

# **What the Court Was Told v What the Court Should Have Been Told**

This public briefing addresses one narrow and serious issue:

- Whether the Administrative Court determined the 2023 Judicial Review relating to Metropolitan Police Crime Reference Number 6029679/21 on a materially incomplete factual basis.

It does not argue politics or motive.

It compares:

what was presented to the Court at the time, versus, what subsequent disclosures now show should also have been before the Court.

The difference between those two pictures is legally significant.

Justice depends not only on the law, but on full and frank disclosure of the facts.

## **1. The picture placed before the Court (2023)**

Based on the pleadings and positions advanced at the time, the Court was effectively invited to proceed on the following understanding:

- A crime number had been issued.
- No criminal investigation had been commenced.
- Officers merely reviewed documents administratively.
- The matter was locally assessed.
- The Metropolitan Police made an evidential decision that no crime was disclosed.
- The closure was therefore a routine, force-level decision.

In simple terms, the Court was asked to accept:

“This was a local assessment and no investigation ever existed.”

On that basis, the claim was treated as lacking merit.

## **2. What the Court was not shown (but is now known)**

Subsequent disclosures and official records originating from policing bodies themselves show additional material context which was not placed before the Court.

These include evidence that:

- National command structures were operating
- Operation Talla existed as a UK-wide policing framework.
- The NPCC operated Gold and Silver command groups.
- National coordination structures were active at the time.

- The specific CRN was known at national level
- Internal NPCC-linked correspondence references CRN 6029679/21 directly.
- Senior national personnel were involved in communications about the case.
- Investigative activity had in fact begun
- Officers were tasked.
- Evidence portals were opened.
- Evidence was received and catalogued.
- Detectives were assigned.
- Materials were retained under CPIA procedures.
- National policy context existed regarding recording/handling
- Disclosed documents refer to limiting or avoiding recording of certain reports.
- Guidance and directives existed under Operation Talla structures.

### **3. Why this information was legally material**

This is not peripheral background.

Each omitted element goes directly to the legal issues the Court had to decide.

Because:

- If officers were tasked and evidence gathered, an investigation had commenced in law.

- If CPIA retention applied, investigative duties were triggered.
- If national policy influenced closure, the decision was not purely local or evidential.
- If national structures were engaged, responsibility extended beyond a single borough or force.

Each point undermines the central premise advanced to the Court that:

“there was no investigation and only a local administrative review.”

#### **4. The duty owed to the Court**

Public authorities in Judicial Review proceedings are subject to a strict duty of candour.

They must disclose:

- the good, the bad and the ugly.
- Not only facts that support their case, but also facts that may weaken it.

This duty exists because courts cannot reach lawful decisions if material context is withheld.

Non-disclosure does not need to be deliberate to be serious. If relevant information is missing, the integrity of the decision is affected regardless of intent.

## **5. The core problem in one sentence**

The Court appears to have been asked to determine the case on the basis that no investigation existed and the decision was local, when in fact, available records show that investigative steps had occurred and national operational structures were engaged.

Those two pictures cannot both be true.

If the second is accurate, the first was materially incomplete and if the first was incomplete, the Court's assessment was necessarily constrained.

## **6. Why this matters beyond one case**

This is not about litigation tactics. It is about constitutional fundamentals.

If investigations can be characterised as non-investigations, then national policy can influence outcomes without disclosure and courts are not given the full operational context. Then, judicial oversight becomes illusory.

Courts cannot supervise what they are not told exists.

## **7. The issue now**

The question is therefore not: Was Operation Talla good or bad?

The question is: Did the Court receive the complete factual picture required by the duty of candour?

If the answer is no, then the difficulty is procedural and legal, not political and procedural defects go to the heart of justice.

## **8. Conclusion**

This briefing advances a simple proposition:

- The Administrative Court was shown one version of events.
- Subsequent official disclosures show a broader and materially different reality.

Where those two diverge, transparency requires reconciliation because courts decide cases on the evidence which is placed before them and when material evidence is absent, outcomes cannot safely be treated as final.

*Ian Clayton*

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