



South Yorkshire
POLICE

David Crompton QPM
Chief Constable

Friday, 22 August, 2014

Rt. Hon. Keith Vaz MP
Home Affairs Committee
House of Commons
London
SW1A 0AA

Dear Chairman,

Thank you for your letter dated August 17, 2014 regarding the reporting, by the BBC, of the search conducted by South Yorkshire Police at a property in Berkshire on Thursday, August 14, 2014.

I intend to fully address the questions raised within your correspondence but, prior to doing so, would like to provide some context to the answers which follow.

Having been made aware of an allegation which had originally been reported to the Metropolitan Police's Operation Yewtree investigation in 2013, South Yorkshire Police only took control of the investigation on July 3, 2014. The investigation related to allegations of a sexual nature made by an individual who, at the time of the alleged offence, was under the age of 16.

On July 14 and July 15, 2014, shortly after the force had taken receipt of the investigation, a BBC journalist made contact with South Yorkshire Police both by telephone and in a face-to-face meeting. The journalist made reference to the investigation of the allegation and he named the suspect and indicated that the information was from a source outside South Yorkshire Police. The nature of the source was such that South Yorkshire Police believed the source to be credible. 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.

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Clearly, the potential for details of the investigation to enter the public domain risked compromising the integrity of the enquiry. South Yorkshire Police rejected the journalist's attempts to use the information he was in receipt of to obtain pre-recorded interviews or to accompany officers during the house search which was conducted on August 14, 2014. It was, however, reluctantly agreed that South Yorkshire Police would provide the journalist with a short period of notice prior to the house search being conducted. This action was taken to dissuade the BBC from publishing the details, which would risk the integrity of the investigation, and in order to maximise both the prospect of evidence gathering but also the subject's right to fair legal process. It was not done in order to maximise publicity, contrary to some press reports.

Prior to the house search being conducted on August 14, 2014, a member of the South Yorkshire Police's Corporate Communications team contacted the BBC journalist, as previously agreed, to make him aware of the investigation team's intentions the following day. This telephone contact was made around 4:30pm. The details shared with the journalist related to the date, but not specific time, of the search and the broad location of Sunningdale, Berkshire. Around 8:00am on August 14, 2014, the journalist was contacted and advised not to arrive before 9:30am. However, it was subsequently confirmed that the BBC had been in situ for some time prior to officers' arrival at the address.

On August 14, 2014 South Yorkshire Police officers, assisted by officers from Thames Valley Police, entered the premise in question and conducted a search over a period of approximately five hours. Although the aerial photography may have suggested otherwise, following representations by South Yorkshire Police, the BBC helicopter did not reach the location until after officers had arrived at the address.

Having provided a brief introduction, I would now like to address the questions you posed in turn:

1) How many members of the South Yorkshire Police service knew of the planned search of the house?

Through necessity a number of people were aware of the ongoing investigation, however they were not aware of the specifics in relation to the proposed search. Only six members of South Yorkshire Police staff were aware of all the elements of the house search (i.e. date, time and location) prior to the execution of the warrant.

2) Which members of the South Yorkshire Police service knew of the planned search of the house?

Those aware of the date, time and location of the proposed house search were four members of the investigation team and two members of the force's Corporate Communications department.

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3) *Who else would know of a planned search conducted as part of an ongoing criminal investigation?*

Under normal circumstances only those officers directly responsible for an investigation would be aware of any proposed search of a premise in addition to those parties who would be required to assist in a search warrant's safe execution. On occasion the media might attend a property search if it was felt that the benefit in terms of public reassurance, or crime reduction or detection warranted their presence. It is often appropriate to advise the force's senior management of searches likely to create significant media interest or lead to a notable degree of community impact.

4) *When were you made aware of the planned search?*

I was made aware of the intention to execute a search warrant at an address in Berkshire belonging to the subject of the investigation in the week prior to August 14, 2014. I was not aware of the precise time, date or location of the search. South Yorkshire Police did not have this as a confirmed address until August 6, 2014.

5) *When did South Yorkshire Police communications team know about the planned search?*

The Corporate Communications department was informed of the intention to execute a search warrant a Berkshire address on August 8, 2014. However, the exact date and more specific location details of the search were not confirmed until August 11, 2014.

6) *On how many occasions have South Yorkshire Police confirmed to the media the time of a search conducted as part of an ongoing criminal investigation?*

South Yorkshire Police, on a regular basis, allow media outlets to accompany our officers during the execution of warrants for the purposes of publicising particular campaigns or in order to assist with public engagement or reassurance, for example, on one specific operation recently in Rotherham, eight warrants were executed and a cross section of the media accompanied South Yorkshire Police officers. On the recent BBC television series 'Policing Under Pressure', the media were given extensive access to a range of policing activities which included the executions of a significant number of search warrants. I believe this form of media interaction is mirrored by forces across the country.

7) *Did you or any of your officers delay or change the time of the search at any point?*

I can confirm that once the correct address had been identified on August 6, 2014, South Yorkshire Police officers did not delay or change the time of the proposed house search.

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8) *Do you believe that any officer in South Yorkshire Police may have acted inappropriately and against ACPO or College of Policing guidance?*

Having studied the Authorised Professional Practice guidelines around media interaction, I am satisfied that no one within South Yorkshire Police breached these guidelines or acted inappropriately. Although the guidance is geared more towards circumstances where the police approach the media proactively, as opposed to a situation such as this, I am satisfied that South Yorkshire Police officers have not breached the existing guidance.

Every action by South Yorkshire Police was with a view to protect the investigation and thereby the subject's right to a fair legal process. He was not, and still has not, been named by South Yorkshire Police at any time. At the point at which the BBC contacted South Yorkshire Police it was clear that his privacy had to some extent already been breached. However, every effort was made to ensure that this was delayed, if not prevented, in order to protect his right to a fair legal process.

9) *Why have you complained to the BBC?*

South Yorkshire Police has never denied that it provided prior notice to the BBC of details of the proposed house search on August 14, 2014, doing so in order to dissuade the corporation from publishing details of the investigation. During the afternoon of August 14, 2014, however, an article appeared on the BBC website. This analysis piece was written by a journalist who, I am assured, was aware that South Yorkshire Police had not been the source of the initial information to the corporation, yet it was heavily critical of the force, stating: "it appears to be a deliberate attempt by police to ensure maximum coverage". The force contacted the BBC but the corporation refused to withdraw or adapt the article. This appeared to be an attempt by the BBC to distance itself from what had taken place and cover up the fact that it had initiated contact with the force about the story. This was misleading and was known by the BBC to be inaccurate. This, coupled with the slow response by the BBC to acknowledge that South Yorkshire Police were not the source of the initial information, led to the force making a formal complaint to the BBC on August 16, 2014.

10) *When did the BBC request more information about the planned search?*

Following the initial meeting detailed above on July 15, 2014, the BBC were only provided with information about the date and location of the house search at 4:30pm on August 13, 2014. Once the house search had commenced, the BBC journalist requested information regarding the specific property within the complex that was subject to search, however South Yorkshire Police declined to supply that information.

11) *When did South Yorkshire Police confirm the time of the search to the BBC?*

South Yorkshire Police did not confirm the time of the search to the BBC.

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12) *What agreement, if any, was in place with the BBC on how they could report the search?*

South Yorkshire Police has no power to mandate how the BBC, or any other media outlet, report news items. In order to preserve the integrity of the investigation, however, the force did request that the proposed house search was not reported until after the execution of the warrant. The BBC provided assurances that this request would be met.

I trust the details I have supplied provide you with a comprehensive account of the investigation undertaken by South Yorkshire Police and our interaction with the BBC, however, I wish to re-emphasise the following points.

At no time either before, during or after the execution of this search warrant has South Yorkshire Police named the subject of the investigation.

The aerial photography used by the BBC was, in my opinion, disproportionate. South Yorkshire Police did not encourage the use of the helicopter and actively sought to delay its arrival at the scene. Ultimately the broadcast had the effect of making the house search look heavy handed and intrusive. I recognise this has caused concern and it is for the BBC to justify why it felt its actions were appropriate.

It has been suggested that South Yorkshire Police deliberately sought to make this investigation high profile to counteract negative comments made nearly 2 years ago at the Home Affairs Select Committee about the way the force had previously dealt with Child Sexual Exploitation. This was not the case and the suggestion is certainly not supported by a report published last month from HMIC which recognised the good work being done in the force and the extra investment of resources which have been put in place to deal with CSE.

Nevertheless, the crux of this matter is the improper and unauthorised disclosure to the BBC of the details of this investigation. It triggered all the events that followed and once the BBC was in possession of this information, the opportunity for South Yorkshire Police to conduct an enquiry out of the public gaze was fatally undermined. I wish to reiterate that the BBC have confirmed that South Yorkshire Police was not the source of the leak.

Yours sincerely,



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