

A Solicitor Challenging Government Is Entitled to Independent Justice

Philip Hyland and the questions raised by Parliamentary evidence on Operation Talla

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The public should assess Philip Hyland's position with an understanding of the institutions surrounding it.

A solicitor's conduct must meet professional standards, but a complaint concerning that conduct must also be examined independently, particularly when its author invokes a Government role protecting the programme which the solicitor's work challenges.

The Home Affairs Committee's evidence of 13 January 2021 supplies an important part of that context.

Owen Weatherill appeared as Commander of Operation Talla for the National Police Chiefs' Council. His evidence identifies active contact between policing, the Home Office and the Department of Health over regulations and guidance.

Approximately thirteen months later, a DHSC official reported Mr Hyland to the Solicitors Regulation Authority.

The relationship was described to Parliament

At Q830 in the Parliamentary transcript, Owen Weatherill said that policing had an ability to influence the shape of some regulations and guidance. He also acknowledged that the results were not always what policing wanted. He then stated:

“There is at the moment an active conversation with the Home Office and the Department of Health as to how we might be able to improve things, to give greater clarity to the public and also to our officers.”

The immediate subject was clarification of restrictions, particularly travel and exercise. This was not testimony about a plan to suppress legal challenges. Its significance is that it identifies an established channel of engagement whose records may help explain later events.

The public is entitled to ask whether that relationship remained confined to legitimate coordination or also carried information about people challenging pandemic policies.

That question requires records.

Neither institutional proximity nor the later complaint supplies the answer by itself.

For Mr Hyland, the relevance is direct: His conduct should not be judged against an artificially narrow account which excludes the governmental capacity of a complainant or any relevant exchanges between Government, policing and regulation.

The complaint was expressly framed around programme risk

Paul Easter's report form, dated 15 February 2022, names Philip Hyland and PJH Law. It was forwarded to the SRA on 16 February 2022.

The signature identifies Easter as Head Info and Security Ops, UK Covid Vaccine Security. The form states:

"I work for the DHSC on behalf of HMG assessing risks to the UK Vaccine programme."

Easter described anti-vaccination groups as a significant and identified risk to the programme. He alleged that PJH Law disseminated misinformation, including claims about criminal liability and an active Metropolitan Police investigation.

Those were allegations requiring assessment, not established findings merely because they came from an official.

His report also reproduced a proposed programme of legal work associated with Dr Sam White: obtaining advice, drafting applications, representation in court, preparing hearings, engaging counsel and obtaining expert and witness evidence. It listed investigations into conflicts of interest and protection against adverse costs orders.

These are recognisable means of preparing legal challenges. Their inclusion in a complaint does not establish that Easter regarded each activity as independently improper. But it makes separation essential: Which specific statement or act was said to breach a professional duty, on what evidence and why were these legal activities apparently relevant to Paul Easter and the DHSC?

The report concluded that urgent SRA action was necessary, alleging that false information could increase vaccine hesitancy and cause serious injury or death. Its expressed concern was therefore connected to the perceived protection of a Government programme.

The distinction the public must insist upon

A solicitor may be answerable for misleading statements, improper threats or other proven misconduct.

Representing unpopular clients, commissioning evidence or challenging Government policy however, is a different matter.

Ordinary legal work cannot fairly acquire the character of misconduct simply through association with a controversial cause.

The SRA's current Principles expressly require the regulated profession to uphold the rule of law, act independently, honestly and with integrity.

These duties include obligations to the court which can outweigh a client's wishes. The same constitutional framework depends upon lawyers being able to test public power through proper legal means.

The public-interest argument for Mr Hyland is consequently exacting: Identify the alleged misconduct and prove it by the proper process. Do not allow a programme-protection narrative to substitute for that exercise.

The official source of a complaint should invite careful scrutiny of its basis, not automatic acceptance or automatic rejection.

The police record must be part of the assessment

Easter's report alleged an inability to distinguish a crime reference number from an open police investigation.

A reference number alone does not prove that a criminal investigation has been opened, but that proposition cannot resolve what actually occurred under CRN 6029679/21 or what the participants were reasonably entitled to understand from police communications.

On 21 February 2022, the Metropolitan Police informed the complainants that there was insufficient evidence to pursue an investigation and that no further action would be taken. A later letter from Tor Garnett, dated 18 May 2022, expressly addressed how earlier police activity could have been described:

“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; the allegations were, in fact, being reviewed/investigated to determine whether a crime should be recorded.”

That passage deserves proper weight. It does not establish the existence of a full criminal investigation into every allegation, validate claims about the scale of the exercise or prove the underlying suspected offences. It does though, very clearly establish that the police themselves recognised a process

which could accurately have been described in the terms explained in their letter.

Fairness to Mr Hyland requires each disputed representation to be compared with its exact wording, date, context and the police information then available.

A general statement that a crime number proves nothing is not a substitute for that comparison. Nor should a later police clarification be omitted from an assessment of whether an earlier description was misleading.

What should now be explained

DHSC should identify the origin, authorisation and evidential basis of Easter's report, including any relevant information received from policing.

The fact that he invoked HMG and used departmental channels warrants a clear explanation of his capacity.

The NPCC and MPS should identify any relevant communications with DHSC or the SRA concerning PJH Law, Mr Hyland and the CRN.

Their records should clarify what was said about the police assessment, by whom and whether subsequent explanations were communicated to those relying on earlier accounts.

The SRA should explain how it assessed the governmental provenance of the report, distinguished legal activity from alleged misconduct and tested the relevant assertions against the police record.

Disclosure should show what influence, if any, this particular complaint had upon regulatory decisions.

These questions seek evidence capable of supporting or correcting the institutional accounts.

Mr Hyland's public reputation should not depend upon assumptions filling the gaps between them.

Independent scrutiny protects the public as well as the solicitor

Bishop David Walker's Parliamentary account adds a reason to examine safeguards.

Speaking on 3 February 2026 about his chairmanship of the Talla policing ethics committee, he described chief constables facing ministerial pressure over announcements presenting measures as law before they were law. Police wanted independent support against "*that kind of ministerial overreach*".

He did not say that Ministers caused Easter's report or directed the handling of the CRN.

His evidence raises the question of how independence was protected where Government expectations and policing judgments met.

The answer may reveal effective safeguards, disagreement or a failure. It should therefore be established rather than presumed.

In July 2025, the SRA gave Ethical Approach UK an assurance that it had not been approached by Government or its representatives to discourage or obstruct solicitors challenging Covid-related policies. Our September 2026 correspondence asked it to reconcile that assurance with Easter's report.

The assurance did not deny every Government contact. A properly founded professional complaint is not necessarily an approach intended to obstruct legal work, but the distinction is precisely what requires explanation: Was Easter's report considered when the assurance was given, how was its purpose assessed and what safeguards protected independent regulation?

I can report that these questions remain substantively unanswered as at this paper's date.

The case for a fair public judgment

The Supreme Court explained in *R (UNISON) v Lord Chancellor* [2017] UKSC 51, paragraphs 66 - 69, that access to courts is inherent in the rule of law and benefits society beyond individual litigants. The ability to challenge Government is therefore a public safeguard. Protecting it requires both responsible lawyers and genuinely independent regulation.

The case advanced here is for a fair, fully informed assessment of Mr Hyland.

It does not ask the reader to determine disciplinary liability or treat the reported criminal allegations as proved.

It asks that ordinary legal challenge is recognised for what it is and that any alleged departure from professional standards is assessed on the complete relevant evidence.

DHSC, the SRA, the NPCC and the MPS can help settle these questions through candid explanations and appropriately protected disclosure.

Where records support their decisions, disclosure can demonstrate that.

Where the account requires correction, the public interest demands the correction.

Philip Hyland is entitled to be judged on evidence, with the institutional context visible.

Sources and references

Home Affairs Committee, HC 232, 13 January 2021.

Paul Easter complaint to SRA, February 2022.

Metropolitan Police letter of 21 February 2022.

Tor Garnett letter of 18 May 2022.

Hansard, House of Lords, 3 February 2026, Police Reform White Paper, Lord Bishop of Manchester.

SRA Principles, current version effective 11 April 2025,
Principles 1, 3 - 5 and introduction; cited as a present statement
of professional duties.

Assurance of 9 July 2025 by SRA to EAUK (correspondence of 1
September 2026; outstanding-response from SRA awaited)

R (UNISON) v Lord Chancellor [2017] UKSC 51, paragraphs 66 -
69.