



PERSONAL STATEMENT TO THE LEVESON INQUIRY BY NATHAN OLEY

Head of Press and Public Affairs, Association of Police Authorities, 28.02.2012

1) Who I am and career history

I have been the APA's Head of Press and Public Affairs since January 2011.

In this role I deliver the APA's dealings with the media, provide a public affairs function and also have a limited policy role (regarding the preparations for one aspect of the transition from Police Authorities to directly elected PCCs).

Career history

- 01/11 - **Head of Press and Public Affairs**, Association of Police Authorities
- 10/08 – 01/11 **Strategic Adviser, i) Strategic Policing and latterly, ii) Policy and Public Affairs**, Association of Police Authorities (APA)
- 10/07 – 10/08 **Senior Policy Lead (Stop and Search) and Partnership Link Officer**, The Metropolitan Police Authority. (Maternity cover)
- 09/06 – 09/07 **Local Government Relations Officer, The Mayor of London's Office** Greater London Authority. (Maternity cover)
- 07/04 – 08/06 **Political Adviser to the Leader**, London Borough of Waltham Forest
- 05/04 - 06/04 **Consultant Researcher**, The Oasis Trust
- 04/03 – 04/04 **Policy and Research Manager**, Community Action Southwark (CVS)
- 12/00 – 03/03 **Campaign Manager and latterly, Director of Public Affairs**, Faithworks
- 09/99 – 07/00 **Parliamentary and Political Assistant to Rt. Hon Sir Alan Beith MP** (Shadow Home Secretary)
- 08/99 – 08/99 **Lecturer (British Politics and Culture)**, Cambridge International Students' Summer School
- 09/98 – 07/99 **Students' Pastor**, City Church Cambridge
- 09/95 - 07/98 **BA (MA Cantab.) (Hons). Social and Political Sciences, 2.1** Clare College, University of Cambridge.

2) Role and remit of APA Press Officer, and 3) Role and responsibilities and reporting

The 'press office' consists solely of me as 'Head of Press and Public Affairs'.

I have a number of responsibilities and functions with regard to the public affairs part of my work and also a limited role in policy with regard to certain aspects of the transition from police authorities to PCCs. However my chief responsibilities as regard to the press are:

1. To draft and agree the content of all written statements to the press with the Chair / Deputy Chairs and the Chief Executive and to issue those press releases to the media
2. To manage and 'author' the APA's presence on twitter
3. To respond to all enquiries from any sections of the media at any time. This includes my personally providing factual information or background to an issue in the capacity of my role. Requests for an official quotation from the APA will be referred to the Chair(s) and if accepted I would draft a quote for their consideration.
4. To respond to requests for, and proactively to seek interviews for the Chair / Deputy Chairs with relevant media.
5. To scan the media and provide links to the most important stories for police authorities on our 'press blog' every morning.
6. To ensure that the Chair(s), and relevant colleagues and or members are aware of significantly relevant media stories as soon as possible.
7. To update the front page and press pages of the APA website and other pages as far as possible.
8. To provide a response to relevant stories in the media where correction is required or there is an opportunity to raise the profile / concerns / priorities of the APA. This might involve placing a comment underneath a story on the Internet or writing to the editor, etc.
9. To provide a forward planning function to ensure that the APA responds to relevant stories / publications / events in a timely fashion.
10. To secure appropriate representation (speakers / branding) for the APA at relevant events / conferences.
11. To oversee contracts associated with my function (media / Parliamentary monitoring services, subscriptions).
12. To assist in maintaining the APA's constructive links with partner organisations such as ACPO, the LGA, Police Federation, Superintendents', etc.

Reporting: In delivering these functions I report to the APA Chief Executive who ensures the delivery of strategy and messages agreed and set by the APA Chair.

All press statements are signed off by and issued in the name of the Chair(s) of the APA.

4. Press Office's role as gatekeeper

Yes, all information issued to the media on behalf of the APA comes through the press office or through press interviews with the Chair (set up by the press office).

Our staff handbook is clear that

"All media enquiries should be referred to the Communications Manager [Head of Press and Public Affairs] and Executive Director [Chief Executive] (or in her absence, the Deputy executive Director). No comment or other information (even factual information) should be provided to the press or other media without first obtaining explicit clearance from the Executive Director (or in her absence, the Deputy Executive Director). This applies to all media."

5. Press office's gatekeeper function for controlling access to APA personnel

Yes, all enquiries from the media come into the press office and under the guidance of the Chief Executive; I manage the media's access to APA personnel. APA Staff approached by the media refer the media to me (as above).

6. APA culture in dealing with the media

As a member-led organisation our dealings with the media must be transparent, directed by members and professional. Dealings with the media are entirely conducted through the press office and therefore relatively tightly controlled.

7. Culture of dealings between the APA press office and the media

The dealings between the APA have become far more frequent over the past two years.

I believe that the relationship is a professional one that has worked well without departing from the parameters set by the Chairs of the APA, and has succeeded in raising awareness of police authorities' role, concerns, strengths and priorities.

Our greatest challenge has been our capacity. Most organisations with a comparable national role typically have a team within the press office, plus additional capacity for public affairs work, and support for the Chair's stakeholder relations. These functions are delivered, as far as we are able, through one post.

8. The type of contact with the local and national media

This is perhaps best illustrated by detailing the contacts I have had with the media during the last month:

- 11.01 BBC News call enquiry about PCCs
- 12.01 Police professional call re: Police Arbitration tribunal
- 17.01 BBC North West TV calls and emails re: 'Inside out' documentary on PCCs
- 20.01 GovKnow call: plans for publicising a conference on Policing
- 25.01 Independent production company call and email re: researching programme looking at impact of cold weather on emergency services
- 26.01 ITV west call enquiry re: impact of police cuts
- 26.01 Huffington Post call re: impact of police cuts
- 01.02 BBC Lincolnshire call enquiry re: local candidates for PCC elections
- 06.02 Western Mail reporter called re: High Court ruling on police pensions
- 06.02 Home Office press office called
- 08.02 BBC Radio Gloucestershire 'phone bid re: interview on police cuts
- 08.02 Capita conferences – called re: publicity for conference on PCCs
- 10.02 BBC 6 O'clock news called re: bid for a live interview about PCCs
- 10.02 'Phone Sunday Mirror enquiry re: Riot damages act
- 13.02 'Phone and emails BBC Radio 4 'You and yours' interview bid re: Riot damages act
- 14.02 Request for information from Voluntary sector umbrella body (response to press)
- 15.02 'Phone Bid from Channel 4 News story (riots)
- 16.02 'Phone Interview bid from a trainee journalist
- 17.02 BBC TV Politics Show 'phone inquiry re: PCCs
- 21.02 Call from Feature writer from 'The Economist' researching article about PCCs
- 23.02 Lincolnshire press enquiry (call) re: outsourcing of policing functions to G4S

To note:

- Contact is almost always by email or phone. Meetings are rare, though they do of course take place on the fringes of conferences or press conferences.

- In general – media enquiries regarding any issue that is specific to one authority will be referred onto the local police authority concerned.
- Calls occasionally come in asking for ‘a *police* view on X’ – these callers will be directed to ACPO.
- Our relative level of media activity has reduced significantly since the conclusion of the Police Reform and Social Responsibility Bill’s passage through Parliament (15.09.11)

9. Contacts with the media

Are limited to me as Head of Press or the Chief Executive and the Chair(s) as explicitly set out in the staff handbook (please see answer to question 4).

In my absence the Chief Executive fulfils the press office function.

10. Prioritisation of media calls

As the umbrella body for all 47 police authorities with a responsibility to represent all authorities at a national level we prioritize contact with the *national* media if we are required to.

Calls from the local or regional media will usually be referred to the press office of the relevant local police authority.

11. Wide dissemination of information

We issue press releases to a wide variety of media outlets, taking care to include the BME and minority press or trade outlets wherever relevant.

Our capacity has limited our ability to maintain and expand a press contact list that would ensure that our messages are disseminated as widely as possible. However, our twitter account (@assocpoliceauth) carries all of our press stories to over 1,350 followers including dozens of individuals in the press or media offices.

12. Media attitude towards the press office

The journalists with whom I have dealt have been happy to route communications through the press office not least since to do so has provided them with the direct access to the Chair that they have occasionally required.

13. “Off-the-record” briefings with the media

Since the Chair(s) are the only official spokespeople for the APA, I cannot provide a quote for published use in the media without the agreement of the Chairs.

Therefore, most conversations that I have with the media are “off the record” in the sense that they cannot be attributed to me personally, unless I am providing the media with a statement which has been signed off by the chair(s).

However, since recent debates around policing governance and the Police Reform and Social Responsibility Bill have often involved quite complex or little-known details, I have frequently had discussions with the media which whilst “off-the-record” are really just the provision of **background** briefing. For example, a 45-minute briefing conversation on 22.02.12 with the journalist who wrote this piece in the Economist (24.02.12): <http://www.economist.com/node/21548265>

14. Records of “off-the-record” briefings

I keep records of all such briefings and relate those details to the Chair and Chief Executive; typically immediately after the briefing.

15. Personal contacts with the media

16. Gains sought for the APA through personal contacts with the media

17. What the media have sought through personal contact with me?

As stated above, I took on the press function at the APA in January 2011.

I do not have personal contacts with the media – only the professional contacts outlined above at (8).

18. Hospitality I have accepted from the media

19. The nature of hospitality accepted from the media

I have not accepted any hospitality from the media in my current or previous positions.

20. To what extent have I provided hospitality provided for the media?

21. What was the nature of that hospitality?

I have not provided any hospitality specifically for the media. However; members of the media who have attended meetings of the APA council will have had access to, and been welcome to partake of the same hospitality provided for APA members at such events, (typically a sandwich lunch and soft drinks). Similarly, any members of the media attending one of the 'Policing fringe' events organised by the APA and ACPO at each of the national political party conferences every autumn will have had the same access as all other attendees to the sandwich lunch and soft drinks provided to guests at these events.

22. Gifts I have accepted from the media

I have never accepted (or indeed been offered) gifts from the media.

23. Hospitality accepted by APA personnel from the media

All hospitality accepted by APA personnel from the media would be recorded but this has never happened as to my knowledge it has never been received.

24. Training and guidance on handling the media

I have not received any specific training but have referred to guidance on media handling produced by police authorities. (I took on this role in a context of significant upheaval at the APA involving numerous redundancies and sizeable budget cuts so the opportunities for training and guidance have been limited).

All APA staff work with our guidance on data protection and Freedom of Information, both of which have some bearing on handling the media. We have also undergone Metropolitan police service vetting and I have been security cleared to SC level.

5. My ability to give guidance for my staff

26. The content of guidance provided to my staff

I do not have any staff and handle all contact with the media myself. Other staff are instructed to pass any media handling onto me, or the Chief Executive of the APA in my absence.

27. Do the press office staff understand what is "appropriate" contact with the media?

There are no other members of staff in the press office. My understanding of appropriate contact is reflected in my answers above – I have not had personal contact with the media outside of my professional role, and have neither provided nor accepted hospitality from the media.

In the context of the APA, 'appropriate' is also understood with reference to our being a member-led organisation. It is crucial that all of my dealings with the media are transparent to, and understood by the Chair(s) as those elected to lead the organisation by our members, and that I communicate messages to the press with their authority.

28. Are you comfortable briefing the media?

Yes. My briefing the media chiefly involves either providing factual background information or communicating 'lines' as agreed and directed by the Chair(s) so it is very transparent.

29. The challenge of occurrences that attract national media attention

The APA's national media profile has not traditionally been especially high, and whilst crime remains of considerable public concern, there has, until recently been significantly less media interest in our core business – the *governance and oversight* of the police.

Therefore it is rare for us to be overwhelmed purely in terms of media interest. However, our capacity to respond to both public affairs (Parliamentary) and media enquiries is limited at times of significant debate about police governance (e.g. during the most crucial points of the passage of the Police Reform and Social Responsibility Bill) by the size of our 'team' (i.e. one).

30. Improvements to the press office

Chiefly, our capacity to respond to enquiries, maintain sufficiently up to date and comprehensive media contact lists and to have sufficient time to foster appropriate communication with the media is limited by there only being one person devoted effectively part time to this function (a portion of my time being taken up with delivering our public affairs and also a limited policy function). Therefore improvement in the areas suggested could be delivered through the resourcing, recruitment and training of more staff.

1. Are leaks from the press office a problem?

No. I have no knowledge of any leaks during my time in post.

32. Procedures to identify respond to and detect the source of leaks

Having never had any leaks we have yet to draw up such procedures. Though in terms of media handling only being undertaken by one person within the office, there is very limited scope for leaks. This is an area that the Chief Executive is examining with a view to ensuring that we have such procedures in the near future.

33. How many investigations have been conducted into actual or suspected leaks from the press office?

Zero.

34. Has disciplinary action been taken against any member of the press office for leaking information?

No. There have not been any leaks from the press office.

35. Are leaks from APA personnel a problem for the APA?

No. I have no knowledge of any leaks during my time in post.

36. What do you think are the driving forces behind or main causes of leaks from i) the APA press office, (ii) the APA and police authorities and (iii) the police service in general

i) and ii) there have been no leaks that I'm aware of

iii) I have no experience of leaks from the police service in general.

37. Is bribery of APA personnel by the media a current problem?

No, I am not aware of any actual or attempted bribery.

The core business of the APA (promoting and assisting effective governance and oversight of the police and representing police authorities) is of limited interest to the press most of the time and information about it is readily available so there would be little motivation for bribery. Further, the opportunity for bribery seems relatively unlikely to arise since members of the APA's staff do not have routine access to the kind of police records that might conceivably be of interest to those who might use that tactic to access information.

38. The relationship between the APA Press Office and other APA Personnel

This relationship could be described as co-operative and trusting. The entire APA secretariat is a small team of eight and so we necessarily work together in a small open plan space with clear transparency. In fulfilling the press office function I liaise closely with my colleagues in the policy team who provide me with the subject matter details that I need in order to inform the media and other external target audiences.

39. What limitations should there be on police officers and staff leaving to work for the media and vice versa?

If a police officer or member of staff has access to sensitive information which might be of interest to the media but is not, and should not be in the public domain, then there might be a case for arguing that the ability of that staff member to join the media might be restricted in the same way that former government Ministers have time limited restrictions on their employment options after leaving office. Such restrictions could be useful in providing a 'firewall' to minimise the potential for conflicts of interest, potential for unauthorised disclosure of timely information or any ability to exercise improper influence.

40. What limitations should there be on APA or police authority personnel leaving to work for the media and vice versa?

If a Police Authority or APA staff member has access to sensitive information which might be of interest to the media but is not and should not be in the public domain then the ability of that staff member to join the media might be restricted in the same way that former government Ministers have time limited restrictions on their employment options after leaving office, as above (answer to Q39).

My personal view is that the level of access which APA and police authority staff have to information about operational policing which might conceivably be of interest to the media does not usually merit there being limitations on authority or APA staff leaving to work for the media.

Speaking personally I do not see an obvious case for restricting the ability of members of the media to work for the APA or police authorities as long as the individuals concerned are treated like other employees (i.e. they are vetted, are subject to the same rules of behaviour and propriety as every other member of staff and are managed appropriately).

41. What is your view of police officers and staff having "off-the-record" conversations with the media?

I can only offer a personal rather than a professional or 'APA' view, but my view would be that police forces have teams of trained press officers who are properly trained for, and held to account for the forces' relations with the media so interaction with the media should always be carried out through that press team working in a professional manner.

42. Is there a basis for applying different standards and rules to police staff from those that apply to police officers?

Yes, in the specific sense that police staff employed within the force press office will and should have different restrictions on their interactions with the media compared to the (tighter) restrictions placed on police officers.

As above; my personal belief is that in general police officers should not deal with the media outside of the channels established and managed by the force press team— that is what the latter are trained to do and rightly held to account for. The press team must act under the guidance of the Chief Constable regarding what is operationally in the public interest, namely, the protection of the public, the maintenance of public confidence and the solving of crime.

I would contend that public interest case must be employed in deciding whether or not an officer should speak to the media: a police officer, as any other person must have the right to speak to the media in

genuinely necessary cases of 'whistle-blowing' where other potential means of raising concerns are either closed or have been exhausted.

There are other cases where the presence of a uniformed officer speaking to the public via the media is absolutely necessary in order to address public reassurance and confidence; not least following a serious crime and this too would therefore be in the public interest.

But in general, my view would be that the risks of the potential implications of mishandling information to the press are so serious that these risks must always be minimised by media interaction being limited to only those who have been fully trained to fulfil that role. (I would anticipate that the Chief Constable and her/his Senior Colleagues should receive such training).

The possible impact of PCCs

The Inquiry will be aware that the advent of elected Police and Crime Commissioners (PCCs) will certainly have a massive impact onto this area. It has been suggested that PCCs will, and indeed *should* see themselves as the guardians of public confidence in policing and that therefore they, rather than the Chief Constable, should 'front' media coverage on behalf of the police in the event of a major incident of public concern in order to allay those concerns. However, I have some doubts on the basis of the public interest test alone about how sensible such a departure from the long established tradition of having an appropriately managed presence of senior police officers on the media will be. On the basis of present trends, it will be many years before the levels of public trust and confidence in elected *politicians* match the levels of trust that the public afford to the *police* (second only to doctors and nurses amongst public servants). The public recognise and respect the independence and integrity of the police and overwhelmingly trust the uniformed presence of a senior officer. As long as that senior officer is briefing all media in a fully transparent, uniform way in an open press conference, the police should continue to have an appropriate role in appearing before the media. The appropriate, transparent interaction of senior officers with the press can be useful in actually facilitating the media playing the many potentially constructive roles it can fulfil including communicating risk, shaping public confidence and helping to solve crime.

43. HMIIC's review 'Without fear or favour'

The APA fully endorses this review and is fully committed to the implementation of all of its recommendations. We are developing a work programme to assist police authorities in implementing the recommendations of this review which we hope will also be of use to elected PCCs from November.

44. The Filkin report 'Ethical issues arising from the relationship between police and media'

This report has the APA's full endorsement and we support the implementation of its recommendations. We are developing a work programme to assist police authorities in implementing the recommendations of this review which we hope will also be of use to elected PCCs from November.

45. Are there different or further steps that could and/or should be taken to ensure that relationships between police personnel and the media are and remain appropriate?

I am quite far removed from the day-to-day reality of police personnel's relationships with the media and so feel ill qualified to pronounce on this area. However, aware that the making of payments to police officers for information is already an offence, it would seem to me that where this has happened, or is alleged to have happened, the answer is not new or better law but better enforcement of the existing provisions.

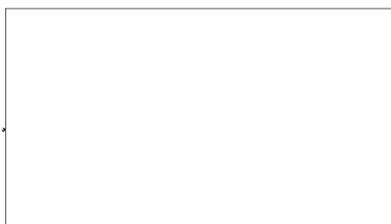
One further point related to the advent of PCCs and the monitoring / investigating of alleged breaches of standards by police officers – the APA has consistently stated it's concerns that the whole scale removal

of oversight of police officer complaints and more importantly, the withdrawing of independent oversight of the response to complaints against senior officers, are worrying aspects of the new police governance regime. Previously police authorities dealt with all complaints against senior officers. The same Chief Constable who appoints and has the power to dismiss senior officers will now deal with these complaints. We remain of the opinion that there should be a more independent and inclusive regime for investigating complaints against senior officers, including those related to allegations of inappropriate contact with the press, and that by helping to maintain public confidence in the police, such a complaints regime will actually be in the best interests of the service.

It will also be crucial that, in line with the recent recommendations of the Filkin report and HMIC Inspection 'Without Fear or favour', Police Authorities (until November) and subsequently PCCs exercise more focussed and consistent oversight of their forces' dealings with the media than has been the case to date, and that sufficient resources are dedicated to this task. Whilst police authorities' oversight of this specific issue has previously been variable, police authorities at least had the capacity of around 17 members which enabled them to share the workload and to delve into this area, along with their other myriad responsibilities. One of our major and oft-stated concerns about the advent of PCCs is that the distillation of policing governance down to a single individual could pose a significant risk to the future capacity of those overseeing the police to stay fully aware of what is going on within their force. We remain hopeful that PCCs will ensure that they have the resources that they need to maintain, and in some areas deepen, the scrutiny of their forces' interactions with the media. Such resources are essential if the hitherto growing levels of public trust and confidence in our police service are to continue to rise.

I believe the facts stated in this witness statement are true.

Signed..



Dated.....02.03.12......

Nathan Oley | Head of Press and Public Affairs | The Association of Police Authorities, **APA** | 07714 399 760 | 3rd Floor, 10 Dean Farrar St, London, SW1H 0DX | www.apa.police.uk | @assocpoliceauth