

One Topic, Two Letters

When Read Together They Raise Even More Questions

A Forensic Examination of the Metropolitan Police's Explanations for the Closure of Crime Reference Number 6029679/21

Introduction

Public confidence in policing depends not merely upon decisions being made. It depends upon those decisions being capable of proper explanation.

When a police force closes serious criminal allegations, those affected are entitled to understand why.

Where more than one explanation is subsequently provided, consistency becomes equally important.

This paper examines two letters issued by the Metropolitan Police concerning the closure of Crime Reference Number 6029679/21.

- The first was written on 21 February 2022.
- The second followed on 18 May 2022.

Both concern the same allegations and both seek to explain the Metropolitan Police's position.

When read together however, they appear to answer different questions.

The February Letter

The letter of 21 February 2022 is remarkable for one reason - It attempts to explain why the allegations were rejected.

Its reasoning is clear. It refers to regulatory approval by the World Health Organisation, the European Medicines Agency and the Medicines and Healthcare products Regulatory Agency.

It refers to clinical trials.

It refers to international deployment of the vaccines.

It concludes that there were "*no criminal offences apparent*" and that there was insufficient evidence to pursue an investigation, before confirming that the allegations would not be recorded as crimes.

Whether one agrees with that reasoning is beside the point.

The important observation is that the letter actually provides reasoning. It attempts to justify the decision.

To date, no other disclosed Metropolitan Police correspondence appears to undertake that task.

The May Letter

Three months later, Detective Superintendent Tor Garnett wrote again.

This second letter is very different.

It says little about the substantive reasoning behind the decision.

Instead, it explains the process.

- It discusses how the allegations were handled.
- It explains the distinction between crime recording and investigation.
- It confirms that telling complainants their allegations were being investigated would not have been inaccurate because they were *"being reviewed/investigated to determine whether a crime should be recorded."*

What it does not do is revisit the reasoning contained within the February letter.

It neither expands upon it nor replaces it.

One Subject, Two Different Explanations

Read independently, each letter appears coherent.

Read together, a more interesting picture emerges.

- The February correspondence attempts to explain why the Metropolitan Police reached its conclusion.
- The May correspondence explains how that conclusion was reached procedurally.

Those are different points.

The first addresses reasoning. The second addresses process.

That distinction is not merely semantic. It becomes significant because the Metropolitan Police has never, so far as the disclosed correspondence reveals, produced a fuller explanation of its reasoning than that contained within the February letter.

If that letter represents the principal explanation of why the allegations were rejected, its contents inevitably assume constitutional importance.

What Is Missing?

The February letter reaches firm conclusions. It does not, however, explain the analytical route by which those conclusions were reached.

- It does not identify which witness statements were examined.
- It does not identify which expert reports were considered.
- It does not explain how the legal ingredients of the alleged offences were analysed.
- It does not identify which evidential conflicts were resolved, nor upon what basis.

Instead, readers are presented with conclusions.

Those conclusions may ultimately prove correct. Equally, they may not.

The point is different.

The documentary record, as presently disclosed, reveals very little of the reasoning process lying beneath those conclusions.

The May letter does not fill that gap - It explains process rather than analysis.

Why This Matters

Every significant investigative decision should be capable of explanation.

That explanation is not limited to announcing the outcome. It extends to demonstrating the reasoning by which the outcome was reached.

The distinction is familiar throughout public law.

A decision and its reasons are not always the same thing. Nor is a description of process necessarily an explanation of reasoning.

When those distinctions become blurred, legitimate questions naturally arise and that appears to be the position here.

Conclusion

The significance of these two letters lies not in contradiction. It lies in incompleteness.

- One letter explains why, but only briefly.
- The other explains how, but not why.

Together they undoubtedly tell more of the story than either does alone, but they also reveal an obvious gap.

The Metropolitan Police has disclosed a conclusion. It has disclosed aspects of the process.

What it has not disclosed, at least within these two letters, is a detailed evidential analysis demonstrating how that conclusion was reached.

That is not to suggest such analysis never existed - It may exist elsewhere within the Metropolitan Police's records.

It may have formed part of internal decision-making.

It may have been contained within legal advice or investigative documentation that has not entered the public domain.

If these two letters are read together as the Metropolitan Police's public explanation of its decision, one conclusion becomes difficult to avoid.

They answer different questions and when they are read side-by-side, they raise even more.

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