

<p>1 2 (2.00 pm) 3 MR JAY: Lord Stevens, can I just get back to a point which 4 you raised this morning in answer to one of my 5 questions. This concerns your writing for the 6 News of the World and when you resigned from that. The 7 question I put to you was: 8 "Are you able to tell us anything about the other 9 information which was coming to your knowledge?" 10 Your answer was: 11 "It revolved around some unethical behaviour in 12 relation to one or two articles that had got the 13 headlines in the News of the World." 14 First of all, was that your perception of the 15 articles or headlines in News of the World or was it 16 matters which were brought to your attention by others, 17 in particular journalists? 18 <b>A. Brought to my attention by others?</b> 19 Q. Can you tell us who those others were? 20 <b>A. It revolved around an article concerning Mr Max Mosley.</b> 21 Q. Ah, because that article was in April 2008, whereas you 22 terminated the contract with the News of the World 23 in October 2007. 24 <b>A. That's right.</b> 25 Q. So it must have been something before October 2007.</p> <p style="text-align: center;">Page 1</p>	<p>1 <b>onto editors on an equality basis.</b> 2 Q. I understand. So the general strategy was that you 3 should meet the editors, the press, equally fairly over 4 the course of a year. 5 <b>A. Yes.</b> 6 Q. The meetings themselves were arranged by the DPA, 7 obviously not by your office; is that correct? 8 <b>A. That's true.</b> 9 Q. And in relation to each and every meeting, there was 10 a briefing note which someone from within DPA prepared? 11 <b>A. Exactly that, yes.</b> 12 Q. And you were expected to deliver it as you saw 13 appropriate? 14 <b>A. Yes.</b> 15 Q. And if necessary, go off-piste, as it were? 16 <b>A. Yes.</b> 17 Q. If I may say so, it's not very different from someone 18 high up in political office? 19 <b>A. I think that's right. What you wanted to make sure was</b> 20 <b>that you gave accurate information, particularly if</b> 21 <b>there were questions and issues they raised, and by that</b> 22 <b>I mean members of the editorial team. I saw Greg Dyke</b> 23 <b>six times over my period of time as Commissioner, who</b> 24 <b>had issues. He's another person I saw. And others of</b> 25 <b>course.</b></p> <p style="text-align: center;">Page 3</p>
<p>1 <b>A. It was in -- it was concerning just general behaviour,</b> 2 <b>really, I was hearing.</b> 3 Q. General behaviour around the phone hacking issue? Was 4 that it? Or more widely? 5 <b>A. Just more widely, really.</b> 6 Q. Thank you. Can you ask you about paragraph 91 now of 7 your statement, 09826. You say: 8 "Joy Bentley and, to a lesser extent, Dick Fedorcio 9 generally acting as my personal media liaison from 10 within the DPA." 11 What was their philosophy as regards interactions 12 with the press, insofar as one could summarise it? 13 <b>A. Joy Bentley dealt with things on a day-to-day basis. So</b> 14 <b>if I went for interviews with the BBC or elsewhere, like</b> 15 <b>on the Today programme, she would give me a briefing</b> 16 <b>paper and we'd discuss the reasons before going in there</b> 17 <b>because there was usually some specific reasons for</b> 18 <b>going in front of these programmes. The same applied to</b> 19 <b>meeting with the crime reporters and the press</b> 20 <b>generally.</b> 21 <b>Dick Fedorcio was on a higher level in terms of the</b> 22 <b>strategy. He was -- on my instructions -- I wanted to</b> 23 <b>make sure that each outlet, in terms of national</b> 24 <b>newspapers and the press, was dealt with equally and it</b> 25 <b>was his job to make this you are that we tried to get</b></p> <p style="text-align: center;">Page 2</p>	<p>1 Q. You deal with the MPA quite briefly in your statement. 2 Were your relations with the MPA generally good ones, in 3 your view? 4 <b>A. Yes, they were, and I think the MPA is something we need</b> 5 <b>to stress. We had monthly meetings of the MPA where</b> 6 <b>every aspect are the Metropolitan Police was put up for</b> 7 <b>debate, accountable. The MPA at that time consisted of</b> 8 <b>23 people, initially headed by Lord Harris and then by</b> 9 <b>Len DuVall when the political composition changed in</b> 10 <b>terms of London.</b> 11 <b>We went through every aspect of policing and the</b> 12 <b>television cameras were there, members of the media were</b> 13 <b>there, especially if there was something which they</b> 14 <b>thought was interesting to them, and the business of</b> 15 <b>being open was certainly the case with the MPA. They</b> 16 <b>were a major part of the Commissioner's accountability</b> 17 <b>and responsibilities beyond what the Home Secretary</b> 18 <b>said. Then, of course, there was the Mayor -- in my</b> 19 <b>time, it was Ken Livingstone -- who also wanted to know</b> 20 <b>what was going on.</b> 21 LORD JUSTICE LEVESON: Did that provide a greater degree of 22 accountability than you'd previously experienced? 23 <b>A. By far, sir. By far. I'd experienced that type of</b> 24 <b>accountability as Chief Constable in Northumbria, where</b> 25 <b>the police authority there consisted of -- I think it</b></p> <p style="text-align: center;">Page 4</p>

1 was about 28 members from Sunderland to Newcastle to  
 2 Northumberland.  
 3 LORD JUSTICE LEVESON: Partly local authority, partly  
 4 magistrates?  
 5 A. That's right, but there is absolutely no doubt that the  
 6 MPA -- and I used to see the chairman of the MPA at  
 7 least once a week -- was a real issue of accountability.  
 8 I mean, there was nothing that missed them. This were  
 9 all major players in London. Most of them were people  
 10 who had led their councils. They were experienced  
 11 people and it was a real exercise, and Lord Harris of  
 12 Haringey had decided that all of these meetings should  
 13 be absolutely open, with the media there for as much if  
 14 not all of the period of time where we were under  
 15 examination by members of the MPA. It was an  
 16 examination beyond what I'd experienced before, to be  
 17 honest.  
 18 LORD JUSTICE LEVESON: And did they correctly distinguish  
 19 between their side of the ship, strategy oversight, and  
 20 your side of the ship, operations?  
 21 A. Very much so, sir, yes. They -- again, being  
 22 experienced politicians -- and some of the people who  
 23 were independent members were very, you know, eminent  
 24 businessmen and the like -- very rarely did I have to  
 25 say, "This is an operational matter." Actually, for me

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1 to say that it was an operational matter was me failing  
 2 in my job to allow them and convince them that what  
 3 I was doing was right.  
 4 In London, of course, it was very different. You  
 5 had the MPA, the Mayor, who I saw on a regular basis,  
 6 Ken Livingstone, then you had the Home Secretary and of  
 7 course I was seeing the Prime Minister on occasions as  
 8 well. So it was quite a process.  
 9 MR JAY: Paragraph 111 now of your statement, 09835. This  
 10 is when you're Chief Constable at Northumbria.  
 11 A. Yeah.  
 12 Q. How often were you having lunches and dinners with  
 13 journalists there, Lord Stevens?  
 14 A. Nothing like as frequent as I was doing here, but I did  
 15 it on a regular basis. When I inherited Northumbria as  
 16 chief, Northumbria was known as the car crime capital of  
 17 Europe. We had the highest crime levels of car crime  
 18 and so it went on after the riots. So again the same  
 19 policy that we talked about at the Metropolitan Police  
 20 we tried to ensure came in in Northumbria, with those  
 21 people on the front line talking about what they were  
 22 doing and why they were doing things.  
 23 Q. So it was that policy really which you took forward to  
 24 London when you came here?  
 25 A. Yes, but I'll be honest; I never actually declared that.

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1 As a chief constable or commissioner you have in your  
 2 bottom desk what your plans are. If you reach  
 3 67 per cent of your plans, then you're doing well, and  
 4 one of the plans was actually to create something  
 5 totally different in London, as Paul Condon talked  
 6 about, but to create something which was similar to  
 7 Northumbria. Northumbria is the fourth largest force in  
 8 the UK, fourth or fifth, and it worked there in very  
 9 difficult circumstances, as well.  
 10 Q. I'm going to ask you questions about something else now.  
 11 I've given you some notice of these questions.  
 12 A. Yes.  
 13 Q. We'll see how far we get with them, if you follow me.  
 14 A. Mm.  
 15 Q. Were you aware, at the time when you were Deputy  
 16 Commissioner and/or Commissioner, that the  
 17 News of the World were extensively using a private  
 18 investigation company called Southern Investigations?  
 19 A. No.  
 20 Q. Did there ever come a time when you were aware of that?  
 21 A. No.  
 22 Q. So does this follow: that you weren't aware that the  
 23 News of the World made extensive use of Southern  
 24 Investigations illegally to obtain information about  
 25 police officers?

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1 A. No.  
 2 Q. Can I ask you, please, about page 263 of your book.  
 3 I've forgotten the title --  
 4 A. "Not for the faint hearted".  
 5 Q. You say in your book:  
 6 "At the end of the 1990s, an independent detective  
 7 agency called Southern Investigations, based in  
 8 Sydenham, was frequently coming up on the  
 9 anti-corruption squad's radar."  
 10 So when did you become aware of that?  
 11 A. As Deputy Commissioner, a presentation was made to me to  
 12 try and get a probe into Southern Investigations'  
 13 offices. That probe took an extraordinarily long time  
 14 to get fitted in, in legal terms. It was all done  
 15 legally. And having authorised that, which was part of  
 16 an effort to find out what they were up to, that led to  
 17 certain prosecutions and those prosecutions are a matter  
 18 of record.  
 19 Q. The probe you're referring to is a hidden microphone; is  
 20 that right?  
 21 A. It was, yes.  
 22 Q. Because your book goes on to say:  
 23 "Eventually, it became possible to monitor  
 24 conversations and the hidden microphones picked up much  
 25 intelligence about the activities going on inside. Via

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<p>1 the agency, corrupt officers were selling stories about 2 their investigations to newspapers and being paid quite 3 handsome amounts of money, an unsavoury business all 4 around." 5 <b>A. Yes.</b> 6 Q. So when did you become aware of that? 7 <b>A. When prosecutions took place, and one or two people were</b> 8 <b>successfully prosecuted.</b> 9 Q. The reference in your book to selling stories about 10 their investigations to newspapers, of course that's 11 a generic reference, but are you saying you weren't 12 aware the News of the World was one of those newspapers? 13 <b>A. No, I think it was a generic and I think the individual</b> 14 <b>involved was selling information to a number of</b> 15 <b>newspapers.</b> 16 Q. Were you aware, though, what the titles were across the 17 range that this individual was selling information -- 18 <b>A. Anyone who would pay him money was the issue.</b> 19 Q. So it's your evidence that you weren't aware it was the 20 News of the World? 21 <b>A. No. I think it could have been the News of the World.</b> 22 <b>It could have been the Standard, the Guardian. This</b> 23 <b>individual, and who he was surrounding by, was selling</b> 24 <b>stories, some of them, actually, with very little</b> 25 <b>credibility or truth, to the newspapers. Salacious</b></p> <p style="text-align: center;">Page 9</p>	<p>1 the News of the World, which I think was in 2005 onwards 2 to October 2007, as we've heard, were you being provided 3 information for that column from Mr Fedorcio? 4 <b>A. No.</b> 5 Q. I think the last point, Lord Stevens, to go back to the 6 evidence you gave just as we started after lunch, when 7 you were talking about leaving the News of the World, is 8 this the point: that the information you were receiving 9 about the News of the World related to phone hacking, 10 and that's why you have some diffidence about explaining 11 it to us now? 12 <b>A. No, it's the convictions of both Goodman and Mulcaire,</b> 13 <b>my thoughts about that and -- thoughts about the</b> 14 <b>admission of that and, of course, the resignation of</b> 15 <b>Andy Coulson, which -- he obviously resigned for</b> 16 <b>reasons, and the whole thing just didn't seem right to</b> 17 <b>me and I had to get out.</b> 18 MR JAY: Okay. Lord Stevens, thank you very much. Those 19 are all my questions. 20 LORD JUSTICE LEVESON: Let me now have the same debate that 21 I had with Lord Condon. 22 <b>A. Yes, sir.</b> 23 LORD JUSTICE LEVESON: Before. First of all, do you agree 24 with Lord Condon's view as to the cycle? I won't ask 25 you if you agree with his view as to the benefit this</p> <p style="text-align: center;">Page 11</p>
<p>1 <b>gossip, some of it.</b> 2 Q. Taking it forward then to Crimewatch in 2002. An appeal 3 was made on Crimewatch. DCS Cook, I think, made the 4 appeal on behalf of the Metropolitan Police. Was this 5 in relation to reopening the inquiry into the murder of 6 Mr Morgan? 7 <b>A. Yes, where we put a considerable amount of resources</b> 8 <b>into.</b> 9 Q. Were you aware of that at the time, of the Crimewatch 10 appeal, that is? 11 <b>A. No.</b> 12 Q. Were you aware that Mr Cook and his family, including, 13 of course, Jacqui Hames, were placed under surveillance 14 by the News of the World? 15 <b>A. No.</b> 16 Q. Did that come to your attention later or not at all? 17 <b>A. I can't remember anyone mentioning that to me in person,</b> 18 <b>no.</b> 19 Q. Were you aware that in about 2004, Southern 20 Investigations was gathering evidence on senior MPS 21 personnel, and some of that evidence related to their 22 private lives? 23 <b>A. No.</b> 24 Q. I think the final point, Lord Stevens, just for the 25 avoidance of doubt: when you were writing a column at</p> <p style="text-align: center;">Page 10</p>	<p>1 Inquiry might have had, but I'm much more concerned to 2 try to fix the register of what I suggest at an 3 appropriate level, to balance on the one hand a rather 4 more calibrated blush test, which I think is a good way 5 of articulating the issue, but to bear in mind the point 6 that you've made, that the free flow of open and 7 transparent information can only benefit the criminal 8 justice system in a world where expectations always 9 become higher and higher. 10 In a different capacity, I have spoken on a number 11 of occasions about what I've called the CSI effect, 12 which is all to do with the risk that the public believe 13 that you can solve everything forensically and don't 14 need, therefore, to be given evidence. It's very 15 important that we deal with that and we do as much as we 16 can to encourage members of the public to assist the 17 police and to be prepared to come to court. 18 So I see that side of the story as well, but to try 19 and find the correct place is not entirely 20 straightforward. So I ask you, as I asked him, whether 21 you have thought about how that could best be achieved. 22 I appreciate you've been out of it for some years, but 23 I can't believe you have lost your interest in policing 24 the capital. 25 <b>A. No.</b></p> <p style="text-align: center;">Page 12</p>

<p>1 LORD JUSTICE LEVESON: If you have, what is the benefit of 2 those views? And if you want further time to consider 3 it, I'd be interested to receive something from you, if 4 you don't mind, that gave me the benefit of those views. 5 <b>A. I'd be delighted to do that, sir. As Lord Condon, 6 I have been involved in the integrity business. I did 7 the so-called bungs Premier League case, the crash that 8 never was, investigated that in Singapore, and of course 9 the drugs problem with horse doping in Beijing and so it 10 goes on. 11 The corruption side of things, the integrity side of 12 things, I've been very, very closely involved in some of 13 the work that I do, so I'd be delighted to send that had 14 to you, sir. If you can give us a bit of time to put it 15 together.</b> 16 LORD JUSTICE LEVESON: Yes, well, I'm going to be here for 17 some time to come. It's very important to me that what 18 I produce doesn't immediately get a reaction of 19 a policeman saying, "Well, that's clearly come from 20 somebody who's not a policeman." It has to work for the 21 police. 22 <b>A. Yes.</b> 23 LORD JUSTICE LEVESON: It also has to work for the 24 public. 25 <b>A. Yes.</b></p> <p style="text-align: center;">Page 13</p>	<p>1 <b>A. Yes, it is, sir.</b> 2 Q. The date you signed the statement you were still an 3 Assistant Commissioner with the Metropolitan Police, but 4 on 1 February you became the Chief Constable of the 5 Surrey Police; is that so? 6 <b>A. That's correct, sir.</b> 7 Q. In terms of your career, you started off with the MPS 8 in August 1989. After moving up the ranks, you 9 transferred to Surrey in December 2002 as 10 a superintendent. You transferred back, however, to the 11 Metropolitan Police in May 2009 as a Deputy Assistant 12 Commissioner, but then in December 2010, you were 13 appointed as Assistant Commissioner, central operations; 14 is that right? 15 <b>A. It was March 2009, not May 2009.</b> 16 Q. Pardon me, March 2009. And your responsibilities as 17 Assistant Commissioner, those covered matters such as 18 the royal wedding, visit of President Obama and then the 19 response to the London riots; is that right? 20 <b>A. That's correct, sir.</b> 21 Q. We're going to cover almost entirely your time with the 22 MPS, not your time at Surrey, with which -- you've only 23 been there, I think, about five weeks. There's only one 24 small matter we may cover. 25 Can I ask you, please, about paragraph 8 of your Page 15</p>
<p>1 LORD JUSTICE LEVESON: And it has to deal with what 2 I perceive is the very real concern about what has been 3 happening. 4 <b>A. No problem. I'm sure everyone in this room believes in 5 freedom of the press, but there needs to be some 6 structure and some monitoring processes. I'd go further 7 and say that just the fact that you're here has achieved 8 something. Something has to come out in terms of the 9 monitoring and some kind of reinforcement of how the 10 police act, I think.</b> 11 LORD JUSTICE LEVESON: I entirely agree. As I said to 12 Lord Condon, it would be wonderful to think that I had 13 done the job, but I don't actually believe that. 14 <b>A. No, sir.</b> 15 LORD JUSTICE LEVESON: Thank you very much. 16 <b>A. Thank you.</b> 17 MR JAY: Sir, the next witness is Lynne Owens, please. 18 MS LYNNE OWENS (sworn) 19 Questions by MR JAY 20 MR JAY: Your full name, please, Ms Owens? 21 <b>A. Lynne Gillian Owens.</b> 22 Q. Thank you. You've provided us with a witness statement 23 dated 26 January 2012. You've signed it and there's 24 a statement of truth in the standard form. Is this your 25 formal evidence to the Inquiry? Page 14</p>	<p>1 statement, first of all, when you received some advice 2 from the director of public affairs, who of course was 3 Mr Fedorcio; is that correct? He said it would be 4 sensible if you met some journalists so that they could 5 get to know you in advance of any significant event. 6 His suggestion was that this may be in a social setting. 7 What was your response to that piece of advice? 8 <b>A. I thought that the advice that I should meet some 9 journalists was sensible. I hadn't worked in London for 10 a long while and I didn't have pre-existing 11 relationships. I didn't concur that it should be in 12 a social setting, as I prefer to keep my professional 13 and personal life separate.</b> 14 Q. Do you or did you consider there was any ethical 15 difficulty in meeting with journalists in a social 16 setting or was it more a matter of your own personal 17 style? 18 <b>A. It's my personal -- my preferred personal approach is to 19 meet them separately.</b> 20 Q. That said, did you have any perception, though, of 21 difficulties which could arise if you meet with anybody, 22 really, in a social setting, if it in fact is part of 23 your work? 24 <b>A. I think the challenge of a social setting is if you are 25 in that environment and you're drinking alcohol, then</b> Page 16</p>

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<p>1 <b>there is perhaps an expectation that you will say some</b>  2 <b>things that you wouldn't say in a more formalised</b>  3 <b>setting and I didn't want to take that risk.</b>  4 Q. You say additionally that early in your detective  5 career, a wise and more senior colleague advised you  6 never to give your mobile telephone number to  7 journalists as that prevented contact at inappropriate  8 times in inquiries, and you say you've always followed  9 that advice. So it applies even though as  10 Chief Constable. You haven't handed out your mobile  11 number to journalists or anybody in a similar position;  12 is that so?  13 <b>A. That's correct.</b>  14 Q. Can I ask you this: in your time in the MPS, have you  15 received the sort of media training that Lord Stevens  16 referred to?  17 <b>A. I don't believe I have received media training in London</b>  18 <b>but I have received various levels of media training</b>  19 <b>throughout my career.</b>  20 Q. Apart from matters such as how to comport yourself in  21 front of a television camera, which no doubt has its own  22 challenges, what advice were you given as to how you  23 should approach the media, the print media in  24 particular, what you should say to them and what you  25 shouldn't say to them?</p> <p style="text-align: center;">Page 17</p>	<p>1 history whereby the effectiveness of the MPS and its  2 senior leaders was judged through media reporting."  3 First of all, does it follow that you believed that  4 the senior leaders of the Metropolitan Police were being  5 judged through media reporting?  6 <b>A. Certainly before my arrival in London, I think we saw</b>  7 <b>during Lord Blair's commissionership some commentary on</b>  8 <b>his leadership in the media and I think that did impact</b>  9 <b>on the relationship the Metropolitan Police Service</b>  10 <b>formed with the media.</b>  11 LORD JUSTICE LEVESON: In what way should that -- did that  12 mean that there should be a greater attempt to engage  13 with them or a decision to step back on the basis you're  14 not going to influence them? I'm just trying to  15 understand what was going on and how it changed when you  16 arrived.  17 <b>A. I think Sir Paul Stephenson gave evidence yesterday</b>  18 <b>about the story becoming about the Commissioner rather</b>  19 <b>than being about the work of the many outstanding</b>  20 <b>officers and staff of the Metropolitan Police Service.</b>  21 <b>So I think there was a sense that we needed to be more</b>  22 <b>proactive in engaging with the media so that they knew</b>  23 <b>about the totality of the work of the officers and staff</b>  24 <b>on the ground, rather than providing commentary based on</b>  25 <b>gossip from within management board.</b></p> <p style="text-align: center;">Page 19</p>
<p>1 <b>A. The first step in the process is to make the contact</b>  2 <b>through a professional media office, who will, in</b>  3 <b>advance, have clarity for you about what sort of</b>  4 <b>questions are going to be asked. You should answer</b>  5 <b>questions honestly and frankly and accept that other</b>  6 <b>than in off-the-record scenarios, everything you said</b>  7 <b>will be reported.</b>  8 Q. In paragraph 9 of your statement, you make it clear that  9 your approach may be not the same as others, that others  10 have taken a different view. You are keenly aware you  11 haven't previously worked in a senior position in the  12 MPS and had not experienced any of the recent difficult  13 history, whereby the effectiveness of the MPS and its  14 senior leaders was judged through media reporting. Is  15 there also an implied judgment there that you were or  16 perhaps are not in agreement with the more, if I can put  17 it in these terms, expansive social relationships which  18 some of your senior colleagues have enjoyed with the  19 media over the years; is that right?  20 <b>A. I can only provide commentary on the way that I have</b>  21 <b>approached it, and certainly it's worked from my</b>  22 <b>perspective.</b>  23 LORD JUSTICE LEVESON: But I'd like to know what you mean by  24 this, if you don't mind, Chief Constable:  25 "I had not experienced any of the recent difficult</p> <p style="text-align: center;">Page 18</p>	<p>1 LORD JUSTICE LEVESON: Although that's a leak, isn't it?  2 But if you felt that it was important to, as it were,  3 tell the police story -- and I have no doubt there was  4 and remains a very valid police story -- how did you  5 plan to do that in your new role?  6 <b>A. I did that in the meetings that are included in my</b>  7 <b>statement, within my office. So I still engaged with</b>  8 <b>the media, but I just didn't do it over lunch or in</b>  9 <b>a social setting.</b>  10 LORD JUSTICE LEVESON: Did you have any difficulty  11 persuading people to come to meet you?  12 <b>A. I think the journalists did find it slightly strange.</b>  13 LORD JUSTICE LEVESON: Okay. All right.  14 MR JAY: Which suggests that -- well, it's obvious, isn't  15 it -- that the culture was that you would meet  16 journalists over a glass of wine, perhaps, or in a more  17 social setting.  18 <b>A. I'm not sure whether I would say it was culture, but</b>  19 <b>there was an expectation that may happen.</b>  20 Q. I just want to understand, if I can, a little bit more  21 what you're saying in paragraph 9. The recent  22 difficulty you're referring to is maybe the difficulties  23 Lord Blair had -- and we'll probably hear about them  24 tomorrow -- with negative reporting in the press. Was  25 that a function of, in your opinion, a particular media</p> <p style="text-align: center;">Page 20</p>

5 (Pages 17 to 20)

<p>1 style which he operated -- and if so, one could 2 understand why you would want to cultivate a different 3 style -- or was it a function of something else 4 altogether?</p> <p>5 <b>A. I obviously wasn't in the Metropolitan Police Service 6 when Lord Blair was Commissioner, so it's quite 7 difficult for me to comment on the style that he 8 personally had.</b></p> <p>9 Q. Okay. The meetings you had, though -- and you refer to 10 them or begin to refer to them in paragraph 10 of your 11 statement, but you give other details elsewhere. In the 12 first meeting, when you were appointed as an Assistant 13 Commissioner, you met with a number of journalists. Can 14 we understand, please, where those meetings took place?</p> <p>15 <b>A. I believe they all took place in New Scotland Yard and 16 I think all of them were in my office, but I'm pretty 17 certain they were all in the Yard.</b></p> <p>18 Q. So it follows that by definition no hospitality was 19 offered by the journalists to you because of the terrain 20 which you were occupying, and doubtless all they got was 21 a cup of tea or cup of coffee as appropriate?</p> <p>22 <b>A. That's correct.</b></p> <p>23 Q. That really sets the scene, does it not, for all the 24 other meetings you had with the press. Were they always 25 at New Scotland Yard or did sometimes you go to</p> <p style="text-align: center;">Page 21</p>	<p>1 went off the record?</p> <p>2 <b>A. I did have some off-the-record conversations in relation 3 to specific events, notably around the royal wedding, 4 but generally that was in a CRA environment, Crime 5 Reporters Association environment.</b></p> <p>6 Q. Different people use "off the record" in different ways, 7 so to be clear about it, what do you mean by "off the 8 record"?</p> <p>9 <b>A. Generally, it was when I was clarifying a fact that 10 wasn't reportable at that time because it would either 11 disrupt a criminal case at court or would be otherwise 12 disruptive to a policing operation, but it was when 13 I was trying to clarify a point or a fact.</b></p> <p>14 Q. So would this follow: that in due course, after the 15 relevant event, there would be no objection to 16 publication, and your name being mentioned, but it was 17 to ensure that there would be no publication until the 18 relevant event occurred? Have I correctly understood 19 it?</p> <p>20 <b>A. Yes, that's correct.</b></p> <p>21 Q. Are these the sort of standards which you were hoping 22 to -- well, obviously they're the sort of standards 23 you're going to apply to yourself as Chief Constable of 24 Surrey, but are they the sort of standards you're hoping 25 that those under you will also be applying?</p> <p style="text-align: center;">Page 23</p>
<p>1 newspaper offices?</p> <p>2 <b>A. I sometimes had to go to a studio to give an 3 interview -- the Radio 4 studio, the studios at 4 Milbank -- but face-to-face meetings with journalists 5 took place at New Scotland Yard, yes.</b></p> <p>6 Q. Is this right: it's not really a question of you never 7 going to a restaurant; you never went to a newspaper 8 office? Is that correct?</p> <p>9 <b>A. Not for the print media, no.</b></p> <p>10 Q. Yes. For technical reasons, for broadcast media, you 11 had to go to them.</p> <p>12 <b>A. That's correct.</b></p> <p>13 Q. Some may say -- and therefore I put it to you gently -- 14 that this is an extremely austere approach. Would you 15 agree with that or would you say, rather: no, it's an 16 entirely appropriate approach?</p> <p>17 <b>A. From my perspective, I thought it was an entirely 18 appropriate approach.</b></p> <p>19 Q. Because everything is entirely above board. Were all 20 the meetings noted as well, in terms of the fact that 21 they took place rather than necessarily what was said 22 during the course of those meetings?</p> <p>23 <b>A. All the meetings were recorded in my diary, yes.</b></p> <p>24 Q. Did you ever have off-the-record meetings or were there 25 occasions where a meeting which started on the record</p> <p style="text-align: center;">Page 22</p>	<p>1 <b>A. I think the topic is a difficult one, because I do think 2 there has to be different standards for constables who 3 operate on the front line through to those of us who 4 occupy the most senior positions. As an example, in the 5 world of public order, we were trying very hard to 6 encourage officers to explain what they were doing to 7 people they were encountering, including journalists. 8 So I wouldn't want them to have to operate to this level 9 of standards, but the higher you are in an organisation, 10 the more open to scrutiny and accountability you should 11 be, and therefore these are the standards that I would 12 be expecting for senior leaders in Surrey Police.</b></p> <p>13 Q. In your interactions with the press, which are fully 14 recorded in your statement, did you ever feel there were 15 occasions when they were trying to get you to say more 16 than you wanted to say?</p> <p>17 <b>A. Yes, absolutely. That's -- I think that's 18 a journalist's function, is to try and get the scoop or 19 the slant on a story.</b></p> <p>20 Q. The implication is that in your case they would always 21 have failed; is that fair?</p> <p>22 <b>A. That's correct.</b></p> <p>23 LORD JUSTICE LEVESON: That's the job.</p> <p>24 MR JAY: The job on both sides, maybe.</p> <p>25 <b>A. Mm-hm.</b></p> <p style="text-align: center;">Page 24</p>

6 (Pages 21 to 24)

<p>1 Q. If it's correctly played out, as it were. I'm not going 2 to go through each and every meeting because I don't 3 think there's any need to. I would like, if I may, to 4 address paragraph 37 of your statement. I hope we can 5 do it quite generally. I haven't been given the pages 6 numbers. This is 07224.</p> <p>7 This is a leak issue involving the activities of 8 a crime squad in London, and I understand that although 9 that investigation is outside the reach of Operation 10 Elveden, the investigation is ongoing; is that right?</p> <p>11 <b>A. That's correct. There has been one misconduct hearing 12 and there are further to follow.</b></p> <p>13 Q. The essence of the allegation, without going into it, is 14 that some material -- we can put it quite generically -- 15 found its way to a particular newspaper?</p> <p>16 <b>A. That's correct.</b></p> <p>17 Q. And the suspicion is that someone within the crime squad 18 may have leaked that material?</p> <p>19 <b>A. I wouldn't go quite that far. We don't know how it got 20 to be with the newspaper. We didn't know whether it 21 came from the offices, one of the other organisations 22 that may have had access to it or indeed from anywhere 23 else within the Metropolitan Police Service.</b></p> <p>24 Q. This is one example out of possibly a few examples of 25 stories in the media which have caused you to question</p> <p style="text-align: center;">Page 25</p>	<p>1 public, such as a meal or attendance at a function and 2 it would be in the interests of the force to attend, 3 a divisional commander, departmental head or ACPO will 4 be notified and authority sought to attend. This is to 5 protect staff from any subsequent suggestion of 6 impropriety."</p> <p>7 The gist or purpose of this is to deal with 8 perceptions of impropriety as much as the fact of 9 impropriety; is that right?</p> <p>10 <b>A. Yes.</b></p> <p>11 Q. "Before accepting such an offer, the following should be 12 considered: is it a duty participation? Is it a duty 13 attendance? Is it a charity? Is it plainly for 14 pleasure? In this case, attendance should never be 15 free."</p> <p>16 In other words, you can attend, but you must pay 17 your own way, effectively?</p> <p>18 <b>A. That's correct.</b></p> <p>19 Q. Is this policy under revision as a result of the Filkin 20 and O'Connor reports?</p> <p>21 <b>A. Yes. As you say, I have been in the force for five 22 weeks. In the context of the Filkin and O'Connor 23 reports, I have asked for it to be reviewed and 24 revisited and I'm expecting a report back to my chief 25 officer group.</b></p> <p style="text-align: center;">Page 27</p>
<p>1 their origin. So is this the implication: that leaks, 2 to your experience, have not been widespread?</p> <p>3 <b>A. No, this asked specifically about my experiences in 4 London and there were only a handful of instants where 5 I personally questioned the stories that I saw being 6 reported.</b></p> <p>7 Q. So it's limited to your own experience; it's not 8 a general commentary --</p> <p>9 <b>A. No.</b></p> <p>10 Q. -- of what may or may not be going on in the 11 Metropolitan Police.</p> <p>12 Can I go back to Surrey Police, when you were there 13 before you went back to London, I think, in 2009. 14 Paragraph 42 of your statement. The policy itself is 15 exhibit LO9, which is page 07209. Do you have that to 16 hand? It's possibly under tab 10 of the bundle which 17 has been prepared for you.</p> <p>18 <b>A. Yes.</b></p> <p>19 Q. This is quite an austere policy. For example, in the 20 second paragraph:</p> <p>21 "Where an unsolicited offer of a personal gift or 22 gratuity is made, the assumption should be that it will 23 be politely declined."</p> <p>24 Meals are later down the page:</p> <p>25 "When offer of a gratuity is made by a member of the</p> <p style="text-align: center;">Page 26</p>	<p>1 Q. Is it your preliminary view that this policy is not 2 austere enough, or is it your preliminary view that it 3 may be too rigid?</p> <p>4 <b>A. My preliminary view is that generally it's in the right 5 space, but I'm not sure it makes sufficient distinction 6 between front-line staff and senior officers in its 7 current form.</b></p> <p>8 Q. Current hospitality guidance -- LO10 is not in fact for 9 some reason on the Lextranet system, but you've set out 10 the relevant paragraphs in paragraphs 48 and 49 of your 11 statement, 07229. It's very similar to the policy we've 12 been looking at.</p> <p>13 I've been asked to ask you this in relation to 14 paragraph 50: in 2002, the Surrey Police media relations 15 office won an award for excellence from the Association 16 of Police Press Relations Officers. For what was that 17 award, can you recall?</p> <p>18 <b>A. I didn't know about this award at all until I was 19 constructing this statement and included it for the sake 20 of completeness.</b></p> <p>21 Q. The other aspect of Surrey's policy which is relevant is 22 that all pre-arranged meetings with the media are logged 23 on to a database which is called Solcara, and this 24 includes both on-the-record and off-the-record contacts. 25 How valuable is this, in your opinion?</p> <p style="text-align: center;">Page 28</p>

7 (Pages 25 to 28)

<p>1 <b>A. One of the questions we're currently asking ourselves is</b>  2 <b>whether that system is capturing everything. I know</b>  3 <b>that one of the things the Inquiry is looking at is the</b>  4 <b>bureaucracy surrounding potential processes that can be</b>  5 <b>put in place and there may be an argument that trying to</b>  6 <b>record everything is too bureaucratic and therefore that</b>  7 <b>leads to things getting missed, which in itself could</b>  8 <b>cause a confidence issue.</b></p> <p>9 Q. Another point which might be made is that if an officer  10 has an inappropriate contact with the media,  11 particularly one which is off the record, he or she  12 won't record it anyway, so there's little point in all  13 of this. I mean, what you'll see is the good and not  14 the bad. Is there any validity in that?</p> <p>15 <b>A. I think there is a risk that if anybody chose to engage</b>  16 <b>in a corrupt relationship, they wouldn't record it.</b></p> <p>17 LORD JUSTICE LEVESON: Yes, but if somebody had a meeting  18 and hadn't recorded it, and it was seen, they'd have no  19 answer. That would be bang to rights, wouldn't it?</p> <p>20 <b>A. (Nods head)</b></p> <p>21 LORD JUSTICE LEVESON: But the problem is to try and find  22 the right calibration.</p> <p>23 <b>A. Absolutely.</b></p> <p>24 LORD JUSTICE LEVESON: So in other words, Mr Jay, I'm really  25 saying there may be something in it, because the problem</p> <p style="text-align: center;">Page 29</p>	<p>1 <b>levels of the organisation, there are some rules and</b>  2 <b>regulations, because it's clear that public confidence</b>  3 <b>has been significantly impacted on by this episode and</b>  4 <b>we need to make sure that doesn't happen again.</b></p> <p>5 LORD JUSTICE LEVESON: So what should I be doing?</p> <p>6 <b>A. I think that's a tricky question, sir. As this hearing</b>  7 <b>is demonstrating, I think there is a balance that needs</b>  8 <b>to be struck, because it clearly is very important that</b>  9 <b>the media have access to accurate, timely information,</b>  10 <b>because that does inform the public, and therefore it</b>  11 <b>goes to the heart of public confidence and therefore</b>  12 <b>police legitimacy. So I think we need to balance the</b>  13 <b>need to give them accurate and timely information with</b>  14 <b>the need to audit the way in which that is happening,</b>  15 <b>and I think there is a distinction to be drawn between</b>  16 <b>fact and opinion.</b></p> <p>17 LORD JUSTICE LEVESON: I take that point. Is there an  18 argument for putting more data out on your own websites?  19 I know that there's a move to publish a lot more data  20 about crime, but is there an argument for putting out  21 much more that would not, in any sense, compromise your  22 operational capabilities -- because you wouldn't really  23 be alerting the villains to what you were doing -- but  24 to make what you're doing that much more open and  25 transparent so that it can be found without the</p> <p style="text-align: center;">Page 31</p>
<p>1 is trying to discern what is appropriate and what's  2 inappropriate. So if you catch somebody doing something  3 which they've not recorded, then the inference that it  4 is inappropriate is pretty strong.</p> <p>5 MR JAY: I was just bouncing an idea, rather than --</p> <p>6 LORD JUSTICE LEVESON: No, I'm not criticising you.</p> <p>7 MR JAY: We've covered your evidence quite shortly,  8 Ms Owens. There's one other point, though, before we  9 conclude. Your reaction, please, to the reports by  10 Elizabeth Filkin and Sir Dennis O'Connor. Could you  11 help us with that, please? First of all, have you had  12 the chance to read those reports?</p> <p>13 <b>A. I have had the chance to read them and I contributed to</b>  14 <b>the Filkin report personally.</b></p> <p>15 Q. Do you think those reports are, generally speaking, in  16 the right space, to use your term?</p> <p>17 <b>A. I think broadly they're in the right space. I think the</b>  18 <b>challenge is in implementation.</b></p> <p>19 Q. Possibly in relation to the issue of bureaucracy and  20 overrecording; is that a concern of yours?</p> <p>21 <b>A. Yes. I think we have to get the balance right between</b>  22 <b>giving officers on the front line that do a very</b>  23 <b>difficult job the capacity to explain to the public and</b>  24 <b>the media what they're doing, at the same time as making</b>  25 <b>sure, at the top level of the organisation, at senior</b></p> <p style="text-align: center;">Page 30</p>	<p>1 necessity of trying to buy a pint for a young detective?</p> <p>2 <b>A. I think we've been trying to do that with freedom of</b>  3 <b>information requests. So as we've been getting volumes</b>  4 <b>of information into the policing or requests into the</b>  5 <b>policing service, we've tried much more to put it on the</b>  6 <b>front foot: this is what our plans are for the event.</b>  7 <b>It's definitely what we plan in the world of public</b>  8 <b>order policing. I think that works for items of policy</b>  9 <b>and strategy. I think where that becomes difficult is</b>  10 <b>for specific policing operations, particularly if there</b>  11 <b>are court case implications.</b></p> <p>12 LORD JUSTICE LEVESON: Yes. You couldn't put anything out  13 that prejudiced a prosecution or indeed a civil case  14 that you were involved in, but presumably once a case  15 has concluded, it's possible to be very much more open  16 with the public, which might solve some of the problems.  17 You may have heard me say to Lord Stevens the concern  18 that I have about maximising public confidence in  19 criminal justice in order to encourage participation  20 within the system, because without it we're in real  21 difficulty.</p> <p>22 <b>A. Yes. I think that's right. I think it's an issue of</b>  23 <b>balance and how you create confidence in the system by</b>  24 <b>being open post-event. I think one of the challenges</b>  25 <b>that we have is that it's quite difficult to get balance</b></p> <p style="text-align: center;">Page 32</p>

8 (Pages 29 to 32)

1 **and measured responses within the media. I think the**  
2 **sensational and the exciting are the stories that tend**  
3 **to hit the headlines.**  
4 LORD JUSTICE LEVESON: What's your view about -- I don't say  
5 the inevitability, but the very frequent occurrence that  
6 anybody who is in the public eye coming to a police  
7 station, there are always people there to record it and  
8 photograph it, or at their homes or if they have  
9 accidents? That sort of scenario has been common for  
10 a very long time.  
11 **A. Yes, it has been common for a very long time, but**  
12 **personally I find it abhorrent that any police officer**  
13 **could release those details to the media and I make that**  
14 **position widely known in any of my interactions with my**  
15 **staff. One of the privileges of being a police officer**  
16 **is that we come across people in their lives when**  
17 **they're at their most difficult times, and the fact that**  
18 **people would be prepared to release that data for the**  
19 **sake of -- whether it's for making money or just for**  
20 **gossip reasons is frankly beyond me, and I don't think**  
21 **people who behave like that should be in the Police**  
22 **Service.**  
23 LORD JUSTICE LEVESON: I think that's an extremely useful  
24 point on which to finish. Thank you very much indeed,  
25 Chief Constable. Thank you very much for coming and for

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1 the work you obviously put into your statement.  
2 **A. Thank you, sir.**  
3 LORD JUSTICE LEVESON: You've failed me, Mr Jay.  
4 MR JAY: Sir.  
5 LORD JUSTICE LEVESON: All right. It has to happen  
6 occasionally. Monday morning, 10 o'clock -- no,  
7 tomorrow. I'm ahead of myself. It's only Tuesday.  
8 Tomorrow morning, 10 o'clock. Thank you very much.  
9 (2.51 pm)  
10 (The hearing adjourned until 10 o'clock the following day)  
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