

Investigation Report

**Independent Investigation into a
complaint by
Mrs Gibney and family
against the
Chief Constable of
North Wales Police**

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1. INTRODUCTION

1.1 This investigation concerns complaints made by Mrs J. Gibney and family against Mr Richard Brunstrom, Chief Constable of North Wales Police, following publicity arising from a presentation he gave to an invited audience on 26 April 2007. The intention of this 'Arrive Alive' presentation day was to put the debate surrounding road safety into perspective.

1.2 Photographs of the body of Mr Mark Gibney (deceased), son of the complainant, featured in the presentation and as a result graphic reports subsequently appeared in the media. These reports caused considerable distress to the Gibney family some of whom, it is alleged, were unaware of the exact detail of the fatal injuries Mr Mark Gibney had sustained at the time of his death.

1.3 Mr Mark Gibney died in a high speed motorcycle crash on 14 September 2003 on the B5105 Cerrigydrudion to Ruthin road in North Wales. The inquest into Mr Gibney's death was held in Llandudno in May 2004. Coroner Mr John Hughes recorded a verdict of Accidental Death, noting that Mr Gibney died of multiple injuries. Mr Hughes concluded

that Mr Gibney had collided with an oncoming vehicle after being misled by a combination of the geography of the road and his excessive speed; having crossed into the wrong lane of the carriageway Mr Gibney could not see the oncoming vehicle because of a dip in the road. The driver of the other vehicle was airlifted to hospital from the scene with serious injuries. Mr Hughes branded Mr Gibney's riding "reprehensible", adding that he had no licence, no insurance, no training and that his motorcycle had a false number plate. Whilst delivering his verdict he observed that the police are working hard to try to eradicate such accidents from our roads.

1.4 Mr Hughes is not alone in his criticism of this type of incident. In December 2006 Powys Coroner Mr Geraint Williams spoke out after presiding over a spate of inquests which involved motorcycles and excess speed on rural roads in Mid Wales. Mr Williams had previously criticised speeding motorcyclists in 2003, warning of the growing threat they pose on the roads of Mid Wales, where they have been known to attain speeds of more than 100mph.

1.5 One of the initiatives that Mr Hughes referred to at the inquest into the death of Mr Mark Gibney was the 'Arrive Alive' initiative which is promoted and led personally in

North Wales by Chief Constable Richard Brunstrom.

1.6 Locally, the aims of the 'Arrive Alive' initiative are: To raise awareness of how deeply the police feel about road death; to put the whole debate surrounding road safety into perspective; to illustrate the horrific circumstances of the road traffic incidents that police officers have to deal with; to highlight the dangers of excessive speed on the roads of North Wales; to promote future initiatives intended to deny criminals the use of the road and to illustrate how successful North Wales Police has been in achieving casualty reduction on the roads of North Wales. 'Arrive Alive' is an ongoing highly publicised initiative involving the media and other partner agencies which is promoted through advertisements and campaigns.

1.7 In March 2007, Chief Constable Richard Brunstrom decided to organise an 'Arrive Alive' presentation to coincide with the United Nations 'Global Road Safety Week', an event which is intended to promote road safety on a worldwide stage. Mr Brunstrom tasked various North Wales Police officers and staff members with organising the presentation. It has been established from documentation that Mr Brunstrom was personally involved in preparing the content of the presentation and in making arrangements for the event.

1.8 On Wednesday 26 April 2007, North Wales Police delivered the 'Arrive Alive' presentation, which was hosted by the Chief Constable and others, to an invited closed audience. There were 44 listed attendees; the audience comprised representatives from the media, road safety groups, the Welsh Assembly Government, local Councils, the Emergency Services and North Wales Police. Approximately 15 of the 44 individuals listed on the attendees' register were media representatives. The presentation focused on road safety and road traffic collisions; the date of the event coincided with the United Nations 'Global Road Safety Week'.

1.9 Collision scene photographs were shown as part of the presentation delivered by the Chief Constable in order to convey the devastation of the most serious road traffic collisions. Photographs from two fatal accident scenes were shown to the delegates. One set of photographs depicted a man who had crashed his motorcycle at high speed; graphic images were shown which revealed that his head had been separated from his body during the collision. The deceased was not named during the presentation. Details of these images were subsequently reported in the media, along with criticism that such graphic images of the deceased were revealed by the Chief Constable without any prior

consultation with the deceased's family. The graphic images formed only a small part of the itinerary of the presentation. The rest of the day involved putting the debate surrounding road safety in general into perspective, celebrating the success of the Arrive Alive partnership in North Wales and outlining its future. The delegates were also given the opportunity to examine the latest technologies being implemented to further road safety.

1.10

Following the presentation a Press Association reporter composed an article which disclosed that photographs of a motorcyclist who had died in a road traffic collision had been shown at the 'Arrive Alive' presentation. A separate article subsequently published in the Liverpool Daily Post identified the motorcyclist as Mr Mark Gibney. This article detailed the nature of Mr Gibney's death and disclosed that he had been decapitated in the accident. Mr Mark Gibney's father and brother claim that they had withheld this information from certain members of the Gibney family at the time of the death in order to spare them further distress.

1.11

Both the Press Association article and the Liverpool Daily Post article generated a great deal of media interest; the 'Arrive Alive' event which took place on 26 April 2007 subsequently received national attention, some of which

was highly critical of the Chief Constable. Representations were made by a number of Members of Parliament and various motorcyclists' protest groups. Conversely, it is fair to say that a number of individuals and organisations voiced their support for the Chief Constable's stance on road safety.

1.12 The North Wales Police Authority voluntarily referred the matter to the Independent Police Complaints Commission on Monday 30 April 2007 due to the adverse media coverage and the volume of concerns voiced by members of the public. Upon receipt of the referral IPCC Commissioner for Wales Mr Tom Davies decided to launch an Independent Investigation into the circumstances that led to the matter appearing in the public domain and the criticism of the Chief Constable that followed. The specific details of how Mr Mark Gibney died were released into the public domain in 2004 when the Liverpool Daily Post published an article shortly after the inquest into his death concluded.

1.13 It was decided that the IPCC investigation would take the form of a full review of the relevant facts. The review would examine the concerns raised by the Gibney family and others with specific reference to the full circumstances of the 'Arrive Alive' presentation, its planning, content and

objectives as well as an examination of North Wales Police's press protocols.

- 1.14 Early legal advice and consultation with the Office of the Information Commissioner highlighted that the action of the Chief Constable did not appear to constitute either a criminal offence or a breach of the Police Code of Conduct. As a result, no Misconduct Notices (Regulation 9 Notices) have been served in this case.

2. **HOW REFERRED**

- 2.1 North Wales Police Authority voluntarily referred the matter to the IPCC on Monday 30 April 2007.

3. **METHODOLOGY**

- 3.1 IPCC Commissioner Mr Tom Davies determined that the investigation would be independently carried out by the IPCC by way of review.

- 3.2 Terms of reference for this investigation were agreed as follows:

IPCC Independent Investigation

Terms of Reference

- 3.2.1 1. To undertake an Independent Investigation of the circumstances surrounding the North Wales Police road safety briefing held on the 26th April 2007 that led to the publication of information concerning the death of Mr Mark Gibney.
- 3.2.2 2. The Investigation will take the form of a review to include a full assessment of all relevant recorded evidence and documentation. It will specifically include a review of North Wales Police policies and procedures in existence governing the release of such information to members of the public and members of the press.
- 3.2.3 3. The purpose of the Investigation will be to consider and report whether:
- **A criminal offence has been committed by any officer or member of police staff whose conduct is investigated.**
 - **Disciplinary proceedings should be brought against any officer or member of police staff whose conduct is investigated.**
 - **Any investigated complaint is supported by the**

evidence.

- **There is any learning for the police service (see paragraph 5)**

3.2.4

4. In order to identify learning and good practice for the Police Service the Investigating Officer (IO) must examine whether any change in policy, practice, operational method, training, management arrangement, technical service, equipment or facilities (collectively referred to as “police service organisation”) or any other action or initiative would help to prevent a recurrence of the event, incident or conduct investigated/reviewed.

3.2.5

5. The Investigation will be undertaken in a timely manner, having due regard to the broader impact on all parties, but will be thorough and effective. The IO will keep the Commissioner and colleagues informed of any issues or conflicts, particularly with any parallel investigations or proceedings and provide assessments of the impacts of such issues, especially on timescales.

3.2.6

6. The IO should prepare a written report on the findings of the Investigation for the attention of the Commissioner. It will be a matter for the IO, at the direction of the Commissioner to forward the report for the attention of the Crown Prosecution Service, should any criminal issues be identified and to

make any recommendations regarding discipline outcomes to the police authority.

3.2.7

7. The Commissioner responsible for this case will be Mr Tom Davies, and IPCC Deputy Senior Investigator, Richard Reynolds, will carry out the investigation on behalf of the Commissioner. The direction and control of the investigation is for the IPCC, through Richard Reynolds. An appropriate risk assessment will be undertaken and provided to the IO, by a suitably knowledgeable and qualified local officer, and should particularly highlight any community or media concerns that are relevant to the case.

3.2.8

8. All interested parties will be kept fully informed as they require during the process, including any officers who are identified as part of the investigation, subject to necessary disclosure limitations. The IO will document the agreements on this matter to ensure they are met. Regulation 9 notices will be served as appropriate, but only where evidence suggests a criminal or misconduct matter may have occurred.

3.2.9

9. All publicity will be cleared with the Commissioner, through the Regional Communications Officer (RCO) and the relevant parties to the investigation. The Commissioner is to be kept fully and immediately informed of local media/community interest in the case.

3.3 Shortly after the IPCC received the referral from North Wales Police Mrs J Gibney, mother of Mr Mark Gibney, sent a letter of complaint to the North Wales Police Authority. This letter was forwarded to the IPCC for consideration. The Terms of Reference referred to above were reviewed in light of this correspondence. It was found that no amendment was necessary as the Terms of Reference covered both the circumstances of the presentation and the specific allegations made by Mrs Gibney on behalf of the family of the deceased.

3.4 The enquiry was conducted in line with the above Terms of Reference by means of a review of the circumstances of the disclosure of the details of Mr Mark Gibney's death into the public domain, together with a review of all associated documentation.

4. **THE COMPLAINANT**

4.1 The following person submitted a letter of complaint to the Chairman of the North Wales Police Authority on 30 April 2007:

Mrs J Gibney, mother of Mark Gibney

This letter of complaint was subsequently referred to the IPCC for consideration. The letter raises concerns about the actions of Mr Richard Brunstrom, Chief Constable of North Wales Police, during his 'Arrive Alive' presentation on 26 April 2007 and the distress that the consequences of his actions caused to Mrs Gibney and her family.

4.2 In addition, a number of complaints have been received from members of the deceased's family including a letter from Mrs Eileen Burke, the partner of Mr Mark Gibney. These complaints all relate to the same matters highlighted in Mrs J Gibney's letter of 30 April 2007.

4.3 In the immediate aftermath of events both Deputy Chief Constable Wolfendale and Assistant Chief Constable Shannon made apologies to the Gibney family on behalf of the Chief Constable, as he was out of the country at the time. Mr Brunstrom offered to return to the UK to meet with the Gibney family if so required. Upon his return to the UK he wrote to the Gibney family to apologise for what had happened to them. None of the apologies tendered by North Wales Police have been accepted by the Gibney family.

4.4 A threatening letter was received at the IPCC on 3 May 2007, purportedly signed by Mr William Gibney, father of Mr

Mark Gibney. This letter was addressed to IPCC Commissioner Mr Tom Davies, and contained various threats towards Mr Brunstrom. This letter was referred to North Wales Police for their evaluation.

4.5 After careful consideration and following consultation with the Crown Prosecution Service, North Wales Police decided to take no action against Mr William Gibney. Mr Gibney later apologised for sending the letter directly to Mr Davies; this apology was accepted by Mr Davies, who recognised that Mr Gibney was angry and upset when he composed and sent the letter.

4.6 On 1 May 2007, the IPCC was notified that Mr Paul Beck of Quinn Barrow solicitors had been instructed by the Gibney family. Mr Beck formulated a press statement on behalf of his clients and forwarded a copy to the IPCC. The press statement highlighted the concerns of the family. The IPCC Commissioner and Deputy Senior Investigator met with Mr Beck and members of the Gibney family on 11 May 2007 to discuss their complaints.

5. **PARTICULARS OF COMPLAINT**

5.1 Following written representations and a private meeting

between the IPCC, members of the Gibney family and Mr Beck the main areas of complaint were clarified.

5.2 The complaints and allegations concern the actions and judgement of the Chief Constable, Mr Richard Brunstrom, and the alleged devastating effect these actions had upon the surviving members of Mr Mark Gibney's family. The complaints have been categorised and numbered in this report for ease of reference and understanding.

5.3 The main complaints and allegations are:

5.3.1 **Complaint 1**

- That the Chief Constable, Mr Richard Brunstrom, failed to seek the permission of the Gibney family before showing graphic images of Mr Mark Gibney at the North Wales Police 'Arrive Alive' presentation on 26 April 2007 and that he had no right to show these images without permission. That his actions have been totally without feeling and that his moral judgement has been brought into question.

5.3.2 **Complaint 2**

- The Gibney family state that Mr Richard Brunstrom, by his actions at the presentation, allowed private and confidential information concerning the death of

Mr Mark Gibney to enter the public domain. The Gibney family has informed the IPCC that the specific details of how Mr Mark Gibney died were deliberately withheld from certain members of the family by Mr William Gibney and his son Mr Paul Gibney at the time of the death, in an attempt to protect them from further distress. It is claimed that by his actions, Mr Richard Brunstrom has caused considerable shock, distress and anguish to the Gibney family. It is further alleged that the Gibney family's attempts to recover following Mr Mark Gibney's death have been shattered and damaged by what has happened.

5.3.3

Complaint 3

- That the Chief Constable, Mr Richard Brunstrom, in his position of responsibility, should have considered the risks involved in holding a closed briefing with numerous journalists present and with such graphic images being shown of the circumstances of Mr Mark Gibney's death. That by disclosing the images in such a way he risked the information entering the public domain and risked causing the Gibney family great distress. That he should have considered that showing Mr Mark Gibney's unusual t-shirt at the presentation could lead to Mr Mark Gibney being

identified. That Mr Richard Brunstrom, in his responsible role as Chief Constable of North Wales Police, has treated the Gibney family and the memory of Mr Mark Gibney without respect and he has acted with stupidity and naivety in his decision making, abusing his authority.

5.3.4

Complaint 4

- That Mr Richard Brunstrom has breached the Police Code of Conduct by his action/inaction during this incident. That for the Gibney family, grief has been turned to anger due to what has happened. The family requests that as a result of his actions and the consequences of those actions, Mr Richard Brunstrom should be dismissed from his post.

5.4

This incident generated a great deal of media interest; representations and comments were also made by those elected to represent communities in Parliament. Mr Chris Ruane (Constituency MP for Vale of Clwyd) made early contact with Mr William Gibney and family following the incident and has also expressed concern over the events to IPCC Commissioner Mr Tom Davies. Concerns have also been expressed by Mr Bob Wareing (Constituency MP for West Derby) and by Mr David Jones (MP and Shadow

Minister for Wales); Mr Jones has written to the IPCC expressing his concern over the incident.

6. **CHRONOLOGY OF KEY EVENTS**

6.1 The following is a chronology of key events which was established by the IPCC review investigation and which forms the context for this report:

6.2 14 September 2003: Mr Mark Gibney was involved in a high speed fatal road traffic collision. Mr Gibney was riding his motorcycle at high speed on the B5105 Cerrigydrudion to Ruthin road in North Wales when he collided with an oncoming car.

6.3 21 May 2004: The inquest into the death of Mr Gibney was concluded in Llandudno by North Wales Central Coroner, Mr John Hughes.

6.4 22 May 2004: The Liverpool Daily Post published an article about the death and subsequent inquest. This article stated that Mr Gibney was decapitated in the road traffic collision and included a picture of the distinctive t-shirt he was wearing at the time of his death.

6.5 26 April 2007: The Chief Constable of North Wales Police, Mr

Richard Brunstrom, hosted an 'Arrive Alive' presentation which was delivered to a specially invited audience at the OPTIC suite in St Asaph, North Wales. The audience included a large media contingent. He was supported at this presentation by various North Wales Police officers and staff members. Graphic images of two accident scenes were shown during the presentation to illustrate the seriousness of road traffic collisions and to emphasise the dangers of speed. The images shown included photographs of the fatal road traffic collision which resulted in the death of Mr Mark Gibney. These images depicted his decapitation and also included photographs of his distinctive t-shirt. The images did not explicitly identify Mr Gibney, nor was he identified at any other point in the presentation.

6.6 27 – 30 April 2007: National media coverage followed the disclosure into the public domain of details of the images shown at the presentation; the motorcyclist was identified as Mr Mark Gibney. The family of Mr Gibney was subsequently subjected to intense media scrutiny due to the furore which arose over the Chief Constable's failure to request permission before using the photographs of Mr Mark Gibney at the presentation.

6.7 Apologies were offered to the Gibney family by both Deputy

Chief Constable Wolfendale and Assistant Chief Constable Shannon on behalf of the Chief Constable, who was abroad at the time.

6.8 30 April 2007: An article appeared in the Liverpool Daily Post; this article criticised the Chief Constable, Mr Richard Brunstrom, for showing graphic photographs of Mr Mark Gibney without first seeking permission from the Gibney family. The Gibney family was not aware that photographs of Mr Mark Gibney had been used during the presentation. The article included as a sub-article a reprint of the story detailed above and published in the Liverpool Daily Post on 22 May 2004, following the inquest into Mr Mark Gibney's death. This sub-article highlighted that Mr Mark Gibney was decapitated in the course of the collision.

6.9 On 30 April 2007 the North Wales Police Authority took the decision to voluntarily refer the matter to the IPCC and reported this decision to the press.

6.10 01 May 2007: The North Wales Police Authority received a written letter of complaint from the mother of the deceased, Mrs J Gibney. This was then forwarded to the IPCC.

6.11 01 May 2007: The North Wales Police Authority referral was

recorded by the IPCC. IPCC Commissioner for Wales Mr Tom Davies determined that the IPCC would conduct an Independent Investigation.

7. **SUMMARY OF EVIDENCE**

This Independent IPCC investigation has reviewed all of the available evidence. This includes documented criticism of the media, voiced by certain individuals whose evidence has been examined within this investigation. Where relevant this criticism has been outlined in the report. Complaints regarding the actions of the media are not dealt with by the IPCC, as such matters fall outside the remit of the IPCC. There are other regulatory bodies which are better placed to deal with such matters.

A. **Legal Advice/ Considerations by North Wales Police**

7.1 The North Wales Police 'Arrive Alive' road safety presentation was planned by the Chief Constable of North Wales Police, Mr Brunstrom, as a closed presentation session to a specifically invited audience. The purpose of the event was to put the debate surrounding road safety into perspective, to celebrate the success of the 'Arrive Alive' partnership in North Wales and to outline future project developments.

7.2 The presentation was arranged to coincide with the first planned United Nations 'Global Road Safety Week' which had been scheduled for the week 23 – 29 April 2007. There had been calls for an International Road Safety Week since October 2005 when United Nations Resolution (A/60/5) was passed; this resolution focuses on the enhancement of global road safety. The United Nations hoped that the events being organised throughout the world would promote road safety and lead to new and effective road safety initiatives in the years ahead.

7.3 A strong advocate of increasing public awareness of road safety, Mr Brunstrom decided to organise his own presentation in support of the initiative. The presentation was conceived as a closed briefing to a specially invited audience. It would include images depicting the carnage caused by serious road collisions. Mr Brunstrom asserts that such incidents have made him determined both to save lives and to deny all criminals the use of the roads.

7.4 Whilst planning the presentation the Chief Constable and his advisers considered seeking legal advice in respect of a formal disclaimer. The intention was that the delegates would sign a disclaimer, thereby relinquishing their rights to

compensation in the event of any emotional distress being caused by the images shown. The North Wales Police Legal Department advised against this course of action on the basis that any such disclaimer could not legally prevent any of the delegates present from pursuing a civil claim.

7.5 There is no evidence that the legal department raised any issues regarding the planned disclosure of images of deceased persons although advice was sought in relation to the proposed disclaimer. There is no evidence that any reference was made to the North Wales Police Press Protocol or North Wales Police Authority Press Protocol.

B. **Invitations to the 'Arrive Alive' Presentation**

7.6 Invitations to the presentation were sent to a specially invited audience which included a large media contingent. The invitations advised that the pictures to be shown during the presentation would not be released for 'public consumption' but emphasised that by viewing them, the journalists present would be better placed to understand the context of the 'Arrive Alive' project and the work of the 'Arrive Alive' Team.

7.7 The invitation letters were issued by the Chief Constable's

office and signed by Mr Brunstrom himself. They were dated 17 April 2007 and headed "Arrive Alive...The Next Steps". The letters served to put the aims and objectives of the presentation into context. As previously stated, they explained that the week beginning 23 April 2007 would be United Nations 'Global Road Safety Week' and that to mark this event the Chief Constable would be holding an 'Arrive Alive' day at the 'OPTIC' facility in St Asaph, North Wales. The letters explained that the purpose of the day would be to put the whole debate surrounding road safety into perspective, to celebrate the success of the 'Arrive Alive' partnership in North Wales and to outline its future.

7.8

Of particular relevance to this investigation is that the invitation letters stated that the specially invited audience would be given the opportunity to view images of the carnage caused by road traffic collisions which would provide an insight into why Mr Brunstrom is so determined both to save lives and to deny all criminals the use of the roads. Mr Brunstrom believed that the audience would be better placed to fully understand the context of the 'Arrive Alive' project and the work of the 'Arrive Alive' team by viewing the images. The invitations advised that due to the gruesome nature of some of the images being shown those wishing to see the images were requested to kindly sign a disclaimer. As stated

previously, this investigation has established that the disclaimer mentioned in the letter of invitation was not implemented on the advice of a force solicitor.

7.9 The letters of invitation stated that the images would not be released for 'public consumption'. They also stated that Mr Brunstrom and his fellow presenting officers would be available for interview on the day, and that any interviews would be conducted at appropriate intervals.

7.10 The IPCC has obtained and examined the agenda for the presentation day. This agenda is contained within the document titled "The Casualty Reduction and Policing Programme for the day" which was provided to delegates. It lists the day's planned agenda and includes the following highlighted warnings regarding some of the images to be shown :

'Please note that this presentation will include graphic and horrific images. No photography or filming is allowed.'

In addition, the following was highlighted within the document

'The images will not be released to the press on any

account.'

7.11 The list of attendees at the event has been obtained and examined by the IPCC. There were 44 listed attendees, comprising representatives of the media, road safety groups, the Welsh Assembly Government, local Councils, representatives of the emergency services and North Wales Police. Approximately 15 of the 44 individuals listed on the attendees' register were media representatives.

7.12 It is noted that no member of the North Wales Police Authority was present at this event. Whilst Police Authority attendance at high profile media events may be unusual in North Wales, this is certainly not the case in other parts of the country where Police Authority members take a more proactive role in attending high profile media events.

C. **The Presentation**

7.13 The IPCC has reviewed the planning documentation produced prior to the presentation as well as the presentation itself. The planning for the event included various meetings of the North Wales Police representatives who were to be involved in the presentation day, including the Chief Constable. This investigation has established that no minutes

were kept of these meetings.

7.14

In the absence of minutes, the only document of relevance is an e-mail dated 25 April 2007 from Chief Constable Brunstrom and addressed to those involved in the presentation. In this e-mail Mr Brunstrom expresses his concern over the progress and content of the forthcoming presentation to his presentation team. It reads:

“From: ACPO Chief Constable

Sent: 25 April 2007 08:34

To: Parry, Bethan Jones; Anwyl, Geraint (Chief Supt); Ahari, Esmail (Insp); ACPO ACC Staff Officer David Roome

Subject: Tomorrow – Disaster loomingly (sic)

Importance: High

Dear all

We seem to have lost the plot somewhat.

Too many repetitive pictures, not enough content and not enough numbers.

*We have the UK press here tomorrow – we are going to have to be **much** sharper than this – and time is now short.*

The presentation is supposed to run something like this:

- *This is not a game. Real death & injury. We must have*

*better slides than the suicide. Not enough. Not gruesome enough. Motorcyclist is outstandingly good. **Me or Ga.***

- *UN & European context. Road safety & casualty reduction (sic) in the round. **GA.***
- *Look how well we have done so far. Arrive Alive/Casualty Reduction in NWP to date. Lots of facts and figures to blow away the opposition. We are the best, proved with numbers. Can include stuff on education etc, but it's all about how good we are. The existing videos are long, boring, repetitive and sometimes content free. FACTS are needed. This MUST include proof that we catch people, and make them pay – we're proud to target the awkward squad. PROOF that we're the best. PROOF that vehicle speeds have come down as a direct result. PROOF that we do engineering work. PROOF that we have retained public support. PROOF that we go for other road safety issues (seat belts, phones HGVs etc). PROOF = NUMBERS, GRAPHS & PHOTOS. We are very light on these at present – in fact there are none. **Essi.***
- *Me on: This is where we're going next – ie end of hypothecation, change in the rules, all-Wales system, less harsh process, more education, fewer points. Targeted enforcement, interactive signs, nationwide (Wales) driver improvement etc etc. Altogether a better system. **Me.***

The whole thing at present is too long on yesterday's

emotional story (old hat; battle largely won) and far too short on facts, figures and evidence. We need to wow these people, not bore them. We are way off the mark at present.

Lots to do.

See me asap.

RB”

7.15 It is clear that directly prior to the briefing North Wales Police officers and staff provided both written and verbal warnings to those present emphasising the confidentiality of both the photographs and the incident details disclosed during the presentation. No names were provided to the audience in relation to the images shown by Mr Brunstrom or any other representative of North Wales Police staff. Delegates were not permitted to take photographs whilst the images were shown. Delegates were, however, permitted to take photographs during other parts of the presentation day.

7.16 Two of the images which were shown as part of the presentation were of a male motorcyclist, decapitated following a high speed collision. One image showed a decapitated torso and the other showed a severed head contained within a motorcycle helmet, with the man's eyes still open. In addition, a further photograph was shown which depicted a distinctive black t-shirt bearing an anti-police

slogan, together with a number plate which had been illegally altered. The slogan read as follows:

HELLO OFFICER

YES MY CAN IS E MARKED

YES MY NUMBER PLATE IS LEGAL

YES MY TYRES HAVE TREAD

NOW **P**S OFF**

AND CATCH SOME

REAL CRIMINALS

7.17

These images formed only a small part of the presentation. The majority of the presentation focused on the success that North Wales Police, headed by the Chief Constable, has had in drastically reducing death and serious injury on the roads of North Wales in recent years. The presentation went on to highlight that North Wales Police has been shown statistically to be the best performing national force in relation to reducing death and serious injury on the roads.

7.18

Also worthy of note are the impressive achievements of North Wales Police in the area of road policing. It is claimed that 70% of the public support the 'Arrive Alive' campaign and the casualty reduction rates it has brought about. Mr Brunstrom's

presentation indicated that since 2001 some fifty-three lives have been saved on the roads of North Wales and over a thousand people have been saved from serious injury. The presentation also indicated that thousands of people have been spared the agony and grief of losing a loved one and that North Wales Police has saved the economy two hundred million pounds.

7.19 This investigation has established that no formal minutes were kept of the presentation itself, nor was the event recorded. This report has highlighted the apparent lack of documentation concerning the planning of this event. The presentation was not scripted; the Chief Constable appeared to present the slides unaided. This investigation has established that it is not unusual for Mr Brunstrom to undertake his presentations in this way.

7.20 Police Sergeant 1626 David Roome, a member of the presentation team, has prepared a retrospective guide to the presentation. This guide has been provided to the IPCC to aid the investigation. It is titled 'Roads Policing & Casualty Reduction – The Next Steps'.

7.21 Of particular relevance within this documentation are slides numbered 3, 4 and 5, with identified speakers being the Chief

Constable and Chief Superintendent Geraint Anwyl. Slide 4 is described as 'a video sequence of RTCs (Road Traffic Collisions)'. That slide contrasts starkly with the previous slide, which is described as a humorous video sequence designed to disarm the audience and promote the message that speed kills. The stated intention of slide 4, the video sequence of RTCs, is to portray the true horror of collision scenes and to detail the horrific scenes that emergency services personnel have to deal with on a regular basis as part of their duties. Slide 5 is described as depicting two of the RTC scenes previously shown in more detail. Of relevance, it is also noted that the media would not normally see such graphic images and that the intention here was for the Chief Constable to expose the media personnel present to these horrific images with the intention of promoting more serious reporting of such incidents.

7.22

Following the official presentation there was a question and answer session for the invited audience. At this point one of the journalists present, Mr Will Batchelor, the Northern Editor of the Press Association, questioned Mr Brunstrom as to whether he had sought and received permission from the family of the deceased motorcyclist before photographs of his body were shown during the presentation.

7.23 It was established at this point that neither Mr Brunstrom nor North Wales Police had sought prior permission from the family of the deceased. In Mr Brunstrom's response to the IPCC, he details his rationale for not seeking consent from the Gibney family. This rationale is discussed later in this report; it was not explained to the delegates at the time.

D. **Action of Mr Will Batchelor, Press Association**

7.24 Following his attendance at the presentation, Mr Will Batchelor wrote an article about the disclosure of the images of the motorcyclist, highlighting the fact that North Wales Police had not sought the consent of the deceased man's family prior to disclosure. He submitted the article to his editor at the Press Association. Mr Batchelor did not actually name the individual who was featured in the photographs in his article. The Liverpool Daily Post subsequently picked up the article from the Press Association web site and in turn published an article which identified Mr Mark Gibney and detailed the events of the 'Arrive Alive' day. The Liverpool Daily Post's article highlighted the fact that North Wales Police had not obtained permission from the Gibney family before showing the photographs.

7.25 An email dated 30 April 2007 was subsequently sent from Mr Batchelor to Bethan Jones Parry, head of the North Wales Police Press Office. It is apparent from the content of the email that Mr Batchelor was aware of the criticism being levelled against him. His email details his standpoint in relation to the disclosure of details of the images from the presentation and the subsequent identification of Mr Mark Gibney in the media. The main points from Mr Batchelor's email are summarised below.

7.26 He stated that it was made clear at the start of the presentation that the images shown would not be released for publication but that there was no written or verbal agreement prohibiting the media from reporting on the images shown.

7.27 He recounted that in conversation with Bethan Jones Parry on the day of the presentation, he advised her that he would be writing about the images shown, and that he would also report on some of the more positive messages from the presentation.

7.28 He stated that Ms Jones Parry did not object to his plans. Mr Batchelor confirmed in his email that at the presentation he had openly asked Mr Brunstrom if he had sought permission from the family to show the graphic images of the deceased.

He explained that Mr Brunstrom's response was initially not clear and that he had referred to the fact that it was a private meeting. When Mr Batchelor sought clarification, Mr Brunstrom confirmed that the family's permission had not been sought.

7.29 Mr Batchelor stated that he was disappointed to learn that the North Wales Police Press Office had told both Sky News and the Daily Telegraph that Mr Brunstrom had not confirmed that the family's consent had not been sought.

7.30 Mr Batchelor stated that he is not opposed to the 'Arrive Alive' initiative nor has he ever pursued an agenda against Mr Brunstrom or North Wales Police. He observed that his article included reference to the fact that 70% of the public support the 'Arrive Alive' initiative and its messages.

7.31 Mr Batchelor stated that he had sent his article to the North Wales Police Press Office on the afternoon of Thursday 26 April as requested and that receipt of the same was confirmed at 3pm. He continued that no further contact was received from North Wales Police until the afternoon of Friday 27 April 2007 when he was informed by the North Wales Police Press Office that he had breached an agreement. Mr Batchelor concluded his email by reaffirming his position and stating that

in his opinion he had acted entirely honourably.

7.32

Mr Batchelor has also provided a statement to the IPCC in relation to this email and his actions both on and following the 'Arrive Alive' presentation day. In this statement Mr Batchelor confirms that the email dated 30 April 2007 was composed by him and expands upon the contents of that email. He believes that on the day of the presentation he did, along with other attendees, sign some form of disclaimer which related to the invited audience not releasing the photographs being shown at the presentation into the public domain. He considered this disclaimer to be somewhat irrelevant as he was not in possession of the photographs.

7.33

Mr Batchelor stated that when photographs of a distinctive t-shirt were shown at the presentation, he and other journalists present recognised it as relating to an incident involving a fatal road collision which had occurred some years previously. Mr Batchelor stated that he personally did not remember the name of the person involved in the collision but he knew that this information would be easy to find.

7.34

He confirms that he questioned Mr Brunstrom in relation to this matter and that he confirmed that permission to show the photographs had not been sought from the family of the

deceased. Mr Batchelor states that Mr Brunstrom's response was that the photographs were only for use within the four walls of the presentation room.

7.35 Mr Batchelor has stated that as a result of Mr Brunstrom's response, he felt that the 'goalposts had been moved' with regard to the limitations placed upon the invited audience regarding any subsequent usage of the photographs shown.

7.36 Mr Batchelor stated that initially his understanding was that the photographs themselves were not to be released outside of the presentation room but that following his question to the Chief Constable regarding the family's permission to show the photographs, it was now stated that discussion of the images was not permitted outside of the presentation room.

7.37 Mr Batchelor claims that this was confusing; he decided that it would not stop him writing a story about the pictures of the decapitated motorcyclist shown at the presentation. He stated that when he attended the presentation he was under the impression that the images to be shown were not for release outside of the presentation but that he was unaware of any rule preventing him writing about the pictures outside of the presentation.

7.38 He added that in the article he submitted to the Editor at the Press Association, he did not include the name of Mr Mark Gibney, but he knew it would be an easy matter for any newspaper using his story to find out the identity of Mr Mark Gibney.

7.39 He also stated that it was not his intention to pursue the family of Mr Mark Gibney and that there was no financial gain for him in writing the article as a member of the Press Association.

E. **Evidence of Bethan Jones Parry, Head of North Wales Police Press and Public Relations**

7.40 The Head of Press and Public Relations for North Wales Police, Bethan Jones Parry, has provided this enquiry with a report regarding the 'Events Surrounding the Arrive Alive Press Briefing, 26 April 2007'. This report outlines the purpose and scope of the 'Arrive Alive' presentation and places it into context as part of the United Nations 'Global Road Safety Week', which took place between the 23 and 27 April 2007.

7.41 The decision to hold a comprehensive press briefing day had been taken in March 2007 by North Wales Police and the 'Arrive Alive' partnership. The organisers of the event were:

- Bethan Jones Parry, Head of Press and Public Relations, North Wales Police;
- Delyth Thomas Jones, Press and Public Relations Officer, North Wales Police;
- Inspector Essi Ahari, Casualty Reduction, North Wales Police;
- Gwawr Jones, Communications Manager, 'Arrive Alive'; and
- 'Arrive Alive' team members.

7.42

Of significance to this investigation are the regular consultative meetings which were held by Chief Constable Richard Brunstrom and Chief Superintendent Geraint Anwyl, Operational Support Division. Bethan Jones Parry stated that no minutes were kept of the meetings which were held as and when deemed necessary. She stated that a decision was made at an early stage to show graphic images at the presentation in order to put the main thrust of the event and its key messages into context. She highlighted the sensitive nature of the images within her statement:

“It was the intention from the beginning that this should be a closed briefing for journalists and that it would be made clear that the images or details about them would not be released to the press under any circumstances. It was considered that this part of the event would be off

the record and would not in any way lead to details concerning the images being made public.”

7.43

Bethan Jones Parry explained that no national media representatives accepted the invite to the presentation, but that the event was attended by ITV Wales, BBC Wales, local newspaper journalists, the Mercury Press Agency, the Bellis Agency and the Press Association. She explained that security around the presentation room was maintained with no journalist allowed into the room until just before the event commenced. In addition, upon entering the presentation room, a further reminder was issued regarding the graphic nature of the images and the fact that they would not be released to the media. Ms Jones Parry stated that this was again emphasised clearly and firmly by the Chief Constable in his introduction to the presentation.

7.44

Ms Jones Parry explained that the images of Mr Mark Gibney were presented as part of a minute long compilation of pictures of Road Traffic Collisions (RTCs) set to the sound of a heartbeat. She stated that the images projected a powerful visual message which set the tone for the background information provided by Chief Superintendent Anwyl. Chief Superintendent Anwyl explained in detail the relevance of excessive speed to two of the RTCs shown, one of which was

that which resulted in the death of Mr Mark Gibney. Ms Jones Parry highlighted the fact that Mr Mark Gibney was not named at any point and that no mention was made of the location of the RTC.

7.45 Ms Jones Parry stated that in order to make it patently clear to journalists that this section of the presentation was confidential she instructed North Wales Police Press Officer, Delyth Jones, to stand near to the film crews who were in the room to ensure confidentiality.

7.46 At the end of the morning session, at approximately 12 noon, the Chief Constable held a question and answer session. It was at this time that the question as to whether the family had given permission for the images of the decapitated body to be shown was raised by Mr Will Batchelor, the Northern Editor of the Press Association. Bethan Jones Parry stated that no one else raised the question of the use of photographs. She recalled that Mr Batchelor approached her during the lunch recess and told her that “he would have to refer to the pictures because that was what his ‘customers’ wanted”. She stated that she replied by telling him that she realised that he would say that the force had used graphic photographs to illustrate the key messages but that if his customers objected because he could not go into detail then he should refer them to her

and that she would deal with the matter.

7.47 Ms Jones Parry is at pains to highlight that at no point did it occur to her that Mr Batchelor would breach the confidential nature of the briefing. She stated that if she had realised what he intended to write then she would have clarified that he was intending to act contrary to the confidentiality clause which had painstakingly been outlined.

7.48 Ms Jones Parry further stated that she believed that Mr Batchelor was being disingenuous in stating that she knew what he was about to do. She stated that she believes Mr Batchelor is indulging in semantics when he states that North Wales Police had not specifically prohibited the publication of a 'word picture'.

7.49 Ms Jones Parry stated that Mr Batchelor's article had completely changed the reporting of the event and that having subsequently spoken to other journalists who covered the event she had been informed that they had been forced to change their stories because of Mr Batchelor's actions. She stated that all of the other journalists told the North Wales Police Press Office that they understood and accepted that no mention was to be made of the details of the photographs shown.

7.50 Mr Batchelor later explained to the North Wales Police Press Office that he had recollected the inquest into the death of Mr Mark Gibney as a result of seeing the picture of the t-shirt at the presentation. He stated that he had felt it was not right for him to pursue the family but that he had discussed possible publication with his newsdesk and subsequently published his article.

7.51 Ms Jones Parry expressed her anger, concern and disappointment at Mr Batchelor's actions and completely refuted his justifications: "the relationship between journalists and the police is largely based on trust, respect and confidentiality. This has been completely destroyed in North Wales by the actions of one journalist."

F. **North Wales Police Authority and North Wales Police Press Protocols**

7.52 The Chief Executive of the North Wales Police Authority, Mr Kelvin Dent, has provided this investigation with a copy of the North Wales Police Authority Press Protocol, which the Chief Constable and the Police Authority have agreed to follow. This document was formulated in 2004 following a previous incident involving Mr Brunstrom and the press which also

generated a great deal of media interest. The matter was raised at a Police Authority Professional Standards meeting on 21 January 2004 after a complaint was made against the Chief Constable in relation to named individuals and press releases. The protocol was subsequently developed and has the approval of both the Chief Constable and the Police Authority.

7.53

The protocol is brief, consisting of half a typed page of text. It states as follows:

“Press Conference Protocol

The Police Authority acknowledges that the Chief Constable has complete discretion on calling press conference (sic) or public meetings in relation to the operation of the Force.

Nevertheless, it is acknowledged by both the Chief Constable and the Authority that there is merit in the Chief Constable consulting the Authority in advance in relation to press conferences or public meetings of a sensitive nature and he will endeavour to do so. This is particularly so where the subject matter is a named individual.

The purpose of the prior consultation is to enable the Authority to offer advice, both on the merits of the Chief Constable’s proposed course of action and on any additional information which should be brought (sic) to his attention, and also to enable the Authority to prepare its response to any

subsequent press or public interest.”

7.54

This investigation has also considered the existing North Wales Police Media Liaison Protocol. It has found that parts of this document have relevance to the circumstances of this incident. The policy is marked to indicate that the copyright was registered by North Wales Police in the year 2000. The Protocol's general purpose is to ensure that North Wales Police deals efficiently with the media and provides a quality service. It is recognised by North Wales Police that interaction with the media is important in making North Wales Police accountable to its communities and in promoting the correct corporate image of North Wales Police. The Protocol's intent is stated as “establishing a greater understanding between the police and the community it serves”.

7.55

Of particular relevance to this investigation is the section of the Protocol which covers Campaigns and Initiatives. This section advises that the Media Liaison Office will advise on the promotion, implementation and monitoring of campaigns with the media generally and also specifically if required. It also states that the Media Liaison Office must always be aware of all information disseminated to the press in order to avoid unnecessary confusion and in order that the Office can monitor incidents, providing guidance where appropriate.

G. **Response of Mr Richard Brunstrom, Chief Constable**

North Wales Police

7.56 On 24 May 2007 IPCC Commissioner Mr Tom Davies wrote to Mr Brunstrom requesting that he consider preparing a written response to the allegations and criticism levelled against him, whilst conceding that Mr Brunstrom was not legally obliged to do so. In particular the Chief Constable was asked to explain the following issues:

1. The aims and objectives of the briefing including reference to a related email from him dated 25 April 2007 and timed 08:34 to persons involved in the presentation planning;
2. The intended audience;
3. Any confidentiality warning/ considerations;
4. Details of the photographs shown and script of the presentation;
5. Consideration of the issue of consent from relatives of the deceased;
6. Consideration of North Wales Press Policy and Press Protocol with the North Wales Police Authority; and
7. Actions taken following the publication of the article in the local media.

- 7.57 The Chief Constable subsequently provided two written responses. The first of these responses was dated 8 June 2007. The main points of relevance are summarised below.
- 7.58 Mr Brunstrom explained in his response that he felt the time was right to hold a press conference on the 'Arrive Alive' campaign; he stated that the idea was his alone. For context he explained his reasons as being two-fold: firstly, to publicise his force's casualty reduction figures, which he described as the best in the UK and secondly to announce the creation of an all-Wales Road Casualty Reduction Partnership from April 2008.
- 7.59 He noted that in planning the event he took the unusual step of showing, privately to the press, police photographs of the truly horrific circumstances which his officers have to face in dealing with road traffic collisions.
- 7.60 Mr Brunstrom felt that showing the photographs was appropriate on that occasion for two reasons. Firstly, to demonstrate how deeply the police feel about road death given that they deal directly with the consequences of such incidents and secondly, for the gathered press to see for themselves the aftermath of such incidents.

- 7.61 His expectation was that more serious journalism would ensue, as he felt that some media reporting trivialises road traffic incidents.
- 7.62 He further emphasised that the invited audience was fully aware that the photographs were not in the public domain and would not be released to the press. No photography was permitted during that part of the session. Warnings had been given in advance, both in the letter of invitation and verbally at the door of the event.
- 7.63 Mr Brunstrom stated that he set out to show the delegates the situations that the police face when dealing with road traffic collisions; he stated that his aim was to set the context for the presentation, but he stressed that he did not intend to gratuitously shock by showing graphic images of road fatalities.
- 7.64 Mr Brunstrom personally authorised the photographs selected for the presentation (as per his email dated 25/04/07 to Ms Jones Parry and the rest of the planning team) with the intention of showing gruesome road traffic fatalities to the assembled audience to highlight why road death is such an important topic. He stated that his main aim was to show how successful North Wales Police had been in reducing death

and injury on the roads and to demonstrate how the force is winning the fight whilst stressing that yet more lives can be saved.

7.65 Mr Brunstrom stated that there was an explicit understanding that the photographs used in the presentation were not for “public consumption”; this understanding was verbally reinforced to the attendees by both himself and his staff on the day.

7.66 Mr Brunstrom explained that care was taken not to identify any person, either alive or dead, from the presentation photographs. He expanded upon this by explaining that the identity of any casualties was irrelevant to the key message of the presentation which was “that death is horrible and preventable death doubly so”.

7.67 He explained his position regarding the photographs used in the presentation. He stated that they were all from official police sources, including those of Mr Mark Gibney and that as such there was no legal requirement for him to seek permission from the relatives of the deceased before presenting the photographs to a closed audience where no identity details would be divulged and where confidentiality, he believed, had been secured. His rationale was that he had

not anticipated any of the victims' details appearing in the public domain and that under such circumstances the act of seeking permission constituted a wholly unnecessary intrusion for the victims' families.

7.68 Mr Brunstrom confirmed that the presentation was not scripted; he claimed that he personally said almost nothing about the photographs, as Chief Superintendent Anwyl described the circumstances of the incidents. He confirmed that the victims' identification details were not disclosed.

7.69 Mr Brunstrom confirmed that he was asked by one reporter at the presentation if the family's permission had been sought to show the photographs. He stated that this reporter later recalled details of the collision which helped him to identify Mr Mark Gibney and his family. Mr Brunstrom stated "He, not the police, then chose to put this information into the public arena with the inevitable consequence of reopening for the Gibneys the tragic event and thereby exacerbating their grief." Mr Brunstrom stated: "I can discern no reason for this action other than commercial gain through the fabrication of a wholly unnecessary controversy."

7.70 Mr Brunstrom commented on the press interest following his presentation and noted that some of the sensational coverage

was simply wrong. He refers to the misapprehension that the full circumstances of Mr Mark Gibney's death were not in the public domain until revealed by him in the press conference. To corroborate this Mr Brunstrom referred to two articles from the Liverpool Daily Post which provided full details of the nature of Mr Mark Gibney's fatal injuries. The articles referred to were both published in the Liverpool Daily Post. The first of these articles was published on 22 May 2004, (page 10), following the inquest into Mr Mark Gibney's death and contained detail that unquestionably illustrated that he had been decapitated. The second article was published on 30 April 2007 (page 18) and again contained within it unquestionable detail illustrating that Mr Mark Gibney had been decapitated.

7.71

Mr Brunstrom provided his viewpoint on the release of details of the images of the motorcyclist into the public domain. He stated that one journalist saw an opportunity to turn a serious and constructive event into a firestorm of negative publicity based solely upon exploiting his reputation as a "controversial police chief." He stated that he accepted that he may be "fair game" for the media but that the Gibney family are not. He further stated that the journalist concerned has no scruples in deliberately identifying the Gibney family in the public domain in order to use their grief for commercial ends. He concluded

his response by attacking the conduct of this journalist, describing his actions as unethical and cruelly immoral and stated that he is personally horrified by the callous behaviour displayed. He stated that the family of Mr Mark Gibney did not deserve what had happened to them.

7.72

Mr Brunstrom quite justifiably raised the issue of the other family involved in the crash which killed Mr Mark Gibney. He stated that he met with them, at their request, after the media furore. He described them as totally innocent victims of Mr Mark Gibney's homicidal behaviour and observed that their situation had been made more painful by the actions of the media.

7.73

Mr Brunstrom stated that his press conference (the 'Arrive Alive' presentation) had been a complete failure, for which he accepts full personal responsibility. He expressed his regret at being too trusting of the media; he stated that until this incident occurred, both he and his advisers had no reason not to trust the media with what he described as "inside information". Mr Brunstrom also stated that he has not broken any law, nor has he breached the Police Code of Conduct. He stated that he has not improperly released any details of any person and has not released any details which were not already in the public domain.

7.74 Mr Brunstrom freely accepted, despite the fact that he believes his trust was betrayed by a single journalist, that it was his action that enabled this incident to escalate. He stated that he bitterly regrets this because of the pain caused to both affected families. Mr Brunstrom stated that he has learnt an invaluable lesson which he will never forget.

7.75 In the aftermath of the presentation and the ensuing media furore both Deputy Chief Constable Wolfendale and Assistant Chief Constable Shannon issued apologies to the Gibney family on behalf of the Chief Constable. The Chief Constable also offered to return from his leave abroad to meet with the Gibney family during the initial storm of media interest. The verbal apologies were rejected by the Gibney family, as was a second written personal apology sent by Mr Brunstrom.

7.76 Mr Brunstrom concluded his response by stating that he holds members of the press responsible for releasing the Gibney family's details into the public domain for their own ends and stated that these individuals have sought to transfer the blame for this action to the North Wales Police. He stated that he intends to continue with his efforts to reduce the incidence of road death and that he and North Wales Police have taken steps to ensure that a repeat of this case is unlikely to happen

in the future.

7.77 On 28 June 2007 the Chief Constable provided the IPCC enquiry with a second additional written response. This response concerns the North Wales Police Authority Protocol (discussed earlier in this report) and its application. In this response Mr Brunstrom confirmed that he deliberately did not use or action this agreed protocol in relation to the presentation. His reasoning for this being that the protocol, he believed, was not applicable in the circumstances and was originally drawn up to deal with an entirely different situation.

7.78 He commented that the circumstances of the presentation were not meant to be deliberately challenging; he freely admitted that sensitive material was shown but stated that it was shown in confidence to a selected audience in a non-confrontational manner. He explained that the situation was in complete contrast to the incident which caused the protocol to be drawn up in 2004, as that incident arose after the Chief Constable publicly challenged an individual who had made deliberately misleading public statements which attacked the integrity of North Wales Police officers.

7.79 This incident caused a great deal of controversy at the time and received widespread publicity, resulting in the North

Wales Police Authority formulating the aforementioned press protocol. The purpose of the protocol is to provide consultation between the Chief Constable and the Police Authority, to enable the Police Authority to offer advice and bring any additional information to the attention of the Chief Constable and to enable the Police Authority to prepare its responses to any subsequent press or public interest.

8. **CONCLUSIONS AND RECOMMENDATIONS**

8.1 The IPCC has fully reviewed and evaluated the circumstances of this incident in line with the Terms of Reference and with regard to the complaints and allegations received. It has been alleged:

8.2 **Complaint 1**

- That the Chief Constable, Mr Richard Brunstrom, failed to seek the permission of the Gibney family before showing graphic images of Mr Mark Gibney at the North Wales Police 'Arrive Alive' presentation on 26 April 2007 and that he had no right to show these images without permission. That his actions have been totally without feeling and that his moral judgement has been brought into question.

8.3 From the documentation examined it is evident that the Gibney family's permission was not sought, by any member of North Wales Police, before photographs of his fatal injuries were shown. It is confirmed that Mr Brunstrom was asked this question by journalist Mr Will Batchelor during a question and answer briefing session on the day of the presentation.

8.4 In his written response Mr Brunstrom detailed the following points as to why he did not approach the family:

Firstly he was convinced that the event was to remain a closed presentation and that based upon this mindset he saw no need to approach the family for permission. His reasons for this were that the family would never need to know about the content of the presentation and that approaching the family under these circumstances seemed to him wholly inappropriate and unnecessary in bringing up Mr Mark Gibney's death needlessly.

8.5 Secondly, Mr Brunstrom stated that no individual shown in the photographs was to be identified in the presentation and that the issue of identity was irrelevant to the aim of the disclosure which was to highlight in graphical format the carnage caused by road traffic collisions. Under these circumstances it would not be common practice for prior

permission to be sought; Mr Brunstrom's belief was that it was unnecessary to trouble the family in relation to a closed briefing.

8.6 Thirdly, Mr Brunstrom observed that officially/legally the photographs are the property of the police; as such he is not legally required to request the family's permission to use them for this purpose.

8.7 An integral part of this review concerns Data Protection and an assessment as to whether there have been any breaches of the Data Protection Act 1998. To this end early advice was sought from the Information Commissioner. The Information Commissioner's Cardiff regional office confirmed that Mr Brunstrom had not breached the 1998 Act. The Information Commissioner's Office also stated that no violation of the Act could occur in such circumstances, as the individual shown in the pictures was deceased. The Data Protection Act regulates the sharing of 'personal data'; however, the Act defines the term 'personal data' as information relating to a **living** individual who can be identified.

8.8 The Information Commissioner's Office also explained that any suggestion that the next of kin may be affected by the

disclosure was too tenuous for there to be a breach under the Data Protection Act. The IPCC's Senior Lawyer concurs with this view. Consequently, no criminal offences have been identified.

8.9 A matter of concern is the fact that this sensitive information, the details of which had been reported in the local press in 2004 following the inquest into Mr Mark Gibney's death, has re-emerged into the public domain following the 'Arrive Alive' presentation. This re-emergence, it is alleged, came as a great shock to the Gibney family and caused them considerable distress. It is difficult to understand why no one from the force legal department raised any issues regarding the planned disclosure of the images of the deceased person.

8.10 A further concern is the Chief Constable's apparent complete faith in the security and confidentiality measures which were put in place, both prior to the presentation and on the presentation day itself. It is apparent that insufficient consideration was given to any potential breach of the confidentiality understanding by all those involved in the presentation planning process.

8.11 Considering the graphic nature of the information and the

make up of the invited audience, which featured a large press contingent, it is difficult to understand why no one had foreseen this eventuality or even considered it in the risk assessment and contingency planning process. If this issue had been identified as a possible risk then discussion could have taken place between the Chief Constable and his advisory team and measures could have been put in place to deal with the situation as a result. This could have involved an evaluation of the merits of seeking the family's permission to disclose; although not a legal requirement this course of action would have been preferable to the subsequent media furore.

8.12

If the Police Authority Press Protocol had been utilised it would have enabled the Police Authority to offer advice. It is stated in the aforementioned Protocol that 'there is merit in the Chief Constable consulting the Police Authority in advance in relation to press conferences or public meetings'.

8.13

This case has highlighted a lack of holistic thinking between the parties involved; this involves not only the Chief Constable but also his advisers. It is concerning that none of those involved in advising Mr Brunstrom on the planning of the briefing had considered this eventuality and as a result

there was no form of reactive contingency planning. This is in addition to the Chief Constable and his advisers not considering the Police Authority Press Protocol, thus forgoing any proactive participation from the Police Authority prior to the presentation.

8.14 The controversy generated by the 'Arrive Alive' presentation caused a furore which could have been avoided if sufficient heed had been paid to the risks inherent in presenting such contentious subject matter to such a large media contingent. The public perception of the force and the credibility of the Chief Constable have been subjected to intense media scrutiny in the aftermath of this incident. This investigation has highlighted significant failings in North Wales Police's handling of the media.

8.15 It is unclear why further advice was not sought or provided to the Chief Constable in the planning of this presentation in relation to risk assessment, given that members of the invited audience were representatives of media organisations and the subject matter was of a sensitive nature. It is apparent that there was no consideration of any form of risk assessment or contingency planning to cover the events that actually unfolded after the presentation. There is no record of any heightened concern being

included in the planning process. Further to this, there is a general lack of documentary evidence as regards the planning process for the presentation.

8.16 The IPCC has established that the Gibney family's consent was not sought before the pictures were shown; however, it is accepted that there was no legal onus upon the Chief Constable or any member of North Wales Police to seek such consent.

8.17 It is reasonable to infer that excessive trust was shown by the Chief Constable and his team in their approach to the presentation. There was perhaps a lack of judgement in trusting the assembled media representatives to refrain from identifying Mr Mark Gibney by publicising details of the images shown. When Mr Will Batchelor raised his question over consent being sought from the family of the deceased, this should have alerted the North Wales Police press team of his intent to report on the issue. Although Bethan Jones Parry raised the issue of the photographs being reported on, there is no evidence of any robust action being taken by the press team to prevent the publication of details of the images, for example by contacting the Press Association editorial team.

8.18 It is worthy of note that when this matter appeared in the national press, North Wales Police did not appear to know that the details of Mr Mark Gibney's death had featured in earlier newspaper reports; had the Chief Constable and the force been aware of this fact at the time they would have had the opportunity to provide a defence to this aspect of the complaint if they so desired.

8.19 **Conclusion**

The Chief Constable did not seek the Gibney family's permission before showing graphic photographs of Mr Mark Gibney at the 'Arrive Alive' presentation.

8.20 Legally, the photographs shown at the presentation are the property of North Wales Police, being scene photographs, and as such there is no legal requirement upon Mr Brunstrom to request the family's permission to use them for this purpose. There has been no breach of the Data Protection Act 1998. This is primarily because the subject of the unintended disclosure was deceased; consequently, disclosure in such circumstances could not constitute an infringement of the provisions of the Act.

8.21 However, one must question the rationale of the Chief Constable in not considering the possible negative effects if

this information was disclosed into the public domain and the damage it could cause as a result of his presentation. The Chief Constable is the person ultimately responsible for ensuring that such a disclosure could not occur. Attempts were made to maintain the confidentiality of the photographs shown by Mr Brunstrom, however these attempts were evidently not sufficiently robust.

8.22 The North Wales Police Authority Press Protocol is not robust enough in either its wording or application. Enquiries by the IPCC have established that since the Protocol was introduced it has never been used. The Police Authority has confirmed this and the Chief Constable has commented that there has not been a necessity to use the Protocol since its inception.

8.23 This case has highlighted a lack of joined up thinking between the parties involved in the presentation planning process, not only the Chief Constable but also his advisers. This is particularly relevant to both the Force's Press Office, which was heavily involved in the planning stage and the Force Legal Department which was involved in the production of the 'disclaimer' and its subsequent withdrawal.

8.24 In conclusion, there is no evidence to suggest that Mr Brunstrom has in any way deliberately disclosed sensitive

information into the public domain. However, the fact that the information did enter the public domain despite certain precautions being instigated is of concern. This investigation also highlights some areas of concern surrounding the judgement of those responsible for the presentation. These include: the lack of specific instructions regarding reporting of the sensitive images shown; the lack of an appropriate risk assessment bearing in mind the objectives of this part of the presentation; the graphic images shown; the make up of the invited audience, involving a large media presence; and the absence of any recorded contingency plan in the limited documentation available.

8.25

It is recommended:

1. **Force's Internal Arrangements and Protocols**

That the North Wales Police Force and its management, under the leadership of the Chief Constable, examine the issues arising from this incident and strengthen, where appropriate, the existing internal arrangements for events requiring the co-operation and involvement of the media.

8.26

2. **Police Authority Protocols**

That the North Wales Police Authority, in line with its duties of public accountability, examine the issues arising from this incident and establish revised,

robust arrangements between the Chief Constable and the Police Authority in governing their respective involvements in potentially high-profile public activities by the force involving the media.

8.27

Complaint 2

- The Gibney family states that Mr Richard Brunstrom, by his actions at the presentation, allowed private and confidential information concerning the death of Mr Mark Gibney to enter the public domain. The Gibney family has informed the IPCC that the specific details of how Mr Mark Gibney died were deliberately withheld from certain members of the family by Mr William Gibney and his son Mr Paul Gibney at the time of the death, in an attempt to protect them from further distress. It is claimed that by his actions, Mr Richard Brunstrom has caused considerable shock, distress and anguish to the Gibney family. It is further alleged that the Gibney family's attempts to recover following Mr Mark Gibney's death have been shattered and damaged by what has happened.

8.28

This allegation was discussed in detail at the IPCC's meeting with the family and Mr Beck on 11th May 2007. Mr William Gibney expressed, on behalf of the family, the devastating

effect that the disclosure had upon those members of the family who were not informed at the time of Mr Mark Gibney's death of the exact nature of his injuries. It was also stated at this meeting that the Coroner, Mr John Hughes, had disclosed at the inquest that Mr Mark Gibney had died of multiple injuries, opting not to disclose the full extent of what had happened in consideration of the family. Mr John Hughes has also provided this investigation with a letter detailing his actions at the inquest. Mr William Gibney and family explained that Mr Mark Gibney was a Catholic and as such it is traditional for the deceased's body to lie in an open coffin at the home. This happened to Mr Mark Gibney; he was also dressed in an all-in-one biker's leathers, the only injuries visible being some bruising to his head. Mr William Gibney claims he informed the rest of the family that Mr Mark Gibney had died from multiple injuries and that he had not disclosed that he had been decapitated.

8.29 It is claimed that by Mr Brunstrom's actions at the presentation this previously confidential information was made public.

8.30 The IPCC investigation discovered that the Liverpool Daily Post newspaper printed a lengthy article on 22 May 2004, following the inquest into Mr Mark Gibney's death, which

contained the headline ‘Speeding biker blamed for head-on crash horror’ and the sub heading ‘Decapitated man’s riding reprehensible, says coroner’. This article was reprinted by the Liverpool Daily Post on Monday 30 April 2007 following the ‘Arrive Alive’ presentation. It is thus clear that details of how Mr Mark Gibney died were in the public domain in 2004, following the inquest into his death.

8.31

Coroner Mr John Hughes made it clear in his written response to the IPCC that he did not reveal the full details of how Mr Mark Gibney died, especially the fact that he had been decapitated. Mr Hughes stated that he deliberately met with Mr William Gibney and another family member prior to the inquest and explained to them that he “did not think it was necessary to reveal the full detail of the tragedy in terms of the actual injuries and decapitation”. Mr Hughes described their response to this as “immediate and very emotional”; he stated that they told him that they had not revealed these details to Mrs Gibney, the mother of the deceased, or to any other family members. Mr Hughes stated that at the inquest “the relevant information which was so sensitive and so distressing was not revealed as it is no part of my public duty to do this.” It is apparent that despite Mr Hughes’s decision not to reveal the decapitation at inquest, the information was still printed by the Daily Post.

8.32

Consequently, the allegation that Mr Brunstrom released these previously confidential details into the public domain is unfounded. However, the fact that the newspaper article was in the public domain does not necessarily mean that the Gibney family had knowledge of it. The issue of North Wales Police Press Office's apparent lack of knowledge of details of Mr Mark Gibney's death being in the public domain has been commented on earlier in this report.

8.33

It is necessary to establish who re-released this information into the public domain. The family allege that Mr Brunstrom is responsible. Mr Brunstrom and Bethan Jones Parry are both of the view that Mr Batchelor has acted contrary to confidentiality agreements by reporting upon the photographs shown at the presentation.

8.34

It is apparent that although certain safeguards had been put in place by North Wales Police to ensure that the photographs remained confidential these safeguards were not sufficiently robust. Neither the invitation letter nor these safeguards made it absolutely clear which aspects of the presentation could be reported and which aspects could not. It is evident that Mr Brunstrom's implied trust in the press audience was misplaced.

8.35

Mr Will Batchelor claimed that he was merely reporting the most newsworthy story of that day for his newsdesk editor. He stated that he did not name Mr Mark Gibney in his article, but he also stated that he recognised the distinctive t-shirt shown at the presentation and knew that a quick search by other journalists would reveal the identity of the motorcyclist. His manner of reporting on the photographs of Mr Mark Gibney appears to be a markedly different approach to that taken by the other media representatives present who all complied with the confidentiality understanding. Whether this action would merit any form of public condemnation is a matter for the appropriate regulatory body, as such matters are beyond the ambit of this investigation.

8.36

Although it is accepted that Mr Batchelor did not name Mr Mark Gibney in his article, he accepts that he knew that any newspaper reporting the story could readily identify Mr Mark Gibney. That is exactly what occurred with the subsequent reporting of the story by the Daily Post.

8.37

Mr Brunstrom stated that the media action was a personal attack upon him as he is considered controversial and fair game by the media. It is reasonable to infer that as a result of Mr Brunstrom's somewhat strained relationship with the

media he has been made the subject of further controversy. It is a matter of speculation whether this would have happened to any other Chief Constable under similar circumstances. Mr Batchelor stated that he has no agenda against Mr Brunstrom and that his intention in writing his article was to provide the most newsworthy story for the Press Association.

8.38

The Chief Constable and Bethan Jones Parry assert that Mr Batchelor has played upon semantics and has been disingenuous in his actions as regards the presentation pictures, in that he claimed that although confidentiality understandings were in place for the photographs, there were no warnings regarding the publication of a so-called 'word picture'. The Chief Constable claims that Mr Batchelor has seen an opportunity to turn a serious and constructive event into a firestorm of negative publicity based solely upon exploiting his reputation as a controversial police chief.

8.39

Mr Batchelor stated that he remembered the accident involving Mr Mark Gibney because of the distinctive t-shirt that was shown at the presentation. He stated that although he could not recall Mr Gibney's name at the time, he accepted that it would be a simple task to search for this information.

8.40

Conclusion

This investigation has established that Mr Batchelor did raise the issue of the family's consent to disclosure with Mr Brunstrom at the presentation and that he subsequently wrote an article regarding this issue for the Press Association. This article was reviewed by the Daily Post, which led to further press coverage and the revival of the issue in the public domain. Distress has been caused to the Gibney family as a result.

8.41

The consequences of the Chief Constable using graphic photographs of the collision involving the death of Mr Mark Gibney without the family's permission has been revived press interest in Mr Mark Gibney's death. As stated above, this has caused great distress to the Gibney family. A combination of a lack of documented planning, lack of documented risk assessment, insufficient and non specific safeguards and implicit trust in the media by North Wales Police have directly contributed to this end result. It is reasonable to conclude that the Chief Constable and North Wales police have acted with a certain amount of complacency.

8.42

Complaint 3

- That the Chief Constable, Mr Richard Brunstrom, in his position of responsibility, should have considered

the risks involved in holding a closed briefing with numerous journalists present and with such graphic personal images being shown of the circumstances of Mr Mark Gibney's death. That by disclosing the images in such a way he risked the information entering the public domain and risked causing the Gibney family great distress. That he should have considered that showing Mr Mark Gibney's unusual t-shirt at the presentation could lead to Mr Mark Gibney being identified. That Mr Richard Brunstrom, in his responsible role as Chief Constable of North Wales Police has treated the Gibney family and the memory of Mr Mark Gibney without respect and he has acted with stupidity and naivety in his decision making, abusing his authority.

8.43

Mr Brunstrom stated that his intention in using graphic photographs at the presentation was not to gratuitously shock, but rather to put into context for the assembled audience graphic images of the terrible aftermath of road traffic collisions, which his officers and other emergency services have to deal with. He also stated he intended to give the press contingent an insight into the horrific nature of such incidents in an attempt to promote what he calls 'more serious journalism' of such incidents, as he believes that such

incidents have been trivialised by the media in the past.

8.44 This statement should be taken into account when referring to Mr Brunstrom's e-mail dated 25 April 2007, sent a day prior to the actual presentation day. As detailed earlier in this report, his email expressed concern that the slides as they stood were "not gruesome enough". He also described the slides of the motorcyclist (Mr Mark Gibney) as "outstandingly good."

8.45 In his written response to the IPCC dated 8 June 2007, Mr Brunstrom clarified that no details of the identities of any of the individuals in the photographs at the presentation were provided or discussed and that until this incident had actually happened he had reason to believe that journalists could be trusted with this sort of "insider information". Mr Brunstrom confirmed that he personally authorised all of the images selected for the presentation and that he wanted these images to be gruesome to demonstrate in unambiguous terms just why road death is such an important a topic for him and for society in general.

8.46 Mr Brunstrom qualified this by stating that he rejected other more bloody images because they were from a suicide and not a road crash and that this would not have highlighted his aforementioned purpose at the presentation i.e. to show the

carnage of road death that his officers have to face and the reason why North Wales Police treat road crashes so seriously. Mr Brunstrom also stated that his understanding and intention was that the gruesome images were for the private information of journalists present.

8.47 I am satisfied that Mr Brunstrom did not deliberately exploit Mr Mark Gibney's death for his own ends and that his purpose in using these images was a genuine one. However, it is evident that far more consideration should have been given to the possibility of something going wrong especially when the subject matter is so sensitive and the media so heavily involved.

8.48 There is no argument that distress has been caused to the Gibney family as an indirect result of Mr Brunstrom's presentation. However, it is accepted that in holding the presentation Mr Brunstrom did not intend for any of the content of the closed briefing to enter the public domain and that he did not envisage that this situation would occur. His rationale was that the verbal and written warnings given would be adhered to in order to ensure that the content of the images would remain confidential. This is echoed in Mr Brunstrom's first written response to the IPCC, which explains that the identity of those shown was irrelevant to his intended

purpose in showing the images at the presentation, which I accept as reasonable in the circumstances. Again, this may be indicative of Mr Brunstrom's approach of displaying excessive confidence in the confidentiality of the invited media.

8.49 The issue of respect not being shown by the Chief Constable towards Mr Mark Gibney's memory and the Gibney family is subjective. Obviously under the circumstances one can understand and totally sympathise with the Gibney family for what has unfolded. They appear to be the totally innocent victims in this incident. However, the Chief Constable has issued three apologies to the family and offered to meet with them to apologise in person for any suffering and distress caused and to explain what has happened. The Chief Constable has taken full responsibility for what occurred at the presentation. It is fully accepted that he did not intend any of the resulting furore.

8.50 Mr Brunstrom has said that he fully accepts that he is looked at as a somewhat controversial police chief and as such is 'fair game' for the media, but he is at pains to stress that the Gibney family are not in the same position and that Mr Batchelor is the person who has shown no respect in this matter. Mr Brunstrom stated that he personally has learned an

invaluable lesson from this experience, which is one that he will never forget.

8.51

Conclusion

Mr Brunstrom has shown what may be classed as excess confidence in the safeguards put in place prior to the presentation. There is a distinct relationship between police forces and the media in this country, with effective liaison playing a very important role in the public perception of forces and the police service in general. For North Wales Police the intention is to deal effectively and efficiently with the media to ensure that the force is viewed favourably and is accountable to the communities it serves. Obviously, an unsatisfactory relationship with the media or ineffective handling of media agents can have the opposite effect. This is a two-way relationship and co-operation from both sides is essential for success in this area. The Chief Constable's intention of educating and updating the invited audience by holding a presentation day illustrating the success of the 'Arrive Alive' campaign can be commended; however the risk assessment process and resulting contingency planning appear lacking. This cannot solely be laid at the door of the Chief Constable but must include those staff assisting and advising with regards to the presentation. However, it is fully accepted that

the ultimate responsibility rests with the Chief Constable. Safeguards were put in place but as events have shown, in reality these were not sufficiently thorough or effective, as sensitive information from the presentation made its way into the public domain.

There is no evidence to suggest that the Chief Constable acted with stupidity, as is alleged by the Gibney family.

8.52

Complaint 4

- That Mr Richard Brunstrom has breached the Police Code of Conduct by his action/inaction during this incident.

That for the Gibney family, grief has turned to anger due to what has happened. The family requests that as a result of his actions and the consequences of those actions, Mr Richard Brunstrom should be dismissed from his post.

8.53

This investigation has carefully considered Mr Brunstrom's actions with specific consideration of any potential breaches of the Police Code of Conduct.

8.54

The Police Code of Conduct is contained within Schedule 1, paragraph 3 of the Police (Conduct) Regulations 2004. The

specific areas under consideration will be dealt with below:

8.55 **Use of force and abuse of authority**

Paragraph 4 of the Code states as follows:

“Officers must never knowingly use more force than is reasonable, **nor should they abuse their authority**”.

8.56 It is alleged by the complainant that the Chief Constable has abused his position of authority.

8.57 **This Investigation has not found any evidence of a breach of the Police Code of Conduct for the reasons articulated in this report.**

8.58 **Performance of duties**

Paragraph 5 of the Code states as follows:

“Officers should be conscientious and diligent in the performance of their duties”.

8.59 **This Investigation has not found any evidence of a breach of the Police Code of Conduct for the reasons articulated in this report.**

8.60 **Confidentiality**

Paragraph 7 of the Code states as follows:

“Information which comes into the possession of the police should be treated as confidential. It should not be used for personal benefit and nor should it be divulged to other parties except in the proper course of police duty. Similarly, officers should respect, as confidential, information about force policy and operations unless authorised to disclose it in the course of their duties”.

8.61 **This Investigation has not found any evidence of a breach of the Police Code of Conduct for the reasons articulated in this report.**

8.62 **Mr Brunstrom’s actions with regard to the presentation are considered legitimate, proportionate and in the course of his duties in attempting to reduce road deaths in North Wales.**

8.63 **General conduct**

Paragraph 12 of the Code states as follows:

“whether on or off duty, police officers should not behave in a way which is likely to bring discredit upon the police service”.

8.64 **The IPCC Investigation has examined the full circumstances of this incident and has not substantiated the allegation that the Chief Constable has breached this element of the Code of Conduct.**

8.65 **Conclusion**

This investigation has found no evidence to support the Gibney family's allegation that Mr Brunstrom has breached the Police Code of Conduct. Neither is there any evidence of any criminal conduct on the part of the Chief Constable.

9. **CONCLUDING OBSERVATIONS**

9.1 This report has outlined the Chronology of Events which led to graphic reports of the death of Mr Mark Gibney appearing in the media as a result of the 'Arrive Alive' presentation delivered by the Chief Constable and his team to a selected audience on 26 April 2007.

9.2 It is accepted by all concerned that, whilst this report has not identified any breach of the Criminal Law or the Police Code of Conduct by any individual, this incident has caused the Gibney family considerable anxiety and distress and this upset should not be underestimated.

9.3 Mr Brunstrom's success in reducing road death and casualty figures in order to make the roads of North Wales a safer place should be recognised. In promoting his 'Arrive Alive' campaign he must be commended, but in the mechanics of the presentation there were insufficient safeguards in place which allowed previously published information to re-emerge into the public domain. This has obviously caused a great deal of distress to the surviving family of Mr Mark Gibney. It will also have caused considerable distress to the other party involved in the fatal collision and will no doubt have caused them to relive the event.

9.4 This report has highlighted a number of failings in the planning and organisation of the 'Arrive Alive' presentation and makes a number of recommendations to hopefully prevent such incidents from recurring.

9.5 Mr Brunstrom has apologised to the Gibney family and has already stated that he has learned from this experience. Mr Gibney's relatives stated that they hope that by pursuing their complaint, no other family will be forced to go through the experience that they have endured.

9.6 As a result of this investigation the IPCC, in reporting to the North Wales Police Authority, is making two recommendations:

9.7 1. **Force's Internal Arrangements and Protocols**

That the North Wales Police Force and its management, under the leadership of the Chief Constable, examine the issues arising from this incident and strengthen, where appropriate, the existing internal arrangements for events requiring the co-operation and involvement of the media.

9.8 This exercise should examine the existing (2000) Code for dealing with the media; in addition the force should also formulate more efficient strategies for utilising its media team and lawyers in order that these professionals are able to competently advise the Chief Constable on media issues.

9.9 2. **Police Authority Protocols**

That the North Wales Police Authority, in line with its duties of public accountability, examine the issues arising from this incident and establish revised,

robust arrangements between the Chief Constable and the Police Authority in governing their respective involvements in potentially high-profile public activities by the force involving the media.

9.10 This report is submitted for the attention of the North Wales Police Authority, the Appropriate Authority in this case.

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Richard REYNOLDS
INVESTIGATING OFFICER
Independent Police Complaints Commission