

**PUBLIC BRIEFING NOTE – This update
provides a real-time position as at 6
December 2025 (at 04:20)**

**The Speirs Directive, NPCC Disclosures, Case Law
Obligations and the Silence of Police Scotland, NPCC
and the UK Covid-19 Inquiry**

**Based exclusively on publicly available information,
FOI disclosures, official correspondence and
established UK case law**

Date: 6 December 2025 at 04:20

Author: Ian Clayton

1. Introduction

This briefing sets out, using only publicly available information and official documents, the current constitutional and evidential position surrounding the

Speirs Directive issued by Police Scotland on 25 January 2022, the National Police Chiefs' Council (NPCC) FOI disclosures, the correspondence exchanged with Police Scotland between September and November 2025, the clarification requests sent to Police Scotland, NPCC and the UK Covid-19 Inquiry on 25 November 2025 and the continued absence of reply from all three bodies as at 6 December 2025.

It also incorporates the legally binding principle established in the Court of Appeal case *R v Dytham* [1979] QB 722, which governs the duties of constables throughout the United Kingdom and renders certain instructions contained within the Speirs Directive incapable of lawful obedience.

Finally, it takes into account irrefutable video evidence showing frontline Police Scotland constables refusing to accept criminal evidence from members of the public, explicitly citing the Speirs Directive as the reason for their refusal. This video link was provided to Police Scotland on 19 November 2025 and forms a critical part of the public record.

2. The Speirs Directive of 25 January 2022

On 20 March 2025, Police Scotland released, through FOI, an internal operational directive issued on 25 January 2022 and signed by then-Assistant Chief Constable (now Deputy Chief Constable) Alan Speirs.

The directive instructed Police Scotland officers to reject certain categories of public reports relating to COVID-19 vaccination, to refuse to assess or consider evidence submitted by members of the public, and to avoid recording such matters as crimes. Officers were instead instructed to divert these matters into internal, non-criminal logs under Operation Norden (SID) or Operation Talla (CVI). The directive stated that this approach was taken “on the advice of the National Police Chiefs’ Council and the UK Gold Command.”

The effect of this directive was to close the normal criminal justice reporting gateway for an entire category of public complaints.

3. What the NPCC FOI Disclosures Reveal

In 2025, the National Police Chiefs' Council released internal material under FOI which presents a serious and unresolved contradiction.

NPCC stated in its official FOI responses that it does not hold any record of issuing the advice referred to in the directive and cannot corroborate any such national guidance or instruction. However, the same FOI bundle contains internal NPCC emails, including one dated 14 February 2022, which states that “the guidance to not record has been a success as only one additional report has been created.”

This demonstrates that a national policing posture did exist which discouraged forces from recording or processing vaccine-related allegations. The posture was monitored, viewed as a matter of performance, and aligned with the substance of what the Speirs Directive required within Scotland.

The contradiction is now a matter of public record: Police Scotland's directive cites NPCC and Gold Command advice, while NPCC publicly denies that any such advice existed, even though the internal emails demonstrate a national non-recording culture consistent with it.

4. Correspondence Between Ethical Approach UK and Police Scotland (September–November 2025)

On 20 September 2025, Ethical Approach UK wrote an open email to the Chief Constable of Police Scotland, copied to the Scottish Police Authority, the Scottish Parliament's Criminal Justice Committee and the Crown Office and Procurator Fiscal Service.

The email set out the concerns arising from the directive, including the legal incompatibility of a blanket rejection instruction under the Police and Fire Reform (Scotland) Act 2012, the Criminal Procedure (Scotland) Act 1995, the ECHR and Scots administrative law. The email also highlighted the direct contradiction between Police Scotland's explanation for the directive and NPCC's later FOI disclosures.

On 18 November 2025, DCC Alan Speirs replied.

He stated that the directive had been issued in response to incidents involving individuals serving papers on staff and volunteers in vaccine settings. He explained that the purpose of the directive was to advise officers that these matters should be rejected because the papers had no legal standing and that the Metropolitan Police Service had reported no evidence of criminality in a particular case.

He further stated that the Scottish Police Authority had not been consulted because the directive was considered “purely operational.” He asserted that there was “no evidence to suggest legitimate criminal reports were filtered out” as a result of the directive.

On 19 November 2025, Ethical Approach UK replied, noting that the key constitutional questions remained unanswered and providing a link to video evidence showing frontline officers rejecting criminal evidence explicitly because of the directive.

5. The Case Law: R v Dytham and the Office of Constable

The duties of constables in Scotland and across the United Kingdom are governed by long-standing legal principles that cannot be overridden by internal policies or senior officer directives.

The effect of R v Dytham [1979] QB 722.

The Court of Appeal held that a police officer is personally responsible for performing legal duties and cannot rely on instructions, managerial direction, or policy guidance as a defence for failing to take appropriate action when required to do so by law.

This ruling applies to all constables in the UK, including those in Scotland. It means that:

A constable cannot lawfully rely on a directive which instructs them not to consider, assess, record or investigate information which may constitute a criminal allegation.

A constable cannot defend their failure to act by claiming that they were following an instruction from a senior officer.

Any instruction which seeks to remove a constable's discretion or prevents them from performing their legal duties, is itself unlawful.

Against this binding legal precedent, the core instruction within the Speirs Directive - that officers should reject and not record certain categories of complaints, was incapable of lawful obedience from the moment it was issued.

6. Irrefutable Video Evidence of Reports Being Filtered Out Because of the Directive

The public record now contains irrefutable evidence that the Speirs Directive resulted in legitimate criminal reports being rejected.

A video, filmed at a Scottish police station and provided to Police Scotland (specifically to Alan Speirs directly) on 19

November 2025, shows members of the public attempting to submit evidence derived from the UK Covid-19 Inquiry. The officers engaged refuse to accept the evidence and explicitly cite the Speirs Directive as the reason for their refusal.

This video establishes several facts beyond dispute:

First, that legitimate criminal reports were filtered out, because the public were attempting to report what they believed to be serious criminal matters and provided evidence from an official public inquiry.

Second, that the refusal did not arise from misunderstanding or officer discretion, but from direct reliance upon the Speirs Directive as a binding instruction.

Third, that the directive was actively shaping frontline behaviour and had real-world constitutional impact.

Fourth, that DCC Speirs' statement of 18 November 2025, asserting there was "no evidence to suggest legitimate criminal reports were filtered out," is contradicted by video-recorded events.

Combined with the legal principles set out in R v Dytham, the video confirms that the directive not only had unlawful effect but also induced constables into breaches of their legal duties.

7. The Three Clarification Requests of 25 November 2025 and the Continued Silence

On 25 November 2025, Ethical Approach UK sent three separate clarification requests. These were not FOI requests; they were constitutional requests seeking factual clarification of each body's own documents, decisions and evidential submissions.

The first request was sent to Police Scotland, asking for confirmation of Police Scotland's own understanding in January 2022 as to whether the directive was genuinely believed to be based on NPCC and Gold Command advice, as stated in the directive itself.

The second request was sent to the UK Covid-19 Inquiry, asking whether the Inquiry had sight of the directive at the

time Police Scotland provided its Rule 9 statement on 31 March 2025 and whether the directive informed the scope of the Rule 9 request issued that day.

The third request was sent to the NPCC, asking whether the NPCC, NPoCC or any associated national structures had played any role, formal or informal, in developing, encouraging or influencing the non-recording posture applied to vaccine-related allegations.

As at 6 December 2025, none of the three bodies has responded. None has acknowledged the enquiries. None has provided clarification.

This silence, at least to date, is significant because the questions asked were narrow, factual, constitutionally relevant and limited solely to each institution's own documents and understanding.

8. The Constitutional Significance of the Silence

The combined effect of the Speirs Directive, the NPCC FOI disclosures, the Dytham legal principles, the real-world

video evidence and the correspondence chronology is clear.

Police Scotland issued a directive which, on its face, instructed unlawful conduct, removed officer discretion and closed the criminal reporting gateway for an entire category of public allegations.

The directive cited advice from NPCC and Gold Command; NPCC denies that such advice existed, even though internal emails reveal a national non-recording culture aligned with the directive.

A Police Scotland senior officer publicly asserted that no legitimate reports were filtered out, but video evidence proves beyond any doubt whatsoever, that they certainly were filtered out.

The legal position established in *R v Dytham* renders the directive incapable of lawful obedience and further confirms that the harm was structural, not incidental.

The UK Covid-19 Inquiry cannot produce accurate findings if material of this constitutional importance was not disclosed or considered.

The continued silence of these institutions in the face of constitutionally relevant, non-adversarial questions raises serious public interest concerns and undermines the confidence that policing in the UK operates transparently, lawfully and with respect for the public's right to justice.

9. Conclusion

This briefing shows that, based entirely on publicly available documents official disclosures and correspondence:

A UK-wide culture exists from 2022 which has sought to suppress, reject or divert vaccine-related public allegations away from the criminal justice system.

Police Scotland is the only force known to have formalised this posture in writing.

NPCC internal communications reveal that this non-recording posture was monitored and discussed, even as NPCC later denied issuing such advice.

The Speirs Directive contradicted the legal duties of the Office of Constable, as established in *R v Dytham*.

Recorded video evidence confirms that frontline officers did refuse to accept legitimate criminal evidence because of the directive.

Senior police evidence to statutory bodies was incomplete to the point that key documents were not disclosed.

As at 6 December 2025, Police Scotland, NPCC and the UK Covid-19 Inquiry have all failed to answer factual clarification requests essential to constitutional transparency.

Ethical Approach UK will continue, through lawful and transparent means, to bring these matters to public attention and to the attention of oversight bodies in

Scotland and across the United Kingdom, in order to ensure that the constitutional record is corrected and that accountability is delivered in the public interest.