

From:
Ian Clayton (Ethical Approach UK)

To:
Chief Constable - Police Scotland

cc:
(1) Scottish Police Authority
(2) Criminal Justice Committee (Scottish Parliament)
(3) COPFS

Date: 20/09/2025, 22:09

Dear Chief Constable

**Open Email Re: Operation Talla/Speirs Directive:
Public Interest Fact-Finding under Scottish Law**

Context and purpose

This is an open email sent in the public interest. It seeks clarity, not via FOI procedure, but in fulfilment of Police Scotland's statutory commitments to transparency, accountability and public confidence under the Police and Fire Reform (Scotland) Act 2012.

On 25 January 2022, an instruction (the "Speirs Directive") was issued within Police Scotland telling staff to reject public reports relating to COVID-19 vaccination as crimes and to record them as SID (Operation Norden) and CVI (Operation Talla) entries instead. In correspondence disclosed by Police Scotland, the directive is described as

having been published “on the advice of the National Police Chiefs’ Council (NPCC) and UK Gold Command.”

In September 2025, however, the NPCC has asserted that there was no blanket national instruction and suggested that forces retained local discretion.

Two mutually exclusive accounts now exist. Either Police Scotland acted on genuine NPCC/UK Gold advice (in which case the NPCC’s present position is inaccurate), or Police Scotland staff were misdirected internally (in which case the Scottish public was denied proper access to criminal investigation. Either outcome is constitutionally serious.

Why Scottish law is engaged

Police and Fire Reform (Scotland) Act 2012: imposes duties on the Police Service of Scotland to improve the safety and wellbeing of persons, maintain order and secure public confidence; the Scottish Police Authority must hold the Chief Constable to account for the policing of Scotland.

Criminal Procedure (Scotland) Act 1995 (and common law): where allegations of crime are made, investigative steps must be taken according to law; operational policies cannot fetter officers’ discretion to consider the merits of reports on a case-by-case basis.

Human Rights Act 1998 / ECHR: Article 6 (effective access to justice) and, where allegations touch on risks to life, Article 2 procedural duties.

Administrative law (Scotland): blanket rules that pre-decide outcomes unlawfully fetter discretion.

A directive instructing officers to reject whole categories of public complaint on sight is prima facie incompatible with these duties. If the NPCC now says “no blanket policy existed,” then Police Scotland officers may have been misled, with nationwide consequences for the people of Scotland.

Public-interest questions (non-FOI; for immediate clarification)

1. Provenance

Did Police Scotland issue the 25 January 2022 instruction on the basis of authentic, written advice from NPCC/UK Gold Command?

If so, please identify the advice (date, author, document title/identifier) and confirm whether Police Scotland still holds it.

2. Legal basis

What legal analysis under Scottish policing statute, ECHR and administrative law supported an instruction to reject vaccine-related reports as crimes rather than assess them on their merits?

Was the Scottish Police Authority consulted or informed?

3. Scope and dissemination

To which divisions/units was the instruction promulgated? Was any exemption allowed where credible criminal complaints were presented?

Were officers informed that their discretion remained unfettered notwithstanding the directive?

4. Review and remedy

Has Police Scotland conducted an internal review to ascertain whether legitimate criminal reports were filtered out by the instruction?

If so, what outcomes and remedial steps (e.g., re-assessment, victim re-contact, referral to COPFS) have followed?

If not, will you now commission a review (with SPA/HMICS oversight) and publish terms of reference?

5. Record keeping and preservation

Have all relevant policy emails, command logs, briefings and intelligence submissions (SID/CVI/Op Talla) been preserved for oversight scrutiny and any future judicial proceedings?

6. Public communication

Given the potential nationwide impact, will Police Scotland publish a public statement explaining (a) whether NPCC/UK Gold advice existed and (b) what corrective measures are being taken to restore public confidence and access to justice?

Why a reply matters

If the NPCC's current position is accurate, Police Scotland officers were misdirected and the people of Scotland suffered a wholesale denial of proper assessment of criminal complaints. If the NPCC's current position is inaccurate, then national leadership outside Scotland is rewriting history and undermining accountability.

Either way, public confidence in policing by consent is at stake. The SPA and HMICS have clear roles in safeguarding that confidence; COPFS must be aware of any systemic impediment that affected the flow of criminal reports and evidence.

I respectfully request your substantive response within 14 days, addressing the numbered questions above. This is not an FOI request; it is an exercise in public-interest oversight and a good-faith opportunity for Police Scotland to clarify the position, protect the public and uphold the law.

Yours faithfully

Ian Clayton

Lead Investigator
Ethical Approach UK

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