MR BARR: Sir, good morning. Our first witness today is Assistant Chief Constable Jerry Kirkby.

MR JEREMY KIRKBY (sworn)

Questions by MR BARR

MR BARR: Good morning. Please could you confirm your full name?

A. I'm Jeremy Kirkby.

Q. Are the contents of the two witness statements which you have provided to the Inquiry true and correct to the best of your knowledge and belief?

A. Yes, they are.

Q. You are currently the Assistant Chief Constable of Surrey Police, and you've held that position since 2008; is that right?

A. Yes, they are.

Q. You tell us at paragraph 5 of your witness statement that you are conducting an internal investigation into Milly Dowler's mobile phone voicemail. That investigation, which is known by the code word Operation Milly Dowler, is not yet complete, is it?

A. No, it isn't.

Q. But you tell us that when it is, you are going to provide us with a further witness statement dealing with your conclusions?

A. I will do.

Q. In those circumstances, we're not going to deal today with those issues.

A. That's correct.

Q. You give us some background to the Surrey Police. At around the turn of the century, you tell us, it was a time of great change. Surrey's area of responsibility increased considerably and there was competition for staff with the Metropolitan Police Service, who at that time were offering a very favourable terms and conditions, and that gave rise to something of a hiatus, didn't it?

A. Yes, it did. There was quite a bit of churn of staff between ourselves and the Metropolitan Police.

Q. From a point of view of media relations, you describe their state at the turn of the century. You tell us that there were some staff in the media relations team who had been local journalists, and others who came from all sorts of backgrounds, and that generally speaking you had a good working relationship with the local media but limited exposure to the national media; is that right?

A. Yes, that's right.

Q. We'll see, through the various examples in your statement, how that changed in recent years. You also tell us that Sir Denis O'Connor became the Chief Constable in 2000 and he brought with him a cultural change in the attitude of the Surrey Police force to the media. Could you describe in your own words what that change was?

A. I think Mr O'Connor had experience in the Metropolitan Police of the sort of scale and sort of nature of some of the very big inquiries and also dealing with specifically the Crime Reporters Association. We'd had very little exposure to significant incidents, so Mr O'Connor brought a number of changes to us over the period that he was present.

Firstly, he introduced what was referred to -- and I believe he referred to as well in his evidence -- as critical incident training. That was around significant investigations where senior investigating officers and other senior officers and media relation officers went through a two-day process of training and exposure to incidents which would be quite significant for a force of our size and to develop staff, and also a relationship which he introduced later on as a result of the investigation into Milly Dowler with the Crime Reporters Association.

Q. Thank you. We'll come to that in more detail later on. At paragraph 12 of your witness statement, you tell us that there are a number of celebrities who live in Surrey, and that a constant theme has been the interest of the media in celebrities. I don't want you to go into any details at all, but is it right that you have an officer at the moment who has been investigated in relation to a leak about celebrity information?

A. That's correct.

Q. If we move now to paragraph 13 of your witness statement...
Day 56 - AM Leveson Inquiry 27 March 2012

statement, under the subheading "A year of challenges, 2002", you tell us first of all about the disappearance of Milly Dowler and the subsequent police investigation. You give us an idea of the scale of that investigation. At paragraph 14, you say 3,500 house-to-house enquiries, searches of 350 sites or more, including 40 underwater sites and 35 miles of waterways. The force also had to follow up a number of sightings which were reported, including some which had an international dimension, and 256 people of potential interest had to be traced and interviewed either to eliminate or implicate them.

A. That's correct.

Q. Against that background of the operational task that the force faced, you tell us in paragraph 15 about the media relations operation. It's well-known now that there was an enormous media interest, and at paragraph 15, you tell us, based on some of the work you have done in Operation Baronet, what the reaction of some of the media relations officers were. They have described to your investigation media demands as being "alien", "steep learning curve", "just immense", "relentless", "overwhelming". Is that right?

A. That's correct.

Q. And that senior officers involved in the case have described elements of the press as "extremely demanding", and in some respects "mischievous" and the level of interest as "unprecedented and immense". Are you able to expand at all on what is meant by "mischievous"?

A. Yes, the "mischievous" term was used by the senior officer, Chief Superintendent at the time in his statement which he provided to the team. It goes on to explain that the media were, at times, exploring hypotheses and seeking to develop them and almost sort of test them in a public environment, when in fact there was very little fact to support some of those things.

Q. A quasi-investigation being conducted in public?

A. Yes, and played out in public as well, and seeking to draw police officers into comment on those hypotheses, where we were not looking to do so. The Detective Superintendent at the time, who later, at the Levi Bellfield stage of the case, became the SIO, says: "There were almost last-minute requests, often on a Friday afternoon, with demands for information around a story that the media wanted or intended to run at the weekend. This was huge pressure that diverted considerable amounts of our time."

The SIO says: "I think the inquiry was too consumed by the press and media."

A. Firstly, the comment that you attributed to the Detective Superintendent, I think it was Maria Woodall. She was a detective sergeant at the time and she subsequently became a detective superintendent. Just a point of correction.

Q. Thank you.

A. In my judgment, my assessment, I don't think we did become too consumed by the media. I think it was a demand which was placed on us, and we had to respond to it. There was clearly -- and I have had sight of the investigation which was going along alongside of it and the lines of inquiries which were being pursued, but I think what this was seeking to demonstrate was at times a demand was placed on us when in fact we wanted to be responding to lines of inquiry and putting resources to that, but because the media deadlines -- and I think the pertinent point here that was being made was often on Friday afternoons, deadlines for publications on Saturday or Sunday. You had a very restricted amount of time to actually be able to comment, so it meant diverting resources to actually look to be able to respond in an accurate way to the press, which was on an issue which was going to be published.

Q. That does suggest, doesn't it, a degree of distraction from the job in hand?

A. Yes, absolutely, a degree of distraction.

Q. You explain there's another side to the coin, and that is that Surrey Police did want to cultivate interest so you could get the message out there about needing evidence and witnesses?

A. Yes. I suppose there's a general comment for myself: the press and the media can be massively helpful in a number of inquiries. A missing person inquiry, keeping it in the public's sight and reminding them to keep thinking about if they had any information which would assist us with the investigation was very important, and they certainly helped us in that regard.

Q. At paragraph 17, we have some more quotations from the investigation, this time dealing with the amount of resources available in the press office to deal with the demands. Reading from the top of page 8: "Most of the time we did not have the resources in the press office to get back to the original caller due to the volume of calls we were receiving."
<table>
<thead>
<tr>
<th>Page 9</th>
<th>Page 10</th>
</tr>
</thead>
<tbody>
<tr>
<td>And then, further down the page, the position is described as &quot;complete chaos&quot;, and at the bottom of the paragraph, &quot;having run out of control&quot;. It's plain, isn't it, that there weren't sufficient resources in the press office at that time to deal with the unprecedented media interest; is that fair?</td>
<td>A. Yes. LORD JUSTICE LEVESON: But does that mean that when Operation Baronet winds up, you'll be in a position to provide an analysis and a potential set of guidelines or structures to advise other forces in connection with such inquiries, should they be unfortunate enough to be in the same sort of position as Surrey? In other words, what's the value of this beyond finding out precisely what happened and when?</td>
</tr>
<tr>
<td>A. No, I don't. I think there was a -- I think that it was one of a number of considerations and a number of demands which was placed on the investigation.</td>
<td>A. Well, I hope there will be some value in the investigation I'm conducting and it will identify areas of good practice and any learning that we need to take from this. Further in this statement -- and I'm sure we'll come to that -- there are some changes which we've already instigated as a result, around the structure, around the experience, around the training that we give to our staff.</td>
</tr>
<tr>
<td>Q. I've been asked by a core participant to ask you this: do you think there was an overprioritisation on satisfying the media in the early stages of the investigation?</td>
<td>A. No, the timeframe I'm working to is the end of May, I'll be able to produce my -- what I've referred to as my final report. There may still be some further investigations, inquiries ongoing.</td>
</tr>
<tr>
<td>LORD JUSTICE LEVESON: So does that mean that when you produce it, it will be in the public domain?</td>
<td>MR BARR: Anticipating what you said a moment ago, we can move on to paragraph 18, where you start to tell us about how Surrey Police reacted to this overwhelming media demand. You say that one mechanism was pooling interviews and information, treating all media outlets equally and minimising the number of interviews that victim's family and friends need to give. You explain in your statement that this proved to be unpopular with the press, but my question for you is:</td>
</tr>
<tr>
<td>LORD JUSTICE LEVESON: That's what I wanted to hear. Thank you very much.</td>
<td>LORD JUSTICE LEVESON: Because I'm trying to look at the position on a rather wider basis. This is probably an unfair question and you're perfectly at liberty to decline to answer it: do you have any broad timeframe in your mind as to when you're likely to produce something as a result of this inquiry? Not merely an answer to the questions you've been asked, but generally.</td>
</tr>
<tr>
<td>Q. Over the page, you describe how the Sunday Mirror published an article describing the investigation under the then -- was Mr Gibson the SIO?</td>
<td>A. No. The second question arising from this evidence is whether, in your view, it's a legitimate factor for</td>
</tr>
<tr>
<td>A. Yes.</td>
<td>Q. The second question arising from this evidence is whether, in your view, it's a legitimate factor for</td>
</tr>
<tr>
<td>MR BARR: You've moved on to paragraph 18, where you start to tell us about how Surrey Police reacted to this overwhelming media demand. You say that one mechanism was pooling interviews and information, treating all media outlets equally and minimising the number of interviews that victim's family and friends need to give. You explain in your statement that this proved to be unpopular with the press, but my question for you is:</td>
<td>Q. Would you do it again?</td>
</tr>
<tr>
<td>LORD JUSTICE LEVESON: That's what I wanted to hear. Thank you very much.</td>
<td>LORD JUSTICE LEVESON: Because I'm trying to look at the position on a rather wider basis. This is probably an unfair question and you're perfectly at liberty to decline to answer it: do you have any broad timeframe in your mind as to when you're likely to produce something as a result of this inquiry? Not merely an answer to the questions you've been asked, but generally.</td>
</tr>
<tr>
<td>Q. Would you do it again?</td>
<td>A. No, I don't. I think that it was one of a number of considerations and a number of demands which was placed on the investigation.</td>
</tr>
<tr>
<td>LORD JUSTICE LEVESON: It's quite clear from your statement that statements had been made by all the officers and they've generated this material which you've been describing to me and I'm grateful.</td>
<td>LORD JUSTICE LEVESON: But does that mean that when Operation Baronet winds up, you'll be in a position to provide an analysis and a potential set of guidelines or structures to advise other forces in connection with such inquiries, should they be unfortunate enough to be in the same sort of position as Surrey? In other words, what's the value of this beyond finding out precisely what happened and when?</td>
</tr>
</tbody>
</table>
a senior manager to take into account, when replacing
the SIO, what the opinion of the Sunday Mirror is?
A. From my perspective, it was a factor, as identified by
Mr Fahy. Knowing what I do know about the review
processes which were going on at that moment in time,
I think the SIO was replaced with a more experienced
SIO, based on -- based primarily on operational factors
and operational reasons, an assessment made by the chief
officers at the time.
Q. Replacing someone on the basis of operational factors
and operational considerations or considerations of that
person's performance are all plain and legitimate, but
is it legitimate to take into account at all what the
opinion of the press is?
A. I think if there's a perception that the investigation
isn't being run in a professional and thorough manner,
then I think -- I'm just talking about reality now, as
a senior police officer and making judgments. You
consider everything that is available to you. You still
make the judgment based on a number of factors, and
I think primarily in this case it was based on
operational factors, but to ignore what is being said,
either by the press or by the family or by the public,
you can't do that. That's not how reality works.
Q. So it comes down to the fact that the opinion of the
press can influence the course of an investigation?
A. LORD JUSTICE LEVESON: I think that's the date on which it
was printed, ie today, rather than the date upon which
the offer was made. Was it made on 1 August 2007, where
it says "last updated"? If you look immediately under
the headline, it identifies:
"Last updated 1 August 2007."
MR BARR: I think, sir, that I certainly am seriously wrong
in reading out the date at the top, but I'm not
convinced that it's 1 August either, as that's simply
the date on which it was last updated. Was this reward
offered back in 2002, before it was known that
Milly Dowler tragically was dead?
A. Yes.
Q. It says "Sun reward to find missing Milly"?
A. Yes, that's correct.
Q. It says "Sun reward to find missing Milly"?
A. Yes, that's correct.
Q. So it must have been some time in that timeframe. It's
fair to say that that article includes an enthusiastic
welcome from the police and full co-operation.
Obviously at that stage, it had been decided that if
a reward was going to be offered, to make the most of
it. Can I ask you: given how supportive the police were
publicly to the reward, are you really sure that there
were serious reservations about the reward being
offered?
A. The DCI, the senior investigating officer at the time,
Page 15
expressed his concern about the need for a reward. I've
seen his policy book, I've seen the statement that he
has provided. Rewards can be really useful in
investigations in generating interest and bringing more
focus back onto an investigation. In this case, I'm not
so sure that a reward was necessary. The SIO at the
time indicated there was significant press interest
already. We weren't trying to generate more public
interest; it had quite a lot of it already. But the
point being made is: if they were going to run the
reward anyway, then I think just pragmatically we would
wish to be aligned to that than actually arguing against
it.
LORD JUSTICE LEVESON: You could hardly go out in public and
say, "Well, actually, we don't think this is a good idea
at all."
A. No.
MR BARR: Are you able to help us with what the consequence
of the reward offer was? Were the SIO's initial fears
realised?
A. I don't know, but what I will do is I will ascertain
what was actually generated from the reward and I will
submit a note to the Inquiry to update you on that
point.
Q. Thank you very much. The next paragraph of your witness
Page 16
<table>
<thead>
<tr>
<th>Page 18</th>
<th>Page 19</th>
</tr>
</thead>
</table>

**A. That's correct.**

Q. But then, perhaps less favourably, at the bottom of page 20, you go on to at the moment us that Maria Woodall felt pressured at one stage to give out some details of an arrest plan, which she wasn't entirely comfortable with, because she felt she needed to do so in order to prevent a newspaper publishing damaging material about another aspect of the case. On its face, that's a matter of some concern, isn't it, if the press have pressured an SIO into publishing -- or giving out, at least -- details which she's uncomfortable about releasing?

A. Yeah, I think the judgment needs to be made by the SIO whether the information they will actually compromise the operation. Having spoken to Maria Woodall about this incident, the information that she would have given was in general terms and certainly would have not compromised the operation and the arrest -- the subsequent arrest which would have been made.

Q. But doesn't this example suggest a lack of trust between the SIO and the newspaper concerned, because she obviously had a fear that the newspaper, unless she gave them something, was going to publish damaging information?

A. Yes, in relation to the damaging information, but I suppose on the contrary it shows the degree of trust that she would have had -- she met with this individual with a member of the press team, and she must have had a certain amount of trust to give them the information, general information around an arrest plan.

Q. Is there not a need to ensure that SIOs are given the confidence simply to say no where necessary, and to rely upon the press, if they're told that something is going to be damaging, not to report it?

A. I think each case has to be assessed on its own merits. I think SIOs should be confident -- yes, they should be confident. And should they compromise the operation investigation? No, they shouldn't, and I don't feel this has been done here. They should also take the advice of other professionals and in this case she was accompanied by the head of our coms department at the time, who was an experienced operator.

Q. Your statement moves next to tell us about the consequent changes following the Milly Dowler investigation in 2002 and some the things that Surrey Police did to raise its game in media relations. These included recruiting experienced staff and more ex-journalists to work in the media relations office. In particular, a press and publicity manager with extensive experience of major investigations was recruited.

This Inquiry has heard some evidence, opinion evidence, at least, that the presence of constables, operational officers, in a press office might be advantageous. Surrey Police seem to be going the other way in recruiting a higher proportion of ex-journalists. What's your opinion as to whether or not it's useful to have operational officers in a press office?

A. I think having operational officers involved in decision-making around press and publicity matters is quite important. Whether they need to be the head of the department or actually located in there, I think there are other ways of getting that experience and getting that operational assessment and involvement in matters. Personally, I think having professionally trained confident individuals who come from that background is a good way of actually doing it and works for us. I’ve heard and I’ve seen evidence supplied by other colleagues of mine, sitting here, who see the value of having a police officer. I think they can both be of value but if you are going to do the one that Surrey Police have chosen to take, there are other ways of bringing operational experience into decision-making, especially around significant incidents, and I think that's one of the key learnings that I've seen coming out of the work that I'm doing at present.

Q. The other changes that you mention include the introduction of external trainers to deliver training sessions -- these are training sessions about media relations, are they?

A. Yes, they are.

Q. -- the introduction of a single database to record contact between the media relations team and journalists, and more planning to manage large-scale media interest, with options such as work rotas for the media relations officers, task allocation and so on. Have all these changes, in your opinion, been beneficial?

A. Yes, they have.

Q. You move next to tell us something of the
<table>
<thead>
<tr>
<th>Day 56 - AM</th>
<th>Leveson Inquiry</th>
<th>27 March 2012</th>
</tr>
</thead>
</table>

1. Q. Obviously in the first instance, direct contact between the force and the newspaper involved is one option, but if that doesn't work, do you think that there ought to be a formal mechanism for the resolution of police complaints about the press incorporated into any future model of press regulation?

2. A. Yes, I do. I think there must be a sensible escalation process. In this case, one of our press officers had communications with the journalist and expressed concern about what they intended to do, was to link an unlinked offence publicly. It then got escalated to the senior investigating officer and then subsequently, having been published, the Chief Constable wrote and expressed. I think in appropriate case there is should be a further escalation process.

3. LORD JUSTICE LEVESON: But that wouldn't necessarily just be the police; that could be any public body that felt that the press were not approaching a particular issue with which they were concerned in an appropriate manner.

4. A. That's absolutely right, because in this case, the person who was potentially the most affected was the victim and their family. I have knowledge of this case.

5. So the person who was potentially most aggrieved and affected by it was that person and their family.

6. LORD JUSTICE LEVESON: What's critical is that you shouldn't necessarily force them to do it because they have other issues to cope with.

7. A. (Nods head)

8. LORD JUSTICE LEVESON: And that complaints and concerns ought to be accepted if made by responsible third parties on their behalf.

9. A. Yes.

10. LORD JUSTICE LEVESON: Or with an equally significant interest in the subject matter of the story.

11. A. That's correct. I think we, as a public body, have an obligation and duty to act on behalf of the victim and witnesses.

12. MR BARR: Having earlier described how, during the course of the Milly Dowler investigation, the force fostered closer relations with the CRA, you tell us a little bit more about how they proceeded over time at paragraph 26. There were formal briefings, but also informal socialising; is that right?

13. A. Yes, that's correct. There was in total -- from 2002 until 2010 and the conviction of levy Bellfield, there were five formal CRA briefings in relation to operation Ruby, which is the operation of Milly Dowler, and that is -- there was only -- we've only done eight in total in that period. So the majority of our briefings with the CRA have been on the Milly Dowler investigation.

Page 21

<table>
<thead>
<tr>
<th>A. The only difference between the Deepcut investigation</th>
<th>Page 22</th>
</tr>
</thead>
<tbody>
<tr>
<td>and the interest from the press and media was -- it was opposed to police officers, just to avoid any confusion.</td>
<td>1</td>
</tr>
<tr>
<td>yes, it did, and, in fact, the sort of -- the concept of mutual aid, as we refer to it in policing, when you bring in staff from other forces to help you -- normally it's police officers, but in this case mutual aid, and I've seen it subsequently. Forces have called in mutual aid for specific specialist purposes, and press officers is one good example of that.</td>
<td></td>
</tr>
<tr>
<td>Q. Are there any particular features of the relationship between the Surrey Police and the media in relation to the Deepcut investigation that you would like to draw to the Inquiry's attention?</td>
<td></td>
</tr>
<tr>
<td>A. Yes. it did. It wasn't -- it was press officers as opposed to police officers, just to avoid any confusion.</td>
<td></td>
</tr>
<tr>
<td>A. (Nods head)</td>
<td></td>
</tr>
</tbody>
</table>

Page 23

| Q. Obviously in the first instance, direct contact between the force and the newspaper involved is one option, but if that doesn't work, do you think that there ought to be a formal mechanism for the resolution of police complaints about the press incorporated into any future model of press regulation? |
| A. Yes, I do. I think there must be a sensible escalation process. In this case, one of our press officers had communications with the journalist and expressed concern about what they intended to do, was to link an unlinked offence publicly. It then got escalated to the senior investigating officer and then subsequently, having been published, the Chief Constable wrote and expressed. I think in appropriate case there is should be a further escalation process. |
| LORD JUSTICE LEVESON: But that wouldn't necessarily just be the police; that could be any public body that felt that the press were not approaching a particular issue with which they were concerned in an appropriate manner. |
| A. That's absolutely right, because in this case, the person who was potentially the most affected was the victim and their family. I have knowledge of this case. |
| So the person who was potentially most aggrieved and affected by it was that person and their family. |
| LORD JUSTICE LEVESON: What's critical is that you shouldn't necessarily force them to do it because they have other issues to cope with. |
| A. (Nods head) |
| LORD JUSTICE LEVESON: And that complaints and concerns ought to be accepted if made by responsible third parties on their behalf. |
| A. Yes. |
| LORD JUSTICE LEVESON: Or with an equally significant interest in the subject matter of the story. |
| A. That's correct. I think we, as a public body, have an obligation and duty to act on behalf of the victim and witnesses. |
| MR BARR: Having earlier described how, during the course of the Milly Dowler investigation, the force fostered closer relations with the CRA, you tell us a little bit more about how they proceeded over time at paragraph 26. There were formal briefings, but also informal socialising; is that right? |
| A. Yes, that's correct. There was in total -- from 2002 until 2010 and the conviction of levy Bellfield, there were five formal CRA briefings in relation to operation Ruby, which is the operation of Milly Dowler, and that is -- there was only -- we've only done eight in total in that period. So the majority of our briefings with the CRA have been on the Milly Dowler investigation. |

Page 24
Q. And the informal briefings were held at a restaurant or a bar?

A. A restaurant bar in Guildford.

Q. You also tell us that that practice came to an end. Why was it decided to bring to an end the informal contact between the Surrey Police and the CRA?

A. The purpose of those gatherings, which -- I think six or seven since 2002, was so that senior officers and press officers could meet with journalists from the Crime Reporters Association, understand their expectations and their needs and develop an understanding of working practices on that basis.

LORD JUSTICE LEVESON: The Crime Reporters Association is really national newspapers?

A. It is.

LORD JUSTICE LEVESON: What about your local newspapers?

A. Out of that process, yes, but I don't think you'll -- it's not -- well, I can answer on behalf of the press of Surrey: they do get a lot of exposure to us. We have arranged editors events. We have events with journalists -- local journalists where we meet with them and brief them. In a way, that's our daily bread and butter, that sort of relationship. This was to identify a particular need where we hadn't had exposure to national journalists, and that process -- we would pay for the food and then everybody else would pay for the drinks. I've attended two of those in 2009 and 2010, didn't drink any alcohol, drank soft drinks, stayed for about an hour on each of those, let the crime reporters listen to what they had to say about the relationship with the Surrey Police, found it useful.

In 2010, as part of the chief officer group, we reviewed the future of those. The purpose to develop relationship and understanding, we had done so. We knew all of them. We had done various briefings. The situation -- I think the context, public perception around austerity and socialising had changed, and therefore we made a conscious decision that we wouldn't carry on doing those social briefings. If an operation arrived tomorrow where I thought there was the benefit of a formal CRA briefing, I would certainly do it.

MR BARR: Your witness statement says that there was a desire to respond to an increased awareness -- I'm looking at the end of paragraph 26 on page 14:

"... a desire to respond to an increased awareness of public perception towards corporate entertaining during times of austerity and mounting scrutiny towards public spending. The last event was held in August 2010."

Q. You move next to tell us about Surrey Police's dealings with the media when the celebrity Matthew Kelly was arrested. Before we go into any further details about this case, it's important, isn't it, to make clear that Mr Kelly was never charged?

A. Absolutely.

Q. You tell us in your statement that there was early and growing media interest because they had wind that something was afoot even before Mr Kelly had been arrested, and that caused the Surrey Police to change its plans and to arrest Mr Kelly earlier than it would have wished. Is that right?

A. That is correct.

Q. Is that an example of media interest interfering, albeit in this case to a modest extent, with policing operations?

A. Yes. It necessitated us bringing forward a planned arrest because we knew there was going to be coverage and publication material the next day, and which then -- that arrest and the way we actually conducted that arrest received adverse criticism from other aspects of the press.

Q. Yes, because you tell us that the force did take steps to protect Mr Kelly's privacy. You didn't release his
name, you arrested him at a theatre after a production, he was taken out through a back entrance and similar arrangements were made at the police station. Those efforts were criticised by the national media and you tell us at the end of paragraph 27 of the reply that you got from Piers Morgan, who said: "Thanks for the note. These stories are hideously difficult for both you guys and us. Fame and crime sends most of the usual rules out of the window. I hear what you say, and I will bear it in mind when we revisit this story."
Is it your experience that where the media are concerned, fame and crime sends their adherence to the usual rules out of the window?
A. It can do. I don't think it does in all cases.
I certainly wouldn't wish to tar all journalists and media with one brush, but I think it can do.
Q. You move next to tell us about the Abigail Witchalls case. The Inquiry has already heard substantial evidence about this. Looking at your witness statement and what you tell us about it, would it be fair to say that there was some good and some bad?
A. Yes, there was.
Q. Let's look first of all at the good. Is it right that the press were a successful vehicle through which the newspaper not decided to follow the SIO's wishes, or are you accepting that although there is a downside that it's unsatisfactory and there needs to be change, whether, having described the position, you are saying that from a media point of view is that they then took pre-emptive action to prevent a damaging publication?
A. Yes, it would have. Newspapers have a responsibility to know and to assess the consequences of their actions anyway, so they should -- if they breach that, there should be some escalation mechanism to hold them to account.
Q. Moving now to paragraph 31 of your witness statement, you tell us of an incident where Surrey Police shot and killed a man close, I think, to Guildford cathedral.
A. Yeah, I'm conscious that this statement has focused on a percentage, I'd probably say about 90, 95 per cent of the experience, possibly even higher, with media, both local and national but definitely local, has been positive, supportive, especially in relation to the purpose of policing -- you know, prevention, detection of crime and appealing for witnesses. Yes, positive.
Q. Turning now to the bad -- I'm looking at paragraph 29 -- you tell us that there was a point in the investigation when the SIO became greatly concerned that a newspaper was going to publish a photograph of the suspect before that suspect had been through formal identification procedures. Had that happened, that would have been prejudicial, potentially, to the investigation, wouldn't it?
A. Yes, it would have been potentially prejudicial to the investigation.
Q. Can you tell us in your own words what happened?
A. We were contacted by the paper, who informed us that they had a picture and they were going to publish it and were looking for wider comments around the issue. The press officer spoke to the SIO and an attempt was made to stop them publishing. It escalated, with the senior investigating officer having to contact the editor of the newspaper and explaining the potential consequences of that action in relation to the identification procedure, and then the editor agreed to delay publication until after the identification procedure took place.
Q. So in that case, despite some anxious moments, everything worked out all right in the end. Returning to the theme I asked you about earlier, about what formal mechanisms might be valuable in the future, had the newspaper not decided to follow the SIO's wishes, would it have been useful to have a formal mechanism for taking pre-emptive action to prevent a damaging publication?
A. Yes, it would have. Newspapers have a responsibility to know and to assess the consequences of their actions anyway, so they should -- if they breach that, there should be some escalation mechanism to hold them to account.
Q. Moving now to paragraph 31 of your witness statement, you tell us of an incident where Surrey Police shot and killed a man close, I think, to Guildford cathedral.
A. Yeah, I'm conscious that this statement has focused on a percentage, I'd probably say about 90, 95 per cent of the experience, possibly even higher, with media, both local and national but definitely local, has been positive, supportive, especially in relation to the purpose of policing -- you know, prevention, detection of crime and appealing for witnesses. Yes, positive.
Q. Turning now to the bad -- I'm looking at paragraph 29 -- you tell us that there was a point in the investigation when the SIO became greatly concerned that a newspaper was going to publish a photograph of the suspect before that suspect had been through formal identification procedures. Had that happened, that would have been prejudicial, potentially, to the investigation, wouldn't it?
A. Yes, it would have been potentially prejudicial to the investigation.
Q. Can you tell us in your own words what happened?
A. We were contacted by the paper, who informed us that they had a picture and they were going to publish it and were looking for wider comments around the issue. The press officer spoke to the SIO and an attempt was made to stop them publishing. It escalated, with the senior investigating officer having to contact the editor of the newspaper and explaining the potential consequences of that action in relation to the identification procedure, and then the editor agreed to delay publication until after the identification procedure took place.
Q. So in that case, despite some anxious moments, everything worked out all right in the end. Returning to the theme I asked you about earlier, about what formal mechanisms might be valuable in the future, had the newspaper not decided to follow the SIO's wishes, would it have been useful to have a formal mechanism for taking pre-emptive action to prevent a damaging publication?
A. Yes, it would have. Newspapers have a responsibility to know and to assess the consequences of their actions anyway, so they should -- if they breach that, there should be some escalation mechanism to hold them to account.
Q. Moving now to paragraph 31 of your witness statement, you tell us of an incident where Surrey Police shot and killed a man close, I think, to Guildford cathedral.
A. Yeah, I'm conscious that this statement has focused on a percentage, I'd probably say about 90, 95 per cent of the experience, possibly even higher, with media, both local and national but definitely local, has been positive, supportive, especially in relation to the purpose of policing -- you know, prevention, detection of crime and appealing for witnesses. Yes, positive.
from the police force's point of view, you understand that it is necessary in such circumstances for the IPCC to have control of relations between them and the media? A. I know in a number of inquiries, probably more significantly outside of Surrey Police, but it has caused tension around the desire of the service and police force to communicate more information and give more updates to the public -- publicly than the IPCC. From my personal experience, and especially more recently in dealings with the IPCC, there are clear guidance on who has primacy and the clearance of lines. I think I have seen a much more pragmatic and sensible approach taken by the IPCC in relation to some of the incidents that I've been dealing with recently, where we can come to an agreement, and I certainly wouldn't be advocating, from a Surrey Police perspective, a change in the way we do business -- the way we actually deal with this at present.

Q. You come next to tell us about a really quite recent incident in June 2010 when the Surrey Police had to cope with an armed siege at a Barclays Bank in Ashford. The most interesting feature of this example seems to be the sheer number of different channels of communication that were in play. First of all, you tell us that it was a major incident and that meant that media officers were deployed both through the headquarters, as a team, and also there was someone on the ground from the media relations team. Did that work well?

A. Yes, it did.

Q. In addition, you tell us there was a high degree of citizen journalism, with videos taken by local people being passed on to the national media organisations and put onto websites. Did you benefit from any of that citizen journalism?

A. In relation to this incident, I don’t think we did.

I did benefit from -- I think it was one news agency had a helicopter overhead, and so I had the benefit of listening to the police reporting and seeing live coverage from the actual location as well. I was the strategic firearms commander in charge of this incident and I was at headquarters watching. But I think the point -- I think the point that you're trying to make is there can be benefits from citizen journalism by capturing of evidence which can be used subsequently.

Q. Next you tell us that the force made continuous use of Twitter in covering the unfolding incident. Was that successful?

A. Yes, it was.

Q. There was also regular updating of the force's website to keep abreast of events. So you're describing here, through the use of Twitter and the web, direct communication with the public, not involving the media. Do you see that as complementing or beginning to supplant the traditional route of communication between the police and the public via the media?

A. I think social media is opening up massive opportunities for us for the way we engage and communicate with the public. I think in this instance it was complementary, predicting what will happen in the future. I think we are seeing greater use of social media by the public. It’s a good means of communication. Twitter is an excellent means of actually getting fast time information out there, accurate information quickly.

One of the interesting factors in this is not only did we communicate with the public; we were also actually communicating with the press on Twitter as well, in so much as they were picking up the comments and the feeds that we were putting out.

Q. Of course, in addition, there were the more traditional routes of communication through the media by the way of statements made to the public and interviews being offered?

A. Yes.

Q. Although this is obviously a very different type of incident to some of those that you've described further in the past, what's your view about the current state of Surrey Police's media relations operation? Is it fit for purpose? If it is fit for purpose, is there room for improvement?

A. I think there's always room for improvement, but I think it is a lot better now than certainly what it was in 2002. I think the quality of the individuals and the training, their experience, is a lot better. You have to align that with the officers, the training that they've received as well, in order to assess and also to give interviews and to engage with the press. So I think that is a lot better. The systems we have and processes, the Solcura and also the on-call system and our ability to mobilise in the event of a major event is significantly more improved.

Q. At paragraph 34, you return to the Milly Dowler case, but this time to deal with events in 2010 and 2011, which we know ultimately led to the conviction of Levi Bellfield. For the interests of the Inquiry, we're interested in what you say in the second half of paragraph 34. I think we need to be careful about what we say here because I understand that criminal proceedings are currently ongoing.

A. That's correct.
Q.  But the position seems to be that there was sufficient concern about the reporting of Mr Bellfield's past, and particularly an alleged abduction of Rachel Cowles, as to lead to a newspaper facing contempt of court proceedings?

A.  That's correct.

Q.  Two newspapers are facing contempt of court proceedings.

A.  That's correct.

Q.  Having to do both.

A.  That's correct.

Q.  I was in a position to comment on the pros and cons of bureaucratic, in fact justifying when you turn down hospitality as well as when you actually accept it.

A.  Satisfied with the processes which had taken place.  He did make an observation that he felt it was quite bureaucratic, in fact justifying when you turn down hospitality as well as when you actually accept it.

Q.  If it's bureaucratic, it's also transparent, isn't it?

A.  That's correct.  Not all of them hold personal data of members of the public.  They are sort of finance, HR systems, all of those, but in order to answer the question, I asked that all our systems be counted.  There are dire warnings of the consequences of misusing the computer systems; is that right?

A.  Yes, I think that is -- in summary, I think it has.  What I would like to explore briefly are the steps that are taken to protect this data.  First of all, dealing with the human side of things, it's right, isn't it, that extensive training is provided, that there are policies in place warning against misuse and describing what misuse is, down to the level of curiosity and curiously exploring being a misuse of the system?

A.  Not all bureaucracy is bad.  (But most of it is.)

Q.  Without delving into that controversial proposition, can we move now, I think rather more briefly, to your second witness statement.

A.  That's correct.

Q.  Without delving into that controversial proposition, can we move now, I think rather more briefly, to your second witness statement.

A.  That's correct.  Not all of them hold personal data of members of the public.  They are sort of finance, HR systems, all of those, but in order to answer the question, I asked that all our systems be counted.  There are dire warnings of the consequences of misusing the computer systems; is that right?

A.  Yes, I think that is -- in summary, I think it has.  What I would like to explore briefly are the steps that are taken to protect this data.  First of all, dealing with the human side of things, it's right, isn't it, that extensive training is provided, that there are policies in place warning against misuse and describing what misuse is, down to the level of curiosity and curiously exploring being a misuse of the system?

A.  That's correct.

Q.  And there are dire warnings of the consequences of misusing the computer systems; is that right?

A.  That's correct.  Not all of them hold personal data of members of the public.  They are sort of finance, HR systems, all of those, but in order to answer the question, I asked that all our systems be counted.  There are dire warnings of the consequences of misusing the computer systems; is that right?

A.  Yes, I think that is -- in summary, I think it has.  What I would like to explore briefly are the steps that are taken to protect this data.  First of all, dealing with the human side of things, it's right, isn't it, that extensive training is provided, that there are policies in place warning against misuse and describing what misuse is, down to the level of curiosity and curiously exploring being a misuse of the system?

A.  That's correct.

Q.  Moving to many some of the technical protections, you tell us that all users have to use a force identification number, that there are strong passwords in place and that a failure after so many attempts to get the password right leads to a lockout.  Some of the systems have warning screens and you tell us that some systems have other restrictions restricting, for example, which terminals can be used to access them, which functions they will perform and which records they can and cannot access.

A.  I believe, so.  I was at a meeting recently with the Surrey Police Authority and the audit committee were -- the lead member for this had said he had scrutinised the accounts or the register and the pro formas and he was satisfied with the processes which had taken place.  He did make an observation that he felt it was quite bureaucratic, in fact justifying when you turn down hospitality as well as when you actually accept it.

A.  I was in a position to comment on the pros and cons of having to do both.

Q.  If it's bureaucratic, it's also transparent, isn't it?
Q. So there is a battery of technical protections. Moving now to auditing --

A. Can I just make two other comments, please?

Q. Please do.

A. There's also -- officers and staff have security clearance, so they have vetting processes and only certain people with certain levels of vetting can access certain systems. And also, not every officer or police staff member has access to all of the systems either.

We control it so it's aligned to your role.

Q. Yes. I think, dealing with the police force, we're starting from a position where you've sought, at least, to recruit people of integrity?

A. We try our hardest, yes.

LORD JUSTICE LEVESON: I'm pleased to hear that, yes.

MR BARR: Moving on now to auditing, you tell us that there is typically within your electronic systems a capability to track down what a person has done under a particular user identity. Is there a capability, if a piece of information has been leaked, to ascertain without a name or password who has accessed that information?

A. Yes, there is. So if there's a piece of information which has been publicised, which you thought wouldn't have been -- should have been in the public domain, you can then go back to the systems, look at where that information has been on, especially if it's something very specific, you can narrow it down to a system, and we have means of actually auditing who accessed that system when, or should I actually say under whose password and whose log-on did they access, because we have seen evidence of staff who abused other people's log-on processes to access systems previously. But we do have comprehensive means of backtracking.

Q. You tell us that where you receive intelligence which suggests there's been misuse of the system, that is investigated, but equally you tell us that there are no random checks. Why is that?

A. I suppose -- where would you start? We do checks in relation to PNC. There's a programme called PNC Guard, which is national, so when somebody does a check on an individual or a vehicle, one in ten cases, they have to give a greater justification as opposed to just a reason code, and then that is reviewed to see if there was a legitimate reason and we can do further information on those. But I suppose realistically you would have to have a very big team checking for discrepancies for what I actually assess, within Surrey anyway, is a very low incidence of breaches.

Q. It boils down to it being disproportionate and very difficult?

A. That's it exactly.

Q. On the subject of the PNC, is it right to say that the protections for the PNC the tightest of all?

A. They are very tight. I think there are other systems that we have -- some of our intelligence systems are national intelligence systems which forces can access have tighter controls but --

Q. If it's not the tightest control, is it right to say that there are a lot of your systems which are not as tightly controlled?

A. Yes, that's correct.

Q. Is that because of the relative risk of misuse, including consequence?

A. Both consequence and the content, yes.

Q. You describe to us that there is a risk appetite assessment and that the Surrey Police has gone through a process of deciding how much risk it is prepared to accept?

A. That's correct.

Q. In terms of examples of misuse -- I'm looking now at page 22 of your witness statement, and in relation to a question about media-related suspected abuse, you give the answer at paragraph 87 involving five matters. The first is ongoing. The second, you tell us that investigations showed that the information provided had in fact been authorised. In the third case, the complainant stopped co-operating and the investigation was terminated, and the fourth and fifth cases are ongoing.

So that leaves us, doesn't it, in the position that over the last five years you've not actually had a case come to a conclusion which has found an unauthorised leak to the press, but you have three ongoing matters?

A. Yes. If I could just clarify, the first four of those cases all relate to what I would refer to as press releases which have been authorised by an investigating officer, and so it's the content of a press release which people have complained about, a formal release, as opposed to a leak of information.

Q. And the final case is a matter which is being dealt with by Operation Elveden and therefore we won't say anything more about it.

A. That's correct.

Q. At paragraph 88, you deal with other incidents. You say there have been a total of 34 incidents of either inappropriate access or disclosure over the last five years. 16 have been dealt with as misconduct, with the remaining 18 as gross misconduct. Just to be clear, are you saying that those have nothing to do with the media?
A. That's -- yes.

Q. You described in this statement a very considerable number of safeguards of various types, which we've touched upon. But if you are only reacting to complaints, how sure can you be that people are not performing unauthorised access to your databases and getting away with it?

A. I can never be 100 per cent sure.

Q. Is the reality that in the real world it's simply not possible to provide 100 per cent assurance against misuse?

A. That's true. We have an anti-corruption unit, as most forces do. We do covert and targeted action if we have any intelligence to support that, but the reality is you can never be 100 per cent sure.

MR BARR: Thank you. Those were all my questions.

LORD JUSTICE LEVESON: I have no questions, Mr Kirkby.

Q. As at the present day, how would you characterise the nature and quality of your relationship with the media?

A. Generally, first of all, the impression of the culture of relations with the media when you arrived in Avon and Somerset, you deal with this under question 2 and you suggest that the relationship was not entirely satisfactory. What were the manifestations of that and the reasons for that?

A. My predecessor, who was an excellent Chief Constable, had been under some pressure following a police standards review of the force, and elements of the media.

Q. Thank you. In terms of your contact with the media, you undertook work in former Yugoslavia and then Rwanda sometimes be different from ours. I think we should be as open as possible and yes, they may expose embarrassing situations, but I do believe a free press is important for any democracy, but so is accountability and accurate reporting."

Q. Thank you. In terms of your contact with the media, you describe that at page 13 under question 3. It would be right to say that it is fairly infrequent, usually on the basis of local radio shows and occasional breakfast meetings. Is that, broadly speaking, correct?

A. It's very infrequent. I will do breakfast shows where necessary and give interviews where necessary, yes.

Page 46
<table>
<thead>
<tr>
<th>Page 49</th>
<th>Day 56 - AM Leveson Inquiry 27 March 2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Q. Your rationale in engaging with the media, question 4 -- you say:</td>
<td>1 the World who also had become involved in this. I went to see the then editor of the News of the World, spoke to him off the record and made it clear it was off the record, and told him that he was -- people were potentially in risk of their life and asked him not to run the story. I have to be honest; he behaved in an entirely ethical way. It probably didn't help his newspaper circulation but he understood the dangers and I'm very grateful for that.</td>
</tr>
<tr>
<td>2 &quot;Given the propensity of some elements of the press to publish negative items about policing which possibly lead the public to mistrust the police, you go on to say it's important that journalists hear the other side of the story, both on a formal and informal basis.&quot;</td>
<td>2</td>
</tr>
<tr>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>4 Are you referring there to the regional press or to the national press or both?</td>
<td>4</td>
</tr>
<tr>
<td>5 A. The situation is in Bristol that whilst we do have regional press there, we also have reporters from most national newspapers based in and around, so therefore it's both.</td>
<td>5</td>
</tr>
<tr>
<td>6 Q. Thank you. In terms of the relationship you have with the local press, you make it clear on page 16 that they want an open relationship. This is the paragraph level with the lower hole punch.</td>
<td>6</td>
</tr>
<tr>
<td>7 A. Yes.</td>
<td>7</td>
</tr>
<tr>
<td>8 Q. Do you feel that their aspiration is borne out in practice?</td>
<td>8</td>
</tr>
<tr>
<td>9 A. Generally, yes.</td>
<td>9</td>
</tr>
<tr>
<td>10 Q. You give one example, though, a point which arose during the Joanna Yeates investigation and contact which came from the editor of the Bristol Evening Post.</td>
<td>10</td>
</tr>
<tr>
<td>11 Could you develop that for us, please?</td>
<td>11</td>
</tr>
<tr>
<td>12</td>
<td>12</td>
</tr>
<tr>
<td>13 A. Yes, the editor felt that national newspapers were getting exclusives because of the nature of the stories that they were running. I sought to reassure him, and hopefully I did, that we were not supplying exclusive information to particular newspapers. It was a general press release. They were getting information from other sources.</td>
<td>13</td>
</tr>
<tr>
<td>14 Q. Thank you. Off-the-record conversations. First of all, generally. The basis on which you define the term -- it's communicated on the basis that it cannot be used or become attributable, so you mean by &quot;off the record&quot; non-reportable?</td>
<td>14</td>
</tr>
<tr>
<td>15 A. Yes, I do.</td>
<td>15</td>
</tr>
<tr>
<td>16 Q. But you are of the view that there is a time and a place for off-the-record conversations?</td>
<td>16</td>
</tr>
<tr>
<td>17 A. Yes, sir.</td>
<td>17</td>
</tr>
<tr>
<td>18 Q. Briefly, Mr Port, what are the circumstances by reference to particular cases, if you wish, where such conversations are appropriate?</td>
<td>18</td>
</tr>
<tr>
<td>19 A. I give three specific examples in my statement. The most obvious, I think, was when I ran the south east regional crime squad, where we were running an undercover operation abroad where we had undercover officers deployed against some very dangerous people.</td>
<td>19</td>
</tr>
<tr>
<td>20 We discovered there was a journalist from the News of the World who also had become involved in this. I went to see the then editor of the News of the World, spoke to him off the record and made it clear it was off the record, and told him that he was -- people were potentially in risk of their life and asked him not to run the story. I have to be honest; he behaved in an entirely ethical way. It probably didn't help his newspaper circulation but he understood the dangers and I'm very grateful for that.</td>
<td>20</td>
</tr>
<tr>
<td>21 Q. Thank you. In terms of the relationship you have with the local press, you make it clear on page 16 that they want an open relationship. This is the paragraph level with the lower hole punch.</td>
<td>21</td>
</tr>
<tr>
<td>22 A. It was effective, yes, sir.</td>
<td>22</td>
</tr>
<tr>
<td>23 Q. So we may be arguing about terminology here, but at all events, which that should have happened did happen. Can I move to the question of hospitality, question 7, page 18 of your statement. You say you have accepted hospitality in the form of meals and drinks from the media as recorded in the hospitality record. I've examined the record and I can't find anything which relates to hospitality from the media at all in the years which the record covers. Is there a reason for that?</td>
<td>23</td>
</tr>
<tr>
<td>24</td>
<td>24</td>
</tr>
<tr>
<td>25</td>
<td>25</td>
</tr>
</tbody>
</table>

---

<table>
<thead>
<tr>
<th>Page 50</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1 A. Well, there are a couple in there, I think, but generally I will pay out of my own pocket. It's what I do.</td>
<td>1 A. Well, there are a couple in there, I think, but generally I will pay out of my own pocket. It's what I do.</td>
</tr>
<tr>
<td>2 Q. Thank you. Do you have a view generally about the ethics of receiving hospitality from the media?</td>
<td>2 Q. Thank you. Do you have a view generally about the ethics of receiving hospitality from the media?</td>
</tr>
<tr>
<td>3 A. I trust and rely upon the discretion of my staff. They make life-and-death decisions day in and day out, and if I can't trust them to decide that a cup of coffee or a glass of wine or a pint of beer at the appropriate time is not appropriate, then I've lost the plot.</td>
<td>3 A. I trust and rely upon the discretion of my staff. They make life-and-death decisions day in and day out, and if I can't trust them to decide that a cup of coffee or a glass of wine or a pint of beer at the appropriate time is not appropriate, then I've lost the plot.</td>
</tr>
<tr>
<td>4 Q. We're going to hear evidence directly from the communications department in due course, but can I just pick up a couple of matters with you? We're now on pages 20 oh 21 of your statement.</td>
<td>4 Q. We're going to hear evidence directly from the communications department in due course, but can I just pick up a couple of matters with you? We're now on pages 20 oh 21 of your statement.</td>
</tr>
<tr>
<td>5 A. Yes, sir.</td>
<td>5 A. Yes, sir.</td>
</tr>
<tr>
<td>6 LORD JUSTICE LEVESON: Just before we go there, that's a fair comment, that senior officers have to be able to make sensible decisions which satisfy -- whether you call it a blush test or however you want to describe it --</td>
<td>6 LORD JUSTICE LEVESON: Just before we go there, that's a fair comment, that senior officers have to be able to make sensible decisions which satisfy -- whether you call it a blush test or however you want to describe it --</td>
</tr>
<tr>
<td>7</td>
<td>7</td>
</tr>
<tr>
<td>8 A. The front of the Bristol Evening Post, sir.</td>
<td>8 A. The front of the Bristol Evening Post, sir.</td>
</tr>
<tr>
<td>9 LORD JUSTICE LEVESON: Yes, well, I understand that as well, but let me ask you a question which may put you in a slightly difficult position. I hope not. As a very senior and probably the most long-serving</td>
<td>9 LORD JUSTICE LEVESON: Yes, well, I understand that as well, but let me ask you a question which may put you in a slightly difficult position. I hope not. As a very senior and probably the most long-serving</td>
</tr>
</tbody>
</table>
chieft constable who I have come across in the course of the Inquiry, what is or would be your attitude to the sort of hospitality of which I have heard during the course of this Inquiry?

A. It does place me in a difficult position, yes, sir, but I have no doubt at all that -- would that hospitality withstand the Bristol Evening Post test? No. Would I accept it? No.

LORD JUSTICE LEVESON: There may be all sorts of reasons for it, and I'm not asking you to criticise, but I hope you will understand why I felt it was right to ask you, as a very senior Chief Constable, to provide a window for me, who is not a serving police officer and never has been, on the whole issue.

A. Yes, sir.

LORD JUSTICE LEVESON: Thank you.

MR JAY: Page 20, the communications department. First of all, question 13. The expectation is that contact with the media is recorded in the sense of the fact that its occurrence is noted. Is that, broadly speaking, the position?

A. Yes.

Q. Can I ask you about social media, Twitter and Facebook, which you pick up at question 17, and the extent to which your force is using that and whether there are any difficulties associated with its use. Could you help us there, please, Mr Port?

A. I think difficulties can arise where people are spending more time tweeting than actually policing and we don't encourage officers per se to tweet. What we have is a number of groups of officers who will do it, farm watch or particular watch areas. But we don't encourage officers to tweet. Facebook -- we use Facebook corporately, but Facebook, as we know from our own experience, has exposed officers, because of their nativity and trust, to potential compromise, so therefore we monitor and give guidance where appropriate in respect of that.

Q. You say here as well that you use the corporate communications department as a funnel. There will be instances where the media can contact individual officers, but if the officers are not confident in what they are saying, they will seek advice from the press office. So by "funnel", do you mean a means of making contact with individual officers?

A. Yes. Sometimes officers -- they'll be approached directly. It happens particularly in specialist sections of the press. Say, for instance, the financial press. Where there's a story, they may go straight to the economic crime unit because they're not used to dealing with our organisation as a matter of course.

The economic crime unit will then generally pass them back to the corporate communications people and they will deal together with the issue.

Q. Thank you. Question 31, page 25. You were asked a general question about whether you were satisfied as to the policies and procedures which you describe in your statement working effectively and sufficiently. Your answer is:

"I do not regard the question of media relationships and hospitality to be a problem for Avon and Somerset but I am not complacent. Our communications team have published an updated media protocol."

That's underneath tab 2 in the file which has been prepared for you.

A. Yes, sir.

Q. It's page 11095. Is this a protocol which was generated in part, at least, by the events of last summer?

A. Yes, sir.

Q. And possibly by Mr Jefferies' case as well; is that correct?

A. Yes, sir.

Q. The general principles, section 4, page 11097, did you have a hand in the drafting of this?

A. I was consulted. Miss Hirst, the head of corporate communications drafted it. I was consulted through it.

Q. It's similar to policies we've seen from other forces, but of course each force brings its own personality to bear. Can I ask you a general question: whether you feel, as a matter of practice and principle, that there should be a nationally agreed policy?

A. I totally agree with that. One of the issues -- one of the benefits of British policing is that we have 52 different geographical police services, but it also can be a disbenefit in instances like this.

Q. There's nothing in particular in the policy which leaps out from the page; in other words, it's similar to other policies. It's certainly expressed in a crisp and clear manner, so ...

I come back to your statement, question 33, and the issue of leaks. You make it clear it's a serious issue because of the potential to undermine public confidence. We understand that. You say you believe that deliberate leaking for money or other motives is extremely rare, but simply put, is treachery?

A. Absolutely.

Q. That's, again, a succinct statement of the position. Then you say:

"Often what appears or is said to be a leak from the police is not in fact a leak at all."
<table>
<thead>
<tr>
<th>Page 57</th>
<th>You seek to illustrate that at the beginning of your statement. Of course, we're going to come back to it in relation to what Mr Wallace says, but as a generality, how frequently can you say that with confidence, that it isn't in fact a leak at all?</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>A. As a generality, based upon the evidence which I give in here, out of the 18 or so leak inquiries, 14 have been found not to be leaks in the first instance. There's lots and lots of information out there. The blogosphere, tweets, everything, and people talk. You know, what we think is a leak turns out not to be a leak but actually just to be some information which has come from some other source.</td>
</tr>
<tr>
<td>14</td>
<td>Q. It may be a body or an agency or an institution which is close to the police but it not the police properly so-called; is that correct?</td>
</tr>
<tr>
<td>15</td>
<td>A. It could be, and it could be people just making stories up which happen to be true.</td>
</tr>
<tr>
<td>19</td>
<td>Q. In question 35 you give the statistics: 20 investigations undertaken by your professional standards department, internal investigation unit in the last five years. In 14 incidences, no police leak was found. So are you saying there that it was established to someone's satisfaction that it wasn't a police leak, that the so-called leak was from some other source or</td>
</tr>
<tr>
<td>24</td>
<td>A. That's correct, sir.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Page 58</th>
<th>was information which was elsewhere generated?</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>A. That's correct, sir.</td>
</tr>
<tr>
<td>3</td>
<td>Q. Of the remaining six, four have resulted in disciplinary action. So that's quite a good hit rate in one level, because these leak investigations are very difficult to undertake, aren't they?</td>
</tr>
<tr>
<td>14</td>
<td>A. Just on that point, what concerned me when I looked at the figures was there were four leak inquiries which didn't result in someone leaving the organisation rather sharply. These were domestic-type leaks where people had fallen out within the organisation, where they'd told stories about colleagues or told stories about partners, and so that's the reason, just to reassure the public, that we don't take leaks lightly at all.</td>
</tr>
<tr>
<td>15</td>
<td>LORD JUSTICE LEVESON: I suppose it's how you calibrate the whole system. If you want to encourage an open and transparent promulgation of information -- good, sometimes wonderful, sometimes not so good, sometimes perhaps slightly embarrassing -- but if you're prepared to envelop within the way in which you do business with the community all that information, then there is simply no reason for anybody to pass information that isn't appropriately placed in the public domain.</td>
</tr>
<tr>
<td>24</td>
<td>A. Absolutely, other than malice, spite or money. That's the only -- and their secrets. They give away our secrets.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Page 59</th>
<th>feed, and that's the way that we do it.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>LORD JUSTICE LEVESON: Where, of course, that impacts on operations, it is extremely serious and I readily understand that. I equally understand where it might even impact adversely upon the way you want to conduct an operation. So it has to be fed into the decision-making tree when actually you'd prefer not to have it there. I see all that.</td>
</tr>
<tr>
<td>9</td>
<td>A. (Nods head)</td>
</tr>
<tr>
<td>10</td>
<td>LORD JUSTICE LEVESON: What about information like your plans to deal with reducing numbers or that sort of thing?</td>
</tr>
<tr>
<td>13</td>
<td>A. Well, we're pretty open in respect of that. Those sort of discussions would take place within the chief officer group, then with the Police Authority in an open meeting, where it would be debated openly, be reported -- the media could be there, the media may not be there. It's reported on our website, all of those things. But those preliminary discussions would take place, yes, by the chief officer group. We operate a cabinet office -- cabinet responsibility. We then may talk to the unions, to the federation, about our plans and then make sure that when we were getting out to the organisation it went out in one hit as opposed to drip</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Page 60</th>
<th>feed, and that's the way that we do it.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>LORD JUSTICE LEVESON: And the snag, to answer my own question, about people talking prematurely is that until a policy has been decided upon, it is simply premature?</td>
</tr>
<tr>
<td>5</td>
<td>A. And we don’t comment upon leaks in those circumstances.</td>
</tr>
<tr>
<td>6</td>
<td>MR BARR: Question 42 now, paragraph 29. This is in relation to the press office, corporate communications department. So we understand the context here, you tell us elsewhere you're an organisation of 6,000 individuals. You say: &quot;At its peak there were 17.4 posts in the corporate communications department, but that's been reduced to 15 due to budget cuts.&quot;</td>
</tr>
<tr>
<td>14</td>
<td>A. Yes, sir.</td>
</tr>
<tr>
<td>15</td>
<td>Q. You make it clear in your answer to question 42: &quot;The media would no doubt prefer contact with individual officers.&quot; Well, all chief constables have said that. &quot;But modern policing without a communications office would be impracticable.&quot; Again, everybody's said that. You say: &quot;I am aware that the media has a certain amount of frustration with the communications office and one journalist called it the suppress office, but we do try to be as open as we possibly can.&quot;</td>
</tr>
</tbody>
</table>
How is this frustration evinced or expressed to you?

A. When they can't get direct access to the officer in the case immediately or we say we have to go away and talk to consider this issue. So it's about the timeliness generally, both during the day when the office is staffed but also out of hours and the fact that they're not around. But we do, as I explain elsewhere in the statement, have out-of-hours calls, so there's always someone available.

Q. Thank you. Can I move on now to the Jefferies case, back to the start of your statement. You were concerned, I understand, by some of the evidence Richard Wallace gave to the Inquiry? He's the editor, of course, of the Daily Mirror.

A. I was, sir.

Q. So we understand the position in relation to possible litigation and therefore conceivable constraints on your evidence -- and we've heard this from Mr Jefferies himself -- your force has received a pre-action protocol letter claiming damages for false imprisonment, trespass to the person and property in breach of human rights?

A. Yes.

Q. It should also be understood that formal court proceedings have not been started, have they?

A. That's correct, sir.

Q. Paragraph 7 of Mr Wallace's statement, which you set out in paragraph 2 of your statement -- this is referring to CCTV footage of one of the last sightings of Ms Yeates: "Although police had spoken with the landlord before us, they didn't take away the CCTV. As a result of the Mirror's story, the police [I'm paraphrasing here] reinterviewed the landlord and took away the film."

A. Really, the way I approach things is you try and get as much on the record as possible because it's in the public interest and that's what's paramount in all investigators' minds: the search for the truth. Once you start having cosy little chats with people behind the scenes, then people quite rightly will think there's something going on.

A. If I look at the chronology, on 22 December, we visited the place. We took away a short period of CCTV. We then widened the parameters regarding that and we went back. We looked at the piece of equipment. Because we needed to have a bigger download, we needed to take it away. We were satisfied that the particular piece of equipment that was there was robust and would stay the course so we then went back on the 4th. On the 27th, the place was closed, I think, or during the week of the 27th the place was closed. On the 4th, a technician went back, seized the whole unit and there was a reporter there. So what we would say and what we are saying is we seized the CCTV and it wasn't because the Daily Mirror had raised it with us.

Q. So the reporter was there but the necessary steps had already been taken by your force to acquire the footage; is that, broadly speaking, the position?

A. That's quite correct, sir, and on that day we made it clear that we'd seized it previously and we gave a comment on 4 January.

Q. That comment is set out on the third page of your statement?

A. It is, sir.

Q. In paragraph 9 of Mr Wallace's statement, which is your paragraph 5, he refers to normal practice, which is for the media to be given regular off-the-record background briefings by the police. The off-the-record information that the police may give this small group of reporters might include details additional to those that have been given to the press more widely, and then he says: "I understand from the content desk that our crime correspondent at the time, Jon Clements, attended such briefings during the Joanna Yeates inquiry."

A. No, sir.

Q. Does that answer relate specifically to your force or does it relate more widely?

A. It relates to my experience as an investigating officer.

Q. What is the thinking behind the not giving of such briefings?

A. Really, the way I approach things is you try and get as much on the record as possible because it's in the public interest and that's what's paramount in all investigators' minds: the search for the truth. Once you start having cosy little chats with people behind the scenes, then people quite rightly will think there's something going on.

Q. Is that so, Mr Port, if the participants are trustworthy? In other words, although it's a secret conversation at one level, it's one that's not going to be misrepresented, it's not going to be put out in the public domain, and moreover, it might provide context to the stories they are writing?

A. I'm not saying that it is absolutely forbidden but what I'm saying is it is not common practice. It is not the normal practice at all.

Q. In paragraph 8, you set that out quite specifically and you make it clear that you came under pressure from the media, including officials -- I'm not quite sure why they've been put in inverted commas. Do you mean reporters?

A. Yes.
Q. -- from the CRA to give off-the-record briefings. ACPO also suggested a meeting, but at no time did you give off-the-record background briefings to crime reporters or any other journalist: "In fact, we were criticised by the media for not doing so."
Where were the criticisms or how were they expressed to you?
A. Because people wanted to have a wider understanding of the investigation, which is legitimate, but when it is dealing with covert tactics and very sensitive techniques, then we're not going to give those.

Additionally, on this particular instance, we had -- as well as crime reporters and our local reporters, we had whole plethora of general journalists who, frankly, had very little experience of crime at all, and that's borne out in some of the reporting which took place. And really, we had different people on different days because it was over the holiday period, and there was no group that we could actually sit down with and talk with.

Q. Your point about generalist reporters is they weren't part of the CRA, they weren't regular crime correspondents. To put it bluntly, they were less trustworthy; is that what you're saying?

A. I --

Q. Or more likely to break the code of off-the-record?
A. Well, it's clear from some the reporting that they had no idea what they were talking about and listened to so-called experts instead of -- if they'd have gone in-house, they might have learnt a bit more. In-house, I'm talking about within their own organisations.

Q. And the experts you're referring to --

LORD JUSTICE LEVESON: It may not be quite fair to just say "trustworthy". It may simply be that reporters who do not know what the law is or the consequences of reporting material which shouldn't be reported, simply don't know. And if they don't know, then no risks can be taken.

A. Absolutely, sir, particularly when they're driven by their news desks to get the scoop, to get the insight on the story that their competitors haven't got.

MR JAY: You pick this up in paragraph 11 of your statement. You say you were subjected to constant speculative questioning by the media: "Such were our concerns about the revelation of key lines of enquiry through a continuing process of elimination by the media that we ceased to give a response to many speculative enquiries where we felt the integrity of the investigation and subsequent trial could be compromised."

So the issue here was really one of almost jigsaw identification. There came a point that if you answered in a certain way, well, then where your inquiry was going would be divulged.

A. Absolutely. Whilst national newspapers -- and the journalists represent their national newspapers -- they do talk and they spot stories.

Q. I invite you now, please, to look at the last paragraph on page 5, under question 12 or paragraph 12 of your statement. You say there:

"In paragraph 10 of his statement, Mr Wallace gives a number of specific examples of [and then you quote] 'information contained in the daily Mirror articles of 30 September 2010, 1 January 2007 that I believe, from my discussions with the content desk, would have been sourced from the police during the Joanna Yeates Inquiry'."

Then you say: "Clearly, Mr Wallace is using the term 'sourced' in the sense that the information was obtained other than through a completely open press release or at a press conference. I will deal with each of his examples in turn, demonstrating that they are either untrue or provided openly to the media at large."

Then you do go through these seriatim, as it were.

Paragraph (a) on the next page, Mr Wallace says that the arrest of Mr Jefferies on 30 December was itself announced in the statement from your force:

"The off-the-record guidance to reporters on the ground from the police was that it was Mr Jefferies who had been arrested."

In your own words, why is that incorrect?

A. Well, we didn't do it. We don't announce people who have been arrested. They're innocent and we don't do that. There was an inadvertent leak, which I've talked about in my statement, which was a mistake by some people. It was a genuine error. We sought to address that situation right away with the journalist concerned, but we certainly didn't give any off or on-the-record comment that it was Mr Jefferies who had been arrested. The only time we did was the inadvertent leak.

Q. The person arrested rather was described as a 65-year-old man. I mean, some might say that that rather narrowed down the field. Is that fair or not?

A. There are a number of 65-year-olds live that that area. I have to say, with the benefit of hindsight, it probably would have been better that we didn't use an age.

Q. We'll read to ourselves, as it were, the rest of what
you say under (a). (b) is on page 7 --

Q. You say this statement is not true. In your own words, please, Mr Port, why not?

A. Well, we did not give Mr Jefferies' identity to anyone.

Q. He did say that he saw three people on two occasions that I recall. In his evidence to this Inquiry, he said that -- and I think I quote accurately -- he told no more than three people about his sightings. That's incorrect, and I completely understand why Mr Jefferies can't recollect that, but I've counted eight people, including some people who were paid by the media for information, and I've also seen evidence that he told people that they should also tell members of the Neighbourhood Watch. So his recollection is flawed, unfortunately.

Q. Thank you. Point (c):

"In the article of 31 December --"

Indeed we were back now to what Mr Wallace is saying in his statement.

"-- we reported that 'a source close to the police investigation' said that it was believed Jo's murderer had tried to conceal her body. This information, to the best of my knowledge, came from one of the off-the-record briefings referred to above."

Again, your point is the same as before: there were no such off-the-record briefings!

awful murder in 1974 and that of Joanna Yeates. It was clear to the reporter.

Q. You say that was made clear to the reporter the day before the article was published on 31 December?

A. Absolutely, sir.

Q. It might be said that Mr Wallace's statement is not altogether precise in this particular regard.

A. Yes.

Q. Point (e) --

LORD JUSTICE LEVESON: The extension not of police bail but of --

A. Detention.

Q. MR JAY: Pardon me. I mean exactly the opposite.

A. Absolutely, sir.

A. No, sir.

Q. Then the last point, (f), again, I'm quoting from Mr Wallace's statement:

"Information regarding various theories being considered by detectives contained in the article dated 1 January 2011 would have, I believe, also come from the police."

You say categorically that the analysis of theories allegedly being considered by the police did not come from your force. Again, in your own words, would you like to explain why?

A. No, it did not, and it actually came from a retired detective called Peter Kirkham, who was being used by the Mirror and other media of recent times.

Q. You make it clear, as you say, that Mr Kirkham has written analyses in other cases. Are you prepared to
12 Q. And an article which appeared in the Sun on 17 January 2011. One of the hypotheses may be: well, that information came from the police; in other words, was a leak. First of all, is that matter being investigated?

13 A. No, sir.

14 Q. There's also issues surrounding the leaks of information around two delivery drivers from Ikea.

15 A. Yes.

16 Q. And an article which appeared in the Sun on 17 January 2011. One of the hypotheses may be: well, that information came from the police; in other words, was a leak. First of all, is that matter being investigated?

17 A. No, sir.

18 Q. Has that investigation concluded?

19 A. It has not concluded totally, but the indications are that it did not come from the police, it came from elsewhere.

20 Q. That's as far as you wish to go today, is it?

21 A. I think I can add that the allegation was that this information was only known to the police. There was information that was known to the police but it was also known to others, and if you look at the article, it says that police must have found a receipt or something in the house. Well, we didn't find a receipt. We got that information from Joanna's boyfriend and there were a number of other firms that we went to over the weekend, but it was only Ikea that became the source of a newspaper article. Despite what some have said, that did not come from the police.

22 Q. I've been asked to put to you a line of questions relating to the fact that Mr Jefferies was on police bail until 4 March 2011, whereas Vincent Tabak was charged on 22 January, so there's a six-week period when, as it were, Mr Jefferies was out of the frame yet he remained on police bail. Are you in a position to address that at all, Mr Port?

23 A. In general terms, Mr Jones will address it specifically and tactically, sir. But Vincent Tabak went "no comment" except for a very small part of the interview, so there's always a question hanging, and to set the context, unfortunately we arrest 45,000 people each year. About 21,000 of those, an enormous number -- too many in my opinion -- are bailed. 1,600 of those are bailed longer than three months. We are doing something about that internally, but just to set the context, it wasn't extraordinary. Unfortunately, it was too usual.

24 Q. I'll ask Mr Jones to address the specifics in a moment, Mr Port. Can I ask you, though, to go back to general issues. HMIC's report, "Without fear or favour", ...
December 2011, and the Elizabeth Filkin report. These you touch on at page 37 of your statement.

A. Yes, sir.

Q. You make it clear that the HMIC report is currently subject to consideration in your force, but are there any preliminary opinions, recommendations that you have in mind which you might be able to share with us or not?

A. The recommendations which come out of the report we'd already implemented in the organisation before the inspectors came around, and it was a great sadness to me that individual forces weren't named, because I think we had a good story to tell in terms of propriety, in terms of this. We're always looking for opportunities to develop and once again we're going through it to see if there's anything we've missed, but generally I would say we're in quite a good place in relation to that.

But I have to say that one of my concerns is that we concentrate -- and I make this point in the statement -- too much on policies, procedures. It's the culture that's important. It's the leadership that's important in setting the right example, and that's what Elizabeth Filkin talks about.

Q. So are you of the view that the culture is, as it were, set at the top?

A. Absolutely.
1. **A.** No, sir.
2. LORD JUSTICE LEVESON: Provided it doesn't, of course, cover the accidental meeting in the street, and I recognise that. I'm not sure your Rwandan example really works, because if it had been: "I'd like to ask you about something that was relevant to Avon and Somerset policing", your answer might be different. It's because it goes back to your experience in relation to Rwanda.
3. I mean, giving an interview.
4. **A.** If I was walking down the street -- and this is a hypothetical situation -- and a journalist said, "Can we talk about out-of-court disposals?" and I say, "Yes, but make an appointment through the office, through the corporate communications, and away we go."
5. LORD JUSTICE LEVESON: Then you've done it the other way.
6. Rwanda is different because that's you and only you.
7. **A.** Yes.
8. LORD JUSTICE LEVESON: And nobody else in your force is affected by it. Is that fair?
9. **A.** Yes, sir.
10. LORD JUSTICE LEVESON: Thank you.
11. MR JAY: Thank you very much, Mr Port.
12. **A.** Thank you, sir.
13. LORD JUSTICE LEVESON: Mr Port, thank you very much.
14. **A.** Thank you.

---

**Questions by MR JAY**

1. MR JAY: Mr Jones, please.
2. **MR PHILIP ANDREW JONES (sworn)**
3. Questions by MR JAY
4. MR JAY: Your full name, please, Mr Jones?
5. **A. Philip Andrew Jones.**
6. Q. I'm going to ask you to confirm your witness statement. You've signed and dated it 28 February of this year. Is this your true evidence to the Inquiry?
7. **A.** It is, yes.
8. Q. You are currently a detective chief inspector with the Avon and Somerset constabulary. You've worked in the service for 23 years. You were the senior investigating officer as from 27 December 2010 in relation to the Joanna Yeates investigation; is that right?
9. **A. Yes, I was, sir.**
10. Q. I'm going to ask you some specific questions, please, about that investigation. First of all, paragraph 9 of your statement at the bottom of page 10578. This is your general philosophy in relation to the media. You regard the media as an additional investigative tool providing a means of communication with the public to appeal for information, witnesses, aid elimination and provide reassurance. How successful is that mode of communication? Does it, in other words, achieve positive results in terms of identifying offenders in the organisation.
11. Sometimes things happen that I'm horrified by, but I don't know everything. But I try, and I encourage my leaders to also do the same, sir. And I think -- you know, that there have been some examples, which you have heard, where exceptional behaviour shouldn't actually rule what -- the good work of general police officers on a day-to-day basis, who, as I said earlier, make life and death decisions. I trust my officers generally. If I don't trust them, then they have to go.
12. LORD JUSTICE LEVESON: But I'm not actually, I think, challenging a single word of that. What I am asking about is something slightly different, but maybe you don't agree, that if officers are talking to the press, not in the casual way that I just exemplified, but on topics, doubtless within their area of competence -- because I'm sure you would agree they should not be talking about matters which are not within their competence --
13. **A. Absolutely, sir.**
14. LORD JUSTICE LEVESON: -- and strategic matters should be dealt with at appropriately high rank, but that there be some -- not record of the conversation, but awareness that there has been a conversation, if only so that somebody can see: well, this particular sergeant has

---

Page 81

<table>
<thead>
<tr>
<th>A.</th>
<th>Mr Jones, please.</th>
</tr>
</thead>
<tbody>
<tr>
<td>MR PHILIP ANDREW JONES (sworn)</td>
<td>Questions by MR JAY</td>
</tr>
<tr>
<td>MR JAY: Your full name, please, Mr Jones?</td>
<td><strong>A. Philip Andrew Jones.</strong></td>
</tr>
<tr>
<td><strong>A.</strong> It is, yes.</td>
<td>Q. I'm going to ask you to confirm your witness statement. You've signed and dated it 28 February of this year. Is this your true evidence to the Inquiry?</td>
</tr>
<tr>
<td><strong>A. Yes, I was, sir.</strong></td>
<td>Q. You are currently a detective chief inspector with the Avon and Somerset constabulary. You've worked in the service for 23 years. You were the senior investigating officer as from 27 December 2010 in relation to the Joanna Yeates investigation; is that right?</td>
</tr>
<tr>
<td><strong>A. Yes, I was, sir.</strong></td>
<td>Q. I'm going to ask you some specific questions, please, about that investigation. First of all, paragraph 9 of your statement at the bottom of page 10578. This is your general philosophy in relation to the media. You regard the media as an additional investigative tool providing a means of communication with the public to appeal for information, witnesses, aid elimination and provide reassurance. How successful is that mode of communication? Does it, in other words, achieve positive results in terms of identifying offenders in the organisation.</td>
</tr>
</tbody>
</table>

Page 82

<table>
<thead>
<tr>
<th>A.</th>
<th>It's just to provide some element of balance.</th>
</tr>
</thead>
<tbody>
<tr>
<td>That's what I'm really asking you about.</td>
<td><strong>A.</strong> Just to reassure you, sir, that through the corporate communications and the log that we have, media comments and contact with the media, with our officers, are logged. So they are there. What I'm talking about is the walking down the street instance. Sir, they are logged, they are recorded, and of course we do have an internal investigations unit who will monitor contact with the media if necessary, if there's leaks.</td>
</tr>
<tr>
<td>LORD JUSTICE LEVESON: So in other words, there's no problem with the sort of system I'm talking about?</td>
<td><strong>A.</strong> No, sir.</td>
</tr>
<tr>
<td>MR JAY: Mr Jones, please.</td>
<td>LORD JUSTICE LEVESON: Provided it doesn't, of course, cover the accidental meeting in the street, and I recognise that. I'm not sure your Rwandan example really works, because if it had been: &quot;I'd like to ask you about something that was relevant to Avon and Somerset policing&quot;, your answer might be different. It's because it goes back to your experience in relation to Rwanda. I mean, giving an interview.</td>
</tr>
<tr>
<td>Questions by MR JAY</td>
<td><strong>A.</strong> If I was walking down the street -- and this is a hypothetical situation -- and a journalist said, &quot;Can we talk about out-of-court disposals?&quot; and I say, &quot;Yes, but make an appointment through the office, through the corporate communications, and away we go.&quot;</td>
</tr>
<tr>
<td><strong>A.</strong> Yes.</td>
<td>LORD JUSTICE LEVESON: Then you've done it the other way. Rwanda is different because that's you and only you.</td>
</tr>
<tr>
<td><strong>A.</strong> Thank you.</td>
<td><strong>A.</strong> Thank you.</td>
</tr>
</tbody>
</table>

Page 83

<table>
<thead>
<tr>
<th>MR JAY:</th>
<th><strong>A.</strong> No, sir.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>MR PHILIP ANDREW JONES (sworn)</strong></td>
<td>LORD JUSTICE LEVESON: Provided it doesn't, of course, cover the accidental meeting in the street, and I recognise that. I'm not sure your Rwandan example really works, because if it had been: &quot;I'd like to ask you about something that was relevant to Avon and Somerset policing&quot;, your answer might be different. It's because it goes back to your experience in relation to Rwanda. I mean, giving an interview.</td>
</tr>
<tr>
<td>Questions by MR JAY</td>
<td><strong>A.</strong> If I was walking down the street -- and this is a hypothetical situation -- and a journalist said, &quot;Can we talk about out-of-court disposals?&quot; and I say, &quot;Yes, but make an appointment through the office, through the corporate communications, and away we go.&quot;</td>
</tr>
<tr>
<td><strong>A.</strong> Yes.</td>
<td>LORD JUSTICE LEVESON: Then you've done it the other way. Rwanda is different because that's you and only you.</td>
</tr>
<tr>
<td>Mr Jones, please.</td>
<td><strong>A.</strong> Thank you, sir.</td>
</tr>
<tr>
<td>Questions by MR JAY</td>
<td><strong>A.</strong> Thank you.</td>
</tr>
<tr>
<td>Your full name, please, Mr Jones?</td>
<td><strong>A.</strong> Yes, sir.</td>
</tr>
<tr>
<td><strong>A. Philip Andrew Jones.</strong></td>
<td>LORD JUSTICE LEVESON: Thank you.</td>
</tr>
<tr>
<td>Your full name, please, Mr Jones?</td>
<td>MR JAY: Thank you very much, Mr Port.</td>
</tr>
<tr>
<td><strong>A. Philip Andrew Jones.</strong></td>
<td><strong>A.</strong> Thank you, sir.</td>
</tr>
<tr>
<td><strong>A.</strong> Thank you.</td>
<td>LORD JUSTICE LEVESON: Mr Port, thank you very much.</td>
</tr>
</tbody>
</table>

Page 84

<table>
<thead>
<tr>
<th><strong>A.</strong> Yes, I was, sir.</th>
<th>Q. You are currently a detective chief inspector with the Avon and Somerset constabulary. You've worked in the service for 23 years. You were the senior investigating officer as from 27 December 2010 in relation to the Joanna Yeates investigation; is that right?</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>A. Yes, I was, sir.</strong></td>
<td>Q. I'm going to ask you some specific questions, please, about that investigation. First of all, paragraph 9 of your statement at the bottom of page 10578. This is your general philosophy in relation to the media. You regard the media as an additional investigative tool providing a means of communication with the public to appeal for information, witnesses, aid elimination and provide reassurance. How successful is that mode of communication? Does it, in other words, achieve positive results in terms of identifying offenders in the organisation.</td>
</tr>
<tr>
<td><strong>A. Yes, I was, sir.</strong></td>
<td>Q. You are currently a detective chief inspector with the Avon and Somerset constabulary. You've worked in the service for 23 years. You were the senior investigating officer as from 27 December 2010 in relation to the Joanna Yeates investigation; is that right?</td>
</tr>
<tr>
<td><strong>A. Yes, I was, sir.</strong></td>
<td>Q. I'm going to ask you some specific questions, please, about that investigation. First of all, paragraph 9 of your statement at the bottom of page 10578. This is your general philosophy in relation to the media. You regard the media as an additional investigative tool providing a means of communication with the public to appeal for information, witnesses, aid elimination and provide reassurance. How successful is that mode of communication? Does it, in other words, achieve positive results in terms of identifying offenders in the organisation.</td>
</tr>
</tbody>
</table>

Page 85

<table>
<thead>
<tr>
<th>A.</th>
<th>No, sir.</th>
</tr>
</thead>
<tbody>
<tr>
<td>LORD JUSTICE LEVESON: Provided it doesn't, of course, cover the accidental meeting in the street, and I recognise that. I'm not sure your Rwandan example really works, because if it had been: &quot;I'd like to ask you about something that was relevant to Avon and Somerset policing&quot;, your answer might be different. It's because it goes back to your experience in relation to Rwanda. I mean, giving an interview.</td>
<td><strong>A.</strong> If I was walking down the street -- and this is a hypothetical situation -- and a journalist said, &quot;Can we talk about out-of-court disposals?&quot; and I say, &quot;Yes, but make an appointment through the office, through the corporate communications, and away we go.&quot;</td>
</tr>
<tr>
<td><strong>A.</strong> Yes.</td>
<td>LORD JUSTICE LEVESON: Then you've done it the other way. Rwanda is different because that's you and only you.</td>
</tr>
<tr>
<td><strong>A.</strong> Thank you.</td>
<td><strong>A.</strong> Thank you.</td>
</tr>
<tr>
<td>Page 85</td>
<td>Page 87</td>
</tr>
<tr>
<td>---------</td>
<td>---------</td>
</tr>
<tr>
<td>1</td>
<td>your experience?</td>
</tr>
<tr>
<td>2</td>
<td>A. I think it does, sir. It certainly formed one of the --</td>
</tr>
<tr>
<td>3</td>
<td>certainly formed part of my media strategy in the</td>
</tr>
<tr>
<td>4</td>
<td>Joanna Yeates investigation, and I think a good example</td>
</tr>
<tr>
<td>5</td>
<td>of the success of it is that in that particular</td>
</tr>
<tr>
<td>6</td>
<td>investigation we received around 3,000 telephone calls,</td>
</tr>
<tr>
<td>7</td>
<td>messages and emails from members of the public. On</td>
</tr>
<tr>
<td>8</td>
<td>a more local scale, then yes, it does provide a source</td>
</tr>
<tr>
<td>9</td>
<td>of not only key information, witnesses, but also it can</td>
</tr>
<tr>
<td>10</td>
<td>assist in -- aid in elimination in terms of identifying</td>
</tr>
<tr>
<td>11</td>
<td>vehicles and CCTV, for example.</td>
</tr>
<tr>
<td>12</td>
<td>LORD JUSTICE LEVESON: It's not just important, is it,</td>
</tr>
<tr>
<td>13</td>
<td>Mr Jones? It's absolutely critical that the public</td>
</tr>
<tr>
<td>14</td>
<td>understand that crime is detected by the public coming</td>
</tr>
<tr>
<td>15</td>
<td>forward with information. It's a terrible mistake to</td>
</tr>
<tr>
<td>16</td>
<td>think that crime can be detected entirely isolated from</td>
</tr>
<tr>
<td>17</td>
<td>assistance provided by witnesses. It just can't be done</td>
</tr>
<tr>
<td>18</td>
<td>other than in television programmes. Is that fair?</td>
</tr>
<tr>
<td>19</td>
<td>A. Absolutely. Absolutely, sir. I think sometimes there's</td>
</tr>
<tr>
<td>20</td>
<td>a perception that we investigate and solve all our</td>
</tr>
<tr>
<td>21</td>
<td>crimes on forensic evidence alone, and it's actually</td>
</tr>
<tr>
<td>22</td>
<td>witnesses and the general public that help us solve</td>
</tr>
<tr>
<td>23</td>
<td>crime, and without them we couldn't operate in the</td>
</tr>
<tr>
<td>24</td>
<td>criminal justice system and bring offenders to justice.</td>
</tr>
<tr>
<td>25</td>
<td>So they are vital.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Page 86</th>
<th>Page 88</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>MR JAY: You mentioned the strategy in relation to the</td>
</tr>
<tr>
<td>2</td>
<td>Joanna Yeates investigation. We see this, I think,</td>
</tr>
<tr>
<td>3</td>
<td>under your tab 19, our page 11438.</td>
</tr>
<tr>
<td>4</td>
<td>A. Yes.</td>
</tr>
<tr>
<td>5</td>
<td>Q. You refer to this in your statement. We can see the</td>
</tr>
<tr>
<td>6</td>
<td>date of the strategy, 13 January 2011, so presumably it</td>
</tr>
<tr>
<td>7</td>
<td>superseded an earlier strategy, did it?</td>
</tr>
<tr>
<td>8</td>
<td>A. Yes. In essence, sir, this was, if you like,</td>
</tr>
<tr>
<td>9</td>
<td>documenting the investigative media strategy. It had</td>
</tr>
<tr>
<td>10</td>
<td>been implemented at the very early stages when this was</td>
</tr>
<tr>
<td>11</td>
<td>a missing person investigation, which was back on 20,</td>
</tr>
<tr>
<td>12</td>
<td>21 December 2010. So it was just a combination of --</td>
</tr>
<tr>
<td>13</td>
<td>that investigative media strategy had been implemented;</td>
</tr>
<tr>
<td>14</td>
<td>it was just a question of obviously documenting it</td>
</tr>
<tr>
<td>15</td>
<td>within the actual policy book itself and having a record</td>
</tr>
<tr>
<td>16</td>
<td>of that.</td>
</tr>
<tr>
<td>17</td>
<td>Q. Can I ask you just a couple of points upon the strategy.</td>
</tr>
<tr>
<td>18</td>
<td>You see under item 5:</td>
</tr>
<tr>
<td>19</td>
<td>&quot;To adopt a proportionate approach to ongoing media</td>
</tr>
<tr>
<td>20</td>
<td>speculation and sometimes you can respond to that</td>
</tr>
<tr>
<td>21</td>
<td>appropriately. I think in this particular case, in the</td>
</tr>
<tr>
<td>22</td>
<td>Joanna Yeates investigation, there was so much</td>
</tr>
<tr>
<td>23</td>
<td>speculation from the media -- and I would describe it as</td>
</tr>
<tr>
<td>24</td>
<td>an almost scattergun approach, where evidently they were</td>
</tr>
<tr>
<td>25</td>
<td>trying to, I believe, identify lines of inquiry, and</td>
</tr>
<tr>
<td>26</td>
<td>therefore our proportionate response to that was to give</td>
</tr>
<tr>
<td>27</td>
<td>a response that either we would not confirm or deny that</td>
</tr>
<tr>
<td>28</td>
<td>was a line of inquiry which we were pursuing.</td>
</tr>
<tr>
<td>29</td>
<td>Q. Under the heading &quot;Delivering the strategy&quot;, you refer</td>
</tr>
<tr>
<td>30</td>
<td>to briefings. Were you intending to refer only to</td>
</tr>
<tr>
<td>31</td>
<td>on-the-record briefings?</td>
</tr>
<tr>
<td>32</td>
<td>A. Absolutely, sir.</td>
</tr>
<tr>
<td>33</td>
<td>Q. Were there, to your knowledge, any off-the-record</td>
</tr>
<tr>
<td>34</td>
<td>briefings to journalists?</td>
</tr>
<tr>
<td>35</td>
<td>A. None at all, sir.</td>
</tr>
<tr>
<td>36</td>
<td>Q. Had there been, (a) who would have conducted them and</td>
</tr>
<tr>
<td>37</td>
<td>(b) would you know about it?</td>
</tr>
<tr>
<td>38</td>
<td>A. Well, I don't believe there were any off-the-record</td>
</tr>
<tr>
<td>39</td>
<td>briefings. It certainly wasn't myself and I don't know</td>
</tr>
<tr>
<td>40</td>
<td>who would have conducted those off-the-record briefings.</td>
</tr>
<tr>
<td>41</td>
<td>Had there been any intention to do that, then I would</td>
</tr>
<tr>
<td>42</td>
<td>have expected somebody would have told me, yes. But</td>
</tr>
<tr>
<td>43</td>
<td>that wasn't the case.</td>
</tr>
<tr>
<td>44</td>
<td>Q. So looking at this logically, of course, you can't prove</td>
</tr>
<tr>
<td>45</td>
<td>a negative. What you can say, in the light of your last</td>
</tr>
<tr>
<td>46</td>
<td>answer, is that any off-the-record briefing -- and you</td>
</tr>
<tr>
<td>47</td>
<td>deny that any such occurred -- would have been</td>
</tr>
<tr>
<td>48</td>
<td>unauthorised?</td>
</tr>
<tr>
<td>49</td>
<td>A. Absolutely, yes.</td>
</tr>
<tr>
<td>50</td>
<td>Q. You do say in the last sentence of paragraph 16 that no</td>
</tr>
<tr>
<td>51</td>
<td>individual briefings were given until after the trial.</td>
</tr>
<tr>
<td>52</td>
<td>A. That's correct, yes.</td>
</tr>
<tr>
<td>53</td>
<td>Q. Why was that?</td>
</tr>
<tr>
<td>54</td>
<td>A. We had requests before the trial for pre-trial briefings</td>
</tr>
<tr>
<td>55</td>
<td>from the media. I discussed it with my corporate</td>
</tr>
<tr>
<td>56</td>
<td>communications department and my decision was that we</td>
</tr>
<tr>
<td>57</td>
<td>weren't going to hold any pre-trial briefings. There</td>
</tr>
<tr>
<td>58</td>
<td>were a number of reasons for that decision. I think the</td>
</tr>
<tr>
<td>59</td>
<td>experience of the investigation itself had left</td>
</tr>
<tr>
<td>60</td>
<td>a lasting impression on me in terms of the media, but</td>
</tr>
<tr>
<td>61</td>
<td>I think more importantly there were certain aspects in</td>
</tr>
<tr>
<td>62</td>
<td>that particular case which were subject of bad character</td>
</tr>
<tr>
<td>63</td>
<td>applications during the trial, which -- involving some</td>
</tr>
<tr>
<td>64</td>
<td>material, adult pornography material on the defendant's</td>
</tr>
<tr>
<td>65</td>
<td>computer which I didn't want to release to the media</td>
</tr>
<tr>
<td>66</td>
<td>prior to the trial because I couldn't take the risk of</td>
</tr>
<tr>
<td>67</td>
<td>any of that leaking into the public domain. It would</td>
</tr>
<tr>
<td>68</td>
<td>clearly be prejudicial, which was proved in court</td>
</tr>
</tbody>
</table>
| 69 | because the bad character applications weren't
successful. There was a court order in relation to
those during the trial, but that court order was lifted
upon verdict and I think the reaction from the media in
terms of, firstly, the verdict, then obviously moving
onto that aspect of the investigation, was quite clear.
So it was a very interesting, newsworthy item and I felt
that it was important that we held back on that.
So of course after the trial, then that afforded us
the opportunity of having, you know, those meetings or
briefings.

LORD JUSTICE LEVESON: It's always a problem, isn't it,
because the press will want the full story after the
verdict, and as I understand it, are perfectly prepared
to prepare a story and bin it if the verdict does not go
that particular way, and that's understood. But the
problem is the extent to which you allow information to
be known prior to verdict which might impact on a jury
during the course of the case if it enters the public
domain.

A. Absolutely.

LORD JUSTICE LEVESON: And that's the point you're making --

A. Yes.

LORD JUSTICE LEVESON: -- about the pornographic material.
A. Yes. I felt, during the investigation, we had -- you
know, I had a real grip around the disclosure of

MR JAY: The point you might make is the fact that some
particularly explosive and prejudicial information did
not leak from your force -- and you can prove that
conclusively -- may be an indication that other bits of
information didn't leak either.
A. Exactly, sir, yes.

Q. It wouldn't necessarily follow, but it's an indication.
Can I ask you, please, about the second sentence of
paragraph 18. You explain it was of paramount
importance for you and the investigation team to
maintain the integrity of the investigation so you could
achieve justice. How did you go about achieving that as
best you could, Mr Jones?
A. Sorry, with regard to the integrity?
Q. Yes.
A. Just reiterating, really, with staff during briefings
around confidentiality. We did have some concerns early
on, but we ensured that staff were aware of
confidentiality and I think also, as the investigation
progressed, when there was sensitive information, we

ensured that it was kept to a very small number of
people within the investigation, so it wasn't widely and
publicly known within the investigation itself, which
I felt was really important.
Q. Can I ask you about the last sentence of paragraph 18
where you say:
"In some cases, we were aware that members of the
public we were speaking to had also been contacted by
journalists either prior to or after our visit."
So was the source of that awareness what you were
told by members of the public?
A. Yes. It -- there were -- for example, in Canynge Road
itself, we were aware that there were residents that we
would visit as part of our enquiries who had already
been visited by journalists or they were attending the
address when we were. I think a really good example of
this was Rebecca Scott, who was Joanna Yeates' best
friend. She received -- she contacted us because she
had received over 160 telephone calls and text messages
from the media, and in fact the media were camped
outside her home address and Hampshire Police had
intervened because they were threatening to arrest some
of the media for harassment.

So that gives you an -- you know, a good indication
of some of the targeting that was going on by the media

in terms of -- in terms of witnesses and generally
members of the public.
Q. Did you receive information that any members of the
public were paid by journalists for information they
gave?
A. There was an indication that I'm aware of that there
were some -- certainly some residents in Canynge Road
that may have received money from the media.

LORD JUSTICE LEVESON: When you say "indication", is there
any evidence of that? I ask because there's clear
material in the press code of ethics about paying
witnesses, and it's a matter which I personally have
been involved in for more years than I care to think
about. Is there any evidence of that?
A. Perhaps I could clarify that, sir. Yes, there was
evidence, yes. But what I will say is not evidence --
they were not witnesses in the trial.

LORD JUSTICE LEVESON: But who was to know that?
A. That's right, sir.
MR JAY: Are you referring to members of the public who
lived near by?
A. Yes, sir.
Q. Okay. In paragraph 20 of your statement, Mr Jones,
bottom of page 10581, you deal with the steps you took
when Mr Jefferies was arrested, which was on

23 (Pages 89 to 92)
| Q. | Q. To be clear about this, on 2 January, corporate communications department contacted you because they had received an enquiry from the Daily Mail regarding low copy DNA allegedly having been found on Joanna Yeates' body; is that right? |
| A. | That's correct, sir, yes. |

| Q. | So that immediately rang warning bells in your mind that this might be a leak; is that right? |
| A. | That's right, sir, yes. |

| Q. | And then you took appropriate steps. Can we be clear about the Daily Mail's story? Was there low copy DNA found on her body? |
| A. | There was, sir, yes. |

| Q. | So the enquiry was, as it were, not a piece of wild speculation; it was based on fact, wasn't it? |
| A. | Yes, sir. I mean, my reaction when I was told -- and I said in my statement it was a feeling of deflation that that information was known outside of the investigation. |

| Q. | Who knew on or before 2 January 2011 that low copy DNA had been found on her body? |
| A. | Precisely within the investigation, I can't recollect, but there would have been other agencies involved in the actual forensic process that would have been aware also. |

| Q. | And then you took appropriate steps. Can we be clear about the Daily Mail's story? Was there low copy DNA found on her body? |
| A. | There was, sir, yes. |

| Q. | So the enquiry was, as it were, not a piece of wild speculation; it was based on fact, wasn't it? |
| A. | Yes, sir. I mean, my reaction when I was told -- and I said in my statement it was a feeling of deflation that that information was known outside of the investigation. |

| Q. | Who knew on or before 2 January 2011 that low copy DNA had been found on her body? |
| A. | Precisely within the investigation, I can't recollect, but there would have been other agencies involved in the actual forensic process that would have been aware also. |

| Q. | To be clear about this, on 2 January, corporate communications department contacted you because they had received an enquiry from the Daily Mail regarding low copy DNA allegedly having been found on Joanna Yeates' body; is that right? |
| A. | That's correct, sir, yes. |

| Q. | So that immediately rang warning bells in your mind that this might be a leak; is that right? |
| A. | That's right, sir, yes. |

| Q. | And then you took appropriate steps. Can we be clear about the Daily Mail's story? Was there low copy DNA found on her body? |
| A. | There was, sir, yes. |

| Q. | So the enquiry was, as it were, not a piece of wild speculation; it was based on fact, wasn't it? |
| A. | Yes, sir. I mean, my reaction when I was told -- and I said in my statement it was a feeling of deflation that that information was known outside of the investigation. |

| Q. | Who knew on or before 2 January 2011 that low copy DNA had been found on her body? |
| A. | Precisely within the investigation, I can't recollect, but there would have been other agencies involved in the actual forensic process that would have been aware also. |

| Q. | And then you took appropriate steps. Can we be clear about the Daily Mail's story? Was there low copy DNA found on her body? |
| A. | There was, sir, yes. |

| Q. | So the enquiry was, as it were, not a piece of wild speculation; it was based on fact, wasn't it? |
| A. | Yes, sir. I mean, my reaction when I was told -- and I said in my statement it was a feeling of deflation that that information was known outside of the investigation. |

| Q. | Who knew on or before 2 January 2011 that low copy DNA had been found on her body? |
| A. | Precisely within the investigation, I can't recollect, but there would have been other agencies involved in the actual forensic process that would have been aware also. |

| Q. | And then you took appropriate steps. Can we be clear about the Daily Mail's story? Was there low copy DNA found on her body? |
| A. | There was, sir, yes. |

| Q. | So the enquiry was, as it were, not a piece of wild speculation; it was based on fact, wasn't it? |
| A. | Yes, sir. I mean, my reaction when I was told -- and I said in my statement it was a feeling of deflation that that information was known outside of the investigation. |

| Q. | Who knew on or before 2 January 2011 that low copy DNA had been found on her body? |
| A. | Precisely within the investigation, I can't recollect, but there would have been other agencies involved in the actual forensic process that would have been aware also. |
1. a Daily Mail journalist to our corporate communications department around the nature of a story that they intended to release. We initially considered what legal options we could take to prevent that being publicised.

2. The corporate communications department and not myself then undertook negotiations with the journalists and the paper themselves, so I had no involvement in that. And then obviously they published this story accordingly.

3. Q. Did you have any involvement of negotiations, although they were unsuccessful ones, with the Sun newspaper regarding other information?

4. A. No, I didn't, sir, no.

5. Q. The ramifications of this are clear in terms of damage to morale and potential to destroy trust. You refer to that in paragraph 26 and really the points are entirely obvious and understood, Mr Jones?

6. A. Yes, sir.

7. Q. Can I deal with another series of questions which I've been asked to put to you. I gave the chronology to Mr Port. Vincent Tabak was arrested on 20 January, I believe. He was charged to 22 January, yet Mr Jefferies wasn't released from police bail until 4 March. Mr Jefferies gave evidence about that when he returned to the Inquiry at the end of February. Why was there such a delay?

8. A. Okay. When Vincent Tabak was interviewed, he gave "no comment" in interview. It was only a very small area around a mobile phone which he was willing to talk about. One of the topics in that interview concerned Mr Jefferies, to which he declined -- he again made no comment. Mr Jefferies was still a suspect in the investigation. There was still ongoing forensic examination work which was being undertaken. In particular, there were a pair of trainers which we found in Mr Jefferies' house which were hidden underneath a kitchen unit behind a kickboard. Those trainers had some -- had a blood spot on them. That was initially analysed and because of a sensitive forensic technique which they had to use, eventually a DNA profile was found and Mr Jefferies could be eliminated. So when the forensic lines of inquiry were completed, he was fully eliminated from the investigation, which is when he was released from his bail without charge.

9. Q. When he was released from his bail, why didn't you make it crystal clear that there was no evidence against him?

10. A. My recollection of when we released him from his bail, he was notified immediately and then I believe there was a media or press release that was circulated from our corporate communications department saying that -- and bear in mind that we'd never confirmed his name or didn't confirm his name until after the Vincent Tabak trial -- that said, "The 65-year-old man has been released without charge", but I can't remember the exact words that we used.

11. Q. The question which I've been asked to put to you is that given what you knew about the vilification that Mr Jefferies had received in the press -- which, of course, you weren't responsible for, but you knew that it had taken place -- 31 December and 1 January in particular, but there were plenty of really egregious examples in that period -- why didn't you make it clearer that there was no evidence against him on 4 March? In other words, it wouldn't be a question simply of saying no charges were being brought against him, but that there was no evidence against him. Do you see the distinction?

12. A. I do, and I understand that, sir. In hindsight, yes, we probably could have released more information, but the most important information to release was that he was no longer a suspect in the investigation and that he'd been released without charge.

13. Q. Okay. As I said at the outset, there may be proceedings which Mr Jefferies will bring resulting out of that, so you've probably gone as far as you wish to go, Mr Jones.

14. A. Yes, sir.
was going to be published.

It's really important that we maintain that trust and confidence with the family, and thankfully we achieved that with this investigation, but it does put a strain upon that relationship. Certainly that's the lessons -- some of the lessons that were learnt, anyway, in terms of the media, sir.

Q. This was against the backdrop of an already highly pressurised investigation. It attracted national, it not international, interest and as every day passed without killer, as it were, apprehended, the pressure increased on you?

A. It did. It was an unrelenting media interest from the point that Joanna was reported missing, but I think the important point to make is that the support that I got from my corporate communications department and indeed from the Gold Group -- because they basically took the brunt of the media demands, allowing me to focus and concentrate on the investigation and ultimately finding the killer and ultimately convicting them. So that was my objective and that was made clear to me and they did an awful lot to protect me and allowed me to focus on that and not get distracted. And I think that's really important.

LORD JUSTICE LEVESON: The Gold Group is a senior officer

not involved in the inquiry but who, as it were, could take off these side issues?

A. The Gold Group, sir, was comprised of the Chief Constable, the gold commander was the Assistant Chief Constable for Protective Services, and the head of corporate communications, and they would meet daily. So they had an overview of the media interest and they were able to manage and deal with that, allowing me to concentrate on the investigation.

MR JAY: Thank you, Mr Jones. Those were all my questions.

LORD JUSTICE LEVESON: Mr Jones, thank you very much indeed.

A. Thank you.

LORD JUSTICE LEVESON: That's probably a convenient moment. 2 o'clock. Thank you.

(12.58 pm)

(The luncheon adjournment)
Merrill Corporation
(+44) 207 404 1400
www.merrillcorp/mls.com
8th Floor 165 Fleet Street
London EC4A 2DY

Day 56 - AM
Leveson Inquiry
27 March 2012

Page 103
Day 56 - AM Leveson Inquiry

27 March 2012

Page 108

[Black text]

[Red text]

Blue text
Day 56 - AM Leveson Inquiry 27 March 2012

Page 109
Day 56 - AM
Leveson Inquiry
27 March 2012

Page 110

R

Rachel 37:3
gate 48:22
raise 19:6
raised 62:24
ramifications 97:13
ran 50:21
random 42:13
rang 95:7
rank 81:22
rapist 22:10
rare 56:19
rate 58:4
rationalise 49:1
reach 37:10
reacted 11:19
reacting 45:4
reaction 5:18
89:3 95:16
read 38:2 68:25
readily 59:3
reading 8:22
15:8
real 45:9 78:25
89:25
realised 16:20
realistically 42:21
reality 13:17,24
45:9,14
really 15:22 16:3
25:14 30:9
33:19 64:4
65:18 67:2
85:2,6 83:14
90:1,12 91:4
91:16 97:15
99:10 101:2,23
reason 27:5
42:18,20 51:24
58:13,22
reasoning 27:1
reasons 13:8
47:22 53:9
88:14
reassurance 84:23
reassure 50:3
58:13 82:16
Rebecca 91:17
recall 70:5
receipt 75:24,25
received 42:10
r 23
received 28:22
36:11 61:19
85:6 91:18,19
92:8 95:3 96:1
96:24 97:9
receiving 8:25
52:5
recognise 83:3
recognises 79:10
recollect 70:9
95:22
28 84:7
29 30:24 60:6
69:10,24

3
3 48:20
3,000 85:6
3,500 5:5
30 67:15 68:3
72:9 73:6 93:1
31 32:9 55:5
70:16 71:13
72:4 99:9
33 56:15 74:2
34 36:17,22
44:21
35 5:7 57:19
350 5:6
37 77:2

4
4 49:1 55:23 63:5
74:11 76:8
94:10,21 97:23
99:13
4th 62:18,20
49 5:6
42 60:6,15
44 93:9
45,000 76:17

5
5 1:25 63:10
67:10 86:18
52 56:8
57 74:2

6
6 2:14
6,000 60:9
65-year-old
68:19 99:2
65-year-olds
68:21
69 78:19

7
7 39:11 51:19
62:1 69:1
71 39:12

8
8 8:22 64:20
87 43:24
88 44:20

9
9 63:9 84:17
90 30:18
95 30:18