Q. I'm not going to ask you about your impressions of the phone hacking inquiry. You say in your statement:

"It is right to observe that those relations [that's to say media relations] were neither in a normal nor an entirely healthy state in September 2011."

6 Can I ask you to explain in a little bit more detail. In what way abnormal or unhealthy?

A. First of all, the phone hacking inquiry under DAC Sue Akers had started in 2011, at the beginning of that year, to have a deeper investigation. What that meant was -- I don't suppose anybody at that stage was quite sure where that investigation would lead. Would it lead to one newspaper, to one proprietor or to many proprietors and many news agencies? So I suppose at that stage people were wary of where that inquiry would lead and what the relationships with the press were like as a result.

Secondly, the sorts of things that were being discovered meant that relationships with journalists were having to be looked at very carefully, because obviously no one wanted to compromise that investigation; they wanted to make sure that they were treating the inquiry in an honourable way, with integrity.

Q. Were you of the opinion or was it your impression that relationships between certain sections of the MPS, some individuals at the top and the media, were overly close?

A. That was the concern that seemed to be in the public mind. I think even within the Met there were concerns about that. I think people have acknowledged that over time -- although, in my view, the policy I think Sir John, now Lord Stevens, had established during his time, I think, in spirit was the right spirit, that probably the practice of that strategy had led to some -- too close a relationship with the press, and that was the feedback I was getting both from within the organisation and from those who cared about it from the outside.

Q. The feedback you were getting, what were the manifestations of the overly close relationship between some members of the MPS and the press?

A. I suppose it was really the things that have been reported to this Inquiry about social relationships as opposed to professional relationships. I don't think there was a concern about the fact that there were press briefings and that there were briefings which were not for reporting. I know that it may be that this Inquiry may want to say something about the limits of how far the press can be briefed outside what is reported, but I think everybody accepted that that was something that
happened, particularly probably in some of the more serious crimes and also to explain the more general context in which the police operate and some of the challenges that we face.

So I think in that sense, everybody accepted that was a good thing, but I think it was the close social relationship that people were more concerned about and what -- at the very least, the perception it created.

LORD JUSTICE LEVESON: Had you got that image or impression when you were an assistant commissioner in the Met or is that something that's evolved over the years?

A. Certainly, sir, my impression is that when I was in the Met, which was 2001 to 4, that during those three years, I didn't see that that relationship in that way existed then. Yes, there were times people would meet socially, but not with great frequency and I couldn't really say that I was aware of any great pattern of that type of meeting. Now, it may have been happening and I was unaware of it, but secondly, I didn't get people reporting back to me that was a concern for them at that time.

LORD JUSTICE LEVESON: Have you been surprised by what's emerged from the Inquiry?

A. Probably some of the extent of it. Probably unsurprised by the fact there was some contact and some of it was emerged from the Inquiry?

Q. In that context, Mr Hogan-Howe, we've heard that --

A. (Nods head)

Q. Do you have a view about the good sense of that decision?

A. To be fair, I'd not realised that there were lunches before. I'd only known about the meetings every four weeks. I was unaware of the lunches, probably because I had prepared for this Inquiry. So I was unaware of the lunches, so if it stopped, I'm not sure I stopped it, but I've not tried to restart them.

LORD JUSTICE LEVESON: I think Mr Jay said that it was Mr Godwin's decision, the lunches, the CRA lunches after the CRA briefings no longer take place.

A. Right. Oh sorry, I was unaware.

But just to give an indication that we tied to keep

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1 social. I think that probably, in many organisations, would have been something that people might have expected, but probably the frequency of it and the extent, I think that's the thing that's been a surprise.

MR JAY: When you use the verb, in the penultimate sentence of paragraph 5, "relations were distorted", can we be slightly clear, Mr Hogan-Howe, what is causing the distortion in your view?

A. Probably best represented by -- we -- I think this Inquiry has heard that one group of journalists who the Commissioner and the management board meet are the Crime Reporters Association. I think you've had some of their members here, who talked about that relationship, and broadly that means that the Crime Reporters Association, as a group, meet with the Commissioner or the management board about every four weeks and it's a broad briefing about issues that are contemporary, usually in London at that time, either issues that the Metropolitan Police will raise or that the journalists are raise.

Well, when I took my first one of those meetings -- we're still having them. Those meetings are still occurring. They occur at New Scotland Yard, the press officers are there and it's a very open meeting. The big concern for the journalists was: how are we going to maintain a relationship, given that, one, this

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1 investigation is being carried out, number two, now, by the time I'd taken over, this Inquiry was well in train?

2 So that's been a concern for them during that time and they wanted to make sure that they maintained good professional access and that any action I took on behalf of the Met didn't compromise the proper and honourable work that the media can do to help the police to either reduce crime or catch offenders.

Q. It may be understandable, in the light of recent events and pending the conclusions of this Inquiry and others, that the pendulum may have swung possibly a little bit too far in the other direction. Do you feel that that

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1 some level of normality -- I know that one of the criticisms that's been aired at this Inquiry has been whether or not my response and our response has been too austere. Have we drawn the line too harshly to maintain good professional relationships? But certainly at Christmas, there are a couple of events. We put on --

2 I think it was just before lunch. We put on an hour's buffet with a drink to -- which the CRA came into and it was just a Christmas event, and CRA always meet in a pub and invite senior members of -- well, various organisations, including the Met, to go along. We had a big debate and in the end we decided we would go but only for a short time.

So we tried to maintain some normality and social element to the relationship but try to keep it on a proper footing, where we were open about it and could therefore be held to account. But it's been a difficult line to draw, given that we do want to maintain a good professional relationship, but neither do we want to be criticised as being too close and therefore having our impartiality criticised.

Q. It may be understandable, in the light of recent events and pending the conclusions of this Inquiry and others, that the pendulum may have swung possibly a little bit too far in the other direction. Do you feel that that
lacking confidence had been damaged in the Met and the way that -- its relationships with the press, so I needed to set a new boundary. I prefer, I think, to be criticised for setting the boundary too high than I would by this Inquiry for even having -- under warnings, having set it again too low.

Lord Justice Leveson: I don't think the word "criticism" would be appropriate. You were coming in to pick up the pieces of what's happened and to try and -- I think it's your word or it's certainly a word I've used -- recalibrate to make sure it's on an even keel. Nothing I'm going to say is going to undermine the enormous importance that I attach to the police generally being able to engage with the public through the media, not merely because of the concept of policing by consent but also because of the vital importance that the public play in the prevention and detection of crime. So nothing that I am going to say will be intended to impact adversely on those features, which I consider to be absolutely critical to the way in which our democracy operates.

A. I think, sir, the only other thing I'd add in terms of making the decision we've made about where we draw the line is of course, I have to try and get the message over to the 53,000 people who are employed by the Met. As anybody who has been involved in big organisations knows, you can have some wonderful policies and structures, you can do wonderful training that takes two years but you can send a very clear message quickly, and in cultural terms, I thought there was a need to do that.

So the bar may be in the wrong place and I would accept, you know, it's possible to criticise where we set it, but it was to send a very quick, clear signal about where we set it until, of course, this Inquiry results, and I didn't have the benefit, as I'm sure you will have over the next few months, between all the witnesses, of knowing exactly what's happened, not just what I've read in the press or what individuals have told me. So it seems to me the whole benefit of this Inquiry is that many witness also appear, they will give their account and it will be accepted or not, but the judgment at the end of that will be more profound than I could have reached back in September of last year when I only a partial account of what I thought the problem was.

Lord Justice Leveson: You also have the benefit of Sir Denis' report and that from Elizabeth Filkin, which all feeds into what I'm doing and what you've had to consider. So I appreciate the landscape is very different now to that which obtained last September.

A. I think the only thing I would add, sir, is that I am generally -- I know some journalists have appeared who have said that they feel as though there's been a more austere -- a drawing in of the Met in their relationships with the press, but I would like to genuinely understand what causes them to say that because as far as I'm aware we're still having press conferences, we are still working around, you know, about various crimes that we have to -- that are going through the court system. We are still encouraging our neighbourhood sergeants to work with the local press to get stories out there, good and bad at times.
interrupt is a relationship which imagines that a public
interest story may come along one day, because of
course, at the start of that relationship, presumably if
there's a public interest story to come out they're
unaware of it.

So it's not trying to stop the individual giving
information which might be helpful to a democracy or to
the press or to air a concern; it is trying to make sure
that inappropriate relationships don't develop. It's
that that we're trying to stop.

Q. We put at one extreme whistle-blowing, which is
protected by statute. The other extreme is clearly
confidential information, the disclosure of which is
unauthorised and inappropriate, and then we have in the
middle a whole melange of information, some of which may
be in the public interest, even though it's not
whistle-blowing, other parts of which may be
inappropriate. It's the flow of that information which
it's difficult to regulate and where it's difficult to
find the boundary between the public interest and not in
the public interest.

A. Yes, I suppose the extremes are usually fairly easy to
to identify, in the sense that if there's a criminal case
involved or a civil case involved, then — or have
a duty of confidential to somebody who's given us

information, expecting it would be maintained at
confidential, then we have to respect that and do
something to make sure that that confidentiality is
maintained. At the other extreme, you've got the
selfish leak, and I suppose in the middle you have got
that grey area. I suppose the difficulty has been, with
the Metropolitan Police, probably over too many years
now, has been — often the stories have been about
individuals and have become human interest stories
rather than they become public interest stories. Best
probably we avoid that, and anything we can do to
prevent that, ideally that our behaviour doesn't cause
a press story. But I suppose we need to make sure that
the public interest stories are less and the public
interest stories are high.

Q. Because in the grey area, there are two concomitant
issues. The first is that the police officer may be
making a judgment as to whether or not divulgence of the
information is in the public interest, and the police
officer may get it wrong.

Secondly, if the journalist is in receipt of
information which has been disclosed, rightly or
wrongly, the journalist then has to make a judgment as
to whether or not publication of the material is in the
public interest, and it's regulating those sensitive

conference is usually not bad policy. If it can't, it
usually means you've probably got it wrong.

So I think there is a great benefit in being
challenged by journalists who have nothing to gain from
destroying the idea.

Q. You mentioned as well the sort of contact which you
don't think is in the public interest is the journalist
cultivating an officer -- that wasn't the term you
used -- maybe offering the officer a drink or whatever,
in the expectation of getting a public interest story
somewhere further down the line. Have I correctly
understood the sort of point you're making?

A. Mm.

Q. Is that necessarily contrary to the public interest,
human nature being as it is, that the drink is offered,
the relationship is fostered and in due course the
officer may be more likely to divulge something in the
public interest. You say that officer may equally be
likely to divulge something which is not in the public
interest? Is that the problem?

A. I suppose it's the sort of thing where -- you know,
there's no doubt that police officers and the press will
meet on social occasions. The question is if the only
reason for the meeting is around their social
interaction and if complicated by alcohol, it seems to

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me there is a risk that in fact the relationship — 
judgment is clouded and the relationship develops in 
another way. I suppose for the Police Service, it seems 
to be important to say that at least for appearances, 
but more fundamentally because of the way we should 
operate, because of the probity of the way we operate, 
we need to leave the perception that we are not tainted 
by being too close to any part of society. That 
sometimes can isolate us.

So I think we have to make sure we’re not isolated, 
but I think at times that just by what might be seen by 
some as austere, provided we have a good professional 
relationship, provided we’re open about it and provided 
that therefore we can be held account, we’re using 
probably the right place. Will that stop all officers 
having a drink with a journalist? I doubt it. If you 
it happens once, so what? For me, it’s the pattern. If 
it was to be a regular relationship, it’s that that 
starts to change the nature of it. One drink, one 
coffee, one meal. I’m not sure that of itself is going 
to damage anybody’s integrity or the perceptions of it, 
but I think sustained contact is something that can.

I don’t say it always will, but I think it can.

LORD JUSTICE LEVESON: A very good example, I suppose, of 
that is the perception of the whole investigation into 
organisation, if we investigate a very large, complex 
Met, because of where we are and the scale of the 
investigation doesn’t go as well as it should.

There are many reasons we fail. We fail sometimes 
through negligence. We fail through error. We fail 
because we just didn’t do our job properly. I think 
people can accept human error. What the except is that 
if that’s contaminated by a perception of prejudice.

MR JAY: Similar issues arise not just with the media but 
when the police are investigating alleged wrongdoing in 
government; is that right?

A. Yes, and I think that’s an area which I think the 
Inquiry’s touched on too, which is about: we 
investigate, you know, some simple crimes. A burglar — 
somebody who steals a car, where you have a individual 
and a relatively straightforward case. What can be 
quite hard is where we investigate large organisations 
and that includes the government. So particularly the 
Met, because of where we are and the scale of the 
organisation, if we investigate a very large, complex 
organisation, we can be investigating very discrete 
parts of it. The closer that discrete part gets to 
being a pattern of behaviour across the organisation, or 
the nearer it gets to the hierarchy of the organisation, 
the more it is of a challenge of how we maintain 
relationship with that organisation going forward.

It’s not only with central government; it can be 
with a local authority. There are many ways in which 
the police have to be careful about that relationship 
once we start either to deal with the organisation as 
a victim or as a potential offender. It’s a great 
challenge as to where that line is drawn and I think 
people are — public knowledge about the investigation 
we’ve had into the security services about some of their 
historical investigations. We still have to maintain 
relationships with those security services. We have 
a duty to maintain public safety, but at the same time 
we have to investigate fearlessly.

So it’s not an easy line to draw at times and we try 
hard to get that right. I can’t sit here and say it’s 
an easy line to draw. Whether it be government, whether 
it be very large organisations in the press in one case, 
or some very large public bodies or very large private 
odies, we have to think our way through it quite 
carefully.

MR JAY: A bit later in your statement, paragraph 18, you
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1. identify five public interest reasons why the media
2. should be properly informed. You don't include there
3. the issue of reputation management, which arguably
4. features in the media policy. Is that something which
5. you feel is appropriately put forward by the
6. organisation? Unless you think it comes out implicitly
7. in point 4.
8. A. I think it is implicit because -- I certainly wouldn't
9. ignore it. I think you have to at least consider that
10. that's important. In fact, if you bear in mind where
11. Lord Stevens' media strategy started, it was the
12. consequences, in a way, of the MacPherson Inquiry: an
13. organisation that was feeling pretty insecure, that was
14. on the back foot in dealing with not only the press but
15. with the public in general, and I think he was trying to
16. promote a more confident Met.
17. Something that I've always felt strongly about is I,
18. as a now commissioner, chief constable before -- the
19. leadership of a police force or service has a duty, as
20. an ambassador, to get the story out there about what
21. they're trying to do. People may criticise about not
22. doing the right thing. They may criticise them when
23. they got it wrong and there may be many reasons for
24. criticism, but I think it's an important part of
25. leadership for a police force to get out the context in

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1. which that organisation operates, the challenge they
2. face, some of the things they try to get right, and
3. I think that dialogue with the public is vital for no
4. other reason than 60 million people pay nearly
5. 13 billion in taxes every year and deserve to understand
6. what it's being spent on and how the police fulfil their
duties.
7. So I think there is a vital -- probably I wouldn't
8. you the words "reputation management", but I do think
9. public information is vital to make sure the public are
10. informed about what their Police Service is trying to do
11. on their behalf.
12. Q. The boundary between getting the best information out
13. about your service and spin is often quite difficult to
14. define, isn't it?
15. A. It could be, but perhaps if I could offer -- well,
16. probably one example where the I think -- just an
17. example of where -- the Inquiry may make its own
18. judgment about whether it's spin. We, in Merseyside and
19. here in London, are having a big push against uninsured
20. motor vehicle. We take lots of motor vehicles off the
21. road that are uninsured and the broad argument is
22. because uninsured drivers, 70 per cent of them are
23. criminals, they have a criminal for criminality. So it
24. reduces their mobility and in any case, they shouldn't
25. be driving around in uninsured cars.

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1. be driving around in uninsured cars. So we have a big push on that and we get the press
2. involved. Two days out of every 28, the whole
3. organisation, right across London, will do this so the
4. public can see and we tell the public about that, either
5. by them driving past it or by using the press to get the
6. message over.
7. Now, it's not the entire thing 53,000 people do 24
8. hours a day, 365 days a year, but it's one of the things
9. that we can explain clearly in a way that the press may
10. not report some of the more routine, the more mundane
11. things. They're very important, but are not as easily
12. reported.
13. So I think -- some may call that spin, but I think
14. it's just explaining to the public that you're taking
15. something seriously, what we're doing about it, and if
16. they see 20 officers stopping lots of cars and taking
17. them off the road, it's not because they're speeding,
18. although that's important; it is because there is
19. actually a serious reason behind it and we're acting on
20. their behalf.
21. So I think there is a great value in explaining to
22. the public the scale of the task, because of course, as
23. sometimes -- you know, in criminal courts and for the
24. judiciary, they only see the cases that come before

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1. them. We're not always able to put in the public domain
2. all the cases we would have liked to have brought, had
3. we had enough evidence, or all the cases where we never
4. had a suspect but there was a crime, and that's the
5. reality that people live and this is trying to fill that
6. gap.
7. Q. Is it the job of the press in any way to help the police
8. in terms of the face the police wants to present to the
9. public?
10. A. I think they have a duty -- I think they accept this
11. duty, which is to -- you know, in the public interest,
12. to share information that the police may offer if it
13. either stops crime or stops someone becoming a victim or
14. helps the police and the criminal justice process to
15. catch and prosecute an offender. So I think there is
16. a duty there that -- it seems to me there may not
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24. judiciary, they only see the cases that come before

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to come forward and for people to help us in extraordinary ways that we might not have normally expected. The other one was the racist murder of Anthony Walker, a young man who was murdered for no other reason than he was black and he happened to be walking with a white girl in the Knowsley area of Merseyside. The furor and the anger that came from that enabled a lot of people to help us in ways that aren't always publicly known but made a real difference to that case. I don't think we'd have solved, as we did in that case, within about 48 hours. We got the offenders back from -- because they'd gone off the Holland and -- a huge amount of work produced by football clubs, Manchester City, because there was a relative there; they helped. Lawyers helped in a way that we'd not seen before. The whole extradition process worked incredibly smoothly.

So I give those as two examples where the interests of the press may be challenging, and they may ask a lot of hard questions and, at times, criticise the Inquiry, but those are two case where had we not had that help, I doubt we'd have had the success we had in both case. There are many other examples I'm sure we could quote in London and across the country but they were two powerful for me in Merseyside.

A. No, sir, and I think that example we're probably both thinking of is a pretty awful example of that and there should never -- for me, there should be no naming of suspects by the police or by the press. It's just extremely intolerable for two reasons: one, it's improper, legally -- well, I'm not sure it's illegal but it's improper. But more importantly, it often is wrong.

If you look at the Reece Jones case, which took a year to actually arrest and charge the offenders -- and in the end, I think we arrested and charged about 11 people -- in that case, the offender was named on the wall -- on a wall in the area in which Reece Jones was murdered. It was painted on the wall the name of the offender. That was public knowledge and everybody in the area thought they knew they did it, and we thought we did too. But there's no way we confirmed that to the press, nor should we ever have done that. We worked our way methodically, over a year, to prove the case against him and the people who had helped him after the event.

A. What's tended to happen I think has been that often they
will -- if we take the Reece Jones case, where there was
a name on the wall and they report back to us what they
have seen, they report what people in the area tell them
and they say, "We believe X is the person responsible", we
didn't and we shouldn't confirm or deny that.

LORD JUSTICE LEVESON: Let me give you a different example.
I know about the case because, as you are probably
aware, I tried those who were convicted of murdering
Anthony Walker. There was an issue about a website
where messages were left in support and raised questions
about risk of prejudice to a potential trial, and you
will remember there was a big debate as to whether the
trial should be in Liverpool or moved out of Liverpool,
and in the end it was conducted in Liverpool with a jury
from Lancashire. That's how we coped with that
particular problem. But I'm just wondering whether you
see a role for the police in seeking to engage with the
press in trying to ensure that that sort of issue
doesn't arise, whether it happened in that case, whether
you see a role for it, how you see that developing.

A. I think in the cases where the press come to us and say,
"We believe X committed this crime", we would always
counsel them not to share that information with the
public. It seems to me that if we are able to put into
the discussion -- we don't initiate that piece of
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information as a starting point, but if they come to us
with something which we know to be true, then we can
hardly deny the truth and if they're right, they're
right. But I think we have got a duty to try and
persuade them to use that information responsibly, which
often will mean not publishing it, because that, for me,
will compromise the criminal justice process. That's
what it's there for.

All they can be reporting, often at an early stage
of an investigation, is their suspicion. Well, as we've
seen numerous times, suspicions don't always materialise
into charges and charges don't always materialise into
convictions. So for me, there's never a reason to start
sharing partial information, and on the whole I've found
the press to be pretty good at that. The difficulty
comes when you have a long-running investigation where
the press start to challenge, on behalf of the public,
whether the investigation is being run in a professional
manner and whether or not you're taking all steps you
can to secure a conviction. That's where it can become
more challenging.

But I think provided the press are reassured that
it's a professional investigation that's being well led,
well-managed, they accept some of the problems we
sometimes face and they will hold off. You sometimes
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see challenges when they don't think that's the case.

Q. A related theme is the issue media ride alongs, the
media or perhaps other public figures coming along to
arrest operations by the police. I've been asked to
raise this with you: that the risk to Article 8, privacy
rights in particular and possible Article 6 fair trial
rights is such that as a matter of principle
investigating journalists who never be invited to such
occasions. What's your view about that?

A. I'm not sure I agree. I think for the reasons I said
earlier, I think there is a place to explain to the
public through the press what's happening, and provided
there is no identification of the suspect or information
for them later to be identified, then I don't see
that -- in my view -- I mean, obviously it will be for
others to do decide -- it's a risk to the judicial
process, and what usually happens is that the faces of
the people are blacked out. I suppose if there was any
location that was so obviously related to one person,
then it would be a risk to take a journalist along and
then show pictures before a court trial of the occasion.
But there's probably two broad groups of use of the
journalist in those cases. The first one is where the
publication of the material is after the conviction and
the other one is when it's transmitted on the day of the
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event, and they're usually for these big operations that
we carry out.

But usually great care is taken to make sure that,
first of all, the press who are at the event are
chaperoned. They have no right of entry into the
properties so they should not go into the properties.
Number two is that the individuals who are the suspects
and are the subject of arrest when you get there, or
were being sought when you arrived, are not identified,
and there should be nothing, the written nor the visual
accounts, that allow that to happen. It is really to
get the story that the police are taking action in an
area about a particular type of crime, be it drugs or
whatever, not that this individual was a subject of the
investigation.

LORD JUSTICE LEVESON: Mr Hogan-Howe, could I ask you to
slow down a bit.

A. Sorry.

LORD JUSTICE LEVESON: Because I think we're having a bit of
difficulty making sure we get every word.

A. Sorry.

LORD JUSTICE LEVESON: Thank you.

MR JAY: May I ask you please to go back in your statement,
Mr Hogan-Howe, to paragraph 12, our page 55645. This is
a policy which one deduces that Mr Godwin imposed, that
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to capture the event, and diaries can capture the broad purpose of the meeting. We're making some -- we are monitoring it at board level to make sure that we are in the right place, because the criticism in the past has been the leaders aren't in the right place, so we need to make sure we're doing it properly, and then there's a more random sampling further down the organisation. But I don't think there's any great forms to be filled in.

Now, what I can't anticipate is how the journalists have perceived -- how that's worked for them, but we -- as I said earlier, we seem to be having the same number of professional contacts in those things which we should properly discuss with the public.

Q. I think it goes back to a point I made earlier. It's the "flow of information", in inverted commas, which may or may not be authorised which is, at least in part, dried up. The evidence the Inquiry has received is that that has been the result of this change in policy since the summer of last year. Of course, the more formal contacts, the interviews, the briefings, even the off-the-record briefings, hasn't altered; it's the slightly more subterranean contacts which may have dwindled. Would you accept that?

A. If that's what the journalists say, I'd have to accept it. I have no real evidence myself one way or another, really. I suppose I'd not be too disappointed if tittle-tattle is stopped, but if there was things of genuine public interest, then it would be a shame if that sort of thing had been a problem, and if we have a more accountable system, then I would be more proud of that than I would be of a system for which we can't be held to account.

So I'm not disappointed at that, but obviously the outcome of this Inquiry will help us to decide whether we've set the bar in the wrong place. But it is certainly not intended to be bureaucratic and it's certainly not intended to inhibit the proper relationship between the press and the police on behalf of the public.

Q. We move on to a separate matter, and that's of training. Paragraph 15. You rightly tell us that the current SOP for media contact authorises officers of inspector rank and above to speak to the media without the prior approval of senior officers. Just the related point: do MPS for those of inspector rank and above is sufficient? Paragraph 15. You rightly tell us that the current SOP for media contact authorises officers of inspector rank and above to speak to the media without the prior approval of senior officers. Just the related point: do MPS for those of inspector rank and above is sufficient?

A. I think we're going to need to revisit that. First of all, we've come to, as I said, some interim positions awaiting the outcome of this Inquiry. So we've made

A. Yeah, generally the idea would be not to have a transcript, nor trying to capture in any way the conversation, but at least the reason for the meeting. I suppose if there was anything critical that was mentioned that there ought to be a record of, then that seems to me to be wise.

Of course, what this doesn't distinguish in this paragraph in my statement is obviously that you'd have a different standard about an ongoing criminal inquiry or a civil litigation or anything that was contentious. You might have to come to a completely different view about how much of the material was recorded.

Q. A number of journalists have expressed the view, not necessarily what was discussed, although it may include the gist of what was discussed, may it? I don't know.

A. I hope not, because I think the principle that's behind this is to try and establish an open and accountable relationship with the press. That's the only purpose of it. Not to stop it, not to inhibit in its generosity of sharing information. The idea is merely to make sure that the fact of the event is recorded and that therefore someone later may say, "Why did you have that meeting?" and then there is no secrecy. I think if the meeting was an open event, or -- an open event -- if the meeting was for a good purpose, a policing purpose, I can see no reason why somebody would query that. I suppose if it was a whistle blower, you may come to a different conclusion, but I'm not -- we're not trying to stop the whistle-blowers. This is about developing a pattern of relationship and by having an account, we can monitor that to see whether or not an inappropriate relationship is developing or whether, as has been said by some of the witnesses in this Inquiry, has it been a partial relationship with the press to one newspaper, one journalist, disproportionate to the whole media that's available? So that's the purpose of it. The operation of it in the first few months doesn't seem to have produced any great bureaucracy because the idea is just using diaries

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there will be less contact. Do you accept that?

A. I hope not, because I think the principle that's behind this is to try and establish an open and accountable relationship with the press. That's the only purpose of it. Not to stop it, not to inhibit in its generosity of sharing information. The idea is merely to make sure that the fact of the event is recorded and that therefore someone later may say, "Why did you have that meeting?" and then there is no secrecy. I think if the meeting was an open event, or -- an open event -- if the meeting was for a good purpose, a policing purpose, I can see no reason why somebody would query that. I suppose if it was a whistle blower, you may come to a different conclusion, but I'm not -- we're not trying to stop the whistle-blowers. This is about developing a pattern of relationship and by having an account, we can monitor that to see whether or not an inappropriate relationship is developing or whether, as has been said by some of the witnesses in this Inquiry, has it been a partial relationship with the press to one newspaper, one journalist, disproportionate to the whole media that's available? So that's the purpose of it. The operation of it in the first few months doesn't seem to have produced any great bureaucracy because the idea is just using diaries

all members of management board are being required to give a record of all contact they have with the media, and by implication that's the fact of contact, not necessarily what was discussed, although it may include the gist of what was discussed, may it? I don't know. Can you assist us on that?

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some changes to our policies, but I think one of the ways to embed policy is to make sure that we train people appropriately, so we've already started to feed into our probational training and the promotion training these types of issues that come up in this Inquiry. But what I didn't want to do until, I think, the autumn, when this Inquiry reports, is set up a whole new set of training for up to 53,000 people and then find we have to do it again and reset it.

So we've come to an interim position, which may change. We've shared it by normal communication methods. We haven't fundamentally yet changed our training, and I think it's just a bit premature for me to conclude that I have exactly the right place to set that training in, although people are already aware of this Inquiry and they're already aware of some of the risks from the past.

Q. Then you say in the next paragraph, paragraph 16, our risks from the past.

A. The first thing is that I suppose we try and differentiate, first of all, between a criminal inquiry, a criminal investigation that the officers or staff are involved in, because that's quite different from any of the other things we deal with. Not everything we deal with is a crime, and not everything -- action of a police officer or all our staff is involved in crime investigation. There are many other things we do too.

So I think the first thing is: is this a criminal investigation?

What we try to ensure, I think you'll see through our policies, is if an officer or a member of staff of the 53,000 is not involved in an investigation, they really shouldn't be commenting on it. That's really vital, because of course the senior investigating officer, particularly in a very serious crime, may well be held to account during the criminal justice process for the press reports of their investigation and what information was released by the press during that investigation, for the very reasons we were talking about earlier. And the SIO, the senior investigating officer, is in court quite often and challenged about: 

"Why did you say this to the press? Why did you make that press release at that stage?" So we try to impress on our staff: 

"If you're not involved in an investigation, don't comment on it, or if you feel as though there is a need to, the very least you have to do is talk to the SIO because it may be a critical part of the inquiry that you are totally unaware of some of the other contexts in which that inquiry is being carried out."

The second thing is generally we do try and promote good healthy relationships, for example with the neighbourhood sergeant. They're expected to know their local journalist, get information out there and to accept if they get a query from them about what they're doing about a particular problem.

So the idea is to overall have a positive relationship, but I accept that as a police force, we -- there are restrictions when we're investigating crime.

Q. When you begin to look to the future in your statement, there are restrictions when we're investigating crime.

A. I don't think in particular. I think the first point we make is that we accept the findings. The conclusion that Elizabeth Filkin draws, we accept. We're having to do a little work around some of the recommendations, only in the sense that for a very big organisation we have to make sure those recommendations will work and certainly my view of leadership is that I don't sign up to just broad principles. I want to know how it's going to work. How do we expect 53,000 people, plus a few more who join us as volunteers, to actually operationalise this?

So for me, we're doing a little more work just to make sure that we operationalise that, and there was an appendix to Elizabeth's work which was trying to make more practical some of the principled findings. There are one or two areas in that which probably we want to discuss a little more before we actually say that we accept that in total, but on the whole the broad thrust
| 1 | of the report we accept. |
| 2 | Q. One or two of the journalists we've heard commenting on |
| 3 | that report have used the words "patronising" or |
| 4 | "condescending". Do you too he will that that comes |
| 5 | close to the mark or not? |
| 6 | A. I was asked that question in the press conference which |
| 7 | we used to launch the report, and I just couldn't |
| 8 | recognise that from my reading of it. I didn't feel |
| 9 | patronised. I accept that some journalists did but |
| 10 | I wasn't sure why. They mentioned, for example -- |
| 11 | I think there was something in the report about flirting |
| 12 | and about having drinks with journalists. Well, |
| 13 | I didn't take it in that way, and I thought it was |
| 14 | written in a sensible style and encouraged people to |
| 15 | think differently about something that had become |
| 16 | a problem. So I couldn't see that myself. I didn't |
| 17 | take it as patronising for police officers, but I can't |
| 18 | speak really, I suppose, for the journalists who did. |
| 19 | Q. I think we've also heard evidence -- it may be have been |
| 20 | in the HMIC report -- that this should be seen as one |
| 21 | aspect of a wider issue -- the sense of ethics and |
| 22 | proper standards within the police -- and that media |
| 23 | engagement is only one manifestation of that wider issue |
| 24 | and a police officer should have a proper sense of their |
| 25 | integrity, what's right and what's wrong. |

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| 1 | First of all, do you agree with that, and secondly, |
| 2 | if you do, how does one best foster these right |
| 3 | attitudes, these right thought processes? |
| 4 | A. I think Elizabeth Filkin says if we only concentrate on |
| 5 | our relationship with the press, we will probably miss |
| 6 | the point in terms of some of the issues we have to |
| 7 | address. So I accept that broad point. This is |
| 8 | a symptom of something that we have to address. |
| 9 | I suppose we have many guides in coming to that |
| 10 | integrity issue of how -- what standard do we apply. So |
| 11 | we have the Nolan principles. We have the oath that we |
| 12 | swear to uphold the palace impartially. And there is -- |
| 13 | ACPO has carried out various pieces of work about |
| 14 | ethics. So therefore there is a body of knowledge which |
| 15 | we can use as points for referral, but I don't think |
| 16 | they're too unique. You can say that, but I'm not sure |
| 17 | they're unique to the police. I think there are other |
| 18 | organisations which would observe similar principles of |
| 19 | integrity and probity. So for me that's important. |
| 20 | Probably the second point for me is that -- I know |
| 21 | I'm going to refer a little to Merseyside, but I've only |
| 22 | been back in the Met for a few months, so my most |
| 23 | profound experience of leading an organisation was in |
| 24 | Merseyside, but within a year we'd come to our own |
| 25 | judgment about what our values were and the only guide |

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| 1 | I gave was I didn't want us to have more than four. You |
| 2 | can have a long list which no one can remember or you |
| 3 | can have some that can really guide people in the moral |
| 4 | dilemmas that sometimes policing delivers. |
| 5 | So we agreed four that the organisation consulted on |
| 6 | and we came up with four that certainly I could stand |
| 7 | by, and we'll do something similar in the Met. I'm not |
| 8 | sure it's right always to impose values, but I think |
| 9 | there are things that you can agree amongst yourselves |
| 10 | about the things that you, as an organisation, stand |
| 11 | for. |
| 12 | With that piece of work to do, we only really have |
| 13 | these points of referral, as in Nolan, as in the oath, |
| 14 | and as in the ACPO standards. |
| 15 | Q. You say in paragraph 29, Mr Hogan-Howe, fourth line |
| 16 | down, page 55651, that you will not tolerate secret |
| 17 | conversations between police officers of whatever rank |
| 18 | and representatives of the media: |
| 19 | "Contact with the media must always be such as |
| 20 | serves the public interest; contact for other purposes |
| 21 | can no longer be acceptable." |
| 22 | One can understand clearly that secret conversations |
| 23 | which are not in the public interest are unacceptable, |
| 24 | almost by definition, but some secret conversations may |
| 25 | be in the public interest. First of all, do you feel |

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| 1 | that's right, and secondly, if it is right, how can one |
| 2 | differentiate between the secret conversations which are |
| 3 | and are not in the public interest? |
| 4 | A. This possible it puts it too starkly or in absolute |
| 5 | terms, but the point I was trying to get over was that |
| 6 | when speaking to -- especially as I have to -- 53,000 |
| 7 | people, we put things as clearly as possible, without |
| 8 | some of the caveats that, on considered reflection, you |
| 9 | may add to that. This is getting over the broad point |
| 10 | that in professional terms I wouldn't expect there to be |
| 11 | secret conversations. |
| 12 | LORD JUSTICE LEVESON: Why should there be secret -- the |
| 13 | word "secret" just concerns me a little. |
| 14 | A. Yeah, that's the spirit that this phrase was trying to |
| 15 | get over. I mean, you can imagine two people who have |
| 16 | grown to a friendship or know something private about |
| 17 | each other and they share a secret in that sense. In |
| 18 | human interaction, I can see how that that might happen, |
| 19 | so that's not going to be stopped and I'm not sure |
| 20 | anyone can condemn it, but this is really concentrating |
| 21 | particularly on the professional and those things for |
| 22 | which the Police Service remind accountable and making |
| 23 | sure they are discharging their duties properly. That's |
| 24 | the point you're trying to get over, not that there can |
| 25 | never be a secret, but I think secret conversations |
A. I agree. That's really the spirit of what this is trying to get over. But there will be occasions where I suppose there will be secrets shared that doesn't destroy anybody's credibility or honour or integrity. But this is a place to rest, I think. I don't know, sir, if -- just to return -- you made a question about values and just one thing struck me which I thought I'd mention, which is as I arrived in the Met, back in September, I offered the organisation -- I said I don't think it's right to impose values, but I offered the organisation three values by which I hoped they could judge me, and therefore -- you know, for a new start for us, which were humility, integrity and transparency. They were things that were important to me both in policing generally but also in my dealings with the Met, let alone with the public of London and the people who visit here.

Now, there are reasons for each one of those, but probably some the reasons we're here today underpin some of the approaches I think we need to consider for the future.

Q. Reading on in paragraph 29, the point where I left off, you say:

"Furthermore, and consistent with that approach, meetings should no longer be enhanced by hospitality and alcohol."

So you're making possibly a link there between meetings which are enhanced by hospitality and alcohol and secret conversations. Are you intending to?

A. Not particularly. I think -- I can see the way that reads, but I'm not sure I had that clearly in mind. I think it was just to say that it seems to me that if there is a professional need to meet, it's not clear it needs to be over a meal. There are ways to meet without that happening, and as soon as alcohol is involved, then the risk is, going back to perceptions, that someone's judgment may be clouded. So if it remains a professional meeting, is there a need for it? If there is no need -- and of course, as I say, going back to -- do you remember the meetings that you might occasionally have, where you bump into someone at a social event where alcohol is available? Say, for example, you sat by an editor of a newspaper. I think one of your witnesses referred to that particular event -- an event like that happening where I was at an event. Is the answer that if you happen to be sat next to an editor of a newspaper, you get up and walk to another part of the room or you cannot sit together? I don't think, for me, that would be a very sensible solution to the problems that the Inquiry is identifying, but I did remark before in meetings with Mr May(sic) that that event that the editor referred to, for me, from my perspective, was just an example of how silly it can get, because that person walked into the room, with me previously completely unaware of who he was, at a social event. I sought to engage him just in saying, "Good evening." He didn't look at me, spent the rest of the next 15, 20 minutes not looking at me at the same table and eventually he stood up because he was sponsoring the event, and I then understood he was the editor of a newspaper.

Eventually, after about an hour had elapsed, he said, "I wasn't going to speak because I wasn't sure that we could." It seems to me to get to that position would be silly. I don't think anybody's regarding an occasional meeting with a fellow professional at which you may well discuss policing or contemporary issues as a risk to the integrity of either organisation. I only offer it as an example of how individuals who are genuinely trying to do the right thing might end up in a silly place. I don't think this Inquiry is intending that and certainly I'm not, but I can see that that was the outcome on that particular occasion.

A. (Nods head)

MR JAY: A number of witnesses have made the point: well, police officers are busy people, a natural occasion to meet is at lunchtime or in the evening, and therefore it follows from that that it could and should be over a meal, because not merely is it a natural occasion, but it's convenient and appropriate. Would you agree with that?

A. The same point's been made to me by a couple of journalists. The only point I made back to them, half in jest but not entirely, is that the police stopped giving alcohol in interviews some time ago. I'm afraid that when alcohol comes in, inhibitions are -- well, there are less inhibitions. I think there is a reason why alcohol is an important factor. It's not just the...
MR JAY: Is this an interim policy, as it were, which is to see whether or not we should amend it.

LORD JUSTICE LEVESON: Oh yes, one could easily postulate a circumstance where it's a police football team and the sponsor of the event has decided the winning team should receive an enormously expensive expensive glass decanter. One can change the facts.

A. I think the other thing we have to be aware of is that sometimes -- and there's been criticism about attendance at sporting events in the past -- is that the offer you -- you need to enquire into who is making the offer.

Is the organisation which is organising the event or is it another organisation who you might be procuring a contract with, at which this is access to a sporting event? And then you have to query what's the modification behind it.

A. Yes. So therefore that type of question has to be asked. So clearly the person may be off duty or not at work, but the link is back to their employment, and it's that, really, that we're trying to capture there.

MR JAY: Yes. But if there's no link at all with employment, then it's outside the policy; is that right?

A. Sorry?

Q. If there's no link at all with employment with the MPS, then we're outside the policy?

A. Yes, I think it's wise, certainly for very senior people, to be more generous in their interpretation of this and to overreport rather than underreport. If they have nothing to hide, even if it's a private event, it's always better probably to explain. Because of course the test goes back to the perceptions test. If this is a large public event at which a recognisable character, whether they be the Commissioner or someone else who is a public figure, is recognised, the public or the press may always understand in what circumstance are they
Q. The general principle is in the policy statement, section 5:

"The policy of the MPS ... that police officers and others must not accept gifts, hospitality or other benefits or services that would place them or be perceived to place them under an obligation or compromise their judgment and integrity. Offers of gifts and hospitality must therefore be declined with an explanation of this policy. The only exception to this is where it can clearly be justified that to refuse would cause serious offence or damage working relations."

A. Can I just understand what is being permitted here and what isn't? A gift or hospitality can be accepted if it doesn't compromise judgment and integrity; is that right?

A. Broadly, yes. I mean, if it helps, perhaps, the Inquiry, the sort of things that sometimes happen in this area -- for example, in the time that I've been Commissioner now for around five months. Through the post, unsolicited, I will receive a copy of a book. It's neither a -- I've not known anything about the book. The books are not always what I nor we would necessarily want to read, but for whatever reason, the office of Commissioner attracts that type of interest.

The Metropolitan Police provide a protection service not only to the Royal Family but also to the embassies in London, and often the embassy will offer a small gift to represent their gratitude for the work that's been carried out, and I think it's generally offered in the spirit of just saying thank you. They're usually very small amounts in value.

So it's just trying to recognise from time to time if someone offers something, we try not to reject something if we can, but on the whole probably best that we don't accept gifts. But generally these will be very low value things and certainly if there's anything of a high value, then they're not accepted or -- I think occasionally we've had slightly higher value gifts where actually they have been auctioned off and then the proceeds have gone to some charity. So we've not sent the gift back, but we've made clear that we can't accept it to the donor but if they accept that we use the proceeds to commit to a benevolent fund of some kind, then people seem to accept that's a reasonable way of dealing with it. So we don't get a personal benefit but the charity might.

Q. Some further assistance here is provided by the appendices, C and D, which are page 05822 -- at the top of the page, it's page 12 of 14.

A. Thank you.

Q. Appendix C, gifts and hospitality that can be accepted and do not have to be recorded on the register. You have cups of tea, in the second item, working lunches and dinners which form part of meetings, training events, et cetera, where attendance is in the interests of the MPS. So those don't even have to be recorded on the register because they're part and parcel of work events, really; is that right?

A. That's right.

Q. Then appendix D, on the other hand, examples of gifts and hospitality which should never be accepted. These are financial payment resulting from publication of articles, repeated acceptance of gifts and hospitality from the same person or organisation, even where the value on each occasion is less than £25, and then gifts offered from outside contractors where there's a plain appearance of bias, I suppose.

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A. The MOPC appoints -- actually, it doesn't directly appoint anyone now. What happened, back -- as I explain in the (inaudible), prior to the Police Authority existing, of course, the Home Secretary was the authority for the Metropolitan Police and appointed -- it's Crown appointment -- the Commissioner, the Deputy Commissioner and the assistant commissioners who were there at the time. They were all Crown appointments carried out through the Home Secretary.  

When the Police Authority was created -- this is something of the order of 2000 -- then they took responsibility for the appointment of office of Commander, Deputy Assistant Commissioner and Assistant Commissioner, but the Commissioner and Deputy remained Crown appointments.  

The position now, as of January 17, is that when the MOPC was created instead of the Police Authority, the Commissioner and Deputy Commissioner remain Home Secretary Crown appointments on the advice of the Met, whereas with the other chief officer ranks are appointed and disciplined by the Commissioner.

So it's gone through a transition over the last 12 years, but that's the latest iteration, is as of January 12, then up to -- Commander, Deputy Assistant Commissioner, Assistant Commissioner appointed by the Commissioner, although we have agreed with the MOPC that in fact we'll do it on their advice in the way that they took our advice when they were previously appointing commanders.

LORD JUSTICE LEVESON: That's rather interesting, isn't it? Because in non-Met areas, presumably the Commissioner, if that's comes into force, will be responsible for appointing the Chief Constable, which is probably the same rank level as Assistant Commissioner.

A. That's right, sir, yes, although obviously the singular lead of the organisation.

LORD JUSTICE LEVESON: I understand that. I understand that.

MR JAY: Under the MPA terms and conditions which relate to ACPO-ranked officers, which I suppose no longer applies, there was a provision, clause 25, which related to post authority employment and appointments and the consent of the chief executive of the MPA was required in relation to two categories of employment, which doesn't in fact cover media employment, on my understanding. That's the same as yours?

A. That's right, sir, yes. This advice is more pointed towards procurement, so that there is not an inappropriate relationship develops between -- say, for example, I was to retire tomorrow and that I don't go
and work with an organisation that is contracting with the Metropolitan Police, because one, I might have information which may be helpful to their bid, number two is it might be seen that they have an inappropriate influence. So that's where that advice is pointed towards, is ensuring that that doesn't happen, or if it is to happen, it's at least being considered by the chief executive to whether that's an inappropriate relationship.

Q. The issue then of restraint of trade clauses which might apply to media employment after leaving the MPS is terrain which is previously unchartered, isn't it?

A. It is, sir.

Q. You're suggesting at the end of paragraph 30 that such restraint of trade clauses should be limited to a reasonable period, which you suggest might be 12 months. Have I correctly understood it?

A. Yes, sir. I mean, it seems to me that something of the order between 12 months and two years is probably where this might settle, but I certainly would advise a cooling-off period.

Q. Thank you.

A. I think just to offer -- you might imagine that after this Inquiry that it seems blindingly obvious, but I think equally it's a little difficult sometimes for

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retiring colleagues to make judgments on colleagues they've just left behind, when of course some the consequences of their tenure must overhang their departure.

Q. Can I move on to the issue of leaks now, Mr Hogan-Howe. Page 556. It's paragraph 43 and following. Since you've started as Commissioner, there have been nine separate investigations, five investigations linked to information leaks to national newspapers. So this is covering a six or seven-month period, is it?

A. That's correct, sir, yes.

Q. Are you able to assist at all your view as to the motivation behind these leaks to the media?

A. I'm afraid I'm not because I just don't know the outcome of those particular inquiries, but I think we tried to explain the statement -- if not, I can now -- which is that often this is started by a report within the press that indicates there is a police source. That doesn't always indicate it's a member of the Metropolitan Police or even it's a police officer.

If it appears to be an unauthorised leak, then we want to establish: well, was it an unauthorised leak?

Because sometimes what appears to be unauthorised -- when you start asking questions, you discover in fact it was an authorised leak, but just the management board

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weren't aware of it. That's fine if it is with a proper thing, but where we can't establish that early on, we try to find out why did that particular information leak.

LORD JUSTICE LEVESON: It's interesting that everybody's saying, "Oh, well, it's all very much more difficult while the Inquiry is ongoing and we're not having the same contact", and yet still, in the period since you've started, there have been a number of incidents of which you have some concern.

A. Yes, sir. I think there is an irony there. One thing I would like to make clear -- I've tried to make it clear in my statement -- I would never argue for every leak to be investigated. I think you can drive yourself barmy, I think, if we did that. It is where the consequences are serious or it might display a pattern of behaviour that we want to investigate. It's those things that are of concern to me, not, as I said earlier, tittle-tattle. If it happens, it happens, but -- big organisations, that will happen from time to time, but it is if it starts to damage our reputation in terms of the integrity of how we handle confidential information and sometimes secret information, which it is vital we have that -- for the trust of our partners and of the public that we are able to maintain that sort of secrecy.

MR JAY: But it's self-evident that no amount of recording of contact with the media or at least the requirement for such recording would prevent the sort of leaks you're referring to here, would it?

A. No, sir, I don't think so, but I think what it does mean is that if we do establish the source of the leak and then we ask them did they report that meeting, did they report their account, then there's a starting place for an investigation, both for a monitoring exercise or audit, to say: is that an appropriate link? Is that an appropriate sharing of information? It allows us to have that conversation.

If someone has chosen not to point out the contact, then it puts them in position where they have to explain more, and that is the nature of any investigation of that type.

Q. If you're fortunate enough to ascertain the source of the leak in circumstances where it hasn't been recorded, then you're already sort of part of the road to establishing that it was unauthorised.

A. I think so. It's not conclusive evidence, but it's a starting point that builds an assumption that might be challenged later, but the person who has a duty and a policy that says that's what they should do, they have
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<td>Q. And turning it around the other way, if you do record the fact of the contact, that assists you because it suggests that you're being open and therefore the dissemination is likely to be authorised, or at least not inappropriate.</td>
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<td>65</td>
<td>A. That's right, sir, and I think the balance between what is public interest in a newspaper and what we would prefer to keep confidential I realise is a difficulty of judgment, but I feel strongly that police are expected to keep secrets. We're expected, on behalf of national interest -- or sometimes people just give us information and trust us with that information, believing that we will keep it as a private matter, unless of course the legal process later says it should be disclosed. Whether it be government or commercial partners or local authorities, when they tell the police things, I think they expect that we keep it confidential and if we investigate -- probably just one thing to add: if we're investigating someone's life, as we do when we have a victim of the crime, people are invited into their life to complain about an assault or a burglary, and in the process of that they share a lot of private information. It may be they've met someone they don't want to talk to someone else about. There can be many reasons why people's private modifications need to be kept discrete, and they will share that with us because they trust us not to leak it, and I think if we see a great deal of leaking by the police -- whether people be famous or whether they be a member of the public, they would expect that we can maintain that privacy and I think they deserve to expect that the police should maintain that so far as we can.</td>
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<td>LORD JUSTICE LEVESON: So that would cover photographers turning up at somebody's home who had been burgled, that somebody happening by chance to be well-known?</td>
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<td>65</td>
<td>A. Yes. For me, I don't care whether you're famous or you're a member of the community. You have the same expectations of privacy. So far as we can maintain it, from the information we have, we, the police, should not be promoting to the press that someone's been the victim of crime for the only reason that they happen to be famous. For me, that could never be right.</td>
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<td>MR JAY: Is this a convenient moment?</td>
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<td>LORD JUSTICE LEVESON: Yes. We'll take just a few minutes. Thank you.</td>
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<td>(A short break)</td>
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<td>MR JAY: Mr Hogan-Howe, may I deal with the Police National Computer. You worked for two years with the HMIC. That was 2009 and 2011?</td>
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<td>66</td>
<td>A. That's right, sir.</td>
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<td>66</td>
<td>Q. So you are aware, therefore, of significant problems with the PNC over a number of years and alleged or actual abuse. Could you help us, please, with the scale of that problem, both in the Met and elsewhere?</td>
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<td>66</td>
<td>A. I'm sorry, sir. I'm not sure I could give you exact details of numbers, but we could certainly provide the Inquiry with that detail if you would like it. I think over the years it's been a chronic problem for the Police Service about unauthorised leaks of information, sometimes where officers and staff have used it for domestic purposes, but unauthorised, and occasionally -- fairly rarely, but occasionally -- where they've been paid for information that's been passed on to people who shouldn't have had it.</td>
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<td>66</td>
<td>Q. Do you have any view as to the additional safeguards which might be imposed to prevent the type of abuse you've just referred to?</td>
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<td>66</td>
<td>A. I am not -- it may always be that there could be more done, but I'm not sure the scale of the problem is such that there would be any need at the moment to increase the safeguards. They're fairly rigorous. First of all, there is a password access to computers, which means that the user of the computer can be identified fairly quickly. The biggest difficulty often is when there are printouts from computers, and if they are not managed properly, then wide access to the printout can lead to a wider dissemination than is legally allowed. That is a risk that we have to keep an eye on. The other area that is pretty helpful in helping us to monitor this type of problem is that certainly in the Met, we have a covert professional standards department. We have an overt one, so if a member of the public complains against a police officer, they will overtly investigate that, but then we have a covert team, quite a large team, who, if there is a suspicion of this type of misconduct, will covertly investigate it, either through the IT systems and through any other legal investigative technique that we have available.</td>
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<td>67</td>
<td>Q. There was an FOIA request reported in the Telegraph in July 2011 that the MPS confirmed that over 200 officers and support staff in the Met have been disciplined for unlawfully accessing the Police National Computer in the previous ten years, 106 of whom had accessed the information in the last three years. That gives us some sense of the scale of the problem, but I suppose you would say that's against the background of millions of accessing of the computer over the last ten years.</td>
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1  of one of them, is a necessary evil. It has to be there
2  because there can't be instantaneous access to police
3  officers who are investigating crimes. But should the
4  DPA, in your view, be the conduit to the officer who
5  will be providing the information or should the DPA be
6  providing the information itself?
7  A. I think a mixture of the two works quite well. I think
8  if -- it seems to me the DPA work quite well. If the
9  press office -- sorry, if the press require a lot of
detail, say a set of crime statistics or they're
10  inquiring about factual matters which the press office
11  can help with, or about policies or things of that type,
12  it seems to me the press office are in a good place to
13  provide material and search out that information which
14  is generally available but the press can't get hold of
15  it directly.
16  If, however, you're talking about a police operation
17  or a police criminal investigation or anything that's
18  related to the Police Service as it operates, it seems
to me that the leads in the organisation, who are
19  generally the police officers or sometimes police
20  staff, are the ones who should directly speak to the
21  press to express what the policy is or talk about
22  a particular problem.
23  So I think the two working, hopefully in harmony,

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expect them to get access to the SIO and personally
I don't like to see, when there is a police incident or
an incident the police are dealing with, a press officer
giving an account of what's happening. I think the
public should be more reassured by a senior police
officer who stands there and explains what's happening,
what they've done, and then is held to account as
individual if it goes well or if it goes badly, and
I don't think a press officer is in the right place to
be able to do that directly and be the spokesperson on
behalf of the organisation about an operational matter.
That's a professional view I hold and I accept that not
everybody would agree with that.

LORD JUSTICE LEVESON: I think the press probably would, but
possibly you could help us with this: can you contrast
your experience as Chief Constable of Merseyside,
dealing with, presumably, the Liverpool Daily Post and
Echo, as then was, daily newspapers morning and evening,
and the press back here in the Met?

A. It is very different. The big -- obviously the big
ewspaper here -- there is only one: the evening
Standard. But the Evening Standard has both a local
London effect but it also has a national impact too, not
least of which is it feeds into the national dailies on
the following day. So we have to acknowledge that it
has a significance beyond a local paper.
Secondly, obviously any story that's reported in the
national newspaper becomes a national story, not just
for London. So the dynamic that's at play is
significant and then secondly, not only have you got the
national dimension through the national newspapers, but
of course something that happens in London as the
capital city can be nationally significant but also
internationally significant. A murder here with
a foreign link can often have an impact beyond anything
that we can sometimes anticipate. As we've seen over
the last few months, there have been attacks on
embassies in other countries which have led to attacks
on embassies in London, and we have a duty to maintain
the safety of all those people who are in those
embassies.
So I think for many reasons, the dynamic with the
press here is quite different, and then finally the
impact of the 24-hour reporting through the mass media.
The pressure of that here is -- it's pretty voracious
and of course, they have space to still and we have
stories to fill it. So that is a competitive
environment, which I think only now we're starting to
see the latest ramifications, which is social networking
and individuals reporting on major public stories.

So I think that impact in London -- I can't say by
what factor, but it's hugely amplified to my experience
which I saw in South Yorkshire and in Merseyside, but
also the last time I was in London, and I left in 2004,
returned now in 011. That dynamic, I think, is
a major -- more of an impact than I've seen previously.
LORD JUSTICE LEVESON: How do you believe the police should
use, if at all, the more modern methods of
communication? I'm talking about media such as Twitter.

Q. I think we need to get into using that media. In fact,
we've started in two big respects. One is that we now
have not only a policy but we actually have all the
boroughs and the specialist departments, who are now
being encouraged to use social networking rather than
discouraged -- in both the IT we have, computers, but
also our policies in the past have discouraged that, and
so we've now changed that so in fact it's the reverse,
and the second thing is to actively allow our own staff
access to the Internet. The situation in the past had
been is that you could have access to the Internet as
one of the 53,000 if you could show good reason to do
it, and you end up in this terrible irony where there's
open access for the public to information that could be
helpful to enquiries or to try and find a missing person
or many of the reasons which -- for information that's
on the Internet that helps us to do our job, and yet you
would have to believe that we employ 53,000 criminals
because we don't give them access to the joy of the
Internet. So we just changed that and the reverse
assumption is going to apply.
So both in our use of social network and in our
access to Internet, we're encouraging our staff to use
it, not to have to explain why they want to use it.
LORD JUSTICE LEVESON: Of course, that carries with it its
own responsibilities.

A. It does. There may be an inquiry in ten years' time to
say why ever did I do that, but I think the main thing
for me is I prefer to monitor the risks of doing it than
I would like to sustain the risks of not doing it.
I think the risks of not doing something are pretty
high. When people go home and get access to an
Internet, that is a great opportunity. We employ some
great people and we pick them to be -- for their
integrity, not because they're bad people, and we train
them and they do some fantastic things on our behalf,
and then to say: for the few who might abuse it, we're
not going to give access to the whole organisation,
I think -- for me, it's barmy. So we have decided to
change that assumption, but it will bring its own risks
and we have a plan in place to monitor that.
Now, no doubt some will let us down and we'll have to deal with them appropriately, but I prefer that problem rather than an organisation that's a few years behind the times.

MR JAY: The last point, I think, Mr Hogan-Howe, relates to the HMIC report. You say in paragraph 98 -- this is our page 55675 -- that you fully accept the recommendations in that report. The position is that the Deputy Commissioner is reviewing the recommendations and will report in due course, or at least communicate the fruits of that review to HMIC; is that correct?

A. That's correct, sir; yes.

Q. Could you give us some timescales for that?

A. We expect to report in April, have a paper back to our management board in April this year. Then we'll share the outcome with the HMIC and if this Inquiry would like to see that --

LORD JUSTICE LEVESON: It would be very useful. I entirely endorse your view that it's sensible to have one go at this Inquiry, which is my mistake entirely. I got your name I've been calling Mr Jay "Mr May" for the entire inquiry, which is my mistake entirely. I got your name.

A. Thank you, sir.

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A. Thank you, sir.

Q. Could you give us the some timescales for that?
Day 53 AM  Leveson Inquiry  20 March 2012

1. please?
2. A. It's Justin Keith Penrose.
3. Q. You've provided a witness statement to the Inquiry. Are
4. the contents true and correct to the best of your
5. knowledge and belief?
6. A. Yes.
7. Q. You tell us that you are currently the crime
8. correspondent at the Sunday Mirror.
10. Q. You've come to that position having forged a career
11. originally on the Kent Messenger group, and then by way
12. of a stint working for, first of all, the Sun and then
13. the Ferrari Press Agency; is that right?
15. Q. And you've been working for the Sunday Mirror
16. since August 2004?
17. A. That's right.
18. Q. You're a member of the Crime Reporters Association?
19. A. That's correct.
20. Q. You tell us a little bit about that in your statement.
21. Can I pick up, first of all, at paragraph 6 of your
22. statement, where you describe a state of paralysis at
23. the moment in relations between the media and the police
24. and say that the police tend to be less forthcoming and
25. more unwilling to talk to the press.

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1. That's correct.
2. Q. You've heard this morning the Commissioner saying that
3. he is not aware of any decline in the amount of formal
4. communication, briefings and the like. Do you agree
5. with him about that?
6. A. I do -- formal briefings, yes, because when there's
7. a big case or, as he referred to his monthly
8. Commissioner's briefings, they are still happening.
9. What I was making reference to really was if, for
10. example, we would like to do an article on a particular
11. area, then that's largely being stopped. It may be
12. a certain squad or certain investigation, or -- you
13. know, things of that nature, it's just not really
14. happening.
15. There's also -- I had discussions with some officers
16. who have been wanting to put information out about
17. successes that they have had, and they've just been
18. prevented, as far as I've been told.
19. Q. Have they told you who is preventing --
20. A. They said they'd gone to the Press Bureau and said, "Can
21. we do something on this?" and they've been told no.
22. Q. You're also referring to the more informal channels of
23. conversation that you describe later in your statement?
24. A. Yes.
25. Q. You tell us at paragraph 8 that when you first got the

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1. job of crime correspondent you were invited by the then
2. chief press officer, Bob Cox, to come and meet the press
3. officers. Whereabouts did you meet them?
4. A. At New Scotland Yard.
5. Q. Was there any hospitality afforded to you when you
6. attended?
7. A. I may have had a cup of tea.
8. Q. In paragraph 10, you tell us about pre-verdict
9. briefings. Can I just be clear what the benefit to you
10. of those briefings is? Is it so that you are fully
11. aware of the facts when the verdict comes in, so that if
12. the verdict is a guilty verdict, you can publish
13. straight away with confidence?
15. Q. Would it be right that if the verdict is not guilty,
16. then it all falls away?
17. A. Absolutely.
18. Q. You tell us at paragraph 12 that you've been out on
19. police operations. You describe going out in an armed
20. response vehicle and also accompanying officers on
21. stop-and-search operations targeted at knife crime.
22. A. That's right.
23. Q. Do you think that that sort of opportunity is a good
24. thing or a bad thing?
25. A. I think it's a good thing because it's -- I think what's

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1. being lost so far over this period of months is the good
2. things that the Metropolitan Police and other police
3. forces do. I mean, the idea of going out with the armed
4. response vehicle was to sort of give some kind of idea
5. as to what armed officers do on a daily basis and to
6. give the public a general overview of what they do.
7. The knife operation was alongside a -- as you can
8. see in the exhibits -- an article on the successes that
9. the Met had had in seizing knives over the previous,
10. I think, year or few months.
11. Q. Did you feel properly equipped, from an ethical point of
12. view, to deal with any of the issues which might have
13. arisen while you were out and about on operations? I'm
14. thinking here about issues to do with not compromising
15. police operations, the identity of suspects, privacy
16. issues and that sort of thing.
17. A. Absolutely 100 per cent. I mean, you know, every time
18. we do something with the police, we are working with
19. them. We're not working against them. If something had
20. happened in one of those operations, then discussions
21. would then take place with the press office as to what
22. exactly could be printed and what couldn't. We're not
23. in the business of going against what they would -- what
24. would be agreed upon before we set out on that outing
25. with the police.

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21 (Pages 81 to 84)
1. Q. In that vein of co-operation, you tell us at paragraph 14 about an incident where you obtained information about a criminal offence and you passed it to the police. The suspect in that case was a Mr Siraj Ali, who had been responsible for attempted bomb attacks on 21 July 2005. Can I ask you how you came about that information? Was it as a result of a tip or did you positively go out to investigate Mr Ali?

A. What happened was that two weeks prior to, I think, the article that eventually went in about him being recalled, we ran a story about Mr Ali's being released from prison and the fact that he was in a bail hostel. We were then contacted by somebody, who wasn't a police officer, who said that he believed that Mr Ali was smuggling drugs in the bail hostel. This was a clear breach of his licence conditions. As a result, he obtained some footage of Mr Ali. We then obviously called the Metropolitan Police and they came, took that footage. He was then tested on one occasion and was clear, two days later tested again and then recalled to prison because he’d tested positive.

Q. As a newspaper reporter with responsibility for crime, do you ever instigate investigations into people who you suspect of criminal wrongdoing?

A. I would say no, simply because we don’t really have the resources to do such investigations.

Q. Moving on now in your statement to paragraph 15, where you describe contact at various levels with people within the Metropolitan Police Service. You tell us about attending commissioners’ briefings and having met commissioners at Press Bureau Christmas drinks. Can you give us a flavour of the sort of messages that the commissioners have sent out during these briefings?

A. Well, it's likely to be talking about anything that they either proactively would like in the newspapers but also he takes a range of — all the commissioners I’ve dealt with have taken a range of questions during those briefings about stuff that is going on at the current time.

Q. You tell us at paragraph 15C that you had lunch once with the Assistant Commissioner John Yates, possibly in 2009. Can you recall what you discussed at lunch with Mr Yates?

A. I’ve been trying to think. I really can’t recall much of what was said at that meeting. Certainly, nothing that springs to mind, nothing that resulted in any kind of story. It was more to meet Mr Yates as a senior member of the police force.

Q. Whereabouts was the lunch?

A. I can’t remember exactly the restaurant. It would have been a restaurant around Scotland Yard.

Q. Was there any alcohol consumed?

A. I don’t recall.

Q. You tell us at subparagraph D that you also attended a lunch as part of a group with Andy Hayman. At the time you made your statement, you weren’t able to recall who else was present, but we’ve drawn your attention to a document provided by Mr Hayman, his electronic diary. Has that refreshed your memory --

A. It has.

Q. -- as to who was there? That record says that as well as yourself, there was Martin Brunt from Sky, Guy Smith from BBC London and Richard Edwards of the Standard. Does that mean the Evening Standard?

A. It does, yes.

Q. Can you recall the topics of conversation at that lunch?

A. Those lunches in -- were at a time where there was a heightened fear of terror because of the attacks in 2005, and the lunches were largely to give sort of context and an overview of the current counter-terrorism situation. They were on the basis that they were completely non-reportable, but I don’t remember thinking: "He shouldn’t have said that" or anything of that nature. It was to give a general overview, as I say, and context.

Q. The record tells us that the lunch took place at Boisdales restaurant. Can you recall whether there was any alcohol involved?

A. I think there was on that occasion.

Q. Have you been to lunch with any other very senior members of the Metropolitan Police Service or is it just Mr Yates and Mr Hayman?

A. Well, I think I say in my statement I had one lunch with Mr Fedorcio.

Q. We’ll come to that in a moment. I’m thinking about operational officers at the moment.

A. Not that I can recall. Not of assistant -- DAC level.

Q. Can I take it, therefore, that the approach of these two very senior officers stood in some contrast to the behaviour of the other very senior officers who have served whilst you’ve been a crime reporter?

A. I couldn’t judge, sir. I think maybe I just had not been to lunch with others. That doesn’t mean that other people weren’t having lunches. I just -- I couldn’t really comment.

Q. You do tell us, as you mentioned a moment ago, about a lunch you had about 18 months after you began as crime correspondent with Mr Fedorcio. Can you recall where that took place?

A. I believe that was at Shepherds.
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<th>Q.</th>
<th>Is that a restaurant?</th>
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<tr>
<td>A.</td>
<td>It’s a restaurant close to the Home Office.</td>
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<tr>
<td>Q.</td>
<td>Who attended that lunch?</td>
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<tr>
<td>A.</td>
<td>Myself and Mr Fedorcio.</td>
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<tr>
<td>Q.</td>
<td>What was the purpose of the meal?</td>
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<tr>
<td>A.</td>
<td>We hadn’t had an opportunity, apart from the occasional word at press briefings, to really get to know each other, and it was simply on that basis of introducing myself better than just going: “Hello”.</td>
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<tr>
<td>Q.</td>
<td>Did you notice any change in your relations with the Directorate of Public Affairs?</td>
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<tr>
<td>A.</td>
<td>No.</td>
</tr>
<tr>
<td>Q.</td>
<td>Did it improve them or ...?</td>
</tr>
<tr>
<td>A.</td>
<td>It – to be honest with you, it did nothing to my relationship with Mr Fedorcio. I mean, he knew who I was. I would like to say at this point though that at that lunch he made it very clear that it was paramount that the Metropolitan Police didn’t leak information, didn’t leak stories, and I was left with, you know, on no uncertain terms, that if I was going to get any stories, it certainly wouldn’t be from him or from the Press Bureau, in the sense of stories that are not formally put out.</td>
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<td>Q.</td>
<td>In your dealings with Mr Fedorcio and the DPA, did you believe that you were being treated equally with other competitors or did you ever sense that there was favouritism at the DPA?</td>
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<tr>
<td>A.</td>
<td>I think -- so there's a distinction that needs to be made, really, in that daily and Sunday newspapers are very different beasts and by the very nature of things happening during the week, they will be reported in daily newspapers. There's always going to be a greater emphasis on dailies, but sometimes I did feel that more could be done for Sunday newspapers.</td>
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<tr>
<td>Q.</td>
<td>So the division really between the dailies and the Sundays as opposed to one newspaper and another?</td>
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<tr>
<td>A.</td>
<td>Yeah, absolutely. I don't think it was a degree of favouritism for the dailies. It's just I think the mindset was generally: &quot;We need to get this out.&quot;</td>
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<tr>
<td>Q.</td>
<td>You tell us at paragraph 16 that Mr Yates gave you his mobile phone number. Was that unusual for such a senior officer?</td>
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<tr>
<td>A.</td>
<td>I wouldn’t have thought so.</td>
</tr>
<tr>
<td>Q.</td>
<td>Did you have the mobile phone numbers of other very senior officers at the Metropolitan Police?</td>
</tr>
<tr>
<td>A.</td>
<td>Well, I hadn't been out with them on any occasions and I think I may have had -- I'm -- I mean, I don't know if I did, but I was certainly given cards at briefings by other officers. I couldn't tell you if they had their mobile number on those cards or not, though.</td>
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| Q. | Are you able to make any comparison between the sort of numbers that you were holding and those that your competitors had? |
| A. | I wouldn't know, sir. |
| Q. | You tell us at paragraph 17 about the mutual interest that there can be when the police and the media work together, and you give, as an example of that, the common interest in reporting matters accurately. But there will, of course, be occasions when there is a conflict of interest, for example, if you want to run a negative story about the Metropolitan Police, and later in your statement you tell us of just such a story which you ran about the failure to apprehend the night-stalker earlier than in fact happened. When you are researching and working on a negative story about the Metropolitan Police, have you found that they've remained co-operative or do they seek to clam up and dissuade you from investigating? |
| A. | Who are you referring to here? |
| Q. | The Metropolitan Police Service in general. |
| A. | In general? No, I find that when you go to the Met with a negative story, they will be -- as far as I'm aware -- honest and open about it. Whether they would be proactive with that information is, of course, another matter. |

| Q. | I'm getting the sense that you might have to prod them a little bit more if you're after the bad news rather than the good. Is that fair? |
| A. | Well, I just think that they won't put out bad news as a general rule, because I think it would damage the image of the Metropolitan Police. If I was to get a story about the Metropolitan Police that was negative, and I went to them with that, they would either confirm or deny that, and in my experience they have largely been truthful. |
| Q. | You tell us at paragraph 19 of your statement of an occasion which arose when the police asked you, for operational reasons, not to publish a story by Doreen Lawrence and Duwayne Brooks. You tell us that you agreed not to run this story. Was that because of the reasons that the police gave for not wanting it published? |
| A. | Yes, absolutely. |
| Q. | And then -- and I'm sure this must have been much to your frustration -- you say that the story then appeared in the Sun the following week? |
| A. | No, that's the story that is the one afterwards. |
| Q. | That's a different story? |
| A. | Yes, the story that you make reference to there is -- as I say, we had a story about --
Q. I see, my mistake.
A. Yes.
Q. So is it your understanding that when the police ask, for operational reasons, that newspapers don't publish, that on the whole that's abided by across the board?
A. In my experience.
Q. Can we move now to the socialising that you tell us about at paragraph 22 of your witness statement. You say that you've been out socially with various officers of most ranks. When you say "most ranks", can you give us an idea of the span of ranks that you have entertained?
A. Between constable and chief superintendent.
Q. You say that these have included taking senior officers out to lunch. What other sort of social opportunities have you taken with officers from the Metropolitan Police Service?
A. It could be anywhere between sort of going for a coffee, going for a sandwich, going for a pint after work.
I mean, it's just general normal social situations such as those, really.
Q. Is the purpose of these events, from your point of view, to cultivate contacts and to encourage the flow of information, the stories, whether immediately or in due course?

A. Yes.
Q. When you've been given information off the record on these social occasions, have you ever had any instances where you've been given opinions by officers which are not the Metropolitan Police house line?
A. When you say "opinion", you mean opinion on --
Q. On a particular subject. We had a witness yesterday who told us about being given various opinions about, for example, knife-proof vests and things like that.
A. Occasionally, but it's not something that I would ever then use in a story. I see it as one officer's opinion.
Q. Have you ever come across senior officers briefing against each other?
A. It's not something I've been made aware of, no.
Q. Have you ever been given or offered information about the involvement of a famous person with the police, whether as a victim of crime or because they've got into trouble?
A. From a police officer? Not that I recall.
Q. What about a civilian member of police staff?
A. In my experience, a lot of celebrity stories tend to be from members of the public or people that are associated with those celebrities rather than from the police. I think there's a real perception that the police are a leaky sieve, and in my experience that's not necessarily been the case.
Q. Have you ever had a police whistle-blower come to you?
A. How do you define whistle-blower? In the sense of the night-stalker story that you mentioned?
Q. Someone who is coming to you to give you information which is not in the public domain, which is in the public interest, but not necessarily a matter which the Metropolitan Police have been broadcasting?
A. Oh, yes. As I say, the example that you referred to about the mess-up in the night-stalker investigation. Other times where a police officer has been fired for gross misconduct, you could argue that's certainly in the public interest, that the public have a right to know if a public servant has been fired for doing something terrible.
Q. When you get that sort of story, what is your understanding of when it is in the public interest to publish otherwise confidential information about the Metropolitan Police?
A. Well, it's just that. You know, it has to be in the public good, in the sense of releasing information that would not come out otherwise. I think part of our job is certainly to hold the police to account, and, as I have found in my time, the police will not put out information that is negative for them.
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<td><strong>Q.</strong> You tell us in your statement that some of the contacts that you've cultivated within the police you've come to consider as friends. Can you give us some idea about how many people you would put into that category?</td>
<td><strong>A.</strong> Remember the exact context of that, but his name certainly was in the local paper.</td>
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<td>A. <strong>Couple of handfuls, a dozen or so.</strong></td>
<td><strong>Mr Duffy then traced him through by use of the electoral roll, knocked on his door and asked him if he'd like to speak to us. You can see the results of the interview that was published.</strong></td>
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<td><strong>Q.</strong> You tell us later in your statement about the regional forces and your experience of dealing with them. Can I ask you to contrast and compare your experience of dealing with regional forces and the Metropolitan Police Service? Have you noticed significant differences?</td>
<td><strong>Q.</strong> Can you help me, do you know whether anyone involved with the Sunday Mirror's activity in relation to this story was a private investigator?</td>
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<td>A. <strong>It tends to be -- regional forces only tend to really engage with the national press when they have a huge story on their grounds.</strong> Say, Surrey Police with Milly Dowler, Kent Police with the Securitas robbery. Apart from that, they don't tend to engage in the same way as the Metropolitan Police do.</td>
<td><strong>A.</strong> Not as far as I'm aware.</td>
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<td><strong>Q.</strong> You give the example of Milly Dowler and you tell us, at paragraph 27 of your statement, how they organised briefings and indeed some functions, which included a few beers in a bar between senior officers, press officers and reporters. Am I understanding it right that that was, in your experience, a wholly unusual thing for a regional force to do?</td>
<td><strong>A.</strong> Anybody with ex-special forces experience?</td>
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<td><strong>A.</strong> Yes, it didn't happen very often.</td>
<td><strong>A.</strong> It couldn't be further from the truth.</td>
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<td><strong>Q.</strong> Did you have any informal contact with police officers?</td>
<td><strong>Q.</strong> Are you able to help us as to whether or not there was any counter-surveillance technique involved when Mr Stevens was driven to the car park where he gave the interview?</td>
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<td><strong>A.</strong> I -- sorry if I appear flippant, but I almost laughed out loud when I heard that quote.</td>
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<td><strong>A.</strong> No, not that I recall.</td>
<td><strong>MR BROWNE:</strong> I don't think, with respect, proceedings were then active. He wasn't arrested until the following day.</td>
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<td><strong>Q.</strong> Can we move now to paragraph 30 of your witness statement, where you mention, amongst others, the example of the Suffolk police's investigation of the Suffolk strangler. I think you're aware of some evidence that was given yesterday by Mr Harrison, suggesting that the Sunday Mirror had interviewed a suspect and had taken him away in a car which exhibited defensive counter-surveillance driving. We've been given a copy of an article dated 17 December 2006, published in the Sunday Mirror and I have been told by your counsel that the relevant section is in the first column near the bottom, where the text tells us that the person in question, a Mr Stevens, was spoken to by a Sunday Mirror reporter -- not you but a Michael Duffy -- in a car park near his home and not in a hotel, as Mr Harrison described yesterday. What's your personal knowledge of these events?</td>
<td><strong>MR BARR:</strong> You've heard the Commissioner this morning express concern about publishing the name of suspects. On any view, Mr Stevens was a suspect and had been questioned several times. Having heard the Commissioner, do you now have concerns about the approach to this story?</td>
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<td>A. <strong>Well, I was in Suffolk at the time, but my job was largely to deal with the police, but I was aware in the morning that -- one morning, we were going through the newspapers and Mr Stevens' name was referred to as someone who had associated with prostitutes. I can't</strong></td>
<td><strong>A.</strong> I think this story was a unique position, in the sense of Mr Stevens was declaring himself as a suspect. I think you'll read there he actually said, &quot;If I was the police, I'd arrest me too.&quot; I mean, you know, that is a unique situation. That's not something certainly that has ever happened in my career, that I've been speaking to someone who has declared themselves as a suspect. In any other given situation, if you say that somebody is a suspect, then of course the chances</td>
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A. I think there needs to be a common sense approach.

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I mean, you can see from my records I've lunched with the senior officer you've mentioned once. I'm hardly showering them with hospitality, and I think that, yes, if you are taking the same officer out on a weekly basis, then clearly the perception of that would clearly be wrong. If it's the occasional meeting, then no, I don't see that that is in any way considered -- should be considered as me expecting anything back for it.

Q. In the hospitality register?

A. (Nods head)

Q. Has the Metropolitan Police, or indeed any other police force, ever tried to dissuade you from publishing a story which is critical of the police force?

A. No, I don't believe so.

Q. Moving to the future, do you think that giving police officers clear guidance as to what they can and cannot properly say to the media would assist in encouraging clear and confident communications in the future?

A. I would encourage training of any sort for police officers, certainly media training, because in my experience you have some officers who are quite confident in dealing with the press, and they, in my experience, know what they can and cannot say. Other officers clam up and will not speak to you, even if it would benefit their investigation. So yes.

Q. Your statement is very sceptical about the possibility of requiring police officers to record contact with the media. Do you think that if they clearly understand what's permissible and what's not, so there's no concern about whether they will be effectively confessing to something they shouldn't have done -- do you think in those circumstances there would be any difficulty with a minimal level of recording, something which is not going to be administratively burdensome?

A. The problem I have, in speaking to officers about this, is that these standard operating procedures that the Commissioner referred to, they're not only for association with reporters but also for association, for example, with criminals. What's happened, I understand, in the past is that say, for example, an officer's brother was arrested over something. Well, then what happens, as I understand, is that there's a risk assessment on that officer as to what risk he then poses to the organisation in the area that he is in.

Now, I would imagine -- I've been told that the same thing would happen with association with the press. The point here is that that officer, I understand, will then be very likely not to be placed on investigations where there is sensitive material or involving certain people --

LORD JUSTICE LEVESON: Well, who has said that to you? Are you saying that people are likening the problems arising from a relationship with a criminal with the relationship with a journalist? I mean, that's ridiculous, isn't it?

A. Mr Hogan-Howe said -- he was referring to -- his comment was: "I believe we stopped serving alcohol to suspects a long time ago." I refer to the same thing. We are being treated almost like criminals to a certain extent.

LORD JUSTICE LEVESON: I think you're taking Mr Hogan-Howe's comment entirely out of context, but there it is.

MR BARR: That was, in fact, the last of my questions.

LORD JUSTICE LEVESON: Thank you very much.

MR BROWNE: Sir, could I just say, before he leaves the witness box, one or two things about the Sunday Mirror article which wasn't before the Inquiry yesterday when Mr Harrison gave evidence and which you've only had a few moments to look at?

First of all, the assumption that was made by...
MR BARR:  Mr Pettifor, could you tell us your full name,

Questions by MR BARR

MR THOMAS DANIEL PETTIFOR (affirmed)

LORD JUSTICE LEVESON:  Thank you very much.

A.  That's correct.

Q.  Like many of the crime reporters, you've described the
current relations between the Metropolitan Police and
the media as being in a state of some flux.

A.  Mm.

Q.  Do you agree with the last witness that it's not so much
official briefings that have been affected, but the more
informal contacts and the result of requests made to the
DPA?

A.  Yes, I would agree with that.

LORD JUSTICE LEVESON:  Can I just understand that a little
bit?  Do I gather that there is a different approach
from the DPA now than there used to be, as a result of
which officers won't talk, or is it the other way
around?

Q.  There are also some additions you wish to make to your
witness statement, and we will deal with those as we go
along.

A.  Okay.
publicise a particular case. How often do you get calls from the press office?

A. Fairly rarely, actually. If they know that the Mirror's interested in a story, they might -- or that a story would be of interest to us, they might contact us, but I can't think -- I'm just trying to think of an example. I can't think of one at the moment.

Q. How often do you speak to SIOs at court and on the telephone?

A. I try to -- well, it all depends, but fairly regularly. Maybe once, twice a week I would go to court and speak to officers and on the telephone it could be -- well, it varies between twice to five times a week, maybe.

Q. In your answers to question 13, so far as they relate to operational officers, you describe really very little contact with very senior members of the Metropolitan Police. Is that simply a reflection of the fact that you've been doing this job for less than a year, or is there something more to it?

A. I hope it's just the fact that I haven't been doing it for very long. As I say, there is a -- we're in a state of flux at the moment, so there may be a bit more of a distance being kept by senior officers and the press, but I'd say it's because I've only been doing the job for a short time.

Q. Of any kind.

A. Well, I would be doing a story all the time when I'm speaking to the DPA, but normally I wouldn't be expecting to get an exclusive story from the DPA. I would be checking facts. Unlike Justin, who works for the Sunday Mirror, I often have to do day-to-day stories that are moving quite fast and I need to check facts with the DPA and they're very good as helping me with that.

Q. That's where you find them most useful?

A. Yes.

Q. Paragraph 18 is one of the paragraphs that you want to make an addition to. As I understand it, what you would like to add to paragraph 18 is that you were also given a glass of wine when you were reporting the royal wedding?

A. Detective constable.

Q. Detective constable, I'm sorry. You tell us that you find the briefings at the Metropolitan Police provide valuable. What I'd like to see is that there is a -- we're in a state of flux at the moment, so there may be a bit more of a distance being kept by senior officers and the press, but I'd say it's because I've only been doing the job for a short time.

Q. Hey you tell us that you find the briefings at the Metropolitan Police provide valuable.
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<td><strong>Q.</strong> How do you compare the way in which the Metropolitan Police Service interacts with the media and the way in which regional forces interact with the media? <strong>A.</strong> Well, I've never had a face-to-face meeting with an officer in the case to get some context or background, to understand that. What you're saying is you're interested in a particular case, you go and chat to the officer in the case to get some context or background, not because you're going to report it but just to make sure that you do report is accurate, fair and balanced? <strong>A.</strong> Yes. <strong>LORD JUSTICE LEVESON:</strong> That's rather different from going to an officer to say, &quot;Tell me about some entirely specific piece of work&quot;, which isn't connected with a case they're doing and you're just looking at, for example, knife crime in Hackney or whatever. How would you go about getting in touch with an officer if you wanted to do that? <strong>A.</strong> If I wanted to speak to an officer off the record about a specific subject? <strong>LORD JUSTICE LEVESON:</strong> Or about knife crime in Hackney, say. <strong>A.</strong> I'd go, probably, to the regional press office, the east area press office, and ask them to put me in contact with an officer. <strong>LORD JUSTICE LEVESON:</strong> But you're not there necessarily seeking an off-the-record meeting; you're wanting information. You've described your off-the-record material in relation to a specific case -- <strong>A.</strong> Yes. <strong>LORD JUSTICE LEVESON:</strong> -- because you're not seeking to quote the officer; you're simply trying to understand the context? <strong>A.</strong> Yes.</td>
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<td><strong>Q.</strong> In terms of access to witness operations taking place, are you content that your newspaper gets an equal share of the opportunities or do you have any sense that there's a problem? <strong>A.</strong> Yes. <strong>LORD JUSTICE LEVESON:</strong> It's rather important to understand that. What you're saying is you're seeking an off-the-record meeting; you're wanting information. You've described your off-the-record material in relation to a specific case -- <strong>A.</strong> Yes. <strong>LORD JUSTICE LEVESON:</strong> -- because you're not seeking to quote the officer; you're simply trying to understand the context? <strong>A.</strong> Yes.</td>
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<td><strong>Q.</strong> How frequently do you have off-the-record conversations with the Metropolitan Police Service? <strong>A.</strong> Well, if I go down to court and speak to an officer during a trial that's concluding or ongoing, that would normally -- I mean, &quot;off the record&quot; is a slightly vague term that I don't really like using, but it would be a non-attributable conversation, just to give me context on the story. So it could be a couple of -- three times a week, maybe, that I would have non-attributable conversations with officers. <strong>Q.</strong> Does that mean that it's quite an important part of the information flow between the police and yourself? <strong>A.</strong> I'd say so, yes. <strong>LORD JUSTICE LEVESON:</strong> But it's rather important to understand that. What you're saying is you're interested in a particular case, you go and chat to the officer in the case to get some context or background, not because you're going to report it but just to make sure that what you do report is accurate, fair and balanced? <strong>A.</strong> Yes. <strong>LORD JUSTICE LEVESON:</strong> That's rather different from going to an officer to say, &quot;Tell me about some entirely specific piece of work&quot;, which isn't connected with a case they're doing and you're just looking at, for example, knife crime in Hackney or whatever. How would you go about getting in touch with an officer if you wanted to do that? <strong>A.</strong> If I wanted to speak to an officer off the record about a specific subject? <strong>LORD JUSTICE LEVESON:</strong> Or about knife crime in Hackney, say. <strong>A.</strong> I'd go, probably, to the regional press office, the east area press office, and ask them to put me in contact with an officer. <strong>LORD JUSTICE LEVESON:</strong> But you're not there necessarily seeking an off-the-record meeting; you're wanting information. You've described your off-the-record material in relation to a specific case -- <strong>A.</strong> Yes. <strong>LORD JUSTICE LEVESON:</strong> -- because you're not seeking to quote the officer; you're simply trying to understand the context? <strong>A.</strong> Yes.</td>
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1. LORD JUSTICE LEVESON: That's rather different from the sort of meeting you might have if you're investigating a specific topic. Is that fair?
2. A. That's fair, yes.
3. LORD JUSTICE LEVESON: Right, okay. Thank you.
4. MR BARR: Have you ever been offered a story about involvement of a famous person with the police, either in the role of victim or someone who's got into trouble?
5. A. Not by a police officer.
6. Q. A civilian member of police staff?
7. A. No.
8. Q. Have you ever been approached by a police whistle-blower?
9. A. What, a police officer who is a whistle-blower?
10. Q. Or civilian staff.
11. A. No.
12. Q. You tell us at paragraph 42 of your witness statement that you currently have mobile phone numbers for 12 officers. Can you indicate the range of ranks that they span?
13. A. They would be mainly above inspector, actually.
14. Q. Do you have any below?
15. A. There's one detective constable.
16. Q. I understand that at paragraph 49 of your witness statement, you wish to make an addition, that you also know of a former Trinity Mirror reporter who has worked for a police press office; is that right?
17. A. Yes, currently works.
18. Q. The other reporter who you mention in paragraph 49, who was not a Trinity Mirror reporter --
20. Q. -- which newspaper did that person work for?
22. Q. Looking to the future, do you see a benefit in police staff having clear guidance as to what they can and cannot say to the media?
23. A. By police staff, do you mean police officers?
24. Q. Officers and civilian staff.
25. A. I believe they have guidance already, but if there was a national -- I mean, there should be national guidelines for all the forces. I think Lord Justice Leveson is looking at that. And I believe that there should be a charter of open information. There should be more information being given out and officers should be trained to look for what they can give us rather than think about what they can't give us.
26. Q. Do you think that if officers have the benefit of national guidance as to what they can and can't say to give them the confidence to speak to you, that there really will be any chilling effect if they also have to make a minimal record of the fact of contact with a journalist?
27. A. I'd be interested to know what the point of -- I mean, having this record of meetings with the press is obviously not going to alleviate the problem of corruption, which is obviously a very, very small problem, and if it was to flag up people meeting the press very regularly -- I mean, I've heard people saying three times a week, which obviously doesn't happen -- I don't know if it would work, because perhaps officers just wouldn't meet the press or they wouldn't log it.
28. Q. But it would allow a monitoring of the position, wouldn't it?
29. A. I understand that.
30. Q. That's truly a good thing, isn't it?
31. A. Hm, if it makes officers more paranoid than perhaps they are now, then it's not a good thing, and I think it's important that we have a flow of information that isn't necessarily official to find out things that, as Justin said, the police forces would never put out and we'd never know about if we didn't have this flow of unofficial information.
32. Q. But putting aside the whistle-blower, doesn't it make more normal interactions between the police and the media that much more transparent?
33. A. I would have to think about it. My gut reaction is that it will freeze up information flow more than it is already at the moment. Whether -- I mean, I think transparency at senior levels is a very good thing.
34. I think DAC and above showing their hospitality records in all forces will alleviate problems, perhaps, that have arisen that led to this Inquiry. I think at senior level is important to have transparency.
35. MR BARR: Mr Pettifor, thank you very much --
36. LORD JUSTICE LEVESON: Let me just ask you one thing. If you are right and there should be a greater willingness on the part of the police to share information, and indeed I think the Commissioner didn't in any sense dissent from that proposition, then that information becomes official information.
37. A. Yeah.
38. LORD JUSTICE LEVESON: If it's official, what is the need for unofficial information?
39. A. I think you've hit the nail on the head there. If the official information parameter broadens so much that we have all of this information out there, then it will very much reduce the need for unofficial channels, and if police forces actually said, "Right, we've got this negative -- what could be a story, or this negative occurrence that's happened, let's put it out there,
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1. let's not worry too much about it", I think that would really help.
2. LORD JUSTICE LEVESON: I'm not sure that you're going to persuade them to make a positive feature of the things that they're not happy about --
3. A. I'm not saying a positive feature; I'm saying they release this information.
4. LORD JUSTICE LEVESON: -- but it may be that they should be more prepared to deal in the same way with potential negative stories as they deal with positive stories.
5. A. Yes.
6. LORD JUSTICE LEVESON: Which is a slightly different point.
7. A. Okay.
8. LORD JUSTICE LEVESON: Right.
9. MR BROWNE: I don't intend in any sense to close down the concern that you have. I understand, and I understood when the evidence came, that Mr Harrison was giving hearsay of what he understood, which may or may not have been right. But you'll appreciate that I am looking at the entire area at a high level, and not wishing to condescend to a detailed analysis that would occur if each time there was a disagreement, somebody wanted to make a statement about it. That's the point that I was making.
10. LORD JUSTICE LEVESON: Rather like a correction by the PCC.
11. MR BROWNE: Well, I won't follow that hare, but the point is, first of all, that, as Mr Driscoll's evidence was -- I'm so sorry, Mr Harrison's evidence was that Mr Stevens was taken to a hotel to be interviewed. In fact, he was interviewed over a period of two hours in a pub car park.
12. LORD JUSTICE LEVESON: Well, you don't necessarily see it from the article because it wouldn't necessarily be admitted in the article if it was true.
13. MR BROWNE: Well, thank you for allowing me to say that.
14. LORD JUSTICE LEVESON: All right, thank you very much.
15. 2 o'clock.

(1.01 pm) (The luncheon adjournment)

1. MR BROWNE: I understand that, but when I raised the issue of fairness, it was simply this, that on more than one occasion allegations have been made to which there was a good response, and the allegations are publicised, they are very often reported in other organs of the press, and it's really no good, if one is concerned with fairness, that subsequently, tucked away in some written closing submission, would be the answer. Now, you have said --
2. LORD JUSTICE LEVESON: Rather like a correction by the PCC.
3. MR BROWNE: Well, I won't follow that hare, but the point is, first of all, that, as Mr Driscoll's evidence was -- I'm so sorry, Mr Harrison's evidence was that Mr Stevens was taken to a hotel to be interviewed. In fact, he was interviewed over a period of two hours in a pub car park.
4. LORD JUSTICE LEVESON: Well, you don't necessarily see it from the article because it wouldn't necessarily be admitted in the article if it was true.
5. MR BROWNE: Well, what one sees from the article, and this accords with the evidence of Mr Justin Penrose, who was part of the team in Ipswich, is that in fact the interview did not take place in a hotel, as Mr Harrison suggested, but in fact in a pub car park, see six lines from the bottom of the first column, and lasted over two hours, as is clear from eight lines down from the top of the fourth column. So it doesn't look as though the police were surveying Mr Stevens at the time --
6. LORD JUSTICE LEVESON: Well, you don't know that, do you, because this is where it all gets rather difficult. The police may very well have been watching him, may very well have lost him, your reporter taking him to a car park may very well have not wanted to have been seen by another reporter, not seeking to evade the police. There are all sorts of issues. That's what concerns me about investigating the facts.
7. MR BROWNE: Forgive me, it is in fact simpler than it might first appear, which is that Mr Driscoll's evidence was -- I'm so sorry, Mr Harrison's evidence was that Mr Stevens was taken to a hotel to be interviewed. In fact, he was interviewed over a period of two hours in a pub car park.
8. LORD JUSTICE LEVESON: All right, thank you very much.

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