

<p>1 2 (2.00 pm) 3 MR JAY: We're now on paragraph 25.1 of your statement, our 4 page 05371, where you explain that you did accept 5 invitations from individual organisations working in the 6 media but this was infrequent, and then you refer us to 7 the register of gifts and hospitality which is on the 8 website and which I have had a look at, but I haven't 9 looked at all relevant entries which might pertain to 10 you. 11 Unless I've misunderstood it, I think there was 12 a dinner with the editor of the News of the World on 13 10 January 2007. Do you recall that? 14 A. Yes, I do. 15 Q. That was probably Mr Coulson. Was that in London or in 16 Belfast? 17 A. That was in London, it was in response to a request by 18 the local editor who was actually Southern Ireland 19 based, Dublin based, if I would meet to explain what was 20 going on in Northern Ireland, and I agreed to do when 21 I was next in London, and it was a convenient way of 22 doing it. 23 Q. So this covered the sort of issues you were telling us 24 about just before lunch? 25 A. Yes it was very much about the telling the story of</p> <p style="text-align: center;">Page 1</p>	<p>1 question 34, page 05374. The policy is that requests 2 for interviews be recorded and the appropriate officer 3 or member of staff with the right knowledge and training 4 be the person who's put forward as it were for the 5 interview. Does this cover any officer, regardless of 6 rank, provided they can speak with the right authority 7 on a subject? 8 A. Yes, it was not rank specific, it was giving authority 9 to the officers -- certainly at the front end, my 10 experience was very much that front line officers 11 explaining what they were doing was a very powerful way 12 of reassuring the public about what was going on in 13 their local communities and there remained huge interest 14 in policing in Northern Ireland. Every town had at 15 least two newspapers, and it was important that message 16 was got across at every level, so it was not rank 17 specific. They were encouraged to speak to the press 18 office certainly if they had time to do so in 19 pre-planned events so they get proper advice and 20 guidance. 21 Q. You refer to the PSNI's media policy, which we have 22 under our tab 26 or starts at page 05327. I'm not quite 23 sure we have the date for this, but it's certainly 24 during your time. This sets out helpfully the 25 principles which should apply.</p> <p style="text-align: center;">Page 3</p>
<p>1 policing in Northern Ireland, where we'd got to. One of 2 the things that struck me when I went to Northern 3 Ireland was the general lack of interest in matters 4 concerning the province from the national media despite 5 the fact that the threat was increasing at certain 6 times, despite the fact that lots of good and 7 interesting things were going on. It seemed to be very 8 much seen as a problem that was now solved and the media 9 would step back. Indeed many had taken their reporters 10 away from the province altogether which is why it was 11 important to keep the profile of what was going on 12 reasonably high. 13 Q. Did that generate any stories in the News of the World 14 to your knowledge? 15 A. No, not to my knowledge. 16 Q. Your statement in section 31, page 05372, deals with the 17 interface with politicians, which obviously in Northern 18 Ireland will have a particular import, if I can describe 19 it in those terms. And you describe a good high profile 20 example which followed the murder of Constable 21 Stephen Carroll, which I think you did mention before 22 lunch. That was in March 2009, I believe you told us? 23 A. (Nods head) 24 Q. The tripartite approach which was obviously to 25 everyone's benefit. Can I ask you please to turn now to</p> <p style="text-align: center;">Page 2</p>	<p>1 LORD JUSTICE LEVESON: I think it's probably in August 2007. 2 MR JAY: Yes. You've spotted the very fine print. Thank 3 you. 4 Can I just deal with a couple of points. First of 5 all on page 05335, on the internal numbering it's 6 page 6, this has been printed out in a slightly bizarre 7 way because I think it sort of folds over and therefore 8 the pagination goes awry, but I think we can understand 9 how it follows. The top of the page: 10 "Naming/identification of suspects or arrested 11 persons. The Police Service does not name or confirm 12 the identity of suspects or arrested persons." 13 Is it or was it policy that you would give the age 14 and gender of the suspect or would you not even go that 15 far? 16 A. No, it would certainly be the case that some indication 17 of the nature of the individual arrested would be given 18 if it was appropriate, but the general operating 19 principle in what is accepted to be a difficult area was 20 we wouldn't release that information. Indeed, even if 21 one was looking at road traffic accidents, for example, 22 where the families -- the victims' families were 23 unwilling to have the person named, we would do our best 24 to respect the victims' families' wishes if it was 25 possible.</p> <p style="text-align: center;">Page 4</p>

<p>1 Q. Thank you. And positive stories we can see at the 2 bottom of the matching page, the importance of promoting 3 the positive work of the police service staff, and you 4 say: 5 "Journalists do want to hear about unusual, 6 imaginative and pioneering projects." 7 You're referring there presumably to the press in 8 Northern Ireland? 9 A. Yes. My sense was there was far greater interest in the 10 positive side of policing from local media, and of 11 course because of the level of -- number of publications 12 in Northern Ireland, and the sheer enthusiasm to get 13 something to fill the pages, there was in my judgment 14 a very positive relationship between local media, local 15 police and the central PSNI press office, and it was 16 a good way of getting our message across. 17 Q. The last point which arises on this is at 05341, top of 18 the page: "When to contact the press office." On the 19 internal numbering it's page 17 if you have it as 20 a booklet, Sir Hugh. It states this: 21 "The policy is that all contact with the media must 22 be co-ordinated through the Department of Media and 23 Public Relations and, if contacted by media, every 24 member of staff should decline to comment until they 25 have referred the matter to [that department]." Page 5</p>	<p>1 in their station to talk about local policing without 2 going through this. 3 A. Yes, I'd agree with that, sir, and I think that is 4 probably slightly tighter -- drawn more tightly than my 5 memory -- albeit of course I signed this -- my memory of 6 the reality of what went on. Of course we did have 7 media officers based at a regional level, so it wasn't 8 all at head office, the regional -- and my colleague 9 Matt Baggott is in the room and can update you on the 10 current state of play, he's probably put this right. 11 But in terms of there were regional officers who were 12 readily available to speak to individuals, so I think in 13 the routine, I'm not against a fairly tight policy, but 14 officers as they deal with events need to be competent 15 and confident that they'll be supported by senior 16 management if they do the right thing, because 17 a reporter is there and it's better to engage than 18 disengage. 19 LORD JUSTICE LEVESON: It looks very defensive if you're 20 asked about a burglary that you know has just taken 21 place, "Sorry, I can't possibly speak to you until I've 22 spoken back to ..." whether it's regional or -- 23 A. Yes, I'd agree with that. 24 MR JAY: When one looks at paragraph 44.1 of your statement 25 at 05376, it might be implicit in that that the Page 7</p>
<p>1 So it's quite prescriptive and I suppose 2 proscriptive. What was the thinking behind that? 3 A. My sense is that sort of perhaps is overprescriptive to 4 the reality of what sometimes happens almost by 5 definition when a front line officer was confronted by 6 a journalist who had responded very quickly to the scene 7 of an event, and I can certainly remember watching 8 matters unfold in my office where officers did a very 9 good immediate response, and then no doubt as the thing 10 escalated, if it did, they would revert to the strategy. 11 So I think that looks slightly more stark than the 12 reality that was reflected in the simple practicalities 13 of dealing with that at an immediate event. But the 14 reason -- in the routine we make sure the individual had 15 the right support to deliver the right message and it 16 was recorded in keeping with most policies on the 17 database that we have or we had in Northern Ireland like 18 other forces do in the UK. 19 LORD JUSTICE LEVESON: This is rather more than probably 20 happens in the UK, or that which officers have spoken 21 about, because in relation to strategy by all means, but 22 in relation to questions, for example, about local 23 community policing, the sense I've got from a number of 24 your chief constable colleagues is that they'd be very 25 keen to encourage local bobbies on the beat or sergeants Page 6</p>	<p>1 strictures of the section of the policy which we've just 2 looked at couldn't have been followed in practice. You 3 say: 4 "In my view the policies and procedures that were in 5 place work well. It was important that contact and 6 communication with the media was supported without being 7 overly bureaucratic." 8 That's the general message you're seeking to impart 9 to us, isn't it? 10 A. Indeed. 11 Q. "It was also very important that subject to the 12 guidelines officers felt empowered to step up and tell 13 our story." 14 Do you have a view more generally about the possible 15 chilling effect of requiring contact with journalists to 16 be recorded? 17 A. Yes, I do. I think it is inevitable in the short term 18 that it will become -- journalists may find it more 19 difficult as we become perhaps too defensive as perhaps 20 a slight overreaction to things -- events that have gone 21 on recently, and I think we need to guard against that 22 and maintain a -- as I've said, a professional 23 relationship with journalists and be very clear in our 24 mind why we're having a conversation, be it background 25 or more formal. Page 8</p>

<p>1 I am not against writing -- making a note of 2 a meeting with a journalist so there's some paper 3 record. I think in a way it's more -- I think you're 4 right, sir, I think officers who wish to behave badly 5 will of course not make a note, but that may be the 6 value of officers behaving correctly making one, because 7 it gives a place for an explanation to be required of 8 someone who is perhaps found to be not complying with 9 the policy, but I don't want to -- I would not want to 10 become overbureaucratic. I think we do have to be 11 confident in our own skins that we can maintain 12 professional relationships with journalists and not 13 impugn our integrity without having to write chapter and 14 verse down of what we do. I think it also in the 15 routine of our working day would stilt a conversation. 16 LORD JUSTICE LEVESON: I think it's very important that the 17 culture is correctly set. I have a very clear 18 recollection of being warned against plasticised pieces 19 of instruction that young officers would require 20 a little truck to carry about because of their 21 complexity and size. But if it's of any assistance to 22 you and your chief constable colleagues, I would be very 23 keen that you did not overcorrect but that you did not 24 minimise the impact of all that you've heard. 25 Finding the correct line is critically important and</p> <p style="text-align: center;">Page 9</p>	<p>1 as to what is common sense. 2 A. I would agree entirely with that. I think it's exactly 3 the approach my sense is that my chief officer 4 colleagues are keen to promulgate. It is a vital 5 relationship but in a way my experience in Northern 6 Ireland certainly was the most powerful stories were not 7 what I was saying, frankly; it was what the police 8 officer was saying about how he or she had protected his 9 or her community, and that then builds up. 10 MR JAY: You mentioned earlier, before our lunch, article 3 11 of the PSNI code of ethics. The general principle here 12 is safeguard rights to privacy and family life contained 13 in Article 8 of the Convention, maintain the 14 confidentiality of information, then under 3.4, we can 15 see this, the second sentence: 16 "They [police officers] shall comply with Police 17 Service policy governing contact with the media." 18 Which I suppose is in part bringing in Article 10, 19 freedom of speech considerations, but balanced always 20 against the need to maintain the confidentiality of 21 information they receive during the course of an 22 execution of their duty. That's broadly speaking the 23 point, isn't it? 24 A. Indeed, yes. 25 Q. Thank you. Your impression, finally, of the culture</p> <p style="text-align: center;">Page 11</p>
<p>1 in the same way that I've said to journalists, editors 2 in relation to the Press Complaints Commission, I say to 3 you and your colleagues you are in the best position to 4 know what will work for the Police Service, and provided 5 you bear in mind that I'm keeping an eye on it, on what 6 I believe is right for the public, and you are aware of 7 that, then I'd be only too pleased to be able to endorse 8 an approach rather than ask you to tear it up and start 9 again. 10 A. Thank you. That's very helpful and I do think the draft 11 guidelines, if one combines that with the work 12 undertaken by Adrian Lee, a set of principles, I think 13 that's the direction in which we should properly go. 14 It may well be that we are keen to make a short note 15 now as a minimum report writing rather than maximum 16 report writing. 17 LORD JUSTICE LEVESON: Provided you also make it clear that 18 it is indeed the duty of officers to engage in areas of 19 which they have familiarity. It's not to comment across 20 the piece, but if you are the local neighbourhood PC 21 that's dealing with an area and a local newspaper wants 22 to talk about that area, you are the right person to 23 speak, so it's a question of -- actually, it's 24 a question of common sense as much as anything else, but 25 it's easy to say that, then different people will differ</p> <p style="text-align: center;">Page 10</p>	<p>1 within the PSNI when you left service in 2009, this is 2 62.1 of page 05382, well, maybe in your own words now, 3 how would you characterise that and perhaps compare it 4 with what it was in 2002? 5 A. My sense was it had moved on hugely during that time. 6 We certainly -- and I think the -- much of the credit 7 for that firstly goes to Lord Patten's report because it 8 certainly gave us that permission and me the authority 9 to drive the organisation in a certain direction. Also 10 I think a very professional head -- department of media, 11 and I had three different heads of media, all of whom 12 were extremely competent, I think supported that and 13 gave officers the confidence to speak and be supported 14 as they spoke, but I think the story in a way speaks 15 very much for itself, and I do touch on it here; 16 culturally, for very understandable reasons, officers 17 being identified as police officers in 2002 were still 18 very tricky and therefore understandably many were 19 reticent about speaking to the media. 20 By 2009 it was routine for officers of all ranks to 21 quite happily stand up in front of a camera, be it at 22 a local level or a national level, and deliver the right 23 messages around whatever it was they were dealing with. 24 I think that in a way was a visible exhibition of how 25 confident they now were. And I think all credit</p> <p style="text-align: center;">Page 12</p>

<p>1 certainly to the front line officers who were prepared 2 to do that. 3 At a senior level it was an obligation. I would not 4 appoint someone to be head of the region or head of 5 a district command if they were not prepared to stand up 6 and very much tell the story of policing in their area. 7 That was very much a consideration on, for example, 8 promotion boards, but at the local level officers were 9 prepared to grab the mettle -- not all of them, but 10 sufficient without question to tell the story. 11 Q. Finally you say in 62.3, the third line, I'll read this 12 out: 13 "For me the essential principle is that whilst we 14 had an obligation to inform and provide information in 15 the spirit of openness and transparency, we should never 16 allow ourselves to become vulnerable to an allegation 17 that we attempted to improperly shape or distort the 18 story." 19 It may have worked the other way round, that the 20 allegation or perception should never be that the 21 journalist should influence what you were doing? 22 A. Yes, I would agree with that but I think the point where 23 the line is absolutely drawn, I see it as a positive 24 obligation on the service to inform the media and 25 without question includes background briefings to set</p> <p style="text-align: center;">Page 13</p>	<p>1 Home Office as a senior press officer in 2004. 2 May I ask you this general question in terms of 3 being a press officer: you've worked for government, you 4 now work in the police; are there some themes in common 5 which you could help us with or are there any 6 significant differences? 7 A. I don't -- I can't think of any significant differences. 8 I think the context of working within the Police Service 9 is perhaps slightly different in that it's one step 10 closer to delivery and further away from policy, which 11 is obviously where government is, but broadly speaking 12 I think the principles are the same. 13 Q. Although in terms of ACPO, you're pretty close to high 14 policy and strategy, of course ACPO delivers as well, 15 but you're more at that end than on the operational end, 16 aren't you? 17 A. That's correct, yes. 18 Q. Can I ask you about the team which you lead. You cover 19 this in your statement, but I think the staff is small, 20 there's six of you at the moment; is that right? 21 A. That's correct. 22 Q. And your role is obviously to support and provide 23 communications advice to all 340 chief officers who 24 comprise ACPO and the various business groups we heard 25 mention of. There are 14 of those, I understand; is</p> <p style="text-align: center;">Page 15</p>
<p>1 the context. What the journalist chooses to write is 2 absolutely their responsibility and I think one must be 3 very careful not to try and shape what they write. Our 4 obligation is to provide the information so they can 5 write a story informed by the service and, of course, 6 anyone else they choose to speak to. 7 MR JAY: Thank you very much, Sir Hugh. 8 LORD JUSTICE LEVESON: Sir Hugh, thank you very much. 9 MR JAY: Sir, the next witness is Mr Cattermole. 10 MR OLIVER DAVID CATTERMOLE (sworn) 11 Questions by MR JAY 12 MR JAY: Your full name, please? 13 A. My name is Oliver David Cattermole. 14 Q. You provided us with a witness statement which is under 15 our tab 31. It's dated 5 March 2012. Is this your 16 formal evidence to the Inquiry, Mr Cattermole? 17 A. It is. 18 Q. Thank you. In terms of who you are, you're currently 19 Director of Communications at ACPO and you have been 20 since November 2007; is that right? 21 A. It is. 22 Q. Before then you had a career in journalism and then as 23 a press officer in government, first of all what was 24 then the Ministry of Agriculture, Fisheries and Food, 25 which of course became DEFRA, and then you joined the</p> <p style="text-align: center;">Page 14</p>	<p>1 that correct? 2 A. That's correct. 3 Q. Can you assist at all, we've heard something about this 4 already, the difference between what ACPO does in terms 5 of national policy in relation to the media and the 6 difference between that and what local forces do? Can 7 you throw any further light on that, please? 8 A. Yes. I think Chief Constable Trotter described it very 9 well. Local forces deal with the operational policing 10 within their geographic areas. The role of ACPO is to 11 deal with issues that go on above a force level that 12 concern more than one force or concern the Police 13 Service as a whole, and it's in that respect that my 14 team supports police officers in respect of their 15 national roles. 16 Q. Thank you. To what extent -- I know you cover this in 17 section 4 -- does the press office put out information 18 on behalf of ACPO and to what extent are you the means 19 of introducing the journalist to the chief officer who 20 will speak on behalf of ACPO? 21 A. I think it really depends upon the occasion. I mean 22 chief constables will clearly deal with the local media 23 and sometimes the national media in the context of 24 leading their particular force. Where my office becomes 25 involved is when we are dealing with an issue that</p> <p style="text-align: center;">Page 16</p>

1 **concerns the Police Service as a whole, be that a sort**
 2 **of policing operational issue or a matter of crime**
 3 **reduction. It's in that context. Perhaps if the**
 4 **government is producing a new policy on a matter or**
 5 **perhaps there's an incident that takes place which**
 6 **concerns policing in the round, that's when we will be**
 7 **involved.**
 8 LORD JUSTICE LEVESON: Or presumably if there is the need
 9 for co-ordinated police activity across a number of
 10 forces?
 11 **A. Yes, that's correct.**
 12 MR JAY: Paragraph 6.1, please, page 11032. You say your
 13 impression of the culture with ACPO in relation to
 14 dealings with the media is generally a positive one.
 15 Leadership tends to set the tone, you say. The tone of
 16 those relationships and dealings with the media will
 17 vary. It suggests there that dealings with the media
 18 are not always positive. Is that a fair understanding
 19 of the gist of what you're saying?
 20 **A. I think that's correct, yes. I think that there's**
 21 **inevitably a tension in the relationship and that's**
 22 **a product of the fact that the Police Service and the**
 23 **media share different objectives.**
 24 LORD JUSTICE LEVESON: Yes. You don't have this problem,
 25 because every single one of your constituent members

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1 being an ACPO-ranking officer, that is assistant
 2 commissioner or commander and above, is likely to have
 3 had experience of or exposure to media?
 4 **A. Yes. To a differing degree.**
 5 LORD JUSTICE LEVESON: Yes, obviously.
 6 **A. Yes.**
 7 MR JAY: I think flowing on from your previous answer, 7.2,
 8 at the top of page 11033, you say outside the routine
 9 you consider the portrayal of ACPO in the media has "on
 10 some occasions lacked accuracy and balance". Could you
 11 elaborate on that, please?
 12 **A. Yes. I think that the President gave you an example of**
 13 **that sort of set of circumstances when he was referring**
 14 **to the coverage of his uniform. I give another example**
 15 **here, I think, which concerns freedom of information,**
 16 **and ACPO has been criticised in the media at times**
 17 **because of the fact that it's not or until relatively**
 18 **recently it did not fall under freedom of information**
 19 **legislation. It does so now, but of course that was**
 20 **something the government needed to do. It was not**
 21 **something that ACPO could voluntarily make itself**
 22 **subject to the legislation.**
 23 Q. It was an amendment of the Act itself which brought ACPO
 24 within --
 25 **A. That's correct.**

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1 Q. -- the scope of the freedom of information legislation,
 2 thank you. Section 10 now, please, Mr Cattermole. This
 3 is the issue of prioritisation. 10.2 you say:
 4 "While all sections of media have the same right to
 5 information I consider it appropriate and necessary to
 6 prioritise between sections of the media on the basis of
 7 available resources."
 8 Could you tell us something about that, please?
 9 **A. Yes. I mean we've already -- you've already asked me**
 10 **about the size of the team that I lead, which numbers**
 11 **six, and I should clarify that those aren't six press**
 12 **officers, those are six people dealing with**
 13 **communications in the round, so they also deal with the**
 14 **website, they deal with internal communications, any**
 15 **marketing activity, and therefore capacity can be an**
 16 **issue at a time when a big media story is running.**
 17 **The point I'm making there is that while I think**
 18 **that the right of access to information is a general one**
 19 **that applies to national or local media or any form of**
 20 **media, capacity issues will mean that I may have to ask**
 21 **my press officers to take a judgment about how they**
 22 **prioritise their time and energy and, for example, if**
 23 **they are dealing with a national news outlet that is**
 24 **going to reach many thousands of people, then I would**
 25 **expect them to do that perhaps above a news outlet that**

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1 **is likely not to be creating the same sort of impact.**
 2 Q. So as a general -- an example you've given, you would be
 3 prioritising national news over local news, but
 4 presumably you wouldn't be differentiating between
 5 different sections of the national press, would you?
 6 **A. No.**
 7 Q. One of the by-products, perhaps, of the size of your
 8 team, 12.2 of your statement at 11036, journalists being
 9 dissatisfied with the provision of information through
 10 the press office, the dissatisfaction may manifest
 11 itself presumably in the speed at which information is
 12 provided to them, and also circumstances where you
 13 simply can't provide it for operational or other
 14 reasons; is that broadly speaking the position?
 15 **A. Broadly speaking that is the position. I mean I think**
 16 **that -- I'm sure I'll be corrected if I'm wrong in**
 17 **saying this, but broadly speaking I think that we are**
 18 **pretty effective and efficient in terms of providing**
 19 **information to the media. The occasions when there is**
 20 **dissatisfaction are more commonly when we are not able**
 21 **to provide a response, some of the reasons I set out in**
 22 **my statement, and perhaps because it might be more**
 23 **properly considered a matter for a local force rather**
 24 **than for ACPO, or perhaps another reason might be where**
 25 **we might decline to offer a view on a particular story**

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<p>1 because we would not want to stray into politics.</p> <p>2 Q. Does your office contain or have access to the sort of</p> <p>3 software we've heard about where contacts with the media</p> <p>4 can be logged?</p> <p>5 A. Yes, we do have access to that software, the same</p> <p>6 software in fact the British Transport Police have.</p> <p>7 Q. Yes. Do you have a view as to whether recording contact</p> <p>8 with journalists has a stifling effect or not?</p> <p>9 A. My general view is that it need not have a stifling</p> <p>10 effect, and I think that my office record contact as</p> <p>11 a matter of routine on the software that you've just</p> <p>12 mentioned. And I see no reason broadly speaking why</p> <p>13 that should be an issue.</p> <p>14 Q. How long has your office been doing that?</p> <p>15 A. I would have to check the exact date for you. I think</p> <p>16 that would probably be a couple of years since we</p> <p>17 invested in that product.</p> <p>18 Q. Thank you. In terms of hospitality, you explain in</p> <p>19 18.1, Mr Cattermole, our page 11039, you have very</p> <p>20 occasionally accepted a meal or coffee from a journalist</p> <p>21 in the context of a meeting to discuss work and then you</p> <p>22 say this is usually over a working lunch. So this would</p> <p>23 be, what, once every six months or so?</p> <p>24 A. It's broadly speaking around -- I mean, I checked this</p> <p>25 recently and in the four or so years that I've been in</p> <p style="text-align: center;">Page 21</p>	<p>1 during your time; is that right?</p> <p>2 A. That's correct.</p> <p>3 Q. May this be to do with the size of the office and the</p> <p>4 nature of ACPO's work or do you think there are any</p> <p>5 other reasons for that?</p> <p>6 A. I'd like to think that it's down to the professionalism</p> <p>7 of my team. I think that the size of the team is</p> <p>8 a factor, probably in that it would be -- it might</p> <p>9 perhaps be easier to tell if any of that practice went</p> <p>10 on. I mean, I think that generally speaking where leaks</p> <p>11 have been a factor for ACPO, as I described in my</p> <p>12 statement, it's more generally been very difficult to</p> <p>13 tell where that information may have come from and</p> <p>14 that's I think in part a product of being an</p> <p>15 organisation that's distributed across the country and</p> <p>16 therefore information is shared with a wide variety of</p> <p>17 people.</p> <p>18 Q. You make a comment or observation under question 42,</p> <p>19 which is 11047, where you say you'd like to see media</p> <p>20 organisations exercise more judgment about the way in</p> <p>21 which they employ police officers and staff who have</p> <p>22 left the service. What you're referring to there, on my</p> <p>23 interpretation of your evidence, is police officers who</p> <p>24 provide so-called expert assistance to newspapers and</p> <p>25 comment on high profile murder investigation or</p> <p style="text-align: center;">Page 23</p>
<p>1 my post, it's about 20 occasions.</p> <p>2 LORD JUSTICE LEVESON: I'm sorry, let me understand. Is</p> <p>3 that 20 occasions when you've had lunch with somebody or</p> <p>4 20 occasions when you've actually just gone out for</p> <p>5 a cup of coffee?</p> <p>6 A. It's 20 occasions when -- that I would categorise under</p> <p>7 the term hospitality, so that includes coffee or a meal.</p> <p>8 MR JAY: Most of those occasions would probably be coffee,</p> <p>9 wouldn't they?</p> <p>10 A. Yes, I would think so.</p> <p>11 Q. So the working lunch is presumably to meet the</p> <p>12 convenience of everybody, is it, with busy people?</p> <p>13 A. Yes, I think it's to meet the convenience of everybody,</p> <p>14 and it's perhaps just to provide an environment where</p> <p>15 you can take more time over a more detailed discussion</p> <p>16 to provide the kind of background that previous</p> <p>17 witnesses have discussed.</p> <p>18 Q. This is the background briefings which we've heard</p> <p>19 reference to, isn't it?</p> <p>20 A. Yes.</p> <p>21 Q. A lot of your statement I think we can take as read,</p> <p>22 Mr Cattermole, because you've answered the questions</p> <p>23 very clearly and fully. I do have a point on question</p> <p>24 33, page 11044. You're fairly clear about this, that</p> <p>25 leaks aren't a problem for your press office, at least</p> <p style="text-align: center;">Page 22</p>	<p>1 whatever, is that what you're driving at?</p> <p>2 A. That is what I'm driving at, yes. I think that in</p> <p>3 general terms where a police officer or an ex-police</p> <p>4 officer is commenting on a story and adding analysis,</p> <p>5 then that can be a good thing if it is contributing to</p> <p>6 the public's understanding of a particular issue.</p> <p>7 I suppose where I have concerns is that if that</p> <p>8 arrangement where a particular individual is providing</p> <p>9 analysis on a regular basis, you know, as part of the</p> <p>10 contractual arrangement, perhaps, then it might be quite</p> <p>11 difficult for that person then to decline to provide</p> <p>12 that analysis, even if it's a topic they've been invited</p> <p>13 to comment on, on which they may in fact not have</p> <p>14 a great deal of knowledge.</p> <p>15 A couple of examples came to mind where, for</p> <p>16 example, in the case of the Raoul Moat incident in</p> <p>17 Northumberland, it would be wrong to single out</p> <p>18 particular individuals but there were a number of</p> <p>19 comment pieces, some of them contributed doubtless by</p> <p>20 ex-police officers, which criticised the force for the</p> <p>21 amount of time it took to successfully carry out the</p> <p>22 manhunt that it did, and I think the point was made to</p> <p>23 me by senior police officers that an understanding of</p> <p>24 the geography during which that policing operation took</p> <p>25 place would have made it clear that carrying out that</p> <p style="text-align: center;">Page 24</p>

<p>1 manhunt was no easy task.</p> <p>2 Q. So it's a plea, really, for greater attention to detail</p> <p>3 in the commentator, because you wouldn't wish, no doubt,</p> <p>4 to interfere with the right of free speech of the</p> <p>5 newspaper or the person commenting within it, is that</p> <p>6 the position?</p> <p>7 LORD JUSTICE LEVESON: It's not a free speech issue, it's</p> <p>8 a professionalism issue, isn't it? That if you're going</p> <p>9 to enter the public domain on a topic, you should know</p> <p>10 what you're talking about. Is that it?</p> <p>11 A. That's exactly is, yes.</p> <p>12 MR JAY: Thank you. Can I deal with HMIC and</p> <p>13 Elizabeth Filkin. You cover this quite generally in</p> <p>14 your evidence starting at 45, page 11048. Are there any</p> <p>15 particular messages you wish to impart to us on those</p> <p>16 two reports?</p> <p>17 A. I think in terms of Elizabeth Filkin's report, I thought</p> <p>18 it was a bit of a shame, really, that the attention</p> <p>19 seemed to focus mainly on the practical guidance that</p> <p>20 Elizabeth Filkin attempted to offer and some of the more</p> <p>21 general points that she made about the importance of</p> <p>22 openness and a free flow of information between the</p> <p>23 police and the media didn't perhaps receive the</p> <p>24 attention that they deserved.</p> <p>25 I think my position is that within our policing</p> <p style="text-align: center;">Page 25</p>	<p>1 indeed.</p> <p>2 MS BOON: Sir, I wonder if now might be a convenient moment</p> <p>3 for a break and we could resume in five minutes.</p> <p>4 LORD JUSTICE LEVESON: If that's what you'd like, by all</p> <p>5 means. Five minutes.</p> <p>6 (2.43</p> <p>7 (A short break)</p> <p>8 MS BOON: Sir the next witnesses this afternoon are Chief</p> <p>9 Constable Matthew Baggott and Liz Young.</p> <p>10 LORD JUSTICE LEVESON: Thank you very much indeed.</p> <p>11 MR MATTHEW DAVID BAGGOTT (sworn)</p> <p>12 MS ELIZABETH YOUNG (affirmed)</p> <p>13 Questions by MS BOON</p> <p>14 MS BOON: Mr Baggott, first of all, please give your full</p> <p>15 name in.</p> <p>16 MR BAGGOTT: I am Matthew David Baggott.</p> <p>17 Q. You've provided a witness statement to the Inquiry. The</p> <p>18 copy I have is dated 20 January 2011 which I believe is</p> <p>19 an error. Should that be 2012?</p> <p>20 MR BAGGOTT: 2012.</p> <p>21 LORD JUSTICE LEVESON: It would have been quite remarkable</p> <p>22 if it was 2011.</p> <p>23 MS BOON: Indeed. Do you confirm the contents of that</p> <p>24 witness statement are true?</p> <p>25 MR BAGGOTT: I do.</p> <p style="text-align: center;">Page 27</p>
<p>1 model based upon consent that communications is an</p> <p>2 absolutely critical part of policing and I think she</p> <p>3 drew that out very well in her report.</p> <p>4 Q. So you're inviting us not to focus excessively on the</p> <p>5 last three or four pages of her report, to view it as</p> <p>6 a piece?</p> <p>7 A. I think so, yes.</p> <p>8 Q. Yes. I think you're generally supportive, reading your</p> <p>9 statement, of the HMIC report of December 2011; have</p> <p>10 I correctly understood that?</p> <p>11 A. Yes, I was generally supportive of it, and I think the</p> <p>12 issues around the public's expectation of what policies</p> <p>13 the Police Service should apply to these matters is</p> <p>14 right in that that report identifies very clearly that</p> <p>15 the public would expect consistency in the form of</p> <p>16 national standards. The difficulty or the tension, if</p> <p>17 you like, is that which has been described by Sir Hugh</p> <p>18 in terms of the emphasis on devolving decision-making to</p> <p>19 a local level, which is a quite prominent theme in</p> <p>20 policing at present, and therefore it's -- getting the</p> <p>21 balance right between local interpretation and local</p> <p>22 policies and national framework is sometimes difficult.</p> <p>23 MR JAY: Thank you very much, Mr Cattermole. Those are all</p> <p>24 the questions I have for you.</p> <p>25 LORD JUSTICE LEVESON: Mr Cattermole, thank you very much</p> <p style="text-align: center;">Page 26</p>	<p>1 Q. Does it comprise your formal evidence to the Inquiry?</p> <p>2 MR BAGGOTT: It does.</p> <p>3 Q. You are Chief Constable of the Police Service of</p> <p>4 Northern Ireland?</p> <p>5 A. That's correct.</p> <p>6 Q. You served with the Metropolitan Police Service between</p> <p>7 1977 and 1998 and you then served with the West Midlands</p> <p>8 Police between 1998 and 2002, where you held the ranks</p> <p>9 of Assistant Chief Constable and Deputy Chief Constable?</p> <p>10 MR BAGGOTT: That's correct.</p> <p>11 Q. As Deputy Chief Constable, you had particular</p> <p>12 responsibility for, among other things, professional</p> <p>13 standards, including corruption and press and public</p> <p>14 affairs?</p> <p>15 MR BAGGOTT: Yes, that's right.</p> <p>16 Q. You were Chief Constable of Leicestershire Constabulary</p> <p>17 between 2002 and 2009, and during that time you were</p> <p>18 commissioned to lead the review of policing on behalf of</p> <p>19 the Home Secretary?</p> <p>20 MR BAGGOTT: That's correct.</p> <p>21 Q. Also known as the Sir Ronnie Flanagan review?</p> <p>22 MR BAGGOTT: Yes.</p> <p>23 Q. In 2009 you were appointed Chief Constable of the PSNI?</p> <p>24 MR BAGGOTT: That's right.</p> <p>25 Q. Please give us an idea of the size of your force, how</p> <p style="text-align: center;">Page 28</p>

7 (Pages 25 to 28)

<p>1 many officers and employees you have?</p> <p>2 MR BAGGOTT: We have now around 7,200 police officers and</p> <p>3 around 2,000 support staff, with associate staff as</p> <p>4 well, so it's just under 10,000 strong.</p> <p>5 Q. Thank you. Ms Young, please give your full name.</p> <p>6 MS YOUNG: Liz Young.</p> <p>7 Q. You've also provided a witness statement to the Inquiry,</p> <p>8 dated 28 February 2012?</p> <p>9 MS YOUNG: That's correct.</p> <p>10 Q. And do you confirm the contents of that statement are</p> <p>11 true?</p> <p>12 MS YOUNG: I do.</p> <p>13 Q. And it's your formal evidence to the Inquiry?</p> <p>14 MS YOUNG: It is.</p> <p>15 Q. Since 2008, Ms Young, you've been Head of Corporate</p> <p>16 Communications?</p> <p>17 MS YOUNG: That's correct.</p> <p>18 Q. Between 2005 and 2008 you were Head of Corporate</p> <p>19 Communications for NI Water; is that correct?</p> <p>20 MS YOUNG: That's correct.</p> <p>21 Q. You explain in your statement that the press office sits</p> <p>22 within the PSNI corporate communications department.</p> <p>23 How large is that department?</p> <p>24 MS YOUNG: In total we have 26 and a half staff. 15 of</p> <p>25 those work either within the headquarters press desk or</p> <p style="text-align: center;">Page 29</p>	<p>1 relationships with the media, and recent survey data</p> <p>2 would indicate a general satisfaction of the service</p> <p>3 provided. However, the media will always want more</p> <p>4 information and more direct contact with operational</p> <p>5 officers and staff."</p> <p>6 I want to ask you about that survey. I believe,</p> <p>7 Ms Young, you're better placed to deal with that. What</p> <p>8 was the purpose of that survey and what information did</p> <p>9 you seek?</p> <p>10 MS YOUNG: Well, like most other police services, we were</p> <p>11 going through a period of having to reduce staff, we</p> <p>12 were looking at effectiveness within the department and</p> <p>13 we used our internal process, improvement, you know, to</p> <p>14 actually come into the department and look at the key</p> <p>15 functions. As part of that review, we asked our key</p> <p>16 customers, which were both internal, as in the</p> <p>17 organisation, and the media, a series of questions in</p> <p>18 relation to the service that we provided, our opening</p> <p>19 hours, accessibility out of hours, and that was really</p> <p>20 to define the levels of service that were both</p> <p>21 acceptable to the media and to the organisation as well.</p> <p>22 The feedback from that was extremely positive, apart</p> <p>23 from the fact of reduced opening hours, but it was also</p> <p>24 a two-way opportunity to explain to them that the data</p> <p>25 that we had didn't support the need to have people</p> <p style="text-align: center;">Page 31</p>
<p>1 within district in a press function.</p> <p>2 Q. At question 2 of your statement, page 10304, you state</p> <p>3 that the PSNI press office has responsibility for</p> <p>4 facilitating all media requests, provides</p> <p>5 a comprehensive, efficient and effective new service for</p> <p>6 the organisation and one of its key objectives is to</p> <p>7 build confidence amongst stakeholders and the wider</p> <p>8 community in relation to the services you provide; is</p> <p>9 that right?</p> <p>10 MS YOUNG: That's correct.</p> <p>11 Q. In your role, in your position, you have very little</p> <p>12 day-to-day dealings with the press desk, but you have</p> <p>13 three meetings a week with the media centre manager,</p> <p>14 where any media issues are considered?</p> <p>15 MS YOUNG: Yes, the press desk is managed by a press centre</p> <p>16 manager. I sit on the senior executive team where we</p> <p>17 meet on a Monday, Wednesday and Friday, so I brief in my</p> <p>18 team after those meetings of anything that has potential</p> <p>19 to be in the media or anything that we need to be aware</p> <p>20 of operationally and to take action proactively.</p> <p>21 Q. And you report to the Deputy Chief Constable?</p> <p>22 MS YOUNG: That's correct.</p> <p>23 Q. Mr Baggott, at question 40 of your statement,</p> <p>24 page 55403, you say:</p> <p>25 "In general we have very strong and positive</p> <p style="text-align: center;">Page 30</p>	<p>1 actually physically sitting within the office during the</p> <p>2 hours that they wanted, so it was a two-way discussion</p> <p>3 with them as well and an opportunity to explain our</p> <p>4 position.</p> <p>5 We also meet with the media, the deputy head of</p> <p>6 department and myself, once or twice a year, just for</p> <p>7 a discussion around any issues that they have, the</p> <p>8 service that we provide to them. It is a very open and</p> <p>9 transparent relationship, we're there to provide</p> <p>10 a service to them and we need to ensure that we get it</p> <p>11 right and that's one of our key responsibilities is</p> <p>12 managing that service as best we can.</p> <p>13 Q. When you say you meet with the media, do you meet with</p> <p>14 all -- with representatives of all titles at the same</p> <p>15 time or is it more that you will visit different offices</p> <p>16 to speak to people?</p> <p>17 MS YOUNG: In the review meetings we will meet with them in</p> <p>18 a one to one with each of the titles or with each of the</p> <p>19 broadcast outlets and the reason being they may very</p> <p>20 well want to raise issues that are specific to</p> <p>21 themselves or specific to maybe anything that any of</p> <p>22 their reporters or journalists have experienced and want</p> <p>23 to discuss in depth, so I think it is right that we</p> <p>24 meet them on an individual basis so that the opportunity</p> <p>25 is there for a frank and honest and open conversation.</p> <p style="text-align: center;">Page 32</p>

<p>1 Q. Where do you hold the meetings? 2 MS YOUNG: Either they will come into the office and have 3 discussions just in the office and on a number of 4 occasions we have met them either at their offices and 5 those are in the formal meetings. We will sometimes 6 have meetings where they'll ask to have a conversation 7 with us about an issue that has arisen and that could 8 sometimes be over a cup of coffee. 9 Q. Right, but not generally lunch or dinner meetings, 10 I believe, from what you said? 11 MS YOUNG: No. 12 LORD JUSTICE LEVESON: Just slow down a bit, please. Thank 13 you. 14 MS BOON: Mr Baggott, at question 49 of your statement at 15 page 55406, you state that you believe that the 16 relationship between PSNI and the media is "responsible 17 and mature". Why do you say that? 18 MR BAGGOTT: In the meetings I've had myself with editors 19 and the contact I have, the feedback is always very 20 positive. I'm very anxious that the media should have 21 access to the right people in the organisation at the 22 right time, whether that's a constable dealing with 23 a particular neighbourhood issue right through to 24 a senior investigating officer doing a press conference 25 after an incident, it's important that they have access</p> <p style="text-align: center;">Page 33</p>	<p>1 murdered. They will come in and they are quite 2 demanding in relation to access either to the family, to 3 people that might know that person, and they're not 4 aware of the sensitivities and the complexities around 5 giving access to them that maybe they would have had 6 before and I think sometimes that was quite difficult 7 and particularly where there's a particularly sensitive 8 issue that's very emotive as well. 9 Q. But the local media will have a better understanding of 10 those sensitivities? 11 MS YOUNG: The local media do have a very good understanding 12 of the security situation in Northern Ireland as well, 13 which sometimes can create difficulties, and they have 14 been reporting on it for many years through many 15 difficult times, so they are much more sensitive to 16 having to maybe abide by some conditions that we would 17 place on them. 18 LORD JUSTICE LEVESON: I wonder whether that could be 19 explained in this way: the local media want to foster 20 and develop a continuing relationship with you the 21 better to understand what you're doing, and, if 22 necessary, criticise it, but the better to inform their 23 readers who, of course, live in the -- 24 MS YOUNG: Area. 25 LORD JUSTICE LEVESON: -- area. Whereas the nationals come</p> <p style="text-align: center;">Page 35</p>
<p>1 to the right people. The feedback is very positive and 2 I'm very, very pleased with the relationship and how 3 it's developed before I arrived but also since I arrived 4 in 2009. 5 Q. How would you characterise the nature and quality of 6 your own relationship personally with the media? As 7 opposed to the force as a whole? 8 MR BAGGOTT: I think I would characterise it as very 9 professional and very amicable. I am available for the 10 media when it is the right level. We conduct numerous 11 press conferences with them as a result of briefings on 12 security or policing plans, but I would describe it as 13 professional, if not -- but not so personal. 14 Q. Yes. Ms Young, you make the comment at question 29 of 15 your statement, page 10317, that the national media are 16 not interested in future relationships as such, and at 17 times may act in an unprofessional way if they do not 18 get access to the officers that they think that they 19 should. Can you develop this for us, what you mean by 20 unprofessional? 21 MS YOUNG: I suppose the way I would best describe it is 22 sometimes whenever they come in to deal with a situation 23 or when they come in to Northern Ireland to report on 24 a situation, it's usually of a critical nature. An 25 example of that would be when one of our colleagues was</p> <p style="text-align: center;">Page 34</p>	<p>1 in when there's an issue, are only interested in the 2 issue, they're not interested in the context, they're 3 interested in the story, and therefore don't take the 4 time to develop the relationships. Is that an 5 appropriate way to characterise it? 6 MS YOUNG: I think that is very fair to characterise it, and 7 I think one of the difficulties as well, there are such 8 sensitivities around a lot of things, and Northern 9 Ireland and the history of Northern Ireland, that 10 sometimes just actually using a word in the wrong 11 context, a phrase in the wrong way, can actually be 12 translated in a very, very different way than it's 13 really meant, and the difference is the local media are 14 aware of all of those difficulties, whereas the national 15 media aren't aware, and even to give them briefings, 16 you're starting in a very different place as far as 17 giving them background, and they take much more handling 18 than local media. 19 LORD JUSTICE LEVESON: So what you may be saying -- and I'd 20 be very interested in Mr Baggott's view about this 21 because he has the experience of different forces, and 22 Leicestershire actually has a resonance with another 23 part of the Inquiry which I'd not really thought about 24 until just now -- obviously Northern Ireland provides 25 a whole different dimension. I recognise that. But</p> <p style="text-align: center;">Page 36</p>

<p>1 does that merely paint in brighter colours what is the 2 difference between local and national media throughout 3 the UK? It's brighter in Northern Ireland because of 4 the very tensions and history of which you've spoken, 5 but that's the issue? 6 MS YOUNG: (Nods head). 7 LORD JUSTICE LEVESON: That really identifies the difference 8 in the rest of the UK? 9 MR BAGGOTT: I think that's correct, sir. I think the local 10 media in Northern Ireland have an absolute commitment to 11 the future of the province. They have a stake in it and 12 they are part of the confidence-building and they have 13 ownership of the issues. They also understand the 14 consequences. The consequences of the way it's 15 reported, the consequences of the style it's reported 16 and the consequences of creating a sound bite without 17 developing the context. I think that's the difference. 18 The national media will come in and will report on 19 a story for one day, sometimes for the headline, 20 sometimes because it's a matter of national interest, 21 but go away. A local media will have to live with the 22 consequence of their reporting, and they are very much 23 bought into the future of peace-building. 24 LORD JUSTICE LEVESON: Is my attempt to explain the 25 difference between Northern Ireland and the rest of the</p> <p style="text-align: center;">Page 37</p>	<p>1 predecessor Sir Hugh Orde about the policy, which he 2 described as more prescriptive perhaps than the reality. 3 If I could take you to the media guide that's currently 4 in force, that's at tab 4 of the bundle in front of you. 5 I'll go to page 55232 on our numbering. It's the page 6 that's after your introduction, if you have that. 7 Halfway down the page. It's the paragraph that begins: 8 "With increased devolution ..." 9 MR BAGGOTT: Could you just give me the reference again? 10 Q. It's 55232. 11 LORD JUSTICE LEVESON: Behind divider 4, there's an enormous 12 number in the bottom right-hand corner. 13 MR BAGGOTT: Thank you. 14 MS BOON: So the fifth paragraph down. 15 MR BAGGOTT: Yes. 16 Q. I begin reading from the fourth line: 17 "Individual officers or staff of all ranks should 18 not brief the media without clearance. Approval should 19 be sought from the media and the public relations 20 department who will consider and advise on the wider 21 implications of commenting or making a statement. The 22 department will provide lines to be taken on corporate 23 issues." 24 If I continue reading under "Media policy", second 25 paragraph under that heading:</p> <p style="text-align: center;">Page 39</p>
<p>1 UK right or does it not hit the right type of analysis? 2 MR BAGGOTT: I think there are real parallels, sir. I think 3 the issue, as my colleague has said, is the 4 sensitivities in Northern Ireland to a single word, take 5 it out of context, how it can be interpreted. So 6 I think it's very, very important that when you look at 7 issues -- I give an example. 8 When I first took over in 2009 I spoke about the 9 border and how the border in time, working with our 10 colleagues the An Garda Siachana, was a way of tackling 11 organised crime. We spoke about the border and joint 12 investigations but the word "border" itself had 13 a symbolic meaning and then we spent a week of some 14 degree of political difficulty trying to explain again 15 in terms of what we meant in terms of not disrespecting 16 the jurisdictions of the north and the south. So you 17 can easily fall into consequences inadvertently by doing 18 something that is honourable and good without 19 understanding the history and the sensitivities. 20 I think that parallel probably applies across the 21 whole of the UK, but it is particularly difficult and 22 complex in Northern Ireland. 23 MS BOON: I'd like to explore the extent to which individual 24 PSNI officers have direct contact with the media. 25 Mr Jay earlier this afternoon was asking your</p> <p style="text-align: center;">Page 38</p>	<p>1 "Officers intending to brief the media at the scene 2 of an operation or incident should always ensure that 3 the press office is informed prior to the briefing. The 4 department will make every effort to provide a press 5 officer to manage the media at the scene. All contacts 6 with the media concerning any policy, whether 7 operational or management, the administration of 8 justice, issues of a controversial nature and 9 intelligence matters must be co-ordinated through the 10 press office." 11 Over the page, just three more paragraphs I wanted 12 to read out before I -- 13 LORD JUSTICE LEVESON: Okay. We're going to need to break 14 it down, because they cover quite different issues. 15 MS BOON: Yes. 16 LORD JUSTICE LEVESON: Carry on reading and then we'll come 17 back to it. 18 MS BOON: I hope I'll cover those issues, sir. 19 "Police officers or support staff intending to write 20 letters and articles should seek approval from their 21 head of department and the media and public relations 22 department. Press officers can advise on style, tone 23 and timing and help ensure that letters are published. 24 "If contacted by media, every member of staff should 25 decline to comment until they refer the matter to their</p> <p style="text-align: center;">Page 40</p>

<p>1 line manager or the media and public relations 2 department. All such contact must be reported to the 3 department for logging centrally. 4 "Failure to comply will be a serious matter and will 5 be seen as a crucial issue of professional integrity and 6 may be a breach of the code of conduct and code of 7 ethics." 8 Mr Baggott, the reason I've read out all of those 9 paragraphs in one is that by reading this guide, one 10 gets the sense that an officer absolutely must not speak 11 to a member of the press without getting permission 12 first, and if they don't do that, that could be 13 a disciplinary matter. Is that what you intend to 14 convey in your policy? 15 MR BAGGOTT: I think the fact that we've moved from a policy 16 very much into a guide is a sign of where we're going in 17 relation to being more relaxed about contact with the 18 media. Some of our work we've done on providing media 19 experts to each of our districts is again a sign that we 20 are in a different place in relation to our relationship 21 with the media, and indeed are exploring with officers 22 how they use social media in a very effective way. So 23 things are moving ahead very fast in the way in which we 24 are structured and the outlook. 25 I think there are probably three considerations for Page 41</p>	<p>1 been through ten years of the most superb transformation 2 through Patten and the leadership of my colleague, 3 Sir Hugh. The consequence of that in some areas has 4 been risk aversion and I think the idea that you almost 5 instill in people an expectation of seeking advice to 6 provide the media and ourselves with the best support is 7 a positive counterbalance to risk aversion. 8 I want colleagues, whether it's constables right 9 through to the chief constable, being relaxed in 10 speaking to the media in the right way in the 11 appropriate circumstances. 12 Q. So you don't see a difficulty with junior officers 13 speaking directly to the media? 14 MR BAGGOTT: I don't. 15 Q. Within the limitations that you've set out and your 16 concerns? 17 MR BAGGOTT: I don't. I think storytelling is a very 18 powerful way of expressing change and also the integrity 19 of the organisation and the values that we stand for. 20 Q. The reason I ask that specific question is that at 21 paragraph 27 of your statement, or under question 27, 22 you say: 23 "All contact with the media should be channelled 24 through the corporate communications department. Senior 25 officers and staff may engage directly with the media on Page 43</p>
<p>1 me which this tries to cover, and I do think the guide 2 needs to be rewritten, probably to make it more relaxed 3 and less stark in terms of its message. I think that's 4 where we are. But the areas I think for me uniquely in 5 Northern Ireland are firstly I'm looking for care to be 6 taken by officers in relation to the security situation. 7 We still have sadly today the relentless targeting of 8 officers, the exploitation of anything in the media or 9 social media for that targeting, and although we're in 10 a different place, it is very real, the threat that 11 faces officers. In 2010, over 170 attacks. 12 So this is a security situation which is very unique 13 and I think if you relax too fast, too quickly, you end 14 up in a difficult place. 15 I think the second issue for me is one of 16 consistency. I'm quite anxious that we do provide the 17 right consistent standard to the media, but also that 18 colleagues are very much aware of some of the politics 19 they may be getting into, and the idea of this is simply 20 to make sure that they seek advice and have that 21 support, whilst understanding there are consequences if 22 information is provided in a cavalier or a way that is 23 not compliant with our code of ethics. 24 I think the other issue, which is one of the other 25 side of the coin for me, is one of culture. We have Page 42</p>	<p>1 an ad hoc basis, but do so in a responsible manner when 2 appropriate and when there's an immediate need to do 3 so." 4 So you don't there cover the position for junior 5 officers? 6 MR BAGGOTT: No. I think we're getting more professional as 7 time goes by, and more adept at dealing with local 8 concerns, but the transition from a security-driven 9 policing style to one of a greater neighbourhood 10 involvement, over 700 more officers in neighbourhoods in 11 the last year, is a significant transformation, and 12 I think that needs to be managed and controlled rather 13 than just evolved in a fairly cavalier way. 14 I'm very much aware that this guidance as it reads 15 is probably too stark, but I want to take some degree of 16 corporate grip to make sure we inadvertently don't 17 create more problems than we're trying to resolve. 18 LORD JUSTICE LEVESON: It goes back to the question I asked 19 you before, and I ought to say, and I'll say it now, 20 that I'm extremely grateful to both of you for coming 21 from Northern Ireland to help me with this and for the 22 work that you've put into preparing the material which 23 you've advanced to me. But again there are features 24 about the Northern Ireland experience which it may be 25 right to consider are different. Page 44</p>

<p>1 MR BAGGOTT: Yes.</p> <p>2 LORD JUSTICE LEVESON: That an extra element of caution may</p> <p>3 be appropriate in Northern Ireland because of the</p> <p>4 history, because of the risk of targeting or whatever,</p> <p>5 which, back in Leicestershire, would not have been</p> <p>6 necessary. Would that be fair?</p> <p>7 MR BAGGOTT: I think that's very fair, sir. We are moving</p> <p>8 ahead apace with policing with the community, with</p> <p>9 neighbourhood policing, but we are still confronting</p> <p>10 a multifaceted deadly terrorist threat day in, day out.</p> <p>11 So I think we have to exercise great caution in how we</p> <p>12 support our police officers in their contact with the</p> <p>13 media, the degree to which they can feel comfortable</p> <p>14 about giving information and the sort of information,</p> <p>15 without restricting them in dealing with the routine,</p> <p>16 which is the good storytelling of some fantastic work</p> <p>17 that's being done at this current time.</p> <p>18 LORD JUSTICE LEVESON: Let me say now, in case I forget to</p> <p>19 write it, anything I say in general should be read</p> <p>20 subject to that element in Northern Ireland, and you</p> <p>21 should not assume, if I don't say it, that I don't</p> <p>22 intend that you should take whatever I say into the mix,</p> <p>23 but in the context of your particular circumstances.</p> <p>24 MR BAGGOTT: That's very kind, sir, thank you.</p> <p>25 MS BOON: I've asked you about the policy relating to</p> <p style="text-align: center;">Page 45</p>	<p>1 maybe a reporter will say, "Is this because you haven't</p> <p>2 got the right level of resources or is it because of the</p> <p>3 security threat here that you've had to -- it's taken</p> <p>4 you so long to respond?" and things like that.</p> <p>5 That is where the dangers then start to come in,</p> <p>6 where they could be drawn very much into straying into</p> <p>7 an area where it's more strategic and giving a view as</p> <p>8 opposed to actually knowing what the true situation is.</p> <p>9 So that is where -- I mean the officers themselves</p> <p>10 that are dealing with the media are very good at phoning</p> <p>11 you, letting you know they've had the conversation and</p> <p>12 giving you the detail, but they'll also be aware of</p> <p>13 where they've maybe given a comment that might not have</p> <p>14 been just in relation to the incident that they're</p> <p>15 dealing with, and may cause further queries from the</p> <p>16 media. So we generally have the good relationship with</p> <p>17 the officers and it's not that they're afraid to say,</p> <p>18 "I've maybe said something that I shouldn't" and you</p> <p>19 don't hear about it. They are very open in saying,</p> <p>20 "I have said this, maybe you need to be aware of it."</p> <p>21 Q. Is the practice that officers will telephone your</p> <p>22 department to convey what's been said and that your</p> <p>23 press office will make a note at your end?</p> <p>24 MS YOUNG: That's correct.</p> <p>25 Q. Rather than you having an expectation that the officer</p> <p style="text-align: center;">Page 47</p>
<p>1 talking directly to the media. Perhaps, Ms Young, you</p> <p>2 in your statement encapsulate the practice and the</p> <p>3 practice perhaps that Mr Baggott is happy with. That's</p> <p>4 under question 10, page 10308. You say, Ms Young:</p> <p>5 "In general, all contact with the media should be</p> <p>6 co-ordinated via the press office. However, on</p> <p>7 occasions officers will talk directly to the media, ie</p> <p>8 at a crime scene, at a community meeting. Officers are</p> <p>9 not restricted from speaking directly to the media, but</p> <p>10 we would ask that they advise the desk of all contact</p> <p>11 and content of discussion and must comply with the PSNI</p> <p>12 media policy."</p> <p>13 There's a requirement there or an expectation that</p> <p>14 the content of discussion is communicated to you. What</p> <p>15 level of content generally do you receive? Is it a gist</p> <p>16 of a conversation, is it a verbatim record? What's the</p> <p>17 general practice?</p> <p>18 MS YOUNG: I think in general where the officer or whoever</p> <p>19 has been speaking to the media has been speaking just</p> <p>20 generally about the incident they're dealing with, so if</p> <p>21 we say are at a crime scene, and something has happened</p> <p>22 and the officer has given details actually around what</p> <p>23 has actually happened, the officer would say, "I've just</p> <p>24 told them that we're dealing with it and X, Y and Z."</p> <p>25 However, then where the difficulties arise is where</p> <p style="text-align: center;">Page 46</p>	<p>1 will record for him or herself the content of the</p> <p>2 conversation?</p> <p>3 MS YOUNG: That's correct. And I think the expectation is</p> <p>4 the officer that's on the ground is dealing with an</p> <p>5 incident on the ground. Having to record details of</p> <p>6 conversations is not productive to them getting on with</p> <p>7 an investigation or what they have to deal with.</p> <p>8 Q. So you're not dealing with a complaint that there's</p> <p>9 a burdensome, overly bureaucratic requirement on them</p> <p>10 because it's a question of making the telephone call to</p> <p>11 you?</p> <p>12 MS YOUNG: Yes, that's as simple as that.</p> <p>13 LORD JUSTICE LEVESON: That assumes also that they're</p> <p>14 dealing with an incident. If it's a local neighbourhood</p> <p>15 constable who is simply being asked about what's</p> <p>16 happening about anti-social behaviour on this estate or</p> <p>17 that road or this particular noise problem, and that's</p> <p>18 actually his beat, then you'd expect him to deal with</p> <p>19 it --</p> <p>20 MS YOUNG: And not even advise us, no.</p> <p>21 LORD JUSTICE LEVESON: And not advise you?</p> <p>22 MS YOUNG: No.</p> <p>23 LORD JUSTICE LEVESON: It's a matter of judgment as to when</p> <p>24 it hits the position that actually this is significant,</p> <p>25 and that's the point I interrupted Ms Boon on in</p> <p style="text-align: center;">Page 48</p>

<p>1 connection with reading out the policy: 2 "All contacts with the media concerning any policy, 3 the administration of justice, issues of controversial 4 nature and intelligence must be co-ordinated through the 5 press office." 6 That's strategic. 7 MS YOUNG: Absolutely. 8 LORD JUSTICE LEVESON: And requires careful and sensitive 9 handling, so actually you don't want constables or 10 sergeants or probably even inspectors jumping into that 11 particular swimming pool. 12 MS YOUNG: That's right. 13 LORD JUSTICE LEVESON: You need that to be co-ordinated at 14 a rather higher level? 15 MS YOUNG: Yes. 16 LORD JUSTICE LEVESON: I've got it. 17 MS BOON: Mr Baggott, while still on the topic of recording 18 contact, under question 24 in your statement, 19 page 55395, you set out there: 20 "All formal meetings between PSNI personnel and the 21 media are organised and staffed by members of the 22 corporate communications team. Timing of meetings and 23 details of those present are recorded in the PSNI 24 corporate communications departmental diary and are 25 logged on the PSNI press desk database, known as</p> <p style="text-align: center;">Page 49</p>	<p>1 MS BOON: Moving on to the question of hospitality, 2 Mr Baggott first. You've accepted no hospitality from 3 the media so far during your tenure as Chief Constable 4 of the PSNI. 5 MR BAGGOTT: That's correct. 6 Q. On two occasions you've provided dinner to media 7 representatives. There was one occasion -- I believe 8 that was in November 2009, shortly after your 9 appointment? 10 MR BAGGOTT: Yes. 11 Q. And that was a dinner with select print and broadcast 12 media to introduce you to the media, provide an 13 opportunity for you to outline your key priorities. 14 That's taken from Ms Young's statement as well. 15 I understand that you're referring to the same two 16 dinners. 17 MR BAGGOTT: Yes. 18 Q. The way you describe it: to give the representatives 19 a greater understanding of your strategic priorities and 20 main challenges faced by the organisation. 21 Then there was a second one in December 2011? 22 MR BAGGOTT: Yes. 23 Q. Which you describe as: to enable a reflection on what 24 had been delivered over the previous two years, to 25 provide context to major decision-making and to outline</p> <p style="text-align: center;">Page 51</p>
<p>1 Solcara. PSNI personnel should make a record of any 2 informal engagements." 3 What are you referring to there, that last sentence? 4 MR BAGGOTT: I think it's probably meetings that are 5 unplanned, where there may be contact with the media, 6 where there's a request made or an event where something 7 actually happens where there's a specific request for 8 information. Again it's not meant to be bureaucratic, 9 but I don't think there's anything wrong in ensuring 10 some degree of corporacy, that people understand the 11 seriousness and the professionalism required of dealing 12 with the media. 13 Q. Does that apply to all personnel, not just senior 14 officers or meetings arranged by the corporate 15 communications team? 16 MR BAGGOTT: At this moment it applies to all personnel, but 17 I think, as I come back to my original point earlier, we 18 need to have a look again at some of this guidance to 19 make sure that it's reflecting the right level of 20 interest. The previous question, very clearly at policy 21 level, matters of controversy, one would expect there to 22 be a note, probably a more fulsome note, than in 23 relation to a day-to-day contact with a beat officer 24 with a local newspaper. I'm more relaxed about that. 25 LORD JUSTICE LEVESON: Yes.</p> <p style="text-align: center;">Page 50</p>	<p>1 the main strategic priorities for the coming year. 2 Who was invited to those two meals? 3 MR BAGGOTT: A cross-section from the -- across the media of 4 prominent reporters who would have a consistency and 5 a continuity in Northern Ireland. So they had a history 6 before I arrived and they were very well established and 7 it was an opportunity for me to speak to them about the 8 ambitions of the PSNI, how far we'd come, the progress, 9 and particularly what I'd describe as the era after the 10 Patten reforms, of having to move more into a long-term 11 planning situation. 12 Q. Do I take it from the fact that you referred only to 13 these two particular dinners that there haven't been 14 occasions where you've met, say, one title in a smaller 15 group, perhaps an editor and a crime reporter? It's 16 always been, has it, or the only two occasions have been 17 where you've represented a cross-section of the media? 18 MR BAGGOTT: That's right, except for obviously press 19 conferences in relation to historical reports or 20 critical incidents or launching of policing plans, where 21 all the media will be represented. Or in relation to 22 conversations I might have when there is a preplanned 23 media event, for example doing some one-to-ones for the 24 BBC or UTV in relation to again some of the security 25 situation issues or the events which have taken place in</p> <p style="text-align: center;">Page 52</p>

13 (Pages 49 to 52)

<p>1 Northern Ireland.</p> <p>2 Q. I might have missed a key part out of my question. What</p> <p>3 I was referring to was where you've provided</p> <p>4 hospitality, whether you've --</p> <p>5 MR BAGGOTT: I haven't provided hospitality other than those</p> <p>6 two occasions.</p> <p>7 Q. What is your own view of the ethics of receiving</p> <p>8 hospitality from the media and providing hospitality to</p> <p>9 the media?</p> <p>10 MR BAGGOTT: I think it should be for a purpose. I think it</p> <p>11 should be controlled, and I think it should be</p> <p>12 consistent. And I think that's what our own media</p> <p>13 policy sets out, and our gifts and hospitality policy,</p> <p>14 which is very clear in terms of the boundaries and the</p> <p>15 recording of that.</p> <p>16 I am very anxious to have at all times a very</p> <p>17 relaxed relationship and amicable relationship, but a</p> <p>18 professional one with the media, but I think that</p> <p>19 requires a degree of corporate standard and</p> <p>20 understanding throughout the organisation.</p> <p>21 LORD JUSTICE LEVESON: Do you think there's a difference,</p> <p>22 therefore, between an event where you've reached</p> <p>23 a milestone and you think it's worthwhile sharing that,</p> <p>24 and possibly you provide something to eat, because</p> <p>25 that's how you're going to organise a relaxed event, and</p> <p style="text-align: center;">Page 53</p>	<p>1 the big issues affecting the PSNI, they will simply be</p> <p>2 on a personal level, probably I would describe it as</p> <p>3 small talk around how are you, rather than the issues</p> <p>4 affecting the PSNI corporately.</p> <p>5 MS BOON: Ms Young, you've not been offered any hospitality</p> <p>6 by the media in your current role?</p> <p>7 MS YOUNG: That's correct.</p> <p>8 Q. And the provision of hospitality, the two occasions you</p> <p>9 set out in your statement are the two dinners that</p> <p>10 Mr Baggott's already outlined?</p> <p>11 MS YOUNG: Yes, that's correct, and there was one other</p> <p>12 event in my statement as well, a summer event that we</p> <p>13 had --</p> <p>14 Q. Yes.</p> <p>15 MS YOUNG: -- the media all together in an informal setting.</p> <p>16 Q. Your own view that you express in your statement is that</p> <p>17 officers and staff should accept no hospitality other</p> <p>18 than coffee, lunch or dinner in a formal working</p> <p>19 capacity; is that right?</p> <p>20 MS YOUNG: Yes, that is my belief.</p> <p>21 Q. I would imagine there's a limit to that, that if the</p> <p>22 dinners became a regular occurrence, you would have some</p> <p>23 concerns?</p> <p>24 MS YOUNG: Absolutely I would have.</p> <p>25 Q. Mr Baggott, you refer to the hospitality policy. In</p> <p style="text-align: center;">Page 55</p>
<p>1 routine small gatherings which aren't focused around</p> <p>2 that sort of specific strategy?</p> <p>3 MR BAGGOTT: Yes, I do. I think, sir, there is -- it's</p> <p>4 important in being the head of such a big organisation</p> <p>5 that editors and prominent media representatives have an</p> <p>6 opportunity to get to know me as a human being and as</p> <p>7 a person, but also to see the whites of my eyes in terms</p> <p>8 of me explaining where the PSNI is going, the dilemmas,</p> <p>9 some of the challenges that we face, and also some of</p> <p>10 the achievements. I think that's an obligation on me as</p> <p>11 a leader.</p> <p>12 But I think that can be done in a very controlled</p> <p>13 and a consistent way, which gives the media insight into</p> <p>14 the leadership and the thinking and the progress without</p> <p>15 compromising the fairness in relation to the way we deal</p> <p>16 with all the media as entities in Northern Ireland, not</p> <p>17 wish to show any favouritism to one outlet or another,</p> <p>18 and I think there's a danger of doing that if you move</p> <p>19 into the small groups.</p> <p>20 That's not to say in my responsibilities as a civic</p> <p>21 leader as well I don't come across the media all the</p> <p>22 time. There will probably be an opportunity this Friday</p> <p>23 when something is launched in Northern Ireland which is</p> <p>24 a big, big event. I will meet the media there and we</p> <p>25 might have some conversations but they won't be around</p> <p style="text-align: center;">Page 54</p>	<p>1 contrast to other policies this Inquiry has seen, there</p> <p>2 is quite a lot of detail about what can and can't be</p> <p>3 accepted. If I take you to that and highlight a few</p> <p>4 sections, it's tab 6, I believe. The first page I would</p> <p>5 like to take you to is marked 55312 at the bottom of the</p> <p>6 page. Paragraph 3, "When a gift or gratuity may be</p> <p>7 accepted and must be recorded":</p> <p>8 "The following are examples of gifts or gratuities</p> <p>9 that may be accepted. These examples are not</p> <p>10 exhaustive. The overriding principle should be that</p> <p>11 acceptance is reasonable and justifiable. Acceptance</p> <p>12 must be approved and recorded in accordance with</p> <p>13 paragraphs 11 and 12 of this procedure and guidance.</p> <p>14 "1. A token gift may be accepted if it is presented</p> <p>15 by an organisation, for example a visiting police force,</p> <p>16 a plaque from a council, a framed certificate or picture</p> <p>17 from an organisation."</p> <p>18 That's an example of guidance on gifts. At</p> <p>19 paragraph 4, if I may, "When gifts may be accepted and</p> <p>20 do not require to be recorded":</p> <p>21 "This policy is not intended to prohibit the</p> <p>22 acceptance of refreshment where payment would not</p> <p>23 normally be expected, for example a cup of tea offered</p> <p>24 by a householder or at a work-related meeting. Also the</p> <p>25 acceptance of trophies and plaques by PSNI sports teams,</p> <p style="text-align: center;">Page 56</p>

<p>1 small items which are given to attendees at a conference 2 or training courses, such as pens, folders or diaries. 3 Small items would be considered to be those that are 4 worth less than £10. Gifts provided from colleagues on 5 transfer, promotion or retirement. The policy does not 6 intend to restrict or record internal gifts between 7 staff, for example at Christmas." 8 So there are examples there including a financial 9 limit for the gifts, small items? 10 MR BAGGOTT: Yes. 11 Q. "When a gift or gratuity must not be accepted: 12 "In the following circumstances gifts and gratuities 13 will not be accepted. If acceptance results only in 14 personal benefit, ie there is no organisational benefit, 15 individuals must justify how acceptance of any gift or 16 gratuity benefits the organisation and these reasons 17 must be entered into the gifts, gratuities and 18 hospitality register." 19 Over the page, just two more sections to refer you 20 to: 21 "Hospitality and invitations to events." 22 Paragraph 7, "When hospitality may be accepted": 23 "There are a number of situations when hospitality 24 may be accepted. 25 "(a) a working lunch of modest standard in the</p> <p style="text-align: center;">Page 57</p>	<p>1 offer is from an organisation that supplies or has the 2 potential to supply goods or services to the PSNI." 3 As you said, there's quite a lot of guidance. 4 MR BAGGOTT: Yes. 5 Q. Not just what you can accept but what you can't. This 6 is a reasonably new policy; is that right? 7 MR BAGGOTT: It's an updated policy. 8 Q. Right. Is this a policy that is under review or will be 9 reviewed? 10 MR BAGGOTT: I think it would be inevitable we will review 11 all the relevant policies on the back of -- 12 LORD JUSTICE LEVESON: Is this new? It looks as though it 13 dates from August 2009, but to be reviewed August 2010. 14 MR BAGGOTT: I think it has been reviewed. I can check on 15 that and come back to you. 16 LORD JUSTICE LEVESON: All right. If there's another 17 version. Could you just tell me, could you give me an 18 example of a sporting event where it is considered 19 appropriate for the PSNI to be represented? 20 MR BAGGOTT: Yes, certainly. Croke Park, a Gaelic Athletic 21 Association Game, which is seen very much as part of the 22 future in Northern Ireland, the confidence building. It 23 is both a civic event but also one which becomes hugely 24 symbolic in relation to the Police Service being 25 attendees at that game.</p> <p style="text-align: center;">Page 59</p>
<p>1 course of visits or meetings so the parties can continue 2 to discuss business relating to the aims of the PSNI. 3 "(b) participation in an official capacity or as 4 a representative of the service, for example speaking at 5 a conference on behalf of the PSNI or furthering 6 community relations. This may include attendance at 7 evening functions but only if the work element is 8 significant. If the function is mainly for pleasure, 9 attendance cannot be for free. 10 "(c) sporting events where it is considered 11 appropriate for the PSNI to be represented. 12 "(d) attendance at a charity event should not be 13 free unless the recipient is invited as a valued 14 dignitary, for example part of the attraction of the 15 event. PSNI staff are advised to pay as part of the 16 contribution to the charity." 17 I won't read out (e) or (f). 18 "When hospitality must not be accepted. There are 19 a number of situations when hospitality must not be 20 accepted." 21 I'll just read out the first one: 22 "Offers of free accommodation, holidays, travel, 23 weekend breaks, free invitations to sporting occasions 24 and entertainment where there is no organisational 25 benefit. Staff should take particular care when an</p> <p style="text-align: center;">Page 58</p>	<p>1 There are a number of sporting events which are 2 about the peace-building and the bringing of people 3 together. 4 LORD JUSTICE LEVESON: I understand. Thank you. 5 MS BOON: Ms Young, on a related question, you express 6 confidence in your witness statement that your staff 7 understand the boundaries of an appropriate relationship 8 with the media. What in your view are those boundaries 9 that you train your staff to adhere to? 10 MS YOUNG: The boundaries are that they act at all times on 11 a professional basis. Any meeting they have with 12 a reporter or journalist is on a professional basis for 13 business discussions and I don't believe that there is 14 any scope for socialising without any business reason 15 with the media. 16 Q. No scope at all? 17 MS YOUNG: No. 18 Q. So if a member of your staff -- if you became aware that 19 a member of your staff were developing a friendship with 20 a member of the media, what action would you take? 21 MS YOUNG: I would expect them first of all to declare that 22 they were having a friendship with the media. At the 23 end of the day you can't restrict it totally but you 24 would certainly want to be advised of it and the 25 capacity of that relationship, but Northern Ireland is</p> <p style="text-align: center;">Page 60</p>

<p>1 a very small place and inevitably people through social 2 circles will interact with the media and you have to be 3 mindful of that, but it should be open and transparent. 4 Q. I see. I move on to the topic of off-the-record 5 conversations or briefings. Ms Young, first of all, 6 what does "off the record" mean to you in this context? 7 MS YOUNG: "Off the record" to me means that it is 8 contextual briefing, providing more information and 9 information that cannot be discussed with anybody 10 outside of the meeting or broadcast or put in print in 11 any way. We would use off-the-record briefings -- and 12 I'm not that keen in using "off the record" because 13 I think the connotations around that phrase are not 14 particularly good -- we would use it to clarify 15 situations, to provide journalists with some more 16 background so that whenever they are reporting, they can 17 do so in a more balanced way, and again a lot of it is 18 around sensitivity and making sure that sometimes the 19 media don't jump to conclusions and report down one path 20 that could have big implications, even from a security 21 or political nature, and often we will have to have the 22 briefings giving them the information that we actually 23 hold, and sometimes explaining why we can't make that 24 public at that particular time. 25 Q. Does that explain why you express the view that it's</p> <p style="text-align: center;">Page 61</p>	<p>1 ensure that we had more officers out from behind desks 2 onto the front line, and as you can imagine, that wasn't 3 possible in certain quarters. 4 At the end of the day it was the Sunday papers that 5 actually contacted me to say that they were going to run 6 this story, and I spoke to them to say, "Listen, I need 7 to give you the context of the story, I know where it's 8 coming from, this is the reason." Unfortunately in that 9 case how the Sunday papers actually got round it was 10 they ran the story to say that they had solved the myth 11 about the rumour after speaking to the head of corporate 12 communications, and went on then to explain what I had 13 said, and one way it brought it out into the open and 14 ended the rumour, so it was effective, but not the way 15 that I'd anticipated that it would be. 16 LORD JUSTICE LEVESON: It demonstrates the need for the 17 story. 18 MS YOUNG: Absolutely. 19 MS BOON: Apart from that instance, I think you say in your 20 statement that the media honour the basis on which you 21 provide that information when you say that it's off the 22 record? 23 MS YOUNG: The media do honour it and again I think it is 24 building on what the chief had said about the strength 25 of the relationship. It's a long-term relationship.</p> <p style="text-align: center;">Page 63</p>
<p>1 critical that that form of contact takes place where 2 appropriate? 3 MS YOUNG: Absolutely. 4 Q. In your statement you give a number of examples, 5 practical examples, of where you've used off-the-record 6 briefings. One was relating to a rumour that the Chief 7 Constable -- I don't know whether that was Mr Baggott or 8 Sir Hugh Orde -- in fact, I think you arrived after 9 Sir Hugh Orde had left -- 10 MS YOUNG: No, actually I was there for one year while he 11 was there. 12 Q. One of the examples you give of providing off-the-record 13 briefings was to deal with rumours that the Chief 14 Constable was unhappy in his post and wanted to return 15 to England. Do you want to develop that example and how 16 effective that was? 17 MS YOUNG: The rumour had circulated for quite a few weeks 18 and a number of different media outlets had spoken to me 19 to say that they were picking up this rumour. Also, one 20 of the media outlets had told me where they had picked 21 the rumour up from, so I was aware of the background to 22 where it was being generated, which was actually 23 internally. I knew the reasons why, and whenever 24 Mr Baggott took up a post, he immediately started the 25 process of reorganising, I suppose, the workforce to</p> <p style="text-align: center;">Page 62</p>	<p>1 They are very aware that if we ask them to hold back on 2 something, that there is a very good reason for doing so 3 and we will give them the reason why we've asked them to 4 hold back. We will also commit to ensuring that we will 5 go back to them with the information if the timing is 6 right and it's appropriate and we can do so, and we also 7 advise them that if we get enquiries from any other 8 media outlets that we will let them know as well. So 9 I think it's just a fair relationship and when they know 10 that we stand by our word, then they will do the same 11 with us as well. 12 Q. Indeed. Under question 45 you say that the media do 13 comply with requests not to publish or broadcast 14 material when asked and then you give a series of 15 examples, one of which I was going to ask you to tell us 16 a little more about, and that is when there are 17 incidents of serious crime where the community have 18 named individuals they suspect of being involved in the 19 crimes. Is that a question of you letting the media 20 know that their information is wrong? 21 MS YOUNG: I think probably an example of that was in this 22 last month we had a murder in Belfast of a young guy and 23 he was very well-known within the criminal world and 24 rumours started very, very quickly about who was 25 potentially behind that, who was involved in it, was</p> <p style="text-align: center;">Page 64</p>

<p>1 this going to result in a feud, what the motives behind 2 it were.</p> <p>3 The media had also picked up from their local 4 contacts names, possibly names of who had ordered the 5 hit and was it organised or whatever, and in that 6 particular case we had to have a chat with the media 7 outlet to say there's actually a number of lines of 8 inquiry that are being pursued at the present moment and 9 it would not be helpful to continue to speculate who 10 might be behind it because we need people to come 11 forward with information and we need to leave this as 12 open as possible.</p> <p>13 So that will give you an example of sometimes when 14 we have to speak to them and ask them to watch what way 15 they're reporting and assist us with an investigation as 16 well.</p> <p>17 Q. And generally you receive the response that you're 18 seeking?</p> <p>19 MS YOUNG: Yes, we do.</p> <p>20 Q. Or invariably?</p> <p>21 MS YOUNG: No, I would say again with the local daily media 22 and the broadcast -- the daily print and the broadcast, 23 they will comply with what we've asked them, because we 24 do explain the reasons. And they do know that if we've 25 asked them, it is for justifiable reasons. We have more</p> <p style="text-align: center;">Page 65</p>	<p>1 "confidential briefings" which are on the record in 2 relation to a note being kept of the reason why it's 3 being kept and the purpose. But there are, as my 4 colleague has said, sometimes very good reasons, again 5 particularly in relation to the security situation in 6 Northern Ireland, of stopping speculation.</p> <p>7 There are examples where -- I'll give one example of 8 social media where an alleged child abduction had taken 9 place. A wrong name was out there very quickly, spread 10 very quickly to social media, and in Northern Ireland 11 with the existence of paramilitary groups who will 12 target individuals because of their alleged sex 13 offending or antisocial behaviour, that is also an issue 14 for us of human rights compliance in terms of the 15 protection of life, so there are very good reasons 16 sometimes where we would want to do something to stop 17 a particular story running or to put the record 18 straight, without necessarily pre-empting a live 19 investigation.</p> <p>20 So I think there is something for me about 21 confidential briefings for a very clear purpose, either 22 in terms of investigation, public confidence, but 23 I think they would be the exception rather than the 24 rule, and they would certainly be for a purpose and they 25 would certainly be recorded.</p> <p style="text-align: center;">Page 67</p>
<p>1 difficulties with the Sunday papers, who sometimes don't 2 even give us the opportunity to ask them to hold back, 3 and they will run on rumour at times, which causes 4 difficulties for us.</p> <p>5 Q. So they will publish the article and then you have to 6 contact them and try to undo the damage if you can?</p> <p>7 MS YOUNG: That's right.</p> <p>8 Q. I won't ask you to elaborate on this, but you do make 9 the point that there have been occasions where the media 10 have recognised that there's a risk in publishing some 11 information and have voluntarily not published that 12 information?</p> <p>13 MS YOUNG: That's correct.</p> <p>14 Q. And you say that they've done that in the interests of 15 justice. Is that to prevent prejudice to a criminal 16 trial, that sort of thing?</p> <p>17 MS YOUNG: Absolutely, or there's a number of reasons why 18 they will know the sensitivities around a particular 19 case or individual or circumstances, and that it's 20 dangerous to report on it at that particular time.</p> <p>21 Q. Mr Baggott, before I move on is there anything you want 22 to add about off-the-record conversations?</p> <p>23 MR BAGGOTT: I would share the view of my colleagues. I'm 24 not so sure firstly that "off the record" is a helpful 25 phrase. I think what we should talk about is</p> <p style="text-align: center;">Page 66</p>	<p>1 Q. Yes.</p> <p>2 LORD JUSTICE LEVESON: Could I take you away from Northern 3 Ireland for a moment, because it's on this very point 4 that I'd be very grateful for your help, and I'm sorry 5 if you've not received notice of this, because it's only 6 when I noticed Leicestershire that it came back to me.</p> <p>7 MR BAGGOTT: Yes.</p> <p>8 LORD JUSTICE LEVESON: I heard evidence from a gentleman 9 called Jerry Lawton, who spoke about part of the McCann 10 inquiry, and I won't talk about what he was responsible 11 for publishing, that's another matter entirely, but he 12 raised a criticism, or I'm going to call it a concern, 13 that the Portuguese police were leaking information 14 about the results of their DNA work through the UK, 15 which implicated or was said to implicate the Drs McCann 16 with the hire car -- you'll know the point.</p> <p>17 MR BAGGOTT: (Nods head).</p> <p>18 LORD JUSTICE LEVESON: And it later of course transpired the 19 results didn't prove that at all. He was saying the 20 Leicestershire police knew perfectly well that the 21 results didn't demonstrate that and therefore, really, 22 this was an ideal opportunity off the record, 23 unattributably, to say, "Don't go there. This rumour, 24 this leak, if it is a leak, simply is not right." 25 Now, it's a unique situation which will probably</p> <p style="text-align: center;">Page 68</p>

<p>1 never happen again, and I'm very conscious that it won't</p> <p>2 necessarily help me in resolving the issues I have to</p> <p>3 resolve, I recognise that, but given that you're here,</p> <p>4 I have been concerned that the Leicestershire police</p> <p>5 haven't had the chance to answer that.</p> <p>6 MR BAGGOTT: Thank you.</p> <p>7 LORD JUSTICE LEVESON: If you can, I'd be interested. If</p> <p>8 you say, "I think I should but I'd like to go back and</p> <p>9 think about it first", I'm very comfortable for you to</p> <p>10 do whatever you think is best.</p> <p>11 MR BAGGOTT: Thank you, sir, for the opportunity to answer</p> <p>12 that. I do acknowledge, as you say, the uniqueness of</p> <p>13 that very difficult and sensitive and ongoing inquiry,</p> <p>14 and in relation to some of the difficulties faced by the</p> <p>15 press in dealing with a foreign jurisdiction.</p> <p>16 But as a chief constable at the time, there were</p> <p>17 a number of I think very serious considerations. One</p> <p>18 for me, and the Gold Group who were running the</p> <p>19 investigation, which was a UK effort, was very much</p> <p>20 a respect for the primacy of the Portuguese</p> <p>21 investigation. We were not in the lead in relation to</p> <p>22 their investigative strategy. We were merely dealing</p> <p>23 with enquiries at the request of the Portuguese and</p> <p>24 managing the very real issues of the local dimension of</p> <p>25 media handling, so we were not in control of the detail</p> <p style="text-align: center;">Page 69</p>	<p>1 speculation and the unfairness of that and into the</p> <p>2 search for Madeleine.</p> <p>3 So there was a number of complex things running at</p> <p>4 the same time, but even with the benefit of hindsight,</p> <p>5 sir, I'm still convinced we did the right thing and</p> <p>6 I think integrity and confidence, particularly with the</p> <p>7 Portuguese, featured very highly in our decision-making</p> <p>8 at that time.</p> <p>9 LORD JUSTICE LEVESON: All right. I wanted to give you --</p> <p>10 MR BAGGOTT: Thank you, sir.</p> <p>11 LORD JUSTICE LEVESON: -- now I'd made the link, the chance</p> <p>12 to deal with it.</p> <p>13 MR BAGGOTT: Thank you.</p> <p>14 MS BOON: Mr Baggott I would like to take you back to what</p> <p>15 you say in your statement about the McCann investigation</p> <p>16 but just before I do, if I can ask you about the</p> <p>17 question of leaks. You say in your statement that you</p> <p>18 take unauthorised disclosures of information very</p> <p>19 seriously.</p> <p>20 MR BAGGOTT: Yes.</p> <p>21 Q. You identify it as a strategic threat, you say in your</p> <p>22 statement, but leaks are not something you consider are</p> <p>23 a major problem in terms of scale or scope.</p> <p>24 MR BAGGOTT: Yes, in relation to the Police Service of</p> <p>25 Northern Ireland, yes.</p> <p style="text-align: center;">Page 71</p>
<p>1 or the facts or where that was going.</p> <p>2 I think the second issue was there was an issue, if</p> <p>3 I recall, of Portuguese law. Their own judicial secrecy</p> <p>4 laws. I think it would have been utterly wrong to have</p> <p>5 somehow in an off the record way have breached what was</p> <p>6 a very clear legal requirement upon the Portuguese</p> <p>7 themselves.</p> <p>8 There were two issues for me which really focused</p> <p>9 around the integrity of their investigation and</p> <p>10 maintained the integrity of our response.</p> <p>11 There was also an issue for us of maintaining a very</p> <p>12 positive relationship with the Portuguese authorities</p> <p>13 themselves. I think this was an unprecedented inquiry</p> <p>14 in relation to Portugal. The media interest, their own</p> <p>15 reaction to that. And having a very positive</p> <p>16 relationship of confidence with the Portuguese</p> <p>17 authorities I think was a precursor to eventually and</p> <p>18 hopefully one day successfully resolving what happened</p> <p>19 to that poor child.</p> <p>20 So the relationship of trust and confidence would</p> <p>21 have been undermined if we had gone off the record in</p> <p>22 some way or tried to put the record straight, contrary</p> <p>23 to the way in which the Portuguese law was configured</p> <p>24 and their own leadership of that.</p> <p>25 We wanted to focus the media away from the</p> <p style="text-align: center;">Page 70</p>	<p>1 Q. You state under question 31 that the anti-corruption</p> <p>2 unit conducts periodic defensive operations proactively</p> <p>3 seeking evidence of any inappropriate contact with</p> <p>4 members of the media. Are those operations</p> <p>5 intelligence-led or are some purely speculative?</p> <p>6 MR BAGGOTT: No, they would be intelligence-led.</p> <p>7 Q. Under question 32, you point out that there have been</p> <p>8 five investigations conducted into suspected leaks in</p> <p>9 the last five years. Only two of those were suspected</p> <p>10 leaks to the media specifically. One, an officer</p> <p>11 sending a text message to a journalist providing his</p> <p>12 opinion of the anticipated level of disorder in</p> <p>13 a forthcoming operation.</p> <p>14 MR BAGGOTT: Yes.</p> <p>15 Q. That officer faced a misconduct panel and was fined.</p> <p>16 And also an officer, the second case, provided</p> <p>17 unauthorised briefings to the press following an</p> <p>18 incident and he received a written warning.</p> <p>19 MR BAGGOTT: (Nods head).</p> <p>20 Q. One of those five investigations is still ongoing; is</p> <p>21 that right?</p> <p>22 MR BAGGOTT: That's right.</p> <p>23 Q. Is there anything you want to add to that summary of the</p> <p>24 position as you see it?</p> <p>25 MR BAGGOTT: No, thank you.</p> <p style="text-align: center;">Page 72</p>

<p>1 Q. Ms Young, you state that your department monitors public 2 information to ensure that it's in line with what's been 3 officially released and that you then report issues of 4 concern to the Professional Standards Department? 5 MS YOUNG: That's correct. 6 Q. At question 37 you give your view on what you consider 7 might be the driving forces behind leaks, that's 8 page 10320. You highlight that many are more likely to 9 be inadvertent than malicious, that a driving force can 10 be where a disgruntled employee is unhappy about 11 something within the organisation, wants to speak about 12 it, and in other cases it might be loose talk with 13 friends, family, social contacts, and those people might 14 pass on information to the media themselves. 15 MS YOUNG: Yes, I do believe that any information that does 16 find its way into the media is for a number of reasons, 17 which I've outlined. I don't believe that we have an 18 issue in any way of any of our officers or staff being 19 bribed or paid for any information. I think anything is 20 volunteered and volunteered for all of the reasons that 21 I've outlined. 22 LORD JUSTICE LEVESON: Some better than others. 23 MS YOUNG: Absolutely. 24 LORD JUSTICE LEVESON: But none terribly desirable. 25 MS YOUNG: That's correct.</p> <p style="text-align: center;">Page 73</p>	<p>1 will not open that out to other media outlets because we 2 don't believe that's fair. They all have their chance 3 to come and they all have the same access if they 4 request it, and that's one way of ensuring it's fair. 5 So those are the ways that we would try and ensure 6 there's a fairness right across the media. 7 Where there's difficulties and sensitivities and 8 maybe we've had a huge demand for access to an officer 9 in relation to a particular story that may be sensitive, 10 on occasions we will actually pull that and say, right, 11 okay, this time round we're going to give it to one 12 outlet but here's the conditions, that that particular 13 interview is released by a time so that they all have it 14 at the same time and can do whatever they want to do 15 with it, and again we make sure that we share out that 16 responsibility on an even basis. 17 All of the -- 18 Q. Can I just remind you just to slow down a little bit. 19 MS YOUNG: Sorry. 20 Q. Not at all, I'm guilty of it myself, but it's so the 21 shorthand writer can take a full note. 22 MS YOUNG: But we do log all of our briefings onto the 23 Spotlight Solcara system, which can be looked at, and 24 again, I mean the media know themselves that it is an 25 even basis. They would be the very first to pick up if</p> <p style="text-align: center;">Page 75</p>
<p>1 MS BOON: Ms Young, what systems do you have in place to 2 ensure that your department can't be accused of 3 favouring one of the three main titles in Northern 4 Ireland over the others? Is there anything specifically 5 you do to ensure an even-handed approach? When I say 6 that, to access to information and access to senior 7 officers? 8 MS YOUNG: I would describe it as we have a number of ways 9 of releasing information out to the media. One of them 10 is a news line where we put recorded updates, and that 11 news line is accessed by all media outlets, so whenever 12 it's updated, all of the media outlets have the same 13 information at the same time. 14 We also email out all press releases out to all 15 newsrooms in all outlets as well. 16 If we're doing any media facility, in response to 17 a major incident, a critical incident or something of 18 public confidence, all of the media are invited at the 19 same time. 20 We do have, as the chief has already said, a number 21 of one-to-one briefings with media outlets and that does 22 depend on a number of factors. One of the factors being 23 if one particular news outlet has got a story or has 24 a background of a story and they come and ask, "Can we 25 have some more information on it, more background", we</p> <p style="text-align: center;">Page 74</p>	<p>1 they thought one was getting unfair treatment. 2 Q. You would know about it if that were the perception? 3 MS YOUNG: I would know very quickly. 4 Q. I said that I would return to the investigation into the 5 disappearance of Madeleine McCann, Mr Baggott. You deal 6 with this at question 50 of your statement. That's at 7 page 55407. There are two paragraphs I believe you've 8 already covered, setting out that it was 9 a Portuguese-led inquiry. 10 MR BAGGOTT: Yes. 11 Q. And a decision was made at an early stage that you would 12 comply, or the police in this country would comply with 13 the requirements of Portuguese law, including the 14 Judicial Secrecy Act. 15 MR BAGGOTT: Yes. 16 Q. Over the page on 55408, internal numbering 24, third 17 paragraph down: 18 "Due to the vast quantity of local, national and 19 international media that descended on the village of 20 Rothley, Leicestershire, where the McCann family live, 21 a large policing operation had to take place to ensure 22 that villagers were able to go about their daily 23 business. We did have complaints from local residents 24 about the media's behaviour." 25 I wanted to ask you what those complaints entailed,</p> <p style="text-align: center;">Page 76</p>

<p>1 what they were about?</p> <p>2 MR BAGGOTT: I think there was a variety of complaint around</p> <p>3 disruption to daily life, which was caused by a large</p> <p>4 international media descending for the long term and the</p> <p>5 disruption that caused to people's business.</p> <p>6 Secondly, if I recall, the intrusiveness of asking</p> <p>7 residents about their thoughts and what had happened,</p> <p>8 and a degree of speculation. So it was not only</p> <p>9 a physical presence and the requirement of having to</p> <p>10 preserve people's quality of life, but on the other hand</p> <p>11 the media in going and asking questions.</p> <p>12 Q. You wrote a letter to editors that's at tab 10 of our</p> <p>13 bundle, 55383. Amongst who was this circulated, this</p> <p>14 letter?</p> <p>15 MR BAGGOTT: If I recall, this went to all the prominent</p> <p>16 editors. I can provide, I'm sure, a written record of</p> <p>17 who it went to, if you should so choose.</p> <p>18 LORD JUSTICE LEVESON: Don't we need to go to the next one</p> <p>19 first, because it's chronologically first in time?</p> <p>20 MS BOON: It is, sir, that's quite right. The first one is</p> <p>21 page 55384, tab 11.</p> <p>22 MR BAGGOTT: Thank you.</p> <p>23 Q. "Since the beginning of May 2007 my force,</p> <p>24 Leicestershire Constabulary, has had the responsibility</p> <p>25 for co-ordinating the UK law enforcement response to</p> <p style="text-align: center;">Page 77</p>	<p>1 "At the heart of this inquiry is an innocent little</p> <p>2 girl who went missing on 3 May. Our focus remains on</p> <p>3 doing everything in our power to assist the judicial</p> <p>4 police and the Portuguese authorities to find out what</p> <p>5 has happened to Madeleine."</p> <p>6 I won't read out the letter on 8 October, but that's</p> <p>7 a repeat of that request, is it?</p> <p>8 MR BAGGOTT: Yes.</p> <p>9 Q. What response, if any, or reaction did you get to those</p> <p>10 letters?</p> <p>11 MR BAGGOTT: If I recall, there was one complaint made to</p> <p>12 the Press Complaints Commission, which resulted in</p> <p>13 a noting of the file, but the speculation did continue</p> <p>14 in spite of the first letter, and then I felt obliged to</p> <p>15 write the second letter, again appealing to the better</p> <p>16 nature of the media and to understand the complexity of</p> <p>17 this situation. So I think the fact that I wrote two</p> <p>18 letters is indicative of itself of the concerns of the</p> <p>19 UK effort to try and find Madeleine.</p> <p>20 LORD JUSTICE LEVESON: Ms Boon's question was what reaction</p> <p>21 did you get to these letters?</p> <p>22 MS BOON: Yes.</p> <p>23 MR BAGGOTT: Not hugely positive, because the speculation</p> <p>24 continued.</p> <p>25 LORD JUSTICE LEVESON: And you say you filed a complaint to</p> <p style="text-align: center;">Page 79</p>
<p>1 Madeleine McCann's disappearance. As the</p> <p>2 Chief Constable I have become increasingly concerned</p> <p>3 regarding the continued speculation and rumour</p> <p>4 surrounding this investigation, hence this exceptional</p> <p>5 request of you.</p> <p>6 "I would be most grateful if you could ensure</p> <p>7 restraint in reporting on the case while the Portuguese</p> <p>8 authorities complete their inquiries and conclude their</p> <p>9 judicial processes. Over recent weeks I have been</p> <p>10 surprised at the reporting of some alleged facts that,</p> <p>11 as far as I am aware, bear little relation to the</p> <p>12 evidence. I am deeply concerned at the implications</p> <p>13 that this may have for all involved.</p> <p>14 "Recent reports have quoted anonymous Leicestershire</p> <p>15 police sources. I am confident that the very few</p> <p>16 officers who know the detail of the inquiry have not and</p> <p>17 will not divulge confidential detail to the media, nor</p> <p>18 do they brief others who have provided specialist</p> <p>19 assistance or who have a legitimate interest in the</p> <p>20 inquiry.</p> <p>21 "I know you will appreciate that the implications of</p> <p>22 Portuguese judicial secrecy mean that we are not in</p> <p>23 a position to release information, brief the press on</p> <p>24 the investigation's progress, or confirm or deny any</p> <p>25 specifics relating to the case.</p> <p style="text-align: center;">Page 78</p>	<p>1 the Press Complaints Commission. Would Leicestershire</p> <p>2 have that, both the complaint and their response?</p> <p>3 MR BAGGOTT: I think we could provide it, sir. I shall make</p> <p>4 inquiries if that's what you wish.</p> <p>5 LORD JUSTICE LEVESON: I would like to see how the Press</p> <p>6 Complaints Commission dealt in writing with the</p> <p>7 complaint you made, if that's not inconvenient.</p> <p>8 MR BAGGOTT: Certainly, sir.</p> <p>9 LORD JUSTICE LEVESON: Thank you.</p> <p>10 MS BOON: I have been asked by a core participant to ask you</p> <p>11 whether you felt that you had the necessary tools to</p> <p>12 prevent or at least object to the misreporting in the</p> <p>13 press about Madeleine's disappearance and Leicestershire</p> <p>14 police's involvement.</p> <p>15 MR BAGGOTT: I think there could have been a greater voice</p> <p>16 or a greater authority to explain the boundaries of what</p> <p>17 that press reporting should have been. The difficulty</p> <p>18 I think there is with this is it involves a European</p> <p>19 dimension as well as a national one, in which case --</p> <p>20 but I think there could be some stronger guidelines and</p> <p>21 consequences.</p> <p>22 That said, without going into the detail, I am aware</p> <p>23 that there were civil proceedings taken in the following</p> <p>24 months, which by themselves exercised a degree of</p> <p>25 constraint and control over the reporting.</p> <p style="text-align: center;">Page 80</p>

<p>1 LORD JUSTICE LEVESON: Yes. The problem is: is that good 2 enough? Because it may be that the Drs McCann can 3 recover damages, but to such extent as damage has been 4 done, the damage has been done. 5 MR BAGGOTT: I think in this particular case, sir, the 6 speculation, if it had been a UK court, may well have 7 undermined the fairness of subsequent proceedings 8 against whoever was charged with that offence, and 9 secondly, it certainly hindered the inquiries to find 10 and trace Madeleine simply because of the reaction that 11 came from the media speculation. 12 MS BOON: I've also been asked by a core participant to ask 13 you about the confidentiality agreement that you asked 14 officers to sign. Do you feel that the signing of the 15 confidentiality agreement added anything, because of 16 course the people who were working for the investigation 17 were already bound by a duty of confidence? 18 MR BAGGOTT: The confidentiality agreement, just to give 19 context, was something that was put together by the Gold 20 Group who were running the inquiry as part of the UK 21 effort, not by myself as chief constable. 22 Q. Right. 23 MR BAGGOTT: But my opinion would be it was a very good and 24 a very clear way of asserting the seriousness of 25 confidentiality, and also would give some degree of</p> <p style="text-align: center;">Page 81</p>	<p>1 LORD JUSTICE LEVESON: It's not just how important it is, 2 because it always is, but it also applies 3 notwithstanding this is not a UK investigation. 4 MR BAGGOTT: Yes. 5 MS BOON: Yes. Would there be any lessons learned from your 6 experience dealing with that investigation that you 7 would wish to share with the inquiry or have you covered 8 everything that you wanted to say about it? 9 MR BAGGOTT: I think the inquiry is ongoing. I think 10 probably the lesson to be learnt is probably a greater 11 understanding of the complexity and consequences of 12 speculation and loose reporting of facts. And I think 13 that's a serious issue for the press to consider, 14 because in the PSNI I have an obligation under the Human 15 Rights Act across the whole course of the human rights. 16 I don't think some of this speculation was either 17 necessary, it clearly wasn't on the boundaries of 18 legality in relation to the subsequent proceedings. It 19 certainly wasn't practical and it certainly wasn't 20 proportionate. 21 I think sometimes there is a useful human rights 22 template to apply to how the press use information. In 23 this particular case, I think a greater understanding of 24 consequence would have been appropriate. 25 Q. Looking to the future now, Mr Baggott, first of all, do</p> <p style="text-align: center;">Page 83</p>
<p>1 lever over the individual's behaviour and point out the 2 consequences should they subsequently breach it, which 3 I think would fit certainly today within the code of 4 ethics. 5 Also there were other measures taken, which was the 6 security of the investigative team itself and where 7 information was actually held and who had that securely. 8 So it wasn't just the confidentiality agreement by 9 itself, it was other defensive measures to make sure 10 that information was used wisely and only in the 11 appropriate way. 12 But I do think the confidentiality agreement is in 13 unique and exceptional circumstances a good way of 14 making sure that the seriousness of the correct use of 15 information is understood, but also there is 16 a consequence should an individual decide to leak it 17 subsequently. 18 Q. That's a way of focusing the officers' mind on the 19 confidentiality -- 20 MR BAGGOTT: I think that's right. 21 Q. -- the particular sensitivity, their particular 22 obligation. The obligation applies always, but to 23 remind them in that instance how important it is? 24 MR BAGGOTT: It certainly is going the extra mile and 25 I think it was a good thing to do.</p> <p style="text-align: center;">Page 82</p>	<p>1 you have any suggestions for how we preserve the good, 2 the full, frank and effective communication between the 3 police and the media but at the same time maintaining 4 a sufficient degree of oversight, avoiding the use of 5 the world control, but oversight to ensure that 6 relationships are appropriate? 7 MR BAGGOTT: I think there is some very good practice which 8 has been developed across the UK. I think the issue now 9 is one of consistency to make sure that the same 10 standards apply everywhere. I think there are some very 11 good reports in relation to the HMIC already produced 12 and Elizabeth Filkin's work, which provide some very 13 good templates for us to reconsider our current policy, 14 our national consistency, against that. 15 I think the balance has to be between giving local 16 colleagues the ability to storytell with the right 17 ethical guidance and support, which is entirely 18 appropriate in relation to confidence building, whilst 19 making sure that the very real issues of the 20 inappropriate misuse of information, whether that's for 21 personal gain or simply through gossip, still remains 22 under tight control. 23 I think our relationships with the media probably 24 need to be reasserted in terms of what the man or woman 25 in the street would think, and that for me is about</p> <p style="text-align: center;">Page 84</p>

<p>1 professionalism and contact for a purpose, and maybe we 2 need to readjust that. The personal side I spoke about 3 opening statement, I think it should be amicable and it 4 should be very friendly, but it should always be 5 professional and for a purpose. 6 Q. Ms Young, in your statement you place an emphasis on the 7 need for the application of professional judgment and 8 you would have concerns about any rigidity that 9 prevented the exercise of judgment in that way. Is 10 there anything else that you would like to add or any 11 suggestions you might have on this? 12 MS YOUNG: I think one. I'd just add on to what the chief 13 has said. I mean, this Inquiry, the reviews that have 14 already gone on have indicated above anything else that 15 even though there is a set of guidelines, which is the 16 ACPO guidelines that most of us following, it is 17 following them loosely and there's not the consistency 18 of application, and I think that is difficult both from 19 the public perception and our own people, and also the 20 media as well, so I think there is definitely learnings 21 is to be learned from everything that has been discussed 22 over these last few months, and we do need a set of 23 consistent guidelines, but we also need, I think, more 24 consistent internal communication, certainly within our 25 own organisation in relation to exactly what the</p> <p style="text-align: center;">Page 85</p>	<p>1 MS BOON: Sir, may I just add that the Inquiry proposes to 2 read in a number of statements and submissions. I hope 3 you've had a copy of that. Those have been provided to 4 the Inquiry and their publication has been agreed with 5 the core participants. They'll be made available on the 6 Inquiry's website in the next few days. 7 LORD JUSTICE LEVESON: Read them in. Read it out. 8 MS BOON: There's the witness statement of David Seymour, 9 the letter from Herbert Smith in relation to the witness 10 statement of David Seymour, the second witness statement 11 of Ian Hislop, the witness statement of Julian Assange 12 and exhibits, the witness statement of Stephen Purdew, 13 the witness statement of Professor Thomas Gibbons, the 14 University of Manchester and exhibits, the witness 15 statement of Peter Gold, the witness statement of 16 Peter Bradley and exhibits, the second witness statement 17 of John Yates, the witness statement of 18 Alexander Tribick, the witness statement of 19 Martin Clarke, the witness statement of Sir Paul 20 Stephenson -- 21 LORD JUSTICE LEVESON: That's a further witness statement 22 from him. 23 MS BOON: It is, it's the second or -- yes, certainly 24 a further witness statement. And the following are 25 submissions, sir, from Trans Media Watch, from</p> <p style="text-align: center;">Page 87</p>
<p>1 guidelines are, what the flexibility is, what we expect, 2 what's the purpose of them, I think, and an 3 understanding of the purpose, why the guidelines are 4 there, which is not to control and to restrict, but 5 actually to give some sort of security and comfort, both 6 around the individual and also the organisation as well. 7 I think the whole area of social media is going to 8 cause big challenges for us as well. That's an area 9 that the guidelines don't cover and again that is very 10 much open to risk to the organisation and individuals, 11 and it's an area that I think we need to have 12 appropriate standards around as well, in relation, in 13 particular, to what we're using them for and how do we 14 use them in a professional way, that benefits the 15 organisation and the public as well. 16 MS BOON: Thank you. Is there anything either of you would 17 like to add? 18 MR BAGGOTT: No, thank you, sir. 19 LORD JUSTICE LEVESON: Thank you very much. I'm conscious 20 we were going to deal with the McCanns, but it was 21 Jerry Lawton who I remembered. Thank you very much and 22 I repeat my thanks for being prepared to travel from 23 Northern Ireland to help me. Thank you. 24 MR BAGGOTT: Thank you, sir. 25 LORD JUSTICE LEVESON: Right.</p> <p style="text-align: center;">Page 86</p>	<p>1 Carnegie Trust, from the NUJ on press regulation, 2 a letter from Eaves, Equality Now, EVAW, Object. 3 The following are all submissions: from Dr David 4 Levy of Reuters Institute for the Study of Journalism, 5 the Samaritans, the Chartered Institute of Journalists, 6 the Refugee Council, Professor Gavin Phillipson, the 7 Durham Law School, University of Durham, Professor Maire 8 Messenger Davies, University of Ulster, 9 Inclusion London, National Council for Training of 10 Journalists and exhibits, Dr David Golding, Newcastle 11 University, Professionals Against Child Abuse and 12 exhibits, Newspaper Society, Wish, Press Gazette and 13 exhibit, Regulatory Best Practice Group, European Policy 14 Forum, Schillings, Youth Media Agency, Joint Council for 15 the Welfare of Immigrants, Media Wise Trust, the British 16 Psychological Society and the Press Council of Ireland 17 and Press Ombudsman, Ireland. 18 LORD JUSTICE LEVESON: Thank you very much. I asked you to 19 read it out because I'd like to take the opportunity to 20 recognise the contribution that a large number of people 21 have been prepared to make to the Inquiry, and the value 22 which I attach to the work that they have put in to 23 their views. Time inevitably means that not all can be 24 examined or need to be examined orally, but nobody 25 should feel their contribution is less valued because</p> <p style="text-align: center;">Page 88</p>

1 they don't have the unenviable experience of having to 2 give it in person. 3 Thank you very much indeed. Tomorrow morning, 4 10 o'clock. 5 (4.13 pm) 6 (The hearing adjourned until 10 o'clock the following day) 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	
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