# A Prequel - Ethical Standards in Policing and Operation Talla

***The safeguards recorded by police leaders and the questions now requiring answers***

**Author: Ian Clayton**

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Police leaders understood the ethical risks. Their own meeting records show concern about political interference, the reliability of performance measures, fair treatment of the public and the credibility of independent scrutiny.

They also record support for an ethics panel arising from the Covid response.

The question is how those commitments operated when difficult decisions were made.

This paper examines four records:

Chief Constables' Council on

- 4 June 2020,
- 19 - 20 May 2021 and
- 14 - 15 July 2021,

and

- Police Scotland's Strategic Leadership Board on 15 December 2021.

It addresses policing generally before examining Operation Talla.

The records establish what was discussed and decided at those meetings. They do not supply a complete history of implementation.

Where a referral, assessment or decision is not shown, the resulting issue is a question for the responsible institution, rather than proof that no such record exists.

The later non-recording correspondence is considered separately as part of the wider Talla evidence.

## The standards were already available

For England and Wales, the 2014 Code of Ethics supplied a contemporaneous benchmark:

Decisions should be grounded in evidence, people treated fairly and those exercising police responsibilities answerable for their conduct.

Openness and service to the public were integral to that framework.

This paper uses that historical standard rather than retrospectively imposing the revised Code.

Police Scotland's own recorded values provide a separate benchmark for its decisions.

The ethical test is practical - Can the institution identify who decided, explain the evidence considered, show how competing interests were assessed and demonstrate that challenge could affect the outcome?

Establishing an advisory body does not, by itself, answer those questions.

## National coordination and its constitutional boundaries

On 4 June 2020, NPCC Chair Assistant Commissioner Martin Hewitt described close government engagement and pressure for policing to deliver.

Chiefs supported developing the NPCC operating model, whilst requiring clarity about funding, constitutional boundaries and roles.

Chief Constable Bill Skelly of Lincolnshire cited Operation Talla as an example of coordinating, collecting and contextualising information to support forces and respond to government.

This establishes Talla's relevance to the development of national coordination.

It does not establish that the later non-recording guidance was designed at this meeting.

The ethical implication is that stronger coordination needed equally clear responsibility for the decisions it helped transmit.

## Chiefs themselves identified the risk of overreach

The May 2021 operational-independence discussion was explicit.

Chief Constable Gareth Morgan of Staffordshire questioned Home Office and ministerial appreciation of chiefs' independence and objected to direct attempts to influence real-time operational decisions.

Assistant Commissioner Neil Basu of the Metropolitan Police distinguished legitimate performance accountability from pressure to take particular decisions and raised concern about confidential conversations being released to influence an agenda.

Chief Constable Sir David Thompson of West Midlands Police sought practical legal clarification.

Metropolitan Police Commissioner Dame Cressida Dick called for chiefs to challenge drift and hold each other to standards of impartiality and independence.

Assistant Commissioner Matt Jukes identified earlier legal work by Gareth Madge, a former chair of the Association of Police Lawyers.

Council agreed that work should be commissioned to clarify the legal position.

These were recorded warnings from senior police leaders.

The necessary follow-through is therefore identifiable: The commission, its terms, the resulting advice or explanation, its circulation and the action taken.

The four records I have examined for the purpose of this paper do not, of themselves, establish that full chain and July's reinforcement of operational independence within the NPCC strategy does not itself demonstrate completion of the legal work.

## Independence must serve the public

The ethical purpose of independence is to protect impartial decisions. It cannot sensibly become a reason for declining to explain those decisions.

Government must not dictate a police conclusion - policing must still account for how it reached one.

National guidance should therefore carry a traceable author, authority, purpose and review process, with clear responsibility for its application by individual forces.

## Scrutiny and institutional culture

The standards policing sought for itself were accuracy and transparency when forces were inspected.

During July's discussion of HMICFRS inspections, Deputy Commissioner Sir Stephen House of the Metropolitan Police sought accuracy and transparency between inspection debriefs and final reports.

Chief Constable Serena Kennedy of Merseyside sought clear grading language and in-person engagement capable of reflecting staff experience.

Chief Constable Jo Farrell of Durham questioned whether assessments sufficiently captured outcomes for victims.

Chief Constable Steve Jupp of Suffolk challenged the description of forces as pilots when their experience was closer to early adoption of an agreed system.

HMI Andy Cooke acknowledged that distinction and undertook to address feedback and clarity.

The same discussion recorded concern about the public interpreting a new ‘adequate’ grade as deterioration.

These exchanges demonstrate why scrutiny must distinguish actual service quality from the presentation of results. Police expectations of accurate accounts and meaningful engagement provide an exacting benchmark when the public scrutinises police conduct. A fair explanation should survive comparison with the underlying records.

## Learning from institutional failure

July’s Undercover Policing Inquiry update, presented by Andy Ward, recorded themes including unjustified activity, blacklisting, lack of disclosure and miscarriages of justice.

Assistant Commissioner Helen Ball stressed complete compliance with current practices, training and policies, while expressing concern about maintaining confidence in the current tactic.

The ethical tension is between preserving a capability and examining its misuse.

Public confidence must follow demonstrated standards. An institution's wish to protect a tactic cannot determine the limits of the evidence examined about that tactic.

## Technology and leadership require substantive challenge

May's facial-recognition discussion included questions about bias and suppliers' opaque algorithms.

In July, Rachel Tuffin, the College of Policing's Director of Knowledge and Innovation, presented the AI stocktake.

Gavin Stephens sought explainable recommendations and David Thompson highlighted the West Midlands ethics committee.

Council identified the NPCC Data and Ethics group as an avenue for ethical consideration.

These were distinct arrangements, not evidence that Talla's committee considered every national policy.

July's leadership discussion was similarly candid.

Bernie O'Reilly described formulaic answers and superficial responses among some assessment candidates.

Simon Cole raised ethical concerns about coaching.

Martin Hewitt criticised a culture supported in part by public money.

The wider lesson is that ethical leadership must be tested through reasoning and conduct, rather than rehearsed assurances.

## The public at the point of entry - The front door to policing

Recording and measurement are ethical decisions.

In May, Chief Constable Olivia Pinkney of Hampshire described local policing as the gateway to other police services.

Chief Constable Claire Parmenter of Dyfed-Powys reported that a digital desk had uncovered previously hidden demand, including young people who might not have telephoned.

Chief Constable Gavin Stephens of Surrey explained that people expected responses through social media and that failure to respond could reduce trust.

That evidence matters beyond communications policy. What an institution receives, preserves and assesses determines which problems become visible.

A person who cannot secure meaningful consideration at the first point of contact may never reach a specialist investigator, prosecutor or other competent body.

## Lower demand is not automatically a better service

The May contact-management discussion included Chris Rowley's account of savings under Humberside's ***Right Care, Right Person approach***, supported by legal advice.

July's mental-health discussion likewise considered the boundaries of police and partner responsibilities. Those discussions concerned their own subject matter - they do not establish the origin or authority of Talla's non-recording guidance.

They illustrate a general ethical distinction - Directing a person to an appropriate service can improve care. Counting a contact avoided does not establish that the person received an appropriate response.

The decision requires a justified boundary, safeguards for urgent risks and an accountable destination.

## What falls outside the count

The June 2020 dashboard proposal emphasised better interpretation and context.

The May and July 2021 discussions repeatedly returned to reliable data, consistent measures and outcomes.

These ambitions make the integrity of the underlying record especially important.

A dashboard can accurately display a selected population whilst failing to reveal people excluded before entry.

Recording receipt of information, creating an incident record, recording a crime and commencing an investigation are different decisions.

Any guidance affecting one of those stages must identify which stage it governs, otherwise a claim of reduced reporting may conceal an unresolved question about what happened to the information supplied.

The ethical measure of success is therefore the quality and fairness of the response, including the treatment of materially different evidence.

Volume, speed and resource savings are incomplete measures without that examination.

This is a benchmark for assessing the later Talla correspondence, not a finding that every unrecorded contact disclosed a crime.

## Operation Talla and ethical scrutiny

An ethics structure must be connected to the decisions it scrutinises.

What May and July establish.

On 19 - 20 May 2021, Martin Hewitt asked whether the ethics committee established to assist Covid management should continue for wider NPCC matters, providing feedback and challenge.

Chiefs generally supported an NPCC ethics panel. The NPCC office was to circulate an overview and proposal for its continued contribution.

July's action log identified ACC Owen Weatherill as action owner.

It recorded that the NPoCC Strategic Lead had met the NPCC ethics lead and referred to discussion with the vice-chair of the Talla ethics group.

Bringing the arrangements together in some form was being explored and the action remained open.

The minutes establish that an ethics group existed, that its wider contribution was valued and that a named officer was responsible for progressing the recorded action.

They do not establish its complete terms of reference, an exclusive referral route, power to initiate examination or its consideration of the later non-recording guidance.

## Independence includes access to the relevant questions

The question is whether the committee's independence extended to identifying what needed examination, or began only after policing had selected what it would be permitted to examine.

That distinction concerns the design and operation of scrutiny.

Even conscientious members cannot examine material they never receive and cannot obtain.

A useful account of independence should therefore explain who could refer matters, who selected the material, whether members could seek further records and how disagreement was recorded and answered.

The test becomes sharper where national guidance affects the public's ability to report alleged wrongdoing.

The referral and assessment records should show whether that effect was recognised, what safeguards were proposed and whether operational decision-makers addressed the advice.

## Chronology is essential

The four principal records examined for the purpose of this paper end on 15 December 2021, six days before the report made at Hammersmith Police Station, which gave rise to CRN 6029679/21.

They also precede the January and February 2022 communications at issue in my current investigation.

Their value is to establish the governance commitments already being discussed before that later non-recording guidance was described as successful.

They cannot, by themselves, prove that the guidance escaped scrutiny, although I have, due to matters which I am not currently at liberty to reveal, reason to believe that non-recording guidance was not an issue which was ever placed before the ethics committee for consideration.

Any referral register, papers, minutes and responses would, however, resolve that particular point conclusively.

## Talla decisions and the test of success - Police Scotland's commitments and the later correspondence

Police Scotland's Strategic Leadership Board record of 15 December 2021 begins with a commitment that decisions must reflect integrity, fairness and respect and withstand scrutiny against those values.

ACC (now DCC) Alan Speirs, listed as responsible for Professionalism and Assurance, updated the board on Talla and Omicron.

Chief Constable Iain Livingstone confirmed that Talla's Strategic Oversight Board would be stood up for rapid strategic decisions.

At the same meeting, DCC Fiona Taylor, responsible for Professionalism, Digital and Transformation, proposed work on a human-rights-based policing framework.

The board approved that work.

Chief Superintendent Conrad Trickett presented public-confidence and call-handling reports; members commended maintaining service quality at the public's first point of contact.

These entries identify an operational setting in which rapid decisions, human rights, public contact and senior oversight were apparently being addressed together.

They supply a direct benchmark for examining subsequent Scottish Talla decisions, but they do not identify who authorised the later non-recording approach or establish with certainty that this board considered it.

## Success without a complete count

Separate disclosed correspondence dated 14 February 2022, sent to Owen Weatherill and the Press Office, stated:

*'We have not been formally recording numbers of attempts to follow this process across the country.'*

It then said:

*'it would appear that the guidance to not record has been a success as only one additional report has been created.'*

The additional report referred to was identified as West Yorkshire.

The qualification *'it would appear'* matters. So does the admitted absence of a formal national count of attempts.

The correspondence records an internal assessment of success - it does not demonstrate a complete audit of the people who approached police, the information they supplied or how their reports were, or were not, assessed.

This creates a measurement problem.

If guidance affects whether reports are created, the resulting small number of reports cannot independently establish that the guidance produced fair outcomes.

That would, of course, require examination of contacts and decisions outside the count as well as those within it.

## The ethical questions are specific

- What exactly was not to be recorded?

- Who authorised that approach, on what evidence and with which exceptions?
- How were materially different allegations recognised?
- Was information preserved elsewhere and could inappropriate exclusions be detected?
- Was the claimed success reviewed against the public's access to an appropriate assessment?

The earlier minutes make these questions ever more pressing because the importance of evidence, scrutiny and accountable governance had already been identified by the police chiefs themselves.

## The record which should now be explained

My findings and the documents needed to test them are clear to me.

The four records support a clear conclusion:

- Ethical concerns were present at senior level before the later non-recording correspondence.
- Chiefs recognised threats to independence, sought reliable evidence and challenged the fairness of institutional assessments.

- Talla had an ethics group; Police Scotland was restoring strategic oversight while affirming human-rights commitments.

These are recorded facts.

What remains unresolved is whether those safeguards reached the decisions now under examination.

A national arrangement cannot obtain ethical credibility merely from the existence of an ethics committee somewhere within its structure.

Its credibility depends on what was examined, the information available and what decision-makers did with the resulting advice.

## The necessary account

Firstly, the NPCC should identify the outcome of May's commissioned work on operational independence, including its remit, circulation and implementation - This would establish how the concerns raised by Morgan, Basu, Thompson, Dick and others were converted into practical boundaries.

Secondly, the NPCC should identify the overview promised in May and the outcome of July's ethics action, together with the Talla committee's terms, referral arrangements and relevant papers - That would allow the scope of its independence to be assessed against its actual access to decisions.

Thirdly, the responsible national and force bodies should identify the exact non-recording guidance, its authorisation and dissemination, legal and ethical assessments, safeguards, review history and records supporting the claimed success.

Police Scotland's relevant strategic decisions should be capable of examination against the values and oversight arrangements recorded in December.

Fourthly, the assessment of outcomes should include people whose approaches did not produce the type of report being counted, as without that data, a reduction in created reports remains an incomplete account of the effect of the guidance.

## Public confidence requires an answer

These records do not, by themselves, establish that every Covid-related allegation warranted a criminal investigation, or that ministers directed a particular refusal, or that every Talla decision was improper.

They establish a substantial basis for requiring an explanation of how recognised ethical safeguards operated in practice, or if at all in some instances.

Policing knew the importance of impartiality and evidence.

It also knew why scrutiny had to be accurate and fair.

The public is therefore entitled to examine whether those standards governed the handling of its concerns with the same seriousness that police leaders expected when their own institutions were assessed. Indeed, those within policing ought themselves, surely, given what is on record, welcome such enquiry and careful scrutiny.

The next step is a documented institutional account linking the standards announced to the decisions taken.

The relevant commitments are already on the record. Their application should now be capable of demonstration.

## *Sources and document references*

### *Principal meeting records*

National Police Chiefs' Council, Chief Constables' Council Minutes, 4 June 2020.

National Police Chiefs' Council, Chief Constables' Council Minutes, 19 - 20 May 2021.

National Police Chiefs' Council, Chief Constables' Council Minutes, 14 - 15 July 2021.

Police Scotland, Strategic Leadership Board Discussion Summary, 15 December 2021.

### *Additional evidential and historical context*

NPCC disclosure compilation previously supplied to the author.

College of Policing, Code of Ethics 2014, July 2014.