

**IN THE MATTER OF AN INQUIRY CHAIRED BY THE RIGHT HONOURABLE  
LORD JUSTICE LEVESON UNDER THE PROVISIONS OF THE INQUIRIES ACT  
2005.**

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FIRST WITNESS STATEMENT OF PHILLIP JONES

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PHILLIP ANDREW JONES of Avon and Somerset Police, Police Headquarters, Portishead Bristol BS20 8QJ WILL SAY as follows:-

1. I make this witness statement in response to the Notice issued under section 21(2) of the Inquiries Act 2005 on behalf of Lord Justice Leveson dated 2 February 2012 ("The Notice") which identifies 26 matters or issues that I am required to address in statement form. I note the general invitation referred to in that letter to give any additional evidence which may be of assistance within the Terms of Reference and I have taken that into account whilst providing this statement.
2. For ease of reference I note the Inquiry issue or matter being dealt with using the paragraph numbering from the Notice at the end of the relevant paragraph(s) of my statement.
3. I am a Detective Chief Inspector with the Avon and Somerset Constabulary. I have 23 years service and during this time I have worked in a variety of operational roles both in uniform and as a detective. I have spent the last 11 years in a detective role and have progressed from the rank of Detective Sergeant to Detective Chief Inspector. Upon promotion to Detective Chief Inspector in October 2008, I was posted to the Constabulary's Major Crime Investigation Team as a Senior Investigating Officer ("SIO"). This team takes the investigative lead for all homicides within the Avon and Somerset force area and following collaboration in January 2011 this has included the Wiltshire Police force area. In June 2010 I gained PIP Level III accreditation as an SIO. PIP (Professionalising Investigation Programme) is a national formal academic accreditation which recognises the professionalism and competence of investigators within the Police Service through assessment in the workplace. To achieve this accreditation I was required to evidence my competence as a Senior Investigator in the investigation of major crime and demonstrate my ability to deliver professional, ethical and effective investigations.

4. As an SIO I have led numerous Homicide investigations within a diverse range of circumstances and communities. These investigations have varied in complexity and have ranged from Category A+ murders such as the Joanna Yeates investigation where the offender is unknown and there is a high level of media interest and public concern, to Category C murders where the identity of the offender is apparent at the outset of the investigation and/or evidence can be secured easily. (1)
5. The majority of these investigations have attracted at least local media attention. My contact with the media has varied considerably depending largely upon the nature of the homicide, the location and/or the victim. I have undertaken television, newspaper and radio interviews and media conferences and worked with the Corporate Communications Department (CCD) on the release of written media statements and other material, for example CCTV footage. Each of these will be "one off" and there is no pattern as to type, frequency, duration or content. So far as I am concerned, all media contact has been arranged via CCD. I have never instigated personal contact with any media organisation or journalist.
6. I have predominantly dealt with local and regional media organisations such as regional television news programmes or local newspapers. The exception was the Joanna Yeates investigation which attracted significant interest from national and international media organisations. This interest was unrelenting from the moment Joanna's disappearance was publicised in December 2010 and has continued despite Vincent Tabak's conviction for murder in late October 2011.
7. I would estimate that I have contact with the media as described above on about half a dozen occasions each year. Over the past twelve months the level of contact has significantly increased due to the Joanna Yeates investigation and subsequent trial and two further murder investigations which attracted local media interest.(2)
8. I have previously undertaken a two day in house media course which included mock radio and TV interviews, press conference and different scenarios. Since the Joanna Yeates investigation all SIOs in Avon and Somerset have undergone further training which incorporates the experiences we encountered.
9. As an SIO I regard the media as an additional investigative tool providing a means of communication with the public to appeal for information, witnesses,

aid elimination and provide reassurance. Post trial it also provides an effective means of publicising good work and lessons learnt. In the past 2 years, working with CCD, I have been involved in the production of three documentaries based on cases which I have investigated. Two were in conjunction with the Joanna Yeates case, the first BBC Crimewatch and the other for Sky's Crime and Investigation channel titled 'Murder at Christmas'. In each of these I gave personal interviews. Initially I had reservations about participating in a documentary concerning the Joanna Yeates case. I felt that Vincent Tabak's conviction was an opportunity to bring some closure to the case and allow Joanna's family and friends to move on with their lives. However, there was and still is significant media interest in the case and I changed my decision when I became aware that other key individuals had agreed to participate. I felt it was important to tell the story about the challenges that we overcame in securing Vincent Tabak's conviction.

10. The third documentary related to the murder of Shevon Wilson in September 2009, a 17 year old male who was fatally stabbed in Bristol. His death had been misreported as a gang related murder and led to a march in Bristol involving more than 100 people to protest against knife crime. The documentary, 'Scenes from a Teenage Killing', explored the impact of teenage killings on families and communities. Whilst I did not give an interview, I felt this would be an impactful documentary which would deter others from engaging in knife crime. I consequently met with the production team and provided access to CCTV footage to help facilitate the documentary.
11. The conclusion of a recent murder trial similarly provided me with a media opportunity to publicise Domestic Violence and to encourage victims to report and not suffer in silence.
12. As an SIO dealing with serious and tragic cases at the heart of which is a victim and family I seek responsible and accurate reporting and a recognition of the need for operational integrity. (3)

### **The Joanna Yeates missing person and murder investigation**

13. A media strategy was put in place by the SIO at the outset when the missing person investigation commenced. I was not the original SIO. In those early stages the objective was to maximise publicity in order to find Joanna. The strategy was then further developed by the SIO with assistance from CCD when it became a murder inquiry. It is important to bear in mind that the media strategy, like any other, has to be kept under continual review as the

Investigation develops. I was appointed as SIO on 27th December 2010 and in consultation with CCD continued to develop the media strategy as the investigation grew, documenting all media related decisions in my policy book. That strategy was additionally captured in a document prepared by the Head of Corporate Communications and me with oversight from ACC Rod Hansen who was Gold Commander for the investigation. Since 5 January 2011 in order to enable me as SIO to focus on the investigation, ACC Hansen, the Chief Constable and the Head of CCD met daily to deal with media issues and ramifications because of the extent of media interest.

14. The strategy throughout was as follows:

- To consider the media as an additional investigative tactic as and when appropriate and beneficial to the direction and progress of the investigation.
- To work with the media as a means of making public appeals for information and witnesses.
- To fulfil our duty of care towards the victim's family and immediate friends, provide protection from excessive media intrusion, and support when they chose to speak with the media to aid the investigation.
- To work with the media as a means of reassuring the community in Clifton, the wider Bristol area and beyond.
- To adopt a proportionate approach to ongoing media speculation and its potential impact on the investigation.

The media strategy was part of a wider communications strategy to keep the case in the public eye involving not only traditional media but our own website, Facebook, Twitter and other social media.

15. The outcome of this approach was the receipt of approximately 3,000 messages from the public which helped us eliminate some avenues of inquiry and provided some critical information. For example, as a result of the publicity the last person to see Joanna alive came forward. I believe that the strategy as set was successful. (4) (5) (6)

16. Throughout the investigation and its aftermath all contact between the media and the investigation team, including me, was through CCD. They together with

Assistant Chief Constable Hansen, managed all contact and communication with the media. My role was to participate in pre arranged media briefings about the investigation. These were all open press conferences. No individual briefings were given until after the trial when I participated in an individual briefing with the Bristol Evening Post.(7) (8) (9)

17. All ad hoc enquiries from the media were dealt with by CCD and they kept records. As they were the sole conduit for media contact I was unaware of whether or not the media were happy with this approach. From my perspective, and that of the investigation team, dealing with the media direct would have been a major distraction from our primary concern of investigating Joanna's murder. (10) (11) (12)

18. I am acutely conscious of the potential for leaks or unauthorised disclosures to prejudice an investigation. It was of paramount importance for me and the investigation team to maintain the integrity of the investigation so that we could achieve justice for Joanna and her family. Speculation in the media started early in the investigation and there was a constant 24 hour presence at her home address at 44 Canynge Road which was also the home address of Mr Jefferies. In some cases we were aware that members of the public we were speaking to also had been contacted by journalists either prior to or after our visit.

19. I am aware that Mr Jefferies is making a civil claim against Avon and Somerset for unlawful arrest, detention, trespass to person and property and breach of human rights in imposing unconditional bail and so I shall not give any detail which relates to those matters.

20. Conscious of Mr Jefferies' right to privacy we went to considerable lengths to ensure that his arrest was undetected by the media until he was in custody when confirmation of an arrest was made through CCD, as is normal practice. We decided to arrest whilst it was still dark, to approach the house from a direction where the TV vans were not situated and to minimise any possibility of the media witnessing his arrest. None of the police officers at the scene other than those effecting the arrest knew of the arrest. That caution continued whilst he was in custody and after to prevent media intrusion and preserve the integrity of the investigation. The investigation team released no information identifying Mr Jefferies or his involvement in the investigation and I did not confirm Mr Jefferies identity to the media until the press conference following Vincent Tabak's trial in October 2011, by which time it had been disclosed in

court. I became aware after his release that there had been inadvertent disclosure of his identity.

21. I became increasingly aware of contact from the press and media reports which suggested they may be obtaining information about key material in the investigation and I asked one of my team to liaise with the Constabulary's Professional Standards Department. I know that they commenced an investigation into possible leaks but I had no involvement with that investigation and do not know the outcome.

22. I have read the second statement to the Inquiry submitted by Richard Wallace, the Editor of the Daily Mirror. I have already commented on the cooperation sought from the media and the real value that they can provide to progress an investigation. In paragraph 7 of his statement, Mr Wallace presented a completely misleading picture of an event in the investigation. This was corrected in the Chief Constable's response to his evidence. The Chief Constable also deals with this in his statement to this Inquiry. He addresses again all those allegations made by Mr Wallace. Mr Wallace's reference to 'off the record' briefings by the police during an investigation is new to me. I would not regard any contact with media as being 'off the record' and certainly have never been party to any. I accept that Mr Wallace does not claim first hand knowledge of such conversations (his paragraph 9) but I must say that so far as I am aware, his Content Desk and the reporter Jon Clements are simply wrong to assert that such briefings took place. I read paragraphs 10 and 11 of his statement in which he refers to 'off the record' briefings and police sources as providing information relating to Mr Jefferies and the investigation with disbelief. I became increasingly mindful of the need to keep key information about the investigation as tight as possible and I believe we did so. (14)

23. I did not, nor to the best of my knowledge did any of my colleagues, have any "off the record" conversations with the media although I was asked for an 'off the record' comment by the journalist from the Bristol Evening Post after the trial. He asked me to confirm information relating to possible further action against Vincent Tabak. I did not confirm his information and was non committal in response. I can think of no occasion when it might be appropriate for me to make such a comment. As to my understanding of the meaning of "off the record", I would say that it would be information that was provided on the basis that it could not be published. Since I have never had such a conversation with the media, I do not know how they interpret such a conversation or what their understanding may be. (15-21)

24. I have already referred to speculation by the media. In early January 2011 I was contacted by CCD concerning an ad hoc enquiry from the Daily Mail concerning low copy DNA having been found on Joanna's body. At that time the nature of the DNA was known to a limited number of Avon and Somerset personnel and also to other relevant agencies. I recall my feeling of deflation that such information should be in the public domain. This increased when I was contacted again on 4 January 2011 concerning a story the Sun had obtained that some of Joanna's clothing including one of her socks was missing. I felt that this was a critical piece of information that should not be made public as it could cause significant damage to the investigation but it became clear through Corporate Communications that the Sun would publish regardless of any protestations that were made. As a result I changed my investigative strategy and we held a press conference the next day concerning the sock and proactively sought information about the one which was missing. Vincent Tabak was to later admit that he had the sock and disposed of it. (22)(23)
25. Through negotiations by CCD the Daily Mail had agreed to qualify their publication of the existence of DNA on Joanna's body but negotiations with the Sun were unsuccessful to prevent publication. Injunction proceedings were considered but would have deflected my focus from the investigation to other possibly protracted legal proceedings involving the media. At that critical point in the investigation it was vital that I remained focussed on establishing who had killed Joanna Yeates.
26. The effect of such information appearing in the media had the potential to affect the morale of the team and seed distrust between us. It could be very distracting from our primary objective requiring us to review our investigation and liaise with CCD in order to minimise any potential damage. Crucially, it also had the potential to destroy the trust between the police and Joanna's family if they believed that we were not informing them of investigative developments. On each occasion as we became aware that the media were going to publish details of the investigation, we told the family so that they were prepared in advance. (22)(23)(24)
27. Despite the frustration that I and my colleagues felt about the behaviour of the media, it was crucial that we maintained our professionalism and retained focus on the investigation. I believe that we achieved this, enabling us to bring the investigation to a successful conclusion as evidenced by Vincent Tabak's

conviction. I consider that we maintained a balance between the provision of information to the media and preserving confidentiality.

28. My personal dealings with the media have been professional but not close. None developed in the course of the investigation. I do not consider that I had or have a relationship with the media nor is there any need for me to do so in my current role. To date my contacts with the media have been in connection with investigations rather than on a strategic level. What relationship there is exists through CCD and from my perspective is successful. My experience as SIO on the Joanna Yeates investigation does not alter that view.

29. Where they exist, the documents I have been asked to provide to the Inquiry are being sent separately.

30. Where the facts set out in my responses are within my direct knowledge they are true. Where information is provided, but supplied to me by others, that information is true to the best of my knowledge information and belief. Where I have been asked to express a view or opinion, they are mine and genuinely held.

DATED THIS

*28th*

FEBRUARY 2012

Signed.....

[Redacted Signature Box]

Phillip Jones