

<p>1 Tuesday, 13 March 2012 2 (10.00 am) 3 LORD JUSTICE LEVESON: Some two weeks ago, an application 4 was made to make public the submissions which I received 5 in private on 2 December 2011. I invited 6 representations from core participants, including from 7 Collyer-Bristow, then acting for those who complain that 8 they have been subject to illegal or unethical press 9 treatment. 10 A number of representations were received, albeit 11 none from Mr Sherborne or Collyer-Bristow. Three core 12 participants made the perfectly valid point that they 13 had participated in the hearing on the basis that it was 14 in private, and that, for reasons which I do not 15 consider it necessary to elaborate, assurances to that 16 effect from the Inquiry should be honoured. 17 In the event, I take the view that there is no good 18 reason for modifying the approach which I adopted, 19 although I am prepared to make it clear that it was 20 concerned with the extent to which the Operation 21 Motorman material should be disclosed in the public 22 hearing. 23 My reasons are not that I am unwilling to reveal 24 secret information. Rather, they are twofold. First, 25 private information about the target of any</p> <p style="text-align: center;">Page 1</p>	<p>1 the terms of reference and my observations about 2 fairness, I repeat that he is at liberty to do so and 3 I shall set aside time formally and in public to 4 consider the issue. It is in order to assist him to 5 consider the matter with his clients that I have set out 6 my reasons for declining to publish the transcript of 7 the private hearing. 8 Yes, Mr Jay? 9 MR JAY: Sir, the first witness today is Sara Cheesley, 10 please. 11 LORD JUSTICE LEVESON: Thank you. 12 MS SARA CHEESLEY (sworn) 13 Questions by MR JAY 14 MR JAY: First of all, please, your full name. 15 A. Sara Lesley Cheesley. 16 Q. Ms Cheesley, I note you don't have your witness 17 statement to hand, the one dated 14 February 2012. I'm 18 going to ask that a copy be provided to you so you can 19 confirm its truth, please. 20 This is, as I said, a statement you gave on 21 14 February. You'll see at the end that you've signed 22 and dated it and there's the standard statement of truth 23 so this is your formal evidence to the Inquiry; is that 24 right? 25 A. It is.</p> <p style="text-align: center;">Page 3</p>
<p>1 investigation by Mr Whittamore, who may or may not be 2 correctly classified as victims, should remain private 3 to them and should not arbitrarily be disclosed in this 4 Inquiry without very good reason. In that regard, this 5 material falls within the purview of the 6 Information Commissioner, whose decision as to 7 appropriate disclosure deserves respect, whether or not 8 I could take a different view within the exercise of my 9 powers under Section 19 of the Inquiries Act 2005. 10 Secondly, as I have repeatedly made clear, this part 11 of the Inquiry is not concerned with individual conduct, 12 who did what to whom, but rather with custom, practice 13 and ethics of the press as a whole. Given that I have 14 been concerned as far as I can to protect the position 15 of those who have been arrested and not to prejudice any 16 possible criminal prosecution, so it has been unfair to 17 name other reporters whose conduct has not been the 18 subject of criminal investigation. The same applies to 19 the names of reporters identified in the Whittamore 20 records seized during Operation Motorman. 21 In the light of yesterday's public request that 22 I should publish the documents seized during Operation 23 Motorman, I made it clear that if Mr Sherborne, on 24 behalf of the core participants who are his clients, 25 wishes to argue that such a step is appropriate, given</p> <p style="text-align: center;">Page 2</p>	<p>1 Q. In terms of your career, Ms Cheesley, you're currently 2 the senior information officer on the specialist 3 operations press desk in the Directorate of Public 4 Affairs; is that right? 5 A. Yes. 6 Q. We're going to look at this more closely with 7 Mr Fedorcio, but does each operation, as it were, within 8 the DPA have a separate press desk? 9 A. Yes, we have a number of specialist desks. We have 10 specialist operations, which is mine. We also have the 11 specialist crime press desk, central operations and 12 territorial policing and then we have currently area 13 press officers that would deal with issues on boroughs 14 as well as our 24-hour Press Bureau and publicity and 15 interior coms. 16 Q. Thank you. As for your role, this is addressed in 17 paragraph 3 of your statement, our page 02173, when you 18 say: 19 "Providing a strategic overview of the work of the 20 specialist operations press desk." 21 In your own words, what does that entail? 22 A. That's monitoring the work that myself and my team do on 23 a day-to-day basis in terms of communication for 24 specialist operations. 25 Q. "Providing communication advice and support to the</p> <p style="text-align: center;">Page 4</p>

<p>1 ACSO..."</p> <p>2 Who currently, of course, is Assistant Commissioner</p> <p>3 Cressida Dick; is that right?</p> <p>4 A. Yes.</p> <p>5 Q. Previously, as we know, Mr Quick, Mr Yates, Mr Hayman,</p> <p>6 giving them in reverse chronological order, but we know</p> <p>7 the individuals. Does this include advising senior</p> <p>8 officers as to which members of the press they should</p> <p>9 meet?</p> <p>10 A. It depends on the circumstances. Obviously if the media</p> <p>11 make requests for interviews, then we will discuss that</p> <p>12 and make decisions appropriately.</p> <p>13 Q. Is there a means of monitoring these requests,</p> <p>14 particularly in order to ensure that over the course of</p> <p>15 a year, for example, no one media organisation is</p> <p>16 particularly favoured?</p> <p>17 A. We do keep a record of them. Sometimes they're on our</p> <p>18 Press Bureau. Sometimes me and my team will keep a note</p> <p>19 of them. Obviously some journalists will make more</p> <p>20 approaches than others.</p> <p>21 Q. So does it follow from that answer that although you</p> <p>22 keep a watchful eye on the numbers of requests and the</p> <p>23 numbers of interviews, you don't intervene proactively</p> <p>24 so as to say to a senior officer: "You should now be</p> <p>25 seeing this particular newspaper because that's falling</p> <p style="text-align: center;">Page 5</p>	<p>1 "Ensuring that the SO press desk provides press</p> <p>2 lines, statements, et cetera, where required."</p> <p>3 We know that you provided some press lines following</p> <p>4 the original arrests in Operation Caryatid in August</p> <p>5 2006, but can you tell us the general procedure. How do</p> <p>6 the press lines originate?</p> <p>7 A. If we got a request from a journalist asking about</p> <p>8 a particular issue, we would then approach the relevant</p> <p>9 officers who may be involved in that inquiry or</p> <p>10 investigation, tell them what the inquiry is and then,</p> <p>11 in turn, craft press lines accordingly.</p> <p>12 Q. Yes. So you get the basic information from the SIO or</p> <p>13 whoever within the investigation team and then you turn</p> <p>14 it into a press statement. Is that how it works?</p> <p>15 A. Yes.</p> <p>16 Q. In terms of your career before moving to the MPS in</p> <p>17 1999, you set that out in paragraph 4. We can see that</p> <p>18 between 1984 and 1997, you joined the -- or you were</p> <p>19 working for the Express and Star newspaper in</p> <p>20 Wolverhampton, where you eventually became their chief</p> <p>21 reporter?</p> <p>22 A. Yes.</p> <p>23 Q. We're going to hear more of this from Mr Fedorcio, but</p> <p>24 many people working in the DPA, for obvious reasons,</p> <p>25 have a journalistic background; is that right?</p> <p style="text-align: center;">Page 7</p>
<p>1 behind", or: "You should stop seeing other newspapers</p> <p>2 because they're seeing you too often"; is that right?</p> <p>3 A. That's right.</p> <p>4 Q. Is there anybody within the DPA who's carrying out that</p> <p>5 sort of exercise?</p> <p>6 A. In terms of monitoring?</p> <p>7 Q. Yes, in terms of proactively intervening in the way in</p> <p>8 which I have described it?</p> <p>9 A. We have regular discussions within the department about</p> <p>10 media facilities we're going to do, and that is part of</p> <p>11 our day-to-day discussions.</p> <p>12 Q. I think the --</p> <p>13 LORD JUSTICE LEVESON: That sounds as though the answer to</p> <p>14 the question is: no.</p> <p>15 A. Our senior management team will keep a watching brief on</p> <p>16 the type of media activity we carry out, which would be</p> <p>17 part of our day-to-day work.</p> <p>18 LORD JUSTICE LEVESON: But that's not necessarily to ensure</p> <p>19 even-handedness. Or is it?</p> <p>20 A. I think our senior management team will keep an eye on</p> <p>21 who we are dealing with and what requests come in.</p> <p>22 MR JAY: I think the answer originally was no, and it's</p> <p>23 continued to be no.</p> <p>24 Could I ask you, please, to explain a little bit</p> <p>25 further subparagraph (c):</p> <p style="text-align: center;">Page 6</p>	<p>1 A. Yes.</p> <p>2 Q. Paragraph 5 next, please, 02174, where you're addressing</p> <p>3 AC Yates, who was appointed ACSO in April 2009. Were</p> <p>4 you involved at all in drafting of press lines or press</p> <p>5 statements following the exercise he conducted in July</p> <p>6 2009, which was to establish the facts in the light of</p> <p>7 the Guardian piece dated 9 July?</p> <p>8 A. On that morning, I was aware that the article had been</p> <p>9 run. I was actually out of the office that day on</p> <p>10 a meeting, and didn't attend the gold group in the</p> <p>11 morning. I returned to the office in the afternoon</p> <p>12 where I was asked for my views later on in the afternoon</p> <p>13 about the draft, but I wasn't part of the original</p> <p>14 drafting earlier on.</p> <p>15 LORD JUSTICE LEVESON: If you'd been in the office, would</p> <p>16 you have been there?</p> <p>17 A. I anticipate yes.</p> <p>18 LORD JUSTICE LEVESON: So you're involved in the meetings at</p> <p>19 the highest level?</p> <p>20 A. On occasions, yes.</p> <p>21 MR JAY: I'm just going to ask you about the timing of this.</p> <p>22 I know it's difficult now, it's two and three-quarter</p> <p>23 years ago, but is this right, Ms Cheesley: you probably</p> <p>24 saw an advance draft of the final version of the</p> <p>25 statement which AC Yates promulgated at about</p> <p style="text-align: center;">Page 8</p>

<p>1 5.00/5.30 pm that afternoon; is that right?</p> <p>2 A. Yes, I would have seen it before he delivered it, yes.</p> <p>3 Q. Can you remember approximately when you might have seen</p> <p>4 it?</p> <p>5 A. It would have been that afternoon. I couldn't be</p> <p>6 specific. Obviously that was being drafted in the</p> <p>7 afternoon, but I couldn't give you a precise time.</p> <p>8 Q. What I think I'm trying to ascertain is how long it</p> <p>9 took, approximately, for the press statement to reach</p> <p>10 final formulation. Are you able to assist with that?</p> <p>11 Was it a question of hours or was it a shorter period of</p> <p>12 time, do you think?</p> <p>13 A. It could have been hours, because clearly the drafts</p> <p>14 would have been reviewed to a position where we were</p> <p>15 happy with the final statement.</p> <p>16 LORD JUSTICE LEVESON: So let me just understand this: you</p> <p>17 were out. Did you come back before or after lunch?</p> <p>18 Let's see if we can do it that way.</p> <p>19 A. It was around lunchtime, I think. From memory, about</p> <p>20 lunchtime, early afternoon.</p> <p>21 LORD JUSTICE LEVESON: Were you involved in the exercise</p> <p>22 from then on? That was what you did that day?</p> <p>23 A. I was aware of the drafting process and I was asked some</p> <p>24 views later in the afternoon, yes.</p> <p>25 MR JAY: Can I just be clear about this: at some point after</p> <p style="text-align: center;">Page 9</p>	<p>1 A. Well, I think there were discussions throughout the</p> <p>2 afternoon about what the statement might say, and it was</p> <p>3 an evolving process.</p> <p>4 Q. Can you remember even approximately what time it was</p> <p>5 when you saw a draft of a press statement?</p> <p>6 A. I can't. It would have probably have been</p> <p>7 mid-afternoon, late afternoon. I really can't remember.</p> <p>8 Q. Okay. Thank you.</p> <p>9 Paragraph 6 now of your statement, 02175. You say</p> <p>10 there that you were present at CRA business lunches with</p> <p>11 AC Yates, speeches he made and interviews which he gave</p> <p>12 to the media. Could I ask you, please, about the</p> <p>13 lunches, because the speeches and the interviews speak</p> <p>14 for themselves, as it were. Were those occasions at</p> <p>15 which alcohol was consumed?</p> <p>16 A. Yes.</p> <p>17 Q. Were the interactions between AC Yates and the</p> <p>18 journalists present usually friendly ones?</p> <p>19 A. Yes.</p> <p>20 Q. Were they full and frank exchanges? Would you describe</p> <p>21 them in that way?</p> <p>22 A. In what way do you mean?</p> <p>23 Q. Can I be slightly more precise then: was there friendly</p> <p>24 gossip and tittle-tattle exchanged?</p> <p>25 A. Not really, no.</p> <p style="text-align: center;">Page 11</p>
<p>1 lunch, you were aware that a press statement was being</p> <p>2 formulated; is that right?</p> <p>3 A. Yes.</p> <p>4 Q. And that press statement was being formulated in</p> <p>5 response to the Guardian article, is that also right?</p> <p>6 A. And the fact that Mr Yates had been asked to establish</p> <p>7 the facts by the Commissioner.</p> <p>8 Q. Yes. Does it follow then that by the time you were</p> <p>9 aware that the press statement was being formulated, the</p> <p>10 facts, as it were, had been established for the purpose</p> <p>11 of the press statement?</p> <p>12 A. I don't know, because the work Mr Yates was doing was an</p> <p>13 operational decision, so I don't know at what point he</p> <p>14 was in his discussions during that process, because we</p> <p>15 would -- the DPA would not have been a part of the</p> <p>16 process he undertook to establish the facts.</p> <p>17 Q. No, but as soon as the facts had been established, DPA</p> <p>18 would be involved, as it were, to ensure that the press</p> <p>19 statement was satisfactory; is that correct?</p> <p>20 A. Yes, in liaising with Mr Yates, yes.</p> <p>21 Q. So DPA would be alerted as soon as the operational</p> <p>22 exercise had concluded and the press lines were going to</p> <p>23 be formulated; is that right?</p> <p>24 A. Yes.</p> <p>25 Q. And when do you think that was? After lunch?</p> <p style="text-align: center;">Page 10</p>	<p>1 Q. Well, at all or not really?</p> <p>2 A. Not that I can recall, no.</p> <p>3 Q. So were the conversations purely, as it were,</p> <p>4 professional, limited to legitimate police business and</p> <p>5 indeed journalistic business? Is that your evidence?</p> <p>6 A. Yes.</p> <p>7 Q. Were there ever occasions on which you felt that the</p> <p>8 line between that type of exchange and a more social,</p> <p>9 perhaps gossipy exchange was transgressed?</p> <p>10 A. No, for the lunches I attended I was quite content that</p> <p>11 the conversations were had were entirely appropriate.</p> <p>12 Q. If they were not, what would you have done, if anything?</p> <p>13 A. I suppose it depends very much what was discussed, and</p> <p>14 I would have taken appropriate action. I don't know,</p> <p>15 really, because I really can't recall that happening.</p> <p>16 Q. So there was never an occasion when you felt -- we can</p> <p>17 move away from Mr Yates and talk more generally -- that</p> <p>18 a police officer, a senior officer, went too far, as it</p> <p>19 were, you were concerned about it and you might have</p> <p>20 taken some sort of action afterwards? Of course, you</p> <p>21 couldn't take disciplinary action but you might just</p> <p>22 have a quiet word with that individual. There were</p> <p>23 never any such occasions; that your evidence?</p> <p>24 A. What, for any senior officer?</p> <p>25 Q. Yes.</p> <p style="text-align: center;">Page 12</p>

<p>1 A. Not that I can recall.</p> <p>2 LORD JUSTICE LEVESON: Let me just pick up a slightly</p> <p>3 different point. You didn't write the speeches that</p> <p>4 ACPO-ranking officers gave?</p> <p>5 A. No.</p> <p>6 LORD JUSTICE LEVESON: But you provided some input?</p> <p>7 A. Occasionally I would be shown proofs for any general</p> <p>8 comments, and also -- it also helps for a press officer,</p> <p>9 if someone is delivering a speech, just to know what's</p> <p>10 in it, just to try and anticipate any media interest.</p> <p>11 LORD JUSTICE LEVESON: Of course, but therefore do I gather</p> <p>12 that you weren't devising or part of the devising of</p> <p>13 a communications strategy: how much the police officer</p> <p>14 should say, how much he should share, the sort of detail</p> <p>15 he should provide, how you dealt with bad news? You</p> <p>16 weren't part of the creation of a strategy to that</p> <p>17 effect? It may be that it was somebody else. I'm just</p> <p>18 anxious to know where you went in your responsibilities.</p> <p>19 A. Yeah, you're right. We don't write speeches in the</p> <p>20 press office, but clearly providing advice on</p> <p>21 operational matters, that is part of our work, to draft</p> <p>22 lines which are cleared by the senior officers or an</p> <p>23 SIO. So on an operational matter, that is part of our</p> <p>24 role. But more strategically, clearly, we have our</p> <p>25 senior management team who may take that ahead.</p> <p style="text-align: center;">Page 13</p>	<p>1 that the information you give is authorised to give and</p> <p>2 you can justify why you might need to give guidance to</p> <p>3 a reporter.</p> <p>4 Q. Were you aware that it was said or rumoured that members</p> <p>5 of the management board, particularly in Lord Blair's</p> <p>6 time as Commissioner, may have been leaking material to</p> <p>7 the press?</p> <p>8 A. There may have been that perception.</p> <p>9 Q. Was that a perception which you were personally aware</p> <p>10 of?</p> <p>11 A. Not really, no.</p> <p>12 Q. So when you say, "There may have been that perception",</p> <p>13 what are you driving at?</p> <p>14 A. There may have been the perception amongst some</p> <p>15 reporters, perhaps.</p> <p>16 Q. Were there any discussions about that in your office in</p> <p>17 the DPA?</p> <p>18 A. There may have been in the wider DPA, but in terms of my</p> <p>19 role as SO, I wouldn't have been part of those</p> <p>20 discussions, no.</p> <p>21 Q. So these were rumours, were they, which you heard about</p> <p>22 but weren't directly discussing?</p> <p>23 A. Yes.</p> <p>24 Q. You say in paragraph 7 in the second sentence:</p> <p>25 "There was no set frequency or regularity to his</p> <p style="text-align: center;">Page 15</p>
<p>1 LORD JUSTICE LEVESON: Well, it's doubtless something we'll</p> <p>2 discuss with Mr Fedorcio.</p> <p>3 MR JAY: Mm.</p> <p>4 Ms Cheesley, in the last sentence of paragraph 6 you</p> <p>5 say:</p> <p>6 "AC Yates may have had off-the-record conversations</p> <p>7 with members of the media which I would not necessarily</p> <p>8 have been aware of."</p> <p>9 In one sense, logically, that must be right, because</p> <p>10 you can't prove a negative, but I just wonder why you</p> <p>11 said that in your statement. Is there any evidence or</p> <p>12 suspicion that you had that Mr Yates was having such</p> <p>13 conversations?</p> <p>14 A. No, I think Mr Yates wouldn't be different from many</p> <p>15 officers who do have off-the-record conversations which</p> <p>16 are appropriate, if they're managed in the right way.</p> <p>17 Q. You're not, therefore, basing that on any evidence you</p> <p>18 have; it's just your experience that that's what senior</p> <p>19 officers do? Have I correctly understood it?</p> <p>20 A. Yes.</p> <p>21 Q. When you say "the right way", what do you mean by that?</p> <p>22 A. I think off-the-record guidance is appropriate, as long</p> <p>23 as the right guidelines are followed.</p> <p>24 Q. And that means what?</p> <p>25 A. Talking about your own area of responsibility, ensuring</p> <p style="text-align: center;">Page 14</p>	<p>1 contact with the media. This was co-ordinated by the SO</p> <p>2 press office as and when required."</p> <p>3 That really links in with the evidence you gave in</p> <p>4 relation to paragraph 3(b) of your statement, that</p> <p>5 contact with the media happened as and when it did</p> <p>6 happen, there wasn't a strategy to ensure that contact</p> <p>7 either favoured or did not disfavour any particular</p> <p>8 sections of the media; is that right?</p> <p>9 A. That's right.</p> <p>10 Q. I've been asked to put to you, Ms Cheesley, in relation</p> <p>11 to the business lunches, whether there were</p> <p>12 off-the-record discussions at those lunches?</p> <p>13 A. Yes, the basis of the lunches were off the record.</p> <p>14 Q. So that was the starting point. It was, as it were,</p> <p>15 Chatham House rules? It was always off the record; is</p> <p>16 that right?</p> <p>17 A. Yeah, it was off the record in terms of not for use.</p> <p>18 With Chatham House rules, you can use it but not</p> <p>19 attribute it. For CRA lunches, it was off the record,</p> <p>20 not for use.</p> <p>21 LORD JUSTICE LEVESON: Chatham House rules are often</p> <p>22 misunderstood, Mr Jay.</p> <p>23 MR JAY: Yes. Well, it seems that -- yes.</p> <p>24 So not for use under any circumstances, therefore</p> <p>25 this is background information which might inform what</p> <p style="text-align: center;">Page 16</p>

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<p>1 you write in the future, to ensure the journalist 2 doesn't write anything that's wrong, as it were, but 3 it's not for specific deployment in a story? 4 A. That's right. 5 Q. So it follows then that things were discussed which were 6 bound to be confidential; is that right? 7 A. No, we -- I have never been at a lunch where information 8 has been discussed which was inappropriate. Many of the 9 times it was to provide some broader context, 10 particularly around terrorism issues. 11 Q. So all of this was conducted according, really, to 12 a model of propriety, as far as you're concerned; is 13 that right? 14 A. As far as I was concerned, yes. 15 Q. I've been asked to put this to you: do you think it's 16 strange that AC Yates only accepted hospitality and 17 never returned it? 18 A. Not necessarily, no. 19 LORD JUSTICE LEVESON: Hang on, "not necessary" is quite 20 a difficult answer. Is it appropriate, in your view, 21 that these activities were all one-way? This wasn't the 22 Met entertaining people for the interests of the Met. 23 The Met was always prepared to go along and be 24 entertained by somebody else. I'm not saying it is; 25 I just want to understand what you think.</p> <p style="text-align: center;">Page 17</p>	<p>1 Can I ask you first of all: approximately when did 2 these conversations with AC Yates take place? 3 A. It would probably have been around last year at some 4 point. Clearly the Met was under a lot of scrutiny and 5 it would have been around that time. 6 Q. Around the summer of last year; is that right? 7 A. Probably around, but I can't be specific. 8 Q. And about how long before he resigned? 9 A. I really couldn't say. 10 Q. What were the reasons for these conversations you had 11 with AC Yates? Can you help us? 12 A. I think there had been discussions in the media and 13 I think that the fact Mr Yates had known Mr Wallis had 14 come out the public hearings, and that was in the public 15 domain. 16 Q. But why were you having these conversations with 17 AC Yates? 18 A. I think because it had become into the public domain, 19 they were just conversations we had in the office and he 20 raised it and we just had a general conversation. 21 Nothing more specific than that. 22 Q. But was he seeking your advice or were you seeking to 23 advise him? Can you help? 24 A. No, it was just literally on the back of the information 25 that's come out, we had a conversation. I wasn't</p> <p style="text-align: center;">Page 19</p>
<p>1 A. Yeah, but the purpose of the lunches was to try to 2 improve an understanding amongst journalists around the 3 terrorism threat at the time and continues to be. It 4 transpired that the CRA always paid for the lunches, but 5 it was a specific objective to try and give them 6 a greater understanding of the threat was posed, what 7 police were trying to address that threat and more 8 general issues that they might have an interest in. 9 LORD JUSTICE LEVESON: Does this need to have been a lunch? 10 I'm not objecting to people meeting in those 11 circumstances, but did it need to be at lunch? Can 12 these briefings be conducted in a different way or not? 13 A. It is possible, but I think -- there isn't anything 14 wrong, on the face of it, with informal meetings with 15 a journalist as long as they're carried out 16 appropriately. 17 MR JAY: Can I ask you, please, now about paragraph 10. I'm 18 not going to ask you to comment about what is in the 19 public domain and which you've only found out about 20 because it is in the public domain, but the last three 21 lines of paragraph 10, you say: 22 "During a number of conversations I had with AC 23 Yates at around this time, he told me he knew 24 Neil Wallis but he didn't class him as a very close 25 friend but saw him a few times a year."</p> <p style="text-align: center;">Page 18</p>	<p>1 driving it, nor was he. It just came up in 2 conversation. 3 Q. So you can't help us really as to why he told you he 4 knew Neil Wallis; is that correct? 5 A. I think because it had been aired in public and 6 obviously -- it was something we just discussed, nothing 7 more than that. 8 Q. But was this in the context that perhaps he shouldn't be 9 seeing Mr Wallis as much? 10 A. No, I think there was -- from memory, there was a lot of 11 commentary about his relationship and -- he wasn't 12 asking for my view; it was just a conversation we had. 13 LORD JUSTICE LEVESON: It was not a question of you having 14 to write some lines? 15 A. No. 16 MR JAY: Can be I clear? When you say, "He didn't class him 17 as a very close friend but saw him a few times a year", 18 can you remember whether he used those words or are you 19 paraphrasing the gist of what he told you? 20 A. That's pretty much what he told me. 21 Q. Okay. Did you have knowledge of meetings in wine bars 22 near New Scotland Yard? 23 A. Of senior officers? 24 Q. Yes? 25 A. Yes.</p> <p style="text-align: center;">Page 20</p>

5 (Pages 17 to 20)

<p>1 Q. Were you present at any of these -- well, these social 2 occasions?</p> <p>3 A. Occasionally, yes.</p> <p>4 Q. It may be simply this: that there was a particular wine 5 bar where senior officers tended to congregate; is that 6 right?</p> <p>7 A. On occasions, yes.</p> <p>8 Q. And how often was it that journalists turned up on these 9 occasions?</p> <p>10 A. It's very hard for me to say, as I didn't go there that 11 often, so I really couldn't give you a meaningful 12 answer.</p> <p>13 Q. No, but on the occasions when you were there, were 14 journalists always there or not?</p> <p>15 A. What, at the wine bar? No.</p> <p>16 Q. Were they sometimes there, usually there? How would you 17 characterise it?</p> <p>18 A. Sometimes I would be there and there would be reporters 19 there, yes.</p> <p>20 Q. Did any particular faces tend to recur? Journalistic 21 faces, I mean.</p> <p>22 A. They would normally be members of the CRA.</p> <p>23 Q. So who are we talking about?</p> <p>24 A. Well, different members. I couldn't be more specific.</p> <p>25 Q. There are not that many of them. I just wonder whether</p> <p style="text-align: center;">Page 21</p>	<p>1 you gave me about Mr Yates' off-the-record 2 conversations, presumably?</p> <p>3 A. Yes.</p> <p>4 Q. As regards Mr Hayman.</p> <p>5 Mr Wallis next. Paragraph 17, please. You say you 6 only became aware of the existence of Mr Wallis' 7 contract with the MPS in July 2011, by which time the 8 contract had been terminated. I'm asked to put this to 9 you: are you surprised that he was retained without you 10 knowing about it?</p> <p>11 A. Not necessarily. That was a decision by our SMT because 12 there was -- our deputy director was off, and obviously 13 there was a thought that there was an absence. So 14 I wouldn't necessarily have been asked my opinion on 15 that because it was on a high strategic level.</p> <p>16 Q. Were you aware that a recruitment or procurement process 17 was going on to find someone temporarily?</p> <p>18 A. No.</p> <p>19 Q. When Mr Wallis' existence, as it were, after the event 20 was brought to your attention in July 2011 -- and that 21 may have been because it had entered the public domain 22 then -- did that fact cause you surprise?</p> <p>23 A. I was a bit surprised, yes.</p> <p>24 Q. And why was that?</p> <p>25 A. Clearly, at the time the Met was under a lot of scrutiny</p> <p style="text-align: center;">Page 23</p>
<p>1 we can be more precise. For example, Stephen Wright, 2 was he one of the ones?</p> <p>3 A. They would probably be representative of the national 4 newspapers, the key national newspapers.</p> <p>5 Q. So Lucy Panton, Stephen Wright, John Twomey?</p> <p>6 A. Yes, they had been there.</p> <p>7 Q. On these occasions, were you aware of what was 8 discussed?</p> <p>9 A. Well, if you were in a group, you would have 10 conversations but you wouldn't be privy to everything 11 that was being discussed.</p> <p>12 Q. No. These weren't, of course, more off-the-record 13 briefings, it goes without saying, but just the nature 14 of the discussions -- I'll put it more bluntly: were 15 there ever occasions when is you were surprised about 16 what was discussed?</p> <p>17 A. Not that I can recall.</p> <p>18 Q. Okay. You deal with AC Hayman next, paragraphs 12 to 19 15, pages 02177 and 02178. Your evidence here is really 20 the same as it is in relation to Mr Yates, I think it 21 would be fair to say by way of summary?</p> <p>22 A. Yes.</p> <p>23 Q. So the point you make about how he may have had 24 off-the-record conversations with members of the media 25 of which you're not aware, you would repeat your answer</p> <p style="text-align: center;">Page 22</p>	<p>1 and the spotlight, and I suppose it was the perception 2 of what people might have around his recruitment.</p> <p>3 LORD JUSTICE LEVESON: So you didn't know anything about his 4 involvement during the year that he was involved?</p> <p>5 A. No.</p> <p>6 LORD JUSTICE LEVESON: Would the deputy director normally 7 have had anything to do with your work?</p> <p>8 A. Um ...</p> <p>9 LORD JUSTICE LEVESON: Because he was replacing the deputy 10 director. That's why I ask.</p> <p>11 A. Yes, he was. The deputy director would be aware, as he 12 would normally with all our press desk, of generally the 13 work we were doing, yes.</p> <p>14 LORD JUSTICE LEVESON: But would you be aware of him? Would 15 you meet him and talk to him about your work?</p> <p>16 A. Who, the deputy director?</p> <p>17 LORD JUSTICE LEVESON: Yes.</p> <p>18 A. On occasions, yes. If I didn't deal with the chief 19 press officer and had to go to the deputy director, 20 there may have been occasioned.</p> <p>21 LORD JUSTICE LEVESON: I'm just surprised that you didn't 22 know anything about him at all. I mean, were you 23 surprised not to have somebody to link with? Or maybe 24 you just felt everybody was working away without the 25 deputy director?</p> <p style="text-align: center;">Page 24</p>

6 (Pages 21 to 24)

<p>1 A. Well, I had the chief press officer, who is my direct 2 line manager. 3 MR JAY: That's Mr Stearns; is that right? 4 A. Yes. 5 Q. So your dealings, is this right, were mainly with him 6 and he would then have dealings higher up the line? 7 A. On a day-to-day basis, yes. 8 Q. You didn't think that this was all part of a single 9 piece, as it were? You were surprised when you did 10 learn in July 2011 that Mr Wallis had been engaged by 11 the MPS for the reasons you've given us, but why weren't 12 you surprised, I think was the question, that you 13 weren't told about that before? Maybe this was being 14 slightly secretive. Do you think that was the position? 15 A. I really couldn't say why I wasn't told, but clearly the 16 decision was that there was a strategic gap, which 17 I wouldn't necessarily feel -- clearly, my role is for 18 operational matters, and the decision obviously was not 19 to make me or others aware. 20 Q. I understand. Your approach to media relations, 21 page 2180, paragraph 21, second sentence: 22 "In my own view, staff within DPA act entirely 23 professionally and provide an extremely high level of 24 service both to police officers and police staff and to 25 the wide-ranging media they deal with on a daily basis." <p style="text-align: center;">Page 25</p></p>	<p>1 Q. Human nature being what it is, if you throw a bit of 2 alcohol into the mix and pre-existing friendships, 3 aren't there bound to be occasions when the high 4 professional standards you speak to slip a bit? 5 A. What do you mean by slipping? 6 Q. Well, don't quite meet the level which you set out in 7 the second sentence of paragraph 21 of your statement. 8 A. Well, I don't think it necessarily follows that in 9 a social environment, you can't still be professional. 10 Q. Okay. Can I ask you, please, about paragraph 22, when 11 you're dealing with the culture of relations between the 12 media and officers of the rank of DAC and above. You 13 say your experiences are confined to the two deputy 14 assistant commissioners who are in specialist 15 operations, you don't have daily interaction with other 16 DACs within the MPS and you do provide the current ACSO 17 with communication advice. 18 Is there, in your view, a difference between the 19 styles of interaction with the media, comparing persons 20 currently at this level, the Assistant Commissioner and 21 the DACs -- we know who the Assistant Commissioner is, 22 obviously -- and Mr Yates and Mr Hayman? 23 A. Um ... I think, yes, people do have different styles, 24 yes. 25 Q. Because from the evidence the Inquiry has received, <p style="text-align: center;">Page 27</p></p>
<p>1 So does it follow there are never occasions which 2 were brought to your attention of DPA staff acting less 3 than highly professionally; is that right? 4 A. Yes. 5 Q. Over 12 or 13 years? 6 A. Yes. I mean, I speak for my own opinion, both from the 7 staff I've had over the years, because my team has 8 changed, and obviously my general view of the 9 department. 10 Q. Of course we're going to hear this from Mr Fedorcio. 11 A not insignificant number of people employed within DPA 12 previously worked for newspapers. 13 A. Yes. 14 Q. That's right. So there must have been, as it were, 15 existing friendships? So people arrive at DPA having 16 worked with a newspaper, therefore they remain friendly 17 with people who remain in that newspaper. It's obvious. 18 A. Yes. 19 Q. Did you see evidence of that in any of the social 20 interactions or professional interactions you witnessed? 21 A. What, you mean on social occasions? 22 Q. Yes, or indeed on professional occasions, whether it be 23 the CRA lunches or whatever. 24 A. There may have been occasions where, yeah, people who 25 are former colleagues have met up, yes. <p style="text-align: center;">Page 26</p></p>	<p>1 there is rather, if I may say so, a stark difference in 2 style -- personality, even -- between some of the 3 witnesses we've seen. I've focused on Mr Yates and 4 Mr Hayman. Their approach was somewhat more expansive 5 than Ms Dick's. Is that a view you would share or not? 6 A. Yes. 7 Q. Obviously in relation to the current Assistant 8 Commissioner, there can be no question. On every 9 occasion, she no doubt attained the standards you've 10 described in your evidence, but it's really this 11 question: is it really your evidence that her 12 predecessors always attained those high professional 13 standards throughout what you saw? 14 A. From my experience, yes. 15 LORD JUSTICE LEVESON: Let me ask a slightly different 16 question: do you think the work that you had to do, 17 advising and drafting lines and developing the position 18 of the Metropolitan Police in this area, was more 19 difficult, less difficult or the same, but merely 20 different when comparing the approach of the three 21 assistant commissioners who Mr Jay has just asked you 22 about: Mr Hayman, Mr Yates and Ms Dick? 23 A. There are very similar issues we had to deal with, but 24 it was really a change in style, a difference in style. 25 LORD JUSTICE LEVESON: But did that make your job easier, <p style="text-align: center;">Page 28</p></p>

7 (Pages 25 to 28)

<p>1 more difficult or just the same?</p> <p>2 A. Just the same.</p> <p>3 LORD JUSTICE LEVESON: So you didn't need to do the</p> <p>4 entertaining bit to do the job? I'm not suggesting it</p> <p>5 was necessarily wrong, but it's not a necessary part of</p> <p>6 the job?</p> <p>7 A. Not always, no.</p> <p>8 LORD JUSTICE LEVESON: Well, ever?</p> <p>9 A. I think meeting journalists on an informal basis isn't</p> <p>10 necessarily inappropriate.</p> <p>11 LORD JUSTICE LEVESON: No, I didn't say it was. I'm simply</p> <p>12 asking whether it's a necessary part of the job.</p> <p>13 A. You could argue no.</p> <p>14 LORD JUSTICE LEVESON: Yes. You could argue no or you could</p> <p>15 argue yes, but you're doing the job. You've done it for</p> <p>16 many years. Do you think it is a necessary part of the</p> <p>17 job?</p> <p>18 A. I don't think you can -- I can come down one way or the</p> <p>19 other.</p> <p>20 MR JAY: I can see that in relation to the question "is it</p> <p>21 desirable or appropriate", because that involves</p> <p>22 a slightly more complicated judgment, but in relation to</p> <p>23 the question "is it a necessary part of the job",</p> <p>24 I think one can be slightly clear about --</p> <p>25 A. You could argue that it isn't necessary to socialise on</p> <p style="text-align: center;">Page 29</p>	<p>1 rightly or wrongly, is that some behaviour has not been</p> <p>2 appropriate, and I wouldn't say that we're perfect in</p> <p>3 any shape or form.</p> <p>4 Q. Have you given any off-the-record briefings to the</p> <p>5 media?</p> <p>6 A. Throughout my career, I have on occasions, yes.</p> <p>7 Q. But presumably you always do that when you're fed --</p> <p>8 I don't mean that pejoratively -- the relevant</p> <p>9 information from operational staff; is that right?</p> <p>10 A. Yes, a journalist may come to me with a question, maybe</p> <p>11 inaccurate, so I would liaise with the officers and</p> <p>12 there will be a discussion: is it appropriate to give</p> <p>13 guidance either to correct an inaccuracy or give</p> <p>14 a better understanding? So, yeah, I would do that and</p> <p>15 liaise with the officers, yes.</p> <p>16 Q. So you're really the conduit, but on the other hand you</p> <p>17 are, with your experience and your judgment, always</p> <p>18 tuning the information which you're being supplied so</p> <p>19 it's correctly imparted; is that right?</p> <p>20 A. Absolutely. I mean, on any guidance we wouldn't --</p> <p>21 or -- I can speak for myself and my team. We would</p> <p>22 never give guidance if officers weren't happy with it.</p> <p>23 Yeah, it does come with experience that you can perhaps</p> <p>24 say to officers that it may be beneficial to everyone</p> <p>25 concerned to give some guidance.</p> <p style="text-align: center;">Page 31</p>
<p>1 a wide basis.</p> <p>2 LORD JUSTICE LEVESON: Well, do I gather, Ms Cheesley, that</p> <p>3 you just don't want to answer that question?</p> <p>4 A. No, not at all, sir.</p> <p>5 LORD JUSTICE LEVESON: Well, we've tried.</p> <p>6 MR JAY: The section "Media relations within the MPS",</p> <p>7 paragraph 30, page 02183:</p> <p>8 "I would say that the specialist operations press</p> <p>9 desk has a good relationship with the wide range of</p> <p>10 media we deal with."</p> <p>11 Are there any relationships with sections of the</p> <p>12 media which are less than good?</p> <p>13 A. No. Generally, I think we have a fairly good rapport</p> <p>14 with journalists, which are obviously wide-ranging, both</p> <p>15 local, national and international on occasions.</p> <p>16 Q. I know you've been working in this organisation for 13</p> <p>17 years, but one does have the impression from your</p> <p>18 evidence that from your perspective everything is</p> <p>19 absolutely fine, that there are no -- I appreciate it's</p> <p>20 difficult for you to criticise. You're an employee,</p> <p>21 you're a loyal employee, but there are no matters of</p> <p>22 concern which you would wish to communicate with us; is</p> <p>23 that really the position?</p> <p>24 A. No, I think there's always room for improvement, and</p> <p>25 clearly the matters that have arisen -- the perception,</p> <p style="text-align: center;">Page 30</p>	<p>1 Q. This is usually confined to correcting inaccuracies; is</p> <p>2 that right?</p> <p>3 A. Yes.</p> <p>4 Q. Gifts and hospitality. We've covered some of this</p> <p>5 already. Paragraph 37, please, page 02185. We're not</p> <p>6 going to look at your gifts and hospitality register.</p> <p>7 It's clear that most of that relates to lunches, not</p> <p>8 dinners.</p> <p>9 A. Yes, it does.</p> <p>10 Q. But I've been asked to raise this with you. You see the</p> <p>11 second sentence of 37:</p> <p>12 "I have bought members of the media drinks at social</p> <p>13 occasions."</p> <p>14 How often, approximately, have you done that?</p> <p>15 A. Over the years, it's very difficult to say, but I don't</p> <p>16 know. Probably less than once a month. Quite</p> <p>17 infrequently. But I have done over the years.</p> <p>18 Q. And these occasions include and perhaps go further than</p> <p>19 the wine bar I mention which is close to Scotland Yard;</p> <p>20 is that right?</p> <p>21 A. Yes, there's been the CRA annual functions and the DPA</p> <p>22 did an annual function and occasionally, you know,</p> <p>23 you -- I would socialise with journalists, yes.</p> <p>24 Q. Are you able to tell us -- again, I've been asked to put</p> <p>25 this to you -- which reporters are your longstanding</p> <p style="text-align: center;">Page 32</p>

8 (Pages 29 to 32)

<p>1 personal friends?</p> <p>2 A. I have some at the BBC, Guardian, but they are people</p> <p>3 I've worked with for a long time, who I've known a long</p> <p>4 time.</p> <p>5 Q. So are these outside the CRA then?</p> <p>6 A. Yes.</p> <p>7 Q. I've been asked to put this to you as well: was there</p> <p>8 any media interest, even informal interest, in, if I can</p> <p>9 put it in these terms, the behaviour of AC Hayman and AC</p> <p>10 Yates?</p> <p>11 A. Sorry, I --</p> <p>12 Q. Their arguably excessive hospitality. Was there media</p> <p>13 interest at the time in that of which you were aware?</p> <p>14 A. In terms of stories?</p> <p>15 Q. Yes.</p> <p>16 A. I can't recall -- we may have had questions about their</p> <p>17 hospitality because obviously the hospitality registers</p> <p>18 were published, so I think we may well have had</p> <p>19 questions coming in to us about that, yeah.</p> <p>20 Q. I believe there were Freedom of Information Act</p> <p>21 requests?</p> <p>22 A. Yes.</p> <p>23 Q. You may have been aware of that at the time, were you?</p> <p>24 A. Yes.</p> <p>25 Q. So you were aware that there was some interest in the</p> <p style="text-align: center;">Page 33</p>	<p>1 A. Yes, but clearly if we get enquiries that aren't in my</p> <p>2 area of responsibility, we would pass that on. But in</p> <p>3 general terms, you would have a general idea of what was</p> <p>4 going on elsewhere.</p> <p>5 MR JAY: Aside from the perception -- and you've used that</p> <p>6 term several times now -- was any surprise expressed</p> <p>7 within the DPA about the apparent level of hospitality?</p> <p>8 A. I think perhaps in some quarters, because if we weren't</p> <p>9 aware of it when it transpired or it comes out, then</p> <p>10 obviously it's news to people.</p> <p>11 Q. But when it became news to people, did any people</p> <p>12 express surprise about it?</p> <p>13 A. Yeah, I think so.</p> <p>14 Q. Well, you would know because you would --</p> <p>15 A. Yes.</p> <p>16 Q. -- participate in relevant discussions.</p> <p>17 Can I ask you, please, about the phone hacking</p> <p>18 investigation, paragraph 39. We've seen the press lines</p> <p>19 which I think were drafted on 8 August 2006.</p> <p>20 A. Yes.</p> <p>21 Q. Those were lines then which were provided to you</p> <p>22 following discussions with relevant officers. It might</p> <p>23 have been Mr Maberly, might have been Mr Surtees or</p> <p>24 Mr Williams; is that right?</p> <p>25 A. Yeah, I drafted the statement and the lines at the time</p> <p style="text-align: center;">Page 35</p>
<p>1 hospitality that certain senior officers were enjoying;</p> <p>2 is that right?</p> <p>3 A. Yes.</p> <p>4 Q. So these matters must have been discussed within your</p> <p>5 office; is that right?</p> <p>6 A. In general terms, yes.</p> <p>7 Q. What were the nature of those discussions? Can you help</p> <p>8 us?</p> <p>9 A. I think it would just be generally about the media</p> <p>10 enquiries and just general discussion around what</p> <p>11 the hospitality comprised of.</p> <p>12 Q. Were any judgments made about the level of hospitality?</p> <p>13 A. I think clearly there was a perception that the level</p> <p>14 was seen to be inappropriate.</p> <p>15 LORD JUSTICE LEVESON: But you never had to draft lines on</p> <p>16 that?</p> <p>17 A. Oh no. From memory, I don't think I dealt with any of</p> <p>18 the FOIs. They were dealt with by, I think, our</p> <p>19 corporate office and more strategic lines I wouldn't</p> <p>20 have been involved in, but clearly would have had -- be</p> <p>21 aware of.</p> <p>22 LORD JUSTICE LEVESON: Presumably you have to be aware</p> <p>23 broadly of what's going on across the piece, because if</p> <p>24 you're dealing with journalists, you never know what's</p> <p>25 going to get thrown at you?</p> <p style="text-align: center;">Page 34</p>	<p>1 in liaison with the officers, yes.</p> <p>2 Q. Were you involved at all at a later stage, for example</p> <p>3 either in November 2006, which was when the guilty pleas</p> <p>4 came in, and then the sentences, which we know were</p> <p>5 26 January 2007?</p> <p>6 A. Yes, I was.</p> <p>7 Q. So there were press lines on both of those occasions,</p> <p>8 presumably?</p> <p>9 A. Yes.</p> <p>10 Q. Was there any discussion with the officers about how far</p> <p>11 this might have gone within News International?</p> <p>12 A. No, only -- I mean obviously at the time of the</p> <p>13 operation, it was a very covert, tightly-held operation</p> <p>14 which I was only briefed on very shortly before the</p> <p>15 arrests, and the sharing of information was very, very</p> <p>16 tight.</p> <p>17 Q. I'm asked to put this line of questions to you: the</p> <p>18 New York Times has reported -- I think it was the piece</p> <p>19 of 1 September 2010. That was a very lengthy piece.</p> <p>20 Presumably you saw that more or less at that time; is</p> <p>21 that correct?</p> <p>22 A. Yes.</p> <p>23 Q. But it reported that the DPA was extremely worried about</p> <p>24 the prospect of criminal proceedings being brought</p> <p>25 against News International journalists. Is that an</p> <p style="text-align: center;">Page 36</p>

<p>1 accurate report?</p> <p>2 A. I don't know if -- who that was referring to.</p> <p>3 Q. Was the DPA or anybody within the DPA, to your</p> <p>4 knowledge, extremely worried about the prospect of</p> <p>5 criminal proceedings being brought against</p> <p>6 News International journalists?</p> <p>7 A. I'm not aware.</p> <p>8 Q. Are you sure about that?</p> <p>9 A. Yes.</p> <p>10 Q. So when you read that article -- and I know it's</p> <p>11 a lengthy article -- you presumably were very surprised</p> <p>12 by that particular allegation in it, were you?</p> <p>13 A. Yes. We were aware that the New York Times were doing</p> <p>14 an in-depth article. They had put certain questions to</p> <p>15 us. But clearly we didn't know the content of that</p> <p>16 until it was actually published. We hadn't had advance</p> <p>17 sight of the draft or of the copy.</p> <p>18 LORD JUSTICE LEVESON: Well, you wouldn't normally, would</p> <p>19 you? You wouldn't expect it?</p> <p>20 A. No.</p> <p>21 LORD JUSTICE LEVESON: But you do know the questions you</p> <p>22 were asked?</p> <p>23 A. Yes.</p> <p>24 MR JAY: Yes. I was going to follow on: what were you</p> <p>25 asked? Can you remember now?</p> <p style="text-align: center;">Page 37</p>	<p>1 "And he said also to me [that's Mr Davies speaking</p> <p>2 to Elizabeth Filkin] that he raised this on several</p> <p>3 occasions with the Department of Public Affairs when he</p> <p>4 was ringing up as a journalist for information and they</p> <p>5 were giving him what he thought by then was inaccurate</p> <p>6 information, which his sources provided. They, of</p> <p>7 course, were presumably being briefed, as the</p> <p>8 Commissioner was at the time, in the same way. But he</p> <p>9 raised with them on several occasions that he thought</p> <p>10 they were giving out inaccurate information."</p> <p>11 So the point Mr Davies was making was that not</p> <p>12 merely were you, the DPA, feeding him inaccurate</p> <p>13 information about the phone hacking issue, but he was</p> <p>14 telling you that. Were you aware of this?</p> <p>15 A. I wasn't aware -- Mr Davies has never raised that with</p> <p>16 me, as the press officer dealing with phone hacking on</p> <p>17 SO press desk, and I'm not aware that he raised those</p> <p>18 specific issues with anybody else. He may have done,</p> <p>19 but I'm not aware and he didn't raise them with me, as</p> <p>20 the press officer involved.</p> <p>21 Q. Did he speak to you?</p> <p>22 A. I have spoken to Mr Davies, yeah, when he's made press</p> <p>23 enquiries, yes.</p> <p>24 Q. Does this cover the period 2009, 2010 --</p> <p>25 A. Yes.</p> <p style="text-align: center;">Page 39</p>
<p>1 A. Oh, from memory I couldn't tell you exactly, but there</p> <p>2 were various questions which came in to us which we</p> <p>3 provided information as much as we could. And we</p> <p>4 treated that as we would all the normal enquiries about</p> <p>5 phone hacking.</p> <p>6 Q. I'm sure that's right, but it may have been more</p> <p>7 specific questions about the role of the DPA itself. Do</p> <p>8 you follow me?</p> <p>9 A. There was only one question that came in, from memory,</p> <p>10 supposedly about a comment that DPA may have tried to</p> <p>11 influence the inquiry, which we put a line in rebutting.</p> <p>12 LORD JUSTICE LEVESON: Are these documents still in</p> <p>13 existence?</p> <p>14 A. The press line will be, yes.</p> <p>15 LORD JUSTICE LEVESON: So the requests from the New York</p> <p>16 Times and the responses?</p> <p>17 A. That should be on our press log.</p> <p>18 MR JAY: Maybe those responses can be provided to us in due</p> <p>19 course, Ms Cheesley.</p> <p>20 MR GARNHAM: Sir, we'll try to.</p> <p>21 LORD JUSTICE LEVESON: Thank you.</p> <p>22 MR JAY: There's a piece of evidence that Elizabeth Filkin</p> <p>23 gave the Inquiry and that related to something she was</p> <p>24 told by Nick Davies. What Elizabeth Filkin told us</p> <p>25 was -- this is page 101 of the transcript for 5 March:</p> <p style="text-align: center;">Page 38</p>	<p>1 Q. Were you, as it were, his point of contact within the</p> <p>2 DPA?</p> <p>3 A. Not the only point. Clearly he might come to me as the</p> <p>4 senior press officer. He may have made calls and spoke</p> <p>5 to my colleagues, and indeed he may have gone into the</p> <p>6 Press Bureau. So I wasn't his single point of contact,</p> <p>7 but I would have had contact with him as a press</p> <p>8 officer, yes.</p> <p>9 Q. But weren't you his main point of contact inasmuch as</p> <p>10 your sphere of responsibility was specialist operations</p> <p>11 and it was specialist operations who were, as it were,</p> <p>12 doing phone hacking? Do you see that?</p> <p>13 A. Absolutely, but not me as an individual, because I have</p> <p>14 a small team, so it would be me or my colleagues. But</p> <p>15 as the lead press desk, yes, it was specialist</p> <p>16 operation, yes.</p> <p>17 Q. Can I test it in this way: of course, much has come into</p> <p>18 the public domain now in relation to phone hacking. If</p> <p>19 you were to throw your mind back to 2009, summer of</p> <p>20 2011, do you feel now that you may inadvertently have</p> <p>21 given inaccurate information to journalists who were</p> <p>22 making enquiries at that time?</p> <p>23 A. We can only draft press lines and did draft press lines</p> <p>24 on the information we've given by the operational side,</p> <p>25 and those press lines are done in good faith, and I'm</p> <p style="text-align: center;">Page 40</p>

10 (Pages 37 to 40)

<p>1 not there to mislead in any shape or form. Now, if it 2 transpires there is other information that perhaps moves 3 those press lines on, then yes. 4 Q. I'm not quite sure what the answer is to the question. 5 I'm not suggesting for one moment that you are actively 6 misleading. I used the word "inadvertently" and I'm 7 using hindsight now. I'm saying: equipped with the 8 knowledge you have now and casting your mind back to 9 what you told journalists between 2009 and the summer of 10 2011, do you think that you may inadvertently have given 11 them inaccurate information? 12 A. Yes, clearly, because operationally other issues of -- 13 have come out which would change those press lines. 14 Q. But is it your evidence to the Inquiry that Mr Davies 15 never told you in terms: "You are giving me inaccurate 16 information"? 17 A. Not that I can recall. 18 LORD JUSTICE LEVESON: Well, that would be quite 19 a remarkable thing, wouldn't it? He's quite a senior 20 journalist. I suppose you would react if somebody said, 21 "You're feeding me a line"? 22 A. If somebody accused me of, in effect, lying, yes -- 23 LORD JUSTICE LEVESON: No, no: "You're feeding me a line; 24 this isn't right." Has that happened today you often or 25 at all?</p> <p style="text-align: center;">Page 41</p>	<p>1 aware -- I think a complaint was made, yes. 2 Q. Yes. Specifically, that Mr Hayman, as SO15 head at the 3 time, ACSO, had given a briefing in camera to about 15 4 MPA members and some MPA and MPS officials, including 5 the then Deputy Commissioner, and indeed you were 6 present. Do you recall this? 7 A. I think I -- because at the time of the actual incident, 8 I was on annual leave, out of the country, and I came -- 9 that was on the Friday. I came back on the Monday, and 10 I think I did attend an MPA meeting. I can't -- 11 Q. Well, a complaint about this was made and an 12 investigation was undertaken. Were you aware of that? 13 A. I think I was aware of the complaint, from memory. 14 Q. The evidence later this week is going to be -- I think 15 I have this right -- that you weren't asked any 16 questions by the individual carrying out the 17 investigation? 18 A. No. 19 Q. Could you confirm that's the case? But could you also 20 confirm that after the in camera briefing I mentioned, 21 there was also a social lunch -- "social" read in 22 inverted commas -- with journalists from the CRA, and 23 you and Mr Hayman attended that lunch; is that right? 24 A. I can't remember specifically the date, but if it's 25 registered, then I must have, yes.</p> <p style="text-align: center;">Page 43</p>
<p>1 A. Yeah, I mean, when journalists make enquiries, clearly 2 they get information from other sources and then if 3 we're not in a position to confirm that, then they will 4 take that position. 5 MR BARR: Can I deal now with the issue of leaks. Does the 6 DPA, as it were, leak to the press? 7 A. I'm not aware of anyone being investigated for that, 8 apart from some years ago, about nine years ago. That's 9 the only inquiry I'm aware of in relation to leaks of 10 a press officer at the time. 11 Q. There's a difference between inquiries being carried out 12 and whether the DPA leaks, which was my question. The 13 question was: does the DPA leak to the press? 14 A. I don't know. 15 Q. Can I put you one particular case, as it were, just for 16 your comment on this: there was a suggestion that 17 information was leaked to the Sunday Telegraph following 18 an off-the-record briefing on the Forest Gate terrorism 19 shooting incident, which was in 2006. Is that right? 20 A. The incident was, yes. 21 Q. Yes. Do you know anything about the leak investigation 22 which was conducted? 23 A. I can't recall, no. I do recall -- I think the 24 complaint was put in -- a complaint was made, but 25 I can't recall if it was the Sunday Telegraph, but I am</p> <p style="text-align: center;">Page 42</p>	<p>1 Q. I think it might be suggested that at that lunch, 2 someone was indiscreet. Do you think that's right? 3 A. I can't remember, I'm afraid. 4 Q. But you're sure it wasn't you? 5 A. Sorry? 6 Q. You're sure it wouldn't have been you, presumably? 7 A. Well, I think no. No. 8 MR JAY: Yes. Those are all the questions I had for, 9 Ms Cheesley. 10 LORD JUSTICE LEVESON: Thank you very much indeed. 11 A. Thank you. 12 MR JAY: What would you like to do? Shall we move straight 13 on to Mr Fedorcio or have a -- 14 LORD JUSTICE LEVESON: Well, we'll give -- I think -- 15 MR GARNHAM: Don't wait for me, sir. 16 LORD JUSTICE LEVESON: Then I won't. We'll carry on. 17 MR JAY: Mr Fedorcio, please. 18 MR RICHARD EDWARD FEDORCIO (sworn) 19 Questions by MR JAY 20 MR JAY: First of all, please, Mr Fedorcio, your full name. 21 A. Richard Edward Fedorcio. 22 Q. Thank you. You've provided the Inquiry with a witness 23 statement dated 28 February of this year. You've signed 24 and dated it and there's the standard statement of 25 truth. Is this your formal evidence to the Inquiry?</p> <p style="text-align: center;">Page 44</p>

<p>1 A. Yes, it is.</p> <p>2 Q. Your current position is director of public affairs for</p> <p>3 the Metropolitan Police Service; is that right?</p> <p>4 A. Yes.</p> <p>5 Q. And you have been a director of public affairs</p> <p>6 since September 1997; is that correct?</p> <p>7 A. Yes.</p> <p>8 Q. We need to clear up one matter, first of all. Initially</p> <p>9 you were on a five-year contract?</p> <p>10 A. Yes.</p> <p>11 Q. But what happened in October 2002?</p> <p>12 A. Prior to that, towards the end of the contract,</p> <p>13 I expressed a desire to extend and to have a new</p> <p>14 contract, and the personnel department took that up with</p> <p>15 the Metropolitan Police Authority, who subsequently</p> <p>16 decided that I should be offered a place on the</p> <p>17 full-time staff of the Metropolitan Police from then on.</p> <p>18 So I went from being on a contract into a normal</p> <p>19 employee, as it were, from October 2002.</p> <p>20 Q. On 21 October 2002 -- this is our page 09559 -- your</p> <p>21 employment was placed on a permanent basis with effect</p> <p>22 from 17 October 2002.</p> <p>23 A. Yes.</p> <p>24 Q. That meshes in with some evidence we heard a couple of</p> <p>25 weeks ago. In fact, when I say "meshes in", it</p> <p style="text-align: center;">Page 45</p>	<p>1 been since 1997 or was there a later time when you</p> <p>2 became a member of the board?</p> <p>3 A. From when I first started, I was an attendee or adviser</p> <p>4 to the board, so I attended all of their meetings, and</p> <p>5 I think in the early 2000s, 2000, 2001, I became a full</p> <p>6 member of the board.</p> <p>7 Q. There are 69 staff. You state what the expenditure is,</p> <p>8 page 09534, paragraph 3 of your statement. It's</p> <p>9 currently 6.7 million. And you say you personally</p> <p>10 provide media, public affairs and parliamentary advice</p> <p>11 to the Commissioner and manage his profile with the</p> <p>12 media. So overall, is this right, you are in charge of</p> <p>13 the MPS's media strategy?</p> <p>14 A. Yes.</p> <p>15 Q. Then actually you'll take direction from relevant</p> <p>16 commissioners. We heard from Sir John Stevens, as he</p> <p>17 then was, that when he arrived -- this was, I think,</p> <p>18 in September 2000 -- he caused a new media policy to be</p> <p>19 promulgated; is that so?</p> <p>20 A. I think prior to that Sir John Stevens came into the Met</p> <p>21 in 1998, I think, as Deputy Commissioner, and from that</p> <p>22 entry, as it were, he started to talk about the need to</p> <p>23 have a more -- more contact, more open relationship with</p> <p>24 the media, especially following the MacPherson report to</p> <p>25 the Lawrence Inquiry.</p> <p style="text-align: center;">Page 47</p>
<p>1 contradicts evidence we heard two weeks ago but I --</p> <p>2 A. I believe it does.</p> <p>3 Q. I'm using it sort of non-evaluatively.</p> <p>4 Currently, though, you are on extended leave pending</p> <p>5 an investigation by the IPCC. Can we be clear what that</p> <p>6 investigation relates to, Mr Fedorcio?</p> <p>7 A. It relates to the awarding of the contract to Shami</p> <p>8 Media.</p> <p>9 Q. So this is clear, it relates to nothing else; is that</p> <p>10 right?</p> <p>11 A. Not as far as I am aware.</p> <p>12 Q. Thank you. In terms of your career, throughout you've</p> <p>13 been in public relations, most of the time I think in</p> <p>14 the public sector; is that right?</p> <p>15 A. (Nods head)</p> <p>16 Q. And indeed in 1992, you became president of the</p> <p>17 Institute of Public Relations, which is the relevant</p> <p>18 professional body?</p> <p>19 A. That's right.</p> <p>20 Q. I don't know anything about this body. Is there a code</p> <p>21 of conduct, a code of ethics?</p> <p>22 A. Yes, there is. It's now a chartered institute.</p> <p>23 Q. Thank you. You are also a member of the MPS management</p> <p>24 board. We've heard about that from other witnesses.</p> <p>25 How long have you been a member of the board? Has that</p> <p style="text-align: center;">Page 46</p>	<p>1 Q. We've heard evidence from a number of witnesses that</p> <p>2 there was a perception, at least, that the Met had</p> <p>3 become rather a secretive and closed organisation</p> <p>4 following the Lawrence report. Is that something you</p> <p>5 would agree or disagree with?</p> <p>6 A. I don't think it had become secretive. I think there</p> <p>7 was a reluctance on the part of many people to engage</p> <p>8 with the media, bearing in mind that we'd had a fairly</p> <p>9 sustained critical period with them during the passage</p> <p>10 of that inquiry.</p> <p>11 Q. Thank you. Lord Stevens' policy was, as I said,</p> <p>12 promulgated in the year 2000.</p> <p>13 A. Mm.</p> <p>14 Q. You've had experience, if one can look at it more</p> <p>15 generally, of I think now five, if not six,</p> <p>16 commissioners, starting with Lord Condon, Lord Stevens,</p> <p>17 Lord Blair, Sir Paul Stephenson and now Mr Bernard</p> <p>18 Hogan-Howe. How, if at all, would you characterise</p> <p>19 their approach to the media? Are there any differences</p> <p>20 between them or are they all, in effect, similar? How,</p> <p>21 in your own words, would you characterise this?</p> <p>22 A. If I start with Lord Condon. I think that he understood</p> <p>23 and valued contact with the media, but he wasn't</p> <p>24 overactive in that area but was very aware of the need</p> <p>25 for good media relations.</p> <p style="text-align: center;">Page 48</p>

12 (Pages 45 to 48)

<p>1 John Stevens was a short advocate and fairly active 2 commissioner in terms of contact with the media and 3 building relationships during his period of time. 4 Sir Ian Blair, I think, had a more difficult period 5 in that sections of the media certainly didn't take to 6 him, and he faced a challenge during his period of 7 office, which, on a number of occasions, led to negative 8 stories about him, so I thinking that he was probably 9 a little more reserved around dealing with the media. 10 Sir Paul Stephenson, when he took over, I think was 11 probably nearer to John Stevens in his style, in terms 12 of his approach. I haven't actually worked with Bernard 13 Hogan-Howe since he took over. 14 Q. In paragraph 9, our page 09536, about two-thirds of the 15 way through that paragraph, you refer to four main core 16 activities: news and media relations, internal 17 communication, e-communication, marketing and publicity. 18 A. Yes. 19 Q. Most of those are self-explanatory. What's the 20 difference between news and media relations and 21 marketing and publicity? 22 A. I think "news" and "media relations" are interchangeable 23 words in this context. (inaudible) about dealing with 24 the news media and -- yes. So they're interchangeable. 25 I see no difference between those two. Marketing and</p> <p style="text-align: center;">Page 49</p>	<p>1 MR JAY: I think the question is more directed to how you 2 achieve this. It might be said that you're learning 3 your role, as it were, from, if I can put it neutrally, 4 those who carry out similar activities in the political 5 sphere, whether you call them spin doctors or whatever, 6 that you perhaps are learning from them and are 7 presenting the police in the best possible light, 8 regardless of the underlying truth. That's why I asked 9 the question in that general way. 10 A. I'm certainly not a spin doctor on that side. I think 11 that the -- there's lots and lots of things that go on 12 within the Metropolitan Police that rarely see the light 13 of day, and our job is really to find that and to make 14 people aware of it. There is a lot of good news in the 15 crime statistics, for example, which rarely reaches the 16 public domain. So what steps do we do to make that 17 aware -- make people aware of that? And that's where we 18 may use some publicity, for example, to promote the 19 crime statistic performance. So it's in the round of 20 what you were doing, rather than just through the news 21 media. 22 Q. I mean, how do you, as it were, prevent yourself from 23 giving too favourable an insight go about into the 24 Metropolitan Police Service? In other words, not 25 becoming, as it were, a spin doctor? Because that,</p> <p style="text-align: center;">Page 51</p>
<p>1 publicity, again, probably no great difference, although 2 marketing would encompass a broader range of 3 communication activity and not just publicity. 4 Q. Did you see it or do you see it as your role to present 5 the MPS in the best possible light? 6 A. Yes. 7 LORD JUSTICE LEVESON: Well, that requires you to define 8 "the best possible light". 9 A. Yes, I think at any particular time you would look at 10 what was going on and were we, as the organisation, 11 doing enough to explain what we were doing? 12 LORD JUSTICE LEVESON: That's slightly different, because 13 explaining what you're doing may not put you in the best 14 possible light because sometimes things go wrong. 15 A. Yes. 16 LORD JUSTICE LEVESON: So how do you cope with that? That's 17 one of the questions that actually underlines the whole 18 business about the relationship. 19 A. Yes. I think that when things go wrong, there's very 20 often a lack of information that's put into the public 21 domain to enable people to form a judgment as to what 22 may have gone wrong. So I would look in those 23 situations to make sure that we were providing as much 24 context as we could around an issue so that proper 25 judgment could be made.</p> <p style="text-align: center;">Page 50</p>	<p>1 after all, is in one sense your food and drink, isn't 2 it? 3 A. I think that you would be aware of research that you 4 had, for example, which showed the public's 5 understanding of things. It would be -- our own acid 6 test, as it were, is: do I believe that? Does it make 7 sense to me? Can it be perceived as being accurate and 8 the right position and challenging, that sort of 9 information that may come your way. So I don't think we 10 just took what was given to us by parts of the 11 organisation but we would challenge that and go through 12 it, to say: does this add up? Does it make sense? Is 13 it believable? That's the sort of professional test 14 that one would put against it. 15 Q. You, of course, are provided with raw data by 16 operational officers and then you have to turn that into 17 a press statement or a press line. Isn't part and 18 parcel of that process not to make it as gleaming as 19 possible, but to make it as palatable, as attractive as 20 possible? 21 A. I don't think so. When you're dealing with operational 22 information, it falls into almost a formula, if you work 23 within the ACPO guidelines, the sort of information that 24 can be provided at certain stages of investigative 25 operations or through court cases. You're obviously</p> <p style="text-align: center;">Page 52</p>

<p>1 working within the law as well as to what you should and</p> <p>2 should not be putting out. So an awful lot of what we</p> <p>3 did was fairly formulaic, and you'd have a set of facts</p> <p>4 which would fit into a template, maybe.</p> <p>5 Q. Okay. In paragraph 12 you tell us:</p> <p>6 "The most regular journalists dealing with MPS</p> <p>7 matters tend to be crime reporters or correspondents</p> <p>8 from the national and London regional press and</p> <p>9 broadcasters."</p> <p>10 When one is looking at the printed media, are we</p> <p>11 looking at or talking about mainly the tabloid press?</p> <p>12 A. I think the tabloid are more regular than the</p> <p>13 broadsheets, yes.</p> <p>14 Q. Why is that?</p> <p>15 A. I think it's just the nature of what they cover.</p> <p>16 They're very heavy into detail of operational activity</p> <p>17 and arrests and so on. It's just the nature of their</p> <p>18 business. Not ours.</p> <p>19 Q. To put it bluntly, they're looking for possibly the most</p> <p>20 sensational stories, which they can print; is that</p> <p>21 right?</p> <p>22 A. I would expect them to be doing that, yes.</p> <p>23 Q. So we're talking about the national tabloid press. The</p> <p>24 field is already quite limited when we're talking about</p> <p>25 senior crime reporters; is that right?</p> <p style="text-align: center;">Page 53</p>	<p>1 officers, which we may or may not be aware of.</p> <p>2 Q. You're saying here it's not practical or possible to</p> <p>3 handle every single media request or interaction.</p> <p>4 A. Yes. I think if you look at the media policy, which</p> <p>5 authorises anyone from inspector level and above to</p> <p>6 speak about their own area of responsibility, the press</p> <p>7 are aware of that, as we are, and they can make those</p> <p>8 approaches.</p> <p>9 Q. Thank you. In paragraph 14, you explain:</p> <p>10 "The news branch plays a key role in supporting</p> <p>11 officers, but whenever possible and practical we arrange</p> <p>12 for the relevant officer to speak to the media, but many</p> <p>13 inquiries are routine and can be dealt with by the press</p> <p>14 office with no further referral."</p> <p>15 Then I paraphrase: journalists would indeed prefer</p> <p>16 to speak to the officer rather than to you or your</p> <p>17 department, rather?</p> <p>18 A. Yes, and I think they -- the research I highlight a bit</p> <p>19 later on reflects that.</p> <p>20 Q. And the policy -- we've seen it -- is that anybody at</p> <p>21 inspector level and above -- so that covers, I think,</p> <p>22 about 2,000 officers -- are authorised to speak to the</p> <p>23 press, provided it's within their sphere of</p> <p>24 responsibility?</p> <p>25 A. That's right.</p> <p style="text-align: center;">Page 55</p>
<p>1 A. It would be, yes. But not exclusive.</p> <p>2 Q. We'll come back to that issue. You helpfully, in</p> <p>3 paragraph 13, provide us with what, I think to use the</p> <p>4 jargon, is an organogram. Indeed, that's the word you</p> <p>5 use. Nothing wrong with that. Structure chart.</p> <p>6 I think I prefer that, actually.</p> <p>7 We can see the way it works. This is page 09537.</p> <p>8 Sara Cheesley helped us with this, that her press desk</p> <p>9 was specialist operations, specialist crime and central</p> <p>10 operations, and then the four branches you mention we</p> <p>11 can also see running from left to right.</p> <p>12 A. Yes.</p> <p>13 Q. You tell us in paragraph 13 that some 45 out of 69 of</p> <p>14 DPA staff are press officers of the news branch and are</p> <p>15 dedicated to providing media support.</p> <p>16 A. Mm-hm.</p> <p>17 Q. You say further, through that paragraph:</p> <p>18 "However, it is not practical or possible within the</p> <p>19 resources available for the DPA to handle every single</p> <p>20 media request or interaction that is made."</p> <p>21 I've been asked to put this to you: how do you</p> <p>22 choose then as to which media request or interaction</p> <p>23 you're going to run with or not?</p> <p>24 A. I think any that comes to the DPA we will deal with, but</p> <p>25 I think that some journalists will go direct to</p> <p style="text-align: center;">Page 54</p>	<p>1 Q. Is that correct? Can I ask about paragraph 15, middle</p> <p>2 of the paragraph:</p> <p>3 "Where a senior officer accedes to a request for an</p> <p>4 interview, the DPA will normally facilitate arrangements</p> <p>5 for the interview."</p> <p>6 This really follows on from the line of questions</p> <p>7 I raised with the previous witness, Ms Cheesley: what</p> <p>8 procedures are in place to ensure that there is equality</p> <p>9 of treatment as across different news organisations?</p> <p>10 A. I think it's one where the chief press officer and I and</p> <p>11 maybe my deputy would be aware, over a period of time,</p> <p>12 who was talking to who, and always have a mental picture</p> <p>13 of where the contact was going on and trying to ensure</p> <p>14 that there was equality over a period of time.</p> <p>15 I mean, for example, I was often conscious that we</p> <p>16 might be holding some form of press event where it was</p> <p>17 impractical to have the entire media present, but you</p> <p>18 would have a pool facility, and in doing that you would</p> <p>19 try and rotate the pool so that over a period of time</p> <p>20 all of those who would have had an interest in that</p> <p>21 story would have the opportunity to be the lead</p> <p>22 attendee, as it were.</p> <p>23 Q. But did you ever turn requests for interview down</p> <p>24 because particular sections of the press had already</p> <p>25 had, as it were, favourable access?</p> <p style="text-align: center;">Page 56</p>

14 (Pages 53 to 56)

1 **A. I don't think that's the case, no.**
 2 LORD JUSTICE LEVESON: You say you just rely on a mental
 3 picture of where the contact was. There's no structure
 4 of saying, "Well, we have to make sure that we deal with
 5 all these people fairly and that there isn't the
 6 perception of enhanced access"?
 7 **A. There wasn't. I believe there is now.**
 8 LORD JUSTICE LEVESON: Do you think that's sensible?
 9 **A. I think it is, yes.**
 10 LORD JUSTICE LEVESON: Could I just ask, while I'm asking
 11 and interrupting Mr Jay -- your structure. Who is there
 12 looking at the overall picture and the proactive way
 13 that news is managed in the sense that the story is
 14 told? Your news branch is essentially reactive, isn't
 15 it?
 16 **A. No, it's both. Reactive and proactive.**
 17 LORD JUSTICE LEVESON: So who is there trying to make sure
 18 that the whole picture is told, not just in relation to
 19 operations but across the piece? Which box does this
 20 come into?
 21 **A. I would look to the chief press officer in news branch**
 22 **to be doing that for the news media work, and I would**
 23 **expect the deputy director's role to co-ordinate across**
 24 **the branches, so -- if there was a holistic approach**
 25 **needed. So the four sections were working in unison.**
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1 MR JAY: Did you have meetings with your senior personnel to
 2 discuss strategic issues?
 3 **A. As a senior management team, we met monthly, in formal**
 4 **meetings, to discuss the business of the department and**
 5 **what was going on. There may also have been other**
 6 **meetings held to discuss specific topics where we needed**
 7 **to have a separate strategy or some specific work needed**
 8 **to be developed.**
 9 Q. Was it ever on the agenda of those meetings that certain
 10 sections of the press were either being favoured or
 11 disfavoured?
 12 **A. I don't recall that, no.**
 13 Q. It's apparent from the diaries, the gifts and
 14 hospitality registers, which we'll look at in a moment,
 15 that one section of the printed media were arguably
 16 disfavoured -- indeed, they score very low -- and that's
 17 papers from the Northern & Shell group. Do you know why
 18 that is the case?
 19 **A. I think that I recall approaching the crime**
 20 **correspondent from the Daily Express, John Twomey, and**
 21 **asking him whether we could meet with the editor, the**
 22 **Commissioner and so on. The message that came back was**
 23 **that the editor was more than happy for John Twomey to**
 24 **act as the link with the Metropolitan Police. So the**
 25 **editor had said, "I don't see any point to it", in terms**
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1 **of doing that. The Sunday Express we saw on a few**
 2 **occasions, not many, but that was the main reason, that**
 3 **John was seen as the main contact.**
 4 Q. Going back to paragraph 15, where you say:
 5 "While some senior officers rely on the DPA to
 6 manage their contact with the media, many do so directly
 7 themselves."
 8 Those who chose to do so directly, were you made
 9 aware of the contacts they were having with the media?
 10 **A. Not always, no. Sometimes, yes.**
 11 MR JAY: Might that be a convenient moment --
 12 LORD JUSTICE LEVESON: Yes, certainly. Perhaps I can take
 13 the opportunity to recognise Mr Beer and provide my
 14 gratitude for the assistance of his volume.
 15 (11.29 am)
 16 (A short break)
 17 (11.38 am)
 18 MR JAY: Mr Fedorcio, may I go back to the point about
 19 senior officers having direct contact with journalists?
 20 Is that something that you encouraged?
 21 **A. Um ... yes, I think I probably did, yes.**
 22 Q. We heard from Lynne Owens last week, currently, of
 23 course, Chief Constable of Surrey, that you suggested
 24 that she meet with the press on social occasions,
 25 presumably dinner?
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1 **A. No. No, what I said to Lynne Owens when she started**
 2 **with the Metropolitan Police, is that a lot of the crime**
 3 **reporters, they didn't know her, she was fairly new on**
 4 **the scene, would she be interested in meeting them maybe**
 5 **over lunch or over a drink?**
 6 Q. Yes.
 7 **A. It was their suggestion to me. I put that to her and**
 8 **she made it clear that -- her style, she preferred to do**
 9 **it in a different way.**
 10 Q. When you put it to her, were you at least giving her the
 11 impression that this was a desirable thing to do?
 12 **A. I think so.**
 13 Q. What is your view, speaking more generally now, about
 14 the desirability on the one hand and the necessity on
 15 the other hand of police officers engaging with
 16 journalists over a meal and/or over alcohol?
 17 **A. I think the benefit I would look at of the interaction**
 18 **between police officers and the press in any situation**
 19 **would be about to improve their relationship and**
 20 **understanding of each others' interests. That would be**
 21 **the starting point.**
 22 **Secondly would come the practicalities of when and**
 23 **where that could take place, and very often a lunchtime**
 24 **was seen as a good time by both parties to do it. On**
 25 **other occasions, it wasn't. A lot of crime reporters,**
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<p>1 for example, would spend time in court, so their hours 2 were restricted between sort of morning and during the 3 afternoon, so lunchtime was a break, or later in the 4 day, evenings and so on. It varied in some ways. Some 5 journalists didn't have that problem, they didn't attend 6 court, they were happy to do it whatever time of the day 7 you could fit them in the diary, but for others it was 8 more of a practicality. 9 Q. In terms of the desirability, though, of interactions 10 taking place over a meal with alcohol, do you see any 11 risks and dangers? 12 A. I think potentially there can be dangers. I think that 13 it could be perceived that it was an opportunity for 14 inappropriate passing of information. Therefore, 15 I think there needs to be a good understanding by both 16 parties on the terms on which they're meeting, which is 17 entirely professional, or should be entirely 18 professional, from both standpoints. 19 Q. Maybe it's more than a question of perception, though, 20 Mr Fedorcio, because if alcohol is involved, human 21 nature being as it is, particularly if someone has got 22 to know the interlocutor, the risk of gossip or 23 inappropriate commentary increases, doesn't it? 24 A. It can do, yes. 25 Q. Have you ever had personal knowledge of this happening? Page 61</p>	<p>1 a glass or two; the tongue loosens. You never saw that? 2 A. No. 3 LORD JUSTICE LEVESON: I don't think we'll descend into your 4 experiences, Mr Jay. 5 MR JAY: I'm sorry, I used the impersonal pronoun. I was 6 careful not to. I'm always very careful, of course. 7 Can I ask you, please, about paragraph 18. 8 A. Yes. 9 Q. I've been asked to put to you this series of questions. 10 The penultimate line, the visits and attendance on 11 police raids, paragraph 18, our page 09538. 12 A. Yes. 13 Q. How many journalists were normally present on such raids 14 when they were invited along? 15 A. I think it would depend on the specifics of the raid but 16 in the main it would be a relatively small number, so 17 that they would not sort of interfere with conducting 18 the raid itself, and that they would be facilitated and 19 managed throughout, with a press officer to escort them. 20 Q. How did you decide whom should be invited? 21 A. I think that's -- again, this was almost a rota, but it 22 would depend again where the raids were in London, what 23 the raids were for. You would be aware of certain 24 papers having interests in certain subjects, certain 25 crimes and so on, and you would tune that. But in the Page 63</p>
<p>1 A. No, I haven't. The alcohol that I've been involved in 2 meetings has always been moderate and appropriate. 3 Q. The question wasn't so much directed as to what you 4 might have said after a glass, but more whether officers 5 might have said something inappropriate after a glass, 6 if you see what I mean? 7 A. It is possible for that to happen. I don't have any 8 direct evidence or experience of that. 9 Q. So on all the occasions when you were accompanying 10 commissioners, deputy commissioners, assistant 11 commissioners at lunch and dinner over 13, 14 years, you 12 never saw an interaction which caused you concern, at 13 the time or afterwards? 14 A. No. 15 Q. Is that your evidence? 16 A. That's my evidence, yes. 17 LORD JUSTICE LEVESON: Is there another problem, 18 Mr Fedorcio, that somebody is paying for this alcohol? 19 It's either the public or it's the press, and if it's 20 the former, that raises questions, and if it's the 21 latter, that raises risks, doesn't it? Is that right or 22 not right? Introduce me to your world, please. 23 A. Of course it can present risks, yes. 24 MR JAY: It just defies human nature, Mr Fedorcio. One 25 knows from one's own experience what happens after Page 62</p>	<p>1 main you would normally take someone there to act as the 2 pool, so from the Press Association, for example, who 3 would then pool everything back in for everyone else to 4 have. 5 Q. You said "almost a rota". Presumably there wasn't 6 a rota in fact, was there? 7 A. I don't think there was -- there wasn't a written down 8 rota. It was within the news branch, the chief press 9 officer or the heads of the desks though were organising 10 these things to know who'd been previously. 11 Q. Were you ever involved in decisions as to who would go 12 along? 13 A. No, I don't believe I was. 14 Q. What restrictions were placed on what the media did, if 15 any? Do you know? 16 A. There was a guidance note, I think, within my pack of 17 evidence which sets out the rules of engagement, as it 18 were, but it would start with a risk assessment from 19 a health and safety point of view, and then an 20 assessment around what would be practical for them to 21 know, how soon -- how far in advance you were told 22 exactly what's going to take place and that there would 23 be no compromise of what was going on. These were the 24 sort of decisions that were being taken. 25 Q. May I move on then to paragraph 19, page 09539. You Page 64</p>

<p>1 tell us about the searchable computerised database, 2 which is called Solcara, which is the corporate memory, 3 as it were, of the information which is given out to the 4 press; is that right?</p> <p>5 A. (Nods head)</p> <p>6 Q. There are various levels of information which you 7 describe. The first category is "for offer", what 8 information the MPS is able to offer forgot media. 9 Number two is "if asked", may provide if asked. Number 10 three, "non-attributable", information that 11 third-parties have released and which is known by the 12 MPS and which may be released by the MPS, making it 13 clear when it is released that its source was a third 14 party and not the MPS. And then "not for publication", 15 which is probably self-explanatory.</p> <p>16 There may be timing issues, though, with "not for 17 publication". It might be not for publication now, but 18 could be for publication after a certain event has 19 occurred; is that right?</p> <p>20 A. That would be the case, and if that was so, then the log 21 for that entry would be amended up and updated.</p> <p>22 Q. Then there's certain information which will always 23 remain sensitive or confidential.</p> <p>24 A. Yes.</p> <p>25 Q. The off-the-record communications are really encompassed</p> <p style="text-align: center;">Page 65</p>	<p>1 published?</p> <p>2 A. I think we would see that through the press cuttings or 3 the monitoring of what's in the media. We would capture 4 it after the event.</p> <p>5 Q. So you do monitor it?</p> <p>6 A. Yes.</p> <p>7 Q. Have there been occasions then when you've been caught 8 out and then a trusted journalist ceases to be a trusted 9 journalist?</p> <p>10 A. I can only recall one occasion in my 14 years where that 11 happened.</p> <p>12 Q. Paragraph 21. May I ask you what you mean in your first 13 point when you refer to "official rather than unofficial 14 relationships with the media"? What do you mean by 15 "official" and "unofficial"?</p> <p>16 A. I think the Directorate of Public Affairs and the press 17 office is seen as the official media contact point for 18 the organisation, that our people would be quoted as 19 spokespeople in any quotes or information that's given, 20 so we're often referred to as the official spokespeople. 21 So that's what I mean by that, as opposed to anyone else 22 in the information which may be doing something 23 officially or unofficially.</p> <p>24 Q. Can you give us an example, though, of an unofficial 25 relationship or manifestation of such a relationship?</p> <p style="text-align: center;">Page 67</p>
<p>1 by both (iii) and (iv), aren't they?</p> <p>2 A. Yes, I think so, yes.</p> <p>3 Q. You expand upon this in paragraph 20, second sentence: 4 "As to developing effective relationships, the DPA 5 builds relationships and helps develop trust between the 6 MPS and the media. The DPA using off the record 7 discussions only with people it knows and trusts and in 8 whom it has confidence not to publish information given 9 on this basis."</p> <p>10 Are you referring there to the crime reporters in 11 the main who you have built up relationships with?</p> <p>12 A. They are a core part of that, but they're not the only 13 people that deal with the press office regularly.</p> <p>14 Q. I'm not inviting you to name names, but who else might 15 be within this category of people who you'd trust?</p> <p>16 A. These would be journalists, some from other sections of 17 the national media. They would be from local media, 18 regional, specialist media that we deal with. Quite 19 a wide range.</p> <p>20 Q. So is this right: do you monitor off-the-record 21 briefings to the extent that you check whether or not 22 information has ever been published?</p> <p>23 A. I don't believe we have, no.</p> <p>24 Q. So how do you know whether or not information given out 25 in confidence or off the record has or has not been</p> <p style="text-align: center;">Page 66</p>	<p>1 A. I think if there's a case where an individual is talking 2 about items beyond their sphere of responsibility to the 3 a journalist.</p> <p>4 Q. In other words, acting outwith the relevant media 5 policy?</p> <p>6 A. Yes.</p> <p>7 Q. That's effectively what you mean, isn't it?</p> <p>8 A. Yes.</p> <p>9 Q. Then you say: 10 "Within the DPA, there is no preference for one 11 newspaper over another and there is even-handedness." 12 That is an assertion, Mr Fedorcio. How is that 13 maintained?</p> <p>14 A. I think that is by an awareness amongst myself, the 15 chief press officer, the deputy director, of all the 16 activity that is going on across the department. So it 17 would be an assessment. Not that there's anything 18 recorded but it would be an assessment of: we think that 19 over time everyone has had a fair share of access to 20 what's going on.</p> <p>21 Q. I think you already told us you don't adjust future 22 relationships; in other words, you don't deny 23 journalists contact because there's been a perception 24 they've had too much in the past, do you?</p> <p>25 A. No.</p> <p style="text-align: center;">Page 68</p>

17 (Pages 65 to 68)

<p>1 Q. Can I move on, if I may, to paragraph 23, which is 2 a satisfaction survey. 3 A. Mm-hm. 4 Q. It might be said by, I suppose, the cynical person, that 5 too much satisfaction here is rather a bad thing because 6 you're giving them too much. Do you see what I mean? 7 Is there any validity in that? 8 A. I think from the point of view of running my department, 9 which is meant to be the main point of interaction with 10 the media and delivering what the commissioners have 11 expected to us do, I would like to see, you know, these 12 results improved on. 13 Q. I suppose it depends what you mean by "satisfaction". 14 A. Where you're coming from. 15 Q. May I move on to paragraph 26, where you provide the 16 Inquiry with some data. Currently 69 full-time posts. 17 As at January 2012, 32 came from previous media 18 background. Then you explain the breadth of that, and 19 then: 20 "According to the DPA data, of these, 12 had 21 previously worked for titles owned by Rupert Murdoch and 22 three of these 12 had worked for News of the World but 23 none of them were permanent staff." 24 No doubt you would invite the Inquiry to consider 25 these figures against the percentage of the printed Page 69</p>	<p>1 number of staff to get a proper balance, because on 2 a quick look through myself, I've identified five worked 3 for the BBC, three for the Standard, three for Guardian 4 Media Group, two for the Daily Mail, one for the 5 Independent, one for the People and so on. I think 6 there's a -- in terms of equality of where they've come 7 from, I think there's quite a spread there. And there's 8 also as very widespread amongst local newspapers, both 9 in London and in the rest of the country. 10 Q. Do you personally or have you personally carried out 11 interviews of staff? 12 A. Only for my deputy director. 13 Q. Thank you. 14 Can I move forward, please, to paragraph 30, 15 page 09542. 16 LORD JUSTICE LEVESON: Before you leave staff, do you not 17 need to mention going the other way? Do you have 18 a comment upon your staff then going to work for -- 19 A. The media? 20 LORD JUSTICE LEVESON: -- the media? 21 A. Yes, I think I said there's only one member of staff 22 that I'm aware of that has gone into the media after 23 leaving the Met, and that, as far as I'm concerned, has 24 not caused us any problems or issues. 25 LORD JUSTICE LEVESON: Sorry, Mr Jay. Page 71</p>
<p>1 media as a whole which is comprised by 2 News International titles; is that right? I think it's 3 about 40 per cent. 4 A. I think so, yes. May I just add to this information? 5 Q. Of course. 6 A. I mean, I've looked through the data that's provided 7 those raw numbers, and I find it quite interesting the 8 three staff who have worked for the News of the World, 9 one of them worked on some freelance shifts there 10 between 1988 and 89, so over 20 years ago. The second 11 one had a four-month contract in 1995, so 15 years ago, 12 and the third worked some freelance shifts between 2001 13 and 2004. So there is no one within the department who 14 has worked for the News of the World since 2004. 15 On the wider Murdoch media, the other nine, as it 16 were, four of those worked for Sky News, one for the 17 London Paper and the Sun, had worked for both the 18 organisations, two had worked for the Sun, one for six 19 months, one for five weeks, and one had one week's work 20 experience on the Times. That's the News 21 International -- the Murdoch territory. 22 But I'd invite you to consider and perhaps I'd like 23 to ask the Met to consider some further analysis on the 24 data that they've used as to other media organisations 25 that are represented in a similar way amongst that total Page 70</p>	<p>1 MR JAY: Paragraph 30 now, Mr Fedorcio. This is a policy 2 which the management board itself issued in February 3 2008 as to how it should manage its relations with the 4 media. We have the policy, DF/3, page 09621. In the 5 bundle you have there, it could be under tab 4, 6 Mr Fedorcio. 7 A. Yes, I have it. 8 Q. Before we look at the policy, could you help us, please, 9 with the background to it? Why was it published at all? 10 A. I think we had recently produced a new updated version 11 of the media policy generally, and I think at that time 12 there were some of the issues which I know have been 13 discussed here previously, regarding concerns about the 14 way management board was behaving in relation to things 15 appearing in the media. I was asked to look at 16 producing additional guidance for how management board 17 themselves should operate, both as a reminder to the 18 individuals, how we expect them to operate, and also to 19 reinforce to them their responsibilities to make sure 20 their staff are aware of the policy and followed it. 21 Q. So is this a policy that you were personally responsible 22 for and you drafted it? 23 A. I drafted this, I think, for the then Deputy 24 Commissioner, Sir Paul Stephenson. 25 Q. It was to address concerns that people on the board were Page 72</p>

<p>1 either leaking to the media, briefing the media, or 2 however you want to put it; is that right? 3 A. There was an inappropriate flow of information. 4 Q. I think you had your own suspicions as to who those 5 people are, but you don't want to voice those publicly; 6 is that right? 7 A. I have my suspicions. I have no firm evidence, so 8 therefore I'd rather not. 9 LORD JUSTICE LEVESON: But it's a very limited number of 10 people? 11 A. It is, yes. 12 LORD JUSTICE LEVESON: And they're all extremely senior. 13 A. (Nods head) 14 LORD JUSTICE LEVESON: And therefore it's extremely 15 disturbing. 16 A. It was very disturbing, and a very difficult time for 17 the organisation and for Sir Ian Blair to lead the 18 organisation when that was going on around him. What 19 I would say is that the people who I suspect are no 20 longer with the organisation. 21 LORD JUSTICE LEVESON: But it's not so much just a question 22 of: "Well, that's all right then." It's much more an 23 analysis of why that was, why it was felt appropriate to 24 behave in that way, and whether it says something about 25 the culture, both of the top managers or relevant Page 73</p>	<p>1 four assistant commissioners, we have a deputy and there 2 are about nine DACs, but they would only be there if the 3 relevant assistant was elsewhere? 4 A. Or sometimes a commander would attend if the DAC wasn't 5 available as well. So there could be potentially 40 6 different people, but in the main there was a core of 10 7 to 15 people who would be the regular attendees. 8 LORD JUSTICE LEVESON: But we can go a bit further than 9 that. I'm not asking you to name names or identify 10 suspicion, but these leaks obviously weren't just on one 11 occasion; they were a continuing pattern? 12 A. There was a frequency to it, yes. 13 LORD JUSTICE LEVESON: Therefore it's unlikely to be people 14 who only went to one meeting? 15 A. I -- I wouldn't necessarily totally agree with that. 16 I think that the substitutes would be there sometimes -- 17 you know, not just once a week or once a month or 18 something. It could be for a period of time or a number 19 of weeks, so I can't jump to that conclusion. 20 LORD JUSTICE LEVESON: All right. 21 MR JAY: It might be particularly interesting if a DAC were 22 there on occasion and then you saw in the press evidence 23 of a leak on occasions when you knew that particular DAC 24 were there. Is that -- 25 A. That's -- that could be it, yes. Page 75</p>
<p>1 managers within the Met and their relationship with the 2 press, which actually brings us to why we're here. 3 A. Yes. As I say, I'd never seen anything like it before 4 or since. It was a particular period with particular 5 people. 6 MR JAY: Can we be clear then: what period of time are we 7 looking at? By implication, it's the time when 8 Sir Ian Blair was Commissioner, but can we be more 9 precise? 10 A. It must have been just prior to February 2008, because 11 that was the timing of it, when this went to management 12 board to be agreed. 13 Q. So how long before February 2008 were these briefings 14 going on? 15 A. I honestly can't be sure of that. 16 Q. Approximately? 17 A. A number of months. 18 Q. So these were very senior officers, then, by definition 19 on the board. They must have been Deputy Assistant 20 Commissioner level and above? 21 A. Assistant Commissioner and above. 22 Q. Assistant Commissioner and above, pardon me. 23 A. They would -- if the assistants were unable to attend, 24 then a deputy would attend as their substitute. 25 Q. Yes, indeed. So in terms of the candidates, we have Page 74</p>	<p>1 Q. That could be it, yes. It's also interesting that the 2 penultimate bullet point is looking at the need to 3 record social meetings with a journalist. Is the 4 implication there that the social meeting is fertile 5 ground for one of these inappropriate conversations? 6 A. I think that could be seen as such, yes. 7 Q. It's more than that, isn't it? You yourself probably 8 suspected that and that's why we can see it here? 9 A. Maybe. I suppose it was a way of sort of covering off 10 all the angles, as it were, in this paper, because it is 11 highly likely that the movement of information we're 12 talking about would have been done in other ways and in 13 other places. 14 Q. And then the last point: 15 "Avoid being too accessible to journalists in any 16 way that could compromise their position or lead to 17 accusations of favouring any particular media outlet or 18 providing unauthorised information to them." 19 "Too accessible" would include journalists making 20 direct contact too frequently who your mobile phone? 21 A. Possibly, yes. 22 Q. And it will would obviously include lunches and dinners 23 which happen too often; that goes without saying. We 24 see express reference here to the perception of 25 favouring any particular media outlet, don't we? Page 76</p>

<p>1 A. Mm-hm.</p> <p>2 Q. So this was something which was on your radar, clearly,</p> <p>3 in February 2008, wasn't it?</p> <p>4 A. Yes.</p> <p>5 Q. And it was probably an issue which had been on your</p> <p>6 radar for some time, hadn't it?</p> <p>7 A. I think a few months.</p> <p>8 Q. Was the concern specifically that people were briefing</p> <p>9 against Lord Blair or did the concerns about the leaks</p> <p>10 go wider than that?</p> <p>11 A. I think it was more on the leaks.</p> <p>12 Q. So not --</p> <p>13 A. I can't be sure, but --</p> <p>14 Q. It wasn't just about Lord Blair's position?</p> <p>15 A. No.</p> <p>16 Q. It was leaks more generally. Well, that's probably as</p> <p>17 far as I can take that with you, Mr Fedorcio.</p> <p>18 LORD JUSTICE LEVESON: Did it work?</p> <p>19 A. I think, looking at it, I would say to a certain extent</p> <p>20 but not totally.</p> <p>21 LORD JUSTICE LEVESON: Well --</p> <p>22 A. I think the leaks stopped, but that may have been the</p> <p>23 passage of people.</p> <p>24 MR JAY: Mm. Indeed, people may have left anyway.</p> <p>25 A. Mm.</p> <p style="text-align: center;">Page 77</p>	<p>1 Q. The lunches afterwards were always off the record; is</p> <p>2 that right?</p> <p>3 A. Yes.</p> <p>4 Q. You make it clear in paragraph 41 that there may be</p> <p>5 exceptions where off-the-record discussions are</p> <p>6 appropriate. I think you favour that dissemination of</p> <p>7 information to the media should usually be on the</p> <p>8 record; is that correct?</p> <p>9 A. Yes, as far as possible.</p> <p>10 Q. And you specify the occasions and that does mesh with</p> <p>11 other evidence we've heard.</p> <p>12 A. Yes.</p> <p>13 Q. Paragraph 42, 09544. You explain that there are three</p> <p>14 different types of staff when you're looking at their</p> <p>15 attitude and approaches to the media. Number one, those</p> <p>16 who are comfortable and communicate regularly. Number</p> <p>17 two, those who avoid contact with the media at all costs</p> <p>18 and then number three, those in the middle, really.</p> <p>19 Those who are not sure or confident and seek assistance</p> <p>20 from press officers.</p> <p>21 A. Mm.</p> <p>22 Q. I know this is very, very difficult, but when one is</p> <p>23 looking at senior officers, are you able to give us an</p> <p>24 impression of how they divide as between these three</p> <p>25 camps?</p> <p style="text-align: center;">Page 79</p>
<p>1 Q. Can we be clear about this, because I'm sure people</p> <p>2 would ask me to put to you this question, notionally, as</p> <p>3 it were: were you the source of any of the leaks?</p> <p>4 A. No.</p> <p>5 Q. May I go back to your statement, please. You deal with</p> <p>6 the off-the-record issue at paragraph 34, page 09542,</p> <p>7 which is in the policy. How much difficulty, in your</p> <p>8 view, is there surrounding the terminology; in other</p> <p>9 words, the fact that "off the record" might mean</p> <p>10 different things to different people?</p> <p>11 A. I think it's a serious problem. It's never, in my view,</p> <p>12 been solved in my time in dealing with it with the</p> <p>13 Metropolitan Police and the journalists that we work</p> <p>14 with. It became a bit of a standing joke at meetings</p> <p>15 with the Crime Reporters Association that every time</p> <p>16 someone said, "Can we go off the record?" there would</p> <p>17 then have to be a debate as to what we meant, so that we</p> <p>18 would reach a common understanding on that day on that</p> <p>19 issue at that time as to what we meant. Did we mean</p> <p>20 that we were going to tell you something that you could</p> <p>21 not use at all, or were we going to tell you something</p> <p>22 that you could use but not attribute to us?</p> <p>23 Q. I thought all these lunches were off the record --</p> <p>24 A. No, this isn't the lunch, sorry. This is for quite a</p> <p>25 lot of meetings -- briefings with the Commissioner.</p> <p style="text-align: center;">Page 78</p>	<p>1 A. I think -- I don't think any senior officers are</p> <p>2 uncomfortable or unsure. They will be sure about what</p> <p>3 contact they should have. Some may choose to do it and</p> <p>4 some may choose to do it in a more controlled way and</p> <p>5 some may choose not to do it, depending on the issue,</p> <p>6 the timing and so on. But I would expect a senior</p> <p>7 police officer to be very clear about their</p> <p>8 relationships with the media and how they should</p> <p>9 interact with it.</p> <p>10 Q. Then you say:</p> <p>11 "As a result, some officers have longstanding media</p> <p>12 contacts and, on occasion, may be considered to give</p> <p>13 them preferential treatment over other reporters."</p> <p>14 Are you able to expand on that at all, Mr are</p> <p>15 Fedorcio?</p> <p>16 A. When I wrote this, the example that I had in my mind was</p> <p>17 exactly the one that Jacqui Hames gave to you when she</p> <p>18 gave evidence, was the bullion raid at Heathrow, when</p> <p>19 one journalist had been taken along by the team and got</p> <p>20 exclusive access and coverage to it, and that, when it</p> <p>21 was published, became a real source of complaint and</p> <p>22 upset amongst all the other journalists who felt that</p> <p>23 what had happened was of such significance that they</p> <p>24 should all have had the opportunity of being there.</p> <p>25 Q. Were you intending to include Mr Hayman or Mr Yates in</p> <p style="text-align: center;">Page 80</p>

20 (Pages 77 to 80)

<p>1 that sentence?</p> <p>2 A. No.</p> <p>3 Q. From what you know now, should they be included in that</p> <p>4 sentence?</p> <p>5 A. If they were giving preferential treatment to one group</p> <p>6 over others, then yes.</p> <p>7 Q. You then deal with the issue of bribery. You say:</p> <p>8 "I have no specific evidence or experience of</p> <p>9 bribery of police officers or staff by the media, but it</p> <p>10 would be naive to assume it's not taken place at any</p> <p>11 time."</p> <p>12 And then similarly:</p> <p>13 "I have no specific evidence or experience of</p> <p>14 bribery of DPA personnel."</p> <p>15 And then you say:</p> <p>16 "I do not believe any personnel within the DPA have</p> <p>17 received bribes from the media."</p> <p>18 A. That's right.</p> <p>19 Q. Presumably you must be fairly sure about that; is that</p> <p>20 right, Mr Fedorcio?</p> <p>21 A. I'm as sure as I can be, and I'm as sure as -- not just</p> <p>22 myself, but the deputy director, the chief press</p> <p>23 officer, the senior information officer will be -- in</p> <p>24 their day-to-day work will know who's talking to who,</p> <p>25 and maybe, if they had any suspicions, would raise them.</p> <p style="text-align: center;">Page 81</p>	<p>1 information, there's no need for that officer to access</p> <p>2 it in any way, because the information --</p> <p>3 A. They've got it.</p> <p>4 Q. So Solcara would be useless there, wouldn't it?</p> <p>5 A. It would for the wider organisation, but I believe it's</p> <p>6 valuable for the Directorate of Public Affairs.</p> <p>7 Q. So the point you're making is that if one's testing the</p> <p>8 proposition "Are there leaks within the DPA?", because</p> <p>9 the DPA very rarely, if at all, has personal knowledge</p> <p>10 of operational events, then Solcara would be useful in</p> <p>11 determining whether leaks are occurring; is that</p> <p>12 correct?</p> <p>13 A. Yes. I should say that I personally do not have access</p> <p>14 to that system, quite deliberately.</p> <p>15 Q. Why is that so?</p> <p>16 A. Well, because I think that there is information on there</p> <p>17 that it's probably best that I don't know exists or go</p> <p>18 near, bearing in mind the frequency of contact that</p> <p>19 I have with journalists.</p> <p>20 Q. I've been asked to put these two questions to you,</p> <p>21 Mr Fedorcio, in the context of bribery and leaks. Have</p> <p>22 you ever been referred to the DPS or IPCC about leaks</p> <p>23 and/or payment for information?</p> <p>24 A. Not to my knowledge.</p> <p>25 Q. If those matters that occurred, you would know about it,</p> <p style="text-align: center;">Page 83</p>
<p>1 There's only one occasion when that happened when</p> <p>2 I became concerned about the appearance of stories in</p> <p>3 a regular way about a member of staff and I passed it to</p> <p>4 Professional Standards to investigate.</p> <p>5 Q. You refer to that example. Can I just ask you about</p> <p>6 using the Solcara system --</p> <p>7 A. Yes.</p> <p>8 Q. -- by way of monitoring. How would that deal, though,</p> <p>9 with informal contacts -- for example, discussions on</p> <p>10 mobile telephone -- which aren't recorded anywhere?</p> <p>11 Solcara would, by definition, be useless in those</p> <p>12 circumstances, wouldn't it?</p> <p>13 A. Not necessarily. Solcara can show us who has accessed</p> <p>14 particular stories or information that are held in the</p> <p>15 system and we can look to see if there are patterns or</p> <p>16 times of day when it happened in relation to stories</p> <p>17 appearing. It wouldn't give us the information of how</p> <p>18 that information had been passed, but it may I give us</p> <p>19 some suspicion that someone has been delving around in</p> <p>20 the system, looking for certain types of story or</p> <p>21 information, which may then have appeared mysteriously</p> <p>22 shortly afterwards.</p> <p>23 Q. Yes. You cover the circumstance of a police officer</p> <p>24 seeking to access information which that police officer</p> <p>25 doesn't know about, but if the police officer knows the</p> <p style="text-align: center;">Page 82</p>	<p>1 wouldn't you?</p> <p>2 A. I would expect to know, yes.</p> <p>3 Q. Have any other members of the DPA been reported for</p> <p>4 improperly leaking or accepting payments for</p> <p>5 information?</p> <p>6 A. The leaking question I referred to earlier, the</p> <p>7 individual back in 2003. Beyond that, no others have</p> <p>8 been referred.</p> <p>9 Q. More widely, going back to the question of leaks from</p> <p>10 the management board, which you have told us about, did</p> <p>11 you carry out any enquiries to ascertain the source of</p> <p>12 the leaks?</p> <p>13 A. I didn't, no.</p> <p>14 Q. Did anybody?</p> <p>15 A. I don't know. It would have been a matter for the</p> <p>16 Commissioner or the Deputy Commissioner to pursue.</p> <p>17 Q. Then these questions: were you aware of any leaks from</p> <p>18 the Stephen Lawrence investigation?</p> <p>19 A. No.</p> <p>20 Q. Were you given any information which related to that</p> <p>21 investigation? This is after 2006.</p> <p>22 A. No. That was kept incredibly tightly.</p> <p>23 LORD JUSTICE LEVESON: Presumably you have a list of every</p> <p>24 single story which you believe is a result of an</p> <p>25 inappropriate leak?</p> <p style="text-align: center;">Page 84</p>

21 (Pages 81 to 84)

<p>1 A. I don't think we have a list, but I suppose what would 2 happen, we would look at the cuttings and think: 3 "Where's that come from?" And my starting point would 4 always be to suggest that we should talk to the senior 5 investigating officer of that operation to see if they 6 have concerns about it being a leak, and so for them to 7 refer it on to DPS for investigation. That was the 8 route that we would take, because it may be that the 9 senior investigating officer knew full well where that 10 information had come from.</p> <p>11 LORD JUSTICE LEVESON: Yes, but you would want to have some 12 mechanism for you to monitor the security of your 13 organisation, wouldn't you?</p> <p>14 A. I think the organisation would. Whether that was for 15 the Directorate of Public Affairs or for the Directorate 16 of Professional Standards -- which is where I think it 17 probably was or should have been located.</p> <p>18 LORD JUSTICE LEVESON: But doesn't he need to know what's 19 been authorised from the DPA, otherwise he can't do the 20 job?</p> <p>21 A. I think if they had the stories they felt had been 22 leaked, they would come to us and ask to look at the log 23 on Solcara, so that would be made available to them as 24 part of their investigation.</p> <p>25 MR JAY: I move to the next section of your evidence,</p> <p style="text-align: center;">Page 85</p>	<p>1 Q. Over the course of service in the MPS, which has lasted 2 now for 14 years, surely you're meeting the same people, 3 the same journalists frequently on a rolling basis, 4 whether it's in this particular bar or elsewhere? You 5 are getting to know them, inevitably, aren't you?</p> <p>6 A. Inevitably, but there are also changes of face during 7 this time. Various journalists have retired or moved on 8 to other specialisms and new ones have come in.</p> <p>9 Q. But that said, some of these journalists you're seeing 10 for years, aren't you?</p> <p>11 A. Yes.</p> <p>12 Q. In paragraph 54, you say you always try to be available 13 to all journalists, seven days a week, and when not, to 14 call them back as soon as possible or ensure that 15 someone else in the directorate does so. Does that mean 16 that at weekends people are phoning you on your mobile 17 number?</p> <p>18 A. That has happened, yes. Or my home number.</p> <p>19 Q. Or your home number? How is this that those numbers are 20 given out?</p> <p>21 A. I think that my mobile number is fairly widely known, in 22 circulation. My home number I've never actually given 23 to anybody, but I think it's easily findable by 24 journalists.</p> <p>25 Q. So it follows that you were making yourself very</p> <p style="text-align: center;">Page 87</p>
<p>1 paragraph 49 and following, "Personal media contact", 2 09545. What do you mean, Mr Fedorcio, by "network 3 extensively"?</p> <p>4 A. I think that was to have a wide range of contacts and to 5 be in touch with them regularly.</p> <p>6 Q. Did this include building up personal friendships?</p> <p>7 A. No. These are all work-related professional contacts.</p> <p>8 Q. Did any personal friendships result from these extensive 9 networking activities?</p> <p>10 A. No. I have no personal contact with any of the 11 journalists that I've dealt with in my time at the 12 Metropolitan Police.</p> <p>13 Q. You say later on in paragraph 53 that part of your 14 networking activity included meeting at a bar close to 15 Scotland Yard. This was often after the Commissioner's 16 briefing for the CRA; is that right?</p> <p>17 A. That's right.</p> <p>18 Q. Presumably it was the same journalists who kept on 19 popping up at these briefings and in the bar afterwards; 20 is that right?</p> <p>21 A. It would vary. It would vary, depending on attendance 22 at the briefing in the first place and the availability 23 of the people afterwards to do that. I mean, some had 24 to disappear, but there were, I don't know, normally 25 maybe half a dozen upwards who would attend.</p> <p style="text-align: center;">Page 86</p>	<p>1 accommodating, really, to journalists, weren't you? You 2 were available whenever they wanted you?</p> <p>3 A. I think that's what one would expect me to do in my job.</p> <p>4 Q. Do you think that was your reputation, someone who was 5 extremely accessible and could be phoned at whenever 6 time of the day almost, and at night?</p> <p>7 A. At night, not so. I think they would have got 8 a different response to during the day. And also 9 weekends. It was sometimes quite intrusive. What has 10 happened as a result -- their call was in the way that 11 my leisure time was disturbed. But I just felt that -- 12 there were times when they felt they needed to ask me -- 13 there were occasion where they felt they weren't getting 14 the right information from the Press Bureau, so they 15 would use this as a means of complaint or resolution, 16 a way to intervene.</p> <p>17 Q. So you were really -- I'm not saying their main port of 18 call, but if they didn't get enough from the purely 19 official channels, what they wanted to know, they came 20 to you to see whether you could tell them some more?</p> <p>21 A. I think that's a fairly standard journalistic practice. 22 They would probably phone as many of their contacts as 23 they can to broaden what they know. In the main, I knew 24 no more than what was in the Press Bureau system, so -- 25 but often they were wasting their time and I'd just</p> <p style="text-align: center;">Page 88</p>

22 (Pages 85 to 88)

<p>1 refer them back to the Bureau.</p> <p>2 Q. Pardon me.</p> <p>3 A. I was just going to say that in the mid-2000s, I think,</p> <p>4 up to that period, the staffing levels and the phone</p> <p>5 system meant that there were often queues for</p> <p>6 journalists to get through when something significant</p> <p>7 had happened, so rather than just sitting waiting for an</p> <p>8 answer, which may take a number of minutes, they would</p> <p>9 phone someone else, that sort of activity. It's far</p> <p>10 better now.</p> <p>11 Q. Did you have access -- presumably you did -- to officers</p> <p>12 who were at the coalface, so you could contact them and,</p> <p>13 if necessary, get back to the journalist? Is that</p> <p>14 correct?</p> <p>15 A. If necessary, but I would prefer to -- if I spoke to the</p> <p>16 journalist, to then relay what was going to happen</p> <p>17 through the press officer who looked after that part of</p> <p>18 the organisation, rather than do it myself. But there</p> <p>19 were occasions when, yes, I'd talk to an officer,</p> <p>20 I would then talk to the Bureau and tell them what I'm</p> <p>21 about to say or had agreed. So it would be logged into</p> <p>22 the Solcara system with my name against it.</p> <p>23 Q. One of the advantages of being so long at one particular</p> <p>24 organisation is you build up a massive wealth of</p> <p>25 experience, but a disadvantage might be, or might be</p> <p style="text-align: center;">Page 89</p>	<p>1 that?</p> <p>2 A. I think that one of the gaps in my assessment was that</p> <p>3 lots of editors, in particular, did not know Sir Ian or</p> <p>4 understand him. There was a perception around him which</p> <p>5 they'd taken and were amplifying or just following what</p> <p>6 others were saying. So part of my strategy was to try</p> <p>7 and introduce him to other groups of editors and so on,</p> <p>8 so they could see and make a judgment for themselves</p> <p>9 rather than rely on the hearsay or whatever they were</p> <p>10 basing those decisions on.</p> <p>11 It was tricky because there were some sections of</p> <p>12 the media who were clearly not wanting to engage. Some</p> <p>13 were, and where they were, we -- I tried it.</p> <p>14 Q. Mr Paddick told us about a rape report he did in 2005.</p> <p>15 It was also his evidence that the press office sought to</p> <p>16 suppress its conclusion. Is he right about that?</p> <p>17 A. I don't think so. I mean, I've gone and looked at the</p> <p>18 log for that particular item and what I find is that we</p> <p>19 invited the press to a briefing at Scotland Yard with</p> <p>20 Brian Paddick, with the researcher who had worked on the</p> <p>21 report, with an officer from the Sapphire rape unit. So</p> <p>22 that was held. We separately invited journalists to</p> <p>23 interview Mr Paddick. We placed a copy of his report on</p> <p>24 our website, and I know that the Metropolitan Police</p> <p>25 Authority also issued a statement welcoming the report,</p> <p style="text-align: center;">Page 91</p>
<p>1 perceived as being, that you get too close to particular</p> <p>2 people. Do you feel that that disadvantage has arisen</p> <p>3 in your case?</p> <p>4 A. I don't think it has, but I'm aware of a perception that</p> <p>5 was acquired, shall we say, by Elizabeth Filkin in her</p> <p>6 report.</p> <p>7 Q. In relation to the perceptions in what Elizabeth Filkin</p> <p>8 has noted, do you accept that the relations of some</p> <p>9 senior officers and the media came too close or, at the</p> <p>10 very least, became perceived to be too close?</p> <p>11 A. I think at the time I didn't see it that way. When</p> <p>12 I look at it now, in view of everything what's gone on,</p> <p>13 I would agree with that view.</p> <p>14 Q. Mr Paddick has said that you briefed against</p> <p>15 Sir Ian Blair before he became Commissioner. Is that</p> <p>16 right?</p> <p>17 A. I don't believe I've ever briefed against Sir Ian Blair.</p> <p>18 On the contrary, I've spent an awful lot of my time,</p> <p>19 especially at weekends and evenings, dealing with some</p> <p>20 of the negative media interest in Sir Ian during his</p> <p>21 time as Commissioner.</p> <p>22 Q. In his biography -- and I think this was reflected in</p> <p>23 his evidence to us -- Lord Blair says that the press</p> <p>24 coverage was dispiriting and depressing. I mean, what</p> <p>25 steps, if any, did you take to ameliorate or prevent</p> <p style="text-align: center;">Page 90</p>	<p>1 which was there for press use if need be.</p> <p>2 That doesn't strike me as the attempts of anybody to</p> <p>3 suppress information.</p> <p>4 LORD JUSTICE LEVESON: I don't think he was suggesting you</p> <p>5 suppressed it all but merely some part of it that</p> <p>6 perhaps didn't fit with the line that you wanted to run.</p> <p>7 A. I think that -- if I may address that, sir. I think the</p> <p>8 issue was not around the press handling but was probably</p> <p>9 around the report itself, which is not my or my</p> <p>10 department's responsibility. I think there were</p> <p>11 concerns at the management board about the report in the</p> <p>12 round, rather than the press handling.</p> <p>13 MR JAY: You'd know about those concerns because you were</p> <p>14 sitting on the management board --</p> <p>15 A. I was there and aware that certain assistant</p> <p>16 commissioners had concerns about the piece of work</p> <p>17 itself.</p> <p>18 LORD JUSTICE LEVESON: But then your professionalism must</p> <p>19 assert itself, mustn't it? If it's flawed, that's one</p> <p>20 thing, but if it's not flawed, then different</p> <p>21 considerations obtain, don't they? Did you have to</p> <p>22 explain all that?</p> <p>23 A. No. The report was published as it was and therefore</p> <p>24 for us to deal with that, but I think the scrutiny of</p> <p>25 these matters -- that particular matter -- the police</p> <p style="text-align: center;">Page 92</p>

23 (Pages 89 to 92)

<p>1 authority were fully aware of the report. My assessment 2 was that whatever the report was or any issues around it 3 would become public through the police authority 4 process. Meetings and reports and so on. Our job was 5 to say: this was the final report, this had been agreed, 6 and therefore that's what we publicised.</p> <p>7 MR JAY: Did you reflect, though, any of the disquiet some 8 assistant commissioners expressed at management board 9 meetings in the way you handled the press when it came 10 to this report?</p> <p>11 A. No, because at the end of the day the report was agreed 12 by the management board and therefore that was 13 a document to be promoted. It made no difference at the 14 end of the day.</p> <p>15 Q. I move off Mr Paddick, now onto Mr Quick. I'm asked to 16 put this to you about Mr Quick: he gave evidence about 17 attempts which were made at a high level to end the 18 investigation into Mr Damian Green. You probably recall 19 that. Did you play any role in this matter?</p> <p>20 A. I was involved in a gold group around whether the -- 21 what the Met was going to do corporately around that 22 situation. I think sir Paul Stephenson and Tim Godwin 23 called a meeting a Saturday morning to discuss where we 24 were going to go as an organisation. I think by then it 25 had already been sided that Ian Johnston would come and</p> <p style="text-align: center;">Page 93</p>	<p>1 in November 2008, I believe -- I might have the wrong 2 year but I think I'm right -- and that, of course, 3 related to his family and his wife's business. What 4 steps, if any, did you take to, if I can put it bluntly, 5 get the Mail on Sunday to back off?</p> <p>6 A. I think the starting point was on the Friday when the 7 questions first came in from the Mail on Sunday, 8 which -- at that stage, they were majoring on the 9 suggestion that Mr Quick or his wife was employing 10 police officers to drive their cars, and they saw this 11 as their splash big story for the Sunday.</p> <p>12 We looked at that information and obviously checked 13 with Mr Quick what is the position. He was quite 14 adamant that wasn't the case, but because the questions 15 were about his wife's business, our advice was that we 16 should refer calls to his wife's business to handle, not 17 the Metropolitan Police at that time. Mr Quick, 18 however, was saying the Met should deal with it.</p> <p>19 LORD JUSTICE LEVESON: This was clearly an attack on him, 20 wasn't it?</p> <p>21 A. At that stage, I didn't see it that way, sir.</p> <p>22 LORD JUSTICE LEVESON: Well, why on earth would a Sunday 23 newspaper be interested in a wedding car business unless 24 it was because it was linked, given that Mr Quick was 25 absolutely in the eye of the storm surrounding</p> <p style="text-align: center;">Page 95</p>
<p>1 conduct a separate review. So I remember being involved 2 in that meeting on the Saturday morning.</p> <p>3 Q. This was before Sir Ian Johnston conducted his review; 4 is that right?</p> <p>5 A. I think it was ahead of him starting, but after he'd 6 been asked to do it.</p> <p>7 Q. Was the general feeling of the meeting the consensus 8 that this was an investigation which needed to come to 9 an end with minimum reputational harm to the MPS?</p> <p>10 A. No, that's not my recollection. I think the question 11 was we needed to be sure that what we'd done was 12 appropriate and right, and therefore this review was 13 a step towards satisfying ourselves that was the case.</p> <p>14 Q. Did you give any advice to senior officers as to the 15 public relations aspects of this high-profile 16 investigation?</p> <p>17 A. Not advice, but I didn't think I needed to draw their 18 attention to the -- what was being reported in the 19 papers about the Met's handling of the case.</p> <p>20 Q. Was that with a view to warning them, really, that this 21 was something that was too risky, or not?</p> <p>22 A. No, I just thought that they were all aware what was 23 being said.</p> <p>24 Q. We also heard from Mr Quick that there was press 25 coverage, I think in the Mail on Sunday, two pieces</p> <p style="text-align: center;">Page 94</p>	<p>1 Damian Green?</p> <p>2 A. Um ... yes, I mean, you're right.</p> <p>3 MR JAY: To return to the question, how were you handling 4 this, if at all, on Mr Quick's behalf?</p> <p>5 A. Well, representations were made back to the Mail on 6 Sunday that the information about the use of police 7 officers was inaccurate, and that seemed to go away. 8 But then, during the Saturday, I was called, I think, by 9 a reporter from the Mail on Sunday, saying that they had 10 invested time and effort in this story and were 11 determined to do something, and that they were now 12 looking at the angle of the advertising of his wife's 13 business and the service was putting his safety at risk.</p> <p>14 Q. Mm.</p> <p>15 A. So by that stage we had managed to stop 16 a front-page story about -- which would have been 17 inaccurate -- around Mr Quick's wife's business. We're 18 now dealing with something different.</p> <p>19 At that stage, I personally spoke to Mr Quick on 20 several occasions. I spoke to the news desk at the Mail 21 on Sunday on a number of occasions, expressing my 22 concerns and Mr Quick's concerns about any publication 23 of the details around his wife's business could 24 compromise their personal safety.</p> <p>25 The paper did not seem to be for turning.</p> <p style="text-align: center;">Page 96</p>

24 (Pages 93 to 96)

<p>1 Q. Sorry, I didn't get --</p> <p>2 A. The paper didn't seem to be for turning on that issue.</p> <p>3 They seemed quite determined to run it. I then sought</p> <p>4 legal advice from the Met's solicitor, saying, "Is there</p> <p>5 anything that you think we could take, injunction or any</p> <p>6 other step to deal with it?" and the advice I got, they</p> <p>7 didn't believe there was, that the paper would make</p> <p>8 their own assessment. We couldn't stop it in any way,</p> <p>9 if that was the case.</p> <p>10 I then went back to the paper and repeated once</p> <p>11 again my concerns. I was assured by them that the</p> <p>12 editor was fully aware of our concerns and had made his</p> <p>13 decision on what he intended to publish. I kept making</p> <p>14 more complaints about what they were doing, and</p> <p>15 eventually they decided that they would remove the name</p> <p>16 of the car hire company from the story and that they</p> <p>17 would remove the location of the company from the story,</p> <p>18 ie the county or the town, and they saw that as their</p> <p>19 way of overcoming the security risk.</p> <p>20 I was unhappy with that, but that was as far as</p> <p>21 I think I could have got on that story and the story</p> <p>22 that ran. I informed Mr Quick, and he quite</p> <p>23 understandably was very, very concerned about his safety</p> <p>24 as a result of this.</p> <p>25 The following day -- well, the story had appeared,</p> <p style="text-align: center;">Page 97</p>	<p>1 in what they were seeking to do.</p> <p>2 LORD JUSTICE LEVESON: Is that your experience, that once</p> <p>3 the press have got a story that they think is worth</p> <p>4 running with, actually all the relationship-building,</p> <p>5 all the work you do, all the effort that you've put into</p> <p>6 trying to ensure that the Met's point is got across,</p> <p>7 just goes out of the window?</p> <p>8 A. I think in this particular case, I think if we hadn't</p> <p>9 had that contact over time with those particular</p> <p>10 journalists we were dealing with, we wouldn't have</p> <p>11 achieved what we achieved. It wasn't satisfactory, but</p> <p>12 it was looking a darn sight worse than when we started.</p> <p>13 MR JAY: Did you know the journalist from the Mail on</p> <p>14 Sunday?</p> <p>15 A. I didn't know the original journalist who came in with</p> <p>16 the first set of questions and the second questions, but</p> <p>17 I knew the journalist that I was dealing with on the</p> <p>18 news desk at the Mail on Sunday directly.</p> <p>19 Q. Did you feel that this was a typical behaviour for the</p> <p>20 Mail on Sunday or not?</p> <p>21 A. I think the Mail on Sunday, over a period of time, had</p> <p>22 a series of stories about senior Met officers and</p> <p>23 I think you get the feeling that once there's a story in</p> <p>24 the mind, they'll go to great lengths to try and run it,</p> <p>25 especially if they've involved a fair amount of</p> <p style="text-align: center;">Page 99</p>
<p>1 and then the Press Association quite easily located</p> <p>2 Mr Quick through the information that the Mail were</p> <p>3 saying wasn't easy to track down, and spoke to him when</p> <p>4 he made further comments, and then, during the Sunday,</p> <p>5 I had a number of conversations with Mr Quick around</p> <p>6 what he'd said, was it accurate, did we need to retract</p> <p>7 anything from his position, because I could see that</p> <p>8 a pretty serious storm was building.</p> <p>9 So I think that -- I can understand Mr Quick's</p> <p>10 disappointment and concern, that he feels we didn't do</p> <p>11 enough, but my view is we worked incredibly hard in</p> <p>12 trying to minimise the risk to him and his family and</p> <p>13 worked very hard to try and stop the story appearing.</p> <p>14 Q. In terms of what the Mail on Sunday were doing, though,</p> <p>15 the impartial observer might say that the security risk</p> <p>16 they were referring to was one that they themselves were</p> <p>17 manufacturing, so it was entirely synthetic. Is that a</p> <p>18 point which you --</p> <p>19 A. That was my assessment.</p> <p>20 Q. Yes. What was your view about that in terms of the</p> <p>21 culture, practice and ethics of what they were doing?</p> <p>22 A. Well, I wasn't pleased with it. I didn't think it was</p> <p>23 appropriate, and very unwise, in the circumstances, and</p> <p>24 it caused considerable hurt and pain to Mr Quick and his</p> <p>25 family. But I don't think that was taken into account</p> <p style="text-align: center;">Page 98</p>	<p>1 resources in doing so. But I wouldn't say you couldn't</p> <p>2 always stop them. At the end of the day, if the facts</p> <p>3 were wrong, the facts were wrong; the story could be</p> <p>4 stopped.</p> <p>5 Q. Can we just look at this? The stories against other</p> <p>6 officers -- we're not going to go into the details.</p> <p>7 I think there was a story about Mr Yates and another one</p> <p>8 about Mr Hayman, wasn't there?</p> <p>9 A. Yes, and Mr Godwin.</p> <p>10 Q. Can I ask you this general question, though, without</p> <p>11 going into the details of the stories: how did the Mail</p> <p>12 on Sunday get hold of the story in the first place?</p> <p>13 A. Well, that's something I just do not know. And</p> <p>14 similarly with the other stories that are referred to</p> <p>15 there, there were facts on which the stories were based</p> <p>16 that could only have come from people very close to</p> <p>17 those individuals or people working with them. I just</p> <p>18 couldn't explain in my assessment where or how that</p> <p>19 information was getting to that paper.</p> <p>20 Q. So to put it bluntly, the Mail on Sunday had a police</p> <p>21 source, more than one police source. Is that --</p> <p>22 A. Well, they had a source. Whether it was in the police</p> <p>23 or not is another matter.</p> <p>24 Q. Did you feel that was the position with other newspapers</p> <p>25 or not?</p> <p style="text-align: center;">Page 100</p>

25 (Pages 97 to 100)

<p>1 A. I suppose I noticed the pattern with the Mail on Sunday, 2 because of the senior people involved on that, but no, 3 I didn't see a similar pattern elsewhere. But in 4 dealing with papers, you're always negotiating with them 5 over a story when come in to you and they will play as 6 hard as anybody else. I don't think any paper just 7 rolled over and said, "Yes, okay, I take what you say", 8 and go away; they would challenge what we were saying in 9 the same way that we are challenging what they are 10 putting to us in terms of developing the story, and 11 that -- there is a -- I suppose it's a negotiation 12 during a press inquiry. I think I may have referred to 13 it, when I spoke to Elizabeth Filkin, as trading. What 14 I was talking about there was trading information within 15 a story to get clarity, rather than saying, "If you 16 don't run this story, I'll give you another one", 17 because as the Mail on Sunday had shown, if that had 18 been going on, those stories would not have appeared.</p> <p>19 Q. Can I move on to Elizabeth Filkin's evidence? You 20 probably heard it earlier in relation to Mr Davies.</p> <p>21 A. Yes.</p> <p>22 Q. Do you have a comment on that?</p> <p>23 A. Yes, I do. I remember around -- somewhere in that time, 24 Nick Davies was increasingly agitated by the Met's 25 position. He felt that we were quite wrong. I'm not</p> <p style="text-align: center;">Page 101</p>	<p>1 Q. It was the 30-minute meeting that didn't take place over 2 lunch, I think. It was mid-afternoon.</p> <p>3 A. I think that's the one, yes.</p> <p>4 Q. So no question of any food or drink. Did you have 5 anything to do with the meeting Sir Paul Stephenson had 6 with Mr Rusbridger, I think in November 2009?</p> <p>7 A. I was there with him, yes.</p> <p>8 Q. Did you organise that meeting?</p> <p>9 A. Yes, at Sir Paul's request.</p> <p>10 Q. Was the purpose of the meeting to seek to put 11 Mr Rusbridger right, as it were?</p> <p>12 A. No, I think it was to see if we could both understand 13 each other's position and point of view. You may say 14 that's the same thing. I'd say it's different. But it 15 was certainly concerning to us that the Guardian were 16 continuing with their theme around the story, which, as 17 far as we were aware, the Commissioner was aware, I was 18 aware, didn't map with what we were saying, what we were 19 doing, and therefore we needed to have that meeting.</p> <p>20 It was a pleasant meeting, it wasn't 21 a confrontation, and I seem to recall that a lot of the 22 discussion was around the definition of "access to 23 voicemails". Was it before they'd been listened to or 24 after they'd been listened to? At which point did it 25 become illegal? It got a bit confusing between all of</p> <p style="text-align: center;">Page 103</p>
<p>1 sure whether I met him or whether he phoned me, but 2 either way we had a conversation and he was particularly 3 keen to get the specific numbers of people in each of 4 the four groups that had been referred to as people who 5 had been victims, and the Met was saying, "No, we're not 6 prepared to give it to you because we feel that may lead 7 to those people being identified." That was the 8 position.</p> <p>9 He wasn't happy about that. He felt we should do 10 more. I queried back into -- I think it was John Yates' 11 team at the time whether there was another way we could 12 present the information which could overcome that issue. 13 I think the view taken was: no, there wasn't. But 14 again, still aware of Nick Davies' concerns, I think the 15 line he suggested to Filkin, that he made the DPA aware 16 that we were peddling the wrong or inaccurate 17 information, concerned me considerably, and I suggested 18 to him that I would try and arrange for him to meet 19 John Yates so they could have a head to head and discuss 20 and see if it could be resolved, and that was arranged. 21 It was facilitated by a press officer, one who worked 22 for Sara Cheesley, not Sara herself, and that meeting 23 took place.</p> <p>24 I think that may have been the meeting that he 25 referred to with John, the 30-minute meeting --</p> <p style="text-align: center;">Page 102</p>	<p>1 us on that and in the end, I think we reached the 2 position where Alan Rusbridger -- and I think his deputy 3 was with him -- took the view that we were where we 4 were, so the Commissioner suggested: "Why don't we get 5 John Yates to come and go through it with you as well?" 6 which I then fixed and took place six to eight weeks 7 later.</p> <p>8 LORD JUSTICE LEVESON: But you were there to provide 9 Sir Paul with some media advice. Let's put the legal 10 side of it to one side for a moment. You were aware of 11 what the storm was, what the allegation was. The 12 question was whether other people might have been the 13 subject of interception of their communications.</p> <p>14 Presumably you would agree with the proposition that 15 that's a rather wider question than actually whether you 16 can prove a contravention of RIPA, the Regulatory 17 Investigative Powers Act?</p> <p>18 A. Yes, it is, but --</p> <p>19 LORD JUSTICE LEVESON: Not only are there other offences, 20 the Computer Misuse Act, but also, from the perspective 21 of the police, if somebody's details were available with 22 PIN numbers and the rest of it, that created a problem 23 for the Met, didn't it?</p> <p>24 A. Yes.</p> <p>25 LORD JUSTICE LEVESON: Because there's a reputational risk.</p> <p style="text-align: center;">Page 104</p>

26 (Pages 101 to 104)

<p>1 A. Yes.</p> <p>2 LORD JUSTICE LEVESON: Well, did you get that across to the</p> <p>3 officers whom you were advising?</p> <p>4 A. To the Commissioner, who I was advising then?</p> <p>5 LORD JUSTICE LEVESON: And Mr Yates, who you were also</p> <p>6 advising at the time.</p> <p>7 A. Well, not specifically on that case, but yes. There</p> <p>8 were discussions where there's something -- you know,</p> <p>9 this is not going away, and the message I was getting</p> <p>10 back was: "We are confident that we are in the right</p> <p>11 place." That was the position that I was being given.</p> <p>12 I had no reason to doubt it, apart from the fact the</p> <p>13 Guardian were continuing to say, "We see it somewhere</p> <p>14 else to what you do." But I didn't have any knowledge</p> <p>15 or information to change my position on that.</p> <p>16 LORD JUSTICE LEVESON: I'm not suggesting that you should</p> <p>17 have been looking at the underlying data at all.</p> <p>18 A. No, I don't ...</p> <p>19 MR JAY: But you presumably were spelling out the</p> <p>20 reputational risks to the MPS that this story, which</p> <p>21 wasn't going away, was capable of engendering; is that</p> <p>22 right?</p> <p>23 A. I think that's part of the reason for going to see</p> <p>24 Mr Rusbridger, to see if we can understand where the</p> <p>25 difference of opinion lies.</p> <p style="text-align: center;">Page 105</p>	<p>1 A. I believe it's comprehensive as far as it can be. There</p> <p>2 may be one or two things that are missing, but my</p> <p>3 secretary, who filled it in for us, would say she thinks</p> <p>4 she's got it right, but there may be some errors.</p> <p>5 Q. In paragraph 60 you say that the only gift you recall</p> <p>6 from the media was in December 2003, when a Christmas</p> <p>7 hamper was sent to the DPA by the then editor of the</p> <p>8 News of the World, Andy Coulson, and was shared amongst</p> <p>9 staff. That presumably was a one-off, then?</p> <p>10 A. Yes. It's in the register.</p> <p>11 Q. The register gets his paper wrong, but it is there.</p> <p>12 Can I just understand what it was a thank you for?</p> <p>13 You say for the DPA's efforts in dealing with the</p> <p>14 paper's demands, often at short notice, on Saturday</p> <p>15 afternoons. What demands were those and what did you do</p> <p>16 pursuant to those demands?</p> <p>17 A. I think that it was a regular occurrence that the</p> <p>18 News of the World would come to the Metropolitan Police</p> <p>19 with a question about a story or stories they were</p> <p>20 running, at the last minute on a Saturday, and the Met</p> <p>21 was faced with either, in some cases, needing to put an</p> <p>22 operational response together, ie to find officers who</p> <p>23 may be able to respond to what they were putting to us,</p> <p>24 or we needed to find an answer to give them back again.</p> <p>25 So Saturday afternoons for a long period of time were --</p> <p style="text-align: center;">Page 107</p>
<p>1 Q. And preferably to get him to change course, presumably?</p> <p>2 A. Well, if he had come to the view that what we'd said</p> <p>3 warranted that, then I'm sure he may have done, but that</p> <p>4 didn't happen. He was quite adamant that his position</p> <p>5 was right. It was clear to us.</p> <p>6 Q. There came a time, no doubt, when you perhaps changed</p> <p>7 your mind; is that right?</p> <p>8 A. Yes.</p> <p>9 Q. Can I move on now to paragraph 59 of your statement,</p> <p>10 page 09546. We're onto gifts and hospitality. Have</p> <p>11 I understood it correctly that drinks at wine bars would</p> <p>12 not be included on the register; is that right?</p> <p>13 A. That's right.</p> <p>14 Q. Does the register include your meetings with the press</p> <p>15 where other officers were also present?</p> <p>16 A. In some cases, yes, but these were mainly either with</p> <p>17 the Commissioner or an Assistant Commissioner, but my</p> <p>18 office, I think, wrongly assumed that they would be</p> <p>19 recorded in their register. So that's one and not</p> <p>20 necessarily the other, and I think there was</p> <p>21 a reconciliation done subsequently, when the work was</p> <p>22 being done to publish registers going back a few years</p> <p>23 to try and bring those together. But at the time, no.</p> <p>24 Q. Is it your belief that the register now reconciled is</p> <p>25 comprehensive?</p> <p style="text-align: center;">Page 106</p>	<p>1 my wife said she didn't see me for many of them because</p> <p>2 of trying to solve some of the problems that they were</p> <p>3 putting to us at that time.</p> <p>4 So I think that in the main, we managed to just</p> <p>5 about respond to them. It often led, I think, to the</p> <p>6 News of the World getting their story but the Met not</p> <p>7 getting its man, if I can put it that way. The lateness</p> <p>8 of them coming to us meant that operationally we weren't</p> <p>9 able to secure the sort of intelligence or evidence that</p> <p>10 we would need to pursue if a crime was being committed.</p> <p>11 I remember, for example, on one occasion --</p> <p>12 LORD JUSTICE LEVESON: Why were you involved? By all means</p> <p>13 carry on, but why were you involved in this? You had</p> <p>14 a 24-7 newsroom team.</p> <p>15 A. Well, I think this is the DPA's efforts as I am</p> <p>16 describing, rather than just myself, but there were</p> <p>17 occasions when it was referred to me, saying, "What are</p> <p>18 we doing?"</p> <p>19 LORD JUSTICE LEVESON: No, I'm just picking up the point you</p> <p>20 made about your wife and Saturday afternoons.</p> <p>21 A. Yes.</p> <p>22 LORD JUSTICE LEVESON: Because --</p> <p>23 A. (overspeaking).</p> <p>24 LORD JUSTICE LEVESON: -- presumably you had a sufficiently</p> <p>25 professional team who understood what the</p> <p style="text-align: center;">Page 108</p>

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<p>1 News of the World were likely to be doing and who could 2 get on with it, or not?</p> <p>3 A. They would, but I think that because of the nature of 4 what some of the stories were, that I would be informed 5 so I was aware of what was going on, or they may seek my 6 advice or guidance on how to go about it. We have an 7 on-call arrangement within the department at various 8 levels, part of the Press Bureau, so they can escalate 9 things up the management chain in they need to.</p> <p>10 An example I would give was a story I recall when 11 they came to us probably, I don't know, 3.00, 3.30 on 12 a Saturday afternoon with a story that they felt that 13 Victoria Beckham was about to be kidnapped and they were 14 obviously going to run this the next day, but it 15 required, when you get a story like that, a policing 16 intervention as well as a press office intervention. 17 So, you know, officers had to be mobilised to respond to 18 that request.</p> <p>19 Part of their reasoning of doing this late was that 20 they didn't want any other paper to find out what they 21 were doing. They were keeping it incredibly tight so 22 that they would have the scoop if no one else could 23 follow them quickly as soon as the first edition had 24 handed. It was about keeping their advantage and 25 therefore secrecy around it, and that measured into</p> <p style="text-align: center;">Page 109</p>	<p>1 a News of the World sting by a police response, were 2 there occasions when the News of the World were seeking 3 something from you which would not, as it were, mature 4 into a police response? They were seeking confirmation 5 of the truth of what they were going to print or things 6 like that?</p> <p>7 A. I think, like all papers, you may get a normal press 8 Inquiry with: "We understand the following; can you 9 comment?" That would have gone on in the normal run of 10 things. Sometimes they would be stories they were 11 preparing during the week for Sunday and sometimes they 12 come up late on a Saturday afternoon.</p> <p>13 Q. Of course, the News of the World were particularly 14 interested in this type of story, and so it was 15 inevitably them rather than other Sundays who tended to 16 be occupying your time on Saturday afternoons?</p> <p>17 A. Sadly, yes.</p> <p>18 Q. Occasionally perhaps the Sunday Times, but rarely, but 19 other Sunday papers --</p> <p>20 A. It might be the Mail on Sunday, but -- they are the main 21 ones that I would point to.</p> <p>22 Q. Were you dealing with particular individuals at the 23 News of the World, such as the crime reporters?</p> <p>24 A. Sometimes the crime reporter, sometimes Neil Wallis as 25 deputy editor. Sometimes the news desk, News editor.</p> <p style="text-align: center;">Page 111</p>
<p>1 time. I think I mention somewhere in here that over 2 time, my aim was to try and get them to trust us more 3 that we weren't going to scupper what they were up to, 4 unless it was illegal, and if it required an operational 5 response, then do give us the time to get involved and 6 do it properly. So not only do you get your story, but 7 we get a successful policing operation.</p> <p>8 The cricket match-fixing is the example I use here, 9 where the change we got was that I got a call on 10 a Friday evening from Colin Myler saying that: "I have 11 a pretty big story which I need police intervention on, 12 I'm coming to you now because I think it's significant 13 and there's going to be some work that we need to make 14 it happen", and could I put him in touch with the 15 Commissioner? So I did, I linked them, and off the back 16 of that, the Commissioner then got onto AC Dick and the 17 cricket match-fixing operation began. There was more 18 time for the Met to handle it.</p> <p>19 Q. So you would say over time there was a relationship of 20 trust built up so that the News of the World wouldn't 21 think that you, the DPA or the police, would start 22 leaking stories --</p> <p>23 A. To the opposition.</p> <p>24 Q. -- on the opposition. Outside this area of operational 25 need, because you would need to respond to</p> <p style="text-align: center;">Page 110</p>	<p>1 On one occasion, I think I dealt with Mazher Mahmood.</p> <p>2 Q. Was there any sense of a quid pro quo here, that you 3 were helping them and that they would therefore help you 4 when it came to the sort of situation we heard with 5 Mr Quick? I know the Mail on Sunday moved towards your 6 position to some extent -- we've heard your evidence 7 about that -- but was there a different relationship 8 with the News of the World because of what you were 9 doing for them?</p> <p>10 A. I didn't see it as different. I saw it as dealing with 11 the media group about the stories that they are 12 pursuing.</p> <p>13 Q. Looked at another way, did the News of the World give 14 you the same sort of trouble as the Mail on Sunday did 15 in relation to stories about police officers?</p> <p>16 A. On some occasions, yes. I can point to a case during 17 the Damilola Taylor case where the News of the World ran 18 a very nasty story about the police officer who had been 19 selected as the media spokesperson for that case, and as 20 a result of his status as the media spokesperson, he 21 became a celebrity in their mind and was therefore fair 22 game for them to look into his private life. They 23 didn't pull punches.</p> <p>24 Q. Okay. Now, your register goes back over 13 or 14 years, 25 and we're not going to plough through it, but it has</p> <p style="text-align: center;">Page 112</p>

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<p>1 been analysed for me. Let's see if we can proceed on 2 this basis: that the registers show that most of your 3 lunches were on a one-to-one basis. Does that accord 4 with your recollection? 5 A. Yes. 6 Q. An analysis has been done for each year, but each year 7 doesn't include lunch with PR groups. It does include 8 lunches with broadcasters and radio presenters. We can 9 look at some of the years. We're not going to look at 10 all of them. 11 In the year 2003, for example, you went on 12 accompanied hospitality visits to seven different 13 newspapers. The Sun and the News of the World were the 14 only newspapers to be visited twice. You can take that 15 from me, Mr Fedorcio. 16 A. Yes. 17 Q. You met with journalists from a total of seven different 18 newspapers for individual lunches. You met with 19 Lucy Panton from the News of the World on three 20 occasions, and therefore more than any other individual 21 journalist. You also had lunch with Andy Coulson on 22 a separate occasion. The total number of lunches with 23 News of the World journalists, which was therefore four, 24 was the same as for the Evening Standard, and those were 25 the two highest-scoring newspapers, as it were.</p> <p style="text-align: center;">Page 113</p>	<p>1 question, I suppose, they would be putting, rather than 2 gossip, but it would be: "We hear that ..." 3 Q. Yes. In response to the question "We hear that the 4 management board is dysfunctional", what would your 5 answer be? 6 A. Depending on the time, when it was in that sequence, 7 I would say, "I don't believe it was dysfunctional." 8 I think there were a small number of people who had 9 concerns but in the main the board was operating 10 effectively. 11 Q. Rather than say, "I can't answer that question"? Did 12 you ever say that? 13 A. I was an attendee at the board. I think they'd have 14 looked at me a bit oddly if I'd said -- 15 LORD JUSTICE LEVESON: "I can't answer that question" might 16 be read as "yes"? 17 A. Yes. 18 LORD JUSTICE LEVESON: Therefore, that raises the concern 19 whether you should be in the position in the first 20 place. 21 Is that convenient? 22 MR JAY: I hadn't noticed the time. My apologies. 23 LORD JUSTICE LEVESON: 2 o'clock. 24 (1.00 pm) 25 (The luncheon adjournment)</p> <p style="text-align: center;">Page 115</p>
<p>1 If you were to look at the position over the years 2 2003 to 2008 and to look at the most frequent 3 publications each of those years, we've heard that for 4 2003 it was the Evening Standard and News of the World 5 coming in first equal. In 2004, it was the 6 News of the World, 2005, the News of the World, 2006, 7 the News of the World; 2007 several papers coming in 8 together: News of the World, Sun, Express -- that was 9 through Mr Twomey, who was really wearing his CRA hat -- 10 and the Evening Standard. In 2008, the Sun. 11 Giving you that data, would that conflict with the 12 impression you have in your mind, or would it be 13 consistent with it? 14 A. I think it would be consistent with what I recall. 15 Q. You explain the position in relation to the 16 Northern & Shell titles. At these lunches, although 17 there obviously would be the opportunity for leaks and 18 gossip. Were there leaks and gossip? 19 A. I think it's fair to say there may be some gossip, by 20 there were no leaks. 21 Q. By gossip, speaking generally, what do you mean by that? 22 A. They would go, you know: "I've heard officer X has been 23 transferred somewhere and he's not happy about it"-type 24 story, or: "I hear the management board is 25 dysfunctional", going back to that. So that sort of</p> <p style="text-align: center;">Page 114</p>	<p>1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p> <p style="text-align: center;">Page 116</p>

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