

STATEMENT OF STEPHEN HOUSE, QPM
CHIEF CONSTABLE, STRATHCLYDE POLICE

to

"THE LEVESON INQUIRY"

My Lord,

This statement is provided me in response to the Notice – presented under Section 21 (2) of the Inquiries Act 2005 – by you that I do so. That Notice is contained in a letter addressed to me dated 22 December 2011 and signed by Ms Sharron Hiles, Senior Assistant Solicitor to the Inquiry.

By way of preface to this statement I wish to make the following observations.

Firstly, the format in which this statement is presented reflects the terms in which the Notice was addressed to me: that is to say, I have offered answers to each of the 46 individual questions posed therein and have done so by repeating each question successively and then providing the corresponding answer thereto. In so doing, I recognise that the statement is less in the form of a narrative and is perhaps more akin to a formal Reply to a statutory form of Questionnaire.

I have been mindful of the comments towards the end of the letter of 22 December 2011 about my offering material beyond the 'four corners' of the Notice. I have endeavoured to do so where I considered that appropriate. I have, in addition, had regard to the Inquiry's Terms of Reference – at least insofar as relevant to Part 1.

For the avoidance of doubt, and contrary to the understanding which is expressed on behalf of the Inquiry that I may have been giving consideration to issues raised at Module 2 of the inquiry before my having received the Notice, I have been giving no particular consideration to such issues beyond what I would regard as only some very general thoughts. As I have suggested in my statement, in response to the Notice, I should be more than happy to offer further views to the Inquiry as required but I should prefer to do so in response either to a specific question (or set of questions) or by way of observation on specific proposals which may be advanced.

The second observation concerns the method which has been adopted in the preparation of this statement. I am sure that the Inquiry will not have expected that I would, or would be in a position to, answer all of the individual questions from my own knowledge. I have, where appropriate, offered personal views and recollections and I hope that those parts of my statement should be clear enough. Otherwise, I should wish to make clear that on receipt of the Notice, enquiry was directed at my instruction, and on my behalf, to other parts of my Force where the relevant knowledge and/or experience was held to enable answers to be prepared and/or documentation to be produced. Those parts were: the Force's Corporate Communications Department; its Crime Division; its Professional Standards Department (including the Counter-Corruption Unit); its Human Resources

Department; and, finally, my own Staff Office. Where other than drawn from my own personal knowledge and experience all facts stated herein are presented to the best of my knowledge and belief.

I address, firstly, the 46 individual questions and, thereafter, offer up such documentation as we have in response to the 7 individual requests which then follow.

QUESTIONS

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

My full name is William Stephen House. I am 54 years' old. I joined Sussex Police in 1981 and mainly served in uniform and operational roles with Sussex, Northamptonshire and West Yorkshire Police. I worked as Staff Officer to the Chief Constable of Northamptonshire Police and was Divisional Commander in Bradford Central, West Yorkshire. I attended the 1997 Senior Command Course at the Police Staff College, Bramshill whilst a Superintendent with West Yorkshire and in March 1998 was promoted and appointed as Assistant Chief Constable (Territorial Divisions) with Staffordshire Police. I also served as Assistant Chief Constable (Crime) with Staffordshire.

In December 2001 I joined the Metropolitan Police Service as a Deputy Assistant Commissioner. My role was that of lead on Corporate Planning and Development; Performance Management.

In May 2003 I transferred to Territorial Policing with responsibility for Operations & Performance north of the River Thames. In December 2003 I took over the role of DAC Operations with responsibility for Operations & Performance across the Metropolitan Police Service. I was line manager for 9 Commanders – who had day to day oversight of the 32 London Boroughs – and a number of operational units whose remit covered the entirety of London including Traffic, Air Support, the Territorial Support Group, the Marine Support Group, the Dog Support Unit and a pan-London Crime Squad. Reporting to the Assistant Commissioner Territorial Policing, I was therefore responsible for some 19,000 police officers and 6,000 police support staff.

In March 2005 I was promoted to Assistant Commissioner. I was asked to set up, and lead, a new arrangement for certain operational parts of the Metropolitan Police, which was to be called Central Operations. This was to encompass many of the Service's specialist units – such as CO19, the Specialist Firearms Unit; Territorial Support Group and Traffic. I also had responsibility for Public Order and Events in the MPS; London Resilience/Business Continuity and also for planning the Service's response to terrorist attack or natural disaster.

I was awarded the Queen's Police Medal in 2005.

In May 2006 I became Assistant Commissioner Specialist Crime. In this role I had responsibility for a diverse Command including Homicide, Child Abuse, Economic Crime, Flying Squad, Kidnap and Hostage Negotiations, Covert Policing, Asset Recovery, Gun Crime, Forensics and the disruption of Criminal Networks.

I was then promoted in September 2007 and took up appointment as Chief Constable of Strathclyde Police on 19 November 2007.

Strathclyde Police comprises some 8,000 or so police officers and around 2,400 members of police support staff. The Force makes up about half the entire police strength for the whole of Scotland and is the biggest of the 8 territorial police forces in the country by some way (Lothian and Borders Police being the next largest in terms of numbers of officers is less than half as big). The Force area not only covers major urban conurbations in the West of Scotland such as the city of Glasgow but also large rural areas of the country such as Argyll and Bute. More than half of Scotland's population lives in Strathclyde.

I am a Board Member of Scottish Police Services Authority; co-Director of the Senior Police National Assessment Centre; Head of ACPOS Crime Business Area and a member of the Scottish Policing Board.

2. What were your first impressions, upon taking office as Chief Constable of Strathclyde, about the culture of relations with the media which you had inherited?

My first impressions were of a relationship, at Chief Officer level, with the media which was markedly different to that I had known whilst with the Metropolitan Police. I had very distinct impressions about what I felt was needed in the Force's relationship with the media when I was appointed Chief Constable of Strathclyde in November 2007. My predecessor, Sir Willie Rae, (who was generally regarded by all, including myself, as a first class Chief Constable of Strathclyde) had particular views regarding the Force's relationship with the media. My assessment was that he personally, and the Force corporately, took a low profile with the media. The general tendency was not to be proactive and there was criticism (whether unfair or not) of Strathclyde as being a force with which it was difficult to deal and from which it was difficult to obtain information.

3. Describe the personal contact which you currently have with the media. The Inquiry would like an overall picture of the type, frequency, duration and content of your contact with the media during your tenure as Chief Constable of Strathclyde. For the avoidance of doubt, the Inquiry would like to know about your contacts with the local media, Scottish media and national media.

I will preface my answer to this question with the observation that I arrived with the intention to take a different position (to my predecessor) on my arrival in Strathclyde. This seemed to me a fairly natural thing to do, bearing in mind that I had come from what was a very different way of dealings between the police and the media. I came from a time in the Met when media interest in that Force was high even in comparison to the rest of England. By the very nature of life in London and the fact that virtually all of the United Kingdom's major news media outlets were based there then police stories were always high profile and there was a desire to foster and maintain a strong and positive engagement between the Met and media, both in London and nationally. In other words, no engagement or even only reluctant engagement with the media would have been unproductive to the police. It would not have offered an opportunity to have positive policing messages conveyed. It would also have been likely to have become damaging to the Met in the sense of it appearing introspective and disinterested in public engagement.

My own approach is perhaps best exemplified by my holding a press conference, which was in fact a joint press conference with the then-Chair of the Police Authority (Councillor Paul Rooney), on the Sunday afternoon before I took up my post the next day in November 2007. There would have been some level of media interest in the appointment of the Chief Constable of Strathclyde given the Force's prominence in Scotland but this was significantly increased because I was not from a Scottish Force and was characterised as "the man from the Met". I took this level of interest as offering me an opportunity to set out my stall.

I wanted what I had to say at that point to be for public consumption but also to be for the particular consumption of my own police officers, support staff, special constabulary and the Force's many partners across the West of Scotland. I have always held the view that police officers and police staff tend to listen to internal communication with a fair degree of scepticism, however, when they hear something being said through the public media – in my view – they tend to pay greater heed to it. I wanted to lay out my vision for Strathclyde Police in a very clear manner.

4. Describe what you are seeking to gain for Strathclyde Police through your personal contacts with the media.

In very simple terms what I seek Strathclyde Police to gain from its contacts with the media is the conveyance of clear messages to the public -- whom we serve -- to further our core policing functions. That can range from requests for information in straightforward appeals, through public reassurance messages, and can include comment on more general aspects of public life as they affect or concern the police.

It is less important to me who has the contact with the media as what it is they say.

I have been Chief Constable of Strathclyde for over 4 years now and the extent of my personal contact with the media has changed over that time. Initially I was keen to use the media to let people know that there was (colloquially) "a new sheriff in town" and to lay out my plans for the Force and the way it worked. Over the years, as I believe this message has reached the public and our partners and politicians in the West of Scotland, I have taken several backward steps and left it to other people to represent the organisation in the media. This is particularly true when we are talking about successes in either specific operations or in general performance terms. I am keen to let operational officers front their own operational successes, and when it comes to general Force performance we usually turn to our ACC Territorial Policing or ACC Crime to front these issues.

My own direct interventions with the media now tend to be on issues of more strategic impact on the police in Strathclyde and Scotland in general. For example, I took a fairly pro-active position on the Scottish Government's proposals about minimum pricing for alcohol as I believe that alcohol plays a significant role in the commission of the regrettably common instances of disorder and violence (occurring in both the domestic as well as public setting) which blight people's lives. It therefore seems to me that if there are proposals which might realistically and materially limit the availability of alcohol, and thereby reduce the amount of alcohol-fuelled violence, that that is something upon which it is proper for me to offer public comment.

I have also taken a similar prominent position, in public, on proposals for police reform in Scotland. I do this because I believe that part of the role of a Chief Constable is to provide a clear, professional, view. I do not expect that my views must be accepted without argument but I do believe that we should have a role in the debate.

5. Describe in general terms and using illustrative examples what you consider the local, Scottish and national media has been seeking from you in your personal dealing with them during your time as Chief Constable of Strathclyde.

I presume that the media seeks from its dealings with myself to sell newspapers or to increase interest in television programmes. The Chief Constable of Strathclyde is a relatively high profile public post in Scotland and my own Staff Office is regularly approached through Corporate Communications (on a weekly or monthly basis) by the newspaper, television and radio media for personal interviews with me on a wide number of issues. On occasions it will be clear that the media is trying to develop a debate between myself and other people in policing or public life in Scotland. I will sometimes engage in this if it is thought appropriate.

As far as illustrative examples go, I was happy to be involved in the debate on the future of Scottish policing. We steer clear of issues that are highly political, although sometimes it is necessary – in my view – to state a professional opinion, such as in the case of minimum pricing for alcohol.

The media in Scotland have a fixation with the 'celebrity of crime'. High profile criminals and their associates enjoy a prominent profile either because such individuals actively seek it, or at least seem to relish in their notoriety, or because their actions are adjudged sufficiently newsworthy. As a result of this, my Office and my senior officers deal with a large number of enquiries – particularly from the tabloid print media – relating to organised crime and the activities of some notorious crime groups and individuals.

I believe that it is my responsibility to project to the public the true nature of crime and criminals. This does involve speaking to the media because of its responsibility as a shaper of public opinion. In my time in Strathclyde I have made it clear that I believe that the media should not be glamourising criminals. The police should be working with the media to ensure that our young people are not attracted to a life of crime due to the way in which certain criminals are portrayed to them.

6. To what extent have you accepted hospitality from the media whilst Chief Constable?

On 14 April 2008 I attended a dinner hosted by Donald Martin, Editor in Chief, Evening Times. The dinner was held at the Red Onion restaurant, Glasgow. I was accompanied by Chief Inspector Ian Murray and Chief Superintendent Anne Maguire, Strathclyde Police.

On 6 August 2008 I attended a dinner at BBC, Pacific Quay which was hosted by Atholl Duncan, Head of News and Current Affairs. Numerous other BBC Executives and staff also attended the dinner including Alasdair Macleod, Editor News Programmes, John Boothman, Editor, Political Programmes, Brian Taylor, Political Editor, Glenn Campbell, Political Correspondent, Reevel Alderson, Home Affairs Correspondent, Phil Wells, Editor, Good Morning Scotland/Scotland Extra and Jackie Bird, Presenter, Reporting Scotland. Also in attendance were several other external invited guests.

On 21 November 2008 I the Chief Constable attended a lunch at the Hilton Hotel which was hosted by Donald Martin, Editor in Chief, Evening Times. Also in attendance at this lunch was Brian Sweeney, Chief Officer, Strathclyde Fire and Rescue, Oli Norman, Director, Da Da, Bob Wylie, Director of Communications, SPT, Carol Wyper, Head of Marketing (Scotland) News International, Craig Gardner, General Manager, Hilton Group, Gordon Dewar, managing Director, BAA, Steven Puroch, Leader, Glasgow City Council, George Black, Chief Executive, Glasgow City Council and Andrew Fulton, Chairman, Scottish North American Business Council.

7. Insofar as you have accepted hospitality from the media, what was the nature of the hospitality that you accepted?

The host provided a meal for me and the other attendees.

8. To what extent have you provided hospitality for the media on behalf of Strathclyde Police whilst Chief Constable?

I attended a dinner on 11 June 2008 with Becky Hunter (Media Manager, Strathclyde Police, Corporate Communications Department), David Dinsmore, Editor, and Alan Muir, News Editor, (Sun Newspaper). My Force paid the £90 bill.

9. Insofar as you have provided hospitality to the media, what was the nature of the hospitality that you accepted?

I refer to my Answers to Questions 6 and 7.

10. What mechanisms are in place to monitor and record hospitality as between the Chief Constable and the media?

There is an Expense Sheet which is maintained by my Staff Office. There is also a Gift Register which contains details of all gifts received by all the members of my Force Executive including gifts received by me: the Register is also updated and retained within my Staff Office.

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All media contact with me is organised through my Secretariat and Corporate Communications who monitor and record all such meetings.

11. What mechanisms are in place to monitor and record meetings with the media generally?

My Force has a Corporate Communications Department which manages our interface with the media in both a proactive and reactive sense. This includes arranging all interviews, media conferences and photo opportunities. All of these types of engagement with the media are recorded and logged on an IT system which is called Spotlight. This system is widely used by Police Forces and other public bodies and ensures that there is an auditable record of our engagement with media on any given topic.

My Director of Corporate Communications has a specific responsibility for managing my own public and media profile as Chief Constable. The Director works with my Staff Office to arrange all my appointments with individual journalists, or for any meetings with editors. The meetings would, as a matter of course, take place in my Office, and their occurrence would be recorded in the diary maintained for such appointments. The Director of Communications or Media Manager would also be in attendance.

12. Do you ever discuss the media, or media coverage, with politicians? If so, how important is such communication and why?

Yes. It is inevitable that in discussion with politicians that a local and national level media coverage is a topic of conversation. Sometimes it is nothing more than a conversation filler. On other occasions it can be more specific and may concern a particular article or programme. How important such communication is depends on what the issue is and how contentious it may be.

13. Have you any known, or sensed, that a politician has put pressure on you to take a particular course of action as a result of lobbying or influence exerted on that politician by the media? If so, please explain (although you need not identify the politician at this stage if you do not wish to do so).

No. In my experience, in Scotland, politicians are extremely careful not to be seen to be putting pressure on police officers. Obviously politicians do come under pressure through media coverage and that media coverage can be about matters which are germane to or at least thought to relate to policing. I do not, however, have a sense that that media coverage about politicians translates into their endeavouring to bring pressure to bear on me or on my Force. In my experience, this has not been a problem.

14. Has the prominence which politicians have given to subjects ever given rise to pressure to alter policing priorities so as to allocate more priority to the subject being given prominence by the politicians? If so, please explain.

No. My impression is that politicians are more likely to feel pressurised by Senior Police Officers such as myself taking a position on something.

For example, in Scotland a contentious issue is knife crime and the proposals on mandatory imprisonment for people who are convicted of offences for carrying knives. This is a topic which has proven to be divisive among politicians. It is, nevertheless, a topic upon which I have taken a public position (against the proposal for mandatory sentences) because, quite simply, it is a topic which in my view is inextricably linked to policing in Scotland. I think I would be failing in my role if I said nothing simply because the subject was one being discussed by politicians. I am conscious, however, that my interventions – even although I am careful to remain apolitical – will be used by politicians in their own discussions with one another.

Similarly, minimum pricing for alcohol has become a party political issue. I have taken a clear position in favour of minimum pricing for alcohol because I believe that that would yield a positive outcome from a policing and public safety perspective.

I am always careful to present my comments with caveats on a lack of political intent on what I am saying and to stress that what I say is based on my professional policing experience and judgement. Whilst this is true, I do understand that politicians whose views do not coincide with my own may experience a degree of frustration with my comments.

I have never had any politician openly accuse me of advancing a political view or advancing a view for political reasons.

15. Set out your understanding of the type of contact which Strathclyde Police personnel have with the local, Scottish and national media covering nature, extent, frequency and (in general terms) topics/content.

My Force's Corporate Communications Department should be the first port of call for any national media (by which term I also refer to the Scottish media where that covers the whole country) that have an interest in a matter relating to the Force. The communications officers process the query, speak to the relevant police officer and provide a response to the journalist. The query and the subsequent response are logged on the Spotlight system.

Likewise, if any media outlet is looking to speak to an officer in relation to a matter concerning Strathclyde Police this would be processed and logged by staff within the Corporate Communications Department.

The Corporate Communications Department also has responsibility for organising media conferences. Members of that Department would liaise with the relevant officers and invite the media to the event. Again, this is something that would be logged on the Spotlight system.

The Force Executive Team can, from time to time, meet with key media contacts for general discussions on the development of specific policies, or on changes in Force practice, or to highlight specific areas of concern. Again, these meetings are managed through the Force's Corporate Communications Department.

At a local media level, this process differs. Responsibility for engaging with local, community-based media lies with Community Inspectors. The Inspectors meet with the editors/heads of their key local media on a regular basis and information on local level crimes is supplied from Community Policing Teams directly to the media. Any crime or incident of a serious nature – or one that is likely to demand national media attention – is picked up by the Corporate Communications Department.

16. Are contacts with the media restricted to certain staff or are all staff able to deal with the media?

As per the above, Officers are able to speak to the media, but the management of this process is conducted by the Corporate Communications Department. We do not generally encourage, nor have we fostered, a culture of individual officers building relationships with the media. That said, I do know that some officers in my Force may be said to have a good profile in the media because they are comfortable dealing with journalists and because the type of work they do gets reported regularly: such dealings are subject to scrutiny and those officers are expected to conduct themselves with the same integrity as all officers in my Force. The key relationships that we develop are those between our Communications Officers and the media and between our Communications Officers and senior officers.

17. What do you expect Strathclyde Police to gain from such contacts with the media?

There is one thing, and one thing only, that I expect Strathclyde Police to gain from any contacts with the media and that is an improvement in our service to the public. As far as I am concerned, there is only one reason why Strathclyde police officers or staff

should speak to the media and that is to improve the service which we deliver to the public. Whether this is in relation to an individual homicide investigation or in relation to structural reform of policing or other issues, my aim is to improve public life within Scotland and there should be no other reason for such contact.

18. What do the media seek from such contacts with your personnel?

While I cannot speak for the media, I am aware that stories regarding crime and criminals are extremely popular in Scotland and, as a result, are extremely popular to the media.

The thing that the media constantly demand from the Police is as much information as possible about crime, criminals and victims. They are constantly looking for something different, something new or something exclusive in relation to specific crimes, specific criminals or specific victims. The media, in short, will seek something it adjudges 'newsworthy'.

19. What hospitality are your personnel permitted to accept from the media? Inter alia, are they entitled to accept a meal or a drink from a journalist?

The current Strathclyde Police Policy and associated Standard Operating Procedure (SOP) in respect of Subscriptions, Testimonial, Gifts and Hospitality directs that officers and staff members should not accept gifts or hospitality for personal benefit as a consequence of their position. It states that it is the responsibility of all staff of Strathclyde Police to ensure that their actions do not give rise to or foster suspicion that outside individuals or organisations have gained favour or advantage through the offer or acceptance of any gifts or hospitality etc.

The guidance states any gift or hospitality that is accepted by staff members, or supplied by Strathclyde Police, must be justified in terms of benefit to the Force.

The SOP recognises, however, that it is not practicable to cover every eventuality and that personnel should be governed by the general principle that they must not take any action, or accept any offer, which could give rise to a reasonable suspicion that they may have been influenced by a gift or consideration to show favour or disadvantage to any person or organisation.

Therefore, there could be certain instances where officers and members of police staff might engage with journalists in an official capacity in relation to operational policing matters during which time refreshments could be provided by either party – however, any such interaction would require to be authorised by a senior officer and documented accordingly.

20. What hospitality are your personnel permitted to afford to the media?

None, beyond that referred to in the foregoing Answer.

21. What mechanisms are in place to record hospitality as between the media and your personnel?

The attached Standard Operating Procedure (SOP) governing 'Subscriptions, Testimonials' etc. refers.

22. How (if at all) is hospitality between Strathclyde Police (including yourself) and the media controlled and/or regulated?

I do not differentiate between the hospitality supplied to the media and any other organisation or individual.

The occurrence of all meetings the media have with me is noted in my electronic diary.

Hospitality, or other like expenses, are recorded in my Expenses Sheet and in the Gift Register. These are monitored and verified on a quarterly and yearly basis both by my Force's Finance Department as well as by my Staff Office.

23. Are the hospitality rules governing contact between Strathclyde Police personnel (including yourself) and the media different from those covering contact with other third parties? If so, what are the differences.

The rules are not different.

24. What policies and procedures are in place to record contact between:- (a) yourself and the media; (b) senior managers and the media; (c) other personnel and the media. For the avoidance of doubt please answer in relation to both formal and informal communications.

All contact should be managed through Corporate Communications Department, or logged with the Department if a direct approach is made. The attached Media Policy and SOP refer.

25. Are records of hospitality and other contact with the media audited and/or policed and, if so, how and by whom?

Yes. I refer to my Answers to Questions 21, 22 and 24.

26. In your opinion are the policies described above:- (a) working effectively; (b) sufficient; and (c) capable of improvement.

In short, my answer is yes to each part of this Question. I believe our processes are working effectively and in our particular situation

they appear to be sufficient. I am sure they are capable of improvement in much the same way that any such policy or process should always be capable of improvement, and I look forward to reading any recommendations from this Inquiry which may help to improve them.

27. What systems, policies and procedures are in place in Strathclyde Police to ensure that all members of the Force (including civilian employees) know what is and what is not appropriate contact with the media?

I refer to my Answers to Questions 11, 15, 16 and 24 respectively. It is also my expectation that local supervisors will reiterate the terms of such guidance and procedures to the staff for whom they have immediate responsibility.

28. Are you satisfied that the policies and procedures described above are sufficient and working effectively? Do you consider that they are capable of improvement?

As I have already stated in my Answer to Question 26, they are sufficient. However, relevant recommendations from the Inquiry will be considered and adopted if they demonstrate likely areas for improvement.

29. What training is in place in Strathclyde Police police to ensure that all members of the Force (including civilian employees) know what is and what is not appropriate contact with the media?

Induction training for staff, and probationer training for police officers states clearly that contact with the media should be through Corporate Communications.

30. To what extent have leaks from Strathclyde Police to the media been a problem during your tenure as Chief Constable?

This is a large organisation, often dealing with issues that are of significant public – and media – interest. It would be wrong to say that, from time to time, information has not leaked out to the media. It is disappointing when this happens and we do all we can to ensure that it does not take place. This includes having specific 'leak enquiries' conducted where appropriate.

Scotland is a relatively small country and I am well aware that professional relationships and friendships between and with those in public roles are often built up over a number of years and this will include relationships between police officers and journalists. So long as such relationships are maintained with integrity on both sides then, plainly, there is no difficulty.

I do not believe that my Force has a significant problem with the leaking of information to the media. I believe that the overwhelming majority of the officers and staff of Strathclyde Police operate with integrity at all times.

I am also bound to recognise, however, that unauthorised disclosure of confidential information to the media is an ongoing concern for Strathclyde Police. Whilst such incidents are relatively rare within the Strathclyde area, there have been occasions where the leaks to the media have hampered or even compromised the ongoing investigation of serious crime.

It should also be recognised that in some instances the media will state that information they present was provided from 'a senior police source' or that 'an officer close to the enquiry claimed'. This tends to refer to those instances when the Corporate Communications Department has provided detail to the media but has done so 'off the record'. This would be recorded in Spotlight.

The main reason that we are willing to supply information on an 'off the record' basis is to ensure that journalists do not write articles which contain information that is factually incorrect.

31. What systems and procedures are in place to identify, respond to and detect the source of leaks?

Since 2002, my Force's Counter Corruption Unit (CCU) has monitored media reporting to identify, and try to prevent, incidents of confidential information being passed to the media from 'police sources'. As such, a close working relationship exists between the Corporate Communications Department and the CCU to identify incidents of unauthorised disclosure at the earliest opportunity and thereafter carry out the necessary enquiry.

The CCU also delivers training inputs to all new recruits and members of police staff as well as existing staff that unauthorised disclosure of confidential information to a member of the media will be dealt with as a criminal offence (Data Protection Act, Official Secrets Act, Corruption Act & Bribery Act all refer) and/or under the Police (Conduct) (Scotland) Regulations Police Staff Disciplinary Procedures.

The CCU also monitors the handling of any information held on Strathclyde Police Force systems which has been subject of unauthorised disclosure to the media to try to identify and establish whether the officers and staff who have accessed it had an operational policing purpose for doing so and if not to carry out further investigation to establish if they may have been responsible for any disclosure.

32. How many investigations have been conducted into actual or suspected leaks from Strathclyde Police to the media been commenced during the last 5 years and how many have led to the successful identification of the source of the leak. What was the outcome of the other investigations?

Forty five investigations have been conducted in respect of suspected leaks from Strathclyde Police to the media during the last 5 years - all of which have been investigated by the CCU. This resulted in one officer being reported to the Crown Office and Procurator Fiscal Service ('COPFS'). Of the remaining 44, 8 resulted in the report being disproved, and 29 of it being unsubstantiated. The other 7 presently remain subject to review in the event that further evidence may come to light.

33. Has disciplinary action been taken against any member of staff (whether civilian or police officer) for leaking information to the media during the last 5 years? If so, please identify the number of cases and their outcome. There is no need to identify the person or persons the subject of the disciplinary process.

The answer is No. In the last five years only one officer has been reported to COPFS concerning an allegation of information being passed to the media for financial reward. This report is now with Crown Counsel for further direction. The question of disciplinary action against this officer remains under consideration. Otherwise, the answer is No.

34. What payments (if any) are considered to be legitimate financial transactions between Strathclyde Police personnel and the media?

None.

There is no legitimate reason for any financial transaction to take place between the media and any officer or member of police staff.

35. What policies and/or guidance are in place in relation to financial transactions between Strathclyde Police personnel and the media.

Strathclyde Police Policy and Standard Operating Procedures (SOP) for Subscriptions, Testimonial, Gifts and Hospitality provides general direction to all Strathclyde Police staff on what hospitality and financial transaction that they are permitted to accept. It does not make specific reference to journalists and the media.

The current Strathclyde Police Policy and associated SOP in respect of Subscriptions, Testimonial, Gifts and Hospitality directs that officers and staff members should not accept gifts or hospitality for personal benefit as a consequence of their position. It states that it is the responsibility of all staff of Strathclyde Police to ensure that

their actions do not give rise to or foster suspicion that outside individuals or organisations have gained favour or advantage through the offer or acceptance of any gifts or hospitality etc.

The guidance states any gift or hospitality that is accepted by staff members, or supplied by Strathclyde Police, must be justified in terms of benefit to the Force.

The SOP recognises that it is not practicable to cover every eventuality and personnel should be governed by the general principle that they must not take any action, or accept any offer, which could give rise to a reasonable suspicion that they may have been influenced by a gift or consideration to show favour or disadvantage to any person or organisation.

The current SOP has now been updated to ensure corporacy in the capturing, recording and maintaining of all gifts and hospitality received. The new SOP focuses on the terms of paragraph 1, Schedule 1 to the Police (Scotland) Regulations 2004, which provides :-

"A member of a Police Force shall at all times abstain from any activity which is likely to interfere with the impartial discharge of that members duties or which is likely to give rise to the impression amongst members of the public that it may so interfere".

While the precise terms of the above extract relates only to police officers, the SOP takes the underlying principle and applies it equally to every member of Strathclyde Police.

36. To what extent do you believe bribery of personnel by the media to be a current problem for Strathclyde Police (if at all)?

From the information known to my Force's CCU, the corrupt relationships previously identified with the media have been on an individual basis for either financial payment or from disaffected staff. These incidents remain relatively low and there is no evidence that there is an extensive problem in the bribery of personnel within Strathclyde Police.

37. What steps are taken: (a) to educate your personnel about bribery; (b) otherwise to prevent the bribery of your personnel; (c) pro-actively to detect bribery; (d) retrospectively to investigate bribery; and (e) to discipline personnel (if any) who are found to have accepted bribes from the media?

(a) Strathclyde Police CCU regularly provides educational inputs to all baseline courses encompassing all newly employed Members of Police Staff and Police Constables at the Force Training and

Recruitment Centre as well as nationally at the Scottish Police College. More recently, with the coming into force in July 2011 of the Bribery Act 2010, targeted educational inputs have been provided by CCU staff to all staff working within Strathclyde Police who are involved in procurement on behalf of the Force. The content of these inputs covers the description of bribery and corruption in its various forms; the professional and personal vulnerabilities and risks associated with corrupt activity; and, the threat posed to both the individual employee and the Force. These inputs also cover reporting mechanisms for individuals. All educational inputs provided by CCU staff are regularly reviewed to ensure they remain fit for purpose.

(b) There is a general risk around individuals within the Force who could be more susceptible to bribery or other corrupt behaviour. The CCU is in place to prevent and also detect such acts and personnel. Robust Standard Operating Procedures (SOPS) which are also regularly reviewed are available for reference by all staff who work in Strathclyde Police.

(c) Pro-active detection of bribery can be more problematic as the CCU relies on intelligence to a large degree in order to direct its work. If the CCU is notified of a relevant concern it will be assessed and prioritised for any action which requires to be taken. If action is required the individual(s) involved will be targeted and managed in a number of ways. This may include intervention at an early stage if it is identified that an officer or member of staff has started to show signs of criminality or if their personal circumstances are such that they raise concern. Full investigations may also be undertaken overtly and/or covertly where sufficient intelligence/evidence exists.

(d) The retrospective investigation of bribery or corrupt behaviour would also be undertaken in a similar manner where sufficient intelligence/evidence exists.

(e) Where sufficient evidence exists of a member of staff having been involved in such behaviour a report would be forwarded to the COPFS for consideration of a criminal prosecution. Any further internal disciplinary procedures would be considered and may progress in parallel with any criminal enquiry. However this would always be carried out in close liaison with, and would be dependant on the deliberations of, the COPFS in respect of the criminal aspect.

38. Does Strathclyde Police have a press office? What role does it fulfil? If you do have such an office, what is the media's attitude towards the press office? In particular are they satisfied by the provision of information and the routing of communications through your press office or do they prefer direct contact with individual personnel within the Strathclyde Police?

I refer to Answer 15.

In general, the media seem satisfied to deal with our Communications Department; however, we are well aware that journalists would not be doing their jobs if they were not seeking to build relationships with key contacts. While we recognise that this type of direct contact does, from time to time, take place, we do not believe that we have a regular occurrence of direct contact between officers and the media. In the main everything is routed through the Corporate Communications Department. It is a system that, on the whole, seems to work.

39. What limitations, if any, are there on staff from Strathclyde Police leaving to work for the media and vice versa.

There are no contractual restrictions on police staff leaving the organisation in terms of the employment they can pursue. No such restriction exists either in police officers' conditions of service. Staff (Police Officers and Police Staff) require to sign an Official Secrets Act declaration on the commencement of their service and again on termination of same and remain bound by its terms.

40. Are records kept of those who join Strathclyde Police from the media, or go on to work for the media after leaving Strathclyde Police? If so, please describe the system in place.

An application form with previous employment details will be retained in the personnel file for everyone joining Strathclyde Police. There are no specific records kept for those with previous employment with media organisations. On termination of employment or service a form requesting details of future employment (if appropriate) is presented to the departing member of staff to complete if they wish, but again no specific record is kept for staff moving from Strathclyde Police to work with a media organisation.

41. To the best of your knowledge are there any discernible patterns in the movement of personnel from the media into Strathclyde Police and vice versa?

When vacancies with Corporate Communications (such as for Communication Officer) are advertised they usually ask that the candidates 'possess experience in journalism or public relations'. It is more likely then, that employees in this Department will have previously worked for a media organisation, however, as previously stated, no separate record over and above the individual employment application form will be kept. With the exception of this Department, no other discernable pattern is known of movements between Strathclyde Police and media organisations.

There is a remarkably high retention rate for staff in the Corporate Communications Department. We do not lose staff on a regular basis and, when we do, we tend not to lose them to the media.

The staff who work in Corporate Communications who have come to us from the media have been with us for a number of years. We do not see a pattern of movement between ourselves and the media in terms of staff that we employ.

42. What levels of awareness and experience are there in Strathclyde Police of "media crimes" and in particular:- (a) unlawful interception of communications (including the Regulation of Investigatory Powers Act); (b) bribery of officials by the media; (c) blackmail; (d) harassment by paparazzi and journalists; (e) traffic and/or public order offences committed by photographers and journalists pursuing stories; (f) inciting officials to communicate confidential information held by Strathclyde Police/conspiring with them to obtain such information; and (g) crime within media organisations other than the foregoing (eg, dishonest expense claims).

42 (a)

The CCU has not received any such allegations.

Otherwise, Strathclyde Police has received one complaint in the last 5 years of unlawful interception of communications by the media. This was received from a lawyer who believed he may have been the subject of targeting by the media following his representation of a client who was subject to sustained media attention. Following investigation, it was established that no crime occurred.

42 (b)

From CCU enquiries undertaken (as referred to in Answer 32) there has been intelligence to support the belief that bribery of officers and police staff has occurred at the hands of the media to obtain information from or about police officers and policing matters. The main form of the bribery is believed to be in cash. In the aforesaid case of the investigation which resulted in an officer being reported to the COPFS payments from the media were identified.

Otherwise, there have been no instances of bribery of officials (in any public office) by the media reported to Strathclyde Police Economic Crime Unit (ECU) in the last 5 years.

42 (c)

There have been no instances of blackmail by the media reported to Strathclyde CCU in the last 5 years.

Otherwise, there have been no instances of blackmail by the media reported to Strathclyde Police Economic Crime Unit (ECU) in the last 5 years.

42 (d)

There have been a number of documented examples of harassment by paparazzi and journalists where media representatives have called at officers' or members of staff home addresses, or their places of work or intercepted them in the street looking for a photograph or a comment in relation to on duty or off duty matters. Whilst there is no indication that personal information regarding those staff came from a police source in every instance, there is evidence and intelligence to indicate that media organisations have used police officers to provide such information which led to such activity.

Otherwise, there have been no reported crimes of harassment by paparazzi and journalists within the last 5 years

42 (e)

There have been no reported crimes of traffic and/or public order offences committed by photographers and journalists pursuing stories in the last 5 years.

42 (f)

The CCU has no information to suggest the media inciting officials to communicate confidential information held by Strathclyde Police or conspiring with them to obtain such information.

Otherwise, there have been no reported crimes within media organisations reported to Strathclyde Police in the last 5 years. That said, 'Operation Rubicon' (see later) is undertaking enquiry to assess and determine evidence of police corruption in respect of the unlawful provision of information or other personal data to journalists or persons acting on their behalf. In this regard, we are unable to comment further due to this being a 'live' criminal enquiry.

Summary

The 'media crimes' detailed at (a) to (g) above appear not to be prevalent in the Strathclyde Police Force area: the Economic Crime Unit have not had occasion to investigate any such matters in the past 5 years.

If an allegation was received, it would go through a case assessment process before being allocated to a Unit or officer for enquiry, at which time an investigative strategy would be agreed and resources commensurate with the level of required investigation would be allocated.

43. What sort of priority is given to, and what level of resources are available to deal with, the above.

If an allegation was received, it would go through a case assessment process before being allocated to a Unit or officer for enquiry, at which time an investigative strategy would be agreed and resources commensurate with the level of required investigation be allocated.

44. What is your current impression of the culture within Strathclyde Police in relation to its dealings with the press.

I think the culture within the Force has changed in the last 4 years to one which now acknowledges that the press are people with whom we should have a positive relationship where possible. There is recognition that they have their job to do and we have ours. There is a mutual interest in positive and informative relationships with the media. I think there is also recognition that there is a potential danger in any discussion with the media and we train our officers to deal professionally with the press.

The Senior Investigating Officer (SIO) assigned to a Major Incident will aim to exploit all avenues in respect of the media and internal communications with a view to identifying, securing and developing any potential investigative opportunities.

Major crimes frequently generate anxiety and public safety concerns, particularly within local communities. Additionally, there is generally a high degree of media interest in major crime. The SIO in consultation with Corporate Communications Department seeks to liaise with the media to reassure the public, to appeal for witnesses or discover any other information which will assist the enquiry.

SIOs receive media training in order to present a professional image of the Force, but also to ensure they are able to exploit media assistance to advance an investigation. SIOs are requested to direct all requests for contact with the media via Corporate Communication but are thereafter trusted to speak to the media without their assistance.

45. The Inquiry would like to understand the progress which Strathclyde Police is making on Operation Rubicon (insofar as it can be given without prejudicing this inquiry).

Operation Rubicon is an enquiry under the direction of Crown Office and the Procurator Fiscal Service (COPFS) and covers the following areas of activity:

1. To enquire into allegations that witnesses gave perjured evidence in the trial of Tommy Sheridan;
2. To undertake an assessment of material provided to Strathclyde Police to determine whether there is evidence that, in respect of

persons resident in Scotland, there are breaches of data protection legislation or other offences in relation to unlawful access to personal data:

3. To investigate issues arising from material held by the Metropolitan Police in respect of 'phone hacking' (Contraventions of the Regulation of Investigatory Powers Act 2000) and breaches of data protection legislation in Scotland;

4. To undertake enquiry to assess and determine evidence of police corruption linked to items 2 and 3 above, in respect of the unlawful provision of information or other personal data to journalists or persons acting on their behalf;

5. Having investigated these matters, to report to the Area Procurator Fiscal at Glasgow.

The objectives of the Operation are to:

- Identify the scale of the material available to the Scottish Police Service and the Metropolitan Police Service, as it relates to Scotland.
- Enable a thorough and expeditious investigation as directed by the Crown under the leadership of the strategic SIO that secures evidence and maximises opportunities to bring those responsible for criminal conduct to justice.
- Establish clear protocols and division of responsibilities with the Metropolitan Police Service to ensure evidence/information is lawfully shared, in consultation with COPFS and the CPS, and actively investigated.
- Identify victims of unlawful conduct in Scotland, linked to 2 and 3 above, apprise them of the facts and ensure they are kept up to date with the progress of police enquiries.
- Maximise public confidence in the ability of the Scottish Police Service to respond to and investigate such incidents.

Operation Rubicon is a 'live' criminal enquiry and, as such, I am unable to provide an investigative update at this stage as any response may prejudice any possible future prosecution. In addition, Strathclyde Police is directed by COPFS in respect of the investigation and it would not be appropriate to make comment without their prior approval.

46. Do you consider that there are further steps which could and/or should be taken to ensure that relationships between the police and the media are and remain appropriate?

I do not offer up any specific recommendations for two reasons. Firstly, I think it would be presumptuous of me to do so in light of the Inquiry's role and its Terms of Reference. Secondly, and in any event, I think that my position is fairly clearly set out in the foregoing Answers that my own experience in dealing with the media in my current role has been satisfactory. I fully accept that it is for the media, if it is to be a 'free press', to report and comment on matters as it sees fit. Whilst I can be frustrated, from time to time, about what the media may say or write about my Force I do recognise that it should remain at liberty to do so. Rather, it seems to me that if there are restrictions or controls to be applied they should be on how the media acquires information, and those should be controls which are capable of being regarded by the public as well as the media as effective.

DOCUMENT REQUESTS

- a. The policies and procedures relating to, or having a bearing upon, contact between Strathclyde Police personnel and the media. The Inquiry would like to see the current policies and, if there have been significant changes, previous versions going back up to 5 years.
 - * The Strathclyde Police 'Media' Standard Operating Procedure (December 2008) is produced.

- b. Training documents relating to, or having a bearing upon, contact between Strathclyde Police personnel and the media. The Inquiry wishes to see the current policies and, if there have been significant changes, previous versions going back 5 years.
 - * (See above).

- c. Policies and procedures relating to, or having a bearing upon, the provision of and receipt of hospitality by members of Strathclyde Police from the media.
 - * The Strathclyde Police "Subscriptions, Testimonials, Gifts and Hospitality" Standard Operating Procedure (April 2006) is produced.

- d. Copies of any hospitality registers or similar documents. In relation to the Chief Constable and senior managers the Inquiry wishes to see records going back 5 years. In relation to other, the records for the last 12 months will suffice.

- * Copies of the Gift Registers (for 2008-2011), including one specifically maintained following the Papal visit to Scotland in 2010 maintained by my Staff Office are produced, along with documentation already released in response to Freedom of Information requests for details of my travelling expenses, accommodation costs and so forth, in the same period.
- e. Policies and procedures relating to bribery, in the forms current both pre- and post- introduction of the Bribery Act 2010.
- * The Strathclyde Police 'Public Sector Crime' Standard Operating Procedure (June 2009); and
 - * Guidance Note on The Bribery Act 2010; and
 - * Strathclyde Joint Police Board 'Standing Orders Relating to Contracts' (Revised to June 2010) are all produced.
- f. Any documents (whether internal or external) relating to the role of any Press Office and overarching instructions give to Press Office staff about how they should conduct themselves in relation to the press.
- * None
- g. Any other documents relevant to the matters which you have been asked to deal with in your witness statement.
- * None

Dated:

Signed _____

Stephen House QPM
 Chief Constable
 Strathclyde Police