What the Chibber Email Told a Complainant

An analysis of the email of 12 January 2022 concerning CRN 6029679/21

Detective Inspector Akshay Chibber gave the recipient two messages.

First, the Metropolitan Police would take the existing report no further and allegations concerning the Government's Covid regulations and vaccine programmes were described as outside the Met's criminal investigative remit.

Second, even if the recipient had specific information and medical evidence about vaccine delivery, the routes suggested were litigation or contact with an MP.

Read together, the two passages raise a precise question:

Did the subject matter itself disqualify the allegations from criminal investigation?

The words used

“I'm afraid allegations against the Government's Covid regulations and vaccine programs are not a matter for the Met police to investigate as allegation of a criminal offence.”

“Should you have specific information, and medical evidence, with regards to the national delivery of vaccines, I would advise you to seek appropriate legal advice on the best means to progress any litigation you seek to bring against the government, or indeed contact your local MP.”

From an individual report to a class of allegations

The preceding sentences refer to *“your allegation”*. Chibber says it had been recorded, initially assessed and closed.

He then switches to the plural:

“allegations against the Government’s Covid regulations and vaccine programs”.

The subject of the sentence is now a class of allegations. The predicate, "*are not a matter for the Met police to investigate"*, expresses a position about that class.

The email records an initial assessment but gives no finding from it that explains the closure. It does not identify an evidential deficiency or specify what would have been required to take the report further. The explanation it gives is framed in terms of what the allegations concern.

What the advice meant in practice

"Not a matter for the Met police"

The phrase *"not a matter for"* puts the emphasis on who should deal with the allegations.

The words *"as allegation of a criminal offence"* identify the function being ruled out: Investigation of the allegations as a possible criminal offence.

However, the email identifies no rule, decision or referral arrangement that explains why this subject fell outside that

function. It names no other police force or investigative authority to which the information could be sent.

"Should you have specific information, and medical evidence"

This is the crucial test of how the first passage was meant to operate.

Chibber expressly contemplates that the recipient might possess specific information and medical evidence.

The advice which then follows gives no route for submitting it for a criminal assessment. It points instead to legal advice about litigation against the Government or to the recipient's MP.

That advice matters because each route serves a different purpose. A solicitor can advise on a legal claim. An MP can take up a concern. Neither suggestion answers what the Met would do with information said to bear on a possible criminal offence.

The message addresses the prospect of further evidence without explaining how its content could affect the decision communicated.

The end of the exchange

Chibber then says that further emails to the Commissioner's Office on the matter *"will be read and logged, but not responded to"*.

That sentence concerns correspondence to that office.

Within this exchange, however, it closes the route by which the recipient could seek clarification or ask how the suggested alternatives related to the criminal allegation he had reported.

The email was signed by Chibber as *"Staff Officer to Commissioner Cressida Dick"*.

The significance of the signature is that the recipient was given this account in correspondence from the Commissioner's Office. The email itself does not identify who formulated or approved the position being conveyed.

What the Met should account for

The Metropolitan Police should be able to identify the basis on which this explanation was given and the records that support it.

Four questions follow directly from the text.

1. What was the basis for saying it was "not a matter" for the Met?

Identify the rule, instruction or decision on which that statement rested. Explain precisely why the nature of the allegations was said to put them outside the Met's criminal investigative function.

2. Who supplied or authorised that explanation?

Identify the source of the position communicated on 12 January 2022, when it was settled and where it was recorded. State whether it applied to this report alone or to other reports on the same subject.

3. What did the initial assessment actually establish?

Identify the record of the assessment and closure of CRN 6029679/21. Set out what was assessed, what findings were made and how those findings relate to the explanation given to the complainant.

4. Where could the evidence have been submitted for criminal assessment?

If a police route existed for the specific information and medical evidence contemplated in the email, identify it and explain why the recipient was directed towards litigation or an MP instead. If another authority was responsible, identify it and say whether any referral was made.

The issue is whether evidence would be assessed on its merits at all.

The email gives a categorical answer about the subject matter, then offers no criminal reporting route even when it expressly envisages specific evidence.

The Met should explain, by reference to the contemporaneous record, why that was the answer sent from the Commissioner's Office.

Ian Clayton

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Primary source:

Email from DI Akshay Chibber to Mark Sexton, 12 January 2022, 8.35 pm, subject RE: 6029679/21

Link to source communication:

https://ethicalapproach.co.uk/chibber_email_12012022_redacted.pdf