

Witness: Iain Goulding

Statement No: 1

Exhibits referred to: None

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The Leveson Inquiry into the Culture Practices and ethics of the press

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Witness: Iain Goulding

Occupation: Police Officer, Chief Superintendent

Address: Police Headquarters, Carleton Hall, Penrith

I am Detective Chief Superintendent Iain Goulding of the Cumbria Constabulary. I make this statement in response to a notice under section 21(2) of the Inquiries Act 2005 which was sent to me on 8<sup>th</sup> February 2012. That notice contained 24 matters or issues which needed to be addressed. For ease of reference I will deal with each matter or issue in turn, applying the same numbering as set out in the section 21(2) notice.

(1) Who you are and a brief summary of your career history.

1.1. I joined the Constabulary in 1983 and have 28 years service. In 1986 I became a Detective Constable, in 1991 a Sergeant, in 1993 an Inspector, in 1997 a Chief Inspector, in 2006 a Superintendent, in 2007 a Chief Superintendent and in November 2007 I commenced my current role as Head of Crime. During my career I have spent time serving in both Uniform and CID roles within the Constabulary. I have not served in any other Constabulary.

(2) Please describe the level of contact that you have had with the media whilst leading criminal investigations. The Inquiry would like an overall

picture of the type, frequency, duration and content of your contact with the media.

2.1. I have been the Senior Investigating Officer (SIO) for a number of investigations throughout my career, however other than the murders committed by Derrick Bird on the 2<sup>nd</sup> June 2010, the investigations I led attracted very little national attention and as such I would describe my contact and experience of the media as being routine and in accordance with national investigative guidance and practice.

2.2. One of the roles of an SIO in Homicide investigation is to manage communications as public concerns are often heightened.

2.3. It is the responsibility of the SIO to develop a media strategy. The SIO would formulate the strategy in collaboration with the force press officer. The SIO must decide if they will talk directly to the media or whether it is more appropriate for a media officer to present the information, allowing the SIO to focus on the investigation.

2.4. The overall purpose of an SIO's media strategy would normally include:

- Establishing the circumstances and bringing any offenders to justice;
- Controlling police interaction with the media;
- Maintaining public confidence in the police;
- Minimising the impact on public fear of crime;
- Generating confidence within the investigative team;
- Maximising the publicity opportunities in the search for information.

2.5. Depending on the circumstances of the case and progress of the investigation, the objectives of a media strategy are likely to include some or all of the following:

- Identifying offender(s);
- Locating offender(s), where their identity is known;
- Warning the public of any danger posed by the offender;

- Identifying victim(s);
- Identifying people with material that could be useful to the investigation.

2.6. In order to implement the strategy the SIO would primarily consider issuing an initial holding statement, subsequent press releases, media interviews and press conferences.

2.7. At the early stages of an incident, the police response may be restricted to a holding statement. This will generally be limited to confirming information such as:

- The police are dealing with an incident that is being treated as suspicious;
- Location of the incident;
- Arrangements are being made for a post-mortem examination by a Home Office pathologist;
- An incident room has been set up and these are the details of its contact numbers;
- An appeal for witnesses and information.

2.8. After the initial holding statement, the media will expect more comprehensive details of the crime and the investigation as soon as possible. Depending upon the nature of the investigation this would be managed by either the SIO or senior representative being available for interviews or a press conference.

2.9. The majority of investigations in Cumbria are managed by holding statements, press releases and interviews with the local media.

(3) What role do the media fulfil during investigations such as the investigation into the shootings in Whitehaven? What do you, as senior investigating officer, seek from the media?

3.1. Serious crimes attract substantial media interest; this interest can have both a positive and negative impact upon an investigation. Positive, in that it can assist in acting as a conduit for information to and from the public and it can shape the public's view of the investigation. Negative, in that it can place significant resource demands upon an investigation during its critical early stages and have an adverse impact upon victims and or their families. As SIOs we seek to make the most of the positive impact the media can bring to an investigation and mitigate the harm. For example we look for assistance in

- Disseminating information very quickly to large audiences
- Providing accurate and timely information to the public
- Making appeals for information
- Providing reassurance
- Promoting Confidence
- Developing a sense of Community

(4) As regards the investigation into the shootings in Whitehaven, what was the media strategy and who set the strategy?

(5) What was the goal of the media strategy? What was Cumbria Constabulary seeking to achieve?

4.1. With regards shootings in West Cumbria, the media strategies main aims and objectives were;

- Communicate public safety messages effectively to save life and prevent serious harm being caused to members of the public.
- Provide timely updates to staff and the media in association with other agencies to ensure that public safety is maintained and the media remain 'on side'.
- Deter sensationalist reporting by providing accurate and factual information on a timely basis, meeting media deadlines where possible.

- Maintain public confidence in Cumbria Constabulary and the emergency response.
- Reassure members of staff and the community about the effectiveness of the police response.

4.2. Assistant Chief Constable Graham was the initial Gold Commander for the shootings and as such he was ultimately responsible for setting the strategy. However given the nature of the events and the demands they generated ACC Graham set up a command structure that allowed him to more effectively discharge his duties. This included;

- Head of Marketing and Communications Gill Shearer was appointed as Media Coordinator and the strategic lead for the media and communications response to the emergency.
- I was appointed as Senior Investigating Officer.

4.3. Within the overall media strategy other roles were defined. DCC Stuart Hyde was appointed as the Constabularies principal spokesperson, to be the consistent visible face for the police response. I was designated as a secondary spokesperson, to be available where specialist knowledge was required.

4.4. This structure allowed me to better manage the challenges of my principal role as SIO.

5.1. The goal of the media strategy was to manage the constabulary's media response to the events of 2nd June 2010.

(6) To what extent do you consider that the media strategy was successful in delivering the outcomes for which Cumbria Constabulary was aiming? If the media strategy was not entirely successful, please outline what the issues were. Were any lessons learned incorporated into any force policy, guidance or operating procedures? If so, please specify.

6.1. It is my professional and personal judgement that the media strategy was successful. In its principal aims of

- Warning and informing i.e. Communicating public safety messages effectively to save life and prevent serious harm being caused to members of the public
- Reassure members of staff and the community about the effectiveness of the police response.
- Maintain public confidence in Cumbria Constabulary and the emergency response.

6.2. I am not aware of any changes to force policy as a result of the shootings, however the Force has undertaken a number of internal and external debriefings, and has contributed to National Police forums and events to ensure the practical learning is shared across Law Enforcement and Emergency services

(7) What was your role in the handling of the media? Were you involved in briefing the media?

7.1. My role in the media strategy is described as above at paragraph 4 above. In terms of Press Conferences and Briefings, together with Chief Constable Mackay I held a press conference in Whitehaven town centre on the 3<sup>rd</sup> June 2010. I held no other press conferences or briefings, as there was no investigative requirement to do so.

(8) Who directed and controlled police contact and communications with the media?

8.1. All police contact and communications with the media was directed and controlled by Head of Marketing and Communications Gill Shearer and her team.

(9) How were the media briefed? Were briefings confined to open press conferences or were there occasions where reporters/titles were briefed individually?

9.1. The media strategy was delivered by a number of different methods; these included formal media conferences, joint media briefings and one to one interviews and briefings.

(10) How were ad hoc enquiries from the media dealt with?

10.1. All enquiries ad hoc or otherwise were directed through, recorded and logged by the Forces Media and Marketing team

(11) What records were kept of contact with the media? Please explain how contact with the media was recorded, if at all. Were records kept of all information shared with the media? If not, why not?

11.1. To the best of my knowledge, records of all contact were kept and logged on an internal system within the Media Office known as Solcara. The system also logged and recorded all information released by the Constabulary.

(12) What role did Cumbria Constabulary's press office have in handling and briefing the media? To your knowledge, what was the media's attitude towards the role of the press office? Were they happy for communications to be routed through the press office or did they prefer to speak to individual police personnel?

12.1. In the main I believe the media had a positive attitude to the role of the press office, although I have no doubt there would have been some frustration given the imbalance between available resources and the demands placed upon them in the early critical stages of the incident. I also know that some in the press were frustrated at not getting more direct access to individual officers, for example myself as SIO. However given the nature of the incident

I believe it would have been impossible to entirely satisfied the demands of the media.

(13) Were there any leaks/unauthorised disclosures to the media in respect of the investigation which were believed to have originated from Cumbria Constabulary? If so please give details and the results of any investigations conducted into suspected leaks.

13.1. I am only aware of a single incident of unauthorised disclosure in respect of this investigation. An article appeared in the North West Evening Mail quoting an investigating officer as its source. The article attributed information to the officer which was emotive and distressing to some of the victim's families. The matter was investigated by our Professional Standards Department (PSD) Anti Corruption Unit (ACU) who identified the officer. The matter was then referred on to the local Basic Command Units (BCU) Senior Management Team who gave the officer formal management advice about data security and confidentiality. As the SIO I was kept fully informed and updated and I considered given the nature of the disclosure the PSD and BCU interventions were entirely proportionate and proper in the circumstances. The matter was formally logged and recorded within the PSD internal Clue Intelligence System which holds intelligence records regarding Police Officers, Police Staff and matters relating to Constabulary security.

(14) Did you, or to your knowledge, other police personnel communicate with the media about the investigation on an "off-the-record" basis? If so, please give full details and explain why "off-the-record" communications took place. Do you consider that there are benefits to such communications?

14.1. I did not conduct any 'off the record' briefings, nor to my knowledge did any other police personnel.

14.2. I am aware that The Crime Reporters Association approached the Constabularies Press Office and asked for an 'off-the-record' conversation.

This was not considered as whilst the incident was an investigation it was not a live criminal investigation as the perpetrator had committed suicide and as such we were releasing all new information as soon as it had been confirmed to all the media.

14.3. I am also aware that Head of Marketing and Communications Gill Shearer spoke to a local newspaper editor about the request from the CRA and to ascertain his professional view about exclusive 'off-the-record' conversations with this group of reporters. The editor asked that they be included in any discussions as they wanted to have consistent access to information irrespective of being a national or local journalist.

14.4. In 2011, ahead of the Inquests, Head of Marketing and Communications Gill Shearer and I attended a meeting with two local newspaper editors to give guidance on the structure of the inquest, an outline of the additional information that would be released and some of the sensitive issues to the families. It was felt important to do this as the local media is extremely well read and we wanted to make sure that they understood the important facts. I do not consider this to be an 'off-the-record' briefing as the meeting was primarily concerned with agreeing the Medias logistical needs and attempting to minimise the impact of these on the victim's families.

(15) Did you, or to your knowledge, other police personnel confirm to the media information about the investigation on an "off-the-record" basis? If so, please give details and explain why this was done.

15.1. I did not confirm to the media any information on an 'off the record basis', nor to my knowledge did any other police personnel.

(16) Insofar as applicable, what records were kept of what information was shared on an "off-the-record" basis? Were records kept of all "off-the-record" briefings and the information provided at them?

16.1. To my knowledge, no 'off the record' briefings were given, therefore there was no requirement to keep any record

(17) What do you understand "off-the-record" to mean in this context? Do you believe that members of the media always interpret it this way? Is there scope for the media misunderstanding the intentions of the police officer/police staff member when s/he provides information on an "off-the-record" basis?

17.1. 'Off the record' briefings could cover a wide range of communications depending upon their context within an investigation. Cumbria Constabulary has a process for confidential briefings for the media. These would be delivered by the SIO but managed through the press office and formally documented. These are most often used pre sentence in protracted or complex cases where material is made available on a confidential and embargoed basis in anticipation of a guilty verdict in order that opportunities to enhance the reputations of the constabulary, reassure the public and maintain confidence are made the most of. If an anticipated guilty verdict is not realised then the material provided is not used. To date we have had no occasions where this agreement has not been met

17.2. For example: Operation Addington involved a drugs seizure with a street value of £14million. This was a complex police operation and investigation with the court case being held in Manchester. This was a key case for the Constabulary and many of the local journalists could not attend court for the duration of the case. We wanted to ensure that our communities could understand that we can dismantle an organised crime group that was putting a large quantity of drugs on the street.

17.3. The most recent confidential pre-sentence briefing relates to a rape of a 16 year-old female from Carlisle. The offender pleaded guilty. We wanted to, ahead of sentencing, share with the media CCTV footage, family statements and a detailed statement from the SIO for publication after sentencing under strict embargo so the media had time to prepare their coverage. We wanted

the community to understand the strength of the victim and the thoroughness of the investigation in bringing the rapist to justice.

17.4. Also, we do provide the media with guidance so that we don't raise the fear of crime unnecessarily. For example: if we are investigating a male that has been found deceased in a pool of blood. Our initial stage is to investigate this as a suspicious death and we release a statement to that effect. The media may then ask for guidance around whether this is likely to be scaled up to a murder investigation or whether it is going to down-graded to 'not suspicious'. The press office is able to give guidance that it is unlikely to be scaled up to a murder. In turn the media run the story about a suspicious death factually, accurately and without sensation in a less prominent position in their newspaper or broadcast, causing less distress to the family.

(18) Insofar as applicable, where information was provided on an "off-the-record" basis, did the media honour your wishes/the wishes of the person providing the information? Please give illustrative examples.

18.1. In so far as the context of the West Cumbria shootings, to the best of my knowledge, no such information was provided.

(19) Did you, or to your knowledge, other police personnel ask the media or any individual reporter(s) to keep particular information confidential (including information obtained by the media/reporter(s) from non-police sources)? If so, did the media or the individual reporter(s) comply with the request? Please give details of the circumstances concerned.

19.1. In so far as the context of the West Cumbria shootings, to the best of my knowledge, no such request was made.

(20) In your experience, both of this investigation and generally, when police officers/staff ask the media to delay publishing particular information because of the risk of prejudice to a criminal investigation or criminal trial,

to what extent and in what circumstances do the media comply with the request? Please give illustrative examples.

20.1. I am aware of one recent example of a pre-sentencing briefing where the local media were supportive. This involved an individual being found guilty after a sex attack and the Media not publishing their picture at the request of the SIO. I do not consider it proper to disclose any further details as this is still an active investigation.

(21) In your experience, both of this investigation and generally, when police officers/staff ask the media not to publish particular information at all because of the risk of harm to the public interest, to what extent and in what circumstances do you media comply with the request? Please give illustrative examples.

21.1. I believe that my response to Question 20 above would also be an example of this as it featured public interest considerations.

(22) Have there been occasions where, to your knowledge, the media have obtained information (from whatever source) and voluntarily not published the information because of the harm it might do the public interest or the interests of justice? Please give examples of the circumstances in which this has occurred.

22.1. I am aware of a recent case where a local journalist came into possession of information that may prejudice an investigation and chose not to publish because of the risk or harm to the public. One of my Deputy Senior Investigating Officers was investigating an alleged abduction and stranger rape, where the exact location of the offence was not known. A local journalist was making enquiries in the general area when he found a business card identifying a key individual in the investigation. The journalist contacted the DSIO informing him of the location and nature of what he found, voluntarily not publishing.

(23) In your capacity as a senior investigating officer, how would you describe your relationship with the media (both local and national)? Do you consider it to be a successful one? What changes would you make to it, if any?

23.1. I enjoy good professional relationships with the local media. The Chief Executive of the local newspaper group and the crime reporters within their portfolio have my work contact and mobile numbers, which they use professionally, exercising good judgement and do not abuse. None of them have my personal or private contact details. When contacted directly I would routinely refer these enquiries to our press office. I have no significant relationship with the national media, and given the nature of my role I neither require nor desire such a relationship.

(24) During the investigations into the shootings at Whitehaven, did you have/develop relationships with any particular reporter(s) which were closer than the relationships you had with the rest of the media? If so, please give details of those relationships, including why they formed and how they differed from your relationship with the rest of the media. Did you give any representative of the media your personal contact telephone number(s) or vice versa? Describe what benefit and/or detriment you consider flowed from those relationships.

24.1. During the investigations into the West Cumbria shootings I did not develop any relationships with any particular reporters which were closer than the relationship I had with the rest of the media. Throughout the 6 week inquest I was in daily contact with the media but again maintained a balanced and professional relationship. No representative of the media was given my personal contact or telephone numbers; I do not to my knowledge have the personal contact number of any media representative.

I believe the facts in this witness statement are true:

Signed:

Dated:

24 Feb 2012