

Title:	N329 - Risk Assessment
Summary:	N329 - Assessment of risk in the event of identification during the Undercover Policing Inquiry (UCPI)
Relevant to:	UCPI
Author:	David Reid
Peer Reviewer:	Kevin Shanahan
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Security level:	Official

PURPOSE;

This risk assessment has been prepared in relation to the Undercover Policing Inquiry, and concerns the officer known as N329.

The purpose of the document is to provide an objective assessment of the creation of or increase in risk to N329 and third parties if information is disclosed by the Undercover Policing Inquiry (UCPI) which directly or indirectly leads to the identification of N329 as a former undercover police officer (UCO). The report covers the situation in relation to both his pseudonym and real identity if details became known.

DATE OF DOCUMENT;

23 – 02 – 2017

A risk assessment is a 'snap shot' in time. New information received, or a change in circumstances, could raise or lower the risk. It is therefore appreciated that assessments require regular monitoring, and may require updating.

AUTHOR;

The author of this risk assessment is David Reid (CV at Appendix 'A')

It has been peer reviewed by Kevin Shanahan (CV at Appendix 'B')

THE PROCESS ADOPTED;

There are a number of methods used in the assessment of risk. The process adopted in the production of this report is set out in Appendix 'C'

The terms are defined in Appendix 'D'

The risk assessment includes the sources of the material as requested by the Chairman of the Inquiry (Risk Assessments – note to core participants - paragraph 11). A copy of the material is annexed to the assessment (paragraph 12). The risk assessors are aware of the contents of that direction, and note the Chairman's need for evidence and assessment of present risk, as well as future risk should the restriction order not be made (paragraph 17). They also note the comments re differential risk in terms of disclosure of the undercover identity (paragraph 18), and specifics around how the 'jigsaw' could be completed (paragraph 19).

The reports are structured to include all of the areas covered by the Chairman in his note dated 20th Oct 2016, specifically in paragraphs 29 and 30.

LIMITATIONS ON THE RISK ASSESSMENT PROCESS AND GENERAL COMMENTS;

There are a number of limitations placed on the process, either due to time constraints, or in compliance with directions given by the Inquiry. This includes the parameters set for researching subjects or organizations that may present an ongoing risk to the former undercover officer. These are set out in Appendix 'E'

MPS DLS
OFFICIAL
LOG D5918

CONTENTS:

1. Real identity

2. Summary

3. N329 pre-deployment

- 3.1 Life before joining the MPS
- 3.2 Police career pre-UCO role
- 3.3 Recruitment to UCO role
- 3.4 Assurances re future anonymity

4. Undercover deployment

- 4.1 Dates of deployment
- 4.2 Main groups infiltrated
- 4.3 Peripheral interactions
- 4.4 Covert identity adopted
- 4.5 Tasking
- 4.6 Assimilation into the group
- 4.7 Group size
- 4.8 Geographical locations
- 4.9 Cover occupation
- 4.10 Compromises or security concerns DURING deployment
- 4.11 Risk assessments DURING deployments
- 4.12 Relationships or other behaviour that could heighten risk
- 4.13 Arrests
- 4.14 Key associates
- 4.15 Other UCO's who could be affected if a restriction order for N329 is not issued
- 4.16 Withdrawal / exit strategy
- 4.17 Return to regular policing
- 4.18 Commendations
- 4.29 Support DURING deployment
- 4.20 Whether N329 is a core participant at the public inquiry

5. Current situation

- 5.1 Age and marital status
- 5.2 Current location
- 5.3 Family circumstances
- 5.4 Subject to any formal investigation

- 5.5 Current employment
- 5.6 Route to work
- 5.7 Roles within the community
- 5.8 Partners' employment
- 5.9 Children
- 5.10 Internet profile
- 5.11 Knowledge of their previous role amongst family and close friends
- 5.12 Physical health
- 5.13 Psychological health

6. Current level of exposure

- 6.1 Cover name
- 6.2 True identity
- 6.3 Where sourced
- 6.4 Compromises or potential compromises subsequent to posting
- 6.5 ***Details of pseudonym***
- 6.6 Official confirmation regarding deployment and / or identity
- 6.7 Other deployments by N329

7. Interview between risk assessors and N329

8. Causal link in terms of completing a Mosaic / Jigsaw effect

- 8.1 General impact
- 8.2 Specific impact

9. Threat considerations

- 9.1 Current terrorist threat level

10. Research conducted

- 10.1 Initial research on HOLMES and Relativity
- 10.2 Basic research on individuals (PNC / PND)
- 10.3 Additional research
- 10.4 Open source research

11. The risk currently posed by the groups infiltrated

12. The risk from individuals within the group

- 12.1 Associate causing N329 particular concern / perception of risk by the UCO

- 12.2 Associates with a propensity for violence
- 12.3 Associates with research skills
- 12.4 Associates with previous experience of harassing their targets
- 12.5 Geography of people of concern

13. Indicators of psychological risk requiring expert assessment

- 13.1 Perception of the risk by the UCO
- 13.2 Counselling, welfare, psychological referral etc.

14. Interference with private and family life

- 14.1 Perception of the risk by the UCO
- 14.2 Nature and gravity of the risk
- 14.3 Media intrusion
- 14.4 Effects on friends and family

15. Mitigating the risk

- 15.1 Previous risk assessments
- 15.2 Security arrangements in place
- 15.3 The anticipated result of revealing pseudonym only
- 15.4 Withholding, redacting or gisting documents in the context of this UCO
- 15.5 Use of a cipher
- 15.6 Screening
- 15.7 Voice modulation
- 15.8 Prohibition around publication
- 15.9 Receiving evidence in private

16. Conclusions

- 16.1 General comments
- 16.2 Assessment scores

Appendices

Appendix 'A' – Author CV – David Reid

Appendix 'B' – Peer Reviewer CV – Kevin Shanahan

Appendix 'C' – The process adopted to assess risk

Appendix 'D' – Definition of terms

Appendix 'E' – Limitations of the risk assessment

Appendix 'F' – Notes of interview between risk assessor and N329 (handwritten)

Appendix 'G' – Notes of interview between risk assessor and N329 (typed)

Appendix 'H' – Other material generated during, or pertinent to, this risk assessment

Appendix 'I' – Documents used to compile this report

Appendix 'J' – Documents reviewed but not considered relevant to the risk assessment

Appendix 'K' – Conflict disclosure statement

Appendix 'L' - Documents from HOLMES not on Relativity

Appendix 'M' - Initial DLS profile summarising contents of Relativity

1. REAL IDENTITY

Real name and date of birth

Undercover pseudonym – John GRAHAM

From this point wherever possible he is referred to as N329.

2. SUMMARY

N329 was deployed between 1968 and 1969. The deployment was into the Vietnam Solidarity Campaign (Kilburn & Willesden Branch); and he also reported upon the Revolutionary Socialist Students Federation

He has not been exposed as an undercover officer.

Current location and employment

3. SUMMARY OF OFFICER'S LIFE PRE-DEPLOYMENT

3.1 Life before joining MPS

Place and date of birth, family details

Details about early life.

Details about previous career.

Further details about previous career and date of joining the MPS.

There is not anything from this period that affects the current risk assessment

When N329 joined the MPS, and his age and personal situation at the time. His warrant number was *warrant number*

3.2 Police career history pre-UCO role

N329 was posted from training school to *location of first posting. Details of further posting.* He successfully applied for Special Branch (SB) at the conclusion of his probation.

N329 joined Special Branch on *date. Details of activities whilst in Special Branch.*

There is nothing from this period that affects the current risk assessment

3.3 Recruitment to UCO role

He cannot recall how he was recruited to SDS, but he would not have been a volunteer. There was no psychometric testing at that time. There were *a number of* UC's at the start of the SDS. He had no training. He thinks his deployment must have been around 1968 because it was at the time of the Vietnam crisis but he cannot recall precisely. He was politically aware, and his back story was sufficient in that he was pretending to deliver cars from one garage to another. He had less of a formal legend than later operatives.

3.4 Assurances re future anonymity

This section is limited given the comments of the Chairman as to whether it naturally falls into a risk assessment process.

N329 cannot recall any assurances given.

4. UNDERCOVER DEPLOYMENT.

4.1 Dates of deployment

N329 was deployed as a UCO from 1968 to 1969

4.2 Main group infiltrated

Vietnam Solidarity Campaign (Kilburn & Willesden) - VSC

4.3 Peripheral interactions

N329 occasionally reported upon the Revolutionary Socialist Students Federation (RSSF)

4.4 Covert identity adopted

N329 did not use the identity of a deceased child.

His pretend occupation was that of a driver delivering vehicles from one garage to another.

N329 attended meetings, demonstrations, handing out leaflets and occasionally travelled some distance for conferences etc.

Discussion of covert identity.

4.5 Tasking

There were regular meetings at a flat where he could feed back information about the likely size of demonstrations, whether those demonstrations intended to be violent etc.

4.6 Assimilation into the group

He grew a beard and simply 'turned up'. He was scruffier than his C squad colleagues when he went to meetings

4.7 Group size

15 – 30 at most meetings

4.8 Geographical location(s) based

The group used to meet in the Durham Arms in Kennington, although he was attached to the Kilburn Branch, and often had meetings in Camden and elsewhere across London. He recalls on one occasion going to a conference in Sheffield.

4.9 Cover occupation

His back story was that he was delivering cars from one garage to another. However this was simply a story, and he had no actual cover occupation.

4.10 Compromises or security concerns during his deployment

Discussion

4.11 Risk assessments during deployment

Discussion

4.12 Relationships entered into, or other behaviour that could heighten the risk

Discussion

4.13 Arrests

Discussion

4.14 Key associates

Discussion

4.15 Other Undercover officers who would be affected if a restriction order was not issued

Discussion

4.16 Withdrawal / exit strategy

He was asked by a Chief Inspector to attend a particular meeting, but he felt that to do so would operationally compromise himself, so he declined. The senior officer immediately assigned him to other duties within Special Branch.

He did not use any excuse for his exit. He simply stopped attending meetings.

4.17 Return to regular policing

N329 remained within SB for the remainder of his police service. *Details of subsequent career.*

4.18 Commendations

None

4.19 Support during deployment

No formal support

4.20 Whether N329 is a Core Participant at the Public Inquiry

N329 is not a core participant in the Inquiry.

5. CURRENT SITUATION WITH N329

5.1 Age & current marital status

Age and marital status

5.2 Current location

Current location

5.3 Family circumstances

Family circumstances

5.4 Subject to any formal investigation

Discussion

5.5 Current employment

N329 retired from the MPS on *date*

Details of his current activities.

5.6 Route to work

He travels by train

5.7 Roles within the community

Nil

5.8 Their partner's employment

Retired

5.9 Children

Occupations and personal information about N329's children

N329's children would have a social media profile.

5.10 Internet profile

Information as to his internet presence.

5.11 Knowledge of their role amongst family and close friends

His wife and children know of his role but some of his neighbours and friends do not even know he was a police officer, far less his specific role.

5.12 Physical health

Discussion

5.13 Psychological health

Discussion

6. CURRENT LEVEL OF EXPOSURE

The Chairman of the Inquiry makes clear that any risk caused by self-disclosure or third party disclosure will be material considerations (Part 6, conclusions and summary of findings, the public interest balance under section 19 (3) (b), section A.6)

Information currently in the public domain regarding deployment and identity is as follows:

6.1 Cover name

There appears to be no information in the public domain.

6.2 True identity

Discussion

6.3 Where sourced: online websites, forums, other social media, print media, TV

Discussion

6.4 Compromises / potential compromises subsequent to his posting

Discussion

6.5 Details of pseudonym

6.6 Official confirmation regarding deployment and/or identity

There has been no self-disclosure, no court order, no police revelation, and no official disclosure

6.7 Other deployments by the UCO

Discussion

7. INTERVIEW BETWEEN RISK ASSESSORS AND THE FORMER UCO

The risk assessor met with N329 at *location* on 21st February 2017. The rough notes are included at Appendix 'F'. The typed version is included at Appendix 'G'.

8. CAUSAL LINK IN TERMS OF COMPLETING A MOSAIC / JIGSAW EFFECT

This section does not intend to prove the existence of the Mosaic effect, but looks at the likelihood of it applying in this case.

8.1 General impact

In general terms, a number of matters can be said.

Firstly, the risk assessors do not assume that the material currently in the public domain represents the totality of the information available. For example, there is evidence that people 'build a picture' before naming a person as an ex-UCO. Therefore the risk assessors cannot reasonably know what other 'pieces of the jigsaw' are required before the full picture is revealed.

Secondly, the risk assessors acknowledge that 'believing' is different from 'knowing'. Assessing how official confirmation of the identity of a UCO impacts upon risk is speculative. The argument is that official confirmation raises the risk as it will increase the efforts to establish the real identity of the officer, and additional time and resources will be put into those attempts. In essence, that would depend upon a number of factors, including the level of certainty with which the person is already exposed. If there is no

real doubt that the person was a UCO then official confirmation of that person is unlikely to add to the attempts to identify him or her, as those attempts will have already occurred or be proceeding. However, if the exposure is largely speculative then official confirmation could add significantly to the attempts to discover their real identity. In his case, with (presumably) no information in the public domain about N329, revelation of his role could therefore generate significant interest. That would be moderated by the historicity of his deployment, and the relatively superficial nature of his activity.

8.2 Specific impact

In the case of N329, *his pseudonym is not in the public domain. Discussion of whether or not his real name is in the public domain.* Given the time since his involvement and the nature of his deployment (attending meetings, demonstrations etc. but not taking an active role in the group, nor becoming close to any individuals) it is possible that no one will be suspecting police involvement in that particular section of the VSC. Further, as N329 states himself, many of the people with knowledge of the group will have died during the intervening years.

9. THREAT CONSIDERATIONS

9.1 Current terrorist threat rating.

The terrorist threat level is currently severe.

That is relevant to all officers, but arguably in particular to those ex-SB and Counter Terrorist Command officers whose details become public knowledge.

The risk assessors see this as a risk, but less in specific terms to N329 than those discussed elsewhere in this report.

10. RESEARCH CONDUCTED

10.1 Initial research on HOLMES and Relativity

The individuals and organizations that could be considered to present a risk have been identified from researching the HOLMES accounts for HERNE and PITCHFORD; accessing 'Relativity'; interviewing the officer; and considering any other reports.

HOLMES and Relativity hold separate albeit overlapping documentation. All of the material on HOLMES has been used for the assessment, as recorded against N329's nominal profile. It is accepted there may well be material that is not shown within that profile, particularly generic documents, that could be argued to have relevance to risk. However, given the time scales that apply this is deemed a proportionate search.

Relativity contains a vast amount of material. To check all of the documents would be simply impossible within the time scales, even should fairly restricted search terms be used. As a result there is a reliance upon the DLS profile that has been prepared. The risk assessors do have access to Relativity should further enquiries be required.

The risk assessors have worked through examples to quantify the amount of material. The results of these searches are recorded and have been retained. Should it be felt that the risk assessors should have attempted to review more material in preparing the risk assessments these details can be provided.

10.2 Basic research on individuals (PNC / PND)

The second phase of the research has been a need to then research those individuals identified during the first phase to see what risk they currently present, as there is often a significant period of time between deployment and the present day. However, as none have been identified this does not apply in N329's case.

10.3 Additional research

There would have been an assessment of material held on individuals by other policing Commands, but this does not apply for this particular risk assessment as no subjects requiring research have been identified.

10.4 Open source research

I have conducted very basic internet research.

Outcome of internet research.

Hence there would be no difficulty in obtaining his real personal details from the internet if his name was known.

Outcome of internet research on N329's wife

11. THE RISK CURRENTLY POSED BY THE GROUPS INFILTRATED

The Vietnam Solidarity Campaign no longer exists, so hence poses no threat as a group. N329 states that the worst his particular group ever suggested was to jump on the back of a policeman. They were generally non-violent.

12. THE RISK FROM INDIVIDUALS WITHIN THE GROUP

12.1 Associate causing N329 particular concern / perception of risk by the UCO

N329 does not believe that many of his targets would still be alive, let alone pose a physical threat to him. They were non-violent at the time, and he has no reason to think they would be otherwise now. I have no reason to disagree with his assessment. N329 states that the only time he was subjected to violence was when he was hit by a security guard at the Australian High Commission.

The other critical factor is that N329 claims not to have been particularly close to any individuals. Therefore the potential for people to experience a sense of betrayal is lessened.

12.2 Associates with a propensity for violence

None identified

12.3 Associates with research skills

None identified

12.4 Associates with previous experience of harassing their targets

None identified

12.5 Geography of people of concern

No issue of note identified

13. INDICATORS OF PSYCHOLOGICAL RISK REQUIRING EXPERT ASSESSMENT

It must be stressed that the risk assessors do not have medical qualifications. However, the following can be stated as points of fact;

13.1 Perception by the UCO of the risk.

No issue raised

13.2 Counselling, medication, welfare, psychological referral etc.

Discussion

14. ASSESSMENT OF RISK OF INTERFERENCE WITH FAMILY AND PRIVATE LIFE

The risk assessors are aware of the comments of the Chairman of the Inquiry in relation to Article 8, and an individuals' right of respect for private and family life terms (Part 6, conclusions and summary of findings, the public interest balance under section 19 (3) (b), section A.10)

14.1 Perception of the risk

There were no issues raised by N329.

14.2 Nature and gravity of the risk

I do not consider that anyone from N329's target group is likely to interfere with his family or personal life. Nor is the specific campaign to which he was targeted particularly relevant, given the time delay.

The risk is more likely to come simply because of the publicity surrounding any former SDS officer, should his real identity become known.

14.3 Media intrusion

There has obviously been no intrusion as N329 has not been identified thus far. *Consideration of potential media intrusion.*

14.4 Effect on friends and family

His immediate family are aware but his wider circle of family and friends did not know of his deployment, or even of his career in Special Branch. That could have a limited adverse affect if details became known of his SDS involvement.

15. MITIGATING THE RISK

The Chairman of the Inquiry makes clear that any alternative methods available to avoid or reduce a risk of harm or damage will be material considerations (Part 6, conclusions and summary of findings, the public interest balance under section 19 (3) (b), section A.6).

He has subdivided that grouping (B.1) into "means other than a restriction order that may be available to avoid or reduce a risk of harm" (section B.1.7) and "whether those means would, without the restriction order, avoid the risk or the extent to which those means would, without the restriction order, reduce the risk" (section B.1.8)

15.1 Previous Risk Assessments and recommendations (if allowed access)

Discussion

15.2 Security arrangements in place

Discussion

15.3 The anticipated result of revealing pseudonym only.

Discussion of N329's pseudonym

The question of how official confirmation as opposed to unofficial publicity could increase the risk, albeit in this case marginally, is discussed in section 8.1.

15.4 Withholding, redacting, or gisting documents in the context of this UCO

In general terms, these would need to be considered on a 'document by document' basis, and fall outside of the scope of this risk assessment.

There is not a specific exemption to this general principle in this case.

15.5 Using a cipher

I am normally sceptical about the value of using a cipher. It has always appeared that in many instances they would prove ineffective if the aim was to prevent the identification of that particular UCO, even in terms of their cover identity. My rationale is that normally the information or evidence provided in itself would be sufficient to identify the officer to anyone with knowledge of events at that time.

However, N329 does not fit into that category. I do not believe that he was so embedded in the VSC that he would be giving evidence that (in and of itself) would identify him. He paints a picture, and I have no reason to disbelieve him, of involvement that was largely superficial, attending meetings and demonstrations, but peripheral to strategic decision making. For example, he held no particular office.

As such the information he could provide to the Inquiry is unlikely to be so specific as to identify him.

Therefore, if the Inquiry decided that they did need N329 to give live evidence, but did not wish him identified, a cipher would be a feasible option.

15.6 Screening

Screens would be of benefit to N326.

N326's home address could be obtained if his real identity were confirmed.

15.7 Voice modulation

I consider this of considerably less significance than screening. Arguably it would present a slight reduction in risk.

15.8 Prohibition around publication

I appreciate that this would reduce the risk marginally.

In terms of his photograph, it would be of considerable value if his real name was not provided, and efforts were taken to prevent it becoming public. However it is unlikely that any prohibition would be enforceable in terms of the worldwide nature of the internet.

In relation to his evidence, and strictly in terms of managing risk, a prohibition around publication would marginally assist. However, I appreciate the competing demands that the Inquiry will need to consider. Whether the risk is better managed by allowing publication but without revealing his real identity is a matter for the Inquiry.

15.9 Receiving evidence in private.

Strictly in terms of managing risk, this would clearly be beneficial. As stated above, I appreciate there are other factors in making that determination.

16. CONCLUSIONS

16.1 General comments

N329 superficially infiltrated the VSC for about a year in the late 1960's. He was primarily concerned with attending meetings and demonstrations.

There is no risk from the VSC as an organisation as it no longer exists. No individuals have been highlighted as presenting any ongoing risk to N329.

Whether or not there is any evidence of misconduct. Whether or not N326's real identity is in the public domain.

16.2 Assessment scores

N329 – Risk of physical attack if pseudonym officially confirmed

N329 used a pseudonym, ***details of pseudonym***. His involvement was primarily attendance at meetings and demonstrations, so it is possible that giving evidence by use of a cipher would provide some protection in ***preventing confirmation of his real identity***.

If he was identified in his cover identity only I would consider the likelihood of him being attacked as 'very low' (1). The likely impact is incredibly hard to assess, but I bear in mind the age of the UCO, and the likely impact of any assault, and therefore I assess the risk as 'moderate' (3)

The overall risk in this category would therefore be 3.

N329 – Risk of physical attack if real identity officially confirmed

I would share the view of N329 that this would appear unlikely.

I consider the likelihood of an attack on N329 would be greater if his real name was known than in the circumstances above when only a pseudonym or cipher was known. However, I do not consider the risk is elevated to the next grading, and so I still consider the likelihood of him being attacked as 'very low' (1) even if his real identity was known.

In terms of impact, I consider 'moderate' the appropriate grading based on the same rationale as above (3)

The overall risk in this category would therefore be 3.

N329 - Risk of interference with family and private life if pseudonym officially confirmed

I assess the likelihood of interference with his personal and family life if only his cover identity was known as very low (1).

That risk could be largely offset if the Inquiry thought that their purposes could be adequately satisfied by N329 giving his evidence by use of a cipher, if indeed they felt live evidence was necessary at all.

I would consider the likely impact as minor (2)

The overall risk in this category would therefore be 2.

N329 - Risk of interference with family and private life if real identity was officially confirmed

I would again share the view of N329 that this would appear unlikely.

I consider the likelihood of interference with his personal and family life on N329 would be greater if his real name was known than in the circumstances above when only a pseudonym or cipher was known. I consider it more likely than a physical attack. I do consider the risk would be elevated to the next grading, and so I assess the likelihood of him being subject to some kind of interference as low (2).

In terms of impact, I am aware that N329 lives and works in **location**, in close proximity to his **family**. Any interference that affected that situation could have a sizeable impact. Certainly any prolonged interference that caused him to relocate would mean a significant disturbance to his life. Overall I consider 'moderate' would be an appropriate assessment (3) of impact, in the unlikely event of his family or private life being affected.

The overall risk in this category would therefore be 6.

If the Inquiry was minded that it was not appropriate to identify N329, for any other reason concerning his vulnerability, then I consider screens would be an appropriate measure.

It is obviously for the Inquiry to decide if calling N329 to give evidence is necessary, or whether his evidence could be admitted in another fashion. However, should the Inquiry decide that they do need to hear live evidence from him, and there be a significant delay in the Inquiry calling live evidence, it may be that the health and welfare of N329 would need to be reassessed. Whilst his health remains good at the moment I do appreciate he is **age**.

Signature of author;

Date;

Signature of moderator;

Date;

David Reid was employed by the Metropolitan Police as a police officer from October 1985 to July 2016. This period covers a number of uniform and detective roles, the latter evenly split between proactive and reactive positions. He was a Senior Investigating Officer within the Homicide Command for the last 8 years. As part of this role he investigated disciplinary allegations made against police within the Command.

1985; Initial training

1986 – 1993; Police Constable in East London. Working initially in uniform, and then as a trainee detective.

1993 – 1997; Detective Constable working in the London Borough of Lambeth. Dealing primarily with major crime (robbery, burglary, serious assaults, fraud, etc.)

1997 – 2001; Detective Constable attached to the South East Regional Crime Squad, a pro-active unit targeting major crime. The unit became the National Crime Squad during this period.

2001 – 2004; Detective Constable attached to a murder squad covering South London.

2004 – 2008; Detective Sergeant at West End Central Police Station. He initially led a team of detectives in a reactive context, then led a crime squad.

2008 – 2014; Detective Inspector in charge of a major investigation team in South London. He was the investigating officer for multiple murders and linked series rape enquiries.

2014 – 2016; Temporary DCI managing a team of 34 staff within a major enquiry team. He was regularly the senior investigating officer for cases with high media interest.

4th July 2016; Retired from the MPS

22nd November 2016; Employed as a risk assessor in relation to the UCPI

Police Career

Employed as Police Officer with British Transport Police from January 1979 until April 2010, this period covers working in both and Uniform and Detective roles.

January – April 1979; Initial training.

April – October 1981; Uniform duty Central London, London Underground.

October 1981 – May 1984; Detective Central Detective Unit, national remit.

May 1984 - September 1997; Detective Sergeant, CID & Central London Pickpocket Squad, Robbery Unit(s), London Underground.

September 1997 – December 2001; Detective Sergeant, Force Major Crime Unit, national remit.

December 2001 – January 2004; Detective Inspector, Pickpocket Squad, London Underground.

January 2004 – January 2005; T/Detective Chief Inspector; Secondment MPS Safer Streets Initiative.

January 2005 – December 2007; Detective Chief Inspector, Major Crime Unit, national remit.

December 2007 – April 2010; Detective Chief Inspector, Crime Operations, London Underground.

April 2010; Retirement.

Post Police Career

April 2010 – August 2014; Property management, Republic of Cyprus (Famagusta District).

August 2014 – January 2017; Independent Investigative Consultant & Risk Assessor; Safeguarding Unit, Surrey Police – Agency Staff.

January 2017; Independent Risk Assessor; Public Inquiry Team, MPS.

APPENDIX 'C' – THE PROCESS ADOPTED TO ASSESS RISK

General;

Risk is assessed by combining the likelihood of an adverse incident occurring with the likely impact. Whilst that impact may relate to an organisation, the risk assessments prepared in this process primarily relate to individual undercover officers.

In preparing the assessment consideration has been given to identifying and analysing any risk; assessing the probability of it occurring; prioritising the risks; and considering whether risk management could successfully mitigate or limit the effects.

Areas of risk considered;

Risk assessments can cover a diverse range of areas. These may include, for example, risk to an organisation; legal risks; economic risks; or moral risks.

However, the primary objective in this exercise is to assess how a decision not to issue a restriction order under section 19 of the Inquiries Act 2005 will impact upon the physical or psychological risk to the officer concerned, as well as the impact on their private and family life.

Probability;

The probability of the risk occurring has been assessed as very low, low, medium, high or very high. These terms are further defined in Appendix 'D'.

The assessors view on the likelihood of a risk occurring is included in the report, as well as the overall risk, the latter of which includes the assessment of impact.

Impact;

The impact of the risk occurring has been assessed as negligible, minor, moderate, serious or critical. These are further defined in Appendix 'D'.

The assessors view on the impact of a risk occurring is included in the report, as well as the overall risk, the latter of which includes the assessment of probability.

The 'risk unknown' classification;

It is appreciated that other risk assessment models adopt a category of 'unknown risk'. Indeed, consideration was given to replacing the lower probability and impact categories with an 'unknown' category.

In many cases, especially where the identity of the undercover officer is not in the public domain, a lot of the risk assessments would strictly fall into this category. Clearly an accurate assessment cannot be made of what is unknown and not reasonably predictable.

However, it is known that the Chairman of the Inquiry, in making decisions around restriction orders, will be well aware of this limitation.

APPENDIX 'D' – DEFINITION OF TERMS

Limitations of the 'Plaice' model

The risk assessors note the comments by the Chairman in the note to risk assessors dated 20 Oct 2016, paragraphs 23 – 28. Of specific note are the comments around whether the descriptors are directly transferable in the present context. The risk assessors have therefore removed the percentage factoring, as well as the proximity to the date of assessment, from the model. The issue of whether past experience is an indicator of future risk given the anonymity afforded to previous UCO's is appreciated.

Probability of risk occurring;

Very Low: the probability of the risk occurring is considered highly improbable.

Low: the probability of the risk occurring is considered unlikely.

Medium: the probability of the risk occurring could reasonably be foreseen, and is considered distinctly possible to occur at some stage.

High: the perceived risk is assessed as probable to occur at some stage.

Very high: the perceived risk is assessed as very likely to occur at some stage.

Impact of risk occurring;

Negligible:

Nil or negligible impact.

In physical terms this would equate no injury.

In terms of impact upon their family and personal life there would be no real impact.

Minor:

The impact would have a very limited effect upon the (ex) officer, and could be readily mitigated.

In terms of physical injury it would not exceed that which could be treated with non-expert 'first aid'.

In terms of impact upon their family and personal life it could be reasonably managed without significant assistance.

Moderate:

This would significantly impact on the welfare of the officer.

In physical terms would require professional attention (GP, hospital)

In terms of impact upon their family and personal life it would require additional support, 'target hardening' at their address, or cause real anxiety within their family or close friends.

Serious:

This presents a major impact on the officer.

In physical terms it would result in a significant injury.

In terms of impact upon their family and personal life it would require major readjustments to their lifestyle, significantly adversely impacting on their private life.

Critical:

The risk of overwhelming impact on family or other circumstances.

In physical terms would result in a life threatening injury.

In terms of impact upon their family and personal life it would require total changes, such as moving locations, to ensure safety.

It is the experience of the risk assessors that major adjustments in these areas can be problematic. It is important that the impression is not given that risk can easily be mitigated should the real identity of a UCO become known, AND a threat to him / her exists. Many of the groups encountered would have a nationwide element, so moving from one geographical location to another may not eliminate the risk. The impact on other family members, such as children in school, partner's employment etc., can also cause difficulties when such moves are made.

Whilst moving location causes difficulty, there are additional issues when the 'witness protection' element is taken into account. For example, there may be a need to cut contact with previous family or friends to prevent the subjects new location and / or identity becoming known. This may not always be feasible. It is extremely unlikely to be desirable, and therefore can cause ongoing relationship issues.

This is included to make it clear that 'managing' or 'mitigating' risk for a former UCO should their real identity and location become known may present very real difficulties.

Overall risk;

There are some limited benefit in showing the overall risk. A matrix where both the level of probability and the level of impact are scored from 1 to 5 affords an overall risk to be given. So, if the probability was assessed as medium (score of 3) and the impact was assessed as minor (score of 2) then the overall risk would be scored as 6 (3 x 2).

Whilst every attempt has been made to objectively quantify risk, it should be made clear that this overall scoring can only be considered as a guide, given the unavoidable subjective elements in the process.

Further, the management of this overall risk is likely to only be able to focus on reduction of the probability of the risk occurring, rather than being able to reduce the impact should it occur. This limits the options of those tasked with attempting to manage the risk at a later stage.

The danger with this scoring is that it can produce a false understanding of the nature of the risk. For example, managing a risk that is very unlikely to occur but would result in a critical impact is entirely different from a risk that is highly likely to occur but where the impact is negligible. However both would 'score' the same. This should be borne in mind when interpreting the data, and severely limits the value of basing decisions upon this final score.

	Probability – Very High	Probability - High	Probability - Medium	Probability - Low	Probability – Very Low
Impact – critical	25	20	15	10	5
Impact – Serious	20	16	12	8	4
Impact - Moderate	15	12	9	6	3
Impact – Minor	10	8	6	4	2
Impact – Negligible	5	4	3	2	1

Harm;

The risk assessors note the comments of the Judge that *"harm will be construed widely so as to embrace interference with private life"*.

APPENDIX 'E' – LIMITATIONS OF THE RISK ASSESSMENT PROCESS / GENERAL COMMENTS

Use of previously written material - individuals:

Considerable efforts have gone into maintaining a high level of independence in this risk assessment process. It is clear from the selection process adopted for risk assessors that the Inquiry wished this report compiled by people outside of the Special Branch / SDS / Undercover policing arena.

However, the risk assessors have also to face the reality of assessing a vast amount of material that has been generated, and time scales imposed from the Inquiry.

There would, at least theoretically, be some benefit in risk assessors working from primary documentation only when compiling the assessments, and not using those risk assessments previously prepared by Operation Motion, 'pen pictures', or similar secondary material from elsewhere.

The risk assessors have taken the decision to consider material previously prepared rather than re-doing all of the underlying research required to reach that position. Wherever possible though previous risk assessment material has been redacted to prevent the risk assessor's having access to opinion.

The assessment of the risk remains the decision of the independent risk assessors irrespective of any other risk assessment that may have been undertaken.

The risk assessors have attempted to verify all information that had a significant impact upon their critical decisions.

Use of 'group' assessments:

The risk assessors consider the risk posed by a specific group 'as an entity' to be a matter of specialist knowledge. The group assessment is therefore included in the report, but has been provided by a specialist in that area. The details of the author is referenced in the document.

Expectations of anonymity given to the undercover officer:

The Inquiry Chairman has stated that he does not consider this general area properly a matter of risk assessment. The default position is therefore that the risk assessments will not include this area unless there is a clear and specific reason to do so, such as how the perceived breach by their employer has significantly impacted upon the psychological well being of the officer, for which the potential need for further assessment will be flagged. The risk assessment does include evidence from the applicant of their personal grounds for the expectation of confidentiality (risk assessments – note to core participants – para 22). The risk assessors note the comments of the Chairman of the Inquiry in terms of whether that expectation was reasonable.

Psychological risks and medical opinion:

The risk assessors appreciate that they do not have the medical expertise to assess or quantify the degree of psychological impact. It is noted that the Inquiry has a process for such professional assessment. The risk assessors have therefore limited themselves to commenting upon the factual information available.

Revelation of pseudonym:

The risk assessors will comment when they believe they can usefully assist in deciding what the implications of revealing a UCO's pseudonym would be, and specifically whether that is likely to reveal a genuine identity.

Mitigation of risk:

The risk assessors appreciate the Inquiry has expressed a wish for matters, wherever possible, to be in the public domain. Further, the Inquiry has outlined a number of ways they consider risk could be mitigated. These methods include withholding, redacting, or gisting documents; use of a cipher;

screening witnesses; voice modulation; prohibition around publication; receiving evidence wholly or partly in private.

The Chairman of the Inquiry makes clear that any alternative methods available to avoid or reduce a risk of harm or damage will be material considerations (Part 6, conclusions and summary of findings, the public interest balance under section 19 (3) (b), section A.6)

Where the risk assessors consider we can usefully comment on the usefulness (or otherwise) of strategies to mitigate risk we have therefore done so.

Management of risk:

Management of a risk BEFORE OR AFTER a decision not to issue a restriction order is different from the potential avenues open to mitigate a risk BEFORE the Chairman makes a decision whether to issue such an order. Management of risk, as opposed to mitigation of risk, does not therefore strictly form part of the assessment.

However, the risk assessors are acutely aware that 'avoiding' the risk may not be an option should a restriction order either not be made, or made with limited conditions.

The risk assessors will highlight to the appropriate organisation any concerns so that consideration can be given to managing that risk. We do appreciate the life-changing effect some of these measures can have on individuals and their families. We will therefore raise the proportionality of the kind of measures that would be required to manage the risk to private and family life.

Other factors affecting the decision concerning restriction orders:

Many models used within the policing environment use the risk assessment to decide whether a particular activity should be pursued. The risk assessors appreciate that the physical, psychological, family life or other risks concerning the officer are but a part of the overall picture that the Chairman will consider when deciding whether to issue a restriction order.

The matters that therefore do not generally form part of the individual risk assessments include;

- 1.The 'NCND' principle in general terms (however the risk assessors are aware of the Chairman's comments in Part 6, conclusions and summary of findings, the public interest balance under section 19 (3) (b), section A.7);
- 2.Expectations of anonymity in general terms (however the risk assessors are aware of the Chairman's comments in Part 6, conclusions and summary of findings, the public interest balance under section 19 (3) (b), section A.8);
- 3.The impact of identification of officers on future recruitment to undercover work;
- 4.Disclosure of operational techniques in general terms;
- 5.Damage to effective policing more generally (as set out by the Chairman in Part 6, conclusions and summary of findings, the public interest balance under section 19 (3) (b), section B.2);
- 6.Risk in disclosing any relevant particular piece of information (as set out by the Chairman of the Inquiry in Part 6, conclusions and summary of findings, the public interest balance under section 19 (3) (b), section B.3);

The risk assessors therefore appreciate this risk assessment only forms a part of the overall decision whether to issue a restriction order.

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MPS DLS
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LOG D5918

Appendix 'H' – Other material generated during, or pertinent to, this risk assessment

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Appendix 'I' – Documents used to compile this report

A nominal search has been conducted on the Op. Herne HOLMES account for N329.

The documents listed below do contribute to the risk assessment.

Where 'Pitchford' reference numbers are available they have been used. Where they are HOLMES documents without a Pitchford reference the HOLMES reference has been used.

Details

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Appendix 'J' – Documents reviewed but not considered relevant to the risk assessment

A nominal search has been conducted on the Op. Herne HOLMES account for N329.

The documents listed below do not contribute to the risk assessment.

Details

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Appendix 'K' – Conflict disclosure statement

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Appendix 'M' - Initial DLS profile summarising contents of Relativity

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