

Ben Priestley ()

Sharron Hiles
Senior Assistant Solicitor to the Leveson Inquiry
Royal Courts of Justice
Strand
London WC2A 2LL

21 February 2012

Dear Ms Hiles

UNISON Witness Statement to the Leveson Inquiry

Thank you for your letter regarding the above dated 23 January, asking me to provide evidence to the Leveson Inquiry.

Please find UNISON's witness statement attached. Please let me know if you have any questions on the information provided.

Yours sincerely

Ben Priestley
National Officer
UNISON Police and Justice Service Group

cc Adam Creme, Head of Employment Rights, UNISON

BEN PRIESTLEY

NATIONAL OFFICER, UNISON

WITNESS STATEMENT TO LORD JUSTICE LEVESON INQUIRY

Introduction

The following witness statement is provided in response to a letter from Sharron Hiles, Senior Assistant Solicitor to the Leveson Inquiry, dated 23 January 2012 asking me to provide evidence, on behalf of UNISON, to the Inquiry into the culture, practices and ethics of the press.

Following receipt of this letter, I copied the letter and its questions to UNISON's 49 Police Branches, which cover all Home Office/Scottish Government forces in England, Scotland and Wales (with the exception of the Metropolitan Police Service and the City of London Police, in which two forces UNISON is not a recognised trade union.) Each branch was offered the opportunity to comment on the questions. By the closing date for comments to my office, very few branches had responded. My view is that this reflects two key issues:

- Firstly, with the exception of press officers, the contact which the majority of police staff have with the press, in those areas of policing in which the Inquiry is most interested, is very limited when compared with that of police officers leading investigations. The main reason for this is that police staff generally work on discrete parts of an investigation (999 call-taking; scenes of crime, financial investigation etc) rather than holding the overview, which would be the role of the senior investigating officer (SIO) who is always a police officer. The press is generally interested in speaking to someone who has the overview, rather than the detail of only one aspect of an investigation. Our members' work is of equal importance to that of police officers, but they would not expect to interface with the press as part of their professional lives for this reason.
- Secondly, UNISON police branches are currently dealing with a very challenging workload which includes: defending members' jobs from the 20% cuts which the Government is pursuing with all forces in England and Wales; protecting members' terms and conditions from attacks arising from these cuts; preparing for the election of police and crime commissioners in November this year and the employment changes that this will bring and fighting off the wholesale privatisation of police staff jobs in many forces.

I trust that this may explain the brevity of some of the following responses.

Response to Questions from the Inquiry

The following answers are provided to the numbered questions set out in Sharron Hiles' letter to me referred to above; numbering follows that set out in the letter.

1. My name is Ben Priestley. I work for UNISON, the UK's largest public sector trade union, with 1.2 million members in health, local government, education, police and justice and the utilities. I am UNISON's National Officer with responsibility for our members in the police and probation services and in CAF/CASS. I have worked for UNISON and one of its predecessor unions, Nalco, since 1990.
2. UNISON's Police and Justice Service Group is that part of the union which organises and represents the interests of our members in police, probation and CAF/CASS. The Service Group organises and represents the following members across England, Scotland and Wales:
 - Police Staff: 42,000
 - Probation Staff: 5,000
 - CAF/CASS Staff: 500

Police staff is the name for employees of police authorities, as opposed to police officers who are sworn into the office of constable and who are represented by the respective police staff associations, rather than trade unions.

The Service Group comprises the following parts:

- Branches: based in each police force or probation trust, which recruit and represent members at local level
- Regions: each with a Regional Police and Justice Committee bringing together representatives from police and justice branches
- Sector Committees: with responsibility for our negotiating agenda in each national bargaining unit
- Service Group Executive: elected representatives from each Region who decide Group policy between annual conferences
- Service Group Conference: annual policy making conference to which all branches are entitled to send voting delegates

The Service Group seeks to champion the work of our members in the police and probation services and in CAF/CASS, represent them in individual grievances and disciplinaries, negotiate their pay and conditions and campaign to make sure that their voices are heard in national and government policy formulation.

UNISON does not organise or represent the interests of police staff in the Metropolitan Police. This role is undertaken by PCS, Prospect and the FDA. The reason for this lies in the civil service origins of police staff in the Met.

3. All members of police staff, with the exception of those working for the Met and City of London Police, all probation staff and all CAF/CASS staff are eligible to join UNISON. Police officers are not permitted to join trade unions by virtue of

police regulations.

4. 40,000 police staff are currently UNISON members in England, Scotland and Wales.
5. My role as National Officer is to:
 - Manage UNISON's Police and Justice Service Group
 - Work with elected representatives to deliver Service Group conference policy
 - Lead negotiations on pay and conditions with national employers in the police and probation services
 - Advise branches and representatives on Service Group policy and procedure
 - Represent the interests of the Service Group with national stakeholders and the government
 - Co-ordinate Service Group communications and press and media work
6. UNISON's National Office has not had cause to previously consider the ACPO Communication Advisory Group 2010 Guidance relating to media matters, and has not undertaken any work on the relative merits/demerits of this guidance. However, the view of our members who work as force press officers is that this ACPO guidance is generally helpful. It is the case, however, that the ACPO Guidance does not purport to deal with the issues at the heart of this Inquiry, i.e. inappropriate or unethical contact between the police and the press. As part of the working out of the HMIC recommendations in its report 'Without Fear of Favour' (see answer 26 below), UNISON would expect the ACPO Guidance to be revisited.
7. UNISON provides periodic training course for activists in how to handle the media. This is not specific to the Police and Justice Service Group. It is a generic course for representatives from all areas that the union organises and does not specifically address the issues set out in the ACPO Guidance referred to above. The course is aimed at equipping our branches to talk to the media about matters that are of interest or concern to our members, rather than dealing specifically with operational policing matters.
8. UNISON's Police and Justice members may approach their branch officers, and those branch officers their Regional Organiser (local paid official), for advice on how to handle the media, but this would largely be in relation to stories concerning employee or industrial relations, or the running of police forces and probation trusts, rather than operational matters.
9. UNISON offers media training to its members for their role as UNISON representatives, not for operational contexts. We would expect media training for the latter context to be provided by forces themselves, to those police staff who were expected to deal with press and media.

10. UNISON has not received any representations from members regarding the challenges they face in relation to incidents which attract national media attention. This is perhaps not surprising, insofar as very few of our members would be likely to be involved in dealing with such incidents. We have had no complaints regarding the training available, from forces presumably, to the few police staff who might be involved with such incidents, but this may simply reflect the fact that these members would not expect their union to deal with complaints of this nature. Complaints like this would go straight to the force concerned rather than the union.
11. UNISON has no information which would enable us to respond to this question.
12. UNISON is not in a position to respond to this question for the reasons set out in our response to questions 10 and 11.
13. As a general rule, our members in the police service are aware that 'off the record' conversations do take place between senior police officers leading investigations and the media. We claim no expertise in the frequency of such contacts. It is assumed that the reason for these conversations is that they assist the press with its understanding of police investigations, and thereby assist the media in encouraging witnesses to come forward to help solve crime. It is very unlikely that police staff would be involved in such conversations, because they generally work on discrete parts of an investigation, rather than having the overview necessary to inform the press. Please see introduction.
14. As explained above, with the exception of press officers, it is very unlikely that police staff are involved regularly in 'off the record' conversations with the press. A police press officer might, however, give a journalist information which is expressly not for publication, but which helps that journalist to understand the context of a crime and thereby assist with the public appeal for witnesses or information. This would count as an 'off the record' conversation, but would be made in the public interest.
15. UNISON provides no general guidance to members or activists concerning 'off the record' conversations with the media.
16. A UNISON representative might approach his/her Regional Organiser for advice on how to speak 'off the record' to the press in relation to a union matter, but less likely to do so in relation to an operational matter. Advice in the latter case would be more likely obtained from the force's press office. As stated before, most police staff would not expect to talk to the press regarding their day to day work.
17. UNISON believes that the same standards and procedures should apply to both police officers and police staff.
18. UNISON does not hold any of the information requested in this question and suggests that the Inquiry submit FOI requests to forces to gather the data needed.

19. UNISON does not represent police staff who work for the Metropolitan Police Service, and as a result we cannot comment on this question.
20. UNISON does not represent the interests of police officers, who engage in the majority of formal/informal media dealings in most forces. However, in relation to police staff who work in police force press offices, we believe that there are high standards of probity, transparency and accountability. The work of our members in police press offices is mainly official on the record contact with the media, each contact being logged in a database.
21. UNISON does not have any information which would allow us to respond to this question. Our members who work as police press officers report that the vast majority of contacts between the police and the press are about building and maintaining relationships which can help the police in their work to tackle crime.
22. Leaks can jeopardise an investigation if they lead to details of an investigation coming into the possession of a suspect or a vulnerable witness being identified.
23. There are many reasons that leaks are believed to take place, including: lack of confidence in whistle-blowing mechanisms, overly close relationships with journalists, human indiscretion, grievances against the force or its management and in some cases financial inducement.
24. Our representatives from provincial forces report that there is limited hospitality offered by the press and assume that this may be more a feature of relations with the press in the Metropolitan Police Service. As stated previously, UNISON is not a recognised trade union in the Metropolitan Police.
25. UNISON believes that it is essential for police forces to have press offices. A great deal of crime gets solved via contact with the public who come forward as witnesses as a result of media coverage. UNISON members who work as press officers report that many crimes are solved via this route, perhaps as a result of a paper printing a photograph of an unidentified murder victim, or running a story which leads to a vital evidence being offered by a witness. Police forces need to keep the public on their side in the fight against crime and media coverage allows them to do this. The general public deserves to know how and why their communities are being policed in the way they are and press offices allow for this essential engagement.
26. UNISON generally supports the recommendations set out in the HMIC report 'Without Fear of Favour'. HMIC identified a lack in most forces of effective guidance, oversight or governance of hospitality or gratuities and this has to be corrected as a matter of urgency. UNISON takes the view that hospitality and gratuities, in the increasingly commercial environment in which the Government is forcing the police service to operate, are not acceptable in any form. Why should any officer/staff member, and particularly senior decision makers in the service, benefit from such largesse in addition to their salaries? Commercial interests have a real potential to corrupt the service, and senior leaders in the police should do the right thing and rule out the hospitality gravy train in its entirety. UNISON will be making these views clear when we are consulted on

the detailed proposals, which the HMIC has asked to be published later this spring.

27. In responding to this question, UNISON reiterates that we do not organise, nor are we a recognised trade union, in the Met Police. It would therefore be improper for us to comment in detail on a report which is properly under the scrutiny of the Met trade unions. However, in relation to general points which come out of Elizabeth Filkin's report, and which could be applied to the police service elsewhere in England and Wales, UNISON supports her call for better integrity and ethics in relation to the press, particularly in relation to the work of senior police officers. Her recommendation 4, in respect of creating a personal contact log with the press, is already in place in many police press offices. In response to Elizabeth Filkin's recommendation that the police service becomes an environment where improper disclosure is deterred, UNISON believes that strong guidance in line with the HMIC recommendations should be implemented as soon as possible. Once again, we suggest that there should be clear guidance in the police service that hospitality and gratuities are declined in order to place the service, and those who serve in it, above suspicion in relation to commercial pressures and/or corruption.

28. UNISON believes that for the reasons set out at 25 above, it is important that the police should talk to the media. It is in the public interest that policing should be open, transparent and accountable and the media is important in ensuring that this scrutiny takes place. UNISON is not qualified to make particular recommendations on how the current system of media relations should be reformed.

29. UNISON is not qualified to comment on changes to the systems, procedures and training referred to in this question.

30. UNISON will continue to provide training on media relations for its representatives in their union role. We have no plans to oversee, or advise on, the relationships which occur between the few police staff who engage with the press in a professional capacity, as we have no demand for this at present.

I confirm that the contents of this statement are true to the best of my knowledge and belief.

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Signed

Dated 21 February 2012