

FORMAL COMPLAINT SUBMITTED TO:

DURHAM CONSTABULARY

Concerning the Handling of Reported Suspected Criminality, Operation Talla, Subsequent Regulatory and Policing Developments, and the Evidential Record Now Available

Complainant: Ian Clayton (Lead Investigator, Ethical Approach UK)

Date: 10 August 2026

Principal Matters Raised

This complaint concerns:

- the handling by Durham Constabulary of a report made in December 2023 arising from the Parliamentary evidence of Dominic Cummings;
- the subsequent referral of that matter to the Metropolitan Police Service;
- the adequacy, independence and evidential basis of Durham Constabulary's decision-making;
- the significance of later-emerging documentary evidence concerning Operation Talla and national policing coordination;
- the wider regulatory and institutional context relevant to the subject matter of the original report; and
- whether Durham Constabulary's original handling remains sustainable when considered against the documentary record now available.

Document Status: Formal Complaint and Evidential Submission

Submitted for consideration by: Durham Constabulary (Professional Standards and Legal Services Department)

1. THE ORIGINATING MATTER: PARLIAMENTARY EVIDENCE OF DOMINIC CUMMINGS AND MY DECEMBER 2023 REPORT

1.1 The Parliamentary evidence

The starting point for this complaint is evidence given publicly to Parliament by Dominic Cummings, formerly Assistant to the Prime Minister, during the joint inquiry conducted by the House of Commons Health and Social Care Committee and Science and Technology Committee into the United Kingdom's response to the Covid-19 pandemic.

The hearing took place on 26 May 2021 and was formally recorded as Oral evidence: Coronavirus: Lessons learnt, HC 95. Dominic Cummings appeared as the witness.

During the hearing, the Chair turned specifically to the vaccine programme and asked Mr Cummings why, in his assessment, that programme had succeeded where other aspects of the Government's pandemic response had failed.

Mr Cummings' answer included the following passage:

"I think, fundamentally, on vaccines, there was clear responsibility. There was someone who was actually in charge of it - Kate Bingham. She was working with Patrick Vallance; she built a team of people who understood what they were doing. She had the strength of character not to be pushed around.

We had a kind of formal thing which was, 'You're in charge of it. You report basically directly to the PM. You don't report to the

Department of Health.' So she knew who her boss was on it. She built a great team, and we also said to her, 'Treat this like a wartime thing. Ignore rules. If lawyers get in your way, come to us and we'll find ways of bulldozing them out of your way.'

Clear accountability, and people who really understood what they were doing. Relative to almost everything else in Whitehall, it was extremely low friction, and there was some great technical help. Those things, when you put them together, meant that it worked better than pretty much anything else."

The full transcript of these Parliamentary proceedings is accessible via a link in the Schedule (at Item 1) annexed to this complaint document.

A video extract of the relevant part is also available in the Schedule (Item 2).

The significance of Mr Cummings' words ought to be approached carefully.

Mr Cummings was not merely expressing a general criticism of bureaucracy. His evidence described what he characterised as a *"formal thing"* under which the individual leading the vaccine programme was told to report effectively directly to the Prime Minister rather than through the Department of Health.

More importantly for the purposes of my subsequent report to Durham Constabulary, he attributed to those operating from the centre of Government two remarkably explicit instructions:

"Ignore rules."

and:

"If lawyers get in your way, come to us and we'll find ways of bulldozing them out of your way."

The language is important precisely because it is Mr Cummings' language, not mine.

1.2 Why the evidence caused me concern

Taken in isolation, colourful or robust language employed within Government does not establish criminality. Nor did I proceed upon that assumption.

What concerned me was the substance of what Mr Cummings appeared to be describing.

His evidence appeared to identify an arrangement operating at the centre of Government under which conventional institutional constraints were deliberately to be circumvented in pursuit of the vaccine programme; rules could be disregarded; and, where lawyers presented an impediment, assistance could be sought from Government to find ways of removing that impediment.

There is an obvious and important distinction between lawful administrative expediency and interference with the operation of law or the administration of justice.

The words *"ignore rules"* do not themselves establish that laws were broken. Similarly, "bulldozing" lawyers out of the way does not, without more, establish that lawyers were unlawfully obstructed, intimidated, disadvantaged or otherwise interfered with.

But neither proposition answers the question which concerned me. The question was what those instructions meant in practice.

- Which rules?
- Which lawyers?
- What circumstances caused lawyers to be regarded as being "in the way"?
- Who comprised the "us" to whom Kate Bingham had apparently been instructed to turn?
- What did "bulldozing them out of your way" mean operationally?
- Were any lawyers in fact identified as obstacles?
- If so, what actions were subsequently taken concerning them?
- And, critically, were any such actions capable of amounting to interference with the proper administration of justice?

Those appeared to me to be legitimate evidential questions arising directly from testimony given before Parliament.

1.3 The distinction between allegation and investigation

This distinction is important to the present complaint.

I did not consider myself capable of determining from outside Government precisely what had occurred internally. Indeed, that was substantially the reason for reporting the matter to the police.

An individual reporting suspected criminality ordinarily does not possess the coercive or statutory investigative powers necessary to establish what occurred within Government. A member of the public cannot compel production of internal communications,

obtain material held within government departments, interview relevant persons under an investigative framework or establish what operational consequences followed an instruction given privately within Government.

Those are matters capable of requiring investigation.

My concern was therefore not that Mr Cummings' testimony proved the commission of a criminal offence.

It was that the testimony disclosed circumstances which, in my assessment, were sufficiently serious to warrant consideration by an appropriate law-enforcement body.

That distinction remains important today.

1.4 My report to Durham Constabulary

Against that background, in December 2023 I communicated directly with the Chief Constable of Durham Constabulary, Rachel Bacon.

My communication concerned suspected criminality arising from the matters described above and, in particular, the possibility that governmental actors had engaged in conduct capable of amounting to an interference with the proper administration of justice.

The report necessarily required the Parliamentary evidence to be considered not merely as rhetoric, but as potential evidence concerning what those operating within Government had been instructed to do and what may subsequently have occurred pursuant to those instructions.

At that stage, I could not possess much of the documentary material which has subsequently emerged.

That temporal distinction is central to this complaint.

1.5 Why the matter must now be reconsidered in its subsequent evidential context

When I approached Durham Constabulary in December 2023, the evidential landscape available to me was materially different from that which exists today.

Subsequent disclosures and documentary discoveries have provided information concerning matters including the national policing response under Operation Talla, national coordination between police forces, the treatment and recording of Covid-related allegations, the handling of CRN 6029679/21 by the Metropolitan Police, and matters affecting professional persons associated with that report.

Those matters will be addressed separately and evidentially in later sections of this complaint.

Their significance at this stage is narrower.

They require the original December 2023 report to be viewed through a different evidential lens.

The question for Durham Constabulary is therefore not merely whether the decision taken in 2023 appeared reasonable upon whatever information was considered at that time.

There is now a further question:

whether the subsequent documentary record materially affects the adequacy of Durham Constabulary's original assessment and handling of what I reported.

That question becomes particularly important when the subsequent evidence is considered alongside the precise proposition which originally caused me concern:

"If lawyers get in your way, come to us and we'll find ways of bulldozing them out of your way."

The remainder of this complaint will demonstrate why that statement has acquired considerably greater evidential significance since my original report was made.

2. DURHAM CONSTABULARY'S HANDLING OF MY DECEMBER 2023 REPORT

2.1 The purpose of this section

Having explained the circumstances in which I reported the matter to Durham Constabulary, it is necessary to examine what Durham Constabulary did with that report.

This distinction is important.

The present complaint is not dependent upon proving that my original allegation was correct. A police force may receive an allegation which ultimately proves incapable of substantiation without there having been anything improper in its handling.

The issue here is different.

It concerns whether Durham Constabulary dealt appropriately with information alleging serious criminal conduct; whether the decision-making process was sufficiently independent and properly reasoned; whether the matter was referred to the correct police force; what information accompanied that referral; what assessment was subsequently undertaken; and upon what evidential basis I was ultimately informed that no further action would be taken.

Those questions have acquired considerably greater significance because of information which has emerged since 2023.

2.2 My approach to the Chief Constable

My original communication was addressed directly to the then Chief Constable of Durham Constabulary, Rachel Bacon.

I deliberately approached the Chief Constable because of the nature and seriousness of the matters being raised.

My concern arose from evidence given before Parliament by Dominic Cummings concerning instructions emanating from the centre of Government, including the statements:

"Ignore rules."

and:

"If lawyers get in your way, come to us and we'll find ways of bulldozing them out of your way."

For the reasons explained in Section 1, I considered that those statements raised legitimate questions concerning what had occurred operationally and whether any conduct arising from those instructions was capable of engaging the criminal law.

The matter was subsequently dealt with by Chief Inspector Dean Haythornthwaite.

I understood from the circumstances that the matter had been delegated to him following my communication to the Chief Constable.

I retain the communications concerning that process and intend that the relevant correspondence should accompany this complaint as supporting evidence.

A link to the relevant correspondence bundle is included in the Schedule (Item 3) annexed to this complaint document.

2.3 The decision to refer the matter to the Metropolitan Police

Chief Inspector Haythornthwaite ultimately referred the matter I had raised to the Metropolitan Police Service.

That decision is one of the matters about which I now require a proper explanation.

It is necessary to understand precisely why the Metropolitan Police was considered the appropriate force to assess the allegation; what information Durham Constabulary supplied to the Metropolitan Police; the terms upon which the referral was made; whether Durham retained any responsibility for the matter; and what, if any, independent assessment Durham itself had undertaken before making the referral.

This is not merely an administrative question concerning allocation between police forces.

As later sections will explain, evidence subsequently obtained concerning the Metropolitan Police, CRN 6029679/21 and Operation Talla makes the choice of the Metropolitan Police as the recipient of my allegation potentially significant.

I do not suggest that Durham Constabulary necessarily possessed that subsequently obtained information when the referral was made.

I do, however, require the decision to be explained against the information which was available to Durham at the relevant time.

2.4 The jurisdictional issue

There is a further matter which makes the referral particularly important.

I subsequently obtained written communication from the Crown Prosecution Service which, in my understanding, is inconsistent with the jurisdictional basis upon which my matter was referred by Durham Constabulary to the Metropolitan Police.

That evidence is provided with this complaint and is accessible via a link in the annexed Schedule (Item 4).

I therefore require Durham Constabulary to identify clearly:

- the jurisdictional basis upon which it decided that the Metropolitan Police was the appropriate force to which my allegation should be referred;
- the policy, guidance or legal principles applied in reaching that decision;
- whether any jurisdictional advice was sought;
- whether the Metropolitan Police formally accepted the referral;
- who within the Metropolitan Police accepted or considered it;
- what information and evidential material Durham supplied;
- what response Durham received; and
- whether Durham independently considered that response before communicating an outcome to me.

The importance of these matters should be obvious.

If Durham Constabulary transferred responsibility for assessing an allegation of serious criminality to another police force, there should be an identifiable and auditable basis for that decision.

2.5 The Metropolitan Police response

Following the referral, I received no substantive communication directly from the Metropolitan Police concerning my allegation.

I subsequently pursued the matter with Durham Constabulary.

Chief Inspector Haythornthwaite informed me, in substance, that the Metropolitan Police would not be taking action.

That raises a number of elementary but important evidential questions:

- What precisely had the Metropolitan Police done before reaching that position?
- Was my allegation formally recorded?
- Was it recorded as a crime report, incident, intelligence submission or other category?
- Was an investigative assessment undertaken?
- Was evidence obtained?
- Was Dominic Cummings' Parliamentary testimony examined?
- Was Mr Cummings contacted?
- Was consideration given to obtaining a witness statement from him?
- Was the identity of the persons encompassed by his reference to "us" considered?

- Was Kate Bingham approached?
- Was any attempt made to establish what was meant by "*Ignore rules*"?
- Was any attempt made to establish whether lawyers had in fact presented obstacles and, if so, whether anyone had subsequently acted to "bulldoze" those lawyers out of the way?

These are not rhetorical questions.

They concern the distinction between an allegation being investigated and found unsupported and an allegation being administratively disposed of without the underlying factual propositions ever being investigated.

Those are plainly not the same thing.

2.6 Durham's responsibility did not necessarily end with referral

The fact that Durham Constabulary referred my report elsewhere does not, in itself, answer the present complaint.

- Durham received the report.
- Durham engaged with me concerning it.
- Durham determined that another force should consider it.
- Durham subsequently communicated the outcome to me.

It is therefore reasonable to ask what Durham understood had actually occurred between referral and closure.

If Durham merely transmitted the allegation and subsequently relayed the Metropolitan Police's decision, that should be stated.

If Durham received an evidential assessment from the Metropolitan Police, that assessment should be identifiable.

If Durham satisfied itself independently that no further investigation was warranted, the material upon which that conclusion was reached should likewise be identifiable.

What should not now be necessary is speculation.

There should be a documentary audit trail.

2.7 The subsequent refusal to engage further

There is an additional feature of Durham Constabulary's handling which is directly relevant to this complaint.

Chief Inspector Haythornthwaite subsequently communicated that Durham Constabulary would not engage in further correspondence with me concerning the subject matters.

That position is significant.

A police force is entitled to manage repetitive or unproductive correspondence appropriately. I recognise that without qualification, but that does not dispose of the question arising here.

The relevant issue is whether it was appropriate effectively to close further engagement concerning a serious allegation when the adequacy of the original referral and assessment process itself remained capable of question.

That becomes still more important because substantial documentary evidence has subsequently emerged which was not available to me when my original report was made.

Indeed, on 7 August 2026, Detective Sergeant David Wells, Supervisor within Durham Constabulary's Complaints Department, expressly invited the making of a complaint against Durham Constabulary through the force's complaints process.

I therefore understand that the earlier position preventing further engagement cannot extend to preventing the proper consideration of this complaint and the evidence accompanying it.

2.8 The importance of the contemporaneous record

I ask that Durham Constabulary preserve and examine the complete documentary and electronic record relating to my original report.

That should include, insofar as such material exists, correspondence, crime or incident-management records, intelligence records, internal emails, supervisory entries, decision logs, referrals, communications with the Metropolitan Police, communications involving Chief Inspector Haythornthwaite and any material concerning consideration of my original communication to the Chief Constable.

I also ask that the relevant metadata and audit history be preserved.

This request is particularly important because the precise chronology may establish what was known, by whom, and when.

2.9 The significance of subsequent developments

Were this complaint concerned only with the administrative handling of an isolated report made in December 2023, the issues might be comparatively narrow.

It is not.

Since that time, documentary material has emerged concerning the national policing response to Covid-related reports under Operation Talla.

Further evidence has emerged concerning national coordination between chief police officers.

Material has emerged concerning instructions relating to the recording or non-recording of certain reports.

Evidence concerning the Metropolitan Police's handling of CRN 6029679/21 has also become available.

And, importantly for the originating subject of my Durham report, I possess direct knowledge and evidence concerning professional regulatory proceedings involving lawyers connected with CRN 6029679/21.

It would be premature at this stage to draw conclusions from those matters.

It would be equally inappropriate to pretend that they do not alter the evidential landscape against which Durham Constabulary's handling of my 2023 report must now be examined.

2.10 The question arising from Durham's handling

The issue for this complaint can therefore be stated simply.

In December 2023, I placed before Durham Constabulary an allegation arising from public Parliamentary testimony in which a former senior adviser at the centre of Government described an arrangement involving instructions to:

"Ignore rules"

and, where lawyers presented an obstacle:

"come to us and we'll find ways of bulldozing them out of your way."

Durham Constabulary referred my allegation to the Metropolitan Police.

I was subsequently informed that the Metropolitan Police would take no action.

Durham thereafter indicated that it would not engage in further correspondence with me concerning the subject.

The question which must now be answered is:

What investigation or evidential assessment actually occurred between my report being received and the decision that no further action would be taken?

And there is now a second question:

Would the same decision properly be reached today, having regard to the documentary evidence which has subsequently emerged?

Those questions lie at the heart of this complaint.

3. THE REGULATORY PROCEEDINGS: WHEN THE PARLIAMENTARY WORDS ACQUIRED A DIFFERENT SIGNIFICANCE

3.1 Why this section matters

When I reported the Dominic Cummings testimony to Durham Constabulary in December 2023, my concern was necessarily prospective and investigative.

Mr Cummings had publicly described an instruction given in connection with the vaccine programme:

"Ignore rules."

He had then described what was to happen if lawyers became an impediment:

"If lawyers get in your way, come to us and we'll find ways of bulldozing them out of your way."

In May 2021, when Mr Cummings made these statements before Parliament, the obvious investigative question was whether those words merely described robust administrative determination to overcome lawful bureaucratic obstacles, or whether anything more troubling had occurred in practice.

Subsequently, however, that question ceased to be entirely abstract for me.

I became directly involved in matters concerning professional regulatory proceedings against lawyers who had themselves been involved in raising allegations concerning the Covid-19 vaccine

programme and importantly, were also associated with Metropolitan Police CRN 6029679/21, as two of a total of four complainants.

That does not prove that those regulatory proceedings were the implementation of the arrangement described by Mr Cummings.

I make no such assertion as an established fact.

It does, however, provide a substantial reason why I consider my original report required and continues to require, proper investigation.

A further point in this regard, which I believe to be worthy of careful note, is that, of the four complainants associated with CRN 6029679/21, the three who belonged to regulated professions (two lawyers and one medical doctor) were each subjected to professional regulatory action concerning Covid-related matters, whilst the fourth, a retired police constable and therefore no longer amenable to professional regulation, was instead subjected to various forms of online and offline abuse - a sequence of events from which I invite no predetermined conclusion, but which, viewed in its proper evidential context, plainly merits examination rather than dismissal as mere coincidence.

3.2 The importance of chronology

Chronology is critical.

On 26 May 2021, Dominic Cummings gave his evidence to Parliament.

He described an instruction connected with the vaccine programme to *"Ignore rules"* and stated that, if lawyers got in the way, those responsible for the programme should return to Government and *"we'll find ways of bulldozing them out of your way."*

Later that year, on 20 December 2021, allegations of serious criminality were reported at Hammersmith Police Station and became associated with Metropolitan Police reference CRN 6029679/21.

Among those involved as complainants/informants were solicitors Philip Hyland and Lois Bayliss.

Both were therefore lawyers connected with a criminal allegation concerning matters arising from the Covid-19 period.

Both subsequently became the subjects of professional regulatory proceedings.

That sequence does not establish causation, but it plainly creates an evidential question capable of investigation.

3.3 My involvement provides something more than speculation

My concern about these matters does not arise merely from material I have encountered on social media or from the accounts of persons unconnected with the proceedings.

I became personally and directly involved in the relevant regulatory cases.

That distinction is important.

It means that I am able to provide Durham Constabulary with documentary evidence concerning aspects of what occurred rather than simply inviting the force to accept a theory about events.

Where it establishes a fact, that fact can be treated accordingly.

Where it supports an inference but does not establish it, it should be treated as an inference.

And where questions remain unanswered, those questions should be investigated rather than converted prematurely into conclusions.

That is the evidential approach I invite Durham Constabulary to adopt throughout this complaint.

Note:

I should point out at this juncture that I am able to connect the person or persons handling this complaint directly with the two lawyers to whom I have referred and indeed, I believe that doing so would be the correct approach in the interests of evidential accuracy and completeness.

3.4 The central coincidence requiring explanation

There is nevertheless a factual juxtaposition which cannot sensibly be ignored.

A former senior adviser at the centre of Government publicly told Parliament that those responsible for the vaccine programme had

been instructed that, if lawyers got in their way, Government would find ways of *"bulldozing them out of your way."*

Two lawyers subsequently participated in reporting allegations concerning the vaccine programme and related matters to the Metropolitan Police.

Those allegations became associated with CRN 6029679/21.

Those same lawyers subsequently became subject to significant professional regulatory processes.

That does not permit me responsibly to say:

"Cummings was referring to these two lawyers."

Nor does it permit me to say, without further evidence:

"The regulatory proceedings were directed by Government in order to remove them."

Certainly however, it permits a different and considerably more modest proposition:

The subsequent events created an obvious evidential avenue by which the meaning and possible implementation of Mr Cummings' Parliamentary evidence could have been tested.

That is precisely what an investigation is capable of doing.

As an incidental, though relevant point, I consider it appropriate to add, that I wrote to the Solicitors Regulation Authority, putting to them some very specific questions. Replies were received - several, in fact, but to date, no straight reply to my questions posed has ever been received.

My said correspondence, containing questions put to the Solicitors Regulation Authority is linked in the Schedule (Item 5).

3.5 The relevant investigative questions

Once those subsequent circumstances became apparent, a number of questions arose.

- Was either solicitor ever identified within Government, policing or associated agencies as presenting an obstacle to the vaccine programme or the Government's Covid response?
- Were communications concerning either solicitor exchanged between Government departments, policing bodies, regulators or other public authorities?
- How did the regulatory concerns concerning them originate?
- Who supplied information to their regulator?
- Were Government departments or agencies involved in providing information, representations or other assistance?
- Did any governmental body seek, encourage or influence regulatory action?
- Was CRN 6029679/21 discussed in communications involving bodies outside the Metropolitan Police?
- Did the fact that the solicitors had participated in the December 2021 criminal report feature in any decision-making concerning them?
- And was there any connection whatsoever between those processes and the governmental attitude towards obstructive lawyers described by Dominic Cummings?

There may be entirely lawful answers to every one of those questions, but lawful answers are established by evidence, not assumption.

3.6 The significance of CRN 6029679/21 within the regulatory context

The importance of CRN 6029679/21 is not peripheral.

The criminal report provides a factual point of intersection between the lawyers, the Metropolitan Police and the subject matter with which my December 2023 report was concerned.

References to CRN 6029679/21 within the subsequent regulatory history are therefore potentially significant.

They raise the question of whether participation in, or association with, that police report subsequently became relevant to regulatory decision-making.

Again, the existence of such references would not establish improper conduct, but where lawyers who participated in making a serious criminal allegation subsequently face regulatory proceedings in which that very police report features, the provenance, transmission and use of information concerning that report become legitimate matters for evidential examination.

3.7 Inter-agency involvement

Of particular concern is evidence capable of indicating interaction between bodies beyond the regulator itself.

This is an area in which precision will be essential.

I do not invite Durham Constabulary simply to infer impropriety from the fact that public authorities communicated with one another.

Inter-agency communication can be entirely legitimate and, in many circumstances, necessary.

The relevant questions are instead:

- Who communicated with whom?
- What information was transmitted?
- For what purpose?
- Under what authority?
- What effect, if any, did those communications have upon the regulatory proceedings?
- Was any participant seeking an outcome concerning lawyers who had become involved in challenging or reporting matters connected with the Government's Covid response?

Those questions can be answered only by following the documentary record.

3.8 Why this matters to Durham Constabulary's 2023 decision

This brings the complaint directly back to Durham Constabulary.

My December 2023 allegation concerned the possibility that the Parliamentary evidence disclosed conduct capable of amounting to improper interference with the administration of justice.

One of the most striking features of that evidence was its specific reference to lawyers.

If Durham or the Metropolitan Police considered the allegation insufficient to justify investigation, it becomes necessary to understand whether any attempt was made to determine whether lawyers had actually been affected in circumstances capable of corresponding with what Mr Cummings had described.

If no such enquiries were undertaken, the conclusion that no further action was warranted becomes difficult to evaluate because one of the central factual propositions underlying my allegation may never have been tested.

3.9 The evidential position has subsequently changed

The position today is materially different from that existing when I first approached Durham Constabulary.

I can now place before the force documentary material concerning the subsequent regulatory circumstances.

That evidence should not be approached with a predetermined conclusion that it proves the Cummings statement was implemented against particular individuals.

Equally, it should not be approached upon the predetermined assumption that no connection could possibly exist.

The proper approach is investigative.

The documents should be examined.

Their provenance should be established.

Relevant communications should be traced.

The chronology should be reconstructed.

Where necessary, witnesses should be spoken to.

Only then can an informed conclusion properly be reached.

3.10 A distinction of fundamental importance

I therefore wish to make my position absolutely clear.

I am not asking Durham Constabulary to accept that Philip Hyland or Lois Bayliss was "bulldozed out of the way" pursuant to an instruction emanating from Government.

I am asking something considerably more orthodox:

Was that possibility ever properly investigated?

If it was, I ask Durham Constabulary to identify the investigation, the evidence considered and the resulting reasoning.

If it was not, the subsequent documentary evidence provides a compelling reason for considering whether it now should be.

3.11 From individual regulatory proceedings to the national context

There is, however, a further development which makes it unsafe to examine these events solely as isolated proceedings involving individual professionals.

Since my original December 2023 report, evidence has emerged concerning the existence and operation of Operation Talla, the

national coordination of policing during the Covid period, communications involving chief police officers, and the treatment of particular categories of reports made to police.

Those discoveries materially enlarge the context.

The issue therefore moves beyond:

Cummings, to lawyers, to regulatory proceedings.

The evidential picture now potentially encompasses:

Government, to national policing structures, to Operation Talla, to individual police forces, to crime reporting and recording, to professional regulation, to CRN 6029679/21.

Whether those elements are connected in the manner suggested by the emerging documentary record is something which must be established evidentially, but the existence of those documentary intersections is precisely why my original complaint can no longer sensibly be considered solely by reference to what was known in December 2023.

The significance of these matters becomes greater when they are removed from the confines of individual cases and examined against the national institutional architecture operating during the Covid period.

The evidence subsequently obtained concerning Operation Talla demonstrates that the policing response was not simply the product of unrelated decisions taken independently by individual forces.

It is therefore to that wider national context that this complaint must now turn.

4. THE WIDER NATIONAL CONTEXT: OPERATION TALLA, NATIONAL COORDINATION, REGULATORY INTERVENTION AND INFORMATION CONTROL

4.1 Why the wider context is necessary

The matters described in Sections 1 - 3 cannot now properly be considered solely as a sequence of isolated events involving individual complainants, individual police forces or individual professional regulators.

When I made my report to Durham Constabulary in December 2023, I did not possess the documentary picture which subsequently emerged.

In particular, I did not possess the material now available concerning Operation Talla, the national coordination of the policing response to Covid-19, the involvement of senior police leadership, or the approach taken towards certain reports and allegations made by members of the public.

That distinction is fundamental.

I do not criticise Durham Constabulary for failing in 2023 to consider documents which had not then been disclosed to me and which Durham itself may or may not have possessed.

The question is what those documents now reveal about the environment in which my original allegation was handled.

4.2 Operation Talla

Operation Talla was the national policing operation established in response to the Covid-19 pandemic.

The evidence now available demonstrates that Covid policing was subject to substantial national coordination.

This is important because it affects the analytical framework through which apparently local decisions must be examined.

A decision taken by an individual force cannot safely be assumed to have been purely local where documentary evidence demonstrates the existence of a national command, coordination and information-sharing structure relevant to the same subject matter.

The appropriate question becomes:

Was the particular decision genuinely local, or was it made within, influenced by, or responsive to a wider national policing position?

That question is particularly important to this complaint.

4.3 National command and Martin Hewitt

Public evidence subsequently given by Martin Hewitt, then Chair of the National Police Chiefs' Council, is particularly relevant to understanding the structure.

Mr Hewitt has described himself as the Gold Commander for Operation Talla.

He has described bringing chief constables together because the pandemic required national coordination.

Most significantly, he has described the position in terms that the response would be *"run ... from the centre"*, and has characterised Operation Talla as a UK police response, notwithstanding the differing legal regimes operating across England and Wales, Scotland and Northern Ireland.

Those statements materially affect any suggestion that the policing response to Covid should simply be understood as 43 or more autonomous forces making unrelated decisions in isolation.

Local operational independence remained important, but the documentary and testimonial evidence demonstrates a national structure within which that independence operated.

4.4 The Police Chiefs' meeting of January 2022

Of particular importance is documentary material concerning a meeting of senior police leadership in January 2022. A link to the minutes of this particular meeting (which was attended by Jo Farrell, who, at that time, was Chief Constable at Durham) is available in the annexed Schedule (Item 6).

The significance of this material is not merely that senior officers discussed Covid policing.

It demonstrates that matters associated with the policing response, including issues connected with reports being made by members of the public, were being considered at a senior and coordinated level.

This becomes particularly important when placed chronologically alongside CRN 6029679/21, which had originated at the Metropolitan Police on 20 December 2021.

The proximity in time requires examination.

It also raises the question whether decisions subsequently taken concerning Covid-related reports were informed by national discussions rather than being generated independently within individual forces.

4.5 The emerging "to not record" evidence

Subsequent documentary disclosures have produced what I regard as one of the most important developments in this entire matter.

Evidence has emerged concerning guidance or direction '*to not record*' particular reports and indicating that such an approach was described within policing as "*a success*".

The relevant internal police communication is accessible via a Schedule link (Item 7).

That requires careful treatment.

Whether a matter is recorded as a crime is not merely a clerical question.

Recording determines how an allegation enters police systems, how it is classified, how it can progress, what investigative processes may follow and what records subsequently exist concerning the police response.

A policy capable of preventing allegations from entering the conventional crime-recording process therefore requires particularly careful scrutiny.

This does not mean that every allegation made to police must be recorded as a crime or investigated.

Police necessarily assess information received and apply relevant recording standards.

The issue is whether individual allegations were assessed upon their own evidential merits or whether a national position operated which predetermined, influenced or constrained that assessment because of their subject matter.

4.6 The so-called Speirs Directive

The documentary evidence obtained from Police Scotland provides a particularly important window into that issue.

The January 2022 communication associated with Assistant Chief Constable Alan Speirs addressed the handling of reports concerning Covid vaccination-related matters and instructed officers concerning the treatment of such reports.

Subsequent information from Police Scotland has linked the decision to Gold Command.

The material also refers to the wider national policing environment, including Operation Talla.

This is significant for two reasons.

Firstly, it provides documentary evidence that the handling of these reports was being addressed at senior command level.

Secondly, it raises the question whether comparable approaches existed elsewhere within the United Kingdom.

That question becomes still more important when considered alongside the evidence of national coordination.

The Speirs Directive is also accessible via a link in the Schedule (Item 8) to this complaint.

4.7 The distinction between intelligence and crime recording

There is another feature of the Operation Talla material which requires scrutiny.

Information supplied by members of the public could potentially be retained or circulated as intelligence whilst not being recorded as a crime.

Those are fundamentally different functions.

Intelligence may inform policing activity.

Crime recording formally recognises an allegation within the criminal justice process and may initiate consequential investigative obligations and processes.

Accordingly, a system under which information concerning alleged criminality was received, retained and potentially circulated while the underlying allegation was not recorded as a crime creates an important question:

Was the information being treated as evidence of possible criminality requiring assessment, or principally as intelligence concerning the persons making or promoting the reports?

The answer matters considerably.

4.8 CRN 6029679/21 within that environment

CRN 6029679/21 therefore assumes particular significance.

It was created before some of the national documentary material now available.

- It concerned allegations associated with the Covid vaccine programme.
- It attracted considerable public attention.
- Its handling became a subject of wider policing discussion.

The Metropolitan Police subsequently maintained that a criminal investigation had not been commenced, notwithstanding documentary material demonstrating substantial police activity around the report.

That material includes internal handling records, detective involvement, supervisory activity, evidential review and subsequent involvement of the Metropolitan Police Directorate of Legal Services.

Separately, Detective Superintendent Tor Garnett, then Head of CID, wrote on 18 May 2022:

"If you, or any of the complainants, were informed that the allegation was subject to an investigation, this would not have been an inaccurate representation..."

Those matters require reconciliation.

Their significance to the present Durham complaint is that the Metropolitan Police was the very force to which Durham subsequently referred my December 2023 allegation.

4.9 The problem created by referral to the Metropolitan Police

This creates a question which could not properly have been appreciated by me in December 2023.

If the Metropolitan Police had itself participated in a nationally coordinated policing response relevant to Covid-related allegations, and if CRN 6029679/21 had already become entangled with that national response, was the Metropolitan Police institutionally the appropriate body to assess my subsequent allegation concerning conduct arising from the Government's vaccine programme?

I do not state that the answer must be no. Nor do I allege, without evidence, that the Metropolitan Police deliberately rejected my allegation because of Operation Talla.

The point is more fundamental.

Was the possibility of an institutional conflict, prior involvement or lack of sufficient independence ever considered by Durham Constabulary before the referral was made?

That is now a legitimate question.

4.10 Professional regulation within the wider picture

The regulatory matters addressed in Section 3 must also be viewed against this wider environment.

Professional regulators are entitled and required to regulate their professions.

The fact that a solicitor or doctor became subject to regulatory action does not establish improper governmental involvement, but where professionals who publicly challenged aspects of the Covid response, or became involved in reporting suspected criminality, subsequently faced regulatory action, it becomes legitimate to examine the provenance of information supplied to regulators and the extent of inter-agency communication.

This is particularly so where subsequent evidence indicates proximity between policing, Government and other institutions during the pandemic response.

Again, proximity is not proof of conspiracy.

Coordination is not itself unlawful.

Information-sharing is not inherently improper.

The issue is whether institutional relationships were used for legitimate purposes or whether, in any particular instance, they affected the ability of individuals, including lawyers, to pursue lawful challenges, make allegations or participate in the administration of justice, which is, of course, in many instances, their principal professional purpose.

4.11 Press and public communications

The wider institutional picture also encompasses public communications.

During the relevant period, significant media reporting appeared concerning Covid-related criminal allegations and, specifically, CRN 6029679/21.

Public statements were also issued by police.

Those communications matter because they were capable of shaping public understanding of what the police had or had not done.

They also create an evidential opportunity.

What police forces said publicly can now be compared with what their internal records demonstrate was occurring privately.

Where those accounts coincide, there is no difficulty.

Where they do not, the discrepancy requires explanation.

This is particularly important where media organisations were reporting information attributed to senior police sources.

The proper investigative question is not whether journalists acted improperly merely by reporting what they were told.

It is:

What were they told, by whom, and was what they were told an accurate representation of the contemporaneous police position?

4.12 The danger of examining each institution separately

One of the principal lessons arising from the subsequently obtained material is that examining each event within an institutional silo risks obscuring the overall picture.

- Look only at Durham Constabulary and my 2023 report appears to be one complaint referred to another force.
- Look only at the Metropolitan Police and CRN 6029679/21 appears to be one controversial crime report.
- Look only at professional regulation and the relevant proceedings appear to concern individual practitioners.
- Look only at Police Scotland and the Speirs communication appears to concern Scottish operational policing.
- Look only at the NPCC and Operation Talla appears to be national coordination during an unprecedented emergency.

The significance changes when the documentary records are placed chronologically alongside one another.

The same subject matter repeatedly intersects:

- Covid.
- Vaccination.
- Reports of alleged criminality.
- National police coordination.
- Crime recording.
- Intelligence.
- Lawyers and other professionals.
- Regulatory activity.
- Public communications.

That does not establish that every event arose from one unlawful plan.

It does establish why investigating the events entirely in isolation may produce an incomplete understanding.

4.13 The evidential discipline required

I wish again to distinguish carefully between what I allege and what I ask Durham Constabulary to investigate.

I do not ask Durham Constabulary to accept a proposition that every institution mentioned in this complaint participated in a conspiracy.

I do not ask Durham Constabulary to infer criminality merely from national coordination.

I do not ask it to treat lawful professional regulation as evidence of wrongdoing simply because the professionals concerned challenged aspects of the Covid response.

I ask instead that the documentary record be followed.

Where communications exist, establish their provenance.

Where decisions were made, identify the decision-makers.

Where national guidance existed, determine how Durham received and implemented it.

Where reports were referred elsewhere, establish why.

Where agencies exchanged information, determine what was exchanged and for what purpose.

And where the documentary record contradicts later institutional descriptions of events, reconcile the contradiction by evidence.

4.14 The question for Durham Constabulary

This wider evidence creates a specific issue for Durham.

Durham Constabulary was not institutionally detached from Operation Talla. It formed part of the national policing landscape to which Operation Talla applied.

The force therefore needs to establish what Operation Talla material it received, what national instructions or guidance were communicated to it, who received them, what decisions followed and whether any such material affected the handling of Covid-related reports.

That includes the position of Durham's own Gold Command.

It also requires consideration of what senior Durham officers knew about the national approach and when they knew it.

Those matters become especially significant because of what was subsequently disclosed in 2025.

4.15 The evidential landscape changes

The importance of Spring 2025 is that matters which previously could have been characterised as suspicion, inference or incomplete reconstruction began increasingly to become matters capable of examination through documentary evidence.

The developing disclosures concerned Operation Talla itself, national guidance, senior police coordination and the participation of chief officers across UK policing.

For the purposes of this complaint, one name is of particular significance:

Jo Farrell.

At the relevant time she was Chief Constable of Durham Constabulary.

Her position within the national chief-officer environment necessarily requires examination against the Operation Talla material which subsequently emerged.

The issue is not guilt by association. The issue is institutional knowledge.

What did Durham Constabulary know about the national Operation Talla position, when did it know it, and what effect did that knowledge have upon its own policing decisions?

That question leads directly to the next section.

5. THE SPRING 2025 REVEAL: OPERATION TALLA, THE CHIEF CONSTABLES AND THE WIDER CRIMINAL JUSTICE COMMAND STRUCTURE

5.1 Why 2025 materially changed the position

The importance of the developments which emerged during 2025 is difficult to overstate.

When I made my report to Durham Constabulary in December 2023, I knew what Dominic Cummings had told Parliament. I knew why his description of instructions to "*Ignore rules*" and to find ways of "bulldozing" lawyers out of the way caused me concern.

What I did not then possess was the documentary record which subsequently began to reveal the extent to which policing of Covid-related matters had been coordinated nationally. Nor did I possess the material which subsequently emerged concerning Operation Talla, the involvement of chief police officers, the approach towards particular categories of reports made by members of the public, and the relationship between the national policing response and a considerably wider criminal justice command structure.

Those disclosures changed the evidential landscape.

They did not retrospectively prove my December 2023 allegation.

They did something arguably more important for the purposes of the present complaint: They disclosed matters which require the adequacy of the original police response to that allegation to be reconsidered.

5.2 Operation Talla was not simply a Metropolitan Police matter

One proposition must now be placed beyond ambiguity.

Operation Talla was not an operation confined to the Metropolitan Police.

The subsequently obtained material demonstrates a nationally coordinated policing response to the Covid-19 pandemic involving senior police leadership.

Evidence concerning that structure is important because Durham Constabulary was one of the police forces operating within that national policing environment – the evidence itself leaves that in no doubt.

The significance of this is not that every decision taken by Durham was dictated nationally.

That would require specific evidence.

The significance is that decisions concerning Covid-related policing can no longer automatically be treated as isolated local decisions without first establishing whether national guidance, information, coordination or command arrangements were relevant to them.

5.3 The chief-officer dimension

The subsequent documentary record demonstrates involvement at chief-officer level.

This is particularly important to my complaint.

National coordination involving chief constables means that the relevant evidential question is no longer confined to what individual operational officers knew.

It becomes necessary to establish what information reached the senior leadership of individual forces, what was discussed collectively, what national positions emerged and how those positions were subsequently communicated or implemented within individual constabularies.

Durham Constabulary must therefore be capable of establishing its own position within that architecture.

5.4 Jo Farrell and Durham Constabulary

One person is necessarily relevant to that inquiry.

Jo Farrell was Chief Constable of Durham Constabulary during the material Operation Talla period.

I make no allegation of criminal or professional wrongdoing against Ms Farrell merely because she occupied that office.

Her relevance is institutional and evidential.

If chief constables were participating in national discussions concerning Operation Talla and Covid policing, the appropriate questions for the present complaint include:

- What information was received by the Chief Constable of Durham Constabulary?
- What meetings were attended?
- What documentation was circulated?

- What decisions or national positions were communicated?
- What information was subsequently disseminated within Durham Constabulary?
- And what effect, if any, did those arrangements have upon Durham's treatment of Covid-related allegations?

These matters should be capable of determination from records rather than recollection.

5.5 The January 2022 chief-officer material

Particularly important is the documentary record of senior police discussions in January 2022 (referred to previously in this complaint).

This period is critical because it immediately followed the creation of Metropolitan Police CRN 6029679/21 on 20 December 2021 and coincided with increasing police attention to reports and activity associated with Covid vaccination.

The material now available demonstrates that these were matters engaging national policing attention at senior level.

The significance of the January 2022 material lies not merely in who attended.

Its greater importance lies in what was being discussed and what followed.

The chronology requires examination because subsequent material concerning guidance on the treatment and recording of reports emerged within the same national operational environment.

5.6 The "to not record" position

One of the most consequential discoveries was documentary evidence concerning guidance "to not record".

That wording deserves close attention.

There is an important legal and operational distinction between:

- receiving information;
- retaining information;
- recording intelligence;
- recording an incident;
- recording a crime; and
- commencing an investigation.

The existence of guidance capable of affecting whether allegations entered the crime-recording system is therefore not a matter of semantics.

It concerns the gateway through which allegations ordinarily enter the criminal justice process.

The central question is accordingly not whether police were entitled to reject allegations which plainly failed applicable recording standards.

Of course they were.

The question is whether allegations concerning particular subject matter were individually assessed according to ordinary policing

standards or whether their treatment was affected by a predetermined national position.

As mentioned previously, the “*to not record*” communication is accessible in the Schedule (Item 7).

5.7 The significance of the Police Scotland disclosures

The subsequent Police Scotland disclosures are particularly important because they provide documentary visibility into an operational approach which had previously been difficult to establish.

The communication associated with Assistant Chief Constable Alan Speirs addressed the treatment of reports relating to Covid vaccination matters.

Subsequent Police Scotland material established that the decision underpinning the communication “*came via the Gold Command.*”

The documentation also places the matter within the Operation Talla environment and refers to wider policing advice and coordination.

Again, the relevant primary evidence is referenced and linked within the attached Schedule entries (Item 9).

This does not, without further evidence, establish that identical instructions were implemented identically by Durham Constabulary, but that is precisely why Durham's records now matter.

If the national policing structure was sharing guidance across jurisdictions, Durham should establish what it received and how it responded.

5.8 The importance of UK-wide coordination

The subsequent evidence concerning Martin Hewitt materially strengthens the importance of that question.

Mr Hewitt, then Chair of the National Police Chiefs' Council and Operation Talla Gold Commander, has described bringing chief constables together because the pandemic required a coordinated police response.

He has described the proposition that:

"we will run this from the centre"

and has explained that Operation Talla was operated as a UK police response, with guidance shared beyond England and Wales, including with Scotland and Northern Ireland.

Those statements provide an important evidential context for the documentary material subsequently obtained from Scotland.

They also make the position of individual English police forces relevant.

If the response was being run nationally and guidance was being shared across the United Kingdom, it is reasonable to ask what Durham Constabulary received.

5.9 Why this matters to my December 2023 report

This brings the matter directly back to my complaint.

In December 2023 I reported suspected criminality to Durham Constabulary arising from evidence given publicly before Parliament concerning the Government's handling of the vaccine programme.

Durham subsequently referred my allegation to the Metropolitan Police.

What I did not know at the time was the extent of the national policing architecture which had existed around Covid-related matters.

I therefore could not ask questions which now arise naturally:

- Was my report recognised as falling within subject matter previously addressed under Operation Talla?
- Was it cross-referenced against any Operation Talla material?
- Did Durham consult any national guidance when determining how my report should be handled?
- Was the Metropolitan Police referral influenced by previous national arrangements?
- Did the Metropolitan Police assess my allegation entirely afresh, or against a policing position which had already developed during Operation Talla?
- And did Durham know what that position was?

These are factual questions.

5.10 The Metropolitan Police was not an institutionally blank canvas

This point requires particular emphasis.

When Durham Constabulary referred my allegation to the Metropolitan Police, it was not referring the matter to a police force which had no previous involvement with allegations concerning the vaccine programme.

The Metropolitan Police had already handled CRN 6029679/21.

That report had attracted national attention.

The Metropolitan Police had publicly commented upon it.

It had been claimed that its officers had reviewed substantial material.

Its internal records demonstrate significant operational activity.

Such internal records may be accessed via the relevant accompanying Schedule entry (Item 10).

Its Directorate of Legal Services became involved and the wider documentary record now places Covid-related crime reporting within the Operation Talla environment.

Accordingly, an important question now arises:

When Durham referred my allegation to the Metropolitan Police, did Durham know of the Metropolitan Police's previous involvement in these matters and, if so, did Durham consider whether that previous involvement affected the appropriateness of the referral?

Again, this is not an allegation that the Metropolitan Police could not lawfully consider the matter.

It is a question concerning independence, prior involvement and decision-making.

5.11 The Criminal Justice System Strategic Command

The documentary picture subsequently widened still further.

Operation Talla did not exist within an institutional vacuum.

During the Covid emergency, national arrangements also existed for strategic coordination across the criminal justice system.

Of particular relevance is the Criminal Justice System Strategic Command (CJSSC).

The significance of the CJSSC to this complaint is structural.

The Covid response brought policing into a wider strategic environment involving organisations across the criminal justice system and Government.

That environment requires careful analysis because the ordinary constitutional model depends upon distinct institutions performing distinct functions.

- Police investigate.
- Prosecutors make prosecutorial decisions.
- Courts adjudicate.
- Government governs.
- Professional regulators regulate their respective professions.

Coordination between those institutions is not inherently improper. During any claimed emergency, substantial coordination may be necessary, but the closer the institutional proximity becomes, the greater the importance of maintaining and being able to demonstrate proper boundaries, operational independence and transparent decision-making.

5.12 Why institutional proximity matters

This is particularly relevant to the subject of my original report.

Dominic Cummings' evidence concerned instructions emanating from Government.

My allegation concerned the possibility of interference with the proper administration of justice.

The subsequent matters involve police forces, lawyers, professional regulators and the treatment of allegations concerning Government's Covid response.

Evidence then emerges demonstrating extensive national coordination across policing and, beyond policing, strategic coordination across the criminal justice system.

None of those facts individually proves improper interference, though collectively, they make one proposition unavoidable: Institutional independence cannot simply be assumed where the question being investigated is whether institutional influence occurred.

It must be demonstrated by the evidence.

5.13 The constitutional distinction

I wish to be particularly clear about the proposition I advance.

The existence of the CJSSC is not evidence of criminality.

The existence of Operation Talla is not evidence of criminality.

Government communicating with policing during a national emergency is not evidence of criminality.

Police forces coordinating with one another is not evidence of criminality.

Professional regulators communicating with public authorities is not necessarily evidence of criminality.

The concern arises where those structures intersect with allegations that Government actors may have sought to circumvent rules, remove lawyers regarded as obstacles, influence access to justice, or affect the treatment of allegations concerning Government itself.

At that point, independence ceases to be merely an institutional principle.

It instead becomes an evidential issue.

5.14 The significance of information which was not publicly visible in 2023

This explains why Durham Constabulary cannot reasonably assess the present complaint simply by returning to the conclusion reached in 2023.

The evidential landscape has changed very considerably.

Documents subsequently obtained illuminate structures and communications which were not available to me when I made my original report.

They allow questions to be asked which I could not then formulate with documentary support.

Most importantly, they transform parts of the issue from speculation about whether national coordination existed into documentary questions concerning how that coordination actually operated.

5.15 The records Durham should now examine

I therefore ask Durham Constabulary, as part of the present complaint, to identify and preserve material capable of establishing its position within Operation Talla and the wider national response.

That should include, insofar as such records exist:

- Operation Talla communications received by Durham Constabulary;
- NPCC communications concerning Covid-related reports;
- communications received by the Chief Constable or chief-officer group;
- minutes, briefing papers and decision records concerning national Covid policing;
- material concerning the recording or non-recording of Covid-related allegations;
- communications concerning CRN 6029679/21;

- communications concerning reports alleging criminality associated with the vaccine programme;
- records concerning Durham's participation in relevant national command or coordination arrangements; and
- material capable of identifying what national guidance was in force when my December 2023 report was received and subsequently referred to the Metropolitan Police.

The purpose is not to embark upon an indiscriminate search of Durham Constabulary's pandemic records. It is to establish the institutional and operational context directly relevant to the handling of my report.

5.16 The evidential proposition as matters stand now

The position can therefore be reduced to a straightforward chronology.

In May 2021, Dominic Cummings told Parliament that those responsible for the vaccine programme had been told:

"Ignore rules."

and:

"If lawyers get in your way, come to us and we'll find ways of bulldozing them out of your way."

In December 2021, lawyers participated in reporting serious allegations concerning the vaccine programme and related matters to the Metropolitan Police under CRN 6029679/21.

During January and February 2022, national policing structures were actively addressing Covid-related reporting and activity.

Subsequent professional regulatory proceedings involved professionals associated with CRN 6029679/21.

In December 2023, I reported my concerns arising from Cummings' Parliamentary evidence to Durham Constabulary.

Durham referred my allegation to the Metropolitan Police.

The Metropolitan Police declined to take action.

And subsequently, documentary evidence emerged which disclosed considerably more about the national policing environment within which all of those events occurred.

That sequence does not itself prove the criminal allegation I originally reported.

It does, however, make it increasingly difficult to understand how the adequacy of the original decision can now be assessed without examining the national context which has subsequently been revealed.

6. RETURNING TO DURHAM CONSTABULARY: THE QUESTIONS WHICH MUST NOW BE ANSWERED

6.1 The purpose of this complaint

The preceding sections necessarily range beyond Durham Constabulary.

That has been unavoidable because the significance of Durham's handling of my December 2023 report can no longer properly be assessed without understanding the wider factual and institutional environment which has subsequently emerged.

The purpose of this complaint, however, is considerably narrower.

I ask Durham Constabulary's Professional Standards Department to examine Durham Constabulary's own handling of my report, the decisions taken concerning it, the basis upon which it was referred to the Metropolitan Police and whether those decisions remain sustainable when considered against the documentary evidence now available.

I do not ask Professional Standards to begin from an assumption that my original allegation was correct.

Equally, I do not consider it appropriate for the matter to begin from an assumption that the decision reached by Durham Constabulary in 2023 must have been correct.

The appropriate starting point is the evidence.

6.2 The original allegation has not disappeared

At the centre of this complaint remains the evidence given publicly to Parliament by Dominic Cummings on 26 May 2021.

The relevant words remain his:

"Treat this like a wartime thing. Ignore rules."

And:

"If lawyers get in your way, come to us and we'll find ways of bulldozing them out of your way."

My concern in December 2023 was straightforward.

- What did those instructions mean?
- Who gave them?
- Who constituted the "us" to whom Kate Bingham was apparently instructed to turn?
- Which rules could be ignored?
- Which lawyers were anticipated as potentially getting in the way?
- Did any lawyers subsequently do so?
- And, if they did, what was done about them?

Those were factual questions capable of investigation.

The subsequent evidential developments described within this complaint have not made those questions disappear. They have instead made them more important.

6.3 What did Durham Constabulary actually do?

The first requirement of this complaint is therefore an accurate reconstruction of Durham Constabulary's own handling.

I ask Professional Standards to establish:

- When was my December 2023 report first received?
- How was it recorded?
- Who first assessed it?
- What involvement, if any, did the office of the Chief Constable have?
- How and why was Chief Inspector Dean Haythornthwaite allocated the matter?
- What investigative assessment did he undertake?
- What other officers or departments were consulted?
- What legal or jurisdictional advice, if any, was obtained?
- What records were created?
- What evidence was considered?
- What enquiries were undertaken?
- And what reasoning led Durham Constabulary to refer the matter to the Metropolitan Police?

These questions should be answerable from contemporaneous records.

6.4 The referral to the Metropolitan Police requires particular examination

The referral to the Metropolitan Police is now one of the most important aspects of this complaint.

At the time, I had no reason to understand the full significance of that decision.

The documentary position subsequently revealed makes it considerably more important.

The Metropolitan Police was not institutionally unconnected with the subject matter of my allegation.

It had already handled CRN 6029679/21.

Its officers had received and reviewed substantial evidence concerning allegations associated with the Covid-19 vaccine programme.

Its own internal records now disclose investigative activity around that report.

The Metropolitan Police Directorate of Legal Services became involved.

The Metropolitan Police participated within the wider Operation Talla environment.

And subsequent documentary disclosures have raised serious questions concerning the national policing approach to reports alleging Covid-related criminality.

Against that background, I ask Professional Standards to establish precisely why Durham selected the Metropolitan Police.

6.5 The CPS evidence must be reconciled

The need for an explanation is strengthened by written correspondence I subsequently received from the Crown Prosecution Service.

As explained earlier in this complaint, the CPS position communicated to me appears inconsistent with the basis upon which Durham Constabulary referred my allegation to the Metropolitan Police.

As mentioned previously, the CPS letter is linked in the Schedule (Item 4).

I do not ask Professional Standards simply to prefer my interpretation of the CPS correspondence over Durham's.

I ask that the apparent discrepancy be addressed expressly.

If Durham's referral was correct, notwithstanding the CPS position, the legal or operational basis should be capable of explanation.

If the referral was made upon a mistaken understanding of jurisdiction, responsibility or procedure, that too should be identified.

6.6 What did the Metropolitan Police actually consider?

There is then the question of what happened after referral.

I was ultimately informed through Durham Constabulary that the Metropolitan Police would not take action.

That outcome is not, by itself, an explanation.

Professional Standards should establish what the Metropolitan Police actually received from Durham and what it did with that material.

In particular:

- Was my complete report transmitted?
- Was the Parliamentary transcript supplied?
- Was the suspected criminality I had identified accurately communicated?
- Was the matter formally recorded by the Metropolitan Police?
- Was it allocated to an officer?
- Was an evidential assessment undertaken?
- Were any enquiries conducted?
- Was Dominic Cummings contacted?
- Was Kate Bingham contacted?
- Were any Government records sought?
- Was any consideration given to identifying the lawyers contemplated by Mr Cummings' evidence?
- Was any connection with CRN 6029679/21 identified?
- Was Operation Talla relevant to the assessment?
- And what written reasoning was supplied to Durham Constabulary when the Metropolitan Police decided not to proceed?

If those enquiries occurred, there should be records.

If they did not occur, that fact is itself material to assessing the adequacy of the process.

6.7 Durham's Operation Talla position must now be established

The subsequent Operation Talla disclosures create a further Durham-specific issue.

Durham Constabulary certainly participated in the national policing response during the Covid period.

The evidence now demonstrates substantial national coordination at chief-officer level.

Accordingly, Professional Standards should establish what Durham Constabulary knew about the national approach to Covid-related reports and when it knew it.

That examination should include relevant communications received from the NPCC, Operation Talla command structures and other national policing bodies.

Particular attention should be given to any material concerning:

- crime recording;
- non-recording of allegations;
- Covid vaccine-related reports;
- CRN 6029679/21;
- persons seeking to submit evidence concerning alleged Covid-related criminality;
- and any national or local guidance affecting how such reports were to be handled.

This is not an invitation to assume that Durham implemented the approach disclosed elsewhere.

It is a request to establish whether it did.

6.8 The position of Durham's senior leadership

The investigation should not be artificially confined to the knowledge of the officer who dealt with my report in 2023.

The subsequent evidence establishes that Operation Talla operated within a national chief-officer environment.

It is therefore necessary to establish what information reached Durham Constabulary's senior leadership during the material period.

This includes the relevant chief constable and chief-officer group.

I make no allegation against any individual merely by reason of their office or attendance at a national policing forum.

The issue is institutional knowledge.

If Durham's senior leadership had received national guidance or participated in discussions relevant to the treatment of Covid-related allegations, that information may be directly material to understanding the force's subsequent handling of my report.

6.9 Chief Inspector Haythornthwaite's decision-making

The conduct and decision-making of Chief Inspector Haythornthwaite therefore requires examination within that institutional context.

Professional Standards should establish what information was available to him when he considered my report.

In particular:

- Did he know of Operation Talla?
- Did he consult any Operation Talla material?
- Was he aware of national guidance concerning Covid-related reports?
- Was he aware of CRN 6029679/21?
- Did he know of the Metropolitan Police's previous involvement with allegations concerning the vaccine programme?
- Did he seek advice before referring my allegation to that force?
- Who authorised or approved the referral?
- What response did he receive?
- What assessment did he make of that response?
- And what was the basis for subsequently communicating that Durham Constabulary would not engage in further correspondence with me concerning the subject issues?

I make no predetermined allegation concerning his answers.

I ask that the answers be established.

6.10 The subsequent refusal to engage

That final point warrants separate consideration.

Chief Inspector Haythornthwaite previously communicated a position that Durham Constabulary would not engage further in correspondence with me concerning these matters.

The significance of that decision must be assessed against what was known at the time and what has subsequently emerged.

On 7 August 2026, Detective Sergeant David Wells, Supervisor within Durham Constabulary's Complaints Department, invited the submission of a formal complaint concerning Durham Constabulary.

I welcome that opportunity.

It necessarily follows that the previous prohibition upon further engagement cannot properly operate so as to prevent Professional Standards from receiving, examining and responding to the evidence now submitted.

6.11 The outstanding Subject Access Request issue

There is also a related issue concerning access to Durham Constabulary's records.

Durham Constabulary is presently subject to an investigation by the Information Commissioner's Office arising from the handling of a Subject Access Request I submitted and the refusal to provide data which I consider relevant.

I do not ask Professional Standards to determine the data-protection issues which properly fall to the ICO.

I identify the matter because potentially relevant Durham-held information may overlap with the subject matter of this complaint.

It is therefore particularly important that no relevant records are deleted, overwritten, disposed of or otherwise rendered unavailable while either process remains outstanding.

6.12 Preservation of evidence

I accordingly request the immediate preservation of all potentially relevant material held by Durham Constabulary.

This should include, where applicable:

- my original December 2023 report and attachments;
- all records of its receipt and assessment;
- communications involving the Chief Constable's office;
- communications involving Chief Inspector Haythornthwaite;
- supervisory and decision records;
- internal emails and messaging;
- crime, incident and intelligence-system entries;
- communications with the Metropolitan Police;
- records of the Metropolitan Police referral;
- responses received from the Metropolitan Police;
- relevant legal or jurisdictional advice;
- Operation Talla communications;
- NPCC communications relevant to Covid-related crime reporting;
- relevant chief-officer communications and briefing material;
- records concerning CRN 6029679/21;
- records relevant to the subsequent decision not to correspond further with me; and
- material relevant to my Subject Access Request insofar as it overlaps with this complaint.

Where electronic records contain audit histories, metadata or revision histories capable of establishing chronology, those should also be preserved.

This request is made to protect the integrity of the complaint process, not upon an allegation that evidence would otherwise deliberately be destroyed.

6.13 Independence of the investigation

There is then an unavoidable question concerning who should investigate this complaint.

The Metropolitan Police is already directly relevant to the matters complained of.

It was the recipient of Durham's 2023 referral.

Its handling of CRN 6029679/21 is itself presently the subject of a Professional Standards investigation following referral to the Independent Office for Police Conduct and the IOPC's determination that a local investigation should take place.

The Metropolitan Police should therefore not, in my view, be treated as an institutionally neutral destination for any aspect of this Durham complaint which requires independent examination.

I ask Durham Constabulary to consider expressly whether the nature and scope of the complaint require referral to the Independent Office for Police Conduct and whether any investigative work should be undertaken independently of both Durham Constabulary and the Metropolitan Police.

I do not seek to dictate the statutory mode of investigation.

I ask that the issue of independence be addressed and the reasoning recorded.

6.14 The outcomes I seek

My requested outcomes are proportionate and specific.

- I seek a properly recorded and sufficiently independent investigation into Durham Constabulary's handling of my December 2023 report.
- I seek an explanation of the legal, jurisdictional and operational basis upon which the matter was referred to the Metropolitan Police.
- I seek identification of what investigative or evidential assessment actually occurred before I was informed that no further action would be taken.
- I seek examination of whether Operation Talla or any national policing guidance was relevant, directly or indirectly, to Durham's handling of my report.
- I seek reconciliation of Durham's decision-making with the subsequent CPS correspondence.
- I seek examination of the relevant contemporaneous records and the preservation of all potentially material evidence.
- And, if the evidence demonstrates that the original allegation was not adequately assessed or investigated, I ask that appropriate arrangements be made for its proper reconsideration by a body possessing sufficient independence from the institutions whose conduct may itself require examination.

6.15 What I do not seek

For equal clarity:

- I do not ask Professional Standards to accept every inference advanced within this complaint as established fact.
- I do not ask it to conclude that Operation Talla was unlawful merely because it existed.
- I do not ask it to conclude that professional regulatory proceedings were improperly directed by Government merely because questions concerning their provenance arise.
- I do not ask it to treat Dominic Cummings' Parliamentary testimony as proof, without investigation, that criminal offences were committed.
- And I do not ask Durham Constabulary to adopt my conclusions about the Metropolitan Police.

I ask for something more fundamental: An evidence-led examination of what Durham Constabulary did, why it did it, what information informed those decisions and whether those decisions remain sustainable in light of the documentary record now available.

6.16 The central question

This complaint began with words spoken publicly before Parliament in May 2021:

"Ignore rules."

"If lawyers get in your way, come to us and we'll find ways of bulldozing them out of your way."

In December 2023, I asked Durham Constabulary, in substance, to consider whether those words disclosed something requiring criminal investigation.

The matter was referred to the Metropolitan Police.

No action followed.

Durham subsequently declined further engagement with me concerning the subject.

Since then, the evidential landscape has changed substantially.

Operation Talla has emerged into documentary view.

National coordination has become demonstrable.

Material concerning the treatment and recording of Covid-related allegations has emerged.

The internal handling of CRN 6029679/21 has become considerably clearer.

The involvement of senior policing structures has become clearer.

And evidence concerning the wider institutional environment in which these events occurred is now available which I did not possess in December 2023.

The question is therefore no longer simply:

Was Durham Constabulary entitled to reach the decision it reached in 2023?

The question is now:

What did Durham Constabulary actually do with my allegation; upon what evidence and authority were its decisions made; and can those decisions still withstand scrutiny when measured against the documentary record which has subsequently emerged?

That question is capable of an evidence-based answer.

I respectfully ask Durham Constabulary's Professional Standards Department to provide one.

7. THE CRIME RECORDING STANDARD

A further matter upon which I respectfully invite Durham Constabulary to provide clarity is as follows:

The Home Office Crime Recording Rules for Frontline Officers and Staff explain that the rules exist to ensure that crimes are recorded consistently and accurately. More particularly, at page 6, the Standard expressly adopts a victim-focused approach:

“The Standard directs a victim focused approach to crime recording. The intention is that victims are believed and benefit from statutory entitlements under the Code of Practice for Victims of Crime (CPVC).”

It continues by explaining that those reporting crimes should be treated with empathy, that their allegations should be taken seriously, and that:

“Any investigation which follows is then taken forward with an open mind to establish the truth.”

Those principles are particularly relevant when considered against the subsequently disclosed Operation Talla material and, specifically, the existence of national policing language concerning *“guidance to not record.”*

The issue is not whether every allegation reported to police must automatically be recorded as a crime. Plainly, that is not the effect of the Crime Recording Rules. The issue is whether an allegation receives the individual, victim-focused and open-minded

assessment contemplated by the Standard, rather than its treatment being predetermined by its subject matter or by a wider operational policy.

I therefore respectfully ask Durham Constabulary: when my report of suspected criminality was received in December 2023, was it assessed individually and with an open mind in accordance with the applicable crime-recording principles, or was its treatment influenced, directly or indirectly, by any national Operation Talla policy, guidance or position concerning the recording of Covid-related allegations?

Concluding statement

This complaint does not ask Durham Constabulary to accept my conclusions. It asks Durham Constabulary to investigate its own decisions.

If those decisions were properly reached, independently made and supported by an adequate evidential assessment, the contemporaneous records should demonstrate that.

If they were not, the same records and the evidence subsequently disclosed should now be permitted to demonstrate that too.

The appropriate response to either possibility is the same: Follow the evidence.

There is one further matter which I consider important to state. Had my December 2023 report been subjected to an appropriately rigorous evidential assessment, the potential lines of enquiry arising from it could not, in my view, properly have ended with the words spoken before Parliament.

By reason of my direct and personal knowledge of the proceedings in *SRA v Hyland* and *SRA v Bayliss*, I know that there existed

identifiable and potentially highly material avenues of enquiry by which the substance of Mr Cummings' evidence could have been tested against events which had actually occurred.

Those were not speculative avenues requiring an investigator to invent a theory and then search for evidence to support it. They were competent and obvious lines of enquiry arising from identifiable persons, proceedings, documents and events.

In my respectful view, once the subject matter of my report was properly understood, the investigative necessity of examining those matters would have been impossible responsibly to ignore.

Whether those enquiries would ultimately have substantiated, weakened or entirely displaced the suspicion reported by me was a matter for investigation; the difficulty is that they first had to be undertaken.

I also trust that, in addressing this complaint and the evidential material accompanying it, Durham Constabulary will have appropriate regard to the principles reflected in the Treasury Solicitor's Guidance on the Duty of Candour and Disclosure in Judicial Review Proceedings, including the importance of ensuring that relevant material is properly identified, preserved and capable

of providing a full and accurate account of the decision-making concerned.

Those principles provide a useful discipline whenever the lawfulness of public decision-making may subsequently require independent scrutiny.

Ian Clayton

Lead Investigator - Ethical Approach UK

SCHEDULE

Item 1

Health and Social Care Committee and Science and Technology Committee

Oral evidence: Coronavirus: Lessons learnt, HC 95

Wednesday 26 May 2021

Transcript

<https://committees.parliament.uk/oralevidence/2249/html/>

Item 2

Video of the relevant section of:

Health and Social Care Committee and Science and Technology Committee

Oral evidence: Coronavirus: Lessons learnt, HC 95

Wednesday 26 May 2021

<https://youtu.be/gVSs57qtySA?is=yE1SrV85Nu43Qfw>

Item 3

The December 2023 criminal complaint made to Durham Constabulary and ensuing correspondence involving CI Haythornthwaite- Correspondence period 01/12/2023 to 12/09/2025

https://ethicalapproach.co.uk/crime_report_corres_with_durham_constab_2023_to_2025.pdf

Item 4

Letter dated 7 August 2025 from the Crown Prosecution Service, clarifying jurisdiction for public crime reporting

https://ethicalapproach.co.uk/cps_email_07082025.jpg

Item 5

Email dated 10 January 2024 to Solicitors Regulation Authority, posing questions relevant to Dominic Cummings' May 2021 testimony

https://ethicalapproach.co.uk/AIC_to_SRA_email_10.01.2024.pdf

Item 6

Minutes dated 14 January 2022 of a Police Chiefs' Council meeting which took place on 12 January 2022 (CC Jo Farrell then of Durham Constabulary attending)

https://ethicalapproach.co.uk/14_january_2022_260406_032139.pdf

Item 7

The “*to not record*” email concerning the reported “*success*” of the guidance, sent to ACC Owen Weatherill (NPCC Operation Talla Silver)

https://ethicalapproach.co.uk/a4_FW_Full_Fact_Time_sensitive_false_claims_of_live_i_250715_164048.pdf

Item 8

The so-called, Speirs Directive issued internally throughout Police Scotland in January 2022

https://ethicalapproach.co.uk/speirs_directive.pdf

Item 9

Letter from Police Scotland clarifying attribution provenance to the non-recording/rejection policing approach in Operation Talla

https://ethicalapproach.co.uk/FOI_25_0673.pdf

Item 10

Metropolitan Police internal handling record relating to CRN 6029679/21

https://ethicalapproach.co.uk/SAR_CR6029679_21PDF_260325_134829.pdf