

LEVESON INQUIRY

ADRIAN FABER EDITOR'S STATEMENT

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**Express & Star Ltd
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**Leveson Inquiry
Statement by Adrian Faber,
Editor – Express & Star, Wolverhampton**

1. Who are you and a brief summary of your career history?

I have been Editor of the Express & Star for the past ten years and Editor of our sister paper, the Shropshire Star for four years before that. Previous to this, I have been Editor of the Bristol Evening Post, the Brighton Argus, and the Gloucestershire Echo.

Relations between your newspaper and the West Midlands Police

- (2) What have been your impressions, over the years, about the culture of relations between the West Midlands Police and the media? Do you consider the relationship between your newspaper and West Midlands Police to be a successful one? What changes would you like to make to the relationship (if any?).

The biggest culture change over the past few years has been the introduction of press officers at West Midlands Police. This has led to a culture of enquiries being referred to the press office. This creates a tier of bureaucracy between the journalist and police officers. It regularly makes it difficult to get a clear picture and detailed information about an incident, and can create delays in getting information. I think it is fair to say that in consequence the vast majority of crime and criminal activity, that does not end up in court, goes unreported.

Within the restraints of the press office system, relations with individual officers are good, but inevitably with some room for improvement. Relations between the Express & Star and West Midlands Police can fluctuate. This can be down to the sort of stories we are covering. Sometimes more negative stories can damage relations for a period, whereas more positive stories can improve relations between the two organisations. The relationship also depends on the personalities involved – obviously some senior police officers are more anxious to use the media, while others are more reticent.

We tend to get the information we are looking for from the press office and get background information in readiness for court cases. However, sometimes it can be frustrating to have to deal with the police agendas of 'reassurance of the public' and 'risk assessments'.

This manifests itself with the police view that the public have an exaggerated perception of crime which is fuelled by media coverage. Therefore, they take the view that unless it is helpful in an investigation, they will not automatically release the information.

The area of improvement we would most like to see is the release of more information about low level crimes such as burglaries and theft. These are important to our readers and their communities but would perhaps not be seen as an important priority for the police. A specific point that is worth mentioning is that there are often delays in the release of names of people killed in road accidents or other incidents. We fully appreciate the need to inform relatives before details are released, but sometimes the release of the names of the deceased can take several days, in which time, the information has already appeared on social media as well as being known in the general community.

I would like to stress that I would hate to see my comments perceived as a blanket criticism of the West Midlands Police press operation. This is certainly not the case. I would hope that it is seen as constructive criticism of not just the police, but many public bodies in their dealings with the press. Many of my comments in this statement could just as easily apply to local authorities and health authorities.

- (3) Describe the personal contact which you had with the West Midlands Police at the various stages of your career. The Inquiry would like an overall picture of the type, frequency, duration and content of your contact with the West Midlands Police.

I have been Editor of the Express & Star for nearly 10 years and have had a variety of contacts with senior officers during this period. Over the past 18 months I have met the Chief Constable at my office to discuss future planning for West Midlands Police in the coming years. I have met the Wolverhampton Police Superintendent to discuss the issue of riots, which was an important story in the city in the summer of 2011. I would point out that neither of these meetings produced actual copy, but provided background information on what was taking place in order to provide a clear picture to our readers.

I can recall a number of meetings with senior officers including the previous Chief Constable and the current Chief Constable. As I mentioned before, on none of these occasions have there been any specific stories produced, but have been an opportunity to discuss, in an open but informal way, the sort of issues facing the police in our circulation area.

There have been instances where senior police officers have come into my office to discuss concerns over particular issues over particular stories we have carried, although this has only been on a handful of occasions over the years.

Obviously, our Crime Reporter has had a different experience with far more regular contact with police officers. He has been Crime Reporter for several years up until quite recently. He had daily contact with police and press officers at West Midlands Police by phone, in person and by email to discuss all aspects of crime and policing in the area. This ranged from appeals for information to producing investigations on gangland crime and the changes to the force. Some of these were on the record interviews which were then published, others were off the record and purely for guidance to get an accurate picture of the issues.

- (4) Without prejudice to the generality of question (3) above, please set out the contact which you have had with appointed press officers of West Midlands Police, giving, as best you can remember, the dates and summarising the gist of the communications which you had with them. In each case, who initiated the contact, and why?

As far as I can remember I have had no contact specifically with any press officers. However, I have met briefly with senior police officers when they have been appointed head of press relations as part of their management duties.

I think there have been two or three of these meetings initiated by West Midlands Police over the past 10 years. They have essentially been an opportunity for the officers to introduce themselves.

Again, our Crime Reporter would have had a rather different experience, often speaking to several different press officers throughout the working day. This would come about by him calling with specific inquiries or to find out generally what is happening or press officers contacting him with details of news worthy incidents or request for help from the public.

- (5) Did you ever have the personal mobile telephone number or home telephone number of any of the people listed at a-e above?

I have not been given mobile phone numbers or home numbers, although I expect I have been given business cards which will probably have mobile numbers and e-mail addresses on them. I cannot recall using them.

Our Crime Reporter would have a number of telephone numbers for police officers and press officers. He estimates he could have up to 70 numbers of police officers and press officers. Not all are currently serving officers. He is not aware if these are police mobile phones or personal mobile phones. He has never had any home phone numbers.

I think it needs to be stressed that we would not consider this unusual. Most of the numbers are not used on a regular basis and would only be used in the event of a major event or investigation. As an evening newspaper, we operate around the clock, seven days a week and in our 'live' operating time in the mornings time is critical for us, and getting access to information quickly is of the highest priority. I must stress that all of these numbers have been volunteered by the officers and press officers themselves.

- (6) Describe what you were seeking to gain from the West Midlands Police through your personal contacts with West Midlands Police personnel.

At all times in our dealings with West Midlands Police and police press officers we are seeking facts and information concerning crime and criminal activity within the area. We feel it is important that we give the reader an accurate and comprehensive picture of crime.

There has not been anything underhand or in any way compromising about our relationships with West Midlands Police, or that matters have been compromised at any time. There have been disagreements over the amount of information that may or may not have been released about a particular incident, but that is inevitable in any relationship between the police force and the media.

- (7) Describe in general terms and using illustrative examples what you consider the West Midlands Police has been seeking from you in personal dealings with them during your career.

The police have been anxious to highlight crimes and use the significant readership and power of the Express & Star, in order to get information from the public that could help with investigations. Secondly, they are looking for publicity and coverage for examples of good police practice and initiatives. They are also keen to provide information about successful investigations that have led to arrests and convictions in the courts.

One example would be the relatively recent publication of the photograph of the prime suspect in a high-profile murder investigation in an effort to seek the public's help in tracing him and encouraging him to hand himself in. More recently, the police released information about five people who were arrested after an attempted raid on a cashpoint. While the police did not require the public's assistance with the investigation, it was seen as a positive example of their work.

During the riots of 2011, the police sought the Express & Star's help to identify those responsible by publicising photographs, which our own photographers had taken, and also our CCTV images were obtained by the police. This co-operation led to a number of arrests and convictions.

- (8) To what extent do you accept, and have you accepted, hospitality from the West Midlands Police?

We have not been offered or accepted any hospitality from West Midlands Police.

- (9) Insofar as you accept, or have accepted, hospitality from the West Midlands Police, what is, or was, the nature of the hospitality that you accept, or have accepted?

See above.

- (10) To what extent do you, or have you, provided hospitality for the West Midlands Police?

The only hospitality I can recall that I have offered to West Midlands Police was lunch in our boardroom for the previous chief constable and a couple of senior officers.

Our Crime Reporter has taken police officers to watch Wolverhampton Wanderers FC and West Bromwich Albion FC on two or three occasions, each season for a number of seasons up to 2009. He has not taken any police officer since then as tickets have been used by other people in the company.

We have a corporate hospitality arrangement with both Wolverhampton Wanderers and West Bromwich Albion and regularly take contacts and advertisers to local football matches.

The hospitality at the football matches involved a meal, drinks and watching the game.

The only other hospitality we have provided is at our annual Local Heroes Awards where we have a lunch and present certificates to people who have done good work. Several recipients have been police officers who have performed exceptional duties and attended the lunch.

- (11) Insofar as you provide, or have provided hospitality to the West Midlands Police, what is, or was, the nature of the hospitality that you provided, or have provided?

On four or five occasions in the past five years, our Crime Reporter has taken police officers for a drink. This has been an informal way of discussing our work.

We agree with the Crime Reporter Association's comments contained within the Without Fear or Favour report, that occasional drinks with police officers help to build relationships but are never considered to be a 'reward' for information.

- (12) Have you ever attended a formal press conference called by the West Midlands Police? If so, for what purpose was it called and do you think that it was valuable?

The Express & Star is invited to approximately 12 formal press conferences each year given by West Midlands Police. These would cover senior officers giving information about high profile crime or incidents, appeals for witnesses to crime or sometimes the relatives of victims of crime or the victims themselves asking for the public's help via the media. Sometimes they are held to launch new anti-crime initiatives. These take place at police headquarters, local police stations or even at the scenes of particular incidents. Every formal press conference has at least one press officer present to supervise arrangements. Occasionally the chief constable will hold a press conference to talk about the wider issues of the force, such as organisation and financing.

We normally find these press conferences valuable. They provide an opportunity to get the latest information from senior officers themselves. Time is set aside for media questions instead of calling upon investigators during their working day.

General Matters

- (13) Have the police either formally or informally ever given you prior notifications about proposed arrests, raids or other action? If so, please elaborate.

We are sometimes given information about upcoming arrests or raids. This is to allow us to plan our coverage, and where appropriate, join officers to witness events including raids on drug houses, rioters' houses, cannabis factories and scrap yards. The information is normally passed to us a few days in advance or sometimes a few hours in advance, but journalists are rarely made aware of the specific location or identity of those to be arrested in advance.

These prior notification events are useful to both West Midlands Police and the Express & Star. They give the police the opportunity to highlight the activity they are carrying out to catch criminals and reassure the public that criminals are being arrested and taken off the streets. Obviously, this provides the Express & Star with interesting and compelling copy and pictures.

Normally, a senior officer is appointed as a liaison contact for the journalist involved. It is agreed between West Midlands Police and the Express & Star that identities of those arrested are hidden where appropriate. This involves pixelating photographs where necessary and not publishing any prejudicial information. This withholding of identification could apply, not to just those arrested, but also to police officers involved.

- (14) Have you ever been offered "off the record" briefings by the police? If so, please elaborate.

On occasions, officers and press officers will give us off the record updates on incidents and investigations in an effort to provide context for our reporting. A good example would be the very difficult issue of missing people. Press officers will often issue photographs and some detail of people who are missing. However, they will sometimes provide 'off the record' briefings, explaining the background to the person who is missing. This could include information that would not be appropriate to publish, but would give some indication of how important they are treating the individual case. Another example would be the case of hit and run accidents, where the police tell us that they know the details of the car involved, but ask us to withhold them so as not to influence the investigation.

- (15) What mechanisms, if any, are in place in your workplace to monitor and record hospitality as between the police on the one hand and you, or your fellow journalists on the other?

Any requests for the use of our hospitality facilities at our local football clubs would have to be made to myself as the editor and I would be required to approve them. This would be the same for any other member of staff wishing to take contacts to one of our local football matches.

- (16) What training, guidance, policies and/or practices are in place in your workplace governing contact between you and your fellow journalists on the one hand the police on the other?

The Express & Star and its associated weekly papers adhere to the Press Complaints Code of Practice which is a guide for all journalists in their day to day activities. As far as I am aware, we have never broken the law in our relations with the police or any other contacts. Should there be anything other than the regular routine contact between journalists and the police then I am informed of these arrangements. I am not aware of any illegal, inappropriate, or irregular contact between journalists and the police. In addition, we take legal advice from our external, specialist, solicitors whenever I or my senior colleagues feel that we need guidance on particular issues or stories.

- (17) What editorial or management oversight, or control, if any, is there over communications between journalists and police at your media outlet?

Much of this question has been answered in 16. However, all our reporters answer to our news editors who are all experienced journalists, with detailed knowledge of news gathering and the ethics involved in that. Anything unusual in the way information has been gathered will inevitably be referred to me. As far as I can remember, there has not been an occasion where I have been caught unawares by irregular or inappropriate methods of news gathering by journalists.

- (18) What ethical issues do you consider arise, or need to be held in mind, by a journalist communication in the course of his or her employment with the police, or anyone serving with, or employed by, a police force?

Ethics sit at the very heart of the relationship between the police and this newspaper. The Express & Star's reason for being is to give our readers information, as much as possible and as detailed as possible. It may sound something of a cliché but we work very hard to be accurate, fair, balanced and as up to date as possible. Inevitably the police position is quite often different - to not release information unless it is helpful in their enquiries. However, this ethical dilemma has its advantages. Specifically, it means that the newspaper cannot simply be the mouthpiece of the police, and the police are not at the beck and call of the newspaper to provide information when we want it.

However, this does create its difficulties. I think there is a growing perception amongst communities that low level crime is not treated seriously by the police. This dilemma could manifest itself in the reporting of a series of burglaries. The newspaper would regard this as a worthwhile story alerting residents to criminal activity in their area. On the other hand, the police may regard this as having a negative impact in increasing residents' perceptions of the fear of crime. Who is right? Inevitably, I argue that it is far better to release the information and make residents aware, than it is to try to manipulate their perceptions by withholding the detail.

Much of the balance in the relationship between the press office and the Express & Star depends on mutual trust – that this newspaper will not publish inaccurate or malicious information and that the police wherever possible will provide an honest account of their work. On top of this is the issue of taste and privacy. The Express & Star, like other regional newspapers, is part of the community and lives cheek by jowl with the community. We do not feel it appropriate to publish information that we thought was distasteful or invaded people's privacy above and beyond what our readers consider necessary and acceptable. I think there is a fairly clear line that is understood by the police and the journalists at the Express & Star, which cannot be crossed without some reaction from the reader. This line is different to that which would be acceptable in a national newspaper because of our deep community contacts. We are far more accountable and the reader has far more access to us to voice their concerns.

Overall, what I am saying is that the community itself regulates the relations between the police and the newspaper. Both organisations are well aware of what each finds acceptable. It is absolutely essential that as far as possible, we are accurate and balanced in everything that appears in the paper.

- (19) What payments (if any) are considered to be legitimate financial transactions between persons serving with or employed by a police force and journalists at your media outlet? Please explain.

None. This would be against the law and against every principal on which we stand.

- (20) How, in practice, do you get access to the police?

There are a number of ways that we would get access to the police. Firstly, specific calls to police officers in various police stations in the area. There would also be calls to the press office in Birmingham at Police Headquarters. Officers or press officers would ring us. There is also a voice bank facility with information about crime or incidents across the region. Press releases are e-mailed to us or posted on the West Midlands Police website. Messages also appear from the force and individual officer's accounts which are monitored by journalists. The West Midlands Police have a Facebook account which they regular update with information about appeals and incidents.

- (21) Is it necessary for police forces to have a press office, and what is your view as to the utility and role of police press offices?

Press officers can have a role to play as a central point of contact for a large force spread over a large geographical area. I suspect many journalists see them as a 'necessary evil'. The press office teams are normally quite small and focus on major events or high profile activity. This means they often do not have the time or the resource to deal with enquiries about lower level crime which is of interest to our readers. They are not always keen for us to speak to individual officers. This means that the police press offices only put out a small number of the incidents that actually take place so we do not get a true reflection of crimes that happen. It also means that when we do request detailed information about lower level crime it can take several days to get it. We feel we are losing touch with the local officers because of the culture of everything having to be managed and sanctioned by the central press office. This cannot be good for the newspaper or the police as a whole.

We feel that sometimes the press office are reluctant to release details of major incidents because of their view that publicising it would increase people's fear of crime and serve no policing purpose. One recent example came when members of the public contacted the newsdesk to ask why a Wolverhampton city alleyway had been sealed off by police the previous day. We asked the press office what had happened and they told us there had been a stabbing in a city centre shop. We understand that the press office was aware of the incident before we made the call but did not release any details until prompted by our question.

The problem remains that with the press office handling the vast majority of media enquiries, we only get to hear about a very small fraction of what the police are doing day to day.

About HMIC

- (22) What is your view of the recommendations contained in the HMIC's recent report "*Without Fear or Favour*" insofar as they concern relations between the media and the police? (If you have not seen it, the report is available online).

The recommendations in the *Without Fear or Favour* report broadly indicate a need for greater codification of contact between police officers and journalists. It seems to indicate the answer lies in recording times and detail of personal or phone contacts between officers and the media. I think this would be a backward step for two reasons. Firstly, I think this would be very difficult to put in place when there are so many contacts of officers of different levels, in different ways and different subject matter. Does every contact have to be recorded? Is it just the initial contact? Does a contact through Facebook count as needing to be logged? The volume of contact and the complexity of contacts make a recording system very difficult to put in place.

Secondly, I fear that a system of recording contacts would slow up or even stop the free flow of information between police forces and the media. Once a system of regulation is put in place, no matter how low profile, people on both sides will be more reticent about talking, will be more guarded about what they say and are likely to take the easy option of saying nothing rather than taking the option of helping with enquiries. That can only be bad for communities who should expect to get a clear view of criminal activity within their neighbourhoods and know what action the police are taking to deal with it. I cannot help wondering where a system of recording and documenting would end. Would it be the thin end of the wedge of state control of the flow of information?

- (23) Do you consider that there are further or different steps which could and/or should be taken to ensure that relationships between the police and the media are and remain appropriate? Please explain when answering this question what you consider to be appropriate contact between the police and journalists in a democratic society.

This is a very difficult area and may vary from paper to paper or from police force to police force. Any of our journalists on a day to day basis will deal with a large number of professionals, whether they are in local government, civil servants, the health service, business, the law and many others. The police service is no different. There is a mature relationship between this newspaper and police officers that is based on trust and mutual respect. I am unaware of any inappropriate behaviour. I think I should stress that this newspaper, just like any other organisation or individual, is bound by the law and operates within it.

I fail to see what advantage would be gained by creating a bureaucracy that attempts to monitor contact between the police and the press. I feel it would be impossible to run and would only inhibit the free and healthy exchange of information between the police, an important element of democracy, and a free media. I am sure there are examples to show where this free flow has been abused or not used to best effect. Certainly, I can see no justification for money changing hands in any contact between the police and the media. However, in the vast majority of cases, in the day to day running of the regional media, the free flow of information only adds to citizens' understanding and appreciation of their community. After all, the police and local media have the same interests – the well-being of the neighbourhoods and communities they serve. Once a monitoring bureaucracy is put in place the drawbridges will come up on both sides.

Signed: ..

Date: ..

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