

LORD JUSTICE LEVESON'S INQUIRY

PART ONE: CULTURE PRACTICES AND ETHICS OF THE PRESS
MODULE 2: CONTACTS AND RELATIONSHIP BETWEEN THE PRESS
AND THE POLICE

WITNESS STATEMENT OF JOANNE BIRD
PURSUANT TO NOTICE RECEIVED ON 9 FEBRUARY UNDER SECTION 21 (2)
INQUIRIES ACT 2005

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

- 1.1 My name is Joanne Bird, Head of Media and Marketing of British Transport Police (BTP). I make this statement in response to a request from Lord Justice Leveson in order to assist him with his inquiry, in so far as it concerns the relationship between the press and the police. In making this statement I have reviewed the BTP Media Relations Standard Operating Procedures 2009 and the CAG Guidance 2010. For the avoidance of doubt, I have not waived legal privilege or conceded the admissibility of any other evidence that would otherwise be inadmissible in civil proceedings in making this statement.
- 1.2 I began my career on a local newspaper, The Coalville Times, which is a weekly paper in Leicestershire, after graduating in 1995. The following year I joined a children's charity and press agency called Children's Express, which taught children aged 8-18 journalism and placed their stories in the media. My role was to assist groups of children develop story ideas, find interviewees, debrief them, edit the story and place it in the media. After three years I joined the Royal National Institute for Deaf people as a press officer. The following year I went to work for the Shadow Strategic Rail Authority in the press office. In 2001, I joined Luther Pendragon, a communications agency, as a consultant. I had a range of international business clients, UK companies and UK Government bodies, with a focus on transport and consumer goods. I left as an Associate Partner to join BAA Heathrow as Head of Media in 2005. I began working with BTP in 2007.

(2) Please describe the role and remit of the press office within the British Transport Police.

2.1 The purpose of the press office is to answer enquiries from the media and to engage proactively with their representatives in order to support the operational activities of the force and maintain public confidence in British Transport Police (BTP). The Media Relations Standard Operating Procedures 2009 sets out our remit in relation to specific operational situations such as fatalities, bomb threats, anti-social behaviour and graffiti. The railway network is well covered by CCTV cameras and the publicising of footage in the media in order to trace suspects and appeal for witnesses is a significant aspect of our role.

2.2 We aim to provide accurate and timely information in a consistent style and tone that inspires confidence and reflects the integrity and professionalism of the force.

2.3 BTP polices Britain's railways and this gives rise to a different crime profile from that which Home Office police forces tackle. Metal theft is a huge priority for BTP as it has such a significant impact on the running of the railway network. Pickpocketing is our biggest volume crime and a death on the railway occurs most days.

2.4 The press office is also known as the Media and Marketing Department and employs a total of 16 communications professionals.

2.5 The force is divided into 7 Areas, each with an Area Commander who reports into the Strategic Command Team. BTP's press office reflects this structure with an Area Media Manager in each of the out of London Areas and a national press desk at Force Headquarters in London which is supported by a senior press officer and acts as a first point of contact for most press enquires. One of my managers leads much of the internal communications within BTP and a small marketing team manages the website, graphic design and social media.

- 2.6 L Area which covers London Underground and DLR, has a small communications team including a head of communications, a press officer, graphic designer and internal communications officer. This team is managed by the Area Commander and I provide guidance and support as necessary.
- 2.7 The press office began to evolve into its current structure and function post 7/7 when funds were obtained for this purpose. Until then there was an extremely limited capability. There were only two members of the department, one of whom was employed in a marketing capacity and did not deal with the press. The other manager remains employed in my department and has over 20 years' service.
- 2.8 The contents of the conversation are recorded on the system by the person taking or making the call. We use a press office software system to log calls. The team can see what their colleagues have been dealing with and saying to the media. This ensures there is a consistent answer to an incident, even if someone else takes a call on the same subject.
- (3) **Please describe your role and responsibilities within the press office. To whom do you report?**
- 3.1 I take direction from the Strategic Command Team and develop communications strategies to support the operational priorities of the force. I oversee BTP'S communications with the media internally and externally (including social and online) and ensure there is a consistent and transparent communication dialogue with the media.
- 3.2 Metal theft is a good example of a problem that is endemic to the railway industry and is costing both private and public enterprise a great deal of money. I supported BTP in building public awareness of this issue and we continue to work with other police forces and industries to maintain the public profile as a deterrent to potential offenders.
- 3.3 The Deputy Chief Constable sets the overarching priorities for the department, as my line manager, and I implement them. I am also responsible for managing the budget.

- (4) Does the commercial nature of the organisation bring different or particular challenges for the BTP, including the press office, in relation to the management of its relationship with the media? If so, please give details.
- 4.1 No. The funding of BTP through the train operating companies and Network Rail does not affect the way we manage our relationship with the media in support of our operational objectives: primarily the safety of the railway and the solving of crime. We operate as a police force like the others.
- 4.2 As a national force that polices the railway we are aware of the potential impact of a media statement on both the train operator as well as the local police force. This does not affect the content of our statements but it does mean we are good at keeping the local police force and the train operating companies informed of what we are saying to the press. We may include an attributable comment from a train operating company in our press release. This may occur, for example, in a witness appeal for an assault on a member of rail staff.
- 4.3 Our national spread means that our Area Managers and the central press desk deal with a range of media outlets and there is less opportunity to form a close working relationship with particular individual journalists. There is one press officer covering the entirety of Scotland and two cover Wales, the West Midland and the entirety of the West Country.
- (5) Describe the culture of relations between the press office on the one hand and other BTP 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?
- 5.1 There is a good relationship between the press office and police officers and staff. As the team has developed and evolved we have, to a large extent, taken the force with us. Most trust my team and believe they provide a good service. I make a point of checking that relations are good between my staff and the senior managers on Area.

5.2 We are there to help and support the officers in doing their jobs and most of them refer any direct enquiries from the media to us. We are more efficient and effective at putting together press statements and appeals to the public and this is recognised by the officers. The immediacy of the media's need for news means that the media can inadvertently be an additional pressure on an operational response.

5.3 Most senior officers and staff have access to a member of my team when they need one. There are two members of my team on call 24/7. In an ideal world I would have more staff but this does not mean we are not functioning well with what we have.

(6) Does the press office have a gatekeeper function for controlling the flow of information to the media?

6.1 Most requests for information come to us and we issue the appropriate response. However, there is no instruction to police officers to refer dealings with the press to us and we do not have a gatekeeper function. Police officers do refer the media to us because they are busy with operational matters.

6.2 On occasions journalists will contact officers directly, either because they already have a relationship with them or because they have met an individual officer at the scene of an incident. Generally, officers make my team aware when they have been contacted and either ask my team to deal with the journalist directly or alert us to what they have said to the journalist. We record what has been said as appropriate.

(7) Does the press office have a gatekeeper function for controlling access to BTP personnel?

7.1 No. The press generally approach us in order to arrange any meeting or interview with an officer. We identify the officer best placed to assist them and try to facilitate the interview and, where possible, attend in order to support the officer. Where we cannot attend, an officer will be fully briefed over the telephone before an interview and contacted subsequently to see how it went. Sometimes officers are not comfortable talking to the media and so we will try and find an alternative officer in future. Sometimes officers enjoy the

experience and request media training. We provide this training in house and try to deliver at least one session for each Area annually.

(8) What is your impression of the culture within the BTP in relation to its dealings with the media (the media in all its forms)?

8.1 The culture is one of transparency and openness. The media have an important role to play in helping us to detect crime and also in helping us to inform the public about who we are and what we do. This is generally recognised by the officers and it is an approach that is supported by the Strategic Command Team. Inevitably some officers are wary, but we provide advice and assistance that helps them overcome this and ensures best use of communication channels, including Twitter and television (both of which are managed centrally).

(9) 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?

9.1 The press office has established a successful and professional working relationship with the various strands of the media: radio, television, newspapers, websites and other online media. Social media is still in its infancy and something of an unknown quantity.

9.2 We work on the assumption information will be released if we have it. My team works hard to nurture the relationship with the media by providing a consistent, even handed and straightforward approach to disseminating information. Inevitably, friendlier relationships are formed with some individuals, depending on the personalities involved, but this does not affect the content of the information given or the way it is given.

9.3 Weekend newspapers in particular have a tendency to leave requests for information until a Friday afternoon when there is sometimes not enough time to gather the information or find an appropriate officer for interview. They work to a different schedule and sometimes do not appreciate the difficulties of

getting hold of others within the organisation out of hours. We are on call 24/7 but the force statistician is not. Consequently, verifying data out of hours can be difficult.

9.4 Requests under the Freedom of Information Act are often made by journalists to obtain data. We try to discourage this practice since it places an administrative burden on the force which is unnecessary. We are pleased to provide the information requested and would never withhold information to which anyone is entitled under the Act. Statistics obtained pursuant to FOI requests can be misleading without background explanation. We try to ensure a journalist has all the information and context necessary to write an accurate story.

(10) 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.

10.1 Press office staff have daily contact with the media, predominantly over the telephone. The calls are mainly from local media, depending on where incidents have occurred. We do receive calls from national media also. There are between 200 to 400 calls in a given month.

10.2 In addition there are 30 to 60 reactive statements written and released by the team and between 80 and 100 proactive press releases distributed.

10.3 As described above, we try and attend any interviews between the media, police officers and staff. Occasionally we meet with journalists to discuss more complex cases. The meetings are generally in our office and on occasion, in a café over a coffee, for example after a court hearing. Last week a senior press officer met the crime correspondent of the Daily Mail over coffee following the conviction of a group of Romanian pick pockets. The meeting was to discuss the paper's follow up story on how the profits from the thefts had been spent and to inform BTP that the paper intended to go to Romania to follow up the story. The result was a full page story in the Daily Mail on Saturday 25 February which had photographs of the palaces that had been built in villages in Romania with the proceeds of crime and comments from local people about how the group operated. The story included a section

on how the offenders operated and how they were caught by BTP, including a comment from the officer in charge.

(11) Are contacts with the media restricted to certain staff or are all personnel within the BTP able to deal with the media?

11.1 There are no restrictions and all personnel may deal directly with the media. It is widely expected that individual officers will deal with straightforward requests and provide the press office with details of whom they have spoken to and what has been said. It is generally accepted that the press office is best placed to provide comprehensive information to the press and it tends to become involved on any issues of complexity.

(12) 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.

12.1 Generally we prioritise by the order in which requests are received and the deadline for responding to each. We also prioritise according to the importance of the incident to the force rather than according to the media outlet who makes the request. A major incident, for example, is of top operational priority and so it is also top priority to the press office. Major incidents attract interest from the national media as well as local. The national media tend to receive priority in these circumstances as this is the mechanism for the widest, quickest and most effective distribution of information so as to facilitate the force's enquiries and also to reassure the public.

12.2 All members of the press team are used to dealing with national as well as local media.

12.3 We are more likely to ask senior officers to attend interviews with national media outlets than local as requests from the national media tend to reflect issues of a more strategic nature that are of greater operational importance to BTP. Consequently a senior officer is the most appropriate choice. This is also true of journalists from specialist trade media such as Rail and Rail News

as these are of importance to our key stake holders; Network Rail and the train operating companies.

(13) 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?

13.1 It is our policy to be fair to all media. There are a series of distribution lists for different areas of media interest which contain named individual contacts for various publications and media outlets who wish to receive press releases from BTP. These lists are purchased as part of the press office software and are standard. Any journalist can request to be added to a list that covers their area of interest. Use of these lists ensures that those who are interested receive our press releases. In reality this means we tend to limit our releases to relevant geographical areas. It would not make sense to broadcast releases only of interest in Scotland to a paper in Wiltshire.

13.2 Information we provide on an "if asked" basis is given to anyone who asks and we respect journalistic confidence as long as it does not conflict with our duty to be fair. This means we will not proactively give the same information to a rival paper, but we will do so if that paper asks us.

13.3 We regularly use twitter to broadcast witness appeals and other releases, and also use wire services and press agencies such as PA if we think the subject is likely to be of broad appeal.

(14) 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 the BTP?

14.1 The media's attitude is generally very positive and they are usually pleased to use us as a way to obtain the information they need or arrange the meeting they require. The press office understands their needs and deadlines and can get information much more quickly to them and in a more usable form than they could obtain elsewhere within the force. In addition, it is a one stop shop

encompassing comment and reaction, background material, photographs and other data.

14.2 Where national journalists have a longstanding relationship with a senior officer they are generally comfortable about contacting him or her directly. On these occasions the officer will either respond and inform the press team afterwards of what has occurred. Alternatively, the officer may refer the journalist to us.

(15) 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.

15.1 My involvement with journalists depends entirely on what is happening. I do not generally handle the everyday flow of calls into the press office. However, my team and I sit in one office and I will assist as necessary.

15.2 My main direct contact with journalists occurs when there is a critical incident; when I am on call out of hours, (which is 1 week in 4); and when there are larger stories to manage. Such contact includes presence at meetings between journalists and the Chief Constable and other senior officers. Currently we are doing a documentary on metal theft and I have taken responsibility for identifying the areas it will cover, viewing and approving the footage for inclusion and managing the contractual arrangements.

15.3 I speak to journalists and other media representatives every week but not every day. I make a point of maintaining my on call duties to ensure I do not lose touch with what is happening on a day to day basis in my department. This is also a reason for having an open plan office.

15.4 I tend to meet with journalists either when facilitating an interview with a senior officer and on rare occasions when I am covering for other staff or a particularly complex or emotive story. Generally I meet journalists every month rather than weekly.

(16) Describe what you are seeking to gain for the BTP through your personal contact with the media.

16.1 A good, professional working relationship: an understanding of what BTP is doing and achieving; where there are complex issues, an opportunity to explain the background and the reasons behind the Force's point of view; the rectification of misleading information or the correction of mistakes. Keeping in touch with the media ensures I stay abreast of developments and topical issues of interest and changing media priorities. For example, the dramatic increase in the use of Twitter as a breaking news channel means that we have to consider how it impacts on the coverage of court results and how statements are issued outside court. By the time statements are issued the information may have been tweeted from inside court.

(17) 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?

17.1 They are usually seeking information, advice and occasionally guidance. As the head of the department I receive the occasional complaint from journalists; usually because they feel we have not released the name of a suspect/victim quickly enough. I always check what the situation is and take the time to explain to a journalist why something was or was not done in a particular way.

17.2 For example, we do not tend to release the name of a fatality victim until the inquest is formally opened. However, it is often the case that journalists will be given a name via social media or from acquaintances which they want us to verify. Sometimes this means we have to try and contact the family to make them aware of the fact the name of their loved one is in the public domain and offer to assist them with any statement more quickly than we would have otherwise done. We usually seek to give the family some breathing space before a fatality becomes a media story.

(18) To what extent have you accepted hospitality from the media whilst working in your current position?

18.1 I have very occasionally accepted a cup of coffee or a sandwich from a journalist in the course of a meeting on a complex or high profile story.

(19) 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?

19.1 See above. Such meetings are recorded in my work electronic diary such as "coffee at ... with x..." or "lunch...at... with x". This hospitality is invariably of a value that does not need to be recorded under the terms of BTP's Gifts and Hospitality SOP. Nevertheless I generally report the meeting to either the Deputy Chief Constable or Chief Constable.

(20) To what extent have you provided hospitality for the media?

20.1 If we have been conducting interviews at a location, usually a railway station, I will offer to buy a cup of tea or coffee for the journalist when I am offering a hot drink to the person being interviewed. I include the journalist out of common politeness and nothing else. I usually do not claim for this sort of expense.

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

21.1 See above. I do not keep records of this hospitality unless I claim it as an expense in which case I retain the expense form.

(22) Have you ever accepted gifts from the media? If so, please give full details (including who gave you the gift, when, what the gift was, and why you believe they gave you the gift).

22.1 No.

(23) Have you ever discussed the media, or media coverage, with politicians? If so, how important is such communication and why?

23.1 No. There are occasions when media coverage prompts a politician to write or contact the force asking for further information on an issue. These requests are usually addressed to the Chief Constable. The press office will assist with the response by providing background concerning the information that journalists have requested and what the press office response has been.

(24) What do you know about the level of hospitality accepted by the BTP, including by officers of the rank of Assistant Chief Constable and above? Do you consider the 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 appropriate level of hospitality for police personnel to accept from the media (if any). What records are kept of such hospitality?

24.1 The gifts and hospitality register for senior officers is published on the force internet which means that any one can inspect it. When the register is updated I receive a copy for information.

24.2 The Gifts and Hospitality Standard Operating Procedure provides guidance that includes a £15.00 ceiling at which hospitality and gifts are to be recorded in the register. I consider this level to be very low and confirm there is no culture of expecting or regularly receiving gifts or hospitality within the force, at any level. This has been case since I joined BTP.

24.3 I have come from the private sector where hospitality is an endemic part of the business relationship. There is no culture of hospitality within BTP.

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

25.1 I have not received any formal training since I have been at BTP but I regularly talk through issues with senior officers who provide me with support and guidance, along with colleagues from other police forces. I also attend media related conferences and seminars from time to time. My department updates and amends the Media Relations SOP 2009 as appropriate. We will be looking at it again post inquiry in order to consider any recommendations made by Lord Leveson.

(26) 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?

26.1 Yes. See above.

(27) 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? If so, please specify. Does that training/guidance reflect/follow the ACPO guidance?

27.1 The Media Relations SOP 2009 is on the intranet, as is the Gifts and Hospitality SOP. They provide the basis on which the media and marketing team work. I would expect any member of my staff to inform me of gifts or hospitality. We have a weekly conference call at which everybody sets out what they are doing that week and where they are going to be working. Any meetings with media representatives are highlighted at these conference calls. We work in an open plan office where private conversations are difficult to have. I generally ask questions of my colleagues after a telephone call if I am unsure of what they are talking about or the nature of the advice they are giving. Any member of the team who is uncomfortable with anything said during a call will seek advice from the rest of us. New members of the team are given clear guidance about how we work and what is expected of them, including how to conduct a conversation appropriately with a journalist and the types of information we will and will not volunteer. I do not address bribery specifically as this is criminal activity and I do not see it as part of my remit.

27.2 Background information in relation to an incident is logged on the press office software and all members of the team can view it and see what can and cannot be released. Information not for release may include the victim's name and other personal details, or any previous contact with police or any underlying health issues, the ethnic origin of a suspect or the fact that this incident is connected to a previous incident or ongoing operation.

27.3 No off the record comments are given by anyone in the press office. By this I mean that no information released is unattributable to BTP. In contrast, background information may be given to a journalist by way of guidance to avoid a misleading account of an incident. For example, if a journalist assumed a fatality was a suicide and there was information to suggest it could have been accidental, this information is released in confidence to the journalist to avoid misleading speculation which could cause additional and unnecessary distress to the family.

(28) Do you consider that press office staff feel confident that they understand what is, and what is not, appropriate contact with the media? When answering this question, please explain what you consider to be "appropriate contact" with the media.

28.1 Yes. A proper relationship with a journalist is consistent with carrying out the job well. Appropriate contact is responding to press enquiries and assisting officers with proactive media appeals and court results. This is mainly done over the phone.

28.2 Any impropriety in the relationship, such as accepting hospitality in return for preferential treatment to a particular journalist or publication, is not doing the job well and is clearly not acceptable. I have never been aware of any inappropriate relationship between a member of my team and a media representative.

(29) Do you consider that press office staff generally feel comfortable briefing the media and responding to media requests for information?

29.1 Yes. It is their primary role and they are used to talking to journalists. If they feel uncomfortable with a line of questioning they will refer the call to their line manager or myself.

(30) 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?

- 30.1 The challenges for the press office arising out of events that trigger national media interest are usually a) the volume of calls, b) the speed with which we are expected to provide information and c) the number of requests for interviews. For example, fatalities can attract national media interest, usually because of the age of the victim and/or alleged safety failings.
- 30.2 We deal with the first challenge by issuing regular and frequent media statements which conclude by indicating when the next statement will be issued. We can also bring in additional resources to the national press desk and allocate non priority calls to the Area desks
- 30.3 The second challenge can be harder to address as journalists are able to obtain a fairly concrete idea of what happened from social media before we have reported the death to the family or recovered CCTV footage, for example. We try to give the investigating officer a warning that the press have a name so that the family can be warned promptly.
- 30.4 A third challenge is often the numbers of journalists pressing for interviews with police officers. They are competing with each other for a new angle. This may result in simply requesting comments from a police officer but might also cover requests to interview relatives of a victim, in which case we have a responsibility to act as a facilitator if that is what the family wants. For example, when a commuter was shot at an Essex railway station, his identity was quickly known by the press and his parents approached at their home. They did not wish to be interviewed and sought our assistance to stop journalists knocking on their door when they wanted to concentrate on helping their son recover. We asked all journalists to make any requests for interviews via BTP and I gave the family my business cards to give to journalists when they knocked on the front door. This eventually stopped the steady stream of requests and the victim eventually did an interview with BBC Crimewatch to appeal for witnesses.
- (31) What improvements, if any, do you think could or should be made to the systems, policies and/or training in your office to ensure that press office staff conduct and maintain appropriate relationships with the media?

31.1 The press office systems and processes are straightforward and easy to use. They are designed to provide a good service but not to put press officers in a position with which they are uncomfortable. Press officers are aware, in clear terms, of the information which they should be releasing to the media, and the way they should conduct themselves.

31.2 There is always a need for more training in such a fast moving environment, particularly with the emergence of social media. However, this is less to do with appropriate relationships and more to do with increasing exposure to different experiences and learning new skills.

(32) 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?

32.1 No. We have been in the past although at present membership has lapsed. The main benefit to membership is the opportunity to attend regular seminars and conferences which provide an opportunity to hear what colleagues from other forces are doing and share experiences and knowledge.

(33) Insofar as you are able to say, to what extent are leaks from the BTP to the media and/or private detectives a problem for the BTP?

33.1 There have been a small number of leaks of information to the media. It is never clear whether they have come from the force or other agencies. The use of mobile footage and other technologies means that information is often in the public domain before police have even been alerted to an incident.

(34) Insofar as you are able to say, to what extent are leaks from the press office specifically to the media and/or private detectives a problem for the BTP?

34.1 To my knowledge there have been no leaks from BTP press office.

- (35) What systems and procedures do you have in place in the press office, if any, 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?
- 35.1 If I believed a leak had come from the press office I would report it to my DCC and he would refer it to our Professional Standards Department. BTP has had a dedicated press office function for more than 20 years, and so far as I am aware there has never been a problem.
- (36) In the last 5 years, 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?
- 36.1 None.
- (37) In the last 5 years has disciplinary action been taken against any member of press office staff for leaking information to the media and/or private detectives? 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.
- 37.1 None.
- (38) 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?
- 38.1 I believe that leaks, and I have had very little experience of them, are more common in the form of either ill informed gossip, which is then passed on to a journalist, or as a result of someone being flattered and/or cajoled into revealing more to a journalist than they intended. The same is true for press officers as for members of the police service.
- (39) To what extent do you believe bribery of police personnel by the media to be a current problem for the BTP (if at all)?

39.1 I do not believe this is a problem.

(40) 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 (both 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.

40.1 Press officers regularly give guidance to journalists to help them write or broadcast an accurate story. That is the mark of a good press officer. For example, we describe a death that is non suspicious on the record, so the reporter can quote us directly or as their source. A journalist may ask if it was suicide, which is a matter for a coroner or Procurator Fiscal to determine. We would not wish to be quoted on this, pending any inquest verdict, but if it is likely to have been a suicide, we will give guidance to that effect. This helps the reporter comply with their own guidelines on reporting suicides.

(41) Do you or, to your knowledge, staff working for the press office, ever confirm information for the media (i.e. information which the media have obtained from other sources) on an "off-the-record" basis? If so, please give details and explain why this is done.

41.1 In my experience the circumstances in which we confirm information on an "off the record" basis are generally confined to the identification of fatality victims, although occasionally these extend to victims of other crimes.

41.2 A press officer will not deny the name of a fatality victim if they have the correct name. However they will remind the journalist that they need to be confident of their sources and in this situation the journalist is likely to state that the person was named locally as [the correct name] XXX. The press officer will seek to ensure all relevant parties are informed of the potential for the person to be named publicly, in advance of a formal identification by the coroner's office. This is increasingly an issue with younger people whose friends may use facebook and other social media to pay tribute to a victim, sometimes within minutes of a death.

41.3 If the name they have is incorrect a press officer will tell the journalist they are wrong, or that the circumstances they are describing are inaccurate.

41.4 I consider this to be guidance to ensure accurate reporting and avoid unnecessary distress to relatives. Early in my career I was told there was no such thing as off the record. I have adhered to this approach and I consider that anything spoken to the media should be entirely defensible and if it were attributed to a BTP spokesperson it should not embarrass the force. This is particularly important as there is now a time lag between the ability of the police to check the accuracy of information and the speed at which it is put into the public domain by others.

(42) 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?

42.1 Any information, including guidance, is recorded on the press office software, to which all members of the media and marketing team have access.

(43) 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/police staff member when s/he provides information on an "off-the-record" basis?

43.1 See above. There is very little scope for misunderstanding in the circumstances in which we give guidance.

(44) What is your view of the practice of police officers and police staff having "off-the-record" communications with the media?

44.1 As far as I am aware there is very little "off the record" communication with the media from BTP officers or staff. I have no objections to guidance being given along the lines set out above.

(45) In your experience, insofar as applicable, 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 illustrative examples.

45.1 In the above situation a journalist is usually grateful for accurate guidance. Journalists do not generally want to get their facts wrong and they are happy to receive some advice.

(46) In your experience, when police officers/staff ask the media to delay publishing particular information because of the risk of prejudice to a criminal investigation or future criminal trial, to what extent and in what circumstances do the media comply with the request? Please give illustrative examples.

46.1 I have never had to ask a journalist to delay publishing information pending the outcome of an investigation or criminal trial. I have on occasion had to remind journalists about sub judice in relation to images and the need to remove them from the public domain.

(47) 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.

47.1 This situation has never arisen in my experience.

(48) 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 the public interest or the interests of justice? Please give examples of the circumstances in which this has occurred.

48.1 No.

(49) 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?

49.1 I do not think there need be any restrictions on police officers and staff leaving the police service and working for the media and vice versa. Press officers need to understand a newsroom and how the press work. To that end I think it is valuable to hire former journalists to press officer posts.

49.2 The hiring of former police officers as commentators, columnists and experts for media outlets is interesting. The police knowledge of such former officers has a limited lifespan. A former police officer may be better informed than a professor of criminology or other expert but this is for a limited period.

(50) In relation to dealing with the media in general, do you consider that there is a basis for applying different standards and rules to police staff from those that apply to police officers (the latter having the powers of the office of constable). If so, (i) do you consider that different standards and rules should apply and (ii) please specify what you consider the differences should be.

50.1 Police officers and staff both have a responsibility to serve the force to the best of their abilities and uphold the integrity and reputation of the force. I do not think there is a case for applying different standards to each.

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

51.1 My reaction to the report is influenced by the fact BTP's relationships with the media and its representatives are appropriate in so far as I am aware. I note that HMIC did not find any endemic failings in integrity within the police service.

51.2 The challenge will be to set effective guidance in areas which necessarily involve an element of individual discretion and to implement and enforce the guidance. The police and the legal service have a duty to consider how they can better manage the release of information into the public domain given the sheer speed and volume of information being disseminated. BTP will

introduce guidance on the integrity of relationships between staff and the media following this inquiry. This is likely to include guidance on social media messaging.

51.3 The tone of a police force's relationship with the media is set by its senior officers. BTP's chief officer has a very open approach to the media and takes a keen and critical interest in the press office and what it does.

(52) What is your view of the recommendations contained in Elizabeth Filkin's report "The Ethical Issues Arising from the Relationship Between Police and Media"? (If you have not seen it, the report is available online).

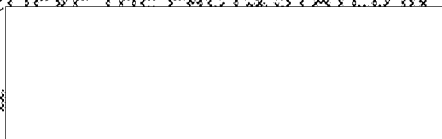
52.1 The report contains some straightforward advice and I agree with the overarching principle that police contact with the media is permissible but not unconditional. It is, as the report acknowledges, difficult to control all contact with the media. However, anything that provides greater clarity and guidance will, of course, assist officers and staff to better understand their responsibilities. The recording of conversations with media representatives is basic common sense.

(53) 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 the media are and remain appropriate?

53.1 I have nothing to add.

I BELIEVE THE FACTS STATED IN THIS WITNESS STATEMENT ARE TRUE

Signed



Dated. 28/6/12