

The Leveson Inquiry

STATEMENT OF PAUL McKEEVER, CHAIRMAN OF THE POLICE FEDERATION OF ENGLAND AND WALES

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

I am the current Chairman of the Police Federation of England and Wales, a position I have held since May 2008. Shortly afterwards I was also elected Chairman of the Staff Side of the UK Police Negotiating Board which determines police pay and conditions.

My policing career began in 1977 when I joined the Metropolitan Police directly from London University. I served on Lambeth Borough until 1989 and policed the Brixton Riots in 1981 and 1985. I later served in Bromley Borough as a police sergeant and performed a number of different roles within the Metropolitan Police before being elected to the Police Federation in 1992.

(2) What is the role/ what are the functions of the Police Federation of England and Wales?

The Police Federation of England and Wales is a staff association for all police constables, sergeants, inspectors and chief inspectors, encompassing the 43 geographic police forces in England and Wales. Its role can be summarised as to 'represent, influence and negotiate' on behalf of its members.

The Federation was created by the Police Act 1919 which standardised pay and conditions across the country, and increased rates of pay, but it also imposed many of the restrictions police officers continue to work under, including constraints on their personal lives, the inability to form a trade union and the lack of full industrial rights.

This means that the Federation is also subject to a number of constraints. It cannot affiliate, or even work too closely with other trade unions, and it cannot, for example, join the Trade Union Congress. Because police officers are legally prohibited from going on strike, the Federation is reliant on negotiation alone to reach agreements on pay and conditions and this is its key role at a national level.

In addition we have a statutory obligation to ensure that the views of our members are accurately relayed to government, opinion formers and key stakeholders as well as ensuring the welfare and efficiency of our members is taken into account during the formulation of legislation.

The national Federation acts as an umbrella organisation for the 43 local Federations across England and Wales. It is the role of these local Federations to liaise with senior officers to ensure that our members operate in the best possible working environment given their role and function. Local Federation representatives will also liaise directly with members as and when required to assist with welfare, grievance, disciplinary and litigation procedures.

Federation structure

Before providing details, it is important to point out that the Police Federation structure is complex consisting as it does of around 2,000 elected representatives and a total of 688 Chairmen, Vice Chairmen, Secretaries and Deputy Secretaries across the 43 local Federations. Each local Federation comprises three rank boards which means there is a total of 129 individual rank boards in all.

Each geographic police force in England and Wales has a Federation Branch Board. Each branch board is made up of Constables, Sergeants and Inspecting ranks.

Every member is entitled to vote for a local representative. Excluding the Metropolitan Police Federation, the number of Federation representatives in each force is determined by the number of officers in the force and there will always be equal numbers of posts for each rank, though there are times when one or all of the boards may have vacancies. The exception is the Metropolitan Federation which has additional representatives in the workplace. Elections for representatives and officials at all levels take place once every three years.

On matters which affect all three ranks in each local Federation, the branch boards meet together as the Joint Branch Board and negotiate local conditions of service with the chief officer. The local or departmental representative negotiates with the appropriate local senior officer.

A central committee operates nationally on behalf of each rank (so there is a Constables' Central Committee, a Sergeants' Central Committee and an Inspectors' Central Committee). They come together to form the Joint Central Committee (JCC). Members of the JCC are elected for three years at the central conferences.

As is evident from the above, the Police Federation is an intensely democratic organisation incorporating a system of accountability which operates from the ground up.

It means that, realistically, I and my fellow national Federation officials exercise little in the way of day-to-day control over the local representatives and officials (although of course local issues do arise regularly which demand our time and attention). Our time is principally spent in dealing with issues of general importance to our members I deal with this in more detail in my response to Question (5) below.

(3) Who is eligible to be a member of the Federation?

Every warranted officer who is a member of any of the 43 geographical police forces in England and Wales below the rank of Superintendent is automatically considered to be a member of the Federation for purposes of representation at a national level. However, only those who choose to subscribe to the Police Federation (by paying monthly subscriptions) have access to legal cover and representation in disciplinary tribunals supported by the Police Federation.

(4) How many members are there?

As at June 2011 there were 136,976 subscribing members.

(5) What is your role, as President of the Federation?

My official title is Chairman. As Chairman of the Federation I am the principal officer and spokesperson for the Police Federation of England and Wales on all matters affecting the welfare and efficiency of Federation members. This encompasses actively campaigning and influencing, at a national level, parliamentarians, opinion-formers, the legislature and policy makers.

Accountability is inherent within the local Federation structure and the democratic processes and procedures which govern their operation and I do not have any disciplinary authority over Federation representatives or officials.

I am not, of course, responsible for my members' specific day-to-day responsibilities as police officers. This is the remit of their own Chief Constables and Police Authorities who exercise disciplinary authority over such matters in each of the 43 forces.

This means that I am not in a position to provide informed or authoritative answers to many of the questions which have been put to me by the Inquiry since they fall outside my knowledge and control in my national role.

In conjunction with the General Secretary, I am the principal officer for agreements and negotiations on issues of police pay, conditions of service and professional standards through negotiation on the Police Negotiation Board and representation on the Police Advisory Board.

For internal matters relating to the Joint Central Committee I am responsible for formulating agendas, chairing meetings and debates, information sharing and decision making, and approval/ sign-off for relevant meeting minutes and records.

(6) What is your view of the guidelines issued by ACPO matters relating to the media, including handling the media? Do the Federation's members find it useful and informative? If not, why not?

This is the first example of a question to which I cannot provide a full answer because whether or not the Federation's members find the ACPO guidance useful and informative is not something which has come to my attention. I can say that, to my knowledge, the Federation has not received any feedback from members about the guidelines.

Chief Officers will be likely to interpret the ACPO guidance in different ways, which means it will not be applied consistently across all 43 Forces in England and Wales. It is also relevant to point out that the ACPO guidance is stated to have been produced "to help communications staff in the Police Service" It is not principally aimed, therefore, at the rank and file officers who make up the Federation's membership.

(7) Does the Federation issue any guidance to its members in relation to their dealings with the media (in all its forms)? If so, please specify and indicate whether the guidance is in line with/follows the guidance provided by ACPO.

The Police Federation does issue Media Protocol and Social Media documents, to act as outline guidance for officials on the national Joint Central Committee and the 43 Joint Branch Boards. Although these adhere to the principles in the ACPO guidance, they are not intended for use in operational policing matters. They are intended to provide guidance to Federation officials speaking to the media in their capacity as representatives of a staff association.

(8) Do the Federation's members seek advice or guidance from the Federation in relation to their dealings with the media (in all its forms)?

In addition to using the Police Federation Media and Social Media Protocols, there is a Communications Department based in Police Federation headquarters at Leatherhead which is available to all Police Federation representatives nationally and locally if required.

The Communications Department offers guidance to Federation officials on dealing with the media in their roles as representatives of a staff association and not in relation to operational policing matters. If contacted regarding the latter the Communications Department will refer the individual to the relevant Force communications team.

(9) Please comment, insofar as you are able, on whether the Federation's members are adequately trained/and or given sufficient guidance such that they are able to have appropriate contact with the media (in all its forms). Please give illustrative examples if possible. When answering this question please explain what you consider to be "appropriate contact".

The Federation does not provide media training or guidance for its members; determining and fulfilling training requirements for police officers is the remit of their local force, not the Federation. I cannot comment on the training/guidance received by our members in relation to their operational roles since this inevitably varies from force to force.

The Federation would like to see national training standards implemented to ensure a consistency of approach. We feel this is particularly pertinent at the present time as the introduction of Policing and Crime Commissioners will also have an impact on the local delivery of policing services.

The national Federation does provide media guidance, training and on-going support for our Joint Branch Board and Joint Central Committee officials. We believe that this provides them with an understanding of the media which enables them to judge what "appropriate contact" entails. From my personal point of view, I consider "appropriate contact" for a national Police Federation official with the media to be that which takes place in relation to an issue relevant to the Federation's role as a staff association and/or its representation of its members' interests.

(10) Do you consider that the Federation's members face particular challenges when incidents occur which attract national media interest? If so, please comment, insofar as you are able, on whether they are adequately trained and/or given sufficient guidance such that they can respond effectively and appropriately to incidents which attract national media interest. Please give illustrative examples if possible.

Clearly, Federation members face a huge variety of challenges in their operational roles on a daily basis. However, I assume this question is directed at whether they face particular challenges in terms of pressure from the media in relation to incidents which attract national media interest. My view is that my members are always aware that the operational work they do is potentially in the media spotlight and they never know whether an incident they attend might end up on the front pages of the newspapers. Incidents such as last year's student protests or the riots just ratchet up the pressure still further. Communication with the media about such incidents tends to be handled by the Communications Staff within Forces and by designated and trained officers.

In my role as Chairman I am frequently contacted by the media to make comment about events of a national interest in which the police are involved. Our Joint Branch Board officers are also often contacted when such incidents occur. I consider that the training we have all undertaken via the Federation provides a platform which enables us to respond effectively and appropriately.

(11) Please comment, insofar as you are able, on whether the Federation's members are adequately trained and/or given sufficient guidance, such that they are in a position to give advice and/or leadership to officers and civilian staff under their command (where applicable). Please give illustrative examples if possible.

Again I assume this question is directed at media relations. On that basis, our Joint Branch Board officers, Regional and National representatives are offered training and guidance. We are as satisfied as we can be that they are capable of advising members appropriately if their activities lead to them attracting media attention. Any media training provided to police officers (including our members) is done in the context of their policing duties and is, therefore, administered by their forces rather than the Federation.

The Federation will also provide legal support to a member if they have been libelled or have suffered an invasion of their privacy or breach of confidence. This is provided for under our statutory Fund Rules.

(12) What steps (if any) should be taken, or changes made, to ensure that the Federation's members are prepared to respond to national media interest and are able to conduct appropriate relationships with the media and provide the required leadership to junior staff?

These matters are not within the remit of the Federation nor my role as Chairman. They are likely to arise from the operational roles of members as police officers. I respectfully suggest that Chief Constables would be in a better position to respond to this question.

(13) In your experience how common are "off-the-record" conversations with the media? Why do you consider they take place?

In my role as Chairman, "off-the-record" conversations occasionally do occur for the purposes of providing background information on issues pertinent to the role and function of the Federation where an attributable quote is not required. One such

example would be briefing journalists prior to our annual conference about the likely subject matter ahead of the event.

(14) What is your view of the practice of police officers and police staff having “off-the-record” conversations with the media?

There may be an operational imperative for an “off-the-record” conversation in order to protect the public (e.g. a kidnap situation where confidentiality is vital to ensure that operations are not compromised) but, in general, conversations of this nature should be “on-the-record”. Questions in relation to day-to-day policing operations, and any media interaction they might entail, are best directed to forces rather than the Federation.

(15) Does the Federation give any advice or guidance to its members concerning “off-the-record” conversations with the media? If so, please outline what guidelines are issued or what advice the Federation gives.

We provide guidance to our representatives and officials via the Media Protocol in which it states that any contact with the media should be treated as “on-the-record”.

(16) Do the Federation’s members seek advice or guidance from the Federation on “off-the-record” conversations?

Not to my knowledge.

(17) Over the last 5 years, how many of the Federation’s members have been investigated following an allegation of leaking information to the media and/or private detectives? Please give a breakdown/details of:

a) Whether the member concerned was serving with the MPS or one of the other police forces at the material time.

b) The outcomes of the investigations, setting out how many resulted in criminal proceedings (and the outcome of the same), how many resulted in misconduct proceedings (and the outcome of the same) and how many concluded that the allegations were not proved or substantiated.

The Federation does not hold this information because we are not the disciplinary authority for members. That is the responsibility of chief officers in each force. I therefore suggest this might be obtainable via a Freedom of Information request to individual forces.

GENERAL MATTERS

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

The Federation as an organisation would not have a corporate view on this matter.

I can only offer you a personal view as a Metropolitan police officer that in my 35 years' experience officers try to be as open as they can be (subject to operational confidentiality and other legal concerns) about policing operations. It is a part of standard operational procedure to keep the local press informed when appropriate.

(19) What is your impression of the culture within police forces other than the MPS in relation to their dealings with the media (the media in all its forms)?

I do not have sufficient involvement with, or knowledge of, the day-to-day business of all the forces in England and Wales to express any kind of informed view. I would imagine that they operate in a similar spirit of openness with the media as the MPS.

(20) To what extent do you believe bribery of personnel by the media is a problem for the Police Service (if at all)?

I do not consider bribery to be a widespread problem in the service at this current time. Apart from the criminal sanctions available, there are robust discipline procedures in place which allow forces to deal severely with any instances which arise and this no doubt helps to keep such a problem in check. In my experience, it is taken extremely seriously by officers and any 'bad apples' are condemned and dealt with outright. Regrettably there will always be isolated examples where officers succumb to financial temptation.

(21) To what extent do you believe leaks from the Police Service to the media are a problem for the Police Service (if at all)?

Leaks have the potential to undermine policing as they destroy trust and confidence but I have no personal knowledge of leaks being made. I think it is very important to distinguish between 'leaking' information - which is wrong and clearly falls outside the realm of acceptable behaviour – and providing "off-the-record" information which can have an operational imperative. If leaks should occur there are robust disciplinary procedures in place to which an offending police officer will be subjected.

(22) What do you consider to be the motivation for police officers and/or police staff to leak information to the media? In other words, what do you consider to be the root cause of such leaks?

It is difficult to speculate on the motivations of others in their actions since I imagine the reasons for leaking information to the media vary from case to case and arise from individual circumstances.

(23) Do you consider that there is, or has been, an inappropriate level of hospitality accepted by the Police Service from the media? In addressing this issue please give your reasons and set out what you consider to be an appropriate level of hospitality for a police officer to accept from the media (if any).

I do not perceive an "inappropriate level of hospitality" as a problem among the Federated ranks.

The Federation recognises the work undertaken on this by Sir Denis O'Connor as part of his report 'Without Fear or Favour' and we support his recommendations on this matter.

(24) Is it necessary for police forces to have a press office, and what is your view as to the utility and role of police press offices?

Realistically it is necessary for each force to have a 'press' or media liaison office. It is part of the day-to-day business of the police service. Press officers act as a pool of expertise and provide advice and support to police officers as well as crime victims and their families in their dealings with the media. They can also help to shield officers from any potentially intrusive media activity that may distract them from their operational duties. If the media overstep legal boundaries then members can seek support and advice from the Federation and its lawyers on taking action to address this.

(25) What levels of awareness and experience are there in the Police Service of "media crime" and in particular: (a) unlawful interception of communications (including the Regulation of Investigatory Powers Act 2000); (b) bribery of officials by the media; (c) blackmail; (d) harassment by paparazzi and journalists; (e) traffic and/or public order offences committed by photographers and journalists pursuing stories; (f) inciting officials to communicate confidential information held by the Police Service/conspiring

with them to obtain such information; and (g) crime within media organisations other than the foregoing (e.g. dishonest expense claims).

All police officers will be aware that these activities are criminal but the level of individual experience and expertise will vary as some of them tend to be dealt with by specialist officers or units. Many officers will have experience of dealing with criminal activity in one or more of these areas, but not necessarily in the context of the media.

(26) 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).

The recommendations, whilst laudable, constitute a general outline. The Federation looks forward to receiving the detailed proposals in April 2012 and being part of the discussion process.

(27) What is your view of the recommendations contained in Elizabeth Filkin's report "The Ethical Issues Arising from the relationship between Police and Media"?

I do not recognise a general culture of acceptance within the MPS that leaking and bribery is acceptable – in my experience, corruption was always seen as unacceptable and wrong. I respect Ms Filkin's views and opinions and support the general principles of her recommendations but I have not personally experienced the culture she alludes to.

(28) Do you consider that there are different or further steps which could and/or should be taken to ensure that relationships between the police and the media are and remain appropriate?

It is not for the police service, nor the Federation, to decide how it is held to account or regulated. That is ultimately a matter for Parliament.

In my opinion there is already a robust disciplinary code in place with sufficient processes and procedures – if properly implemented – to help ensure that relationships between officers and the media remain appropriate. If an officer is found to be behaving inappropriately they might lose their job.

(29) What different or further changes do you consider should be made, for instance to systems, policies, procedures and training, to ensure that the relationship between the police and the media, locally and nationally, operates in the public interest? Please explain when answering this question what you consider to be the “in the public interest”.

It is the basic tenet of policing that officers should always act in the public interest. This is reflected in the oath that they take when they are attested which contains a promise to serve "...with fairness, integrity, diligence and impartiality, upholding fundamental rights and according respect to all people;...".

It is vital that this basic principle runs through all contact with the media and it must be made clear that any officer wilfully veering from it will be subject to the rigours of misconduct procedures.

(30) How do you consider the Federation could or should help to ensure that relationships between its members and the media, both locally and nationally, are appropriate and operate in the public interest? Do you consider that there should be any changes? If so, please specify.

Police officers have to be trained in a wide range of matters to enable them to perform their duties. Interaction with the media is probably fairly low on the list of priorities at present. In an ideal world they would receive thorough training on this but there is always limited time and resources available.

On a national level we campaign for officers to have the appropriate training, guidance and supervision to enable them to carry out their roles as effectively as possible and always in the public interest.

On a local level we ensure that our representatives have training made available to them which can enable them to interact with the media as required. It is not the role of the Federation to undertake any intervention with members --- this is the responsibility of the 43 forces and their chief officers.

Paul McKeever
Chairman
The Police Federation of England and Wales
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