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Submission of evidence to the Leveson Inquiry

In pursuance of Section 21(2) of the Inquiries Act 2005 and in response to correspondence dated 7 February 2012 from Sharron Hiles, Senior Assistant Solicitor to the Inquiry.

28 February 2012

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

I am a Chief Inspector within West Midlands Police. I have 20 years service having joined West Midlands Police in 1991. I have held a number of policing roles during my service within each rank up to Chief Inspector providing me with a broad range of policing experience. The focus of my service has been delivering local policing within West Midlands Police Force area serving in Coventry and Birmingham. However I have completed a secondment with Centrex as a law trainer delivering initial training to police recruits between 2001 and 2003 and with HMIC for six months in 2009. I currently hold the post of Head of Corporate Communications and I have held that post since April 2011.

2. Describe the role and remit of the Press Office within West Midlands Police

West Midlands Police has a Press Office (Operational Communications function) – which is one of the functions provided by the Corporate Communications Department.

The department has a mission which is:

'To support the Force in building the trust and confidence of the people of the West Midlands by proactively and effectively communicating policing activities undertaken to achieve the Force vision and to protect and enhance the reputation of the Force in accordance with its values'

The department provides far wider support to the Force than media engagement, for example supporting the Force internally in relation to communicating organisational issues and changes through internal communication. The business transition being undertaken by the Force to deliver policing services for the future meeting budgetary needs and adapting to

a changing governance landscape with the appointment of the Police and Crime Commissioner requires a greater investment in this aspect of our communications work.

The department also has a very local community engagement focus directly supporting local policing units (LPU) and departments in their engagement with local communities.

The office manages around 50,000 calls per year from media sources and assesses logs and replies to reactive media enquiries as well as proactively releasing news and information about West Midlands Police. Officers and staff will engage with the Corporate Communications Department if approached by the media. The Department offers guidance and support to all officers and staff in relation to engaging with and managing the media and manages the release of information to the media.

Thirty people work in the Corporate Communications Department which is divided into three sections across Operational Communications (Press Office), Organisational Communications and Digital Services.

The office has evolved significantly over the last five years and continues to do so with greater emphasis on the provision of information directly to the public through our digital service provision and social media activity.

3. Please describe your role and responsibilities within the Press Office. To whom do you report?

I report to the Deputy Chief Constable. My role is to lead a team of 30 staff to deliver the Force communications strategy and the Department's mission to provide a communications service for the Force and the communities of the West Midlands.

The Department provides the services as detailed within question 2 and I directly line manage the heads of those business areas: Head of Operational Communications, Head of Organisational Communications and the Head of Digital Services who are technical experts within their fields with a sound operational understanding of West Midlands Police to deliver the Force communication requirements.

4. Describe the culture of relations between the Press Office on the one hand and other WMP staff/officers on the other. Do you consider that there is a relationship of trust and confidence? What changes, if any would you wish to make to the working relationship and why?

Officers and staff readily approach the Department for guidance and support with media interactions. It is directed through Force policy that engagement with the media is carried out in consultation with the Corporate Communications Department however this is also embedded within the culture of the Force.

Officers and staff have ready access to Corporate Communications staff to support them in their interactions appropriate to their location, role and function. My team are allocated specific portfolios' to provide a specific and familiar point of contact for the local area or department and a consistent and corporate approach to the support provided. My team pride themselves on the strength of relationships they have locally and corporately with colleagues and are proactive in forming and maintaining these relationships to ensure there is a free flow of information to support delivery of the Department's mission.

I believe that there is a culture of trust and confidence between the officers and staff of West Midlands Police and my team and this stems from the professionalism, commitment and dedication of my team and our colleagues across the Force to their roles and in their efforts to serve and protect the communities of the West Midlands.

I am not sure the current approach needs to be changed. A challenge for my team and the staff and officers within West Midlands Police is to consider the timeliness of communications engagement in relation to operational activity. With the use and development of social media our communities are aware of incidents, tensions and issues before they are reported within the traditional media and they have the ability to use their social media presence to support policing activities. We need colleagues to consider communications first to enable us to be proactive in communicating with the public delivering accurate timely information in many formats.

5. Does the Press Office have a gatekeeper function for controlling the flow of information to the media?

The Corporate Communications Department does have a gatekeeper role which is reflected in Force directive.

The Corporate Communications Department manages the release of information to the media via communications professionals and provides 24 hours a day support all year to advise officers and police staff colleagues and manage media enquiries. These professionals provide advice and guidance on media organisations and engagement, media law and reputational issues for the Force.

It is important to remember that there are officers and police staff within a range of roles across the Force putting information into the public domain on a regular basis which is followed by the media. For example, a response officer in Walsall has over 3000 followers on Twitter. He regularly 'tweets' about his operational activity and writes blogs on subjects that interest him around policing, including current issues such as his experience of the impact of the Stephen Lawrence murder and the McPherson Report on policing.

All officers are encouraged to follow Force social media guidance when engaging and informing via social media. This guidance directs them to consider the Force values, standards of professional behaviour and Force vision when engaging. This engagement is monitored by the Corporate Communications Department and is also monitored by local supervisors.

The media perception is that social media accounts provide legitimate and quick access to officers. Whilst engaging freely with the public across social media, officers and staff who use social media accounts are aware that any traditional media requests require engagement with the Corporate Communications Department. Our experience is that any approach by traditional media in relation to information passed on social media is referred very quickly to the Corporate Communications Department.

6. Does the Press Office have a gatekeeper function for controlling access to WMP personnel?

The response to this question has in the main been covered above however I would acknowledge that there are situations that develop dynamically and staff can be approached by members of the media. For example whilst deployed to a scene of an incident with media in attendance they can be in a position to liaise directly with the media as they arrive. Officers and staff are encouraged to engage with members of the media rather than provide a 'no comment' approach and would be encouraged to share any information they would be able to share with members of the public.

Once colleagues are aware the media are in attendance the Department is informed and the situation is assessed in relation to the level of support required.

7. What is your impression of the culture within West Midlands Police in relation to its dealings with the media (the media in all its forms)?

My impression is that there is a healthy balance of engagement with the media across West Midlands Police. There will always be some tension as journalists seek to build a story and officers protect victims and ensure criminal justice processes can be followed. Equally, journalists will seek out stories about the Force as an organisation while the Force will want to add balance and proportionality and an understanding of context and policing.

Officers and staff at all levels are empowered and confident to be proactive in putting information into the public domain which builds public knowledge and confidence. This is particularly the case and evidenced through the use of social media.

8. Describe your impression of the culture of dealings between the Press Office and the media (the media in all its forms). Do you consider the relationship between the Press Office and the media to be a successful one? What changes, if any, do you consider should be made to the relationship?

The media's attitude towards the Corporate Communications Department is generally a successful one, with strong working relationships across the region. This is balanced, with a healthy debate able to take place within the context of this relationship.

Force policy is to engage with the Corporate Communications Department if approached by the media. The media do approach individual officers directly however, when re directed to the Corporate Communications Department to manage the enquiry they understand the rationale behind this. This can sometimes frustrate the media but is accepted as Force practice.

The very nature of our engagement with the media is changing through the rise in use of social media. The way in which we engage with the media is developing as the pace of engagement is so much swifter. The Force's ability to engage directly with the public is ever increasing with the use of social media such as twitter. This was particularly notable during the disorder of August 2011, where the public sought information from the West Midlands Police website with more than 1.4 million hits in that month alone (average month 350,000).

I do not have specific comment to make on any changes I consider should be made to the relationship. I believe changes will occur in response to changes within society and how they choose to access information. I believe the increasing use and development of technology will lead those changes and we will be at the centre of our engagement with communities communicating with them directly rather than relying on traditional media.

9. Set out your understanding of the type of contact which Press Office staff have with the local and national media covering nature, extent, frequency and (in general terms) topics / content.

Within the Press Office there is daily contact with national, regional and local media, with an estimated 50,000 phone calls being handled by the team each year we also manage contact with media representatives' via media conferences and briefings, in face-to-face meetings and emails.

The requests we manage vary significantly and can be a straightforward request for information as to what is happening in a certain location right through to the offer of participation in a documentary series or programme.

Daily business generally reflects the operational activity of West Midlands Police and the media are active partners in informing the public on current operations, initiatives or investigations. Local and regional media engagement is on a constant basis. National engagement is more sporadic and very driven by operational issues and the news agenda.

10. Are contacts with the media restricted to certain staff or are all personnel within West Midlands Police able to deal with the media?

West Midlands Police employees can expect to have contact with local or national media but the amount and type of contact depends significantly upon the role and function of individual.

A sample of roles where an individual could expect to engage with the media include: the ACPO Command Team, Local Policing Unit Commanders, Senior Investigating Officers, Force leads on key subjects such as metal theft or robbery, operational leads such as Commanders for football matches, Force Incident Managers and local area Inspectors and Sergeants.

With the rise in the use of social media it is important to remember that we have officers and police staff within a range of roles across the Force putting information into the public domain on a regular basis and these are followed by the media.

All officers are encouraged to follow Force social media guidance when engaging and informing via social media. This guidance directs them to consider the Force values, standards of professional behaviour and Force vision when engaging.

The media perception is that social media accounts provide legitimate and quick access to officers. Whilst engaging freely with the public across social media, officers and staff who use social media accounts are aware that any media requests require engagement with the Corporate Communications Department. Our experience is that any approach by traditional media to officers requesting information through social media is referred very quickly to the Department.

11. Does the Press Office prioritise some sections of the media over others? For instance, does it prioritise communications and relations with the national media over those with the local media? If so, please give details and explain why?

No one media outlet is given preferential treatment or priority.

All requests from media into the Corporate Communications team are prioritised according to the threat, risk, harm or opportunity that they present to deliver the Department's mission rather than the source of the enquiry.

A matrix has been adopted to support the Department in delivering this. The matrix has been developed in accordance with the Force's strategic assessment and a copy is attached.

12. Are there mechanisms in place to ensure that information is disseminated widely to the media rather than to select journalists or titles? If so, please specify. If not, do you consider that there should be?

All media who wish to receive updates from West Midlands Police register on our website, www.west-midlands.police.uk. Once subscribed they receive automatic updates each time a story is added, edited or an email is released.

Journalists can also choose to visit the Forces website and follow West Midlands Police on Twitter or Facebook, where, along with members of the public, they can get regular updates on the Force's work.

We believe that this is a fair and proactive way of disseminating information to journalist colleagues.

13. 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 the Press Office or do they prefer direct contact with individual personnel within West Midlands Police?

The media's attitude towards the department is generally a positive one and as I have stated previously there are strong working relationships across the region but there will always be some professional tension.

Force policy is for officers and staff to engage with the Corporate Communications Department if approached by the media. The media do on occasion approach individual officers directly however, when directed to the Press Office as per Force policy, they understand the rationale behind this. This can sometimes frustrate the media but in general is accepted. The individual approaches that I am aware of stem from a need within a media outlet to meet a deadline or a new member of journalistic staff not understanding the protocols that exist between West Midlands Police and the media.

We recently won Chartered Institute of Public Relations for the work completed during the riots keeping our communities and the media informed. We were nominated for this award by the Chartered Institute in recognition of our communication achievements during this challenging period of time.

14. Describe in general terms and with illustrative examples, the personal contact which you have with the local and national media. The inquiry would like an overall picture of the type, frequency, duration and content of your contact with the media.

My role as head of Corporate Communications is to lead the Department and have strategic oversight of the Department as a whole. Engagement and contact with local and national media is just one function of the Department. The Head of Operational Communications manages the media relationships and is empowered to manage those relationships on a

daily basis. The personal contact that I have with media is limited to strategic level for furtherance of our partner relationships.

Since joining the Department I have acted as Force spokesperson for relevant issues, such as discussing our use of Twitter. I have also accompanied the Chief Constable when he met the BBC to discuss the ongoing working relationship between our two organisations.

During the riots last summer I had an increased level of contact at both a national and local level dealing with media requests directly on a daily basis. The majority of contact on a day-to-day basis with both national and local media is managed by the head of Operational Communications who has responsibility for media engagement.

15. Describe what you are seeking to gain for West Midlands Police through your personal contact with the media.

To support the Force in building the trust and confidence of the people of the West Midlands by proactively and effectively communicating policing activities undertaken to achieve the Force vision and to protect and enhance the reputation of the Force in accordance with its values.

My personal contact with the media falls into two categories:

Corporate Communications Department representative, the Head of the Department delivering the Department's mission, supporting the Chief Constable in achieving the Force vision.

Force spokesperson – a uniformed officer who is the 'talking head' for the Force during key operations or initiatives to promote key messages or outcomes.

16. Describe in general terms and using illustrative examples what you consider the local and national media have been seeking from you in your personal dealings with them.

They are seeking to showcase a Force representative delivering an update or key message that they can use a sound-bite or visual clip to support their reporting adding context, balance and credibility. For example following an EDL protest within Birmingham City Centre I provided an update on the policing operation and responded to questions asked in relation to the policing response.

17. To what extent have you accepted hospitality from the media whilst working in your current position?

In the limited number of meetings I have attended with media organisations I have accepted hospitality provided by way of a hot drink or a glass of water.

18. Insofar as you have accepted hospitality from the media, what has been the nature of the hospitality that you have accepted? What records have you kept of such hospitality?

See above.

The provision and acceptance of gifts and hospitality is governed by Force Directive 02/2010. It is a generic policy extending beyond contact with the media.

19. To what extent have you provided hospitality for the media?

I personally have provided none. I am aware that members of my team will provide a hot drink or water when meeting with members of the media within police premises. This level of hospitality is reciprocated if meetings are held within media premises.

20. Insofar as you provided hospitality to the media, what has been the nature of that hospitality? What records have you kept of such hospitality?

See question 19.

21. Have you ever accepted gifts from the media? If so, please give full details.

No.

22. Have you ever discussed the media, or media coverage with politicians?

No.

23. What do you know about the level of hospitality accepted by West Midlands Police including by rank of ACC and above? Do you consider that level to be appropriate now and to have been appropriate in the past? In addressing this issue please give your reasons and set out what you consider to be an acceptable level of hospitality for police personnel to accept from the media (if any). What records are kept of such hospitality?

I am not aware of any ACPO team member accepting hospitality from the media.

My knowledge of hospitality accepted from the media by West Midlands Police is limited to the roles I have held within the organisation. The provision and acceptance of gifts and hospitality is governed by Force directive 02/2010. Gifts and hospitality accepted are recorded in a register which is held within the corporate services department.

I am aware that Commanders of local areas have accepted hospitality by way of hot drinks or a glass of water if offered within meetings with members of the media. This hospitality is reciprocal if meetings have been held within police premises. Meetings with the media outside of operational engagement are infrequent and are generally facilitated by local members of my Department at the request of the local Command Team to gain or maintain productive professional relationships. My staff would also engage in hospitality of this nature if offered.

Engagement with the media by members of the organisation outside of these areas will vary by role. The ability to offer or accept hospitality will be dictated by the type and location of engagement – for example filming a short interview at a scene to provide context and background to the story being reported would not be conducive to offering or accepting hospitality. In my experience the story is the focus of the engagement and hospitality would not necessarily be offered or available.

What is and is not an acceptable level of hospitality is guided by the relevant standards of professional behaviour and colleagues should never accept anything that would compromise or could be perceived to compromise their impartiality. The time and place to accept hospitality is a matter of judgement for each officer or staff member based upon this standard, but many forms of hospitality are always deemed unacceptable. They include offers of accommodation, holidays, foreign trips and inappropriate entertainment.

Clearly it would be counterproductive to create an environment where all invitations of hospitality were refused and that would be at odds with the accepted norms of society.

Acceptable hospitality falls within these norms and I believe include accepting a drink or some light refreshments having regard for the time, duration and context of the engagement.

Outside of this, consideration should be given to understand the context and motivation behind the hospitality offered, the transparency of the relationship formed and how that could impact upon public trust and confidence. If in doubt hospitality should be tactfully refused.

Our relationship with other professional organisations is constantly changing as the organisation changes and evolves with society and the parameters of what is and is not acceptable. This impacts upon the hospitality provided and how acceptable that is perceived to be. I am aware that traditionally there was a 'Christmas Reception' for members of the local media held at West Midlands Police Headquarters. These events ceased about five years ago and hospitality is no longer extended. I am not aware of any hospitality of this nature that was extended by a media organisation.

I do not believe I am in a position to comment on the appropriateness of past hospitality as I am not privy to sufficient detail on which I can make an informed judgement. Hospitality that has been provided or accepted in the past was deemed appropriate at that moment in time.

24. Do you consider that you have been adequately trained and/or given sufficient guidance on the appropriate handling of the media?

My role is to lead the Corporate Communications Department and as such I have received adequate training through my 20 years experience within West Midlands Police and the leadership training I have received upon promotion from the Force, through my development within the High Potential Development Scheme and my operational experience.

Specific training and guidance on the appropriate handling of the media has been provided by my Department and that continues throughout our daily interactions and in my engagement with the media. I have attempted to receive external training specific to handling the media, this training this would ideally have been completed prior to my taking the position of head of Corporate Communications but it has not been possible due to availability.

I am fully supported by subject matter experts who have received specialist training and have significant experience in managing the media who advise and guide the Force's activity when dealing with the media and provide me with guidance on appropriate handling of the media.

The Head of Operational Communications manages liaison with the media on a daily basis. The Head of Organisational Communications manages internal communications, marketing and direct engagement with the public.

The Force is in the process of recruiting a non police officer communications expert into my role as Head of Corporate Communications. This is in recognition of the significant change in the demands placed upon the Corporate Communications Department by the Force to meet our changing communication needs and is reflective of the other Forces within England and Wales.

25. Do you consider that you have been adequately trained and/or given sufficient guidance to enable you to give sound advice and/or leadership on handling the media to your staff?

I believe I have included this within my response at 24.

26. Do you provide training or guidance to your staff on (i) conducting and maintaining appropriate relationships with the media (ii) accepting / offering hospitality (iii) bribery and (iv) requests for 'off-the-record' comments?

Guidance is provided to all staff in relation to all areas listed within this question through the relevant standards of professional behaviour, Force values, and directive relating to gifts and hospitality.

The Bribery Act 2010 is available on the Force intranet and more detailed guidance is available through the National Legal Database. No specific training is given in relation to this legislation.

Training around corporately acceptable and illegitimate 'off the record' comment forms part of the police press officer training course that each member of the Corporate Communications Department undertakes. It is also part of the work place training that each member of the Department undertakes in role. The giving of off-the-record guidance is supervised by the Head of Operational Communications, supported by the management structure of the Department.

As part of the Force's response to the HMIC report 'Without Fear or Favour' and the Filkin report, we are producing a specific policy around 'off the record' guidance.

27. Do you consider that Press Office staff feel confident that they understand what is, and what is not, appropriate contact with the media? Define 'appropriate contact':

I believe the staff within my Department understand what 'appropriate contact' with the media is. They have a clear understanding of their role in delivering the Department's mission and are a team of professionals who are motivated to do the right thing for the people of the West Midlands and the Force. They understand and apply the Force values in their conduct and the work they produce. Further guidance at a policy level to guide them in what is 'appropriate contact' is provided by way of the standards of professional behaviour and the policy relating to gifts and hospitality 02/2010. It is further supported by the Departments matrix developed in accordance with the Forces strategic assessment.

Appropriate contact, in the context of a professional working relationship between departmental staff and the media, is the type of contact and the amount of information that it is appropriate to give journalist colleagues at that point in time. To illustrate, at the point of query, a decision will be made as to whether to give 'on demand' lines, to offer some guidance or to hold back information as it is confidential or restricted to that investigation and to release would be detrimental to the Force, or bringing someone to justice. It also relates to sharing that information openly across all media outlets.

It would not be appropriate for staff within the department to form or maintain contacts with members of the media on a personal or professional basis for the purpose of sharing information or that those relationships are used as a means of sharing information with members of the media outside of the governance of West Midlands Police policies and practices.

Appropriate contact is the bedrock of daily engagement with the media, and therefore I would consider that my staff are confident on what is and is not appropriate contact with the media personally and professionally. This is also supported by the evidence provided at question 33.

28. Do you consider that Press Office staff generally feel comfortable briefing the media and responding to media requests for information?

This type of interaction is daily activity within the Department and the team are comfortable in managing this aspect of their role whether on the phone, personal briefings, responding to enquiries, releasing information or engaging with colleagues to establish a communications strategy for the media.

Members of the Department will readily ask questions to clarify their knowledge or understanding if in doubt to ensure a consistent and considered response is provided and the needs of the communities and the Force and the request from the media are supported.

29. Do incidents that attract national media interest present particular challenges? If so, what are those challenges and do you consider that the Press Office is adequately equipped to respond effectively and appropriately to such media interest?

The incidents, operations or investigations that attract national media attention inevitably bring increased challenges for the Corporate Communications Department.

The pace of national reporting is swifter for example with rolling news coverage, the demand for information and updates greater and the associated impact on the community, resources and ultimately the investigation much higher. At times this can be beneficial, for example when appealing for information. At other times, the level of intrusion can be such that communities become disillusioned with the media and the nature of their reporting.

The Department is adequately equipped to respond effectively and appropriately and does so and there are many examples that can be provided to support this such as the investigations into murders that receive national reporting, one example being the reporting in relation to the murder of Mr and Mrs Massaro and the riots during August 2011.

The Department provides support to the Force on a 24-hour basis all year.

30. What improvements, if any, do you think could or should be made to the policies and / or training in your office to ensure that Press Office staff conduct and maintain appropriate relationships with the media?

As part of the Force's response to the HMIC report 'Without Fear or Favour' and the Filkin report, the Corporate Communications Department, in conjunction with the Professional Standards Department are reviewing the national recommendations.

Key learning from these reports is that clear and specific policies in relation to engagement with the media are in place. As such, the Corporate Communications Department is currently re-visiting and developing all policy to ensure that it is explicit in guidance provided and accessible to all staff.

31. Are you and / or your staff members of the Association of Police Communicators? From your perspective what are the benefits of membership of this association? Could the association assist or assist further in ensuring that relations between police personnel and the media are appropriate. If so, how?

All members of the Corporate Communications Department are members of the Association of Police Communicators and, until recently, the head of Organisational Communications was the vice chair of this group, with the lead for digital engagement.

The main benefits of the organisation are to develop and share good practice, encourage joined-up activity in support of marketing and campaign activity and provide a platform to develop the knowledge, skills and expertise of the membership.

As part of this, the group hosts training events, some of which are attended by the Crime Writers' Association, which gives both the media and press officers the opportunity to raise any issues. We believe this facility is adequate for the purposes mentioned.

32. Insofar as you are able to say, to what extent are leaks from West Midlands Police to the media and / or private detectives a problem for WMP?

I do not perceive this to be a major problem within West Midlands Police. There are isolated cases within the Force and I believe these cases are due to officers or staff making poor judgements about how and what information is released, or through deliberate action driven by disaffected staff born out of national developments or the implementation of local policy affecting policing and personally impacting upon officers or staff.

The issue of leaks to the media has never figured in the Strategic Threat Assessment completed by the Professional Standards Department.

Fifteen investigations have been undertaken by the Professional Standards Unit in the last five years in relation to leaks to the media. Ten failed to produce conclusive evidence. Two

investigations led to minor disciplinary action ('written warning' and 'management advice'). A further three investigations are ongoing.

33. Insofar as you are able to say, to what extent are leaks from the Press Office to the media and / or private detectives a problem for West Midlands Police?

None of the above investigations have involved a member of my Department and to my knowledge and experience there has never been any suggestion that the relationships between members of my team and the media / private investigators are anything other than 'appropriate'. We continually monitor the media and I believe that my Department and others within various positions with the Force who take a keen interest in monitoring the media would readily identify information potentially being shared from within my team.

The evidence to support this response is provided at 32.

34. What systems and procedures do you have in place in the Press Office to identify, respond to and detect the source of leaks? Do you consider that they are effective? What changes, if any, do you consider should be made?

General media output is carefully monitored by the Department in relation to traditional and social media. Officers' tweets are monitored and we are in the process of installing a digital monitoring system support this. I am aware that media monitoring takes place across the Force in a less formal manner as individuals, supervisors, departments and LPUs monitor the messaging being shared with the public and the events that are impacting upon their communities and areas of business. The Department will receive contact from across the Force informing us of issues of concern or positive news stories evidencing the informal network across the Force that adds balance to our formal monitoring of the media.

Specific investigations will carry out more systematic studies of relevant media input, for disclosure purposes. Sensitive operations will have their own operational security policies.

Suspensions, reports or evidence of inappropriate reporting or sharing of information are raised directly with the Counter Corruption Unit which is part of the Professional Standards Department.

I have found that there are good professional working relationships between the departments and the issues raised have always been appropriately managed. In light of the

HMIC report and the Programme Board that has been established within the Force that will address the issues raised within the recommendations I believe there will be changes, for example to review and formalise the joint working practices between my Department and the Counter Corruption Unit.

35. How many investigations have been conducted into actual or suspected leaks from the Press Office and how many have led to the successful identification of the source of the leak? What was the outcome of the other investigations?

None that I am aware of and none recorded within the last 5 years by our Professional Standards Department.

36. In the last five years has disciplinary action been taken against any member of Press Office staff for leaking information to the media?

No.

37. Insofar as applicable, what do you consider are the driving forces behind, or the main causes of leaks from (i) police press offices and (ii) the police service in general?

(i) Although the evidence and my experience suggests that there are no leaks from the Department, my staff are members of the wider policing family and are impacted upon in the same way as their colleagues by the factors articulated at question 32 and as such consideration is given as to how this impacts upon them and discussed with them. The level of contact and exposure to the media and high risk and pressure situations could lead a member of staff to make a mistake through poor judgement however I have no knowledge of this and situations such as these would be proportionality managed.

(ii) I believe I have answered this at 32.

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

The Force Threat Assessment carried out by the Professional Standards Department and based on all current available data does not identify bribes by the media as a significant risk to the Force.

As an officer with 20 years' service I have no personal experience or knowledge of a colleague being approached by the media or behaving in this way. I also have no knowledge of the media being approached by members of West Midlands Police to further their financial position. I have policed a significant number of territorial areas covered by West Midlands Police and I have delivered policing within a number of roles from uniformed patrol, neighbourhood policing and managing intelligence. Whilst I would not be naive and say 'it does not happen here' the intelligence available and my significant experience causes me to believe that if such activity were to occur it would be by exception and not indicative of or endemic in the culture of West Midlands Police. Neither I nor my colleagues would identify with an individual within the organisation who was putting the public and the reputation of West Midlands Police, and British policing, at risk for financial gain.

39. Do you, or to your knowledge, staff working for the Press Office ever give 'off the record' briefings or have 'off the record' conversations with the media (local and national)? If so, please give full details and illustrative examples. Please also explain why they take place and what you consider to be the benefits of such communications.

'Off the record' conversations do take place with media colleagues as part of our engagement with the media in support of a legitimate policing purpose. Although not quotable and not for publication, this information is recorded by the Corporate Communications Department.

Off the record information is given to the media where necessary to give contextual guidance for a story. It is usually as a result of specific requests for information and where an attributable statement is not suitable; or in circumstances where the information is not directly asked for, but needs to be offered for contextual guidance to ensure the story is reported responsibly.

We work to the guiding principles set out in the ACPO 'Communication Advisory Group' Guidance 2010. This aims to encourage a presumption of openness, promote consistent practice and offer practical guidance, based on experience, so that decision making by

Forces will withstand scrutiny. It sets broad principles which individual Police Forces can apply to decisions as appropriate to deal with local circumstances.

Examples of 'off the record' conversations with journalists include:

Missing people – particularly in the case of children, guidance is given as to whether they have been missing on previous occasions i.e. regular absconders. While this does not diminish the importance of an appeal to find the person, it does put into perspective how the story will be run.

Domestic incidents – where there is a scene following an assault or incident and the media become aware, guidance is often given as to whether the incident is domestically related. Again this can make a difference to how the story is presented and can deal with any issues relating to community tension i.e. this was a contained incident which posed no threat to the wider community.

Bomb hoaxes and security scares can attract a lot of attention from the media. Brief factual information is provided but if the incident appears to be false and malicious, off the record guidance will be given to the media, in particular the national media, who ask for guidance as to whether to assemble a crew and send them to the area.

40. Do you, or to your knowledge, staff working for the Press Office, ever confirm information for the media (obtained from other sources) on an 'off the record' basis? If so, please give details and explain why this is done.

On occasion we will confirm or deny information obtained from other sources; an example would be the naming of victims of murder. If 'Mr A' has been murdered and we are asked if it is 'Mr B' we will clearly state that they have the wrong information because we are mindful of the impact this information could have if released on the individual and their family.

If the media have the correct name and are planning to run the correct name, this liaison gives us the opportunity to engage with the Senior Investigating Officer and Family Liaison Officer to advise that the name is going to go into the public domain and support the family around potential media intrusion.

We will not confirm names on or off the record until we are confident that the Senior Investigating Officer or the Family Liaison Officer is sighted and that any potential impact on the investigation or family has been managed.

41. Insofar as applicable, what records are kept of the information shared on an 'off the record' basis? Are records kept of all 'off the record' briefings and the information provided at them?

All contact between the media and the Press Office is recorded on a central press management system called Solcara Press Bureau. All information released is recorded, along with any 'off the record' conversations and information for colleagues in the Department.

42. What do you understand 'off the record' to mean in this context? Do you believe that members of the media always interpret it this way? Is there scope for the media misunderstanding the intentions of the police officer / staff member when they provide information on an 'off the record' basis?

My understanding is that 'off the record' guidance is information, not to be publicly quoted, but given to help the journalist write accurately and sensitively and in support of a policing purpose. This guidance is recorded by the member of the department issuing that guidance.

It is Force policy that engagement with the media is in conjunction with the Corporate Communications Department. If 'off the record' guidance is given this is in partnership with a member of the Department and recorded appropriately.

It is always made clear to journalists when giving off the record guidance that that specific information is not for print or broadcast and again this is recorded by my staff – this clarifies our position and minimises opportunities for this to be misinterpreted. If in any doubt about whether a reporter intends to use the information we're giving for guidance, phone calls are followed up with an e-mail, repeating the information released and reiterating the basis on which it is provided. This is recorded within our Press Bureau system.

43. What is your view of the practice of police officers and police staff having 'off the record' communications with the media?

Police officers or staff providing 'off the record' guidance will on rare occasion be critical in ensuring accurate reporting and protecting the welfare of the victim or wider community. This engagement will always be in conjunction with the Corporate Communications

Department as supported by Force policy. Any guidance will always be carefully considered and given with a high degree of professional judgement. If 'off the record' guidance is provided it is recorded appropriately by us.

44. In your experience, where information is provided on an 'off the record' basis, do the media tend to honour the wishes of the person providing the information? Please give examples.

In providing 'off the record' guidance the media honour the principle behind the guidance given. There are examples of this provided at question 39. I have no experience of the media breaching this practice.

45. In your experience when officers / staff ask the media to delay publishing particular information because of the risk of prejudice to an investigation or trial, to what extent and in what circumstances do the media comply with the request? Give examples:

In our experience, the media are supportive in ensuring that any information they use does not prejudice a Force investigation or trial.

One example would be from a recent high profile murder investigation where a national daily newspaper had a picture of the man charged with murder. They advised us of their possession of this picture and asked us if it would be detrimental to the investigation if they were to use it. We advised that it would be, as there would be identification parades taking place shortly as part of the investigative strategy. They made the decision not to use the picture.

46. In your experience, when police officers / staff ask the media not to publish particular information at all because of the risk of harm to the public interest, to what extent and in what circumstances do the media comply with the request? Please give illustrative examples.

Please refer to the example provided above – in our experience public interest is intrinsically linked to the risk of prejudicing an investigation and examples purely relating to public interest have proven a challenge to detail.

47. Have there been occasions where, to your knowledge, the media have obtained information (from whatever source) and voluntarily not published the information because of the harm it might do to the public interest or the interests of justice? Please give examples of the circumstances in which this has occurred.

In our experience where information is not used it is usually because it will impact upon a future court case and the media are restricted by sub judice laws.

However there are occasions when information would voluntarily be withheld for example in a recent siege situation local television news checked with the Department before reporting the siege to ensure that their arrival or coverage did not have a detrimental impact on our police operation, the individuals involved or wider community.

48. What limitations, if any, do you consider there should be on police officers and police staff leaving the police service to work for the media and vice-versa?

A number of staff members working in our Corporate Communications team have previously worked in the media. Roles in the Department require journalistic or public relations skills and experience. As a result when recruiting staff externally, candidates from a media background often have relevant skills and experience. At present there are no limitations within the Force on police officers and police staff leaving the police service to work for the media and vice versa. Any limitations in this area would be bound by employment law and other relevant legislation and this is being considered as part of the Force's response to the HMIC 'Without Fear or Favour' report.

49. In relation to dealing with the media in general, do you consider there is a basis for applying different standards and rules to police staff from those that apply to police officers?

I can think of no reason why there would be a need to apply a different standard.

50. 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?

The HMIC's 'Without Fear or Favour' review provides a valuable health check to provide Forces with an opportunity to examine current practices and recognise and develop opportunities to provide clear guidance to support and direct staff in their engagement with the media, setting clear boundaries and ensuring we are open and transparent and that we are seen to be so.

This is a welcome report that has provided valuable direction through the self-check integrity questions for us to review our approaches, policies and inevitably make improvements. In response West Midlands Police's has established a Review of Integrity Programme Board with nominated project leads owning the areas identified to conduct this work. Consideration will also be given as to how best to address the issues without causing an inappropriately risk averse or unnecessarily bureaucratic approach which constrains police and media relationships and is ultimately a disservice to the public.

51. What is your view of the recommendations contained in Elizabeth Filkin's report 'The Ethical Issues Arising from the Relationship Between Police and Media'?

Whilst I recognise that this report is specific to circumstances within the Metropolitan Police, I agree with the common sense sentiment and the substance of what Elizabeth Filkin has recommended. We will consider the recommendations contained within the report as part of current work that is going on within the Force governed by the Review of Integrity Programme Board.

I completely agree that Police Forces should be open and impartial in their approach to providing public information and whilst, as a Force, we work closely with media colleagues we are developing our use of data that can support us in delivering the information our communities want in a format that is accessible to them for example newsletters, face to face meetings, local engagement and our use of web based engagement through our internet site and social media accounts.

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

I think my response to this question is contained in the responses I have provided above. However I would support the development of a robust, national police media policy to ensure greater consistency and understanding in relationships between the police and the media.

Sally Seeley

Chief Inspector 4164

West Midlands Police