# The Vaccine Taskforce, Lawyers and Judicial Review

***Prime Ministerial assurances, programme security and the questions arising from the Philip Hyland chronology***

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## The issue requiring examination

Dominic Cummings' evidence places legal resistance, the Vaccine Taskforce and Prime Ministerial responsibility for prospective judicial reviews within the same account of government decision-making.

Those references are explicit. They warrant careful comparison with later records concerning a government vaccine-security official's complaint against Philip Hyland and PJH Law, the police handling of CRN 6029679/21 and the judicial review brought by Mark Sexton and Mr Hyland.

The central question is whether an approach intended to overcome obstacles to vaccine delivery had any influence upon the treatment of those seeking legal or police scrutiny of the programme.

That is a question of institutional conduct, authority and evidence. It must be answered through records identifying who decided what, on whose instructions and for which purpose.

The evidence establishes important connections. It does not presently establish an unbroken chain of instruction from Downing Street or the Taskforce to the SRA, the Metropolitan Police or the conduct of the 2023 proceedings.

A forensic account must identify both the connections and the missing links. That is why candid disclosure is an imperative.

## What Cummings told Parliament

On 26 May 2021, answering Q1130 before the joint parliamentary committees examining lessons from coronavirus, Cummings described Kate Bingham's authority and direct reporting relationship with the Prime Minister. He then recounted the instruction given to her:

***"Treat this like a wartime thing. Ignore rules. If lawyers get in your way, come to us and we'll find ways of bulldozing them out of your way."***

The words describe lawyers as a possible obstacle and the centre of government as the means of overcoming it.

The passage identifies neither individual lawyers nor the measures contemplated. It does, though, establish why the scope, recipients and implementation of the assurance deserve examination.

## The Prime Ministerial linkage to judicial review

Cummings' written statement to the UK Covid-19 Inquiry, dated 11 October 2023, supplies a specific judicial-review dimension to his earlier account.

Its date must be kept distinct from the events described, as this is retrospective evidence about the government's pandemic response, not an instruction issued in October 2023.

At paragraph 440, addressing the Vaccine Taskforce, he wrote:

***"I stressed to the PM that the taskforce had to report to the PM, Bingham must have real authority including to pick her team, it must be free of normal bureaucracy including procurement rules with the PM taking responsibility for any judicial reviews"***

Paragraph 440 records what Cummings says he pressed upon the Prime Minister.

Paragraph 445 goes further in his account of the Prime Minister's willingness:

***"the PM was prepared to say that he would take legal responsibility if there were JRs in order to clear a lot of normal bureaucracy out the way."***

The first passage concerns Cummings' proposed arrangements; the second attributes a willingness to the Prime Minister.

Both are Cummings's evidence. Neither is itself a signed Prime Ministerial direction, a legal indemnity or a court finding about what was authorised.

The statement also describes wider use of the same assurance.

Paragraph 320 recounts Cummings telling officials to disregard procurement and other rules, coupled with an assurance that the Prime Minister would take legal responsibility for later judicial reviews.

Paragraph 374, concerning mass testing, states:

***"I said the PM would take legal responsibility if there were judicial reviews."***

Paragraph 376 adds that the Cabinet Secretary's message made clear that he and the Prime Minister were assuming responsibility for the consequences.

That passage concerns mass testing; it should not be represented as a separate Taskforce instruction.

Taken together, these passages support a precise conclusion:

*Cummings described executive assurances intended to enable action despite anticipated legal challenge, including expressly within the Vaccine Taskforce.*

They do not themselves identify the Sexton-Hyland JR proceedings or establish Prime Ministerial involvement in their defence.

## The institutional connection to DHSC

The Taskforce and DHSC cannot be treated as permanently separate organisations.

The government's January 2021 vaccines delivery plan described Bingham as reporting directly to the Prime Minister whilst working within BEIS.

The institutional arrangements subsequently changed.

On 22 July 2021, Boris Johnson made a written ministerial statement, HCWS242, announcing that the Taskforce would become a joint BEIS - DHSC unit from 1 August 2021.

Responsibility for its vaccine and antibody procurement, supply and clinical-development work would transfer to DHSC. Manufacturing, however, would remain with BEIS.

That is a direct Prime Ministerial statement about institutional responsibility. It is distinct from Cummings's account of assurances about judicial reviews.

The BEIS annual report subsequently confirms the joint-unit arrangement.

The transfer places relevant Taskforce functions within DHSC before the February 2022 complaint against Mr Hyland, which Paul Easter made to the SRA.

It establishes an organisational connection worthy of proper investigation.

## The documented approach to the SRA

Paul Easter's report form is dated 15 February 2022. The disclosed bundle contains a transmitting email of 16 February 2022, sent from his DHSC account to the SRA.

His signature identifies him as ***Head Info and Security Ops, UK Covid Vaccine Security, DHSC***.

The form names his organisation as DHSC and states:

***"I work for the DHSC on behalf of HMG assessing risks to the UK Vaccine programme."***

The report alleges that PJH Law disseminated misinformation, including a claim of an active investigation associated with the Metropolitan Police reference.

It also describes proposed legal work:

- advice,
- applications,
- court representation,

- assembling counsel,
- expert and witness evidence,
- and investigative support.

Those activities, which are actually typical of what anyone would ordinarily expert a solicitor to perform, appear within the complaint's narrative.

The complaint criticises an alleged inability to distinguish a crime reference number from an open police investigation and urges urgent SRA action.

This is a documented approach by a person expressly presenting himself in a government vaccine-security capacity.

The authority for making that approach, the instructions behind it and its regulatory treatment are therefore material factual questions. As of today (21 November 2026), both the DHSC and the SRA have failed to provide clarity upon these issues, despite them having been properly raised.

This is the clearest presently evidenced bridge between the vaccine-programme security environment and action sought against Mr Hyland.

It is more specific than a general similarity of language or policy. Its precise relationship to the Taskforce remains to be established.

## The police account was material to the complaint

The allegation about an investigation was part of the complaint's stated basis.

The police record must therefore be examined for what it actually establishes, rather than reduced to the proposition that a reference number alone proves nothing.

In his email of 12 January 2022, DI Akshay Chibber said the allegation had been assessed, closed and would not be investigated further.

He also said allegations against government Covid regulations and vaccine programmes were not a matter for the Met to investigate as an allegation of a criminal offence, directing Mark Sexton towards legal advice or his MP.

That communication predates Easter's report.

Whether Easter received or relied upon it, or upon some other police communication, requires evidence.

Its existence alone does not prove transmission to him. Nonetheless, the Chibber email exists in any event.

In her letter of 18 May 2022, Detective Superintendent Tor Garnett said that telling complainants their allegation was subject to investigation would not have been an inaccurate representation, because the allegations were being reviewed/investigated to determine whether a crime should be recorded.

In September 2026, the Met's PC Amanda Cousins recorded that, having reviewed the report, she could confirm an investigation had been opened in relation to the matter recorded.

Her report nevertheless found no evidence substantiating the complaint under consideration and recorded no further action. Both parts of that determination belong in an accurate account.

These records make the nature, extent and timing of the police work important. They do not establish that every public statement about a major or active criminal investigation was accurate.

They require the actual words attributed to Mr Hyland to be tested against the actual police activity, the dates and the information available to him.

It must also be remembered, of course, that we also possess the internal Metropolitan Police electronic handling record for CRN 6029679/21, as well as relating policing disclosures relating thereto, which includes linkage to Operation Talla and indeed DHSC vaccine security functions.

## The SRA's assurance requires a factual explanation

My published correspondence records an SRA assurance of 9 July 2025 that it was independent of government and had not been approached by government or its representatives to discourage or obstruct solicitors challenging Covid-related policies.

Easter's approach makes the foundation of that assurance a concrete issue.

- Did the SRA consider his report and stated capacity?
- What did it understand about the complaint's authority and purpose?
- What material did it receive, and what use did it make of it?

The existence of government contact does not alone establish an intention to discourage or obstruct lawful challenges. Equally, an assertion of independence does not explain how that contact was assessed.

Receipt, provenance, purpose, verification and regulatory effect are separate matters requiring separate answers.

My correspondence with the SRA, through to 20 November 2026 records repeated requests for those answers and no substantive SRA response to the points which require to be addressed in order to correct or complete the record.

## The 2023 judicial review: the comparison that matters

Mark Sexton and Philip Hyland sought judicial review against the Commissioner of the Metropolitan Police.

The Met's Summary Grounds of Resistance expressly distinguished a review to decide whether to record a crime from a criminal investigation into an allegation recorded as a crime.

Paragraph 28 said a review had occurred but a criminal investigation had not been commenced.

It would therefore be inaccurate to say that the Met offered no explanation for its terminology.

The forensic question is whether that distinction accurately described the work performed and whether the court received

a sufficiently complete account of the relevant facts, records and reasoning.

Garnett's May 2022 letter was identified in the grounds. Its presence in the proceedings must be acknowledged. The issue is the adequacy of its treatment and explanation.

On 17 November 2023, Poole J refused permission, certified the claim as totally without merit and addressed both delay and substantive arguability.

He treated the decision not to record crimes as definitive by 18 May 2022, referred to the high threshold for challenging investigative decisions and concluded that the Met was entitled to reach its decision.

That order is a permission decision. It does not determine whether Cummings' account was implemented against Mr Hyland. That question is not answered in its reasons. Nor does the later Cousins report establish what the court knew in 2023.

Its relevance is that it supplies a further police statement requiring reconciliation with the earlier account.

The Prime Ministerial assurances described by Cummings concerned prospective challenges arising from the

government's emergency programme. They cannot fairly be relabelled as an assurance about this particular judicial review in the absence of further evidence. To connect them firmly to the 2023 defence requires evidence of communication, instruction, adoption or influence.

## Executive backing does not replace legal authority

An assurance that a Prime Minister will accept responsibility does not itself alter the legal powers of a public authority or determine the lawfulness of its acts.

Political backing and legal authority answer different questions.

Nothing in the quoted evidence demonstrates a power to direct a regulator's findings, dictate a police decision or control a judicial outcome.

In judicial review, the duty of candour requires relevant information to be drawn to the court's attention, including material adverse to a party's case.

The 2022 Administrative Court Guide also explains that adverse material may require explanation, beyond production of documents.

Whether any party breached that duty requires examination of the complete pleadings, evidence, disclosure and material issues. It cannot be established simply by placing Cummings' rhetoric alongside the outcome of separate litigation.

The obligation to explain the factual police history remains a serious and independently examinable issue requiring appropriate disclosure to take place.

## 10. The records needed to establish the connection

A focused investigation should seek the following records, identifying dates, authors, recipients, attachments and approval histories:

- **The original assurances**

Prime Ministerial and Cabinet Office records of the arrangements described by Cummings;

communications to Bingham and Taskforce leadership;

records identifying which lawyers, objections and processes were contemplated and what action followed.

- **The DHSC transition**

The August 2021 transfer arrangements, governance documents and reporting lines;

the position of UK Covid Vaccine Security within them;

Paul Easter's remit, delegated authority and instructions concerning approaches to professional regulators.

- **The SRA referral**

Drafts, approvals and supporting material for Paul Easter's complaint;

exchanges with DHSC, the Taskforce, policing and the SRA;

records establishing whether the approach was initiated, authorised or adopted institutionally and how the SRA assessed it.

- **The police-to-regulator account**

The source of statements about CRN 6029679/21 supplied to government or the SRA;

the underlying assessment and peer-review records;

any national guidance affecting associated reports;

corrections or qualifications subsequently communicated.

- **The litigation account**

The complete record of what was put before the Administrative Court, the material relied upon for the review/investigation distinction and any non-privileged evidence of external involvement in relevant factual decisions or assurances.

Requests should seek factual records, approval routes and communication histories and all relating metadata.

Legal professional privilege, where properly applicable, is distinct from the factual existence of a decision or communication. Its application must be assessed document by document.

## The conclusion the evidence supports

The record contains three significant features:

- Cummings's account of a Taskforce backed by assurances about lawyers and judicial reviews;
- a Prime Ministerial transfer of relevant Taskforce functions into DHSC;
- and a subsequent referral against Philip Hyland and PJH Law by a DHSC vaccine-security official expressly invoking his government role.

The complaint's reliance on the police-investigation narrative then connects the regulatory issue to CRN 6029679/21, whilst Philip's involvement in the judicial review makes the adequacy of the police account to the court a further question of public importance.

**These are sufficiently specific connections to justify documentary examination.**

The decisive task is to establish whether the same programme-protection purpose, authority or communication route passed between the institutions.

The answer belongs in the contemporaneous record. It should now be sought.

## *Source schedule*

**Cummings oral evidence:**

Joint Health and Social Care and Science and Technology Committees, Coronavirus: Lessons learnt, 26 May 2021, HC 95, Q1130

**Cummings written evidence:**

Statement dated 11 October 2023, INQ000273872 to COVID 19 Inquiry.

**Government delivery plan:**

UK COVID-19 vaccines delivery plan, updated 13 January 2021.

**Prime Ministerial statement:**

Boris Johnson, Machinery of Government Change: Vaccine Taskforce, 22 July 2021, HCWS242.

**BEIS annual report:**

Annual report and accounts 2021 - 2022, performance report.

**Paul Easter complaint to SRA:**

2022 complaint with redactions and transmitting email.

**Chibber email:**

DI Akshay Chibber to Mark Sexton, 12 January 2022 at 20:35.

**Garnett letter:**

Detective Superintendent Tor Garnett, 18 May 2022.

**Cousins report:**

Complaint PC/06389/26, report dated 16 September 2026.

**Correspondence between the author and SRA, DHSC and SDT:**

Joint institutional communication, 26 September 2026; SRA acknowledgment, 6 October; follow-ups, 22 October, 9 November and 19 November 2026 20 November 2026.

**Met Summary Grounds:**

CO/2254/2023, Summary Grounds of Resistance relating to 2023 JR.

**Administrative Court:**

Sexton and Hyland v Commissioner of the Metropolitan Police, CO/2254/2023; AC-2023-LON-001880. Poole J, order dated 17 November 2023, served 20 November 2023.reasons 2 - 7.

**Judicial-review candour:**

Administrative Court Judicial Review Guide 2022.