

Witness Name: **Kit Malthouse**

Statement no: **First**

Exhibit: **KM14**

Date: 29 February 2012

THE LEVESON INQUIRY

Exhibit KM14 to the
Witness Statement of **Kit Malthouse**

Metropolitan Police Authority: Website archive

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Minutes - draft

These minutes are draft and are to be agreed.

Minutes of the **Strategic and Operational Policing Committee** of the Metropolitan Police Authority held on 14 July 2011.

Present

Members

- Reshard Auladin (Chairman)
- Tony Arbour
- Chris Boothman
- Jennette Arnold
- Victoria Borwick
- Dee Doocey
- Kirsten Hearn
- Jenny Jones
- Joanne McCartney
- Kit Malthouse
- Caroline Pidgeon
- Valerie Shawcross
- Valerie Brasse
- Graham Speed

MPA officers

- Catherine Crawford (Chief Executive)
- Jane Harwood (Deputy Chief Executive)
- Bob Atkins (Treasurer)
- Siobhan Coldwell (Head of Policing Policy Scrutiny and Oversight)
- Jane Owen (Head of Policing Planning and Performance Improvement)

MPS officers

- Sir Paul **Stephenson** (Commissioner)
- Tim Godwin (Deputy Commissioner)
- Anne McMeel (Director of Resources)
- DAC Mark Simmons (Leadership and Learning, DCP)
- Commander Carl Bussey (Director of Professional Standards)

- Phil Woolf (Director of Business Performance)
- Alex Gibbs (Head of Organisational Learning, DPS)

Other: Deborah Glass (Deputy Chair, IPCC).

1. Apologies for absence

(Agenda item 1)

1.1 Apologies were received for Cindy Butts.

2. Declarations of interests

(Agenda item 2)

2.1 No declarations were received.

3. Minutes of the Strategic and Operational Policing Committee 16 June 2011

(Agenda item 3)

3.1 Members agreed the minutes for the above meeting.

Resolved - That the minutes of the Strategic and Operational Policing Committee held on 16 June 2011 were agreed and signed as a correct record.

4. Urgent actions and operational issues

(Agenda item 4)

4.1 Members received an oral update on phone-hacking from the Commissioner, Sir Paul **Stephenson**. He noted that Operation Weeting was investigating allegations of widespread phone-hacking by the News of the World and Operation Elveden was an anti-corruption operation overseen by the IPCC. Additionally, the MPS has been subject to a number of civil actions and they will be giving evidence to Lord Justice Leveson.

4.2 Sir Paul noted that he was looking forward to the opportunity of methodical and measured scrutiny presented by the Leveson Review, and he cautioned that given arrests in connection to Operation Weeting and various other judicial actions, he would need to be careful in briefing Members. He went on to state that further officers would be giving evidence before the Home Affairs Select Committee and that he believed that this would be useful in informing the public debate on these issues.

4.3 In relation to AC Yates, Sir Paul expressed reluctance to revisit the evidence given to the Committee as to why the case was not reopened in 2009. He noted that DAC Sue Akers was widely praised for the evidence that she gave to the Select Committee and affirmed that Operation Weeting was working to identify and contact all potential victims of phone-hacking. He stated that the MPS takes allegations of corruption very seriously and that corrupt officers were in no way representative of MPS officers and staff or what they stand for.

4.4 Sir Paul noted that on 20 and 22 June 2011, the Metropolitan Police Service was handed a number of documents, by News International, which contained information relating to the alleged inappropriate payment of MPS officers, and contacted the IPCC on 22 June accordingly. He reaffirmed that the overwhelming majority of officers and staff should not be undermined by a dishonest few, and informed Members of his commitment to appoint an independent ethics advisor in light of these allegations. Any advice given to the Commissioner by this advisor will be a matter of public record and will be fed into Lord Justice Leveson's Review.

4.5 The Chair asked what the MPS would now do to restore public confidence in the police. The Commissioner responded that his message to staff is that they are valued and that day-to-day policing must not suffer as a result of the allegations. He restated that corruption charges will be rigorously investigated, that the MPS fully support the

public inquiry, and that an independent advisor on ethics would ensure transparent relations with the media in the future.

4.6 A Member asked if this incident was in part due to an organisational culture that is exacerbated by the rigidity of its promotion structure and the fact of a single point of entry into the force. The Commissioner responded that the MPS deal with over 6 million calls and over 800,000 crimes every year and that the organisation is quick to learn when they do get it wrong.

4.7 A Member noted that over the previous few years the MPA had sought and received assurances that the original investigation (Operation Caryatid) was thorough and complete and expressed concern that new evidence suggested that its parameters had in fact been drawn very tightly – to include hacking royalty only. She asked if AC Yates was aware of the terms of reference for the original inquiry and which senior officers he had consulted with. Sir Paul noted that he had no reason for any concerns over 2006 inquiry at any point and that he had received assurances that there were no new issues of relevance coming out in the disclosures of 2009.

4.8 A Member asked whether Sir Paul regretted a number of lunches over periods within which NI was being investigated, and in particular, a dinner with Neil Wallis in September 2006. Another Member mentioned gifts and hospitality. The Commissioner responded that he had absolutely no involvement with the inquiry in 2006 and had no reason to suspect anyone with whom he dined of criminal activity. He noted that it is his belief that the MPS should use relationships with the media to set the context for policing and policing issues and to properly promote the image and the reputation of the organisation he leads but expressed awareness that the perception could be different – and that is why action is being taken. He informed Members that he remained very satisfied with his own integrity. He agreed that all details of meetings between officers and the media would and a register of gifts would be published online – as a Member cautioned that she had previously resorted to an FOI request in order to elicit this information.

4.9 A Member asked whether the Commissioner had agreed with John Yates a remit, a timescale, and for him to report back to the Commissioner in relation to his 2009 review, and if the Commissioner was satisfied with his report. Sir Paul replied that he did not put a timescale, written terms of reference, or reporting expectations around the review. He agreed to confirm this to the MPA in writing.

4.10 The Commissioner left the meeting in order to attend another engagement and was thanked for his time. Deputy Commissioner Tim Godwin was asked to answer additional questions from Members.

4.11 A Member noted that the MPA had recently hosted the family of Daniel Morgan at a meeting and expressed concerns that the officer investigating their case was subject to surveillance. She asked if there would be an inquiry looking at officers whose phones were hacked and cases they were involved in to see if any information that was relevant at the time of investigation was leaked to the press and whether this prejudiced their cases. She noted that this is a matter of public confidence. Tim Godwin reinforced that the MPS regret the Daniel Morgan case and subsequent investigation. In relation to DCS Dave Cook, he noted that the MPS are exploring that case and as this is part of an ongoing investigation he could not answer any questions on it. He agreed to write to the family in due course and to answer the MPA's questions in writing.

4.12 Tim Godwin confirmed to Members that there were currently 45-46 officers working on Operation Weeting, noting that they are deployed in response to operational needs, and that the MPS is funding the operation without Government assistance. He reaffirmed that upon receiving evidence pointing to inappropriate payments to officers, the MPS immediately referred the matter to the IPCC.

4.13 A Member asked what action had been taken by the MPS following Rebekah Brooks' statement to the HASC in 2003 that police officers were being paid for stories, and asked for a response to allegations in the New York Times that the MPS had

suppressed inquiries into bribery in order to protect their relationship with NI. Another Member stated that Rebekah Brooks was approached at a press social event and questioned in a side-room by Andre Baker and Dick Fedorcio regarding surveillance of DCS Cook and no further action was taken. He asked: first, who took the decision to proceed in that way – a conversation with the editor but no further action – and were then Commissioner or Deputy involved or informed? Secondly, were any other senior officers involved or informed? And finally, would John Yates's team who reinvestigated the Daniel Morgan murder have known?

4.14 Tim Godwin responded that due to these questions being the subject of ongoing investigation he would have to respond in writing in due course. He noted that the MPS has the most robust anti corruption command of any police service in England and Wales but when you have 50,000 people on staff, there will always be the odd bad apple.

4.15 A Member asked whether Operation Eiveden should not be conducted independently by the IPCC to ensure its integrity and to assure the public of its impartiality. Deborah Glass responded that she was personally supervising the MPS's investigation and that she had made it clear that as and when officers are identified the IPCC would independently investigate these allegations. She cautioned, however, that it is not, at this point, possible or practical to carve out the bit of this inquiry that related to police officers and simply independently investigate it. She affirmed to Members that she was perfectly satisfied at that the MPS were currently doing everything they can within the law.

4.16 Finally, Tim Godwin confirmed to Members that there are standard operating procedures for different crime types relating to the management of investigations - detailing processes of supervision and review. Tim Godwin agreed to distribute these SOPs to Members with the caveat that the current inquiries may lead to significant review and change.

4.17 The Chair thanked Deputy Commissioner Tim Godwin for his responses.

1. MPS to respond in writing to question as to whether he had agreed with John Yates a remit, a timescale, and for him to report back to the Commissioner in relation to his 2009 review of phone-hacking cases, and if the Commissioner was satisfied with his report. [MPS]
2. MPS to respond in writing to question as to what action was taken by the MPS following Rebekah Brooks' statement to the HASC in 2003 that police officers were being paid for stories, and asked for a response to allegations in the New York Times that the MPS had suppressed inquiries into bribery in order to protect their relationship with NI. [MPS]
3. MPS to respond in writing to questions relating to Morgan case. [MPS]
4. MPS to respond to all other questions posted prior to meeting. [MPS]

5. Appointments to the Sub Committees of the Strategic and Operational Policing Committee

(Agenda item 5)

5.1 The Chair introduced the report, noting its recommendations. Members agreed the recommendations without further discussion.

Resolved – That

1. Members ratified the membership of the Olympics and Paralympics Sub-Committee as set out at paragraph 3 of the report, and appointed the Chairman and Vice Chairman as set out at paragraph 5.
2. Members ratified the membership of the Counter-Terrorism and Protective Services Sub-Committee as set out at paragraph 6 of the report, and appointed the Chairman and Vice Chairman as set out at paragraph 8.

3. Members ratified the membership of the Professional Standards Cases Sub-Committee as set out at paragraph 9 of the report, and appointed the Chairman and Vice Chairman as set out at paragraph 11.

6. Presentation from Deborah Glass of the IPCC

(Agenda Item 6)

6.1 The Chair introduced Deborah Glass, Deputy Chair of the IPCC. She began by noting that police forces received over 30000 complaints over 2010/11, and that of those received 2,401 were referred to the IPCC. Of these the IPCC chose to investigate 164 independently, managing a further 71, and supervising a further 74. The IPCC also handled over 6300 appeals. The IPCC received 549 referrals from the MPS and investigated 37 independently, managed a further 29, and supervised a further 36. Nine covert investigations were also supervised. She concluded that the trend was for the IPCC to investigate independently or to supervise (particularly thematically), as opposed to manage investigations.

6.2 The Chair asked whether the IPCC would be publishing its thematic review into complaints against the Territorial Support Group (TSG), to which Deborah Glass responded that it would and that she would be happy to return to SOP to present the findings.

6.3 Deborah Glass noted that of 21 decisions to prosecute following IPCC investigations in 2010/11, seven resulted in a finding of guilty (with a number of trials still pending). She noted good practice in the handing of young witnesses previously unwilling to give evidence – which aided in successfully prosecuting one case. A further 33 officers faced misconduct hearings, of which ten were dismissed.

6.4 In response to Members questions, Deborah Glass informed the Committee that the IPCC had investigated 13 deaths following police contact in the MPS area – 3 of which occurred when individuals were under arrest. She noted that the IPCC annual statistics on deaths following police contact were being released today and suggested that these be distributed to Members.

6.5 A Member asked Deborah Glass what her personal view of private or non-police investigators was. She responded that the IPCC has a healthy mix of police and non-police investigators and that she would be happy to meet with the Member to discuss this topic further. She also noted that the number of referrals had been increasing year on year and suggested to Members that forces can be risk averse in making referrals (often classifying a referral as 'mandatory' when this is not in fact the case). She affirmed that the IPCC can also call in any case if it considers there to be a requirement for independent investigation.

6.6 Deborah Glass noted the high level of success when decisions of non-recording, local resolution outcomes and investigation handling are appealed to the IPCC, and suggested that forces are very tied to process and the consideration of officer misconduct as opposed to addressing legitimate grievances and reaching a useful resolution. She agreed with a Member that the legislation around complaints handling is not useful on this point and that whilst the Police Reform and Social Responsibility Bill would remove some bureaucracy around complaints handling (particularly the process of dispensation), this fundamental problem remains.

6.7 A Member asked if the IPCC were broadly content with the MPS's performance in relation to recommendations made to them. Deborah Glass responded that they had been broadly responsive. However, she did note low levels of local resolution across the MPS. In relation to the MPA she reported that the IPCC had received two referrals, neither of which were investigated by the IPCC, and 13 appeals, one of which was upheld.

6.8 Finally, Deborah Glass noted that budgetary cuts were affecting the IPCC as with most organisations within the sector. She confirmed that they were working to maintain 'front line' investigative capacity where possible. She informed Members that the IPCC

now has a renewed focus on priority areas (reduced from 15 to 6) – gender violence; protest; stop and search; firearms; death in custody; and police road traffic incidents.

6.9 The Chair thanked Deborah Glass for her attendance.

5. Deborah Glass to be invited to a future meeting of SOP to present TSG review findings. [MPA]
6. IPCC deaths following police custody statistics to be disseminated to Members. [MPA]

7. Update on the Implementation of IPCC recommendations

(Agenda item 7)

7.1 This item was removed from the agenda by resolution of the Committee in accordance with clause 4.8.1 of the MPA Standing Orders.

8. Directorate of Professional Standards Performance Report

(Agenda item 8)

8.1 This item was removed from the agenda by resolution of the Committee in accordance with subsection 4.8.1 of the MPA Standing Orders.

9. Organisational Learning

(Agenda item 9)

9.1 This item was removed from the agenda by resolution of the Committee in accordance with subsection 4.8.1 of the MPA Standing Orders.

10. Headline Performance Report

(Agenda item 10)

10.1 This item was removed from the agenda by resolution of the Committee in accordance with subsection 4.8.1 of the MPA Standing Orders.

11. Exclusion of press and public

(Agenda item 11)

11.1 A resolution was put to exclude the press and public from the meeting during remaining items on the agenda as they were likely to disclose exempt information as described in Schedule 12(a) of the Local Government Act 1972, paragraph 3.

Resolved – That the press and public be excluded from the meeting during discussion of the remaining items on the agenda.

Part 2

12. Update on the implementation of IPCC recommendations (part 2)

(Agenda item 12)

12.1 This item was removed from the agenda by resolution of the Committee in accordance with subsection 4.8.1 of the MPA Standing Orders.

13. Minutes of the Strategic and Operational Policing Committee 16 June 2011 (Part 2)

(Agenda item 13)

13.1 Members agreed the minutes for the above meeting.

Resolved - That the minutes of the Strategic and Operational Policing Committee held on 16 June 2011 were agreed and signed as a correct record.

14. Application for funding to settle a claim

(Agenda item 14)

14.1 Members agreed a sum of money.

Resolved – That funding be agreed.

15. Application for funding to settle a claim

(Agenda item 15)

15.1 Members agreed a sum of money following a discussion within which a number of views were expressed.

Resolved – That funding be agreed.

16. Application for funding to settle a claim

(Agenda item 16)

16.1 Members considered evidence supporting the application for a sum of money, and heard oral representations on behalf of both the claimant and the Commissioner.

Resolved – That an amended level of funding be agreed.

Meeting closed – 5.30 pm

Summary of action items:	Status if known
1. MPS to respond in writing to question as to whether he had agreed with John Yates a remit, a timescale, and for him to report back to the Commissioner in relation to his 2009 review of phone-hacking cases, and if the Commissioner was satisfied with his report.	Ongoing
2. MPS to respond in writing to question as to what action was taken by the MPS following Rebekah Brooks' statement to the HASC in 2003 that police officers were being paid for stories, and asked for a response to allegations in the New York Times that the MPS had suppressed inquiries into bribery in order to protect their relationship with NI.	Ongoing
3. MPS to respond in writing to questions relating to Morgan case.	Ongoing
4. MPS to respond to all other questions posted prior to meeting.	Complete
5. Deborah Glass to be invited to a future meeting of SOP to present TSG review findings.	Ongoing
6. IPCC deaths following police custody statistics to be disseminated to Members.	Complete