

The Silence of Parliament

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Executive Summary

This paper documents a pattern of refusal, deflection and institutional passivity by Parliamentary Select Committees when presented with credible, document-based evidence of systemic failures across policing, prosecution, regulation and executive decision-making during and after the COVID-19 response. Far from being a partisan critique, it is a constitutional one:

Parliament's inaction in the face of serious evidence undermines the separation of powers and the public's right to effective oversight. The paper sets out the evidence, consequences and a set of lawful, constitutional reforms to restore accountability.

1. Introduction

Parliament is the primary forum for holding government to account. Select Committees are the instruments through which evidence is examined, failures are identified and reform is recommended.

When these committees decline to examine substantial, documented evidence of institutional failure, the effect is to remove the final, democratic check on executive power.

2. Evidence Placed Before Parliament

Ethical Approach UK has placed an extensive documentary record before multiple Select Committees, including:

- Parliamentary Submission: Institutional Capture and Constitutional Implications (with Evidence Index A–AQ).
- Operation Talla papers and FOI disclosures showing NPCC/RFIs and inconsistent police responses.
- Durham Constabulary CPIA-related correspondence and evidence of refusal to engage with allegations tied to Dominic Cummings’ parliamentary testimony.
- CPS FOI responses and documented refusals to consider evidential material in CRN 6029679/21 and related matters.
- Regulatory correspondence (GMC, ICO, CQC) and evidence suggesting regulatory deference to executive policy.

3. Select Committee Responses

The formal responses received from Committees (Home Affairs, Justice, PACAC, and others) fall into two categories:

1. Procedural declinature: A statement that committees do not consider 'individual cases' and therefore will not examine the material.
2. Capacity deflection: An assertion that the committee lacks 'capacity' to take up the matter, or that the issue is 'out of scope.'

These responses repeatedly mischaracterise systemic evidence as individual grievance. This misframing transforms a constitutional concern into a bureaucratic non-event, effectively insulating the executive and institutions under scrutiny.

4. Constitutional Consequences

Parliament's refusal to examine the evidence has three immediate constitutional consequences:

- Erosion of Oversight: Without active parliamentary scrutiny, executive action during emergencies is left unchecked.

- **Collapse of Remedies:** Citizens are left without effective domestic remedies when police, prosecutors and regulators decline to investigate or disclose.
- **Normalisation of Capture:** Silent committees send a signal to officials that extraordinary measures will not be examined, encouraging repetition.

Collectively, these outcomes amount to a practical collapse of the separation of powers: the executive acts with de facto impunity when Parliament abdicates its oversight responsibilities.

5. Pattern and Case Studies

The paper documents multiple instances where parliamentary silence has enabled institutional avoidance:

- **Operation Talla:** Despite documentary evidence and FOI disclosures, Committees have not convened to examine national directives that limited admissible complaint categories.
- **Durham Constabulary & CPIA Obligations:** Repeated requests for oversight have been met with silence; the force's refusal to meaningfully engage with allegations tied to sworn parliamentary testimony is emblematic of

the broader failure.

- **CPS and Evidence Refusal:** The Crown Prosecution Service's unwillingness to assess key evidential material has not prompted parliamentary inquiry, despite clear public interest.
- **Regulatory Deference:** When regulators (including the ICO, GMC and others) are implicated in decisions that curtailed investigatory pathways, committees have declined to open formal investigations.

6. Why Parliament Remains Silent

Several structural and political factors explain the silence:

- **Resource Constraints:** Committees cite capacity limits, often used to avoid politically sensitive inquiries.
- **Institutional Deference:** A culture of deference to executive claims of 'national security' or 'public interest' during emergencies.
- **Legalistic Framing:** Committees insist matters are 'individual' when the evidence demonstrates systemic patterns, thereby avoiding constitutional engagement.
- **Political Risk Aversion:** MPs and peers may avoid

inquiries that could damage party cohesion or expose systemic failures with electoral consequences.

7. The Public Consequence

The practical impact on citizens has been severe:

- Bereaved families denied full investigation into care-home deaths and related harms.
- Citizens whose complaints were rejected face no effective route to challenge decisions.
- Professionals punished by regulators lack parliamentary champions to test regulatory conduct.

This produces an accountability void in which institutional power can be exercised without meaningful democratic scrutiny.

8. Recommendations for Restoring Parliamentary Oversight

To restore public confidence and constitutional balance, Ethical Approach UK recommends the following reforms:

1. Immediate Joint Inquiry: Urge the Home Affairs, Justice and PACAC committees to open a joint inquiry

into 'Institutional Non-Responsiveness in Policing & Justice (2020 to present)'.

2. Mandatory Evidence Acceptance: Committees should adopt a threshold test requiring them to consider systemic allegations supported by documentary evidence, even where individual elements exist.

3. Enhanced Enforcement Powers: Parliament should seek statutory powers to compel disclosure from executive agencies where systemic constitutional risk is evident (amendments to the Inquiries Act/FOIA exemptions review).

4. Strengthened Whistleblower Protections: Extend legal protections for public-interest whistleblowers, particularly in policing and healthcare, to ensure evidence reaches committees without fear of reprisal.

5. Regular Oversight Reports: HMICFRS and other inspectorates must provide periodic unvarnished reports to relevant committees, with requirement to flag any evidence of national directives that limit public reporting rights.

6. Parliamentary Time Allocation: Allocate specific,

ringfenced time and resources for select committees to examine constitutional emergency measures.

9. Next Steps - Legal and Public Interest Actions

If Parliament continues to decline to act, Ethical Approach UK will pursue the following lawfully and in the public interest:

- Judicial Review applications seeking disclosure and compelling Parliamentary recognition of evidence where appropriate.
- International complaints to the Council of Europe and UN Special Rapporteurs regarding failure of domestic remedies.
- Public interest campaigns, including petitions and coordinated media briefings to ensure parliamentary accountability is demanded by citizens.

These steps are not undertaken lightly. They are a measured response to systemic failure and are designed to restore constitutional balance.

10. Conclusion

Parliament's silence on matters for which it is the primary check is an existential threat to UK constitutionalism. Where committees refuse to examine credible evidence of systemic failure, the public has good reason to question whether democratic oversight remains functional. Ethical Approach UK calls on Parliament to fulfil its duties or cede the moral ground to international and judicial scrutiny.

Public Interest Statement

This paper is published in the public interest. All documents and evidentiary materials cited are in the possession of Ethical Approach UK and can be provided on request.