

Statement made on behalf of: The Commissioner of Police of the Metropolis

Witness: Bernard Hogan-Howe

Statement No: 1

Exhibits Referred to: BHH/1

Date Statement Made: 20 January 2012

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**The Leveson Inquiry into the Culture Practices and Ethics of the Press**

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**Witness:** Bernard Hogan-Howe  
**Occupation:** Commissioner  
**Address:** c/o New Scotland Yard

1. I have been asked to provide this statement for the purpose of assisting the Leveson Inquiry. In preparing this statement I have sought to address all the questions asked of me in the Notice served pursuant to s.21 (2) of the Inquiries Act 2005. I begin each section of this statement by listing the questions to which I am responding.

**Personal History**

- (1) Who you are and a brief summary of your career history.
2. I am Bernard Hogan-Howe. I was appointed the Commissioner of the Metropolitan Police Service (MPS) on 12th September 2011, having held the position of Acting Deputy Commissioner since July 2011. Prior to this appointment, in October 2009, I held the position of Her Majesty's Inspector of Constabulary (HMIC) with responsibility for the London and National Office. This included inspections of the MPS, City

of London Police, British Transport Police, the Serious and Organised Crime Agency and the Police Service of Northern Ireland. I was also the lead for Her Majesty's Inspector on thematic areas of policing such as the Olympics, counter terrorism and serious organised crime. In January 2011 I led the review of the national domestic extremism units.

3. I held the post of Chief Constable of Merseyside Police from 2004-2009. Whilst there I introduced the Total Policing Strategy which focussed on crime, victims and professionalism. This led to crime being reduced overall by over a third, a 26% reduction in anti-social behaviour and the highest levels of criminal asset recovery outside London.
4. My professional life in the Police has been marked by a series of challenging roles, particularly in areas such as counter terrorism, serious organised crime and planning for the Olympics.

### **My Approach to Media Relations**

(2) What were your first impressions, upon taking office as Commissioner of Police of the Metropolis, about the culture of relations with the media which you had inherited?

(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 Commissioner of Police of the Metropolis.

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

(5) Describe in general terms and using illustrative examples what you consider the media has been seeking from you in your personal dealing with them during your time as Commissioner of Police of the Metropolis.

5. By the time I became Commissioner I was reasonably familiar with the MPS. I had been acting Deputy for two months, prior to which I had

been HMIC and had conducted inspections of the MPS. In addition I had been an Assistant Commissioner (Human Resources) in the MPS between 2001 and 2004. My impression of media relations in the MPS in September 2011 was informed by this prior knowledge. Nonetheless it is right to observe that those relations were in neither a normal nor an entirely healthy state in September 2011. The furore caused by the phone hacking affair was affecting both the press and the police and relations were distorted and guarded as a result. One of my tasks has been to attempt to return those relations to a more considered and functional state.

6. Since being appointed Commissioner, I have maintained regular and professional contact with the media. I have had a number of meetings with editors from a variety of national newspapers. I have also held regular briefings with the Crime Reporters Association and attended press conferences/briefings. The importance of providing regular and accurate information to the press cannot be underestimated; it serves to support our own criminal investigations, it increases public awareness of the good work that the MPS does, and it helps maintain the morale of our officers and staff.
7. I am also conscious that almost every time I provide an interview or press release to the media it may be prioritised over other potential police stories. There is intense media coverage throughout London and the UK of the actions of the MPS. What is done and said by my officers is scrutinised by the media. It is right that it should be. There is

therefore a need to ensure that all key messages that I communicate are as accurate as possible.

8. I recognise that there is a need to review and improve our relationship with the media. It seems to me clear from recent events relating to phone hacking, which resulted in the Prime Minister establishing this Inquiry, that the boundaries between the MPS and the media need to be reconsidered and reset. However, I would not wish to return to a police service which is perceived as secretive and unaccountable by the public and considered unprofessional by the media.

### **The Present Approach of the MPS to Media Relations**

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

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

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

(17) What do you expect the Metropolitan Police to gain from such contacts with the media?

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

(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.

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

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

9. The Metropolitan Police Service employs approximately 53,000 people and it is therefore difficult accurately to set out the extent and nature of all media coverage within the organisation. Nonetheless it is possible to provide the following overview:
  
10. The Directorate of Public Affairs (DPA) is the department responsible for providing corporate communication services to the MPS. Its Press Bureau is operational 24 hours a day, 7 days a week, receiving in the region of 120,000 calls a year. Alongside other specialist news desks, it will organise and oversee a huge range of media contact. This includes press conferences, broadcast and written interviews, media facilities, press releases, answering press inquiries, and making crime appeals. Most borough operational command units (BOCU) and a small number of operational command units (OCU) have a nominated member of staff responsible for communication who support the borough on local issues and liaise with the DPA on media issues that have a London wide or national impact. This ensures that the borough has the appropriate communication support and that as consistent approach as possible is taken across the MPS.
  
11. The nature of the contact with the media varies according to the issues and persons involved. Common examples of regular contact include coverage of current criminal prosecutions, coordinated crime prevention campaigns and providing advice to the media on public order issues.

12. Since July 2011 all members of Management Board have been required to keep a record of all contact they have with the media. This is then the subject of an auditing process through the Deputy Assistant Commissioner of Professional Standards. Prior to this date, there was no general policy for the monitoring and recording of meetings with the media.
  
13. It is current practice within the DPA Press Bureau for press officers to record meetings with the media. Whilst the fact of all meetings with the media are recorded, so that we can be open and transparent about when we meet the media, a transcript will not necessarily be taken or an audio recording made. However where interviews are given and any significant issues likely to attract media attention arise, then these are recorded separately so that there is a record of the issue raised and the response given. This ensures that an accurate, timely central record is held about what the media have enquired about, what responses they have been given and what press lines have been recorded.
  
14. Staff can obtain guidance on handling the media from existing ACPO and MPS policies, which are accessible both via the intranet and by contacting the DPA personally. Currently it is the responsibility of all business group managers to implement these policies at a local level. These policies apply to all MPS staff. We are presently giving some thought to the best way to ensure that these policies are applied by our staff on the ground. My view is that we are most likely to succeed in this first by ensuring senior members of staff set an example by

applying them themselves, but it is also necessary to see to it that staff are trained in them. This is probably best done by making familiarity with these policies a requirement on induction and on promotion.

15. The categories of MPS personnel that have contact with the media are wide ranging given the size of the organisation. The current Standard Operating Procedure (Media SOP) for media contact (which can be found at tab A of the MPS master bundle) authorises officers of Inspector rank and above to speak with the media, without the prior approval of senior officers. Typically, personnel who have regular contact with the media will range from safer neighbourhood police officers and detectives to press officers and senior management.
16. The DPA provide media awareness and broadcast training to police officers and staff who are likely to have contact with the media. The level of training will depend on the rank of the police officer so that the more senior the officer, the more training they will receive. The training seeks to help officers determine what information is and is not appropriate to provide to the media. Trainees are specifically instructed that they should not mislead the media. The training also provides guidance on what to consider before agreeing to an interview. DPA press officers will also aim to provide specific training when particular needs are identified (a copy of the recent training programmes can be found at tab F of the MPS master bundle).
17. Any officer below the rank of Inspector must seek the approval of a senior officer of Inspector rank or above if they wish to speak to the

media. This is to ensure appropriate oversight, to manage both the impact of any media coverage and the accuracy of the information. Often it will be necessary for junior officers with a specialist role or responsibility to speak to the media due to their particular knowledge or role, and they will be authorised by senior officers for that purpose.

18. Keeping the media properly informed about policing and criminal matters is critical to the functioning of the MPS. First, through the media, the organisation is able to communicate its key messages regarding prevention and detection of crime. Second, a healthy relationship with the media can serve to increase the public's understanding of how the MPS go about their work of policing London. Third, it provides an important means by which the MPS can seek the assistance of the public in that work; maintaining a regular and professional dialogue with the media greatly assists the MPS in providing information to the public concerning crime appeals. Fourth, contact with the media, properly handled, serves to increase public confidence in the police and to promote a greater understanding of MPS policies and initiatives. Fifth, it provides the means by which the public can scrutinise police actions and policies. It also allows police to test the persuasiveness of their strategies, policies and tactics. A plan that can withstand a searching press conference is usually at least credible.
19. The public have been and must continue to be partners in preventing and solving crime. Policing by consent, which is at the heart of what we try to do, means policing with, and on behalf of, the public. This is most

effectively achieved via public announcement through the media, which enables witnesses to come forward and provide evidence.

20. Conversely, an effective and professional relationship with the media often prevents operations being jeopardised. Agreements are reached between the media and police officers not to run a particular story until such time as it is operationally safe to do so. This again is a vital part of the relationship. It helps to protect victims in cases such as kidnapping and murders, where running news stories prematurely could either prevent the release of the victim or the apprehension of the suspect.
21. In general terms, the media seek a wide range of information from the MPS. This includes information about: current criminal cases from an international, national and local perspective; MPS policy initiatives, high profile witness appeals; international, national and local news items; features and documentaries about a variety of policing policies, historic and current cases; internal MPS disciplinary matters and; comment on recent judicial decisions.

### **The Future of MPS contacts with the Media**

(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?

(45) What limitations, if any, are there on staff from the Metropolitan Police Service leaving to work for the media and vice versa?

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

(47) To the best of your knowledge are there any discernible patterns in the movement of personnel from the media into the MPS and vice versa?

(51) What is your current impression of the culture within the MPS in relation to its dealings with the press?

(59) 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?

22. In the future, the relationship between police and public must be based on a principle of openness. That means that the facts and general nature of our contacts with the press need to be recorded and those records need to be accessible when required. That will allow the public and their representatives to hold the police to account for their relationships with the media. It will also serve to remove suspicion about that relationship. It matters not only that there is no impropriety in our relationships with external organisations but also that there does not appear to be any such impropriety.
23. There is a clear need to review the existing procedures governing the relationship between the MPS and the media. That need was acknowledged by my predecessor, Sir Paul Stephenson, in commissioning the Filkin Report. The report has rightly highlighted areas where the MPS must change and I have accepted the findings of that report.
24. It is equally important to acknowledge that the MPS has a very effective working relationship with the media. This is evident from the day to day working practises in areas such as crime appeals, briefings on policy issues and crime prevention advice as well as accurate reporting on judicial decisions.
25. A recent example of this good practice is highlighted by Chief Constable Andy Trotter, the Chair of the ACPO Communications Advisory Group (CAG), in their guidance. The current pre-verdict trial

briefings to the press demonstrate the trust that exists between the police and media. Such a briefing took place recently in preparation for the verdict on Stephen Lawrence's murder. The scientists and investigators in the case were able to explain to the press what they did and clarify any previous media misunderstandings about the evidence and the investigation. This enabled the media to run a pre-prepared media package with detailed and accurate explanations as soon as the verdict was announced. The benefit of providing this type of briefing was that it ensured the press were fully informed and the public were not misled.

26. However, as well as highlighting areas of good practice, Ms Filkin was critical of other elements of our work with the media and identified areas where the MPS must change.
27. I am keen to ensure that this happens and that there is a resetting of the boundaries between the police and the media. Clearly, this is a considerable task, especially given the size of this organisation and the frequency of the contact, and there is a need to ensure that any change in culture does not adversely affect the fundamental relationship that needs to exist between the press and police. The Filkin Report is being considered by the new Deputy Commissioner Craig Mackey, who will provide an organisational response. This means that all the current policies concerning contact with the media and hospitality are to be reviewed and, as appropriate, amended to address the recommendations made in the Filkin Report. Fundamentally I want a principle of openness to be established. If we

communicate with the press we need to be open about it, explain what contact there is and why.

28. I believe that as an organisation we have already started to reset this relationship and to recognise that in the future we need to be more open and transparent with the public. This must be balanced against the need to retain our core values of confidentiality and respect for those who come into contact with the police.
29. The relationship we have with the media is an important one. I fully recognise that we are a public service and we need to be held to account. I also recognise that we need the press and the public to help us prevent and detect crime. But I will not tolerate secret conversations between police officers, of whatever rank, and representatives of the media. Contact with the media must always be such as serves the public interest; contact for other purposes can no longer be acceptable. Furthermore, and consistent with that approach, meetings should no longer be enhanced by hospitality and alcohol. It is envisaged that the new Deputy Commissioner will consider and take the lead on how the MPS will implement this change in culture.
30. Generally the MPS does not impose restrictions as to the future employment which police officers or police staff can accept on leaving the MPS. Police officers are governed by Police Regulations, which do not include such a restraint in respect of any future employment. The MPA (now MOPC) or the current Commissioner could seek to introduce such a restriction for senior officers (ACPO rank and above),

particularly those who are appointed on fixed term contracts or whose service is terminated on agreed terms. Any restraint of trade clause should be restricted to a reasonable period, usually not in excess of 12 months, following the termination of the service.

31. In the case of police staff such clauses are not part of the MPS' standard employment contract. Therefore if such a clause is considered appropriate it would need to be included as an express contractual clause or in a compromise agreement negotiated on the termination of the employment relationship. It would be open to the MPS/MOPC to negotiate such a restriction with any individual particularly if they are senior or if they are receiving consideration for the termination of their employment. Again this would have to be reasonable in the circumstances and could not last indefinitely.
32. Both police officers and police staff are subject to a duty of confidentiality following termination of their service / employment pursuant to the Official Secrets Act. This duty of confidentiality for police staff is also encompassed via the contractual terms and conditions, which prohibits the use of official and confidential information following the termination of their employment.
33. I acknowledge that some of these need to be reviewed and changed. Any changes in policy must, of course, be in accordance with employment law, police regulations and human rights legislation.

**Hospitality and Gifts**

(6) To what extent have you accepted hospitality from the media whilst Commissioner?

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

(8) To what extent have you provided hospitality for the media on behalf of the Metropolitan Police Service whilst Commissioner?

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

(10) What mechanisms are in place to monitor and record hospitality as between the Commissioner and the media?

(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?

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

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

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

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

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

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

34. Since I was appointed Commissioner there have been occasions where I have accepted hospitality. These have been from a variety of different sources. I attach to my statement as exhibit BHH/1 a complete list of all hospitality I have accepted since September 2011 to date. We should return as much hospitality as we receive. This hospitality has been accepted and offered by me in my capacity as leader of the Metropolitan Police and accordingly must be limited to what is genuinely in the interests of the Metropolitan Police.

35. The current MPS Standard Operating Procedures (Gifts and Hospitality SOP) dated January 2009 (a copy of which is contained at tab B of the MPS Master Bundle) sets out the general policy for all MPS staff when they receive offers of gifts and hospitality. The SOP was drafted to incorporate the Seven Principles of Public Life set out by the Nolan Committee on Standards in Public Life (tab B of the MPS Master Bundle). The purpose of the Gifts and Hospitality SOP is to provide MPS employees with guidelines for the processes and procedures governing the offering and accepting of gifts and corporate hospitality.
36. The Gifts and Hospitality SOP does not prevent a meal or drink being accepted from the media. In my view, however, in the ordinary course of events, drinks received should be soft, not alcoholic. Any offer of hospitality must be carefully considered and justified in terms of its benefit to the MPS. The fact of it, and the reasons for accepting it, must be recorded. The Gifts and Hospitality SOP is currently being considered by the Deputy Commissioner and will be amended, as appropriate to reflect and incorporate the recommendations made in the Filkin Report.
37. All hospitality (including corporate hospitality) offered and declined should be recorded in the gifts and hospitality register, which is periodically published on the MPS website.
38. I am not aware of any specific policy regarding the offering of hospitality to the media prepared solely for senior officers or, more

specifically, for the Commissioner. All police officers should adhere to the same governing principles of hospitality, regardless of rank.

39. The existing Gifts and Hospitality SOP does not differentiate between contact with the media and other organisations. However, this policy is being reviewed at present in light of the Filkin Report. Currently, Management Board members' contact with the media is audited via Deputy Assistant Commissioner of Professional Standards. The Director of DPA is also responsible for auditing the DPA register.
40. The advice provided to the organisation by Elizabeth Filkin, on the ethics that should underpin the relationship between the police and the press will greatly assist the MPS. As I have already made clear, there should be no improper contact with the media or any acceptance of hospitality where it cannot be justified on public interest grounds.

### **Politicians**

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

(13) Have you ever 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).

(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.

41. I have never been pressurised by a politician to take a particular course of action as a result of lobbying by the media. I do listen to and respect the views of the politicians with whom I work. I am equally conscious of

the operational independence of the Police and the importance of maintaining this is a priority.

42. During meetings with politicians such as regular bilateral meetings with the Home Secretary, Mayor, Deputy Mayor for Policing or Policing Minister, we will occasionally discuss media coverage, because some of the issues that we need to discuss will have received significant media interest. The two debates are often run in parallel, one in public and the other in private. The challenge is to ensure that appropriate weight is given to specific media coverage, and to use this as a yardstick of potential public concerns, whilst also maintaining the police's core principles.

**Leaks, Disciplinary Action - Department for Professional Standards (DPS)**

(30) To what extent have leaks from the Metropolitan Police Service to the media been a problem during your tenure as Commissioner?

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

(32) How many investigations have been conducted into actual or suspected leaks from the Metropolitan Police Service 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?

(33) Has disciplinary action been taken against any member of staff (whether civilian or uniformed) 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.

43. During the period that I have served as Commissioner there have been 9 separate investigations recorded into police officers leaking material to the media. These include 5 investigations linked to information leaks

to national newspapers. The majority of investigations into information leakage to the media are carried out by the DPS Specialist Investigation team.

44. I accept that within an organisation the size of the MPS, information misuse (including leakage) will always be a risk. The organisation works hard to mitigate this risk, for example by making those who manage employees using databases accountable for audits of that usage. Further designated persons are appointed to ensure that this process is carried out.
45. The Met Security Board has strategic oversight of all information usage issues. The Professional Standards Strategic Committee (chaired by the Deputy Commissioner) also oversees work towards improvements on the specific issue of information misuse. This strand of the MPS Professional Standards Control Strategy is currently the responsibility of Commander Peter Spindler.
46. There are systems and processes in place to identify, respond to and detect leaks to the media. All staff are made aware of the fact that internal communications are liable to be monitored. A daily media review meeting is held within the DPS by the OCU Commander to devise strategies to tackle these problems. This meeting reviews current media content and press articles linked to the MPS and identifies any reports which appear to be based on unofficial sources; in other words sources other than those recognised in the MPS Media Policy, FOIA requests and official DPA channels. Such unofficial

sources are often indicated by references in press articles to a “police source”. Those identified as potential leaks are then allocated to the relevant DPS investigation team to assess and investigate as appropriate. The MPS is one of the few organisations which has established an independent command to deal exclusively with both overt and covert complaints and investigations.

47. Leaks to the media are also identified through subsequent complaints made to the MPS. These are evaluated by the DPS Customer Service Team and then allocated to the relevant DPS Investigation team to follow up.
48. I am informed that the DPS conduct audits in response to information or intelligence triggers collected from all areas of the MPS and other law enforcement agencies.
49. I understand that between 1st April 2006 and 31st August 2011, there were 38 investigations involving 41 allegations relating to inappropriate relationships with the media that resulted in the alleged leakage of police information. Investigation into these 41 allegations led to the successful identification of the officer or staff member who was the source of the leak in 13 instances (32%). The remaining allegations are shown as unidentified officer or staff member.
50. The outcome of the investigation into the 41 allegations reveals that 25 (61%) resulted in no further action being taken, 11 (27%) are still ongoing investigations and management action accounts for the remaining 5 (12%).

51. More widely, I am informed that 16 police officers and police staff have been prosecuted for misusing police information over the past decade. 11 were found guilty. 29 police officers and police staff have been dismissed or asked to resign and 208 disciplined for misusing police information over the past decade. Whilst there has been a steady increase in numbers of officers/staff disciplined this would correspond with much greater access to information following the Bichard Inquiry. The numbers of officers/staff disciplined for misuse of information has remained stable in the past three years.
52. It is impossible in an organisation the size of the MPS to prevent every leak. In my view it is neither necessary nor appropriate to establish a leak enquiry on every occasion when an unauthorised release of information occurs. The tests I wish to see applied are whether the leak (a) has significant consequences or (b) appear to be part of a pattern. In most cases, if neither of those tests is satisfied, a formal leak enquiry will not be necessary. I take the view that one has to be mature about leaks and act on them only when they matter. Furthermore, there will be some leaks which satisfy the requirements of the Public Interest Disclosure Act 1998 so as to amount to "protected disclosures".

### **Financial Transactions between MPS personnel and the Media**

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

(35) What policies and/or guidance are in place in relation to financial transactions between MPS personnel and the media?

53. Any payment made for interviews, broadcasts or for speaking at an external event while on duty must be declared using the relevant authorisation form and paid into the Mayors Office for Policing and Crime Fund via Exchequer Services.
54. An MPS employee will only be entitled to retain the payment if one of the following applies:
- the subject is unconnected with the normal duties of the person concerned;
  - membership of the MPS is not an integral part of the interview or broadcast;
  - the matter has been reported to a supervisor and prior approval obtained; and;
  - the interview, broadcast or speaking event is not carried out in MPS time or using MPS facilities.
55. Where the event organiser requests details of fees to be charged, individuals are required to contact the costing team within the Finance Department (DoR Mailbox-Costing Team) for advice and guidance in respect of the charges to be made.

### **Bribery by the Media**

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

(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?

56. The Metropolitan Police DPS will deal with all allegations of bribery by MPS personnel. However, bribery is rarely an isolated investigation. Issues such as disaffection, family/friendship links or even reckless talk may well also be investigated at the same time.
57. The Anti-Corruption Command of the DPS conducts all pro-active investigations into these offences, whilst the specialist investigations unit deals with retrospective investigations.
58. The MPS works hard proactively to detect bribery and any form of corruption. Any intelligence or information alleging instances of misconduct are examined within the DPS Intelligence Bureau. When corruption is suspected, it is immediately passed to one of the above units for investigation.
59. Training is provided to MPS staff via our Professional Standards Support Programme (PSSP) set up in 2009-2010. This saw training delivered to a proportion of the operational front line staff as to how to deal with a corrupt approach, using case studies, as well as debt awareness training. The training was not mandatory, but it is estimated that training was delivered to 12,500 members of operational staff and various other business groups, including the Information and Resources Directorate.
60. This training also covered the dangers of over exposure to social networking and dating sites. The topic is also covered with student

officers and with Police Community Support Officers and Special Constables.

61. In addition, the Intelligence Bureau conducts a daily review of all articles in the mainstream media that relate to the MPS. Any articles containing material that may conceivably have been obtained through information leakage from the MPS are referred to the daily media meetings described above. Any articles that cannot be explained satisfactorily or properly justified (whether on public interest grounds or otherwise) are investigated by either the specialist investigations arm of the DPS or by the appropriate DPS Borough Support Unit. Any instances of retrospective bribery by the media will also be fully investigated by one of the above units.
62. Any member of MPS personnel found to have accepted bribes will, where the evidence allows, be subject to criminal charges or disciplinary procedures depending on the legal advice at the time. During my time as Commissioner there have been no specific cases purely relating to bribery that I am aware of.
63. It is important to emphasise that the MPS works very hard to drive out corruption. We recognise, however, there will be a very small minority of staff who act corruptly. We do not underestimate the damage this does to policing. It undermines the good work of the vast majority of honest and hard working MPS employees.
64. There are also a number of colleagues who, while not necessarily receiving money, are leaking information to the media. Whatever their

motivation for this, it is wrong and can also damage the MPS. It is envisaged that in light of the Filkin Report, a change in culture will be implemented across the MPS with the aim of reducing the amount of leaking to the media. This is reinforced by the importance of intrusive supervision, and I will expect all MPS senior managers to prevent inappropriate behaviour and corrupt practices.

### **Media Crime**

(48) What levels of awareness and experience are there in the Metropolitan Police Service of "media crime" 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 the MPS / conspiring with them to obtain such information; and (g) crime within media organisations other than the foregoing (e.g. dishonest expense claims)?

(49) What sort of priority is given to, and what level of resources are available to deal with, the above?

65. The MPS is acutely aware of media related crimes and it has the expertise to deal with such offences. Allegations of such offences are investigated either by the DPS, where police personnel are involved, or by the local Borough Command Unit, where they are not.
66. The term "media crime" referred to in the list of questions I have received is not reflected in law or in operational police terminology. Any of the matters listed in the question would be dealt with as an individual allegation, and the relevance of the "media" aspect would be dealt with on a case by case basis. This may mean seeking guidance from the DPA or restricting access to crime / intelligence reports if the

matter is sensitive. Consultation and advice from the Crown Prosecution Service can and would be obtained as necessary.

67. In respect of the more serious offences, where MPS personnel are involved, such matters would be viewed with great seriousness. They would be subject to a comprehensive investigation by the DPS. These investigations would be supported by whatever levels of resources were required. Less serious offences would be dealt with appropriately at borough level.

**The IPCC, the Surveillance Commissioner and the Information Commissioner**

(50) Whilst you have been the Commissioner of Police of the Metropolis has contact with the IPCC and/or the Surveillance Commissioner and/or the Information Commissioner ever given rise to questions about the leakage of information to the media and/or private detectives? If so, please explain?

68. There have been a number of investigations and enquiries undertaken in respect of leaks, or suspected leaks, from MPS personnel to media/private detectives. There are set protocols in place for contact with the Office of the Surveillance Commissioner (OSC) and Independent Police Complaints Commission (IPCC) that are undertaken by parts of the MPS. In these cases the relevant ACPO Commander is made aware and the Management Board are briefed as appropriate.

**Directorate of Public Affairs**

(38) What role does the Metropolitan Police Service Directorate of Public Affairs (especially the Press Bureau) fulfil? What, in practice, does it do?

(39) To what extent does the Press Bureau exist to manage the Metropolitan Police Service's corporate image in the media?

(40) Why is it necessary for the MPS to have a Press Office, and what is your view as to its utility and role?

(41) What is the media's attitude towards the MPS 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 MPS?

69. The DPA provides professional communication services to support the MPS' aims. It has 4 branches: - News, Publicity, Internal Communication and Stakeholder Engagement. The DPA provides professional communications to support the full range of the MPS' work. This covers police operations and investigations, with the aim of promoting and protecting the MPS' reputation and keeping the public informed.

70. In practice the DPA supports the organisation in promoting operational activity, appeals, and information campaigns to the public, both to its staff and stakeholders. To give an impression of the scale of the DPA's work, on an average day the Press Bureau would deal with 200-300 calls from the media; during the riots this rose to 1,700 calls (on 9 August 2011) and remained at approximately 1,200 per day on 10 and 11 August. We send out approximately 2,000 press releases every year. This work is carried out with the aim of increasing both public confidence in and understanding of the MPS' work. This helps to build stronger, more informed relationships with the public as well as

increasing the public's involvement in preventing and solving crime and assisting the police.

71. The 24-hour Press Bureau is the busiest in the UK and is staffed 365 days a year. The Press Bureau handles hundreds of calls every day from local, national and international journalists. It works alongside colleagues from the DPA press desks and the DPA area press offices to give advice to officers and staff and to respond to media inquiries. The Press Bureau provides an immediate response to incidents such as fatal collisions, shootings, murders or major incidents. All significant requests for information are logged on a database that stores details of press releases and lines to take on stories. This enables an audit trail of information provided, identifies who cleared the information and helps ensure consistency should different reporters ask about the same incident / issue. It also provides a historic log that can be used during court processes for disclosure.
72. The volume of media interest in the MPS is such that it is essential that there are people who can manage requests for information and support the organisation in ensuring accurate information is provided to the public. If there was no press office, officers would need to be taken away from their front line duties to support legitimate 24/7 media enquiries.
73. The DPA is the only UK police press office to be staffed 24 hours a day, seven days a week, ensuring that officers managing critical incidents can be professionally supported with communication advice

whenever they occur. For example, I understand that on the occasion of the Boxing Day Tsunami in 2004, the MPS press office was able immediately to support the Foreign and Commonwealth Office (FCO), who did not have any press office staff available and were not therefore able to deal promptly with enquiries. Having a press office also enables a central record to be kept of all corporate information given to the media.

### **Metropolitan Police Authority**

(42) What role does the Metropolitan Police Authority play in relation to oversight of the Metropolitan Police Service's relations and communications with the media? Do you consider that it would be in the public interest to make any changes to this role? If so, what changes?

(43) What level of contact and oversight has there been from the MPA in relation to the MPS' relations and communications with the media since you took up your present post?

(44) What level of contact and oversight has there been from the MPA in relation to the MPS' policing of the media since you took up your present post?

74. The Metropolitan Police Authority (MPA) ceased to exist on 16th January 2012 when the Mayor's Office for Policing and Crime (MOPC) came into operation.
75. Since my appointment as Commissioner, I have met formally with the Chair and Chief Executive of the MPA every week. This is in addition to regular telephone conversations. It has always been my practice as a Chief Constable to keep my police authority chair abreast of any significant issues.
76. With contact and relations with the media being such an important issue since my appointment, it has featured regularly in my discussions

with the Chair and Chief Executive of the MPA. While I keep them updated on my contact with the media in general terms, I do not routinely inform them of every instance.

77. I am also held to account in public by the MPA, at the monthly full authority meetings. The record will show that I have answered publicly a number of questions from Members about media contact. I fully expect this level of oversight to continue with the new MOPC and London Assembly Police and Crime Committee.

### **Current Criminal Investigations**

(52) The Inquiry is seeking evidence about the progress which the MPS is making on Operations Weeting, Elveden and Tuleta from Deputy Assistant Commissioner Akers (insofar as it can be given without prejudicing those inquiries). The Inquiry does not wish you to duplicate her evidence or the ground which it covers but it does request that you set out your overarching impression of, and any comments that you wish to make about, those operations in your witness statement.

78. I am being regularly briefed on the progress on Operations Weeting, Elveden and Tuleta and have full confidence in DAC Sue Akers who is leading these investigations. It is common with major investigations, and good practice, for there to be a review process. Given the high profile and sensitive nature of those investigations, I felt it was appropriate that a review should be undertaken and should be conducted independently rather than internally. As an organisation we are keen to demonstrate transparency and best practice. I also recognise the importance of maintaining public confidence and trust. It was for these reasons that I asked Jon Stoddart, the Chief Constable

of Durham Constabulary, to conduct the review. We are currently considering the recommendations that he made.

79. I am satisfied that the officers conducting those investigations are going where the evidence takes them "without fear or favour". I am informed about, and my views sought upon, any significant action that is being proposed. I am conscious of the significant resources that have been and are being put into these high profile investigations, but am satisfied that this investment is appropriate and that the investigations are progressing satisfactorily.
80. There has been some criticism of the level of resources devoted to these investigations. I recognise the need to ensure these are appropriate to the matters under investigation and that it can fairly be said that the offences involved are not as serious as some the MPS is required to investigate. Nonetheless, the MPS has to respond to the acute public concern about phone hacking, a concern that is reflected in the attention this issue has received in Parliament as well as in the press and a concern that has led to the establishment of this Inquiry. There was criticism of the press and of the police and, in my view, it was right that all the allegations of criminality were thoroughly investigated. That remains the position.
81. I have given some thought to the question whether the MPS should maintain a relationship with an organisation when an element of that organisation is under investigation. That concern arises both historically and currently. In the case of an individual the question is

readily answered (such continued contact is usually inappropriate) but in the case of a larger organisation, whether it be a department of state, the government or a multi-national corporation, the problem is more complex. In my view, it is likely to be appropriate to maintain pre-existing levels of contact provided they do not impinge on the matters under investigation.

82. I turn next to consider briefly the state of the three current investigations.

### **Weeting**

83. This operation continues to pursue its investigation against alleged corrupt journalists with determination and will support the victims in doing so. I understand that the investigative team is going through tens of thousands of emails and thousands of pages of seized material containing almost 4,000 names. In addition to this, the team has been contacted by hundreds of people who believe that they may have been affected.
84. Operation Weeting is working closely with all phone service providers to identify all individuals who may have had their voicemails intercepted. Together we are in the process of compiling a comprehensive list from the call data held by the police and the subscriber information held by the phone companies.
85. Once a list is formulated, Operation Weeting is committed to contacting all individuals whose personal contact details are found in the

documents and who are likely to have been the victim of phone hacking.

86. This commitment is taking considerable time to discharge. Some mobile phone companies supplied police with lists of phone numbers rather than people. The telephone data differed between companies and amounted to hundreds of thousands of lines of data which will take some time fully to work through. The victim details as ever are a little more complicated and numbers are difficult to be absolutely specific about as they are subject to change as the investigation unfolds.
87. By the end of January it is anticipated that we will have contacted all the likely victims that are identifiable. We have currently contacted in the region of 2250 people to inform them whether or not their name is in the material.

### Elveden

88. In an organisation of well over 50,000 employees there will always be the risk of a small number of corrupt people seeking to profit from their position as police officers. The MPS takes very seriously allegations of corruption and we will always vigorously pursue those involved in any such criminal practices. One corrupt individual is a stain on the whole organisation and on our good name. That cannot be tolerated and we are currently working fearlessly in Operation Elveden to investigate this and will continue to do so over the coming months.

**Tuleta**

89. Operation Tuleta is investigating allegations of personal data intrusion, including phone hacking, computer hacking and improper access to banking, medical and personal records. The investigation team is also seeking to identify previous MPS operations in which private investigators and journalists came to police notice and evidence was seized. The amount of material the officers are examining is vast and largely of a historic nature. Inevitably, this will present significant challenges to the investigation team and to any future prosecutions.

**Merseyside Police**

(53) Please describe your dealings with the media whilst you were Chief Constable of Merseyside Police?

(54) Please describe your personnel's dealings with the media whilst you were Chief Constable of Merseyside Police?

(55) What problems and issues (if any) emerged in relation to relations between the media and the Merseyside Police whilst you were the Chief Constable of that force?

(56) In what ways did media relations between the Merseyside Police differ from those which you have experience of as Commissioner of the Metropolitan Police? The Inquiry wishes to understand the differences between media relations issues in a regional force and those in the Metropolitan Police Service.

90. Whilst I was the Chief Constable of Merseyside Police, the press office consisted of a Press Office Manager, a Senior Press Officer and 4 press officers. The majority of calls received by the office tended to be regional paper enquiries (from the Liverpool Echo, the Daily Post, Radio Merseyside, Radio City, BBC North West, Granada Reports, weekly newspapers and other local radio stations) although it was not

uncommon for the press office to get calls from the national media on both local and national issues

91. Compared to the Metropolitan Police, the Merseyside Police has a small press office. However, the team dealt with a significant volume of calls on a monthly basis and between 1 April 2008 - 31 March 2009, the press office took 41,000 external calls from the media.
92. During my time as Chief Constable, coverage in the media included high profile cases such as the racist murder of Anthony Walker, the murder of 11-year-old Rhys Jones and significant problems with gun crime. These all received extensive national media coverage.
93. The press office would be the first point of contact for all calls requesting interviews with me. These would then be routed to the press office manager and to my office. It was not uncommon for some journalists to contact me directly and I would then work in tandem with the press office manager and the press office to coordinate the press lines. National journalists also visited Merseyside and I met them together with other senior officers within the force.
94. I also held regular meetings with representatives from the regional media, with the press office manager in attendance. An example of this was that every quarter I would take part in a phone-in with Radio Merseyside and Radio City. This gave members of the public the opportunity to raise matters of concern with me directly. It also gave me the ability to highlight ongoing work within the force and address any issues which may have arisen in the weeks leading up to the

programme. During these phone-ins I was able to communicate to the public vital operational initiatives and force priorities. The press office also provided support for major events including the Aintree Festival and Open Golf Championships. Annually I would meet with editors of press and local radio for lunch to discuss the press office relationship and any relevant issues.

95. The press office manager would attend my morning briefings on a Monday, Wednesday and Friday. They would highlight significant media issues or media coverage of interest together with potential opportunities for the force. At these meetings the media handling of those issues would be agreed upon and implemented.
96. The press office would also organise annual meetings with the media, which I would attend together with representatives from the weekly, regional and national print and broadcast media. This gave the media an opportunity to get to know the officers and raise any issues or potential ideas.
97. In the press office each press officer had responsibility for one of the six borough command units. This ensured that officers in all areas were supported in dealing with the media and that information was given out in a timely and appropriate way.

### **The HMIC Report**

(57) What is the Metropolitan Police Service's response to the recommendations contained in the HMIC's recent report "*Without Fear or Favour*"?

(58) What is the Metropolitan Police Service's response to the HMIC report more generally? Without prejudice to the generality of this question, the Inquiry is particularly interested in your response to sections 2, 3 & 4 of the report.

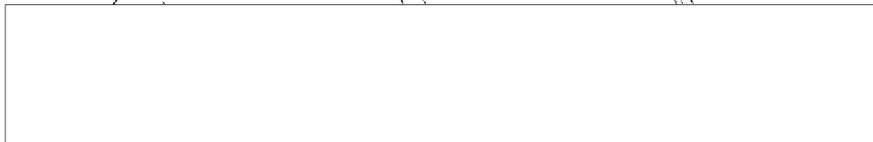
(60) From your own HMIC experience, is the HMIC sufficiently equipped to provide sufficient oversight of relations between the police and the media? What improvements might realistically be made to the system in this regard?

98. The MPS has actively contributed to the HMIC review and welcomes the national picture their report provides. I fully accept the recommendations and this report will be taken into consideration when the Deputy Commissioner reviews the recommendations of the Filkin Report. The MPS supports a national public discussion on the issues raised in the HMIC report, as it will inform the public about the nature of the police relationship with the media and the levels of hospitality which are acceptable.

99. I support ACPO's response to the HMIC report in that the police service is a highly accountable organisation, which must be responsive and trusted by the public. It highlighted the fact that no evidence was found of systemic corruption in policing, but there were individual cases where police officers let their colleagues and the public down. ACPO also point out that given the dedicated teams charged with investigating allegations of corruption in each force, the UK has one of the least corrupt police services in the world.

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**I believe the facts stated in this witness statement are true**



Dated.....20/11/12.....