. **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

4. Police Reform Act 2002 - ACPO complaint/conduct matters
To consider an update on complaint/conduct matters concerning an ACPO officer.

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Minutes

Minutes of a special meeting of the **Professional Standards Cases Sub-committee** held on 20 July 2011 at 10 Dean Farrar Street, London SW1H 0NY.

Present

Members

- Reshard Auladin
- James Cleverly
- Tony Arbour

MPA officers

- Catherine Crawford (Chief Executive)
- Jane Harwood (Deputy Chief Executive)
- Helen Sargeant (Solicitor)
- Ashleigh Freeman (Professional Standards Officer)
- John Crompton (Treasury Team).

19. Apologies for absence

(Agenda item 1)

19.1 Apologies from Valerie Brasse. Chris Boothman and Joanne McCartney did not attend this meeting due to a previously declared potential conflict.

The Chair stated that the meeting had been called to consider an urgent item relating to an individual officer.

20. Declarations of interests

(Agenda item 2)

20.1 None were recorded.

21. Exclusion of press and public

(Agenda item 3)

Resolved – That, under section 100A (4) of the Local Government Act 1972, the press and public be excluded from the remainder of the meeting.

Part 2: Summary of exempt items

22. Police Reform Act 2002 ACPO conduct matter

(Agenda item 4)

22.1 The Sub Committee received an update in relation to ACPO conduct matters.

Not for publication – contains exempt information by virtue of **Exempt item 24** paragraph 1 of Schedule 12A to the Local Government Act 1972 (as amended)



Metropolitan Police Authority

PROFESSIONAL STANDARDS CASES SUB COMMITTEE

Minutes of a special meeting of the Professional Standards Cases Sub-Committee held at 10 Dean Farrar Street, London SW1H 0NY, on Wednesday 20 July 2011 at 5:00 pm.

PRESENT:

Members: Reshard Auladin (Chair), James Cleverly and Tony Arbour.

MPA Officers: Catherine Crawford (Chief Executive), Jane Harwood (Deputy Chief Executive), Helen Sargeant (Solicitor), Ashleigh Freeman (Professional Standards Officer) and John Crompton (Treasury Team).

Part 2

**22. POLICE REFORM ACT 2002 ACPO CONDUCT MATTER
(Agenda item 4)**

22.1 A report was tabled which advised members that on 18 July 2011 the Professional Standards Cases Sub-Committee had recorded two conduct matters against Assistant Commissioner John Yates. These concerned AC Yates' review of the investigation into allegations of phone hacking by News of the World reporters and the circumstances leading to the employment by the MPS of the daughter of Neil Wallis, a former deputy editor of the newspaper. At the meeting on 18 July members had resolved that, in view of the two recordable conduct matters, the public interest required that AC Yates should be suspended. The report notified members that circumstances relevant to the suspension conditions may have changed and requested that they review the suspension conditions, and determine whether they remain satisfied.

22.2 Members confirmed that they had read the report and supporting documents. Members were reminded that the Police (Conduct) Regulations 2008 require Members, at regulation 10(8), to review the suspension conditions on being notified that circumstances relevant to the suspension conditions may have changed. The report identified that since members made the decision to suspend AC Yates on 18 July 2011, AC Yates had informed the police authority of his intention to resign and to take annual leave for the remainder of his service. He had also appeared before the Home Affairs Select Committee.

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- 22.3 Members questioned how AC Yates' appearance before the HASC could be said to be a change in circumstances relevant to the suspension conditions. The Chief Executive asked members to consider the overall impact of AC Yates' appearance in front of the HASC and general openness with the HASC. She reported that Members of the HASC felt that his general explanation went some way to restoring public confidence.
- 22.4 The Chief Executive also said that at the time of the deliberations by the Sub-Committee on 18 July 2011, there had been no formal indication that AC Yates was intending to resign. Although AC Yates announced his intention to resign prior to the MPA's announcement of the outcome of the PSCSC concerning his suspension, Members had not been aware of his intention when they reached the decision to suspend. AC Yates subsequently informed the MPA of his intention to resign and made a public announcement.
- 22.5 Members noted that at the meeting on 18 July 2011, they had delegated the carrying out of the formal suspension process to the Chief Executive. They queried whether AC Yates had now been formally suspended. The Chief Executive explained that she had not yet carried out the formal action of suspension. She explained that she did not immediately activate the suspension of AC Yates following the meeting on 18 July as following the PSCSC meeting she learned that AC Yates had been asked to appear before the HASC. Part of the formal suspension process an officer was required to hand in his warrant card. This requirement would have effectively meant that AC Yates would not have been able to gain access to his office at New Scotland Yard to prepare for his appearance before the HASC on 19 July. In addition, AC Yates had subsequently announced his intention to resign.
- 22.6 The Chief Executive confirmed that she has not yet received a formal letter of resignation from AC Yates.
1. The Chair invited Members to state whether they agreed that circumstances relevant to the suspension conditions had changed since the meeting on 18 July and, if so, whether they felt that the suspension conditions remained satisfied.
 2. Members collectively noted that during deliberations on 18 July 2011, they were unaware that AC Yates had been requested to attend the HASC and they noted that he had subsequently formally indicated his intention to resign. They stated that these two facts would have been relevant to their consideration as to whether to suspend AC Yates.
 3. Members noted the Chief Executive's explanation in this meeting of the reasons for her decision to delay the activation of the suspension, and believed the decision to be justified. The reasons being to allow AC Yates access to detailed information in order to prepare for his appearance at the HASC and so that he was not placed in being the difficult position of appearing before them as a suspended officer.

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4. Members noted that the reason for their decision to suspend on 18 July 2011 was that, in their view the public interest required that he should be suspended. Members noted that the decision to suspend at the meeting on 18 July was proportionate and appropriate based on the information available to them at that time.
5. Members took into account that these are unique and unprecedented circumstances.
6. Members noted that they are now informed that AC Yates has announced his intention to resign and that he had informed the MPA of his intention to resign and take annual leave for the remainder of his service. Members were satisfied that there had been a change of circumstances and felt that these factors would have been relevant to the consideration of the suspension conditions at the meeting on 18 July 2011. They therefore considered that it was appropriate under Regulation 10(8) of the Police (Conduct) Regulations 2008 ("the 2008 Regulations") to review the suspension conditions.
7. Members did not consider the matters set out in paragraphs 23 (a) and (b) to be relevant. Their decision that the circumstances relevant to the suspension conditions had changed is based purely on the fact that AC Yates has announced his intention to resign and to take annual leave for the remainder of his service.
8. Members reviewed the suspension conditions set out in Regulation 10(4) of the 2008 Regulations. They considered whether it still appeared to them that having regard to the nature of the allegation and any other relevant considerations, the public interest required that AC Yates should be suspended. They considered the fact that AC Yates has now announced his intention to resign, both publicly and to the MPA, and felt that this went some way to addressing the public interest issue, assuming that the MPA receives a letter confirming he has resigned and that he will not be attending his offices. Members considered that as AC Yates would be on annual leave from now until the end of the notice period (following the resignation), and will therefore not be active as a police officer, he visibly stops being a police officer immediately. It was felt that this will further add to the public interest issues.
9. This decision was based on the assurances by the Chief Executive that AC Yates had confirmed that he would be resigning and that she expects a resignation letter imminently. Members noted that they understood that a resignation from the police service may trigger retirement provisions.
10. Having reviewed the matter, they resolved that no further action should now be taken to activate the suspension as the public interest test pertaining to the earlier decision to suspend AC Yates had now been satisfied by AC Yates' confirmation of his decision to resign. Members placed no reliance on the part of the report before them which contained extracts from the HASC report

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paragraph 1 of Schedule 12A to the Local Government Act 1972 (as
amended)

(paragraph 23).

RESOLVED –That

1. Having reviewed the report and supporting documents the Sub-Committee is satisfied, pursuant to Regulation 10 (8) of the Police Regulations 2008 that there has been a change in circumstances relevant to the suspension conditions;
2. the Sub Committee considers that the suspension conditions upon which the decision to suspend AC Yates was based, do not remain satisfied; and
3. it be noted that the suspension agreed at the meeting on 18 July has not yet been formally activated and that it is agreed that no further action be taken with regard to the suspension of the officer.

The meeting closed at 5.50 pm

Signed.....

Dated.....