

I have been asked to provide this statement for the purpose of assisting the Leveson Inquiry. In preparing this statement I have sought to address all the questions asked of me in the Notice issued pursuant to s.21(2) of the Inquiries Act 2005. Since there is something of an overlap among some of the questions there is also of necessity a degree of repetition in the answers in order to address each as fully as possible. I am grateful for the assistance of officials from the Home Office in establishing or checking factual information, and my answer to several of the questions below reflects briefing from officials which I understand has also been provided to the present Home Secretary and previous Home Secretaries. I have begun each section of this statement by listing the questions to which I am responding.

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

1. My full name is John Reid. I was first elected as a Member of Parliament for Motherwell North Constituency in 1987, and served as an MP for 23 years, until May 2010. From 1997, in Government I held the posts of Home Secretary, Secretary of State for Defence; Secretary of State for Health; Secretary of State for Northern Ireland; Leader of the House of Commons and President of the Privy Council; Chairman of the Labour Party and Cabinet Minister without Portfolio; Secretary of State for Scotland; Minister for Transport; and Armed Forces Minister.
2. Four of the foregoing positions (Home Secretary, Defence Secretary, Northern Ireland Secretary, and Armed Forces Minister) required security clearance up to the highest level and the handling of sensitive and confidential materials including intelligence reports.
3. I held the post of Home Secretary, whose remit included Immigration and Nationality, Counter-terrorism, Prisons and Probation, Policing, and Criminal Justice, from May 2006 until June 2007. I resigned from the Cabinet and the position of Home Secretary in June 2007 having announced my decision to do so some time earlier, and I retired as

an MP at the General Election in May 2010. I now serve as a member of the House of Lords.

Questions about your responsibilities in relation to the police

2. Please assist the Inquiry by setting out the policy and operational responsibilities and areas of influence you had as Home Secretary in relation to the police, insofar as they may have had a bearing on the relationship between the police and the media. The Inquiry is particularly interested in the following areas, but there may be others:

- a) standards or guidance on the giving and receiving of hospitality;*
- b) the conduct of police media relations (including formal and informal briefing; the inclusion of representatives of the media in police operations; and police training and standards in this area);*
- c) practice in the acquisition, safeguarding, use and disclosure of personal information;*
- d) police operations in relation to allegations of criminal wrongdoing by or within the media;*
- e) the appointment, leadership, performance and profile of the Commissioner of Police for the Metropolis.*

Your answer should include in particular a description of any powers or functions you exercised in the relevant areas by virtue of statute; any financial or governance decisions it fell to you to take; any role you had in the promulgation of guidance or other expectations; and the extent to which, although you did not have direct or operational responsibilities, you would expect to give or receive advice or briefings, including on a confidential basis.

4. In a democracy the relationship between the Government and the police is predicated upon an important distinction of roles. The Government, through its ministers is accountable to Parliament and wider public for the policy, strategy, financing and law within which the police (and some other agencies) operate. Operations are a matter for the police themselves, and a minister does not, and should not intervene, other than on very exceptional basis. This is a vital distinction in preserving the democratic basis on which society is governed.
5. During my period as Home Secretary, responsibility for policing in England and Wales rested on tripartite arrangements involving the Home Secretary, the chief officers of the 43 English and Welsh forces and police authorities made up of nominated local councilors and independents.
6. As Home Secretary I therefore had a strategic leadership role, setting the overall policy direction for policing in England and Wales on behalf of the Government. I was accountable to Parliament and the public for the allocation of national funding to forces, and for the legislative framework within which they operate and individual police officers and staff exercise their powers. There were some powers of direct intervention in cases where forces or authorities were perceptibly failing in their duty to provide efficient and effective policing in their area; these would not be relevant to the issues being considered by this inquiry.
7. Local Police Authorities (including locally elected individuals) were responsible for holding the chief constable and the force to account, on behalf of people in their particular area, for providing efficient and effective policing against the priorities and plans they had set and the funding which was available. Each authority was responsible for setting the budget for the force, including raising local funding

through the Police Precept. They were the bodies that appointed and, where appropriate, dismissed the chief constable.

8. Each Chief Officer was responsible for the day-to-day operational direction and control of the officers and staff in their force. Collectively, chief officers come together and take responsibility for guidance and instructions on best practice and procedures in operational policing.
9. In the context of the remit of this inquiry, the Home Secretary's role in relation to the Independent Police Complaints Commission (IPCC) and Her Majesty's Inspectorate of Constabulary (HMIC) is also relevant. The IPCC exists as a non-departmental public body (NDPB), under the auspices of the Home Office and therefore of the Home Secretary. Although the IPCC is, by definition, independent of government in the exercise of its investigatory powers and the operation of the commissioners, funding is delegated from the Home Office for its operation and powers to ask the IPCC to do specific pieces of work (outside their role in investigating individual cases) exist in the name of the Home Secretary. HMIC is also independent of the Home Office in the exercise of its powers and the conduct of its inspectors, but it operates from within the Home Office for the purposes of its funding. It has traditionally had a role as the Home Secretary's professional adviser on policing.
10. Guidance, practice and standards tend to be set by chief officers of police, acting collectively through the Association of Chief Police Officers (ACPO), or individually in relation to their own forces. The Home Office can, and did, issue guidance and codes of practice, particularly, in the context of the areas covered by this inquiry, in relation to the police regulations under the Police Act 1996, which govern, amongst many aspects of police activity, terms and conditions, misconduct and the handling of

police information. However, to the best of my knowledge at that time there were no detailed national standards set on the giving and receiving of hospitality (though see further below in answer to question 5).

11. There was guidance in place on the conduct of police media relations, published following consultation with representative media bodies in 2005. This was published by the Media Advisory Group of ACPO which, I understand has been since succeeded by the Communication Advisory Group who updated the guidance in 2010, after my own period as Home Secretary.

In July 2005, the National Centre for Policing Excellence (one of the predecessor bodies to the National Policing Improvement Agency) issued a Code of Practice on the Management of Police Information. The code is issued under police regulations and its purpose was: "...to ensure that there is broad consistency between forces in the way information is managed within the law, to ensure effective use of available information within and between individual police forces and other agencies, and to provide fair treatment to members of the public... [and] sets out the principles governing the management of information (including personal information) which the police service may need to manage and use..." (Annex 3, Code Practice on the Management of Police Information). The code is today underpinned by more detailed guidance which is available from the NPIA website: <http://www.npia.police.uk/en/15088.htm>)

12. The nature of a chief constable's operational independence means that the Home Secretary has no direct responsibility for operations at all, including in relation to allegations of criminal wrongdoing by, or within, the media. However, the nature of their accountability to the public and Parliament is such that Ministers are

sometimes briefed or updated on operations or investigations. This could be because a particular operation is high-profile and therefore likely to draw attention to itself such that the Home Secretary might be called upon to account for it or explain why it was happening. This could be because it related to some sort of threat to public order or public safety, involved injury to a police officer or involved potential misconduct by a police officer, for example. During my period in office there was a heavy concentration on terrorist and counter-terrorist activity given the extremely high threat level from that quarter. This involved regular and continual ministerial briefing in that area.

13. In my experience a normal Ministerial Briefing would consist of both a preliminary paper, (outlining the essential facts, options, risks implications and discussion points) and then an oral briefing – a meeting with the relevant officials/ authorities, where discussion could take place around questions issues raised, and the minister(s) could satisfy himself/herself as to the situation and/or his or her understanding of any proposed course of action. Other more informal briefing is occasionally provided to the Home Secretaries by their private office or other officials in the Home Office or, on occasion, it might be that Her Majesty's Chief Inspector of Constabulary (HMCIC) or senior police officer(s) might make them aware of an incident, operation or investigation. Briefings are for information only and would not invite involvement in anything that was properly the operational responsibility of chief police officers.
14. Any personal information gained as a result of operational briefings was considered and treated as confidential. It would be inappropriate for a Minister to

discuss the details of information given to him in confidence with other parties, obviously including suspects, accused, witnesses or victims.

15. The Home Secretary is responsible for the appointment of the Commissioner and the Deputy Commissioner of the Metropolitan Police. I did not actually participate in such an appointment process since both the Commissioner and Deputy Commissioner of the time had been appointed the year prior to my appointment as Home Secretary and both succeeded me in office. I found both of them helpful and courteous throughout my period in office. Recognising the size of the Metropolitan Police, its budget and its responsibility for key national policing functions, the Home Secretary has meetings with the Commissioner. On those occasions, the Commissioner updates the Home Secretary on aspects of the force's performance and briefs them on major matters affecting the work of the force. This is also true in relation to other forces and chief officers when the Home Secretary meets them or visits their forces.
16. Throughout my period as Home secretary I can think of only two specific media-related incidents that gave rise to concern. On both occasions I requested that a "Leak" investigation be established, not least because of the suggestion in some parts of the press that my Private Office officials or advisors may have been responsible. This was not the case. In fact, in one case the enquiry conclusively established that the informant was a Met. Police official. In the other case the source of the leak was never discovered. In the light of what has emerged during this present Inquiry, it would perhaps be worth re-opening that leak investigation.
17. There did appear to be more general and regular leakage of information to the press in connection with the ongoing investigation into allegations against the

then Prime Minister. But given the sensitivities it would have been realistically impossible for any Government Minister to intervene in this area.

18. As regards police operations in relation to allegations of criminal wrongdoing by or within the media, I cannot recall any substantial discussion on this matter other than those I have mentioned elsewhere in this statement.

19. As a general rule, discussions with the police about media handling were in my experience raised only as and when demanded by a particular operation; for instance, during discussions/briefings regarding media knowledge, stories, information or enquiries related to operations like Overt, the murder of Litvenenko or other Cobra related events.

20. All such discussions remained confidential, and every effort was made to ensure that information emanating from them was confined within the pre-agreed boundaries and directions. For instance, when at the beginning of Operation Overt it was deemed necessary for the safety and security of the public that information be made public about the nature and scale of the threat, this was done in accord with a formulation agreed not only by the parties to Cobra, but also by the Advocate General.

21. I would also receive specific briefings on major issues of a serious nature, like the Litvenenko case or similar intelligence related matters. Again, information from such briefings was treated as confidential and operational decisions were always ultimately the responsibility of the police/ agencies involved.

3. Please give a full chronological account, together with all relevant documentation, of the extent of your awareness and briefing, whether formal or informal, in relation to allegations of phone hacking and other improper conduct within News International, and the course of conduct of Operation Caryatid, while you were Home Secretary. Your account should include the extent to which you were briefed in relation to material not within the public domain (for example by the police, any regulatory body, or sources within the industry), discussions of these issues with, and any representations made by you or on your behalf about them to, anyone within News International, all public statements you have made in relation to these issues, and any other steps you have taken in relation to them.

22. The following recollection of the context and the events surrounding the arrests of Mulcaire and Goodman is as detailed as I can provide, having had access to my official diary for the relevant period.

23. First, the context. Throughout my time as Home Secretary we acted in the wake of 9/11 and the atrocity of 7/7 in London which, tragically, claimed over 50 lives. The Liquid Bomb Plot countered by Operation Overt, referred to in greater detail below, threatened even greater carnage. The threat level of a terrorist attack during this

period varied only from Severe, the second highest level ever, to the highest, Critical, where an attack was deemed highly likely and imminent. Thus the highest priority was given to terrorist/ counter-terrorist activity. I would normally receive regular briefings on the extent of Terrorist plots/plotting, the gravity, imminence and risk of such threats and, in some cases, the intended/ proposed course of action. Such briefings would, as per the convention, involve written information papers followed by the briefing meetings themselves. They escalated in number and frequency as we approached the July-August period as outlined below.

24. As regards the investigation into the royal phone hacking, from my appointment as Home Secretary in May 2006 up until the arrests of Mulcaire and Goodman on 8th August 2006, to the best of my knowledge I received no briefing, written or oral with regard to this subject. As far as I am aware no briefing had been received anywhere else in the Home Office either during this period. This is recorded for information, not as complaint or criticism, since as mentioned already this period was considerably taken up by briefings and oversight of potential terrorist plots, including in particular Operation Overt, an operation concerning the attempted murder of some 2-3000 people, mainly British Citizens by placing bombs on 7-10 trans-Atlantic airliners leaving British airports. These latter briefings became more and more regular, especially from mid-July 2006 as we approached the crucial period when it became suspected that the intended attack might take place, around the second week in August. As it turned out, the two events – the arrest and charging of Mulcaire and Goodman and the launch of Operation Overt - were to take place within the same 24 hour period, on the 8/ 9th August 2006.
25. On the 8th August 2006 the Metropolitan Police Service (MPS) arrested Mulcaire and Goodman, and issued a Press Notice and Briefing concerning the arrests. The MPS

written Press Briefing made public that “As a result of their enquiries police now believe that public figures beyond the Royal Household have had their telephones intercepted....” (cf. Annex 1 MPS Press Briefing 8 August 2006).

26. Thus, from the outset it was put into the public domain that it was suspected that there were victims other than the Royals. This was widely reported (cf. Annex 2, extracts from BBC News, ITN News, The Daily Telegraph and The Guardian, 8-9 August) Background briefings presumably went further since media reports soon began to speculate as to the name of a Cabinet Minister who might be a victims. (cf. For example The Daily Telegraph, 10 August 2006, in Annex 2.)
27. I was unaware of the MPS Press Briefings at the time they were given. Quite apart from the priority on Operation Overt, on that same day of the arrests of Mulcaire and Goodman, 8th August, I had to seek and later attend an emergency Doctor’s appointment on account of the recurrence of an attack of acute Iritis, (an eye complaint rendering light/ focusing / reading very painful.) Later that day I had to be admitted via Accident and Emergency to Moorfields Eye Hospital for treatment. Nevertheless, since the terrorist plot remained imminent, I then completed a scheduled visit to an Intelligence Agency for an update and briefing on Operation Overt before going home.
28. To the best of my recollection, I first became aware of Operation Caryatid (though not by its code-name) later that evening, 8th August 2006 or in the early hours of the morning of the 9th August. I learned of the arrests through the media/internet news. On hearing the news I made a request for information through my Private Office (Media Reaction Team), who in turn called the office of the Permanent Secretary and spoke to his Principal Private Secretary, Richard Riley. The information thus

conveyed to me was no more than was contained in the news reports I had heard. I then called the Met. Commissioner who confirmed the details carried in the media and also the suspicion that a friend of a Cabinet minister may have been a victim. There was no mention of other journalists being involved.

29. The following day, 9th August, a one page note was apparently drafted by Richard Riley, presumably in response to my enquiry the evening before. I have no recollection of seeing the note at the time, and the record suggests that I did not. I am informed by the Home Office that their records show no acknowledgement of receipt, or response to the note or any other indication that it was seen by me. This is not surprisingly in view of the events to take place, described below. In any case, (having now been shown the note) it appears to contain no more information than the telephone call the previous evening, and little more than was in the public domain on 8-10 August through MPS briefings.
30. These events can only really be understood in the context of other events that same day. The charging of Mulcaire and Goodman on August 9th coincided almost exactly with the arrest in Pakistan of Rashid Rauff, the key figure and go-between in the Al Qaeda plot to bring down up to 10 UK-US airliners, threatening thousands of lives. Rauff's arrest in turn necessitated the immediate launch of the counter-terrorist Operation Overt, some days before it had been originally anticipated it would take place. The 9th August 2006 thus marked the launch of the largest counter-terrorist operation in UK history.
31. The nature of the terrorist threat and the ensuing counter-terrorist operations at that time have been well set out by others who have testified - there were more than 50 active plots being reported to the Home Secretary at various times. Suffice it to say

that with the launch of Operation Overt and all of its associated implications – national and international - the issue became virtually all-consuming for officials, counter-terrorist operatives in the police, the Home Secretary and his Private Office for a prolonged period thereafter. Cobra met through the night on 9th August and remained on call on subsequent nights thereafter. The terrorist threat Level to the UK was raised from "Severe" to "Critical", meaning that a further attack was believed to be imminent. Personally, I arranged to sleep in the Home Office or my Parliamentary office at this time, and all of our attention was almost entirely focused on the Operation, its domestic and international dimensions, ramifications and wider potentially related consequences during the following weeks.

32. In the months after this, until I stepped down as Home Secretary in June 2007, I cannot recall any briefings written or meetings on the phone hacking investigation.

33. To test my recollection I requested Home Office officials to carry out a search for written briefings but they have been unable to identify any.

34. Nor to the best of my recollection were there any briefing meetings on this subject. My Home Office diary confirms this. It contains some 4,500 entries for the period May 2006 – June 2007, but none of them refer to a meeting/briefing on this issue.

35. The simple fact is that without the benefit of hindsight or any contemporary evidence to the contrary the issue was at the time considered an operational police matter that they were handling, with no appearance of impropriety or other reason for ministerial intervention and thus a subject of relatively low priority for the attention of Ministers, especially compared to other live issues throughout my period in office (see below). Through the period until the end of January 2007, when sentences were handed down following the trial of Mulcaire and Goodman, the issue thus remained properly an

operational matter for the police and Crown Prosecution Service, directed towards the arrest, charging, evidence gathering and prosecution. In the several months thereafter, until I stood down in June 2007, my understanding was that the same bodies were working through the material with a view to extracting evidence. Again, on what was then known to Ministers, this was properly an operational matter for the police and relatively low ministerial priority. This perception was not confined to ministers, but shared much more widely. During my time as Home Secretary I met with politicians, officials, and members of the public on a regular basis, and cannot recall the investigation being a live topic of conversation.

36. Throughout this period to the best of my knowledge and recollection the subject was not raised with me by any regulatory body, by sources within the newspaper industry or by any personnel from News International.

37. I have also asked for The Parliamentary Record for this period to be searched, since Parliamentary proceedings, especially Questions tend to reflect priorities of the day. Home Office Oral Questions provided an opportunity for MPs to raise issues of concern, many of them topical.

38. Home Office Ministers received and answered literally hundreds of such Oral Questions. As Home Secretary I personally responded to 215 oral questions. I requested officials to scrutinise the subject matter of those questions and I am informed that not one of them referred to this issue.

39. A similar search of Written Parliamentary Questions indicates that at no time during my period in office was this issue raised despite the considerable number of written questions submitted.

40. There were no Ministerial Statement made on the issue or, to my knowledge, asked for. Given what was known at the time, the issue was considered an operational matter for the police and during the period while that was ongoing, therefore not of high significance, not only for ministers but also of Parliament and Public.
41. It might help to contextualise this prioritisation by recalling just some of the other issues in the general area of policing and security that were given higher priority and being dealt with by the Home Office during this period; and which were the subject of parliamentary, press and public attention - the foreign prisoners controversy; a backlog of 500,000 asylum seekers discovered; 3 Departmental Reform Programmes started; UK Border Agency established; The National Offender Management System introduced; The Office Of Security and Counter-Terrorism (OSCT) established; Chronic problems in Prison Overcrowding to be addressed and emergency Prison Places to be procured; pre-charge detention proposals; Police Mergers debate; Criminal Injuries Compensation Scheme deficit; Parole conditions and Process reforms; Probation Service Reforms; Criminal Justice System reforms; Passenger Name Recognition dispute with the EU; Campaigns on Gun and knife crime; Campaign on Gang violence; Anti-social Behaviour Drive. Police Salaries Review; police pay and conditions reform being negotiated: Mobile phone theft Initiative: Alcohol misuse/Abuse; Drugs Sentencing; EU Criminal Checks: Youth Justice System overhaul: Intercept Warrants; Votes for Prisoners debate; Negotiations with the Treasury; Debate on the Human Rights Act internally. Immigration Points system introduced; ID Cards being introduced and legislated for; Sex Offenders List promulgated; Child Sex Register; People Trafficking; 7/7 Trial underway and Enquiry demands addressed; Religious Hatred Laws: Domestic Violence Initiatives; Controversy over provision of accommodation for Paedophile's on their release;

Sara's Law being argued through; Control Order debate and discussion; Dispute with Judges over Sentencing Guidelines; Home Office split up and Ministry of Justice formed; Community Payback Scheme; "Contest" Strategy review; the Litvenenko assassination; follow-up classified operations; Forestgate Operation; Monthly Crime Figures: Criminal Records backlog discovered and addressed; Animal Extremists; Olympic Security; Corporate Manslaughter legislation; SOCA and Assets Recovery Agency: Merging of the Inspectorates controversy; Accession of Romania and Bulgaria to EU – British employment rules; US Extradition treaty problems; Stockwell 1,2 and 3, ongoing process; a major Terrorist Review; Anti-radicalisation campaign; Proscription of terrorist groupings; Afghan Hijackers; Missing BBC correspondent (Alan Johnston); Police Investigation into Prime Minister; Over 50 Terrorist plots; The Biggest Terrorist attack in Britain's history and largest counter-terrorist operation ever mounted, highest point on 9th August; Threat level raised to Critical, highest possible.

42. Some further priorities were of course unavoidable and a routine part of normal ministerial duties - briefings, authorisation of Intercepts, meetings of Cobra, the Cabinet, Cabinet Committees (6), National Policing Board, Criminal Justice Board, ACPO, NPIA, CEOP, RISC, SOCA, NCJB, G8, Intelligence agencies, visiting ministers, international/ regional visits/conferences, and Parliamentary duties, including legislation taken through parliament, Parliamentary Questions and Statements. These above issues and priorities constituted the backdrop against which what was then known about the phone hacking investigation was measured.
43. Throughout this period I met regularly with representatives of the police in the course of my duties, especially in connection with counter-terrorist matters. I most often met with Andy Hayman and/or Peter Clarke in their counter-terrorist role and found both

efficient and effective in this role. It is of course quite possible that the issue was touched upon informally with either of them around the time of the initial media coverage of 8-9th August, but I cannot personally recollect any specific discussion with them on this matter. To the best of my recollection I never met with John Yates. I did have meetings with the Met Commissioner and have already recounted a telephone conversation with him on the evening of 8th August as well as a later meeting prior to my standing down as Home Secretary (see below, in response to question 4.)

44. I have tested my recollection as to informal conversations on this topic by enquiries with my then Permanent Secretary, the then Head of the Terrorist Protection Unit, my Special Advisors and members of my Private office. None can recall any discussion with me on this subject. I understand this last aspect has also been confirmed on enquiry by Home Office officials.

45. As requested by the Inquiry, I have responded in some detail to this question, To the best of my recollection my awareness, understanding and knowledge of this issue was thus largely similar to the broad picture that was already in the public domain through the media briefings and coverage of 8/10 August as I have detailed in my response.

4. Without prejudice to the generality of question 3 above, please respond to the evidence the Inquiry has received from Peter Clarke, former Deputy Assistant Commissioner in the Metropolitan Police, that in 2006:

a) a confidential report about Operation Caryatid was sent to you;

b) he discussed the case personally with you in the margins of a meeting shortly after the arrests of Clive Goodman and Glenn Mulcaire;

c) he recollected making clear to you that the range of victims was much wider than the royal household and that other journalists might well have been involved.

Please detail, with all relevant documentation, the steps you took in the light of your awareness of phone hacking at News International.

46. The MPS report was not in fact prepared for or sent to me, or to my Private Office but was sent to a completely different section in the Home Office, the Terrorist Protection Unit (TPU) and to the best of my knowledge was never seen by me. In any case, that this Report (which I have now been given sight of) contains no further information than to that carried some days previously by the media on 8-10th August 2006. (cf. Annex 2) I understand that it was sent to the TPU on or around the 11th August, at the height of activity on Operation Overt and several days after the initial press coverage of the arrests. I have spoken with the then head of the TPU who does not recall ever having discussed the matter with me. Also for the record, it's worth noting that neither this note nor that of Richard Riley contained any reference to other journalists, or to the Deputy Prime Minister or to a scale of potential victims on anything like that now envisaged.

47. Given this media coverage of 8-10th August surrounding the arrest of Mulcaire and Goodman it is quite possible that the subject of their arrests was mentioned informally to Peter Clarke around that time, though I personally do not have any recollection of a specific conversation. His description of an informal conversation “of little significance other than to demonstrate that the Home Office had been informed of the arrests and the broad nature of the case” would fit with the extent of my awareness at the time. This broad information was of course also already in the public domain. The manner in which it is described as having been raised - “on the margins” of another formal meeting on our counter-terrorist Operations Overt is another indication of the relatively low priority given to the matter, especially in the context of Operation Overt.

48. I do recall the issue being touched upon much later in one conversation with the Met Commissioner towards the end of my period in office, in the course of a general wash-up and courtesy meeting prior to my leaving the Home Office when we ranged across a wide range of issues. My recollection is of being told that work continued following the recent trial that had concluded in late January 2007; that there was a considerable amount of material arising out of the trial and the investigations related to it; but that material did not equal evidence, and it would take some time to work through it with a view to gathering evidence.

49. The fact that the range of victims might be wider than the Royal Household was a matter of public knowledge from the time of the initial MPS Press Briefing on the 8th August that stated that “as a result of their enquiries police now believe that public figures beyond the Royal Household may have had their telephones intercepted...” As outlined above, this was carried widely in the media at the time through reporting

that first brought the matter to my attention. As we have seen, the media reports went further in speculating on the name of a suspected Cabinet Minister. I was therefore aware that other victims might be involved, though this was not information that was confined to the ministerial domain. I was not, however aware that the numbers of potential victims was on anything like the scale which has since been revealed.

50. I was not aware either, and I have no recollection of being informed that other journalists were involved. The initial media reports did not mention other journalists. It was not mentioned during my conversations with the Commissioner. I have no recollection of any briefings to that effect. The fact that there was no mention of other journalists in the MPS Report or in the note prepared by Richard Riley incorporating information from the Commissioner tends to support that recollection.

51. This was, to the best of my knowledge and recollection, the extent of my awareness at the time. It was broadly in line with information in the public domain. But it is worth recording that even had I known at the time that other journalists could be involved, such information would of course have had to be retained in confidence, since the matter would still have remained properly an operational matter for the Police and, potentially for the Crown Prosecution authorities.

52. Based on what was known to ministers at the time, this issue therefore was considered an operational matter for the police (and the Crown Prosecution Service). I was aware of the broad case against Mulcaire and Goodman, generally in line with the general picture in the public domain, but was not aware of anything approaching the range of accusations that have since arisen. In addition I was aware from a conversation with the Met Commissioner that it was suspected that a friend of a Cabinet Minister might

be a victim. From a Ministerial point of view, until the end of January 2007, charges had been brought and the matter now properly remained an operational matter for the Police and the Crown Prosecution Service. During the period up to the conclusion of the trial and sentence at the end of January 2007 this would entail them preparing for that event. Thereafter, in the months from February 2007 until I left office in June of that year the investigation again properly remained an operational matter for the Police and Crown Prosecution Service, and work on that was continuing. There was no evidence or suggestion at the time that the matter was being improperly handled. As I left office in June of that year, my understanding was that a considerable amount of material would have to be examined and worked through with a view to identifying evidence – since material is not in itself evidence.

53. This is the process that I understood to be underway, though I had no awareness of the scale of the material or the task at the time. It is only in retrospect that we now have some indication of that, since, at the time of writing Operation Weeting has been underway for some 14 months and, I understand, is still working through files reportedly containing references to more than 8000 names; for the record I have been informed by the police that my own name is one of them, though at the time of writing there is no evidence that my phone was hacked.

54. In summary; to the best of my knowledge and recollection I received no special briefings, written or through meetings on this subject. I was aware that there might other victims. These were suspicions, yet to be borne out by evidence. But I was not aware that other journalists were involved, of anything like the numbers involved, or that the DPM or more than 40 parliamentarians might be involved. To the best of my knowledge and recollection my awareness was thus limited largely to that which was in the public domain. There were at that time to my knowledge no substantial

allegations, far less evidence, of wrongdoing on the part of the police; this was to come some years later. On this basis the matter remained an operational one for the police and one in which Ministers had no proper role. This did not change until some time after I had left Office.

5. Was any work done by the Home Office during your period in office to investigate or consider national standards for the police in relation to hospitality and/or relations between the police and the media? If so, please explain what was done, and with what results and provide a copy of the work.

55. At the start of 2005, Lord Taylor provided a report to my predecessor as Home Secretary, reviewing police disciplinary arrangements. In this, he made a recommendation that “a new single code (incorporating ethics and conduct) should be produced to be a touchstone for individual behaviour and a clear indication of organisational and peer expectations”. This resulted in the new regulations containing standards of professional behaviour for the police, which came into force in 2008 after I had left office.

56. Given that at that time the scale and depth of the allegations concerning this Enquiry were not as they are known today, the issue of policy on police hospitality and/or media relations did not feature as an issue for the Secretary of State during my period in office; the suggestion/evidence that either area might involve impropriety arose only at a later date. To the best of my knowledge there were no meetings, briefings or discussions on these policy areas.

57. I have already outlined (at paras 39-40) a selection of some of the priority issues of the time. By the very nature of the issues with which it dealt daily, the Home Office was thus constantly the focal point of complex, difficult decisions and a very full agenda. Given what was known of this specific incidence of phone hacking at the time in 2006-7, it did not feature as a very high priority in this competing agenda or seem to merit doing so. And given the lack of any other, general concern/evidence of widespread or systematic improper behaviour or any ministerial, parliamentary or public concern regarding standards on police hospitality or media relations at that time, the matter of a general policy review of those areas did not arise.

6. To what extent did you consider expertise in the conduct of relationships with the media to be a core competence of police officers in general, and of Chief Constables in particular? How was that reflected in policies relating to matters such as appointments, promotion and training?

58. The ability to articulate fluently and effectively is of course necessary for anyone whose position requires communication with the public and a wider range of interested parties including staff, partner organisations, politicians media and others. Officers attending the 'senior police national assessment centre' (SPNAC, the gateway to chief officer ranks) have for some time been required to complete a media exercise as part of their assessment. This consists of a television interview with a journalist. However, it does not cover issues concerning conduct of relationships with the media.

59. I had no personal acquaintance with these courses and I am grateful for officials providing me with the details. Media exercises of this type have been used at SPNAC since 2005 and it is a matter of police service policy (not a legal requirement) that officers wishing to gain promotion to chief officer ranks must pass the SPNAC. According to the Leadership Academy for Policing's 'Portfolio of Products and Services for October 2005 to March 2007', there was a new module called 'Media Skills Training' (from August 2005) and a module called 'Effective Media Strategy'. These were both for people on the 'High Potential Development scheme' or the 'Senior Leadership Development Programme'. More widely, it is likely that many forces provide some sort of media training within their own force for specific roles where there is a requirement for this.

60. Those progressing to chief office rank are also required to complete the senior command course (SCC; again, a matter of policy, rather than a legal requirement). This course has not included any media assessment.

7. Please give a full chronological account, together with relevant documentation, of your awareness of the extent to which Metropolitan Police Service officers at Commissioner and Assistant Commissioner level had cultivated social relationships with the media and any steps you took as a result.

61. I was unaware of any suggestions at the time that there was anything untoward in such relationships and to the best of my knowledge nothing touching on this was ever brought to my attention. Having checked this recollection with Home Office officials I am informed that nothing has come to light which would suggest otherwise.

8. Please comment on evidence heard by the Inquiry to the effect that senior police officers may have modelled their approach to media relations on what they have observed about the interaction between politicians and the media. Please set out your thinking on the relevant similarities and differences in the positions of politicians and the senior leadership of the police. To what extent do you consider that Government ministers in general, and Home Secretaries in particular, have a role in setting an example to senior

police officers, in this respect?

62. The relevant document governing Ministerial behaviour at the time was the Ministerial Code. During my time as Home Secretary, there was no direct reference to ministerial relationships with the media (except insofar as there were references to the conduct of press conferences, statements, etc.). The one part of the Code which might be applicable to Ministers' relationships with the media was a general one:

“...no Minister should accept gifts, hospitality or services from anyone which would, or might appear to, place him or her under an obligation.” This would seem applicable as guidance to public officials and police as well as politicians.

63. I am not really in a position to comment on what model or inspiration individual police officers draw upon in shaping their media operations. Government Ministers, like all public servants, have the responsibility to deal with the media in a way which ensures the integrity of the information they receive, and maintains their own integrity and independence from the media in the conduct of their relations. Other than that do not think that there is anything more that I can usefully add.

Questions about engagement with the media

9. In your view, what are the specific benefits to the public to be secured from a relationship between senior politicians at a national level and the media? What are the risks to the public interest inherent in such a relationship? In your view, how should the former be

maximised, and the latter minimised and managed? Please give examples.

64. In a democracy, the main channel of communication between politicians and public is through the media – though in recent years digital communication has become more important. Engagement is thus an essential component of our democracy and for a Minister – indeed, any politician - an essential part of the job. Of course, like any business engagement it carries risks; of inadvertent (or intentional) misrepresentation; of failure to convince on general or specific points; of miss-reading of intent. Moreover, it is not only the Minister who will have a pre-conceived purpose for meeting; each news outlet is likely to have its own particular agenda.
65. As far as I am aware there were no specific media guidelines for Ministers in the handling of the media. However, as already stated, there was advice in the Ministerial Code that was more generally applicable, namely that no Minister should accept gifts, hospitality or services from anyone which would, or might appear to, place him or her under an obligation.
66. Within this general guidance each Minister no doubt developed his/her own way of working. For my part, over the years as a result of experience I developed a number of personal guidelines that I tried to observe, including; trying to be accompanied for scheduled lunches/dinners; avoiding giving out a personal mobile phone number; not discussing issues on incoming calls on personal mobile from journalists; routing all enquiries/requests through Official Press Office; if caught unawares (“door-stepped”), informing the official Press Office/ Special Advisors as soon as practically possible; monitoring the news media; trying to anticipate journalists’ agenda.

However it is impossible to anticipate all circumstances and encounters with the press and media.

67. It is much easier, of course, for a politician who does not hold ministerial office to minimise engagement with the media – though not necessarily to avoid media attention. On stepping down as Home Secretary in 2007 I considered it important to avoid public criticism of the new Prime Minister. Since I anticipated that any interviews/discourse with journalists would inevitably entail questions regarding the PM's performance, I largely avoided these occasions until the General Election of 2010, declining over 3000 interview requests. Those few that I did accept were on the clear prior understanding that I would only be asked/ respond on the pre-agreed area (often football, as it happened). I was able to maintain this position since I had chosen to leave government office; it would have been virtually impossible to do so had I remained a Government Minister.

10. Would you distinguish between the position of a senior politician in government and a senior politician in opposition for these purposes? If so, please explain how, and why.

68. The acceptance of a senior position in Government carries with it additional restraints on the office-holder – including, but not confined to the Official Secrets Act. There is also a balance between the rights of a minister to receive information under the

principle of his/her ultimate accountability (e.g. of the Armed Forces, Police Service, Intelligence Agencies) and the responsibility of a Minister not to intervene in operations of those agencies; this include a responsibility not to divulge material received or act upon it in a way which would effectively impinge upon or interfere with Operations, or investigations.

69. Normally an opposition politician would not be in possession of classified material or operational detail, nor, obviously, would they have ministerial responsibility. Where on occasions an opposition politician was given access to sensitive material, say on Privy Councilor terms, these obligations would come into effect. For instance, this obligation fell on me prior to the 1997 election, when MoD Ministers in the then Conservative Government were courteous enough to sanction briefings for me as opposition spokesman on defence matters. This helped prepare me for a potential Government role, but I felt it incumbent upon me not to reveal, or make political use of information thus imparted to me.
70. An opposition politician also benefits from several other advantages compared to the holder of ministerial office in engaging with the media. Normally, an opposition politician would have much more of that precious commodity – time – in which to engage with the press and media. They carry less responsibility for “miss-statements” ; they can concentrate on relatively few issues compared to the range which Ministers have to deal with; almost by definition, criticism is more easily accomplished than formulation and advocacy of a coherent policy or programme; a “crisis” accusation is much more easily made (and much more easily achieves publication) than a “good news, all going well” message. These all confer short-term advantages on an opposition politician.

11. How, if at all, can a Home Secretary conduct his own relationship with the media so as to assist the police in turn to do so in a way which most benefits the public?

71. As far as media relations are concerned, whenever possible, a minister is well-advised to leave all operations and operational details to the Police and to stick to explaining and promoting policy. Of course, on occasions, such as public or parliamentary concern over the implementation of policy or perceived mistakes in operations a Minister may be called upon to explain, defend, apologise or criticise an event contingent upon operations. In the last analysis, an internal review or more Public Review can be instituted, as for instance in the case of this Inquiry.

72. In a more general sense, a Minister might engage with the media to highlight some police priority or area of concern for the police or a campaign that they had launched. Sometimes this might involve participating alongside others such as victims of crime, their families or celebrities in a particular campaign. I recall, for instance, doing so at times alongside the police, members of the Taylor family and well-known sporting figures to highlight the dangers of carrying knives and the police campaign aimed at this. Media related engagement such as this assist the police in their efforts and contribute towards public safety.

12. Please explain the approach you personally have taken in the course of your political career to engaging with media proprietors, senior editorial and executive staff, and political editors, within the media. In relation to the period of your tenure of your position in Government, your answer should cover at least the following - indicating as appropriate whether the information relates to that capacity or a private capacity:

- a) the nature and frequency of contacts of this nature, whether formal or informal;*
- b) details of any relevant hospitality you gave, received or participated in;*
- c) the value of these interactions to you;*
- d) the extent to which political support by the media for any individual, party or policy was discussed at such interactions;*
- e) the extent to which the existence and nature of such interactions were or were not placed within the public domain and the reasons for that.*

73. Ministers are inundated with requests and invitations to attend events, receptions, inaugurations, conferences, dinners and lunches – from all quarters. The last thing that a Minister needs is another invitation. I therefore regarded such events as business occasions rather than leisure. Engaging with the media and press fits into the same category. It is a “working” event, a necessary part of a Minister’s work in a

democracy where the media represents the main channel of communication between politicians and the public.

74. Before any media event the Minister will have in mind both his own purpose – usually explaining and advocating the role and benefits of the Government or some particular policy or course of action. He/she will also be aware that the host will also have a purpose in mind – gaining information, criticising or supporting a particular policy, promoting a particular campaign and so on. The agendas do not always coincide.
75. As with all other invitations, press engagements would normally be received through the Ministers private office/ official Press Office for discussion with officials/ advisors regarding their merits against competing demands/ invitations. If accepted, they will be recorded in the Minister's diary thus putting them on the record. I did not place a particularly high emphasis on accepting press invitations from journalists/media, not least because of the other pressures on time. I would, on average have accepted one or at most two invitations a month; a total of about 20 are recorded over my 14 months as Home Secretary.
76. I rarely met with or sought meetings with Proprietors. In the course of my period as Home Secretary, for instance I recall (and my diary verifies) one lunch with the CEO of the Mirror Group and one with the Proprietor of the Express group. There were no such engagements with the Proprietor of Associated Press, News International, the Independent Group or the Telegraph Media Group while Home Secretary (or indeed, to the best my recollection, during my whole period as a minister), though I would from time to time have attended functions where they were also present.

77. During my ministerial career any Lunch/dinner appointments with senior/editorial groups would also be entered in my official diary and recorded. While I was Home Secretary my diary shows Group engagements with The BBC (2); The Express group; News International Group (2); GMTV (2); The Mirror Group; Sky Group; and The Sunday Times Group. Similar engagements with individual correspondents (sometimes joint-title engagements) were also noted in the diary - the Airdrie Advertiser (constituency) (2); The BBC; Evening Standard ; The Guardian; The Herald; The Independent; ITV; New Statesman; News of the World; Observer; The Times; and The Telegraph. In addition to these I would have had coffee with journalists from time to time in parliament, and Party Conference was normally a frenetic gathering where a Minister/ Politician would try to touch base with just about every possible group represented at conference, including the media, in the course of a week of intense "politicking."
78. As a minister I would not normally extend hospitality or taxpayers money in hosting journalists other than perhaps once a year, around Christmas, just before the end of the Parliamentary session or on taking on a new office when a reception might be held to introduce the new minister to the correspondents in that particular policy area. For instance, the latter was held in the Home Office shortly after I became Home Secretary.

13. In your experience, what influence have the media had on the formulation and delivery of government policy more generally? Your answer should cover at least the following, with examples as appropriate:

a) the nature of this influence, in particular whether exerted through editorial content, by direct contact with politicians, or in other ways;

b) the extent to which this influence is represented as, or is regarded as, representative of public opinion more generally or of the interests of the media themselves;

c) the extent to which that influence has in your view advanced or inhibited the public interest.

Please include in your answer your particular perspective on the nature of this influence in relation to criminal justice and to immigration policy.

79. As the main means of communication with the electorate and as a shaper of public opinion the media are a powerful influence in the formulation and presentation of policy. However they are by no means the only one. Others, including a minister's personal philosophy, values and experience, his/her current and past contact with the public, local or national Party views, the influence of his constituency opinion, polling data, focus groups (representing a cross section of public opinion) and, above all, a Minister's personal conviction after due consideration that a certain course of action represents the public good.

80. Like all other agents of influence, the press and media have their own individual views, values and agendas, whether on policies, personalities or, specific campaigns. Individual press outlets obviously hold to differing opinions in any given area or topic. Often, these preferences are cloaked in the presentational form of “Public Opinion”. It is always wise to remember that there may well be – and often is - a difference between “published opinion” and “public opinion”. It is equally wise to remember that the media are not only the conveyors of opinion, but also the shapers of opinion to a greater or lesser extent.
81. Press influence is not confined to that exerted through Editorial Columns. Editorial policy is the expression of the views, values, opinions and prejudices of the leadership/ ownership of a particular press title or group. (To what extent this, in turn, is shaped by the owner/ proprietor is a moot point.) However, the main point is that editorial influence is not confined to Editorial Comment columns. Rather, it permeates the nature and content of the whole publication. The press do not merely “report the facts” in some objective, neutral fashion. Individual titles are not mere reporters of events; they are protagonists in the wider debate and discussion. They have their own views, values, opinions and prejudices. They wish their views and opinions to prevail. And those views, values, opinions and prejudices shape their selection of which facts to report, what prominence to give them and how those facts selected are presented. (This is less so, in my experience, with the TV media) Moreover, the press are in a position to augment the substance of their argument with the powerful influence that they exert as mediators between politicians and the public and as shapers of public opinion. This gives them power to influence, and it is a

power they are keen to exert. In many ways they are the most powerful lobbying force in the country.

82. This can contribute to genuine public debate, which is healthy. But given the extent of such power it is obviously open to abuse. When does lobbying for their particular campaign, policy or personality cross the line into undue pressure, misrepresentation or intimidation? When does arguing a particular case cross the line into bullying or attempted intimidation? When does legitimate criticism become personal character assassination? These are difficult issues for politicians to arbitrate on, since they would inevitably be perceived (and presented) as having a vested interest in the outcome of such deliberations. That is why the work and conclusions of this Enquiry will be so important.

83. Straight, factual reporting of events has increasingly come under other pressure from another quarter. The emergence of 24/7 television and digital communications means that reporting of today's events have already received saturation coverage before a newspaper hits the streets tomorrow morning. Increasingly, in my view, the written press have responded by a much higher content of opinion, comment, speculation and prediction. This has obvious dangers for accuracy. When it is combined with the prerogative of the press to base stories on undisclosed and unnamed "sources" – whose motives, reliability and knowledge cannot therefore be assessed – this carries obvious dangers for accurate and objective reporting. Given the fierce competition within the market for news, it is unlikely that this is a trend that will end anytime soon.

84. The specific issues of Law and Order, Justice and Immigration are of considerable importance to the public at large, as anyone who has spent any time on the doorsteps

of Britain will testify. In my experience the central focus of the public revolves around the question of fairness and balance. It is the perceived fairness of a policy in the government's approach or any particular course of action which is the most important element in determining public opinion.

85. These topics are also a fertile field or controversy inside the press and media. Firstly, these are issues on which there is a considerable diversity of opinion within the UK press. Some sections of the press, for instance, will stress the economic benefits and cultural enhancement of immigration, while others stress the social dislocation and pressure on public services. On criminal justice, some approach individual issue with a concentration upon the individual rights of the accused, while others concentrate others on the effect on the victims. This can result of a diametrically opposed presentation of the same case by the selection of facts to suit the particular prejudice of the title.

86. Moreover, this can sometime leads to paradoxical positions even within a given newspaper. Those which, for instance, demands the weakening of, say, Control Orders regulations (which they consider the arbitrary use of power), will then often be the first to attack the resultant system of Control Orders should anyone escape the weakened controls. (In fairness it should be pointed out that this paradoxical posture is not confined to the press.) Those who are first to condemn the “heavy hand of the law” are often the first to utter condemnation when crimes go unsolved are not pre-empted. Those who oppose the strongest means to combat terrorism are often the first to demand answers from the authorities/Government when terrorists go unapprehended or some tragic event takes place.

87. A Minister is therefore well advised to remember that in the normal course of events, whatever course of action he/she takes will be criticised by some section of the press. If the Minister takes a position in accord with public opinion he/she will often be branded as “populist”. If he/she does not, then they will often be accused of “snubbing” the public. Moreover, if a course of action is determined on the basis of confidential information which – say, for reasons of national security - cannot be made public, then he/she may be doubly vulnerable. This is part of the obligations of holding ministerial office. However inconvenient this may be in the short term for any particular Minister, it is perhaps an essential part of a thriving democracy and healthy public debate.

14. Please assist the Inquiry with your perspective on the following passage about a reported conversation between you and Rebekah Wade (as she then was) which appears in Volume 2 of Chris Mullin's diary: 20th April 2009, p.320:

“Lunch in the cafeteria, where I was regaled by John Reid with an account of how, as his star rose in the run-up to The Man's retirement, unpleasant stories about him began to appear in the (Daily) Mail and the Sun. Then came a call from Rebekah Wade (the then Sun editor) ostensibly about other matters, who started quizzing him about the coming leadership election, at one point blurting out, “Why don't you withdraw then?” At this stage John hadn't declared any intention to run against Gordon and, in the event, he didn't. The implication is clear. The smears would stop, if he let Gordon

have a free run". The Inquiry is interested in the extent to which you can confirm whether this account is factually accurate, and whether you can expand on the details of the conversation or its implications.

The account in Chris Mullin's book is based on a much later conversation and written some years after the event itself. The style, language, and inferences drawn are of course also his as the author of the piece. The details in his account are not completely accurate. However, the account is based on a telephone conversation that did take place in January 2007, initially about the provision of prison places and the plan to split the Home Office and form a Ministry of Justice. It then progressed to an enquiry as to why I would not publicly announce my withdrawal from any potential contest for the leadership of the Labour Party. Whatever the motivation for the call, I declined the implicit invitation to do so.

JOHN REID 10 MAY 2012

ANNEX 1 MPS PRESS BRIEFING 8 AUGUST 2006

ANNEX 2.

EXTRACTS FROM D. TELEGRAPH, BBC NEWS, ITN NEWS, GUARDIAN, 8/9
AUGUST 2006

DAILY TELEGRAPH MIDNIGHT 8TH AUGUST

Tabloid trio held over plot to bug Camilla

Police are investigating after complaints from Clarence House

By John Steele, Crime Correspondent and Stephanie Condon

12:01AM BST 09 Aug 2006

.....The investigation has now extended beyond Clarence House and detectives believe that other public figures - thought to include an MP - have been targeted.....

BBC Ten O'Clock Transcript News on August 8

Good evening. Within the past hour Scotland Yard has confirmed that 3 men have been arrested after reports that phone calls by members of the Royal household have been intercepted. Police were first alerted by staff at Clarence House the London home of the Prince of Wales and his wife the Duchess of Cornwall. The News of the World has just confirmed that one of the men being held is the paper's Royal Editor Clive Goodman. Our Home Affairs Correspondent Daniel Sandford is at Scotland Yard. How did this come about?

It all started with a complaint by three members of staff at Clarence House.....

EDWARDS:

As we understand it, this is not just to do with Clarence House, is it?

SANDFORD:

Absolutely not. What has happened is the police have worked with the telephone companies for four months, gathered technical evidence. Tried to work out what is happening. As they have gone through this, they have unravelled many more numbers. The concern now is that those telephone numbers might in some way belong to members of the Royal Family, also to politicians and celebrities.....

TEN 09/08/06

Within the past hour 2 men including the Royal Editor of The News of the World have been charged with intercepting telephone voicemail messages. The police

investigation was prompted by members of the Prince of Wales's household who'd reported their concerns about possible breaches of security. Police are also examining whether other public figures including politicians have been affected as Daniel Sandford reports.....

SANDFORD:

There are two obvious ways to intercept someone's mobile phone voice mails. The simple lest is to find out their pin number and dial in when their voice is unanswered. A second more sophisticated way is to involve an insider at the mobile company who can access the voicemail box. It all began in the Royal palaces but this investigation has widened dramatically to the corridors of power in Westminster. Police are working through a long list of telephone numbers that they think could have been hacked into. They fear it may include not just staff in the Royal households but members of the Royal Family itself and Cabinet ministers.

RADIO 4 1800 09/08/06

The police are widening their inquiry into allegations that members of Prince Charles's household have had their phones tapped by journalists. The investigation is now examining whether other public figures - including politicians - have had messages intercepted. Yesterday, three men were arrested in south London. Our Home Affairs Correspondent, Rory MacLean, has the details:

MACLEAN: The police were originally contacted by the Prince of Wales's communications secretary, Paddy Harverson, in December last year, after concerns that voicemail messages on the mobile phones of royal staff were being intercepted..... It's understood the allegations may also relate to the voicemails of other high-profile people, including celebrities and politicians.

.....Intercepting voicemail message on mobile phones is relatively easy if the phone's telephone number is known, and particularly if its owner has not changed the four-digit pin number to access voicemail. The pin that the phone has from new is set to the same number for all phones on the same network. Certain senior police officers do not use the voicemail function on their mobile phones for this very reason.

ITV LT: CRIME:00.08 9 August 2006

Mobile phone hacking: News of the World Royal Editor charged

.....It is now feared that not only the royal family but also senior politicians, celebrities and well-known footballers may have had their mobile phone messages intercepted....

Guardian 9th august

News of the World royal editor arrested over Clarence House phone tapping

- Anti-terrorism police lead eavesdropping inquiry
- Other public figures may have been target of sting

Sam Jones

The Guardian, Wednesday 9 August 2006 13.40 BST

Anti-terrorist police yesterday arrested three men, including the News of the World's royal correspondent, for allegedly intercepting phone calls at Clarence House, the official residence of the Prince of Wales.

The arrests were part of a wider inquiry which began in December when three members of the royal household at Clarence House complained to Scotland Yard's Royalty Protection unit. The investigation has been extended because detectives believe that public figures beyond the royal household - among them an MP - have also had their phones tapped.....

Scotland Yard added: "As a result of their inquiries police now believe that public figures beyond the royal household have had their telephones intercepted, which may have potential security implications."

TELEGRAPH 10 AUGUST

Tabloid bugging suspects 'targeted VIPs too'

By John Steele, Crime Correspondent and Caroline Davies

"..... It is believed police may be looking at the phone records of Tessa Jowell, David Blunkett and Max Clifford"

ANNEX 3

**CODE OF PRACTICE ON THE MANAGEMENT OF
POLICE INFORMATION**

Made by the Secretary of State for the Home Department under sections 39 and 39A of the Police Act 1996 and sections 28, 28A, 73 and 73A of the Police Act 1997

Prepared by: National Centre for Policing Excellence

July 2005 *Code of Practice: Management of police information*

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National Centre for Policing Excellence 2 *Code of Practice: Management of police information*

1. INTRODUCTION

1.1 Purpose of the Code

1.1.1 Police forces have a duty to obtain and use a wide variety of information (including personal information), in order to discharge their responsibilities effectively. They need the support and cooperation of the public in doing so. The purpose of this Code and associated guidance is to assist the police to carry out that duty.

1.1.2 The responsibility for the management and use of information within the police service rests with the chief officer of the police force which owns the information.

1.1.3 Chief officers of police must therefore ensure that their forces adopt practices for the management of information that ensure such information is used effectively for police purposes and in compliance with the law.

1.1.4 The purpose of this Code is to ensure that there is broad consistency between forces in the way information is managed within the law, to ensure effective use of available information within and between individual police forces and other agencies, and to provide fair treatment to members of the public.

1.1.5 This Code sets out the principles governing the management of information (including personal information) which the police service may need to manage and use including:-

- a procedures to be applied in obtaining and recording that information;
- b procedures to ensure the accuracy of information managed by the police;
- c procedures for reviewing the need to retain information and, where it is no longer needed, to destroy it;
- d procedures governing authorised sharing of information within the police service and with other agencies; and
- e measures to maintain consistent procedures

for the management of information within all police forces so as to facilitate information sharing and the development of service-wide technological support for information management.

1.1.6 In doing so, it recognises that effective use of information for police purposes requires consistent procedures to be in place throughout the police service.

1.1.7 The procedures and equipment to give effect to the principles set out in this Code may change. This Code will therefore be supported by more detailed and extensive guidance that will define information management standards required within forces. That guidance may change from time to time, but must be framed in compliance with the principles established by this Code.

1.2 Statutory basis of the Code

1.2.1 This Code of Practice comes into effect on 14 November 2005.

1.2.2 Nothing in this Code alters the existing legal powers or responsibilities of any police authority, chief officer of police, or other person.

1.2.3 This Code of Practice is made under:

a section 39 of the Police Act 1996, which permits the Secretary of State to issue codes of practice relating to the discharge by police authorities of any of their functions;

b section 39A of the same Act, which permits the Secretary of State to issue codes of practice relating to the discharge of their functions by chief officers where it is necessary to do so for the purpose of promoting the efficiency and effectiveness of police forces in England and Wales;

c section 28 of the Police Act 1997, which permits the Secretary of State to issue codes of practice relating to the discharge by the National Criminal Intelligence Service (NCIS) Service Authority of any of its functions;

d section 73 of the Police Act 1997, which permits the Secretary of State to issue codes of practice relating to the discharge by the National Crime Squad (NCS) Service Authority of any of its functions;

e section 28A of the Police Act 1997, which permits the Secretary of State to issue codes of practice relating to the discharge by the Director General of the NCIS of any of his functions; and

f section 73A of the Police Act 1997, which permits the Secretary of State to issue codes of practice relating to the discharge by the Director General of the NCS of any of his functions.

1.2.4 This Code recognises that there is an existing legal framework for the management of information in legislation relating to data protection, human rights and freedom of information.

1.2.5 It applies directly to the police forces maintained for the police areas of England and Wales defined in section 1 of the Police Act 1996, and to the NCS and the NCIS.

1.2.6 It is available for adoption by other agencies including other police forces not covered by section 1 of the 1996 Act and law enforcement agencies within the United Kingdom that exchange information with the police service in England and Wales.

1.2.7 References in this Code to chief officers of police apply, in the case of NCS and NCIS, to the Directors General of those organisations.

1.3 Role of HM Inspectors of Constabulary

1.3.1 HM Inspectors of Constabulary will monitor police forces' compliance with this Code, associated guidance, and standards.

1.4 Role of the Central Police Training and Development Authority

1.4.1 The Central Police Training and Development Authority (CPTDA), or any successor body designated by the Secretary of State, has responsibility on behalf of the police forces of England and Wales for the development of guidance under this Code. Such guidance and any subsequent amendments will be prepared in consultation with the

Association of Chief Police Officers, the Association of Police Authorities, and such other persons as the CPTDA thinks fit.

1.5 Consultation

1.5.1 Consultation has been carried out by the CTDPA in accordance with the statutory provisions.

National Centre for Policing Excellence 6 *Code of Practice: Management of police information*

2. THE MANAGEMENT OF INFORMATION FOR POLICE PURPOSES

2.1 The management of police information

2.1.1 In this Code, references to the management of police information include the processes of obtaining, recording, storing, reviewing, deleting and sharing information, including personal information, for police purposes in accordance with principles governing those processes set out at 4 below.

2.2 Information for police purposes

2.2.1 In this Code references to information include data. All information, including intelligence and personal data obtained and recorded for police purposes, is referred to as police information.

2.2.2 For the purposes of this Code, police purposes are:-

- a protecting life and property,
- b preserving order,
- c preventing the commission of offences,
- d bringing offenders to justice, and
- e any duty or responsibility of the police arising from common or statute law.

National Centre for Policing Excellence 7 *Code of Practice: Management of police information*

3. A NATIONAL FRAMEWORK FOR THE MANAGEMENT OF POLICE INFORMATION

3.1 National guidance on management of police information

3.1.1 Guidance under this Code will: -

a set out the strategic information needs of the police service in line with the National Intelligence Model ;

b direct the management of police information within police forces so as to ensure consistent procedures throughout the police service for obtaining, recording, storing, reviewing, deleting and sharing information; and

c identify the minimum standards required within police forces to provide a standard basis for common police IT systems for the management of police information.

3.2 An Information Management Strategy to be applied within each police force

3.2.1 Chief officers will establish and maintain within their forces an Information Management Strategy, under the direction of an officer of ACPO rank or equivalent, complying with guidance and standards to be issued under this Code unless that guidance is superseded by regulations made by the Secretary of State under section 53A of the Police Act 1996.

3.3 National system requirements for the management of police information

3.3.1 For the purpose of achieving throughout the police service the standards described at 3.1.1 above, guidance issued under this Code, unless superseded by regulations made by the Secretary of State under section 53A of the Police Act 1996, may specify procedures to be adopted within police forces for the management of police information systems.

3.4 Security of police information

3.4.1 Chief officers should ensure that arrangements within their forces for managing police information include procedures and technical measures to prevent unauthorised or accidental access to, amendment of, or loss of police information. Such procedures should comply with guidance issued under this Code unless superseded by regulations made by the Secretary of State under section 53 or section 53A of the Police Act 1996.

3.5 Training for staff engaged in police information management

3.5.1 Guidance issued under this Code may identify key posts for the management of police information, and may specify the qualifications to be held by staff in those posts, and the training required for such staff.

3.5.2 Chief officers of police should arrange the selection and training of those to be appointed to such posts so as to ensure attainment of standards of competence.

3.5.3 Those attaining the required standards of competence for such posts will be entered on the relevant professional register. They will remain on the register provided their continued suitability and competence remain assured in accordance with provisions for re-assessment and re-qualification.

3.5.4 Training for these purposes is not only to ensure compliance with the legal framework for information management and the maintenance of high standards of competence, but also to ensure the consistency of police information management procedures throughout the police service.

3.5.5 The body responsible for the approval and accreditation of training courses and trainers for these purposes or any successor body will be designated by the Secretary of State. Training standards will be kept under review by the accreditation authority.

4. KEY PRINCIPLES GOVERNING THE MANAGEMENT OF POLICE INFORMATION

4.1 Duty to obtain and manage information

4.1.1 Chief officers have a duty to obtain and manage information needed for the police purposes described at 2.2 above.

4.1.2 Chief officers must ensure that arrangements within their forces for the management of police information comply with the principles set out in the following paragraphs, and with guidance issued under this Code to give effect to those principles.

4.2 Requirement for police information

4.2.1 Chief officers must ensure that arrangements to gather police information comply with the principles of the National Intelligence Model.

4.3 Grading and recording of police information

4.3.1 Information should be recorded where it is considered that it is necessary for a police purpose. Chief Officers must establish recording procedures in accordance with guidance issued under this Code.

4.3.2 Where appropriate and in accordance with guidance to be issued under this Code, the source of the information, the nature of the source, any assessment of the reliability of the source, and any necessary restrictions on the use to be made of the information should be recorded to permit later review, reassessment and audit.

4.3.3 Information should be assessed for reliability in accordance with guidance to be issued under this Code.

4.3.4 The format in which the information is recorded should comply with standards agreed and applied across the police service by means of guidance issued under this Code, to facilitate exchange of information and processing within standard police IT systems.

4.4 Ownership of police information

4.4.1 Chief officers of police are responsible for information originally recorded for police purposes by their forces. They or their successors in the force retain responsibility for subsequent reviews and decisions to retain or delete that information. The related responsibilities of those who may share that information are set out at 4.10 below.

4.5 Review of police information

4.5.1 Information originally recorded for police purposes must be reviewed at intervals to be prescribed in guidance under this Code, which may prescribe different intervals for different categories of information.

4.5.2 At each review, the likelihood that the information will be used for police purposes should be taken into account. Chief officers should ensure that this process is audited.

4.6 Retention and deletion of police information

4.6.1 On each occasion when it is reviewed, information originally recorded for police purposes should be considered for retention or deletion in accordance with criteria set out in guidance under this code.

4.6.2 Guidance will acknowledge that there are certain public protection matters which are of such importance that information should only be deleted if:

- a the information has been shown to be inaccurate, in ways which cannot be dealt with by amending the record; or
- b it is no longer considered that the information is necessary for police purposes.

4.7 Sharing of police information within the UK police service

4.7.1 Guidance under this Code may specify a protocol for sharing information.

4.7.2 Subject to any constraints arising from guidance based on section 4.9 below, the content and the assessment of the reliability of information recorded for police purposes should be made available to any other police

force in England and Wales which requires the information for police purposes.

4.7.3 Subject to any constraints arising from guidance based on section 4.9 below, the same degree of access to information recorded for police purposes by police forces in England and Wales should be afforded to other police forces in the United Kingdom provided that the chief officer responsible for the record is satisfied that the police force seeking access to the information applies the principles set out in this Code.

4.7.4 Chief officers may arrange for the sharing of information with other police forces in the UK, in accordance with the two preceding paragraphs, to be carried out either

a by response to bilateral or multilateral requests for information to police forces, or

b by holding such information on IT systems to which police forces referred to above may be given direct access.

4.8 Sharing of police information outside the UK police service

4.8.1 Chief officers of police will continue to comply with any statutory obligations to share information with bodies other than police forces in England and Wales.

4.8.2 In addition, chief officers may arrange for other persons or bodies within the UK or overseas to receive police information where the chief officer is satisfied that it is reasonable and lawful to do so for the purposes set out at 2.2 above. In deciding what is reasonable, chief officers must have regard to any guidance issued under this Code.

4.8.3 The procedures for making such information available, and the extent to which it is made available, must comply with guidance to be made under this code, and with any protocol (whether at national or local level) which may be agreed with persons or bodies needing to receive such information.

4.8.4 In circumstances not covered by any such protocol, a chief officer may give access to police information in response to a request from any person or body to the extent that the chief officer believes this request to

be lawful and reasonable for the purposes set out at 2.2 above, and in compliance with guidance issued under this Code.

4.9 Protection of sensitive police information and sources

4.9.1 Guidance under this Code may provide for special procedures to be applied to a request for access to information recorded for police purposes, in any case where it is necessary to protect the source of sensitive information or the procedures used to obtain it.

4.10 Obligations of those receiving police information

4.10.1 In making national or local agreements and protocols for the sharing of police information with persons or bodies other than police forces, or in responding to individual requests for information outside such agreements or protocols, chief officers should require those to whom information is made available to comply with the following obligations: –

a Police information made available in response to such a request should be used only for the purpose for which the request was made.

b If other information available, at the time or later, to the person or body requesting police information tends to suggest that police information is inaccurate or incomplete, they should at the earliest possible moment inform the chief officer concerned of such inaccuracy or incompleteness, either directly or by reporting the details to the managers of the central police system through which the information was provided.

4.10.2 The chief officer responsible for the police information concerned should then consider, and if necessary record, any additions or changes to the recorded police information.