The Met and its Misinformation - Chibber, Connors, Garnett, Holt, Cousins and the Administrative Court Fairytale

Author: Ian Clayton

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One police report has generated several institutional accounts. They describe closure, review, investigation, non-investigation and a completed investigation.

The public is entitled to an explanation of how those accounts fit together.

An assertion made in the Commissioner's name, or accepted in litigation, does not make the underlying history immune from examination.

This paper concerns CRN 6029679/21, arising from allegations reported on 20 December 2021. It examines the Met's communications, internal records and litigation position. It does not determine the underlying criminal allegations. Its criticism is that the institutional account remains insufficiently reconciled, despite records which make the need for explanation unavoidable.

Chibber and the assertion from the Commissioner's Office

On 12 January 2022, Detective Inspector Akshay Chibber, signing as Staff Officer to the then Commissioner Cressida Dick, told Mark Sexton that the report "has subsequently been closed a***nd will not be investigated any further"***.

He then wrote:

"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."

Those words do not merely communicate an evidential decision on identified allegations. They describes allegations against specified government activity as outside what the Met should investigate as criminal offending.

Chibber directed specific information and medical evidence towards legal advice about litigation or a local MP. He added that further emails to the Commissioner's Office would be read and logged but not answered.

What was the basis for that formulation?

Was it an assessment of these particular allegations, a statement about police jurisdiction, or a wider position concerning government policy?

The email supplies no legal authority for the apparent exclusion. Its wording therefore calls for a direct institutional explanation.

There is also a chronological question. Chibber described closure on 12 January 2022. Subsequent records describe an ongoing review and later closure activity.

The Met should identify what had been closed, whether assessment continued and how the position communicated by the Commissioner's Office reflected that work.

DI Chibber's signature establishes the office from which he wrote; it does not by itself prove personal instruction or approval by the Commissioner.

Connors and the preparation of the public account

The disclosed NPCC bundle records a parallel sequence involving operational officers, the Met's Directorate of Legal Services and its communications team.

On 15 February 2022, an AW CID detective superintendent reported that a ***"no crime"*** letter had been approved by someone in DLS whose name is redacted. The plan was to send it to the complainants and schedule updated press lines to coincide.

On 16 February, the Press Bureau drafted press lines for Jane Connors to approve. A detective chief inspector sought approval for their proactive use. The draft attributed to Connors the assertion that the existence of a crime reference number had been ***"widely misrepresented as evidence of a criminal investigation or of findings of wrongdoing"***. It also said that no criminal investigation would be launched.

Those are draft words attributed to Jane Connors, not proof of a statement she personally composed or ultimately issued. Her own disclosed message is separate.

At 13:01 on 16 February she forwarded the communication chain to Owen Weatherill, writing:

"Afternoon FYI this will trigger backlash but it is now complete".

That record establishes her personal update from the Met to Talla's National Silver. It does not identify precisely what ***"complete"*** meant.

The approval records, final wording and publication history matter.

- "There were no findings of wrongdoing",
- "a reference number alone proves no investigation", and
- "no investigative activity occurred"

are different propositions and public communication must preserve those distinctions.

Garnett and the acknowledgement within the closure account

Tor Garnett's letter of 21 February 2022 said that no criminal offences were apparent and that the allegation was recorded as an incident rather than a crime.

It stated that there was insufficient evidence to pursue an investigation and that no further action would be taken.

Her further communication of 18 May 2022 maintained that position, but it also expressly acknowledged:

"If you, or any of the complainants, were informed that the allegation was subject to an investigation, this would not have been an inaccurate representation; the allegations were, in fact, being reviewed/investigated to determine whether a crime should be recorded."

That sentence cannot fairly be removed from the account.

Garnett said that describing the allegation as subject to investigation would not have been inaccurate. The question is what work she was describing and how it relates to the Met's more restrictive use of ***"criminal investigation"***.

The internal CRIS extract records screening in, CID transfer and changes of officer in charge.

A 1 March 2022 closing entry refers to wording supplied by Legal Services; an automatically generated event records ***"Investigation Complete"***.

These entries are evidence requiring interpretation, not a substitute for it.

They make a purely verbal answer inadequate.

Holt and the position maintained in litigation

The Commissioner's 2023 Summary Grounds of Resistance expressly drew a distinction between reviewing material to decide whether to record a crime and commencing an investigation into an allegation recorded as a crime.

Paragraph 28 said:

"the defendant undertook a review but declined to commence a criminal investigation".

It would be inaccurate to say the Met advanced no distinction. It did.

The issue is whether that distinction accurately described the actual work and was soundly explained against the relevant legal framework.

The grounds summarised Garnett's May 2022 letter but did not reproduce her acknowledgement that describing the allegation as subject to investigation was not inaccurate.

On 26 January 2024, Andrew Holt, a Met Police Directorate of Legal Services solicitor, emailed the Defendant's response to the proposed JR appeal, confirming filing and service. That document said at paragraph 8:

"There was no case to keep under review."

Paragraph 11 relied on the absence of a recorded crime to say there was no crime for the defendant to investigate.

Holt's email establishes his role in transmitting the Met's appeal response. It does not by itself establish that he authored the 2023 grounds, originated the operational decision, or personally knew any statement to be false.

The accountability question is what factual reconciliation DLS undertook before the institutional position was maintained in court.

The statutory question cannot be answered by a label

The Criminal Procedure and Investigations Act 1996 Code of Practice, paragraph 2.1, includes within criminal investigation:

"investigations whose purpose is to ascertain whether a crime has been committed, with a view to the possible institution of criminal proceedings".

The definition includes work undertaken before it is established that a crime occurred. It is therefore insufficient to say that no criminal investigation occurred simply because the assessment concluded that no crime should be recorded.

The Met must identify what its officers did, the purpose of those steps and why that activity did or did not fall within the Code.

Neither every administrative act following an allegation nor every use of the word "investigation" automatically resolves that legal classification. The decisive enquiry concerns the undertaken work itself.

Equally, a negative assessment cannot retrospectively make qualifying investigative activity disappear into insignificance.

The 2023 grounds' recording-based distinction consequently requires substantive justification.

- Where was the purpose of the actual work explained?
- Where was its relationship to the Code addressed?

The public should be shown the answer in the evidence and submissions, rather than being asked to infer it from the outcome.

Cousins and the investigative confirmation

PC Amanda Cousins' complaint outcome report was created on 16 September 2026 and sent with a letter dated 18 September.

Under Concern 1 she wrote:

"I have reviewed crime report 6029679/21 and can confirm that an investigation was opened in relation to the matter recorded."

The same section found no evidence to substantiate the concern raised and recorded no further action.

Fair analysis must include that outcome. It does not remove the significance of her factual confirmation. Her report should explain what investigation she identified, when it opened and how it was distinguished from the criminal investigation which the litigation position advanced in 2023 to the Administrative Court, was said by the Met, **not** to have commenced.

The correspondence is therefore not adequately reconciled by repeating that a reference number alone establishes nothing.

Cousins said that she reviewed the report and confirmed an investigation. Garnett had already acknowledged investigative activity.

The underlying record, rather than the existence of the number, must therefore, necessarily be central.

What the Administrative Court actually decided

Poole J's order is dated 17 November 2023; it was sent on 20 November.

It refused permission for judicial review, certified the claim as totally without merit and awarded costs.

Its reasons addressed both delay and merits.

It was not a trial of the underlying criminal allegations.

Reason 3 treated the decision not to record crimes as definitive by 18 May 2022.

Reasons 4 to 6 addressed the limited scope for judicial interference, the decision on crime recording and the absence of a duty to investigate every reported crime.

Those grounds cannot accurately be reduced to a single finding that “no investigation took place”.

Reason 5 relied on the fact that government and relevant expert bodies supported the vaccination programme and said that, irrespective of whether they were right or wrong, the Met was entitled to conclude that the reported circumstances did not disclose criminal activity on the balance of probabilities.

The reasoning leaves an important question for scrutiny:

How did that general institutional position answer the particular allegations and evidence submitted?

The published reasons do not set out that evidential analysis. Nor do they expressly reconcile Garnett’s investigation wording with the Met’s distinction.

The complete litigation file is needed to establish how those issues were presented and addressed.

An omission from short reasons does not prove that a judge failed to read a document, but judicial finality does not supply an explanation absent from the reasons.

The **“fairytale”** challenged here is the suggestion that the outcome alone settles every question about the completeness and accuracy of the police account.

It certainly does not.

Candour requires an account capable of being tested

The Administrative Court Judicial Review Guide 2022 explains that relevant information must be drawn to the Court’s attention whether favourable or adverse.

Disclosure can be insufficient where the significance of adverse material also needs explanation.

Its guidance for public authorities rejects misleading omissions and accounts which obscure centrally relevant matters.

Here, the question is whether the Court received a sufficiently complete explanation of the work behind CRN 6029679/21.

Garnett's acknowledgement was within the May 2022 letter cited in the litigation. Its presence matters and so does whether its significance was addressed fairly.

The answer requires comparison with the complete statements, exhibits and submissions, not the grounds alone.

The chronology also reaches beyond the individual report.

On 14 February 2022, correspondence to Owen Weatherill described ***"guidance to not record"*** as ***"a success"***.

Two days later Jane Connors sent her update.

That proximity makes the relationship worth examining - it does not itself establish that Connors, Garnett or Holt originated the national guidance.

The relevant decision and dissemination records should establish whether the Met's assessment informed a wider approach.

What is now required is:

- a dated account of the actual assessment and investigative steps;
- the meaning of the CRIS classifications and completion event;
- the DLS approval trail;
- the final public wording;
- and the factual basis of the distinction advanced in litigation.

Cousins' September 2026 confirmation that an investigation **was** opened must be reconciled with that account.

Any claim that relevant material was withheld from the Court must be checked against the full court record.

The concern is very serious because the proposed public account characterised claims of a criminal investigation as misleading, whilst the Met's own records used investigation language.

Whether the eventual decision was justified is separate from whether the activity and reasons were described accurately.

Policing should apply the same evidential discipline to its own communications that it expects from those reporting allegations.

The Met has the opportunity to resolve this by producing a coherent account supported by the records.

Until it does, the documentary tensions will remain.

Neither institutional repetition nor a successful defence in litigation can perform what is in actuality an evidential task.