

# THE SCOTTISH POLICE AUTHORITY, OPERATION TALLA AND THE LIMITS OF OVERSIGHT

## **An Analysis of the Scottish Police Authority's Relationship with Pandemic Policing Structures**

### **Executive Summary**

This analytical report examines the Scottish Police Authority's relationship with Operation Talla and wider pandemic policing structures during the Covid-19 period.

The analysis is based primarily upon two Scottish Police Authority-sponsored documents:

### ***Policing and the Pandemic: The Scottish Experience (18 August 2021)***

Link to PDF:

[https://ethicalapproach.co.uk/policing\\_and\\_the\\_pandemic\\_the\\_scottish\\_experience.pdf](https://ethicalapproach.co.uk/policing_and_the_pandemic_the_scottish_experience.pdf)

and

### ***Reflections Round Table: Oversight of Policing During the Pandemic (4 August 2022)***

Link to PDF:

[https://ethicalapproach.co.uk/oversight\\_of\\_policing\\_during\\_the\\_pandemic.pdf](https://ethicalapproach.co.uk/oversight_of_policing_during_the_pandemic.pdf)

The documents reveal that the Scottish Police Authority (SPA) was not a distant observer of pandemic policing.

The SPA appears to have occupied a central position within an extensive ecosystem involving:

- Police Scotland;
- Operation Talla command structures;
- Scottish Government;
- academic institutions;
- advisory groups;
- public confidence mechanisms;
- national policing bodies;
- research and intelligence functions.

The documents demonstrate repeated interaction between oversight structures and operational policing structures.

The key constitutional question arising is not whether the SPA knew about Operation Talla, as the documents clearly demonstrate that it did.

The more important question is whether the oversight architecture was sufficiently independent and sufficiently inquisitive to identify and challenge controversial operational decisions later revealed through Freedom of Information disclosures and complaints processes.

That question remains unanswered.

## 1. Introduction

Operation Talla was Police Scotland's national operational response to the Covid-19 pandemic.

Public discussion has often portrayed Operation Talla as an operational policing exercise concerned with enforcement of public health regulations.

The documents examined in this report reveal something significantly broader.

They reveal a sophisticated governance structure involving:

- operational command;
- strategic planning;
- intelligence functions;
- public confidence monitoring;
- government liaison;
- research partnerships;
- oversight bodies;
- independent advisory groups.

The existence of such structures is not, in itself, unusual.

The constitutional significance arises from the degree of integration between bodies ordinarily presented to the public as distinct and independent actors.

## **2. The SPA Was Embedded Within the Pandemic Policing Ecosystem**

The August 2021 event was jointly sponsored by:

- Scottish Police Authority;
- Police Scotland;
- Scottish Institute for Policing Research.

The introductory statement expressly refers to the sponsors collectively.

The event was not organised by Police Scotland alone. It was a joint endeavour involving the SPA itself.

This is important because the SPA is the body tasked with oversight and accountability functions.

The document therefore places the SPA inside the discussion rather than outside of it.

The Authority was not simply reviewing Operation Talla from afar.

It was actively participating in public-facing discussions concerning its operation.

## **3. Operation Talla Was Central to the Event**

The programme reveals that one of the principal presentations was:

*"Operation TALLA - Strategic implications and Police Scotland response/organisational impacts"*

delivered by Deputy Chief Constable Malcolm Graham.

Importantly, Malcolm Graham is identified elsewhere as:

*"Operation TALLA Gold Commander."*

This is significant.

*(It is noted in addition, as an incidental point, that Malcolm Graham was, subsequently, following his departure from Police Scotland, appointed as Chief Executive of the Scottish Courts and Tribunals Service.)*

The event therefore provided a platform not merely for discussion of policing generally, but specifically for the national commander of Operation Talla.

The SPA was therefore directly exposed to the strategic narrative being presented by Operation Talla leadership.

#### **4. The Presence of Intelligence and Analytics Functions**

One presentation was entitled:

*"Establishing OpTICAL - A Real-Time Data Analytics and Intelligence Capability"*

The significance of this should not be understated.

Operation Talla was therefore not simply an enforcement operation.

The documents reveal the existence of intelligence and analytics capabilities specifically developed during the pandemic.

This demonstrates a level of sophistication extending beyond ordinary frontline policing.

The involvement of intelligence gathering and analytical infrastructure becomes particularly significant when viewed alongside later disclosures concerning intelligence recording of members of the public who attempted to submit vaccine and other Covid-related concerns.

## **5. Public Confidence Monitoring as a Strategic Function**

The programme also included:

*"Public Confidence and User Satisfaction Insights"*

alongside:

*"Compliance with Lockdown Measures"*

These presentations involved both Police Scotland and the Scottish Police Authority.

This demonstrates that monitoring public confidence was not peripheral. It was treated as a strategic issue.

The documents repeatedly refer to:

- confidence;
- legitimacy;

- compliance;
- public trust.

This reveals an institutional emphasis upon perception management and confidence measurement.

Such functions are not inherently improper.

However, they become highly relevant when later disclosures reveal circumstances in which members of the public felt excluded, ignored or prevented from presenting information to police.

## **6. Oversight and Participation Appeared Closely Interwoven**

One of the most significant findings arises from the August 2022 document.

The event was expressly framed around:

*"Oversight of Policing During the Pandemic"*

Many of those participating in the oversight discussion however, were individuals who had themselves been involved within the broader pandemic policing architecture.

The result is a structure in which:

- operational actors;
- oversight actors;

- advisory actors;
- government actors;
- research actors;

appear repeatedly within the same ecosystem.

This creates an important constitutional question:

***To what extent can oversight be regarded as independent when oversight bodies and operational bodies are operating within highly integrated structures?***

The documents themselves do not answer this question.

They merely demonstrate that the question legitimately arises.

## **7. Scottish Government Integration**

Perhaps one of the most important disclosures appears in the biography of Graham Thomson - Head of Legislation within Police Division at the Scottish Government.

The document states:

*"His team acted as the key conduit between Scottish Government and Police Scotland's Operation Talla throughout the pandemic."*

This statement is remarkable.

It establishes:

- direct government interaction;
- continuous liaison;
- structured communication channels;
- operational connectivity.

The significance is not that communication occurred. Such communication would be expected during a national emergency.

The significance is that the relationship is described openly as a *"key conduit"*.

This illustrates a formal and sustained linkage between Government and Operation Talla.

## **8. National Coordination Beyond Scotland**

The 2022 document includes ACC Owen Weatherill of the National Police Chiefs' Council.

His biography states:

*"Owen has been the Strategic Lead for Operation TALLA for the National Police Chief's Council"*

The biography further records that he worked:

*"between police services across the UK and with government"*

This is highly significant.

The document therefore evidences:

- UK-wide coordination;
- cross-force coordination;
- governmental engagement;
- strategic leadership functions.

The existence of national coordination is therefore not speculative. It is expressly described within the document itself.

## 9. Independent Advisory Structures

The documents reveal substantial emphasis upon advisory groups.

Professor Susan McVie presented:

*"Independent Advisory Group and COVID Interventions Data Insights"*

The later document includes multiple references to the Independent Advisory Group.

Several participants are identified as IAG members.

This demonstrates the existence of formal advisory mechanisms surrounding pandemic policing.

The constitutional question becomes whether those mechanisms examined all aspects of pandemic policing equally.

Specifically:

***Did those structures scrutinise not merely enforcement activity but also the handling of complaints, reports and information submitted by members of the public?***

The documents do not reveal that they did.

## **10. A Real Public Complaint in Context (Which I Have Anonymised For The Purpose of This Analysis)**

Subsequent complaint correspondence concerning a member of the public introduces an important development.

The complaint concerns an incident involving attempts to provide Covid-related information to Police Scotland.

The SPA has apparently indicated that the matter constitutes a *"relevant complaint"*.

This is important because the SPA's own complaint framework recognises complaints relating to:

- actions taken;
- actions not taken;
- failures of service.

The significance of this, is that the matter appears sufficiently serious to fall within the SPA's complaint framework.

That alone raises questions about whether earlier oversight structures adequately identified and examined such issues.

## 11. The Central Constitutional Question

The strongest finding arising from these documents is not that the SPA knew about Operation Talla - That proposition is established.

The stronger finding is this:

***The documents demonstrate extensive oversight of how police exercised pandemic powers.***

***They do not demonstrate equivalent scrutiny of how police responded to allegations, concerns, reports or information submitted by members of the public regarding the pandemic response itself.***

That distinction is critical.

Oversight of power is not the same thing as oversight of refusal to receive allegations concerning power.

If the latter was not examined, a significant accountability gap evidently exists.

## 12. Findings

The documents support the following findings:

- The SPA was closely connected to pandemic policing discussions.
- The SPA was fully aware of Operation Talla and its strategic significance.
- Operation Talla involved intelligence, analytics and public confidence functions beyond simple enforcement.
- Formal conduits existed between Scottish Government and Operation Talla.
- National coordination involving NPCC leadership is evidenced.
- Advisory and oversight structures were extensive.
- The documents place the SPA inside the pandemic policing ecosystem rather than outside it.
- The documents do not clearly demonstrate equivalent scrutiny of complaints concerning refusal to receive information from members of the public.

## Conclusion

These documents fundamentally alter the simplistic narrative that pandemic policing consisted merely of operational decisions taken by police officers.

They reveal a sophisticated ecosystem involving government, police leadership, oversight bodies, advisory

groups, researchers and strategic coordination mechanisms.

The Scottish Police Authority was plainly part of that ecosystem.

The constitutional question now is not whether the Authority knew. The evidence indicates that it did.

The question is whether the oversight architecture proved sufficiently independent and sufficiently probing to identify, challenge and rectify some of the most controversial consequences of Operation Talla which have subsequently emerged.

That question remains open.

It is a question which the public are entitled to ask and it is a question which, in the interests of public confidence, will ultimately require a clear answer.

***Ian Clayton***

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