

This witness statement is constructed around the fifty six questions contained in the letter from Sharron Hiles, Senior Assistant Solicitor to the Inquiry dated 22 December 2011. It will address the questions in the order that they were asked.

1. I am currently Chief Constable of West Midlands Police having held that post since June 2009. I have 31 years service in the police having joined the Metropolitan Police in 1980. I held the post of Chief Constable of Staffordshire Police between September 2007 and June 2009 and was Deputy Chief Executive of the National Policing Improvement Agency between 2006 and 2007.

In addition to my duties within West Midlands I hold the ACPO portfolio on Forensic Science, I am Vice Chair of the Counter-Terrorism Committee and chair a joint Police/Government group on Bureaucracy in Policing.

2. West Midlands Police has had a very traditional relationship with the media. It had regular 'transactional' contact with the four main regional newspapers – Evening Mail, Birmingham Post, Express and Star and Coventry Evening Telegraph. It had occasional, news-led contact with regional BBC and ITN, both based in Birmingham, and similar contact with a range of radio stations. There was very little contact with national media beyond responding to specific news events.

In 2007 the Force responded to community concerns about a Channel Four Dispatches programme which had been filmed in a local mosque. The allegations made by the Force were rejected by OFCOM and the outcome of this action, I judge, made West Midlands Police quite suspicious of sections of the national media.

3. I periodically meet with local editors to discuss the continuing relationship between police and their media organisation. These meetings might happen on an

annual, but irregular, basis and have always taken place in the offices of the Editor. As an example, I met with Catherine Burn, the Regional Head of BBC News, at BBC offices on 21 November 2011. The meeting talked about a range of issues including coverage of the August riots, which had been very positive; some concerns that I shared about the BBC coverage of budget cuts; and the BBC's contribution to the Local Resilience Forum. I was accompanied by two members of the Force Press Office and one of the outcomes was my agreement to appear in a new radio phone-in format designed to hold local leaders to account.

I am frequently interviewed by TV, local print and radio journalists, about local events and Force policy. Involvement with national media is largely determined by events such as the August riots.

My national work for ACPO brings me into frequent contact with the professional press, mainly 'Police Professional'. I have had some contact with national media on Forensic Science issues. After giving evidence to the Home Affairs Select Committee I was interviewed by several journalists. Some years before that I undertook a joint press briefing with Home Office Minister Vernon Coaker, again concerning DNA retention. More recently I was interviewed by a BBC radio journalist after giving evidence to the Science Technology Committee on the closure of the Forensic Science Service.

I am supported by members of the ACPO Press Office who will send me technical enquiries from the media about forensic science. Most of these will be responded to through a relevant spokesperson within the service.

Finally, I have been interviewed on two occasions, once in Staffordshire and once in West Midlands, by Mr Sean O'Neill of The Times. These were both articles about efforts to challenge traditional performance culture and reduce bureaucracy. Through Mr O'Neill I submitted an editorial piece to the Times on defining front line policing. This was published earlier this year.

4. Most of my contact is reactive in that I am responding to media requests for information. My contact with local editors is to ensure that they have the access to West Midlands Police that they need and, on occasions, provide them with some additional background context to support the pieces they are producing. Contact with national media again is mainly reactive, but can sometimes be to contribute a Force view to a national debate. For example, a BBC journalist came to Birmingham to investigate the policing of anti-social behaviour and interviewed me to obtain a West Midlands Police policy view.

5. They have been seeking comment on news stories and views on the national direction of policing from either a West Midlands or expert (forensic, bureaucracy) perspective. I have provided the instances above.

6. Counter-terrorism does provide difficult challenges. Operations can be very news worthy and highly impactful on local communities. At the same time they are long and complex investigations which make early, specific comment difficult. West Midlands Police has led the way in putting the cause and nature of the operational threat into the public domain at the earliest opportunity. This has often reduced public concern and community tension.

Counter-terrorism reporting is always a fine balance between allowing the public to understand the risks while avoiding potential significant damage to community relations. I have spoken with local editors to alert them to this dilemma (which is actually well understood) and to raise concerns about use of language such as 'Muslim terrorists'. I have always found the local journalists have a high degree of sensitivity to these issues.

7. Never.

8. Not applicable.

9. Traditionally there was a 'Christmas Reception' for members of the local media held at West Midlands Police Headquarters. These events ceased about five years ago and hospitality is no longer provided.

10. Not applicable.

11. Any hospitality received would be recorded in the Force hospitality register.

12. The Force Press Office monitors and records all engagement with the media. Records are kept of media contact and requests. Whenever possible interviews are recorded, along with actions.

I would normally have a member of the Press Office team present when conducting an interview.

13. Media coverage would be part of the discussion with the Police Authority which contains local councillors. When a national politician visits the West Midlands they will very often call a news conference. I would not be involved in that event. The only instance I can recall was the example with Mr Coaker I referred to earlier.

141. I have no experience of this.

15. Policing priorities are set in consultation with the Police Authority (which contains local councillors) and until recently responded to national priorities set as part of the political process.

16. Within the press office there is daily contact with national, regional and local media, with an estimated 50,000 calls being handled each year. Requests vary significantly and can be a straightforward request for information as to what is happening in a certain location right through to the offer of participation in a documentary series or programme.

The majority of requests relate to ongoing operational activity by West Midlands Police and the media are active partners in informing the public on current operations, initiatives or investigations.

West Midlands Police employees can expect to have contact with local or national media. However, the amount of contact significantly depends upon their role and function.

Force policy is to engage with the Press Office around any request to speak with the media.

A sample of roles where the individual could expect to be engaged with the media include: Senior Leadership Team, Local Policing Unit Commanders, Senior Investigating Officers, Force leads on key subjects such as metal theft or robbery, operational leads such as Commanders for football matches, Force Incident Managers and local area Inspectors.

With the rise in use of social media it is important to remember that there are officers and police staff within a range of roles across the Force putting information into the public domain on a regular basis which is followed by the media. For example, a response officer in Walsall has over 3000 followers on Twitter. He regularly 'tweets' about his operational activity and writes blogs on subjects that interest him around policing, including current issues such as his experience of the impact of the Stephen Lawrence murder and the McPherson Report on policing.

All officers are encouraged to follow Force social media guidance when engaging and informing via social media. This guidance directs them to consider the Force values, standards of professional behaviour and Force vision when engaging.

The media perception is that social media accounts provide legitimate and quick access to officers. Whilst engaging freely with the public across social media, officers and staff who use social media accounts are aware that any traditional media requests require engagement with the Force Press Office. Our experience is

that any approach by traditional media in relation to information passed on social media is referred very quickly to the Force team.

17. I have encouraged staff to be open with the media on local issues but to seek professional support from the Press Office in cases of doubt or difficulty. The advent of social media has changed the dynamic. For example, an officer has just won the national accolade of 'most informative tweeter' for the information he tweets as the Force lead on Mental Health issues. Although he has operated openly within Force policy it is his personal drive and initiative that has created a very significant following. I intend to commend him for this work which I believe is entirely in the public interest.

18. I believe we have a duty to build public trust and confidence by using every opportunity to inform the public directly through social media or through conventional media about issues of legitimate concern or interest.

19. The media is seeking to fulfil its commercial and wider responsibilities by informing the public about events and issues.

20. The provision and acceptance of gifts and hospitality is governed by Force Directive 02/2010. It is a generic policy extending beyond contact with the media.

21. As at 20.

22. It would be recorded in accordance with Force Directive 02/2010 in a register.

23. Hospitality would be controlled as set out in the policy. It should be stated that an extensive search at Force level could find no instances of such hospitality beyond an occasion in 2005 when some officers attended a football match as guests of a local newspaper as part of a wider community group. To reiterate, I have never accepted hospitality from the media.

24. No. There is no separate policy relating to gifts or hospitality received from, or given to, the media.

25. I cannot find any evidence of informal contact with the media. Working contact is overwhelmingly captured and recorded by the Press Office who would normally arrange the meeting and be present to support and advise. In the light of the HMIC report this policy is being re-examined.

26. West Midlands Police Authority Internal Audit Team carries out periodic audits of the register and associated processes.

A full audit was undertaken in August 2009 and a follow up audit completed in August 2010. The findings were reported to the Police Authority and were one of the drivers behind the production of updated guidance in 2010.

The review following the HMIC report will strengthen the policy still further.

27. Certainly capable of improvement. The review mentioned above will bring the Force in line with emerging national good practice. A draft of the new intended Force policy is attached.

28. A range of information is available through Force Directives, internal communications (leaflets, etc), internet site and contracts of employment.

29. I believe our current response could be improved and work is progressing to bring the Force in line with national recommendations. I am determined, however, that we act in a proportionate manner. At a time of steeply declining resource I am not sure that the public in the West Midlands would expect more to be spent on this issue.

30. Training in how to deal with the mainstream media from experienced experts from the Press Office is regularly provided for officers and staff.

The key theme across all media training packages is for officers and staff within any post, whether investigative, operational or organisational posts, to contact the Press Office for assistance with messaging and media management.

Several training packages are offered by the Force from senior officers to student officers.

Advanced media training is also available to senior officers via the Senior Leadership Development Programme from NPIA.

31. The Force is going through significant changes as a result of the budget reductions. This had led to some disclosures by staff disaffected by national developments or local policy. This can be frustrating because it can undermine public confidence.

On a more general level the issue has never figured in the Strategic Threat Assessment carried out by the Professional Standards Department. There are, however, isolated cases itemised at Q33. These cases arise from officers making poor judgements about how and what information is released, or through deliberate action driven by the sort of disaffection outlined above. There is no evidence of financial motivation behind these cases.

32. General media output is carefully monitored by the Press Office. Specific investigations will carry out more systematic studies of relevant media input, for disclosure purposes. Sensitive operations will have their own operational security policies.

The Counter Corruption Unit works with the Press Office to monitor open source material and to undertake covert monitoring.

33. Fifteen investigations have been undertaken by West Midlands Professional Standards Unit. Ten failed to produce conclusive evidence. Two investigations led

to minor disciplinary action ('written warning' and 'management advice'). A further three investigations are at present ongoing.

34. As above.

35. I am not clear about what information this question is seeking. Payment for advertising space is probably the only scenario I can think of.

36. Procurement rules.

37. The Force Threat Assessment carried out by the Professional Standards Department and based on all available data does not identify bribes by the media as a significant risk.

38. The Bribery Act 2010 has been published on the Force intranet site. Further more detailed guidance is available through the National Legal Database. New legislation is assessed against the very limited training timetable; no specific training on the legislation is envisaged.

All officers have received significant training around culture and values and all supervisors receive technical training on anti-corruption measures.

39. West Midlands Police has a Force Press Office mission of which is:

***'To support the force in building the trust and confidence of the people of the West Midlands by proactively and effectively communicating policing activities undertaken to achieve the force vision and to protect and enhance the reputation of the force in accordance with its values'***

The department provides far wider support to the force than media engagement, for example supporting the force internally in relation to communicating organisational issues through internal messaging channels. In the current climate and moving forward there will be a greater investment in this aspect of our communications work.

The department also has a very local, community engagement, focus directly supporting LPU's and departments in their engagement with local communities.

Media engagement - The office manages around 50,000 calls per year and assesses, log and replies to reactive media enquiries as well as proactively releasing news and information about West Midlands Police.

Thirty people work in the Force Press Office across Operational Communications, Organisational and Digital Services.

The office has evolved significantly over the last five years with greater emphasis on the provision of information directly to the public through social media and web based activity.

Force policy is to engage with the Press Office if approached by the media. The media do approach individual officers directly however, when directed to the Press Office as per Force policy they understand the rationale behind this. This can sometimes frustrate the media but in general is accepted.

The media's attitude towards the Press Office is generally a positive one, with a strong working relationship across the region. This is on the whole balanced, with a healthy debate able to take place within the context of this relationship.

40. A number of key posts in the Force Press Office require journalistic or similar experience. There are no restraints on staff leaving the organisation but I was unable to find examples of West Midlands Police Officers taking jobs with the media.

41. Records of previous employment are retained within personal records and exit interviews are conducted on staff leaving West Midlands Police. I have not considered it proportionate to conduct a manual search of those records.

42. There are no discernible patterns.

43. a) Unlawful Interception - The only example that can be found is when in early February 2011 a mosque in Birmingham contacted West Midlands Police because it had found a covert recording device within the mosque. An investigation was launched and it was discovered that the bugging device belonged to Channel 4 Dispatches who were investigating Islamic faith education. West Midlands Police sought legal advice about possible criminal offences and contacted OFCOM. Twenty complaints were received about the programme but apparently there were no breaches of the Broadcasting role or criminal law.

b) Bribery of officials by the media – No experience

c) Blackmail – No experience

d) Harassment by journalists – There have been examples where victims have sought police support from what was perceived as over intrusive journalism. These issues have always been resolved through contact with the media.

e) Traffic offences – No experience

f) Inciting officers – No experience

g) Crime within media organisations – No experience

44. These are a tiny proportion of the crimes and incidents dealt with annually by West Midlands Police. Where circumstances require, such as in the case of the recording device, these matters will be prioritised.

45. Before the events that led to this inquiry were disclosed, I would have described the relationship between West Midlands Police and the media as balanced. There will always be some tension in the system as journalists seek to build a story and officers protect victims and ensure Criminal Justice processes can be followed. Equally, journalists will seek out stories about the Force as an organisation while the Force will want to project the most positive image.

The informal 'rules' of this game were understood and respected by both parties and I consider it positive that staff at all levels have felt sufficiently empowered and confident to be proactive in putting information into the public domain which builds public knowledge and confidence. This is particularly the case with social media.

I would be very concerned if, as a result of events that feel quite alien to our normal media relationships in the West Midlands, we returned to a more risk adverse approach which restricted proper public access to information about policing.



Chris Sims  
Chief Constable  
17 January 2012

**STAFFORDSHIRE POLICE QUESTIONS**

1. I was appointed Chief Constable of Staffordshire Police in September 2007. As the newly appointed Chief Constable I met with journalists from The Sentinel newspapers and The Express and Star. I also had a regular phone-in programme on BBC Radio Stoke. There was some national interest in work taking place to combat bureaucracy.

2. To build local confidence in policing by providing information about police activity and comment on related issues.

3. Views on local issues, plans for the development of Staffordshire Police. Occasional comment on national debates, for example, storage of air weapons.

4. None

5. Not applicable

6. Not applicable

7. None

8. Not applicable

9. Not applicable

10. A hospitality register



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