

When Part of the Crime Reported Becomes Part of the Evidence Supporting the Very Same Allegation

The Philip Hyland Regulatory Sequence and the Evidential Paradox of CRN 6029679/21

Introduction

There are occasions in an investigation when evidence obtained later casts new light upon an allegation made earlier.

That is unremarkable. It is actually one of the purposes of a proper investigation.

There are considerably rarer occasions when subsequent events themselves begin to resemble the very conduct or institutional phenomenon which the original allegation invited the authorities to examine.

That is something different and when it occurs, intellectual honesty requires the later events to be considered as evidence in their own right.

This paper concerns one such sequence.

The proposition advanced relates to one particular component of a substantial complaint presented to the Metropolitan Police in December 2021 and which concerned the treatment by professional regulators of professionals who dissented from, questioned or raised concerns regarding aspects of the institutional response to Covid-19.

Philip Hyland was one of the solicitors involved in presenting that complaint.

What happened afterwards is extraordinary.

Complaints were subsequently made about Mr Hyland to his own professional regulator. Those complaints themselves referred substantively to the Metropolitan Police crime report. The Solicitors Regulation Authority then approached the Metropolitan Police concerning that report. The Metropolitan Police supplied information about its status. The SRA relied upon that information when questioning whether representations associated with Mr Hyland had been misleading.

In 2025, primary Metropolitan Police records emerged.

Those records disclose a considerably more complicated operational position than the categorical account upon which the regulatory concern had proceeded.

Thus arises the uncomfortable question at the heart of this paper:

What happens when a person assists in reporting an alleged institutional phenomenon, only subsequently to experience events possessing characteristics materially resembling the very phenomenon which he had asked the police to examine?

That question deserves an answer based upon evidence rather than institutional reassurance.

1. The Original Complaint Was Wider Than Vaccination

It is important at the outset to understand what was actually presented to the Metropolitan Police.

The complaint was not merely a disagreement concerning vaccination policy.

It comprised eight separate modules.

One concerned the treatment by professional regulators of professionals who dissented from, questioned or raised concerns about aspects of the orthodox institutional response to Covid-19.

That fact assumes considerable importance because of what happened next.

Among the matters which Mr Hyland and others were asking the police to examine was, therefore, the possibility that professional regulatory mechanisms themselves required scrutiny in circumstances involving professionals expressing Covid-related dissent.

Whether that allegation was right or wrong was a matter for evidence, but its existence as part of the original complaint is a fact and the subsequent chronology must be read with that fact very firmly in mind.

2. The Solicitor Who Reported the Phenomenon

Mr Hyland did not stand outside these events as a commentator. He participated professionally in presenting serious allegations and supporting material to the Metropolitan Police.

The police report was allocated CRN 6029679/21.

Thereafter, complaints were made concerning Mr Hyland to his professional regulator.

Four complaints are identified in the material considered for the previous analysis and all referred substantively to the Metropolitan Police crime report.

That is the first point at which the chronology begins to turn back upon itself.

The police report was no longer merely something Mr Hyland had participated in making.

The police report itself had become part of the subject matter relied upon by those complaining about Mr Hyland and that distinction matters.

The original activity - participating in bringing allegations to the police, had begun to acquire a second institutional significance.

It was becoming relevant to scrutiny of the professional who had participated in reporting them.

3. The Regulator Enters the Same Evidential Circle

There was nothing inherently improper about the SRA receiving complaints.

There was nothing inherently improper about investigating them.

And indeed, there was nothing inherently improper about approaching the Metropolitan Police to verify representations concerning a Metropolitan Police crime report.

The difficulty lies elsewhere.

On 21 February 2022 (the same day at the Metropolitan Police issued a closure letter relating to the allegations advanced by Mr Hyland and others), the SRA informed Mr Hyland that it had received confirmation from the Metropolitan Police that:

“there is no ongoing investigation into the government's Covid-19 vaccination program.”

The SRA additionally stated:

“While a crime reference number has been issued by the Metropolitan Police, that is to record the existence of a report only.”

Then came the proposition which matters most:

“The Metropolitan Police has confirmed that no investigation has been opened as a result of that report.”

The SRA proceeded to express concern that the relevant notice was *“misleading”* and confirmed that it was investigating the matter.

The institutional geometry had now become remarkable.

- Mr Hyland had participated in reporting concerns to the Metropolitan Police.
- Complaints were subsequently made to his professional regulator referring substantively to that police report.

- His regulator then asked the police institution concerned for its account of the report.
- The police supplied an account.
- And that account became part of the factual foundation upon which the professional conduct of one of the people who had participated in making the report was called into question.

4. Mr Hyland Immediately Disputed the Premise

There is an important feature which prevents this history from being characterised as a retrospective dispute manufactured years later.

Mr Hyland challenged the factual premise at the time.

On the same day, 21 February 2022, he explained why he understood:

“an investigation or evidence review is underway.”

He referred to the secure Metropolitan Police facility being used for evidential material and his attendance at Hammersmith Police Station to provide further material.

His formulation deserves careful attention.

He did not assert an artificially precise legal proposition concerning the technical stage reached under police crime-recording procedures.

He said:

“an investigation or evidence review”.

That was cautious language and it subsequently became extremely important, because the Metropolitan Police's own records eventually emerged.

5. The Police Record Speaks

The subsequently disclosed operational record does not comfortably resemble a passive record of a report which went nowhere.

It contains:

- *“Screening Decision: IN”*
- It identifies an Investigating Officer.
- It records allocation to a detective constable.
- Elsewhere it states: *“Crime screened ‘in’ for further investigation.”*
- The reason recorded is: *“92 Proportionate Investigation”*.
- The chronology records: *“Screened In”*.
- The matter was transferred to CID. Detective.

- Supervisory activity followed.
- Material was received and considered.
- Metropolitan Police Legal Services became involved.
- Ultimately the operational record contained the words:
“Investigation Complete”.

These are not Mr Hyland's words. They are not the terminology of campaigners. They are not an interpretation imposed retrospectively upon the Metropolitan Police record.

They are the actual Metropolitan Police record.

6. Then Came the Metropolitan Police's Own Admission

If the matter ended there, there would already be a substantial question concerning terminology and regulatory fairness.

It did not, however, end there.

On 18 May 2022, Detective Superintendent Tor Garnett wrote something of exceptional importance.

She stated that if Mr Hyland or the other complainants had been informed that the allegation was subject to an investigation:

“this would not have been an inaccurate representation”

because:

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

The significance here is difficult to avoid.

The regulatory concern had proceeded upon the proposition that the Metropolitan Police had confirmed:

“no investigation has been opened”.

Yet the Metropolitan Police itself subsequently acknowledged that telling the complainants that the allegation was subject to an investigation:

“would not have been an inaccurate representation”.

Those propositions may perhaps be reconciled through a technical distinction between an evidential or crime-recording review and a post-recording criminal investigation.

Indeed, the existing analysis expressly recognises that such a distinction can properly be made, but that does not answer the regulatory question.

The question is not whether lawyers can retrospectively identify different technical stages of police procedure.

The question is this:

Was Mr Hyland misleading people when he described what he understood to be happening?

The Metropolitan Police subsequently said that describing the allegations as subject to investigation would not have been inaccurate.

That is an evidential fact of considerable weight.

7. The Original Allegation Now Re-enters the Frame

It is at this point that the chronology becomes deeply uncomfortable.

Return to the beginning.

One component of the matters Mr Hyland had participated in placing before the Metropolitan Police concerned the treatment of professionals by regulators in the context of Covid-related dissent.

Now examine what subsequently happened.

- A solicitor participating in that report became the subject of complaints to his professional regulator.
- Those complaints referred substantively to the police report.
- The regulator approached the same police institution.
- The police institution supplied information concerning its own handling of the report.

- That information was used in questioning the professional conduct of the solicitor.
- The solicitor disputed it.
- Subsequent primary evidence from the police institution's own records materially supported the solicitor's contemporaneous understanding.
- The Metropolitan Police itself subsequently acknowledged that describing the allegations as being investigated would not have been inaccurate.

At that point, the subsequent regulatory sequence becomes relevant to the phenomenon originally reported.

It becomes evidence - not proof, but evidence.

8. Evidence Is Not the Same as Proof

This paper deliberately avoids, for its purpose, advancing any proposition that what happened to Mr Hyland proves the original allegation reported in December 2021.

In such regard:

- There may be entirely proper explanations for each institutional decision.
- There may have been no coordination whatsoever.
- Different actors may have acted independently.

- The SRA may have acted upon information it genuinely believed to be accurate.
- The MPS terminology may reflect distinctions between different operational stages which were understood internally but inadequately expressed externally.

All of those possibilities must remain open, but evidence does not cease to be evidence merely because alternative explanations exist.

The proper question is whether subsequent events possess probative relevance to a proposition previously advanced and here, the structural resemblance is sufficiently pronounced that it cannot responsibly be ignored.

The previous analysis was careful to record precisely this limitation: The sequence does not prove conspiracy, coordination or improper motive. What it does establish is a sufficiently remarkable sequence and sufficiently material evidential contradiction to require detailed scrutiny rather than institutional assumption.

9. The Evidential Recursion

There is a useful concept by which this phenomenon can be understood: Evidential recursion.

- The original allegation concerns an institutional phenomenon.
- Events subsequently occur involving one of those who reported it.
- Those subsequent events possess characteristics materially resembling the phenomenon originally alleged.
- The later events therefore become potentially relevant evidence when evaluating the earlier allegation.

The evidence has, in effect, travelled in a circle.

Here that circle may be represented simply:

Professional regulatory treatment of Covid-related dissent is reported as a matter requiring examination

which leads to

A solicitor participating in reporting it

that then takes us to

The police report becoming material to complaints against that particular solicitor.

Then

His professional regulator investigates

resulting in

the regulator obtaining information from the police institution concerned.

What follows

The police account then contributes to concern about the solicitor's conduct

however

the solicitor immediately disputes the premise presented by the regulator as a result of the police proposition.

More than three years then pass, after which

primary police disclosures materially support the solicitor's contemporaneous understanding

and indeed

The police itself acknowledges that describing the matter as subject to investigation would not have been inaccurate.

And therefore

the subsequent regulatory experience becomes potentially relevant to the institutional phenomenon originally reported

That is the paradox - and it is not created by rhetoric. It emerges itself, from within the chronology.

10. The SRA Cannot Safely Treat the MPS as the Answer to the Question

There is a deeper regulatory issue.

Where a complaint concerning a solicitor depends materially upon whether that solicitor accurately described the conduct of another institution, asking that institution for its position is entirely sensible. But, it is only the beginning. It cannot safely be the end.

The previous analysis describes the danger succinctly:

“verification by assertion, not independent regulatory assessment.”

That principle assumes particular importance here.

The Metropolitan Police was not a disinterested oracle determining whether Mr Hyland had spoken accurately.

It was the institution whose own activity was being described.

Its information was therefore evidence to be tested, not a verdict to be adopted.

The SRA was the regulator - Its responsibility was supposed to be independent and when Mr Hyland immediately supplied facts contradicting the categorical account upon

which the SRA appeared to be proceeding, regulatory scepticism should have operated in both directions.

A regulator should scrutinise the regulated person, but it should scrutinise adverse institutional evidence too.

That is not indulgence - It is fairness.

11. The Most Uncomfortable Question for the SRA

The question is therefore not simply:

Why did the SRA contact the Metropolitan Police?

It plainly had reason to do so.

The difficult question is:

What did the SRA do when the solicitor under investigation immediately gave it an account which materially contradicted the police characterisation and which subsequent police records substantially corroborate?

The existing documentary material does not establish that the necessary underlying questions were adequately asked and answered and that is where the regulatory discomfort properly lies.

The subsequent evidence changes the direction of scrutiny.

Originally, Mr Hyland was required to explain why his account differed from the institutional account.

Now however, the institutional account requires explanation because it differs materially from the institution's own operational records and later acknowledgement.

The evidential burden has reversed.

12. The Most Uncomfortable Question for the Metropolitan Police

The MPS faces a different question.

The issue is not merely whether it can construct a technical distinction between “*review*”, “*assessment*” and “*criminal investigation*”.

It probably can.

The question is what it communicated externally and whether that communication fairly represented the underlying operational reality.

The police record contained the vocabulary of investigation.

The MPS subsequently acknowledged that describing the allegations as subject to investigation would not have been inaccurate.

Yet the SRA communicated a categorical proposition attributed to the Metropolitan Police:

“no investigation has been opened as a result of that report.”

The proper question is therefore:

What precisely did the Metropolitan Police tell the SRA, and with what qualifications?

That question has become unavoidable and it cannot not go unanswered.

If the MPS supplied a carefully qualified technical explanation which the SRA subsequently simplified, that matters.

If the MPS itself supplied the categorical formulation conveyed by the SRA to Mr Hyland, that matters too.

Either possibility requires evidence.

13. The Institutional Circle

Viewed from sufficient distance, the chronology is remarkable.

- The complainant.
- The police institution receiving the complaint.

- The professional regulator whose field of activity formed part of the subject matter reported.
- Those actors subsequently appeared in another configuration.
- The complainant became the regulated professional under investigation.
- The regulator became the investigator.
- And the police institution whose handling of the original matter was itself relevant became a source of information used within the regulatory process.

The previous analysis properly described this as “institutional circularity”.

Circularity creates an obvious risk.

Institutions can inadvertently validate one another.

An assertion originating within one body may acquire additional apparent authority when repeated by another.

The repetition can then be mistaken for independent corroboration.

It is not.

Where two institutional positions ultimately derive from the same underlying assertion, there remains only one evidential source.

That is precisely why primary records matter and here, the primary records have become extremely troublesome.

14. The Primary Record Breaks the Circle

Once the internal Metropolitan Police material is introduced, institutional assertion ceases to be sufficient.

The SRA said the MPS had confirmed that no investigation had been opened.

Mr Hyland said an investigation or evidence review was underway.

The operational record subsequently disclosed:

- *“Screening Decision: IN.”*
- *“further investigation.”*
- *“Proportionate Investigation.”*
- *“Investigating Officer.”*
- *CID involvement.*

and:

“Investigation Complete.”

The MPS then supplied the decisive qualification:

- *“being reviewed/investigated”.*

and:

- “would not have been an inaccurate representation”.

At that point the primary evidence does what primary evidence is supposed to do - It tests the institutional narrative and the narrative now requires essential, full explanation.

15. What This Means for the Original Complaint

Nothing in this paper establishes retrospectively that the original regulatory module was criminally proved, but an investigation worthy of that description should be capable of absorbing new evidence.

If an allegation concerns an institutional phenomenon and subsequent documented events involving one of the original complainants appear materially consistent with aspects of that alleged phenomenon, those events become legitimate material for consideration.

One does not dismiss them because they occurred afterwards.

One asks:

Do they make the original proposition more or less worthy of investigation?

That is the correct evidential question and here, I suggest, the answer is obvious - They make it substantially more worthy of examination, not less.

16. The Matter Becomes More Serious When the Evidence Emerges Later

There is another dimension.

Much of the material capable of testing the original institutional account did not sit transparently before Mr Hyland when his conduct was being questioned.

It emerged subsequently from the Metropolitan Police's own records.

That matters because fairness must be assessed against the evidential position actually available to the person being required to defend himself.

A solicitor should not be criticised retrospectively for failing to articulate an internal police taxonomy which was neither apparent to him nor reflected consistently in the terminology being used around him.

Still less should his professional integrity be measured against an institutional account which later primary disclosure materially qualifies.

If the evidence now available had been before the regulator at the outset, would the allegation against Mr Hyland have been framed in the same way?

That is not rhetorical flourish.

It is an important counterfactual test of regulatory fairness.

17. The Question Has Changed

The original question was directed towards Mr Hyland:

Why did you describe investigative activity when the Metropolitan Police said there was none?

The documentary record now produces very different questions.

For the Metropolitan Police:

Why did the characterisation communicated externally differ so materially from the language and activity recorded internally?

For the SRA:

Why was the institutional characterisation apparently preferred over the contemporaneous explanation of the solicitor when subsequent primary evidence substantially supports the solicitor's account?

And for the original December 2021 complaint:

What evidential significance should now attach to the fact that one of the institutional phenomena reported for examination subsequently appears, in material respects, within the documented experience of one of the professionals who participated in reporting it?

Those questions cannot responsibly be answered by saying that the original allegations were controversial.

Controversy does not determine evidence.

Evidence determines evidence.

18. This Is Not a Conspiracy Argument

It is worth stating this plainly because institutional responses too often answer the allegation they prefer rather than the question actually asked.

This paper does not allege that the SRA and Metropolitan Police necessarily conspired against Philip Hyland.

It does not allege that complaints were necessarily orchestrated.

It does not allege that the MPS necessarily deliberately supplied false information.

It does not allege that the SRA necessarily knowingly adopted false information.

It does not infer improper motive merely from chronology.

Those propositions would require evidence.

The argument advanced here is more disciplined and for that reason, more difficult to dismiss:

A phenomenon forming part of matters reported for police examination was subsequently reflected, in material structural respects, in the documented experience of one of those who participated in reporting it. Later primary evidence then materially supported that individual's contemporaneous account against the institutional characterisation used in scrutinising him.

That is enough to require examination. No conspiracy theory is necessary.

The primary documents create the problem themselves.

19. What Should Happen Now

The appropriate response is not institutional defensiveness.

It is reconstruction.

The relevant authorities should establish:

- what precisely the SRA asked the Metropolitan Police;
- what precisely the Metropolitan Police answered;
- whether the response was qualified;
- what underlying MPS material existed at that time;
- what the SRA did when Mr Hyland immediately disputed the proposition;
- whether the SRA sought primary records rather than relying upon institutional characterisation;
- when the SRA became aware of the subsequent MPS acknowledgement that describing the allegations as subject to investigation would not have been inaccurate;
- what effect, if any, that information had upon the regulatory assessment;
- and whether the subsequently disclosed operational records have ever been subjected to a proper reconsideration against the original allegation concerning Mr Hyland.

These are not difficult questions to understand.

They may, however, be uncomfortable to answer. Any such discomfort is however, not for Mr Hyland's to be concerned with. It is the institutions involved who must provide the answers this time.

20. Conclusion - When the Allegation Begins to Generate Its Own Evidence

There is an unusual evidential moment in some investigations when the investigator stops looking exclusively backwards.

Something happens after the original allegation.

At first it appears to be merely another event.

Then its characteristics are compared with what was previously alleged.

And an uncomfortable recognition follows: The later event may itself be evidence relevant to the earlier allegation.

That is the position which now requires consideration here.

Philip Hyland participated in reporting matters which included concern about the regulatory treatment of professionals in the Covid context.

The police report itself subsequently became material to complaints concerning him.

His professional regulator approached the police institution concerned.

Information from that institution was relied upon when his professional conduct was questioned.

Mr Hyland immediately disputed the factual premise.

Years later, primary records from that same police institution materially supported Mr Hyland's contemporaneous understanding and the Metropolitan Police itself acknowledged that describing the allegations as subject to investigation would "*not have been an inaccurate representation*" because they were "*being reviewed/investigated*".

None of that proves the original allegation.

This cannot now, due to what has been discovered, be reasonably treated as irrelevant to the original allegations advanced in the December 2021 report made to the MPS.

The institutional sequence has become evidence requiring assessment.

That is what makes this case unusual.

It is also what makes it, no doubt, uncomfortable for some.

The person who participated in reporting an alleged institutional phenomenon subsequently found himself within a configuration bearing a striking resemblance to the phenomenon he had asked the authorities to examine.

The evidence then emerged from within the institutions themselves.

At that point, dismissal is no longer analysis.

Semantics are no longer sufficient.

Institutional status answers nothing.

The documents must now be confronted.

There are occasions when later evidence supports an earlier allegation.

There are rarer occasions when the later evidence consists of the very phenomenon which the earlier allegation asked the authorities to investigate.

When that happens, the original allegation not necessarily thereby be proved, but the obligation to investigate it properly, becomes difficult to escape.

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