



Home Affairs Committee

Oral evidence: [Police, the media, and high-profile criminal investigations](#), HC 629

Tuesday 2 September 2014

Ordered by the House of Commons to be published on 2 September 2014.

Written evidence from witness:

- [Chief Constable David Crompton QPM](#)
- [Lord Tony Hall](#)
- [James Harding](#)

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Members present: Keith Vaz (Chair); Ian Austin, Nicola Blackwood, Michael Ellis, Paul Flynn, Lorraine Fullbrook, Dr Julian Huppert, Yasmin Qureshi, Mark Reckless.

Questions 1 – 173

Examination of Witness

Witness: **Chief Constable David Crompton QPM**, South Yorkshire Police, gave evidence.

Q1 Chair: Chief Constable Crompton, first of all, thank you very much for coming before the Committee to give evidence on our ongoing interest in the issues of police and the media. Clearly, issues in Rotherham have also come to the fore. The Committee will have some preliminary questions for you about those at the end of our session with you on police and the media; perhaps they are best taken immediately after you have finished on the first subject, rather than having you back after the BBC.

Chief Constable Crompton: Okay, yes.

Chair: Also, thank you for your response to my letter. It is a model for the way in which people should reply to Select Committees. You have given the Committee a wealth of information and you answered every question in a very precise way. We are most grateful for that.

Chief Constable Crompton: Thank you.

Q2 Chair: You seem to have had a deal with the BBC in which you allowed them to accompany you to the search of the premises of a then unidentified citizen of the United Kingdom. You then had a fallout with the BBC and you are now putting in a formal complaint—or you have put in a formal complaint—against the BBC.

Chief Constable Crompton: Yes.

Chair: You are also saying to this Committee in that letter, which we have all read and considered, that there is no way that you or your officers were responsible for the initial leak. Quite rightly you say that the reason why you are sitting before us is because of the initial leak that you are saying very clearly did not come from South Yorkshire.

Chief Constable Crompton: Yes.

Q3 Chair: The deal that you had with the BBC obviously now, in hindsight, must be one that you regret. Do you regret the arrangement that you made with them?

Chief Constable Crompton: Chair, I think we were placed in a very difficult position because of the original leak, and the BBC came to us knowing everything that we knew as far as the investigation was concerned. My concern, which I articulated in the letter, was that, if we had showed the BBC the door, the very clear impression that had been left with my staff in the media department was that they were likely to publish the story. That would have impeded our investigation. I am confident that we made the right decision in difficult and unusual circumstances.

Q4 Chair: Are you embarrassed by the outcome of all this? What has happened is obviously hugely embarrassing to you as the Chief Constable.

Chief Constable Crompton: I absolutely concede, as I put in the letter, that the coverage was disproportionate and made our actions look heavy-handed and intrusive. I do regret that, but that is something I am sure you will be putting to the BBC.

Q5 Chair: Of course. However, as far as your conduct and the conduct of your officers is concerned, what you are telling this Committee is that you were put into a difficult position. It sounds like blackmail to me. You were being told by the BBC that, unless they were part of the arrest process, they were going to go ahead and publish this story, which they did not get from you of course, as you made very clear and which the Committee accepts. If they published that story, you were fearful that your investigation would be compromised. Is that right?

Chief Constable Crompton: That is correct. The BBC made it clear to my staff that they were in a position to publish.

Q6 Chair: Is it a form of blackmail then?

Chief Constable Crompton: I think “blackmail” is a very strong word.

Chair: What word would you use?

Chief Constable Crompton: It put us in a very difficult position. What I would add is that the other bit of context here, which I think is extremely important, is that there are any number of places or means by which journalists can obtain information. Some have more credibility than others and the credibility of the source that was mentioned to my staff by the BBC reporter was an extremely high level of credibility.

Q7 Chair: Did they tell you where it came from or was it just the information that you received that mirrored the information that you had that led you to believe that this came from the Met?

Chief Constable Crompton: No. The reporter in this case was very clear—

Chair: Mr Johnson?

Chief Constable Crompton: Mr Johnson—that the original information and leak had come from Operation Yewtree.

Q8 Chair: He was very clear about that?

Chief Constable Crompton: He was absolutely clear about it.

Q9 Chair: You were very clear about that also to your police and crime commissioner, Shaun Wright, who I have spoken to this morning, who tells me that you met him on 18 August and that you told him very clearly that this leak came from the Met.

Chief Constable Crompton: Absolutely, yes.

Q10 Chair: Are you aware that Martin Hewitt has written to this Committee today to deny this and to say that he has written to you because he challenges your view that this leak came from Yewtree?

Chief Constable Crompton: Martin Hewitt is entirely within his rights to do that. All I can say is that the BBC reporter made it clear to my staff that that was the source of the leak.

Q11 Chair: You do not want to use the word “blackmail”. You were put in a difficult position, you say. Doesn’t that go with the territory? We have not even started on Rotherham. As the Chief Constable of South Yorkshire, someone who has reached the position that you have reached, you always have difficult decisions.

Chief Constable Crompton: Some are more difficult than others, though. I think we would all concede that.

Q12 Chair: Of course, but when people ring me up as Chairman of this Committee and they say, “I am sorry, you can’t have an inquiry into this, that or the other”, and the Committee discusses it, we weigh up whether or not it is in the public interest to do so and we then make a decision as to whether or not we should have a witness in.

You could have called their bluff, could you not? If they had done this and published the story you would have been in the clear. You would have done everything that anyone would have expected a chief constable to do. Instead you went along with the BBC—quite a junior reporter, Mr Dan Johnson. There is no indication that you contacted the Director-General and said, “This is a very serious matter. Yewtree has been dealing with this for a year and we have only had it for a couple of weeks. If you publish this story, our investigation into Sir Cliff Richard is going to be compromised. So please don’t do it”. You did not do that, did you?

Chief Constable Crompton: No, I did not do that.

Q13 Chair: Do you regret not going to senior management and asking them to intervene?

Chief Constable Crompton: I did not have that much faith that we could trust that it would not be published. You only have to look at Leveson to find a number of examples that were core to that particular inquiry where the media had decided to publish anyway. That was something that was very much in my mind.

Q14 Chair: Do you think you have been misled by the BBC, having looked at their website and the severe criticism of yourselves: that, actually, South Yorkshire have done this for publicity purposes? You say in your letter that you did it to protect the interests of your case, but also the interests of Sir Cliff Richard—which we find very hard to believe, I have to say.

Chief Constable Crompton: You will be aware, from the letter I have sent in, that part and parcel of the complaint that I have submitted about the BBC is that the way they wrote their analysis piece, in the immediate aftermath of the search, very clearly created the impression that they were distancing themselves from what had gone on and were leaving it to the reader to assume, in no uncertain terms, that South Yorkshire had done this in order to generate publicity when they knew that was not the case.

Q15 Chair: Mr Harding is very clear in his letter to you, which he copied to me. He feels that you have misled this Committee in what you have said. Misleading a Committee of the House is a very serious matter.

Chief Constable Crompton: I am aware he has written that. I am not quite sure why, but I am aware he has written it.

Q16 Chair: He says that you have in your possession texts and emails and written details that will disprove what you have said in a letter that I have said was full of information. We will expect you to release that information to this Committee. Will you do so?

Chief Constable Crompton: Yes.

Chair: When will you do so?

Chief Constable Crompton: This week.

Q17 Chair: Thank you. I would be grateful if you could send that to us by midday tomorrow, please.

Chief Constable Crompton: One thing that I would add, because I think it is very important to raise at this stage, is that texts and emails are read in the cold light of day. What you cannot add to that equation by publishing them is any phone calls that may intersperse different texts or emails. Some of that is key, I think, to where Mr Harding might be going. If you just read the emails you can get an impression, but unless you are aware of some of the phone calls that are interspersed with those emails then you do not get the full impression.

Q18 Chair: Will you be doing this again? Will you be entering into exclusive deals with the media on a confidential basis in order to prevent them publishing stories? In your letter you have said you have entered deals before, but that is when you have invited the media to come with you for the execution of warrants in order to get the oxygen of publicity to publicise the good work that you are doing in South Yorkshire. These are your words. Will you be entering into such arrangements in the future?

Chief Constable Crompton: I think the honest answer to that is that we look at all of these on a case-by-case basis, so it would depend on the circumstances.

Q19 Chair: Finally from me, in respect of what appears to be almost akin to a marriage that has broken down—a proposal from the BBC, a meeting of minds and finally a break-up with a complaint from you—how does this leave your investigation?

Chief Constable Crompton: In fairness, the investigation progresses. Clearly, I am not at liberty to discuss any details. However, irrespective of the matters that we are here to discuss today, none of that has a direct impact on the investigative process.

Q20 Chair: You are very clear that you are blaming someone in Yewtree for leaking the information in the first place—it was not South Yorkshire—and you are blaming the BBC for basically egging the pudding by making sure that there was much more coverage that showed South Yorkshire in an inappropriate light? There is no blame that you attach to South Yorkshire Police?

Chief Constable Crompton: Taking those two things in order, to be absolutely clear, what I am saying is that the BBC reporter told my staff very clearly that the leak came from Operation Yewtree. That was his comment to my staff. I can't say for certain if that is true. I do think the BBC over-egged the pudding in this case. Frankly, if I had realised that the coverage was likely to be as intrusive as it turned out to be, with the benefit of hindsight, maybe I might have looked at it differently, but with the information that was available to me at the time I think we made the right decision.

Q21 Chair: You are a little embarrassed but you regret what happened?

Chief Constable Crompton: I think it did not make any of us look good.

Q22 Ian Austin: A moment ago you mentioned Leveson, but when it comes to the BBC we are talking about probably the most strictly-managed and closely-regulated media organisation in the country. Are you suggesting that if the chief constable of a police force had picked up the phone to somebody senior in the BBC and said, "We have had one of your journalists on the phone. He is

threatening to broadcast this story. It will jeopardise a really sensitive investigation”, the BBC might have gone ahead and broadcast that anyway?

Chief Constable Crompton: I thought there was a chance of that, yes.

Q23 Ian Austin: Come on! There are conversations between public bodies and journalists all the time—all sorts of discussions about how stories develop, the timing of them and all the rest of it—and by and large the media want to co-operate because they want to get the story. The idea that the BBC would have blown an investigation like this and subjected itself to huge ensuing criticism I think is a fantasy.

Chief Constable Crompton: You are free to take that view. At the time the clear impression that was created was that the BBC was likely to publish the story.

Q24 Ian Austin: What do you say to those who might suggest that co-operating with the BBC on a high-profile investigation like this might be quite helpful to South Yorkshire Police, given that a couple of weeks later the independent inquiry into what appears to be the industrial scale abuse of young girls in Rotherham was about to be published?

Chief Constable Crompton: Absolutely no connection whatsoever. I understand and recognise that perception might be out there, but the reality is not the same.

Q25 Ian Austin: I want to ask some quick factual questions. Who made the final decision to search the house and the timing of it?

Chief Constable Crompton: That would be the senior investigating officer in charge of the case.

Q26 Ian Austin: Who is that?

Chief Constable Crompton: Detective Superintendent Matt Fenwick.

Q27 Ian Austin: Who was he in touch with at the BBC?

Chief Constable Crompton: He was not directly in touch with the BBC. I think it was Dan Johnson via our media department.

Q28 Ian Austin: Dan Johnson was the only person at the BBC that anybody from South Yorkshire was in touch with in the run-up to—

Chief Constable Crompton: In the run-up, yes.

Q29 Ian Austin: Were there any attempts made to contact Cliff Richard before the search of the property?

Chief Constable Crompton: No, not at all. That would be completely improper.

Q30 Ian Austin: One final very quick question: why were the BBC given a day's notice of the search?

Chief Constable Crompton: The agreement was that they would be given some notice. They were given not a day's notice, but probably about 18 hours' notice.

Q31 Chair: Just on that point, you wrote to us and said they were given notice on 14 August. If you look at your notes, I think you will find that date was wrong. The search took place on 14 August, so they were notified at 4.00 pm on 13 August. You were on holiday at the time. Is that right?

Chief Constable Crompton: Correct, yes. If we have inadvertently put the wrong date down, I apologise. We will correct that.

Chair: That is okay, but you want might to just correct that for the record.

Q32 Lorraine Fullbrook: Chief Constable, who received the very first call that was made by the BBC journalist?

Chief Constable Crompton: The very first call that raised this issue in the first instance?

Lorraine Fullbrook: Correct.

Chief Constable Crompton: Our head of media.

Lorraine Fullbrook: Who is?

Chief Constable Crompton: Carrie Goodwin.

Q33 Lorraine Fullbrook: Who had the subsequent face-to-face meeting with the BBC journalist?

Chief Constable Crompton: Carrie Goodwin and the senior investigating officer.

Q34 Lorraine Fullbrook: You say that you believe the leak had come from Operation Yewtree, but in your letter you said that South Yorkshire Police believed the source to be credible. Did you have a name of this credible source?

Chief Constable Crompton: No, the name was not mentioned. However, the detail of the information was basically everything that we had and we had received that information from Operation Yewtree less than two weeks before.

Q35 Lorraine Fullbrook: It was just some bod from Operation Yewtree? That is what you believed?

Chief Constable Crompton: Yes.

Q36 Lorraine Fullbrook: You said, "Clearly, the potential for details of the investigation to enter the public domain risked compromising the integrity of the inquiry." When threatened or

blackmailed by the media, is it the policy to confirm details prior to the action you intend to take on any case?

Chief Constable Crompton: This is an area where the College of Policing guidance on handling the media is silent. If you think it through, if the media come to you with all of the details, you have two choices: either to deny that those details are correct or you could say, "I can neither confirm nor deny", which is as good as saying it is correct.

Q37 Lorraine Fullbrook: When threatened or blackmailed, it is South Yorkshire Police's policy to confirm the action that you intend to take. Is that correct?

Chief Constable Crompton: When threatened or blackmailed?

Lorraine Fullbrook: Yes.

Chief Constable Crompton: We do not have a policy if we are threatened or blackmailed. We take any of that on an individual basis.

Q38 Lorraine Fullbrook: It is on a one-to-one basis. For example, if you were going to raid a drug dealer's home, would you inform the media prior to that action?

Chief Constable Crompton: We might do in certain circumstances.

Q39 Lorraine Fullbrook: How often has that happened?

Chief Constable Crompton: I could not tell you in exact numbers, but it is fairly frequent.

Q40 Lorraine Fullbrook: As a percentage: 50/50 of house raids?

Chief Constable Crompton: No, nothing like that. It might be 5% or 2%, on those occasions where there is some media interest.

Q41 Lorraine Fullbrook: You inform the media prior to a minority of raids you make?

Chief Constable Crompton: Yes, I would say so.

Q42 Lorraine Fullbrook: Who in South Yorkshire Police rejected the journalist's attempts to use the information he was holding?

Chief Constable Crompton: The head of media.

Lorraine Fullbrook: Who is?

Chief Constable Crompton: Carrie Goodwin.

Q43 Lorraine Fullbrook: Who agreed the course of action of telling the BBC the day before that you intended to raid the premises?

Chief Constable Crompton: That was suggested at the initial meeting and then I was asked for my opinion on it and we talked through the pros and cons.

Q44 Lorraine Fullbrook: Who were the people at the meeting? Who agreed this action?

Chief Constable Crompton: The head of media and the senior investigating officer.

Lorraine Fullbrook: Who are?

Chief Constable Crompton: Carrie Goodwin and Matt Fenwick.

Q45 Lorraine Fullbrook: You say that you were surprised that the BBC journalists, although you advised them not to turn up before 9.30 am on the day of the raid on the house, were there hours before. Do you think this was naive in the extreme?

Chief Constable Crompton: Looking back, maybe we should not have been surprised. Yes, I suppose a little naive.

Q46 Lorraine Fullbrook: This is pretty basic stuff. Local newspapers do this. You don't think this was naive?

Chief Constable Crompton: I just said I thought it was a little naive.

Q47 Lorraine Fullbrook: The day before you say to the journalists, "Don't turn up until 9.30 am to raid", on a high profile person, you don't think that was naive?

Chief Constable Crompton: I just said I thought it was a little naive.

Q48 Lorraine Fullbrook: A little naive? Okay, fine. You say that you were surprised that the helicopter was shown on the BBC that suggested the raid was taking place, but the helicopter did not reach the location until the officers had arrived at the address.

Chief Constable Crompton: My understanding is that the helicopter arrived after the officers had reached the address.

Q49 Chair: To be clear, this is not your helicopter. This is the BBC's helicopter.

Chief Constable Crompton: The BBC's helicopter arrived.

Chair: There was only one helicopter?

Chief Constable Crompton: Yes. The BBC's helicopter arrived after my officers had got to the address. An unfortunate consequence of the chronology there is that it took the officers some little time to gain access to the premises via the concierge and obtaining keys. By that time the helicopter was in the air and I think it created the impression that they had been there before my officers got there, which was not the right impression.

Q50 Lorraine Fullbrook: From the letter that you sent, you were concerned about your integrity that it could have been suggested that that helicopter had been given prior notice and therefore was there. What exactly did you expect when you had already told the BBC journalist the day before that you were going to raid the house?

Chief Constable Crompton: The point about integrity is that no pictures were to be broadcast prior to us gaining access to the premises, otherwise other people know about it.

Q51 Lorraine Fullbrook: They had already ignored you on the time to be there and, even more so, you were surprised that they turned up with a helicopter, even though you had agreed it?

Chief Constable Crompton: We had not agreed a helicopter. We just agreed that there was not to be any broadcast of any footage by any means until we had got into the premises. I had no knowledge that there was going to be a helicopter.

Chair: Maybe you want to revise your answer to Lorraine Fullbrook.

Q52 Lorraine Fullbrook: I say again, what exactly did you expect to happen?

Chief Constable Crompton: I thought the most likely scenario was that the BBC would be on the road and would be taking photos of my staff going in and out, which is something that has happened—

Q53 Lorraine Fullbrook: When you told them to turn up at 9.30 am, you did not expect them to be there all night or all morning, did you?

Chief Constable Crompton: My staff spoke to the reporter the teatime before and he was in the north of England.

Q54 Lorraine Fullbrook: Your police officer phoned the reporter at 4.30 pm the previous day—

Chief Constable Crompton: Somebody in the media department did, yes.

Lorraine Fullbrook: —and said, “Don’t turn up until 9.30 am the next morning” and you were surprised they turned up before?

Chief Constable Crompton: It was probably, as I say, a little naive.

Lorraine Fullbrook: I think it is more than a little.

Q55 Chair: I think the Committee would say it is more than a little naive and perhaps it lacks competence not to realise that when you are dealing with a global organisation they would want to turn up. After all, you talked about them coming along and taking a few pictures. This is one of the biggest broadcasting organisations in the world. You would expect them to have some cameras there as well, wouldn’t you?

Chief Constable Crompton: Yes.

Q56 Chair: Mr Crompton, you mentioned the College of Policing and the guidance. You said it was silent on these issues, but Alex Marshall was very clear when he was questioned about this. He said, “If the information was an unauthorised disclosure from within policing then it would be contrary to the code of ethics and the person concerned should be held to account.”

Shouldn’t the first thing that you did, on hearing from the BBC reporter Dan Johnson that his source was Yewtree, be to have picked up the phone, telephoned Bernard Hogan-Howe and related that information to him immediately so you could have checked that source, checked it with Yewtree, before doing any deals with the BBC? Why did you not contact the Metropolitan Police until 27 August—13 days after you went into Sir Cliff’s property?

Chief Constable Crompton: With any leak inquiry, the very first thing that would have happened would be that the reporter would be approached. From the outset, we wanted to protect the integrity of the inquiry. That looked like it was going to run the risk of the story being published.

Q57 Chair: But, Chief Constable, this came from within the policing family. It came from Yewtree. You know Bernard Hogan-Howe.

Chief Constable Crompton: Yes.

Chair: Why didn’t you pick up the phone and say to Bernard Hogan-Howe, as this Committee did last week when we wrote him a letter, “Did it come from Yewtree?” Martin Hewitt said no. You had information from a man from the BBC—not a very senior man although I am sure a very worthy journalist—who said to you it came from Yewtree. Wouldn’t you want to pick up the phone and speak to Bernard Hogan-Howe and tell him this to verify this?

Chief Constable Crompton: First of all, the only way anybody would know the answer to that question would be by doing some form of investigation.

Q58 Chair: Wouldn’t you want to tell Bernard Hogan-Howe?

Chief Constable Crompton: The risk of an investigation would have been that almost the first move would have been to approach the reporter who then might have thought, “Well, I will run the story anyway”.

Q59 Chair: I see. This was part of your sweetheart deal to keep the reporter on—

Chief Constable Crompton: No, it was not part of any deal, but that was part of trying to weigh this up.

Chair: Thank you.

Q60 Michael Ellis: Chief Constable, you are saying that the BBC were effectively extorting you: you were to comply as a constabulary of this country or they would spoil your operation. That is effectively what you are saying.

Chief Constable Crompton: I did not use the word “extorting”.

Michael Ellis: I am using that word but that is what you mean, isn't it?

Chief Constable Crompton: In a way.

Q61 Michael Ellis: You have said to the Chairman that you were not going to complain to BBC senior management because you did not trust them in light of recent events. Is that effectively—

Chief Constable Crompton: Yes, I did not trust that they would not run the story anyway.

Q62 Michael Ellis: You have it within your power, it seems to me, to threaten arrest. If journalists, as you say, which I find difficult to believe, would seek to destroy a police operation, they are subject to the law of the land like everyone else. To destroy a police operation is tantamount to perverting the course of justice or doing an act tending or intended to pervert the course of justice. Your officers could have threatened to arrest. If your people were being threatened that your operation was going to be spoiled, you could have done that. Did you think of doing it or did anyone under your command do it?

Chief Constable Crompton: The net result of that might have been, yes, of course, we could have made an arrest, but the story would still have been out there.

Q63 Michael Ellis: You say it was Operation Yewtree, the Metropolitan Police. Could you help me with this? The journalist, who I do not know, Mr Dan Johnson, is apparently a BBC journalist for the north of England. Does it not strike you as strange that if Metropolitan Police officers were going to leak this information to a journalist, it is much more likely that they would leak it to someone within the London journalist area and they would not be very likely to know a northern BBC reporter well enough to leak such a precious piece of information to? Doesn't the fact of the person to whom the information was leaked militate against it being the Metropolitan Police's responsibility?

Chief Constable Crompton: I think, with the benefit of hindsight, you might suggest that, but at the time it could have come from anywhere.

Q64 Michael Ellis: I want to ask you a couple of things about the operations here. Was the date or time of the raid moved because the BBC knew about it?

Chief Constable Crompton: No.

Q65 Michael Ellis: Was the BBC aware of a pending raid when they told your people that they were aware of the issue? Did they know that a raid was being planned or did they just know that an investigation of Sir Cliff Richard was under way?

Chief Constable Crompton: They knew about the investigation.

Q66 Michael Ellis: They did not know of a pending raid?

Chief Constable Crompton: Not to my knowledge.

Q67 Michael Ellis: Did your media team volunteer that information?

Chief Constable Crompton: Yes.

Q68 Michael Ellis: That was completely unnecessary, wasn't it? Your media team were told by the BBC, "We know of this investigation". They didn't need to volunteer that a raid was going to happen. That was something that your people leaked to the BBC.

Chief Constable Crompton: We found ourselves in a position of trying to gain the co-operation of the BBC so that they would not publish the story. Can I just say, the guidance that the Chairman referred to does not say that you cannot do that. It says that you are to justify it if you do and it is to be done on an individual basis.

Q69 Michael Ellis: So be it, but you have said the BBC did not know of the fact of a pending raid and, in actuality, it was South Yorkshire Police that told the BBC of the pending raid. Did the BBC make it clear to South Yorkshire Police that they knew about the alleged incident at Bramall Lane in Sheffield? Did they know those sorts of details?

Chief Constable Crompton: Yes.

Q70 Michael Ellis: That information was not volunteered to them by South Yorkshire Police?

Chief Constable Crompton: They knew some of that. They certainly knew some of that. They knew basically what we knew, because we did not have all of the details at that point either, I do not think.

Q71 Michael Ellis: But you knew the location?

Chief Constable Crompton: I think so.

Chair: I don't think we want to go into too much detail on that. Just the process is fine.

Q72 Michael Ellis: Yes; I am not planning to go into any more detail. Thank you, Chairman.

I have just one other point to ask you. Rolf Harris was questioned first and then his property was searched and, as far as I can tell, that is the usual course of action. Why was the cart put before the horse in this case? Why was it that a search of this property was undertaken before any questioning was sought with Sir Cliff Richard?

Chief Constable Crompton: I am not sure that I can necessarily answer that one very easily without starting to talk about the investigation. I am not trying to be difficult.

Q73 Michael Ellis: Do you agree that this is a departure from normal practice? You would normally speak to someone first and then, on the basis of that, go on and search properties. Here the cart was put before the horse. We are trying to establish why this case has been dealt with differently from routine cases and this is something that is not routine.

Chief Constable Crompton: I fundamentally don't agree.

Michael Ellis: You don't agree?

Q74 Chair: Could we also clarify the number of officers? You say in your letter that there were six officers from South Yorkshire that attended the property in Berkshire. How many came from Thames Valley?

Chief Constable Crompton: One, I think.

Q75 Chair: Was it your vehicles or did you hire additional vehicles?

Chief Constable Crompton: I don't know the answer to that question, Chair.

Q76 Chair: Have you seen the footage of what happened? I appreciate you were on holiday.

Chief Constable Crompton: I saw what was going on on the television.

Chair: You saw the BBC coverage while you were on holiday?

Chief Constable Crompton: Yes.

Q77 Chair: There were concerns that personal items of people at the property were being shown to television cameras. Did you see that?

Chief Constable Crompton: No, and that is the first time I have been made aware of it.

Q78 Chair: I know you are currently not speaking to the BBC or complaining about them. The break-up is complete in this relationship, but have you asked them for any of the footage of what happened?

Chief Constable Crompton: I guess that would be an investigative decision. I don't see a need to ask for that.

Chair: You don't see any need to ask for it?

Chief Constable Crompton: No.

Q79 Chair: The helicopter, of course, was not yours. You did not know about it; you would never have authorised it. You were shocked to see a helicopter appear?

Chief Constable Crompton: I thought it was intrusive.

Chair: I should tell you that the Committee has written to Sir Cliff Richard about his knowledge of these matters—not the investigation, but the process. He has replied and we will be releasing the letter today.

Q80 Dr Huppert: Chief Constable, I have to say quite a lot of your answers open up more and more questions as we go on. There has been a long history of police giving information to the media—sometimes for money, sometimes not. Your reaction so far sounds like it is a sort of commonplace thing you just have to cope with rather than a rather remarkable blackmail attempt. Are you genuinely saying it was a huge surprise to you that this would happen and it is a very rare event, or should we assume that the media quite often say, “We have this story and we are going to publish it. What can you give us?”

Chief Constable Crompton: It is almost an everyday event if you take all the police forces in the country. An example would be from my own force—

Q81 Dr Huppert: It is an everyday event that the media say to the police, “We are going to publish this story. What can you give us?”

Chief Constable Crompton: In my own force recently, we were planning to do a series of drugs raids. By some means or other the media found out about it and we said, “Right, okay, for operational reasons we don’t want you to publish that story. However, if you come along and don’t publish the story, that allows us to do the raids and complete the investigation, then we will work with you on it”. That is not uncommon in any police force in the country.

Q82 Dr Huppert: To be clear, what you are saying is that your police force regularly leaks stories of raids coming up. You are saying the Met regularly leaks stories of raids coming up and that all police forces regularly leak these things.

Chief Constable Crompton: No, I didn’t. Sorry, you are putting words in my mouth.

Dr Huppert: You are saying it is a daily occurrence. You have had examples of leaks coming from your police force about raids that were coming up, that is what you just told us, and that this is a regular thing to happen. Doesn’t that concern you?

Chief Constable Crompton: First of all, I didn’t say it was necessarily a leak but, by whatever means, people do find out about stories and then say, “We’re going to publish, but can we work with you?” You can find that in any police force in the country.

Q83 Dr Huppert: I think some of us find it quite alarming that this sort of information is regularly getting out. If the media can find out, the people you are trying to raid can as well. You said earlier, and I was quite surprised by this, that a certain amount of the time you routinely inform the media ahead of raids. You gave a range of different figures, I think; more than 50%. Why do you routinely—

Chief Constable Crompton: I didn’t say more than 50%.

Dr Huppert: Regardless of the exact—

Chair: Can we just clarify, Dr Huppert? What did you say, Chief Constable?

Chief Constable Crompton: I was asked about would I put a percentage on it and I think I said maybe 2%, 5%, something like that, where either there is a policing interest in it for us or maybe they have got to know about it and therefore we will work with them.

Q84 Dr Huppert: But you do inform people ahead of time some of the time then.

Chief Constable Crompton: Sometimes.

Q85 Dr Huppert: It seems to me rather surprising that you would do that. Why does that help from a police perspective?

Chief Constable Crompton: On occasion, particularly if there has been a particular policing problem in an area, having the media along to show that you are doing something about it is appreciated by residents of the area and people in the wider sense who want to know what the police are up to.

Q86 Dr Huppert: There is something very mucky about this interaction. Lastly, you said that the interaction with the media has been quite naive. You talked a few times about your media officer and you have named her a fair few times. Do you think you were well advised by your media officer on how to do all this?

Chief Constable Crompton: I trust my staff. I think the naive point is perhaps with the benefit of hindsight, but I trust my staff. They are good people.

Dr Huppert: So you think they gave good advice?

Chief Constable Crompton: Yes.

Q87 Mark Reckless: Mr Crompton, you have been very critical of the BBC reporting, including specifically of the home affairs correspondent, Danny Shaw, particularly with reference to when he said, I think on air, “It appears to be a deliberate attempt by police to ensure maximum coverage.” Why did you leap to the conclusion that that was dishonesty on behalf of Danny Shaw or the BBC?

Chief Constable Crompton: We were told—and I have text messages that will confirm this—that Dan Johnson had had that conversation with Danny Shaw and Dan Johnson was disgusted, I think, by the coverage.

Q88 Mark Reckless: Who was disgusted?

Chief Constable Crompton: The original reporter that came to us. He was disgusted by the analysis piece that was written, which was totally out of tune with the way that the operation had started off.

Q89 Mark Reckless: I have not seen your text messages and we look forward to receiving them, but the alternative interpretation might be that Danny Shaw would not have expected Dan Johnson or another relatively junior BBC journalist to threaten a police force and the chief constable that, “We, the BBC, will reveal this unless you do as we say”, because he might fear the chief constable would ring up the director general or someone else senior and say, “Hey guys, this isn’t on and this is what the BBC should be doing”.

Chief Constable Crompton: With respect, I don't think what was in Danny Shaw's mind is the issue. The point is it was an inaccurate story and the BBC knew it.

Q90 Mark Reckless: You have accused him of being dishonest, so surely what was in his mind is central.

Chief Constable Crompton: My point is that he knew it was an inaccurate story. The BBC knew it was an inaccurate story and we asked—

Mark Reckless: You have text messages between Dan Johnson and Danny Shaw that make it completely clear what—

Chief Constable Crompton: We told them it was an inaccurate story. We asked for it to be amended or taken down and were refused.

Q91 Mark Reckless: Can I go to another matter? You say you knew the leak came from Operation Yewtree. Can you confirm how you knew that?

Chief Constable Crompton: Dan Johnson, in the initial meeting and subsequently, made that comment to my staff and it was noted down in the notes of the meeting.

Q92 Mark Reckless: Do we know who within Operation Yewtree divulged that information?

Chief Constable Crompton: No.

Mark Reckless: Why not?

Chief Constable Crompton: I wasn't aware of this until coming in here today. The Met appear to have conducted an investigation and say it was not from Operation Yewtree.

Q93 Chair: Sorry, Mr Reckless. Is that because of what I have just said?

Chief Constable Crompton: Yes.

Chair: No, that is not what Martin Hewitt has said.

Chief Constable Crompton: Apologies, Chair.

Chair: Martin Hewitt has said he has not yet conducted the investigation.

Chief Constable Crompton: My apologies.

Chair: Right. You only told him on 27 August that it was Yewtree.

Q94 Mark Reckless: If they were to conduct that investigation, what actions would they take as part of that investigation?

Chief Constable Crompton: Probably the first thing they would do would be speak to the reporter.

Q95 Mark Reckless: The first thing they would do would not be to get hold of the reporter's telephone records from—

Chief Constable Crompton: That would be part and parcel probably of speaking to him.

Q96 Mark Reckless: I am very interested in that confirmation. Is that standard police practice? I do not know if you have seen it but very controversially today—for most of us at least—we now discover that in the Plebgate operation, as part of the internal disciplinary proceedings, the police took the phone records for *The Sun* news desk and for Newton Dunn, the political editor, from the phone provider and, on that basis, found the source and subjected them to disciplinary proceedings, ending in them being sacked. Don't we have protection for journalist sources in this country any more?

Chief Constable Crompton: Yes, and it is a very jealously guarded principle.

Q97 Mark Reckless: Why, as standard practice, would you get the mobile phone records of the journalist concerned? It is outrageous, surely.

Chief Constable Crompton: I think I took a step too far in that answer. You would certainly speak to the reporter in the first instance.

Q98 Mark Reckless: You said as part of that you would get their mobile phone records.

Chief Constable Crompton: Can I correct that? You would certainly speak to the reporter in the first instance. Just to be really clear and nail this one, nobody would have any legal right to those mobile phone records unless there were certain serious criminal offences at play, which would then give you the power to do that. I went a little far.

Q99 Mark Reckless: What would the source of that legal right be in those circumstances?

Chief Constable Crompton: We would need to be investigating serious criminal offences in relation to the individual; otherwise there would be no power to seize the mobile phone records.

Q100 Mark Reckless: What is the statutory or common law basis of that power in these circumstances, please?

Chief Constable Crompton: My understanding is it would be PACE, the Police and Criminal Evidence Act—seizure of evidence.

Q101 Mark Reckless: On the contrary, it appears that what happened in Plebgate is the Met was relying on RIPA, an internal authorisation, to get hold of the phone records of the whole of *The Sun* news desk, as well as the political editor, and then sacked the person without the say so or telling anyone about it except that this has now been released. Is it now standard practice in the police to rely on RIPA to get journalist source information through their phone records rather than going to court, using PACE, having an article 10 and common law consideration of freedom of expression?

Chief Constable Crompton: Chair, I am at a disadvantage in answering this question because clearly I did not know anything about the Plebgate issue until I walked in here today.

Q102 Mark Reckless: You know about police procedure, surely.

Chief Constable Crompton: I do, yes.

Mark Reckless: Please answer the question.

Chief Constable Crompton: If my interpretation of what you are telling me is correct, the Metropolitan Police have done an internal investigation. If the mobile phones that have been used by the officers are owned by the Metropolitan Police then the Metropolitan Police can access the information on those quite legally. Any police force in the country, when faced with the same type of scenario, where mobile phones are owned by the staff who are employed by the organisation, has access to that data because the data belongs to the force in question and not the individual.

Q103 Chair: You said that when Dan Johnson saw the coverage he was disgusted by it.

Chief Constable Crompton: There was a text exchange with one of my staff. I can't remember which staff but I have seen the text, and I am sure that word is used.

Q104 Chair: This led you to believe that you had the deal with Mr Johnson for it to be a discreet couple of photographs as you went into Sunningdale in Berkshire. It ended up with a helicopter and worldwide coverage and somebody else—

Chief Constable Crompton: No, sorry. My remark, the disgusted one, relates to the analysis piece not the photographs.

Q105 Chair: He was disgusted with some part of the BBC, not that part?

Chief Constable Crompton: Yes.

Chair: The website?

Chief Constable Crompton: Yes.

Q106 Mark Reckless: Could I return to that? It would appear that you have the texts between Dan Johnson and someone on your staff. You don't have any texts between Dan Johnson and Danny Shaw. Surely the alternative explanation is that Danny Shaw just presumed that the information had been shared by the police because he could not conceive of a BBC junior reporter saying to the police, "Give me this information or else", because he would sensibly presume the chief constable would escalate. It was your failure to do so in these circumstances that surely led to this happening.

Chief Constable Crompton: We escalated the request to change that item on the website or remove it right up the chain and were refused at every turn.

Q107 Mark Reckless: But you did not escalate at all earlier on when this junior journalist, you tell us, made this threat. You condemned Danny Shaw and his supposedly dishonest reporting, whereas the alternative explanation is that Danny Shaw just presumed you gave this information because he couldn't conceive of a junior BBC journalist threatening the South Yorkshire Police in this way; he would expect you to go to someone more senior and get it stopped.

Chief Constable Crompton: My point is a simple one, which is that, whatever the motive, it was an inaccurate story.

Chair: I think you have made that clear. Could we have brief final questions on this? We do need to move to Rotherham because we have the BBC in.

Q108 Paul Flynn: Before such a search warrant is issued there must be reasonable evidence that an arrestable offence has been committed and that there is material on the property that would assist a future prosecution. Was the evidence of an arrestable offence committed sufficient when I understand the complaint was from one person about an incident that took place 30 years earlier?

Chief Constable Crompton: I think we are straying into areas of operational activity. That was a matter for the magistrates who granted the search warrant and I don't feel I can go any further than that in answering your question.

Q109 Paul Flynn: Could you help on the second part? Thirty years earlier there were not many mobile phones, there was not electronic evidence that is left behind and there was not Facebook. What possible evidence could there be that would help in an investigation of that alleged incident?

Chief Constable Crompton: Chair, I don't think it is appropriate for me to go down that road.

Chair: I think you must take that as a rhetorical question then.

Q110 Paul Flynn: Could you explain what difference there would be in the way you acted in this case if the alleged offender had been Joe Bloggs rather than Sir Cliff Richard?

Chief Constable Crompton: It may not have been any different. I did truthfully answer the question earlier that is—

Q111 Chair: Do you honestly believe a helicopter would have turned up for Joe Bloggs?

Chief Constable Crompton: No, in terms of our action. Sorry, I am interpreting the question as would we have done anything different, and the answer I gave earlier was that on a case-by-case basis we would weigh this up. If in fact it was Joe Bloggs as opposed to Sir Cliff Richard, if the individual circumstances warranted it then the same decision might have been made.

Q112 Nicola Blackwood: Chief Constable, you must have seen some of the speculation, or your media team will have shown you, that perhaps the search warrant might not have been legal. Under PACE you have to have reasonable grounds for believing, first, that an arrestable offence had been committed; secondly, that there is material on the premises that is likely to be of substantial value to the investigation of an offence; or, thirdly, that the material is likely to be relevant evidence or that

you are not able to get in touch with the individual. Which grounds was the warrant granted on? Do you think that it was legal, given that there has been this speculation?

Chief Constable Crompton: I am aware of the speculation and I don't think I should be talking about the legality of any warrant. It is part of the operation and the discussion that was had between my staff and the magistrates resulted in the warrant being issued.

Q113 Nicola Blackwood: Did they raise with the magistrate the fact that the BBC would be present and you had notified them about the warrant being served at the time of asking for the warrant?

Chief Constable Crompton: I don't know the answer to that question.

Q114 Nicola Blackwood: You don't know? Okay. Finally, you have said that in 2% to 5% of cases you have similar situations where, in the words of Mr Ellis, you are extorted by different media outlets and forced, perhaps, to bring media along to raids; you have no choice because otherwise you think your investigations will be compromised. Have you ever attempted to do what I think anybody should have done in this case—go to the top editor of the news outlet and say, "We would ask you to be a responsible media outlet and let us conduct our investigation in peace"? Have you ever tried to do that?

Chief Constable Crompton: It is not standard practice for anybody to do that.

Q115 Nicola Blackwood: I am not asking whether it is standard practice; I am asking whether you and your organisation have ever tried.

Chief Constable Crompton: There may have been an occasion when, based on the individual circumstances, you felt it was justified, but normally that does not happen.

Q116 Nicola Blackwood: But surely you would try to build up a relationship with the journalists, who generally are very sensible, upright individuals and interested in justice just as much as the rest of us—go to them and explain that perhaps this would lead to a miscarriage of justice and ask them to let you continue with your investigation and explain what the problem is. You would try that first before making a deal of this kind, which could lead to reputational damage on the scale that we have already seen.

Chief Constable Crompton: Under normal circumstances, even though there might be a level of awareness by somebody in the media about an operation or something like that, there is not necessarily the understanding that they are obviously going to go and print straight away. There might well be other issues, as I mentioned earlier, why we would take them, which is just generally about community confidence and about people understanding the way that the police do their work.

Q117 Nicola Blackwood: Yes, but that is not what I asked. What I said is why is it not standard practice to first attempt the ideal before going to a deal that is obviously not what you would want to be doing as a police force?

Chief Constable Crompton: That is not always the case. I think it has been portrayed in a slightly simplistic manner.

Nicola Blackwood: It is what you said. I am responding to your evidence.

Chief Constable Crompton: There would be occasions where, yes, we would challenge it. However, there are plenty of other occasions where it is probably ultimately in the public interest that people see some of the operations being conducted by police officers, particularly where it is in relation to things that are of public concern. It is not a straightforward issue.

Q118 Nicola Blackwood: No, but I am asking where you have a journalist who comes to you and says, “I know all the details of your investigation and I am going to publish it” is it standard practice to say, “All right then, we are going to give you access to our investigation”, or is it standard practice to go along to their editor and say, “We would ask you to not do that”? Which?

Chief Constable Crompton: It would depend on the circumstances.

Q119 Chair: Chief Constable, everything depends on the circumstances. We know the circumstances. Given the circumstances that Nicola Blackwood has put to you, is this the action that you ought to have taken—looking back at it, since we have the benefit of hindsight? That is what she is asking you.

Chief Constable Crompton: I understand the question that is being asked.

Chair: Yes, and what is the answer?

Chief Constable Crompton: In the circumstances that we were faced with, I think we made the right decision.

Chair: Thank you. Lorraine Fullbrook has a very brief question and then we must end. We must go to Rotherham because the BBC are due in.

Q120 Lorraine Fullbrook: Chief Constable, I believe that the answers that you have given to the Committee today clearly demonstrate a lack of confirmation and clarification of the veracity of the information held by South Yorkshire Police. If I were someone under investigation by South Yorkshire Police today, should I be a very worried person?

Chief Constable Crompton: Yes, absolutely.

Lorraine Fullbrook: Thank you very much.

Q121 Chair: I have been worried in this sense. From what the Committee has heard today, I am afraid we have been amazed, Chief Constable, at what appears to be the sheer incompetence of the way in which this matter was dealt with. The reason you have given us here today for your failure to ring up the commissioner when you heard about Yewtree is that you did not want to tip off the journalist. You thought that the commissioner was someone clearly who could not be trusted because he would start his investigation and the mole within the Met would then ring up the journalist and they would publish the story.

Isn't that a more ethical position to be in than the position that you find yourself in today, which is that you have been set up by the Met who had this information for a whole year and not a single word had leaked out until it came to South Yorkshire and clearly you have been played by the BBC? If a very junior reporter, distinguished though he must be in his own field, is able to take on the might of South Yorkshire Police, the point that Lorraine Fullbrook is making is that criminals in South Yorkshire must be rubbing their hands with glee at the thought of having to deal with your officers who will appear to give in at the first possible opportunity.

I know you will not accept that because your position before this Committee today is that you blame the Met, you blame the BBC, you blame everybody else, but as far as you are concerned your staff did everything right. Do you not recognise that you are probably on your own in that respect?

Chief Constable Crompton: I have conceded that perhaps one or two of the views were a little naive, but I did think that we were reasonable in terms of what we did.

Q122 Chair: I think this Committee would not use the word "naive". We would use the words "gross lack of competence" and it is very worrying that a chief constable should sit before a Committee of Parliament to recount this scenario, which itself would make its own programme.

Finally, as I have said, we have written to Sir Cliff Richard and he has replied. He knew nothing about any of these matters. He has co-operated fully with you, as we know. You said in your letter that you were doing all this and this sweetheart deal with the BBC was in order to protect the subject's right to fair legal process. Given what has happened to this individual, what do you think this has done to his reputation and his right to a fair legal process? Surely he would have expected better from the British police force, which should be the best in the world.

Chief Constable Crompton: First of all, we had a job to do but I do apologise to Sir Cliff if we were insensitive about the way we did that.

Q123 Chair: "If"? Do you not think you were insensitive?

Chief Constable Crompton: We had a job to do and we have an investigation. The problem for us is that that investigation could never be done in a low-profile way because it was fatally compromised from the outset.

Chair: By Operation Yewtree?

Chief Constable Crompton: Yes.

Chair: Thank you.

Examination of Witnesses

Witnesses: Lord Hall of Birkenhead, Director-General of the BBC, James Harding, Director of News and Current Affairs, BBC, and Jonathan Munro, Head of Newsgathering, BBC, gave evidence.

Q124 Chair: Lord Hall, Mr Harding, Mr Munro, thank you very much for coming to see the Committee today. As you know, the Committee has a long-standing interest in the issues of police and the media and that is why we have called you before us. I am not sure whether you heard the evidence of the Chief Constable. I hope you did because some of that is going to be relevant. These are going to be quick-fire questions based on fact, which I hope will help the Committee understand what has happened.

From the impression that I have of the Chief Constable's evidence, you had a news story here. Your reporter came across this news story through a source, which we are told he told the Chief Constable of the South Yorkshire Police was Operation Yewtree. A sweetheart deal was made between South Yorkshire Police and the BBC. The Chief Constable naively believed, in our view, that a couple of photographers would turn up but of course it was more than that because you had a big story on your hands. You must be very pleased, Lord Hall, about the coverage of the story and the fact that you had the story in the first place?

Lord Hall: Let me make some comments on what the Chief Constable said. To answer you very directly, it was a proper story for us to report. The Chief Constable did not respond to your use of the verb "blackmail", but he said that in some ways he was pressured into running the story. I will just say to you and the Committee, had the Chief Constable come to a news editor, Head of Newsgathering, James Harding as Director of News or myself, and said to us, "If you run this story you will hamper this investigation; it would be damaging to this investigation", we would not have run the story. I want you to be absolutely clear about that. We would not have run the story.

On the second point, the reporter concerned, Dan Johnson, went to South Yorkshire Police to discuss a number of stories and had a tip-off—I suppose you would call it that—from a source that he will not reveal, referring to Cliff Richard. That was all he had. The conversations that then took place between the reporter and South Yorkshire Police, the invitation to meet the head of the investigation, the policeman heading the investigation. The relationship that then developed between South Yorkshire Police and the reporter was one that I would say was professional. They were treating each other with respect, but there was no hint in any of that of us knowing anything more than the name of Cliff Richard. The rest of the story was then volunteered.

Q125 Chair: We do not want to make it too short a session here because you will find that we probably agree with you. We have all been in a position around this Committee where a local newspaper or the BBC was about to print a story about us—some of us experienced this ourselves over the last 27 years, more than one cares to imagine. The only way to stop the story, you feel, is to ring the man at the top or the woman at the top. This is why we put it to the Chief Constable why did he not do this. Of course he didn't. You are telling this Committee that in effect, Lord Hall, this whole story was given to the BBC by South Yorkshire Police. When Dan Johnson originally went in there—and we are not talking about sources here; it is all on the record, we are getting the emails and texts tomorrow and we are going to look at them in the cold light of day, as most texts and emails are—that in effect you did not have a story but, thanks to South Yorkshire Police, you got a big story?

Lord Hall: We are saying that Dan Johnson went to South Yorkshire Police to discuss a number of stories. He said, "What about Cliff Richard?" or words to that effect—I obviously was not there—and at that point a meeting was arranged slightly later with whoever was responsible for carrying out the investigation when he was then briefed on the story, yes.

Q126 Chair: Just for the sake of the record, when did you know that the house was going to be raided? We know that Dan Johnson knew at 4.00 pm on 13 August. We know the BBC is a very big organisation. You are all very important and powerful men and you do not know everything that happens in a sleepy town like Sheffield—I should not say that, coming from Leicester. When did you know about that, Mr Harding? When did you know that this was going to happen or did you know about the story all along and think, “Oh my God, we have a story on Cliff Richard”?

James Harding: No, the BBC as an organisation was informed of the search—

Chair: No, you.

James Harding: Me personally?

Chair: The Director of News.

James Harding: In this particular case I was away, so I would not have been informed that day.

Q127 Chair: You would have been informed if you were there on that day? It is August, everyone is on holiday. The Chief Constable was holiday; you were on holiday.

James Harding: No, no, just to be fair—

Q128 Chair: Basically you did not know on 13 August, the day before. Did anyone know on 13 August? Mr Munro knew?

Jonathan Munro: Yes, I did know. I was in the office.

Chair: You are Head of Newsgathering, you gather the news for us?

Jonathan Munro: That is correct, yes.

Q129 Chair: When were you told?

Jonathan Munro: Late afternoon on the day before the raid. Dan Johnson had received a phone call an hour or so before that to suggest that police action was likely the following morning. When he got some more details about the nature of the police action, that was then put into the management chain. I knew the day before, the evening before.

Q130 Chair: So 4.00 pm was when he knew?

Jonathan Munro: Yes, and it would be a little later than that when I was told.

Q131 Chair: He came in breathlessly saying he had the story of the summer: there was going to be a raid on Cliff Richard’s house; he had been in negotiation for the last month or so and this is going to be big news. Is that what he said to you, because he must have been pretty pleased with himself?

Jonathan Munro: First of all, just for clarity, this was a phone call because he was on a story in North England at the time and he said, not personally to me but to colleagues in the office, that he had confirmed the Cliff Richard story, the search would take place the following morning and

that he had been sent an aerial image of the block of apartments in Sunningdale by South Yorkshire Police to help us identify the building.

Q132 Chair: Sorry—he had been sent a photograph of Cliff Richard’s house by the police?

Jonathan Munro: Correct.

Q133 Chair: When?

Jonathan Munro: The previous afternoon, after the phone call at 4.00 pm. I would estimate about 4.30 pm, something around that time.

Q134 Chair: Then what happened? Obviously, you did not tell the Director-General, because you have other stories going on. The Director-General does not necessarily need to know about every story.

Jonathan Munro: Yes, correct. What then happened was a normal and routine editorial process in planning the following day’s coverage in which Dan Johnson and others were clearly heavily involved. The most important thing for us was to understand the timeframe we were dealing with. It was, if I could summarise it, a logistical conversation at that stage.

Q135 Chair: Of course. Did you order the helicopter?

Jonathan Munro: The news desk commissioned the helicopter the following morning, yes.

Q136 Chair: You thought that was fine in terms of the use of licence payers’ money?

Jonathan Munro: The helicopter is not paid by the job, so to speak. We keep the helicopter on retainer, on standby, for any breaking news. There is no financial issue about launching the helicopter.

Q137 Chair: It is your permanent helicopter that you would use for any breaking news story anywhere in the country?

Jonathan Munro: It is operated by a freelance contractor and we share it with ITN in order to minimise the financial commitment of both companies.

Q138 Chair: This view that you hired a helicopter especially at great expense in order to take photographs of this raid—

Jonathan Munro: There are lots of myths about the helicopter, and you are correct, that is a myth. It is also a myth that we broadcast anything live of the raid during the day, until the very end of the following day.

Q139 Chair: Mr Harding, Lord Hall wrote to me and the Committee and said that you would deal with the Chief Constable's complaint. Is that because you had nothing to do with this and did not know about it and, therefore, you feel independent enough to do so? He was pretty critical of the website. Mr Reckless has referred to Danny Shaw. It seems that one arm of the BBC did not know that the other arm was in this sweetheart deal with South Yorkshire—in which South Yorkshire has handed them all the information, it seems. Is that right? Did Danny Shaw know that you had been intimately involved in this over a period of time?

James Harding: No. I think the Director-General asked me to handle the complaint because I am responsible for the news coverage. I needed to explain the approach of our news coverage. As you know well, the BBC is there to report the news but also to analyse it and this was a piece of analysis—fair comment, I believe—by one part of the BBC on another piece of reporting by the BBC.

Q140 Chair: Of course. You are a huge organisation. Could it be that the editor of the website did not know about the negotiations going on between Dan Johnson and the head of media? It did seem a little unfair to have a go at the police given the fact that the police had been in intimate discussions with the BBC. You were doing this together, weren't you? It was sort of like a marriage.

James Harding: Look, as you say, this is the subject of a formal complaint from the police. I think we should respect the process of that.

Q141 Chair: But are you the right person to deal with this complaint, bearing in mind you are the man in charge of the news? It may well be there is no substance to the complaint.

James Harding: As you know, with our process my job is to respond on behalf of the BBC. The arbiter of the complaint, the people who will adjudicate it, are the BBC Trust. They are the ones who regulate it. In the event that it is escalated and the South Yorkshire Police are unsatisfied, then it will go to the BBC Trust.

Q142 Chair: Can I say this in respect of your source? We know that you want to protect your source and that you probably do not even know the source, but it has been made very clear to us today by South Yorkshire Police, by the Chief Constable, that this information came from Operation Yewtree. Now, you, Mr Munro, are an avid tweeter and you tweeted on 15 August—I am sure you will remember this—"Lots of Qs re original source of BBC news story on Cliff Richard. We won't say who but can confirm it was not South Yorkshire."

Jonathan Munro: That is right.

Chair: What we have heard today in evidence to a parliamentary Committee is that this was Operation Yewtree and that Dan Johnson has said that it was Operation Yewtree. Therefore the Committee cannot leave it there, having heard from a Chief Constable—even though it is the Chief Constable of South Yorkshire and we have heard some very strange things today—that this has come from the Metropolitan Police. We are going to have to pursue this. Can you tell us whether that was the case? I am not Mother Theresa. I cannot relieve you of all sin, but I can say to you that the Committee will understand if you do tell us that it was the Metropolitan Police, given that it is out there in the public domain.

Jonathan Munro: Mr Chairman, you are right that there are some wider issues about discussions of source but you are also right about the tweet that clarified that the original source was not South Yorkshire Police. For the record, I should just say that Dan Johnson totally denies mentioning Yewtree by name or the Metropolitan Police Force or any other clue as to the identity of the source for the original story. Like you, I was not in that meeting with South Yorkshire Police but I believe him to be an honest and professional journalist and he completely denies saying that.

Q143 Chair: Did he keep notes?

Jonathan Munro: He did keep notes.

Q144 Chair: Some of this conversation is going to come to us by tomorrow. Thank you, Mr Harding, for alerting me to the presence of emails and texts on these matters. We have asked for these. You do not need the Chief Constable's permission to give it to us because these are not about protecting sources. This is about an issue that is before a parliamentary Committee. Would you be able to verify what you have said by giving us the relevant note? We do not want all the notes. Obviously you are not on oath, Mr Munro, but are you telling us absolutely that he did not say this at that meeting, because the Chief Constable has said completely the opposite?

Jonathan Munro: I heard the Chief Constable's evidence, Mr Chairman. I am telling you today that Dan Johnson has told all of us that he did not mention Yewtree or indeed any other clue as to the identity of the original source of the Cliff Richard story.

Q145 Chair: We are not going to go through the names of every single police authority to get you to tweet whether or not they were part of the story because that would take too long, but I accept what you say.

You are telling us, Lord Hall, that if the Chief Constable had rung Mr Munro, Mr Harding or even yourself, you would not have run the story?

Lord Hall: If he had said to any of us, or others in the BBC news operation, that broadcasting this story would in any way have damaged their investigation, we would not have run it.

Q146 Michael Ellis: Can I say from the outset that, as far as the extortion point is concerned, I found that from the Chief Constable absolutely extraordinary? I do not think there is any history that would tend to point towards the BBC holding our police in this country up to extortion as to, "We will ruin your police operations if you don't tell us what is going on". All three of you have been involved in questioning of your reporter, Dan Johnson. Is that right?

The Chief Constable of South Yorkshire has told this Committee, unequivocally and unambiguously, that Dan Johnson said that it was Operation Yewtree—in other words, the Metropolitan Police. You have said that he has denied that categorically. Someone is effectively lying. There can be no room for mistake here. Am I right in saying that Dan Johnson is a local northern area BBC reporter or does he have a wider remit? Mr Munro, do you know the answer to that?

Jonathan Munro: Dan works for BBC Newsgathering, so he works for the network newsroom but he is based in the North of England.

Q147 Michael Ellis: I am trying to find the source but I am not trying to make you say anything you do not want to say. Is it not a fair assumption to make that a northern based reporter is not likely to have the Metropolitan Police background sources and contacts as opposed to a London-based journalist who might be at national headquarters of a media organisation? In other words, I am trying to establish whether it is likely that if the leak had come from the Metropolitan Police they would have leaked it to a northern area based reporter. Can you say something about that from your general experience?

James Harding: Could I just make a point here, Mr Ellis?

Michael Ellis: Yes, Mr Harding.

James Harding: Mr Reckless made an important point earlier on this afternoon about the journalist's responsibility to protect their sources. Our reporter, Mr Johnson, did nothing to disclose his source and I do not think we should do anything that would disclose the identity of the source either.

Q148 Michael Ellis: No, but you can say whether, generally speaking, a northern based reporter, or for that matter a south-west-based reporter or Scotland, Northern Ireland or Wales-based reporter, would routinely have London contacts in the Metropolitan Police.

Lord Hall: I know exactly where you are going with this, but it is a hard question for us to answer.

Q149 Michael Ellis: Very well. Can I just ask you this then? South Yorkshire Police's Chief Constable today accepted that the police volunteered the raid information. Did you hear his evidence on that point?

Lord Hall: Yes.

Q150 Michael Ellis: As far as you are concerned, it was not within the BBC's ambit of knowledge that a raid, in particular, was going to take place—only that an investigation of this prominent person, Sir Cliff Richard, was in progress. Is that right?

Lord Hall: That is exactly right. The reporter, Dan, came to South Yorkshire Police. He was asking, as I think I made clear to the Chairman, questions about a number of cases they were dealing with but on this he said, "Do you have any information on this?" At that point, the conversation is then over—I think two or three meetings then gave the investigation, what was going to happen and the search and so on.

Q151 Michael Ellis: If one of your reporters was to be effective—

Lord Hall: Sorry, one meeting but several conversations. I want to get that right.

Michael Ellis: Right. If one of your reporters was to be conducting him or herself in a way tantamount to extorting the police to co-operate, would you condone that behaviour? Would you accept that behaviour? Would you think that is unacceptable behaviour?

Lord Hall: To?

Michael Ellis: To effectively say to the police, as has been suggested by Chief Constable Crompton, “You must co-operate or else we will break this story and spoil your operation”.

Lord Hall: There are two points: first, the reporter did not have a story until he went to South Yorkshire Police who then gave him the story. Looking back at what then happened, the reporter was very careful to say at all times, “Is it okay to broadcast this? Will we be okay? When can we run the story?”, and so on. An operational point maybe, but on the day the raid/search happened at 9.30 am. We did nothing until 1.00 pm.

Michael Ellis: As far as I am concerned, the BBC were perfectly in order.

Lord Hall: Thank you, Mr Ellis.

Q152 Yasmin Qureshi: Just a couple of questions. Can I just clarify something in my mind? The Chief Constable said that the person who mentioned or referred to Sir Cliff Richard, or the allegations against Sir Cliff Richard, did not come from South Yorkshire. You have confirmed that is not the case either. He was told it was Yewtree but you are not willing to say which force it might come from or who it was coming from. We know it is not South Yorkshire who alerted anyone. My question then is: do you think that a helicopter and all the stuff used to cover this was perhaps OTT?

Lord Hall: It is interesting. Of the complaints that we have had broadly from the public about the story—and there have not been many: a couple of hundred, which, in terms of the greater audience, is not huge—the use of the helicopter has been picked up by some of those people. The reporter was told by South Yorkshire Police that it would be difficult to get good shots from the ground. The operational decision then was taken to use the helicopter, which I think, as Jonathan pointed out, is there for use on crashes on the M4 or M50 or whatever it happens to be or the state opening of Parliament. That would be part of the mix that we would put on the air. Looking at the output, was it used disproportionately? No. Was it, as some people said, that we were running the search live? We were not, as Mr Munro said. The only live shots we ran, and I have forgotten how many seconds it was, was at 4.30 pm as the cars came out.

Jonathan Munro: Less than a minute.

Lord Hall: Less than a minute.

Q153 Lorraine Fullbrook: Lord Hall, just for clarification, you said that Dan Johnson had his original meeting and according to the Chief Constable it was on 14 July, the first contact.

Lord Hall: That is right.

Lorraine Fullbrook: The Chief Constable said that was followed up the following day, on 15 July, with a face-to-face meeting. In the evidence he gave here today and in the letter that the Committee received from him of 22 August it says very clearly, “The journalist was able to provide detailed and privileged information about the circumstances of the allegation and indicated that he was ready to publish a media report about the investigation at the earliest opportunity. For the absence of doubt, the information held by the journalist mirrored the information held by my officers in almost every respect.” Are you refuting that allegation?

Lord Hall: We are disputing that. What we are saying is that the journalist went to South Yorkshire Police on 14 July and, inter alia, other stories were discussed, this story was discussed, and then a meeting was arranged the following day with the person who was the head of investigating this story, at which the details about it—the allegations and what they were searching for—came out.

Q154 Lorraine Fullbrook: Thank you. In the letter we received from the Chief Constable, he said the details shared with the journalist, that is Dan Johnson, related to the date but not the specific time of the search and broad location of Sunningdale, Berkshire. Would you consider an aerial shot of a block of apartments to be a broad location?

Jonathan Munro: No, we would not consider it to be a broad location, and I was surprised to read that. We had an aerial photograph. We had the expected time of arrival of the officers. We had the gate through which they were due to access the premises. We had a lot of information that I would describe as specific.

Q155 Ian Austin: Were you surprised that the police did not ask you not to broadcast this?

Lord Hall: Looking back at it, I think it was a proper story for us to cover in the right manner, proportionately, which is what we did. I was not surprised that the police did not ask us not to broadcast the story, but I was surprised that what, to be honest with you Mr Austin, appeared to me to be a proper relationship—the first meeting on 7 July, another on 14 July and another on 15 July—a series of meetings with South Yorkshire Police somehow have been distorted. It seems to me that the reporter had proper conversations and engagement with the police and the police were being very helpful to him in telling him about the story. If at any point the South Yorkshire Police had said, “This is damaging”, then they could have escalated it through Dan Johnson and we would have responded.

Q156 Ian Austin: Looking back on it, huge coverage. I was abroad. I remember watching the BBC News and you see these helicopter pictures, lead dramatic story. It was clearly the biggest story over that two day-period, leading the news. As a result of your coverage it ended up being massive coverage in the following days’ papers. Given that this is an investigation at a pretty early stage, no one has been arrested, let alone charged. Looking back on that, are you at all worried about the impact of that coverage, the extent of it? Do you think that was proportionate and fair?

Lord Hall: Mr Austin, the key thing for me is that we contacted, on the morning of the search, Sir Cliff Richard—or rather we contacted his agents—to ensure that we had on the air a statement from Sir Cliff outlining his position, which I think was extremely clear and extremely robust. That is a standard practice for BBC journalists, to ensure that you have those key pieces of the narrative in place.

Q157 Ian Austin: Did he know before the BBC rang his spokesman or whoever that this was happening?

Lord Hall: As far as I am aware—

Chair: Can I interrupt for a second, Mr Austin? You may not have seen it. We have written to Cliff Richard and his solicitors have made his views—

Ian Austin: I have not seen this letter.

Chair: It is in the bundle that you were given, Mr Austin. If you look through you will find it.

Ian Austin: My fault, sorry.

Q158 Mark Reckless: The bundle was only as we arrived. The perception, at least, of the Chief Constable appears to have been that a BBC journalist essentially said to South Yorkshire Police, “Either you give us information, some trade-off, or we are going to cover this and potentially blow the investigation”. Further, the Chief Constable’s perception, so he tells us, was that, were he to take that to someone more senior at the BBC, that would be likely to prompt the BBC to release coverage and report the matter. Clearly the three of you gentlemen and many members of the Committee find that an absolutely astonishing place—to have someone as senior as the Chief Constable to have their perception of media relationships generally, but particularly with the BBC in that particular role that you have. When I asked him why he thought that, he said it was because he had read Leveson. What do you think of that?

Lord Hall: There are two points, Mr Reckless. First, the conversation between South Yorkshire Police and Dan were ones of us finding out the story from South Yorkshire Police. You need to work out where the power in that relationship lies.

Q159 Mark Reckless: I accept your explanation. I am not so much disputing the factual matrix but just asking about the situation where we have come to, post-Leveson; the Chief Constable, I assume, sincerely believed what he told us.

Lord Hall: We would take any conversation with the police extremely seriously. It depends on the story. It depends on a whole host of things. Would we engage with the police? Absolutely. Would we engage with others, as the Chairman was saying, about stories? Of course. That is part of our procedure and that is part of the practice that we carry out.

James Harding: Could I just say one thing, Mr Chairman? It is partly in answer to Mr Reckless’s question but partly also in answer to Mr Austin’s. An account or explanation, as it looked to me reviewing it, is that there is possibly a slightly simpler explanation of what happened.

A journalist called up South Yorkshire Police with something that was true and South Yorkshire Police sought to behave honourably rather than denying a story that was true. They said they didn’t want to comment but felt that when they could, they would. That, as people in this room will know, is much more standard practice. I think that may lie behind the beginnings of the process. What happened afterwards is obviously a matter of judgment for this Committee, but I think that was the genesis. I think that was the origin of it.

Q160 Mark Reckless: Mr Harding, with your background at *The Times* as well as your present role at the BBC, what is your reaction to the state of media relations with the police when someone of the seniority of Chief Constable Crompton could think that he could not even have that conversation with someone more senior because it would increase the chance of the investigation being blown by these terrible media organisations? His perception, apparently, is that this is what Lord Justice Leveson says about them.

James Harding: All I would say, Mr Reckless, is that my phone would be very quiet if it were the case that no one called to say, “We are concerned about X coverage or concerned about Y piece of reporting”. People raise those issues with Jonathan Munro, with me and others in the BBC all the time. I do not think there is a bigger issue here about people being reluctant to raise with journalists, with editors or with people like me, their concerns about the impact of a piece of a reporting. Our job is obviously to judge when to take that decision.

Q161 Mark Reckless: This is specific to South Yorkshire Police whose Chief Constable has a different perception of Leveson than everyone else?

Chair: You are telling us, are you, Mr Harding, that people are on the phone to you all the time trying to stop these stories?

James Harding: Not just me, I think that many journalists have the experience of people saying, “If you are going to run it, could you run it later?” I think everyone knows that.

Chair: I think nobody from this Committee, at least not this week.

Q162 Paul Flynn: Could you tell me what story could be published by the BBC that was consistent with your ethical standards and with the legal process? What information did your reporter, who was on a fishing expedition I believe when he went in, have on which you could run a story?

Lord Hall: He had a name. We could not run a story on the basis of that.

Q163 Paul Flynn: Facebook is awash with malicious stories about celebrities and I believe this allegation had been raised about Cliff Richard on Facebook. There was nothing there. When the Chief Constable gives a hint that he was under pressure, he was not under pressure at all because there wasn’t any story the BBC could run.

Lord Hall: That is right. Exactly right.

Q164 Paul Flynn: I would like to come back to the other one. We cannot resist this. On the question of how you cover a news story, how does it elevate the value of the news story to have a picture from a helicopter rather than a picture from the side of the road? Can you tell us how many licence fees it costs to pay for a helicopter every year?

Lord Hall: It is an annual contract shared with ITN. It covers a very wide range of stories and my own judgment, looking back at this coverage, was what you saw from the air was a number of police cars and you saw the scale of their operation. But, look, this is very much an operational issue for the news. It is a way that stories are covered often, Mr Flynn, in all sorts of ways. We use a helicopter to add context to a story.

Q165 Paul Flynn: Just a final point on the question of your news values on this. We have had this background of Leveson and we heard about the incestuous relationship between lesser media outlets than yourselves, who do not have your standards, and very close relationships with the police and with politicians and such. Did Leveson alter your standards in any way? Did you do

anything to alter the possible dangers in relationships between the police and broadcasting that could lead to all kinds of abuse?

Lord Hall: There is one thing I would like to say, Mr Flynn, and that is because you have a story you do not necessarily run it. In this case, I believe those in operations rightly felt, as you have been discussing this afternoon in a variety of different ways, that allegations of sexual abuse, going back many, many years, are sadly, regrettably, a matter of public interest.

Q166 Paul Flynn: Once a story has been reported on a figure of this kind it is going to go worldwide. That person's reputation is damaged to some extent, even if he is found entirely not guilty. Certain of these investigations were carried out and nobody reported the name of the person who was being investigated. It was just a media person or a famous person. Why is it right to report Cliff Richard when it was not right to report other celebrities?

Lord Hall: Because South Yorkshire Police had given us a story and had made no attempt to stop us running the story. I think it was clear from the Chief Constable's evidence itself that this has had no impact at all on their search. As I go back, I think the public interest in cases like this are matters that we should report along with every other newspaper and journalist. But I want to assure you: do we think hard about these sort of issues? Yes, we do.

Q167 Paul Flynn: Would you report it at the point of one complaint about an event that took place 30 years ago or at a time when there is a charge or conviction?

Lord Hall: There are a number of points at which you can report it, but South Yorkshire Police had given us a lot of detail about the allegation and about the nature of the search or raid as they—

Q168 Chair: We have that point, but what Mr Flynn is getting at, despite the fact that South Yorkshire have opened their books and said, "Take what you want and print what you want", is this: do you not feel any sympathy for Sir Cliff Richard, bearing in mind he has not been arrested or charged with any criminal offence? He voluntarily travelled, very privately, to South Yorkshire. He was interviewed and he went all the way back. Some of your rivals, of course, realise you had this exclusive sweetheart deal and are concerned as to how you managed to get it. You got it, but do you feel no sympathy for this man?

Lord Hall: Our job was to make sure that what Sir Cliff had to say about the search and about his own innocence was properly reflected in our coverage. That is our job.

Q169 Chair: Some have put it in the public domain that, because of the lack of action by the BBC on Jimmy Savile, you felt you had to move in with another public figure. There is no question of that crossing anyone's mind?

Lord Hall: It certainly did not cross—

Chair: Obviously you didn't all know about it, so it could not cross your minds, but in respect of other people's minds?

Lord Hall: It certainly did not cross anybody's minds in covering this because you are looking at the story case by case.

Chair: A very quick question on the helicopter and then we must close.

Q170 Michael Ellis: Just on the helicopter, for my part I am uncomfortable with politicians—or, for that matter, police chiefs—interfering with BBC operational decisions as to how they deploy their resources. I think that is a matter for yourselves and I do not think it is right for politicians or police to comment on that in fact. For that matter, I also think that your reporter and your operations are entirely in order and it is fanciful that the Chief Constable would say that there was no point in escalating a complaint to the BBC senior officials if he was concerned about it.

What I want to establish is further to what Mr Reckless was asking. Have other chief constables and senior figures, when they have been concerned about issues of their own, found proper redress with you, Mr Harding, or with the BBC infrastructure when they have had recourse to complain about something? In other words, have you previously been able to deal with issues amicably?

James Harding: The short answer is yes. The reason we are careful in the way in which we answer this question and making clear that if the Chief Constable had come to Jonathan Munro or me or a relevant editor we would not have run this story—and we are specific about this story—is that there are occasions when people will try to warn you off running a story and you will make the editorial judgment that, despite that warning, you will go ahead. You believe the story is sufficiently in the public interest. You believe that the warnings are not sufficient strong and you would then nonetheless make the decision to go ahead.

Your Committee heard earlier about the issues around Rotherham. It is fresh in all of our minds. In those cases there were such moments—my time at *The Times*, not at the BBC. I think it is important to be clear that if someone had come in this case and said, “Your reporting could jeopardise the investigation”, we would not have run it.

Q171 Chair: Let us be clear, Lord Hall, and conclude this session, that you did not have a story when you went to South Yorkshire. You just had a name. You were given a story. You accept what the Chief Constable has said in respect of the logistics involved, how you were informed prior to the raid on the house. You did everything that you would normally do as far as journalists were concerned.

You will not tell the Committee the name of your source. The name of the source was not disclosed to the Chief Constable of South Yorkshire and you believe that everything that you have done has been absolutely proper and you have handled it in that way with regards to any case. However, had the Chief Constable contacted any of you and said this would seriously have compromised their investigation you would not have run this story. Is that right, Lord Hall?

Lord Hall: That is right.

Q172 Chair: From the Committee's point of view, the BBC have acted perfectly properly in respect of this matter. Thank you very much for coming here. We will, of course, be putting your evidence to the Chief Constable, who is back again next week. May I just ask you finally, since you are here, Lord Hall: are you glad you now have a new chairman of the Trust and are you glad of the choice?

Lord Hall: I am looking forward to working with the new chair of the Trust, provided that she is appointed at the beginning of next month.

Could I just say, Chair, that I was very grateful for what Mr Ellis said about editorial decision-making in the BBC and the importance of the independence of that? I was very grateful for that comment because that is key to us, especially in what is going to be a difficult year with referenda and elections. We did want to come and answer your questions about this because of the importance of the investigation that you are doing.

Q173 Chair: We are very grateful. We know you are busy people, but we are very grateful and thank you very much for clarifying a number of issues. We will be getting from South Yorkshire the texts and the emails that have been sent. Has the Chief Constable responded to your letter, Mr Harding?

James Harding: Yes. The reason why we are here and able to talk in the way in which we have is that he consented to us divulging the nature of the discussions. It is important that people know, about BBC journalists and the people that talk to BBC journalists, that we will respect the confidentiality of those conversations. In regard to this specific case, he has consented that we can divulge the nature of those discussions.

Chair: Of course. Thank you very much.