

Witness: Craig Mackey
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The Leveson Inquiry into the Culture Practices and Ethics of the Press

Witness: Craig Mackey
Occupation: Deputy Commissioner
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I am Craig Mackey, the Deputy Commissioner of the Metropolitan Police Service. I make this statement in response to a notice under section 21(2) of the Inquiries Act 2005 which was sent to me on 22nd December 2011. That notice contained 46 matters or issues which needed to be addressed. As I have only very recently commenced my new role at the Metropolitan Police, this statement will address media issues concerning my time spent at Cumbria Constabulary as Chief Constable.

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

1. Prior to being appointed to my new role I was the Chief Constable of Cumbria Constabulary from September 2007 to January 2012. I have

served in the police service for more than 27 years, having worked in Wiltshire, Gloucestershire and Her Majesty's Inspectorate of Constabulary. My background and experience is uniform operational policing. On behalf of the Association of Chief Police Officers, ACPO, I speak on stop and search.

(2) What were your first impressions, upon taking office as Chief Constable of Cumbria Constabulary, about the culture of relations with the media which you had inherited?

2. When I joined the Constabulary I was impressed with the progress and investment that had been made to establish a professional and accountable Press Office. They had an experienced and very professional head of media with good corporate press officers. They had limited contact with national media, except for major incidents such as the Greyrigg train crash.

(3) Describe the personal contact which you currently have with the media. The Inquiry would like an overall picture of the type, frequency, duration and content of your contact with the media during your tenure as Chief Constable of Cumbria. For the avoidance of doubt, the Inquiry would like to know about your contacts with the local media and national media.

3. My personal contact with local media has been consistently high during my tenure in office at Cumbria Constabulary, from the regular contact ahead of police authority meetings where interviews and briefings were offered to local media on the papers being considered; to wider more detailed interviews and briefings on themes and issues, such as budget cuts or neighbourhood policing. Media contact always came through the press office and would be initiated by the Constabulary providing a press release and then local media would request interviews or one to ones which were

always co-ordinated by a press officer. The local media included written media, local radio commercial and BBC, and local television again commercial and BBC. Contact with the national media was always issue related, I had extensive contact with the national media during the Cumbria Floods in 2009 and the loss of PC Bill Barker and then again during the shootings on the 2nd June 2010 and subsequent reviews and inquests. Outside of this the only other subject I dealt with the national media on was stop and search where I lead for the police service on behalf of the Association of Chief Police Officers, ACPO, again this contact was usually co-ordinated through the ACPO Press Office in London.

(4) Describe what you are seeking to gain for Cumbria Police through your personal contacts with the media.

4. Through contacts with the media I was always trying to ensure that there was public transparency and accountability for the constabulary's actions, and that the issue of public confidence was enhanced by directly talking to local communities and key stakeholders about our activities.

(5) Describe in general terms and using illustrative examples what you consider the local and national media has been seeking from you in your personal dealing with them during your time as Chief Constable of Cumbria.

5. From my dealings with the media I consider that they have been seeking facts, understanding and impact in their dealings with me as Chief Constable of Cumbria. I would illustrate this in the local media by the

reporting of the budget and change programme initiated to meet the challenges of the comprehensive spending review, where the media have reported detailed figures and impact on services resulting from changes in budget; together with the questions about how does this make you feel. With the national media I would use the example of the Floods where briefings were factual and detailed with a lot of focus on the impact of the death of PC Bill Barker and the impact on communities with the damage and devastation caused.

- (6) To what extent have you accepted hospitality from the media whilst Chief Constable?**
(7) Insofar as you have accepted hospitality from the media, what was the nature of the hospitality that you accepted?

6. The only hospitality that I have ever accepted from the media has been one lunch with a local newspaper editor in 2007. The lunch was in office hours and in the presence of the Head of Marketing and Communications. I have also presented awards at an evening where one of the sponsors was a local commercial radio station. As part of the evening a meal was provided. As I attended in uniform I did not drink any alcohol. All events and hospitality are recorded in the register and published.

- (8) To what extent have you provided hospitality for the media on behalf of Cumbria Police whilst Chief Constable?**
(9) Insofar as you have provided hospitality to the media, what was the nature of the hospitality that you accepted?

7. I have also provided hospitality for the media to a very limited degree. From 2007 to 2009 I hosted an annual editor's lunch in December. The aim was to bring all the local editors together to brief them about the strategic issues for the coming year. A buffet lunch was provided by the internal catering staff and a small charge was paid by the Marketing and Communications Department. In 2010, a meeting was held with a local newspaper editor to discuss the challenges that both organisations would face in the next 12 months. The Head of Marketing and Communications was present throughout and lunch was included.

(10) What mechanisms are in place to monitor and record hospitality as between the Chief Constable and the media?

8. All hospitality is recorded in the Chief Constable Hospitality register and published on the internet.

(11) What mechanisms are in place to monitor and record meetings with the media generally?

9. Any contact with the media within Cumbria Constabulary is always through the Press Office where they have an internal auditing system to record all media contacts. All meetings and interviews take place in the presence of a member of staff from the Press Office. If necessary they will take notes of the meeting and check the information that is published for accuracy. All press conferences are videoed by a member of staff again to check for accuracy.

(12) Do you ever discuss the media, or media coverage, with politicians? If so, how important is such communication and why?

10. I have on one occasion discussed media coverage with politicians. This is however not a general topic of conversation, and only occasionally discussed with police authority members if a particularly adverse story about the police is published. The only time I have experienced it with the national media is in relation to the aftermath of the 2nd of June shootings and the conversations related to the behaviour of some sections of the media towards the communities and individuals in West Cumbria, where highly invasive tactics were being used by some elements of the media, this I discussed with the local MP.

(13) Have you any known, or sensed, that a politician has put pressure on you to take a particular course of action as a result of lobbying or influence exerted on that politician by the media? If so, please explain (although you need not identify the politician at this stage if you do not wish to do so).

11. I am not aware of any occasions where a politician has placed pressure on me to take a particular course of action as a result of lobbying or influence exerted on that politician by the media.

(14) Has the prominence which politicians have given to subjects ever given rise to pressure to alter policing priorities so as to allocate more priority to the subject being given prominence by the politicians? If so, please explain.

12. Politicians have not placed pressure on me as Chief Constable to alter the policing priorities.

(15) Set out your understanding of the type of contact which Cumbria Police personnel have with the local and national media covering nature, extent, frequency and (in general terms) topics / content.

13. Local media contact within Cumbria Constabulary takes place at a number of levels across the organisation on a daily basis. Press Office normally acts as the first point of call and they contact officers who may or may not speak to the media directly this is focused on strategic issues and the main incidents. Officers will also speak to the media about the lower level crime that takes place in their area focusing on reassuring the public and if necessary requests for information.

14. All national media would come through the Press Office and in the majority of cases a press release is prepared so that a consistent message is given.

(16) Are contacts with the media restricted to certain staff or are all staff able to deal with the media?

15. Officers of Cumbria Constabulary are encouraged to be pro-active with the media to help solve crime, build confidence and provide crime prevention advice. Officers are requested to work with the press office. In the event of a significant incident it will be clearly defined who within the constabulary is the media spokesperson and all media is dealt with through this channel.

(17) What do you expect Cumbria Police to gain from such contacts with the media?

16. By releasing information to the media the Constabulary expect to solve crime, reduce crime by providing relevant crime prevention information, reduce the fear of crime, improve the understanding of crime in the community and what they are doing to address these issues.

(18) What do the media seek from such contacts with your personnel?

17. Cumbria Constabulary's understanding is that the media want to highlight the local crime and hold the police to account.

(19) What hospitality are your personnel permitted to accept from the media? Inter alia, are they entitled to accept a meal or a drink from a journalist?

18. There is a joint Police Authority and Constabulary Anti-Fraud and Corruption policy and procedures that clearly state what can and cannot be accepted and the basis of how to make this judgement. It is expected that the media would be treated as part of that policy and procedures.

(20) What hospitality are your personnel permitted to afford to the media?

19. Our personnel are only permitted to give any hospitality in line with the policy.

(21) What mechanisms are in place to record hospitality as between the media and your personnel?

20. Any hospitality between the media and personnel would be recorded on the department or BCU hospitality/gift register.

(22) How (if at all) is hospitality between Cumbria Police (including yourself) and the media controlled and/or regulated?

21. Any hospitality of any kind would be listed on the gift/gratuities register.

(23) Are the hospitality rules governing contact between Cumbria Police personnel (including yourself) and the media different from those covering contact with other third parties? If so, what are the differences?

22. All hospitality is dealt with under the one policy as outlined above.

(24) What policies and procedures are in place to record contact between: (a) yourself and the media; (b) senior managers and the media; (c) other personnel and the media. For the avoidance of doubt please answer in relation to both formal and informal communications.

23. All my contact with the media is via the Constabulary Press Office. The Press Office have a specialist piece of software where the details of any contacts are inputted. Informal meetings are extremely rare and are often based at trying to build a better understanding such as the meeting in November 2010, hosted by ACPO with the Crime Reporters Association. The same applies for senior managers within the organisation. The Constabulary's Press Office may at times give guidance to the media and again this is recorded so that there is an auditable record. This is outlined in the Media Management Policy.

(25) Are records of hospitality and other contact with the media audited and/or policed and, if so, how and by whom?

24. All records of hospitality concerning the media are audited in line with the gift and gratuities registers.

(26) In your opinion are the policies and procedures described above: (a) working effectively; (b) sufficient; and (c) capable of improvement.

25. In my opinion the current procedures adopted by Cumbria Constabulary have to date worked well.

(27) What systems, policies and procedures are in place in Cumbria Police to ensure that all members of the force (including civilian employees) know what is and what is not appropriate contact with the media?

26. All incoming staff to the Constabulary are given media training as part of their induction. This is further supported by a media policy.

(28) Are you satisfied that the policies and procedures described above are sufficient and working effectively? Do you consider that they are capable of improvement?

27. The policies have to date worked well. However, they are under constant review as the way that the media and online community develop and change. In light of the developments in the last 12 months it would now be pertinent to review and strengthen the existing media policy.

(29) What training is in place in Cumbria Police to ensure that all members of the force (including civilian employees) know what is and what is not appropriate contact with the media?

28. The Constabulary has invested in a significant media training policy for all officers including the Chief Officer team. All police staff at a senior level are given bespoke media training and all new police staff receive a presentation at induction about how the Constabulary manages the media through its Press Office. All Police Staff are briefed to refer any media calls to the Press Office or their Director.

(30) To what extent have leaks from Cumbria Police to the media been a problem during your tenure as Chief Constable?

29. There have been a limited number of leaks from within Cumbria Constabulary to the media whilst I was Chief Constable. From searches conducted within the Clue Intelligence System which holds intelligence records regarding Police Officers, Police Staff and matters relating to Constabulary security and utilising the "ACCAG Categorisation of Corruption Intelligence", (Records from 1st December 2007) a total of 11 incidents relating to suspected leakage of information to the media have been recorded within the systems which warranted further investigation and assessment of the intelligence submitted.

(31) What systems and procedures are in place to identify, respond to and detect the source of leaks?

30. Cumbria Constabulary utilise a number of systems to detect information leaks to the media from within the Force. On the regular audits carried out by the Assistant Information Security, suspected information can be

detected and will be forwarded to the Anti Corruption Intelligence Unit (ACU) in the form of an intelligence report for further investigation. Other sources of Intelligence regarding suspected leakage of information may come from referrals from the Press Office or reports from personnel, either overtly or covertly via the Confidential reporting lines direct into the ACU Intelligence (telephone or E mail) highlighting their concerns.

(32) How many investigations have been conducted into actual or suspected leaks from Cumbria Police to the media been commenced during the last 5 years and how many have led to the successful identification of the source of the leak. What was the outcome of the other investigations?

31. During the last five years there have been 11 reported suspected leaks of information to the media. All cases of this nature are fully investigated.

32. Of the eleven, three sources of the information were successfully identified and the persons concerned were subject of Police Discipline procedures.

(33) Has disciplinary action been taken against any member of staff (whether civilian or police officer) for leaking information to the media during the last 5 years? If so, please identify the number of cases and their outcome. There is no need to identify the person or persons the subject of the disciplinary process.

33. There have been three situations when disciplinary action has been taken against staff. Two resulted in management action and the third in a Superintendent's warning.

(34) What payments (if any) are considered to be legitimate financial transactions between Cumbria Police personnel and the media?

34. No payments are considered to be legitimate between the police and the media.

(35) What policies and/or guidance are in place in relation to financial transactions between Cumbria Police personnel and the media.

35. There is no separate policy dealing with financial transactions between Cumbria Constabulary and the media. It is dealt with under the Police Standards of Professional Behaviour Misconduct Policy and the Police Staff Disciplinary Policy.

(36) To what extent do you believe bribery of personnel by the media to be a current problem for Cumbria Police (if at all)?

36. Based on the facts and figures available as described above, any intelligence submitted has never highlighted the fact that the source of the information to the media has been paid or offered any inducement to provide the information, nor was there any suggestion throughout the investigations.

37. Of the three staff members identified and dealt with for leakage of information to the media, none admitted to ever being paid for or offered any inducements.

38. Based on the facts to date and the intelligence available, it can be suggested that there is no current problem within Cumbria Constabulary of personnel being subject of bribery by the media.

(37) What steps are taken: (a) to educate your personnel about bribery; (b) otherwise to prevent the bribery of your personnel; (c) pro-actively to detect bribery; (d) retrospectively to investigate bribery; and (e) to discipline personnel (if any) who are found to have accepted bribes from the media?

39 To answer the multiple questions posed in this question, I will deal with each individually:

- (a) Regular input by the Professional Standards Department (PSD). ACU training is given to new recruit Police Officers, Special Constables, Police Community Support Officers and Police Staff during their induction process. Input is also given to the Core Leadership Course, (Supervision) which is more in-depth and to officers and Police Staff with a number of years' service.

The input which is delivered by Officers from the ACU is provided under the four strands of PASS – People we know, Areas we work, Standards of Professional Behaviour and Systems we use. It is emphasised during these inputs that having joined the Force and having access to a lot of sensitive material within the organisation they are now employed by, that personnel are potentially at risk to corrupt behaviour from others who may wish to exploit them to gain information.

- (b) The content of the input as described in point (a) above is steered towards providing personnel who attend the courses with the best

possible advice in an attempt to prevent them from inadvertently or knowingly disclosing any information to a third party (i.e media / friends, family) which could lead them to be investigated either criminally or under misconduct.

Each Basic Command Unit (BCU) hold regular staff training days and this provides an opportunity for the ACU to provide an input to the staff who attend these course.

The Gratuities process has been reviewed and is now centrally auditted.

- (c) All allegations of bribery of an employee by a third party, are investigated fully. There are currently a number of processes available for personnel to report any suspicions of any wrongdoing, including bribery (as outlined in the response to Question 31 above).
- (d) As above
- (e) To date no officer has had any proceeding brought against them for bribery, however each case will be dealt with on its own merits should one arise and will be dealt with accordingly.

(38) Does Cumbria Police have a press office? What role does it fulfil? If you do have

such an office, what is the media's attitude towards the press office? In particular, are they satisfied by the provision of information and the routing of communications through your press office or do they prefer direct contact with individual personnel within the Cumbria Police?

40. Cumbria Constabulary has a very small Press Office. The Press Office acts as a first point of contact for the media, provides advice to senior officers on the handling of media issues and media training across the force at all levels as well as supporting internal communications.

41. The local media on the whole appear to be satisfied with the information and relationship with Cumbria Constabulary's Press Office. There are times where there are difficulties over managing the media expectations for example tributes from fatal road traffic collisions. For very low level crime, reporters are encouraged to contact directly their local Intelligence Unit.

(39) What limitations, if any, are there on staff from Cumbria Police leaving to work for the media and vice versa.

42. The Press Office comprises of a number of skill sets. It is recognised that qualified journalists provide a unique skill especially around court reporting. As such Cumbria Constabulary try to ensure that at least one member of the team is a qualified journalist. There are no restrictions on members of the Press Office returning to a media role following their time at the Constabulary.

(40) Are records kept of those who join Cumbria Police from the media, or go on to work

for the media after leaving Cumbria Police? If so, please describe the system in place.

43. The Press Office has only been in its current form for the last five years with a small number of staff changes. As a result it is not felt beneficial to keep a record of pre and post employment histories.

(41) To the best of your knowledge are there any discernible patterns in the movement of personnel from the media into Cumbria Police and vice versa?

44. To the best of my knowledge there are no discernible patterns in the movement of personnel from the media into Cumbria Constabulary and vice versa.

(42) What levels of awareness and experience are there in Cumbria Police of "media crimes" and in particular: (a) unlawful interception of communications (including the Regulation of Investigatory Powers Act); (b) bribery of officials by the media; (c) blackmail; (d) harassment by paparazzi and journalists; (e) traffic and/or public order offences committed by photographers and journalists pursuing stories; (f) inciting officials to communicate confidential information held by Cumbria Police/ conspiring with them to obtain such information; and (g) crime within media organisations other than the foregoing (e.g. dishonest expense claims).

45. There is a good understanding from the Press Office of 'media crimes' and this has been experienced by the referrals to PSD where issues have been raised. Operational officers would not necessarily be aware of the label 'media crimes' but they would deal with a situation that was presented to them in a professional and proportionate way.

46. For example: In 2010 a successful prosecution was brought against a freelance journalist from North Yorkshire. The journalist made hoax

emergency calls in the aftermath of the 2009 Cumbria flooding and was convicted of two counts of sending false messages by a public communication network to cause annoyance, inconvenience or anxiety.

47. The journalist was sentenced for 105 days.

48. The same journalist a few days earlier had gone to the home of the police officer that was working with PC Bill Barker on the night that he was tragically killed.

(43) What sort of priority is given to, and what level of resources are available to deal with, the above.

49. Any of the above would be thoroughly investigated with a proportionate level of resources.

(44) What is your current impression of the culture within Cumbria Police in relation to its dealings with the press.

50. I believe that Cumbria Constabulary has in general a positive relationship with the media although there is a better relationship with the local media than national media. This is based on the experience that the county has had dealing with three major incidents within a nine month period.

51. The Constabulary is very clear that its aim is to manage the media. This is able to happen because the Press Office is very clear in its values of

working with the media and treating the media in a fair and equal way. For example there are no off the record discussions except for background information ahead of complex court cases, there are no exclusives, there is no treating national and local journalists differently.

52. The Constabulary has worked hard to ensure that officers are empowered to engage with the media for the benefit of their communities and solving crime. Officers and staff are encouraged to be pro-active with the media and importantly be transparent even if it is dealing with a negative.

(45) The Inquiry would like to understand the progress which Cumbria Police is making on Operation Rubicon (insofar as it can be given without prejudicing this inquiry).

53. Cumbria Constabulary at this moment in time is not part of Operation Rubicon.

(46) Do you consider that there are further steps which could and/or should be taken to ensure that relationships between the police and the media are and remain appropriate?

54. I believe generally that Cumbria Constabulary's relationship with the media is managed and appropriate as a result of the close management and professionalism of our Press Office.

I believe the facts stated in this witness statement are true

Signed.....

Dated..... *13th February 2012*
