

<b>Title:</b>	<b>N330 - Risk Assessment</b>
<b>Summary:</b>	<b>N330 - Assessment of risk in the event of identification during the Undercover Policing Inquiry (UCPI)</b>
<b>Relevant to:</b>	<b>UCPI</b>
<b>Author:</b>	<b>David Reid</b>
<b>Peer Reviewer:</b>	<b>Kevin Shanahan</b>
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<b>Security level:</b>	<b>Official</b>

#### **PURPOSE;**

This risk assessment has been prepared in relation to the Undercover Policing Inquiry, and concerns the officer known as N330.

The purpose of the document is to provide an objective assessment of the creation of or increase in risk to N330 and third parties if information is disclosed by the Undercover Policing Inquiry (UCPI) which directly or indirectly leads to the identification of N330 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;**

22 – 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 20<sup>th</sup> 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'

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## 1. REAL IDENTITY

Real name – *real name*, born *date and place of birth*

## 2. SUMMARY

N330 was deployed during 1968 into the Vietnam Solidarity Campaign in Havering.

There is nothing in the public domain about his posting.

N330 has declined to meet the risk assessors, and states that at *age* he has the 'most monumental indifference' to whether the Inquiry wishes him to give evidence.

## 3. SUMMARY OF OFFICER'S LIFE PRE-DEPLOYMENT

### 3.1 Life before joining MPS

N330 was born in *year* in *location*.

When he joined the police in *Year* N330 was shown as just under *Height*, single, and had had a 'public education'. It is unclear if this means a public school education.

He is shown as having had *Employment details*.

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

### 3.2 Police career history pre-UCO role

N330 joined the MPS on *Date*. His warrant number was *Number*

#### *Details of police career*

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

### 3.3 Recruitment to UCO role

*Details of personal situation when deployed.* He has declined to be interviewed by the risk assessors, so the method of his recruitment is unknown. It is not believed that psychometric testing formed part of the recruitment process at that time.

Details of any training, formal or otherwise, are not known. Nor is the level of any back story or legend. Nor the level of political awareness, and whether it was sufficient for his role.

### 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.

It is not known if assurances of lifelong anonymity provided were provided, or whether they would fall into the context of risk assessment.

#### **4. UNDERCOVER DEPLOYMENT**

##### **4.1 Dates of deployment**

N330 was deployed as a UCO in 1968. The concluding date of his deployment is unknown. It may well be in 1974 but that is speculative.

##### **4.2 Main group infiltrated**

N330 was deployed into the Vietnam Solidarity Campaign in Havering.

##### **4.3 Peripheral interactions**

There is no record of N330's reporting, so it is not possible to know if he reported upon other groups.

##### **4.4 Covert identity adopted**

It is not known whether N330 adopted a cover identity by using the birth certificate of a deceased child. Given his comment in the emails (copied in Appendix F) it appears unlikely he had a formal cover at all. Similarly it may well be that he did not have a cover occupation.

##### ***Discussion of behaviour that may increase risk.***

I am not aware of him ever having been arrested.

##### **4.5 Tasking**

How he was specifically tasked is unknown.

##### **4.6 Assimilation into the group**

How he assimilated into the group is unknown.

##### **4.7 Group size**

The group size is unknown.

##### **4.8 Geographical location(s) based**

The group were Havering based, but whether that formed a basis and his activities were more widespread geographically is unknown.

##### **4.9 Cover occupation**

Not known.

##### **4.10 Compromises or security concerns during his deployment**

Not known.

##### **4.11 Risk assessments during deployment**

Not known.

**4.12 Relationships entered into, or other behaviour that could heighten the risk**  
Not known.

**4.13 Arrests**  
Not known.

**4.14 Key associates**  
Not known.

**4.15 Other Undercover officers who would be affected if a restriction order was not issued**  
*Details of contact with others.*

**4.16 Withdrawal / exit strategy**  
Not known.

**4.17 Return to regular policing**  
*Details of later career*

**4.18 Commendations**  
None shown.

**4.19 Support during deployment**  
Not known.

**4.20 Whether N330 is a Core Participant at the Public Inquiry**  
N330 is not a core participant in the Inquiry.

## **5. CURRENT SITUATION WITH N330**

**5.1 Age**  
*Age*

**5.2 Current location**  
*Location*

**5.3 Family circumstances**  
Not known

**5.4 Subject to any formal investigation**  
*Discussion*

**5.5 Current employment**  
N330 retired from the MPS on *date and rank*.

**5.6 Route to work**



Not applicable

**5.7 Role within the community**

Not known

**5.8 Their partner's employment**

Not known

**5.9 Children**

Not known

**5.10 Internet profile**

Not known, but see section 10.4

**5.11 Knowledge of their role amongst family and close friends**

Not known

**5.12 Physical health**

Not known

**5.13 Psychological health**

Not known

**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**

Nil

**6.2 True identity**

Nil

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

Not applicable

**6.4 Compromises / potential compromises subsequent to his posting**

Not known

**6.5 Use of the same first name in their pseudonym**

Not known, but it may be that at this early stage of deployments cover identities were not as formal as they later became.

**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

There are no other known deployments by N330

## 7. INTERVIEW BETWEEN RISK ASSESSORS AND THE FORMER UCO

N330 declined to meet the risk assessors.

In an email dated 5<sup>th</sup> January 2017, and copied behind Appendix F, N330 outlines his view to Op. Motion. He states "...I have not read more than a fraction of the attachments to your original email simply because I am not sufficiently interested in any of them. Whatever enquiry or enquiries are taking place now or will take place over the next few years are, to me at **Age**, a matter of indifference. I am equally indifferent to the possibility of being called to give evidence to any enquiry, public or otherwise. I failed to see what would be learnt that is not public knowledge. As to the risk of my being "identified" after all these years I am sure the majority of those who would be interested (whether friendly or not) are long since dead. Those still living with me would be even older than me.

I joined the Met in **Date**, joined SB in **Date** and resigned in **Date**. In common with most of my former colleagues and throughout my service, my duties mainly involved **Details of duties**. I am puzzled by your reference to my "cover name". I did have rather a large number of them...

I would, however, emphasise that between those dates I did not join any political party, group or organisation. I was present at hundreds of political meetings, joined many public demonstrations and protests throughout the MPD (Metropolitan Police District – DR) and knocked on hundreds of doors. In all cases and for obvious reasons my true identity remained unknown and when unavoidable I gave a false name and a false occupation..."

On 15<sup>th</sup> February 2017, in an email to the risk assessor, he stated "...I do not wish to take part in any risk assessment as I do not consider myself to be at risk.

Whether or not the inquiry requires me to give evidence, that is a matter of the most monumental indifference to me.

In the meantime I would prefer to be left in peace and not to be additionally importuned..."

On 16<sup>th</sup> February 2017, in a further email to the risk assessor, he re-iterated he did not wish to take part in a risk assessment. He continued "...according to yesterday's BBC news online there is no likelihood of anyone being called to give evidence at the inquiry before 2018. May I assume I will be left in peace for the next 10 months?..."

## 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.

## **8.2 Specific impact**

In the case of N330, neither his pseudonym nor his real identity is in the public domain. My understanding of the e-mails he has sent (as detailed in section 7) is that he may not have had a formal pseudonym or cover identity.

## **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 N330 than those other risks 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 an ongoing risk would normally 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 their 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 from 'Relativity', and is behind Appendix 'K'. 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. In this case, with no individuals or groups of concern being identified from HOLMES, Relativity or the officer, this does not apply.

### **10.3 Additional research**

Where individuals or groups had been researched (as in 10.2), the intention would be to supplement that research with a review of material held on other databases. That clearly does not apply in this case.

#### **10.4 Open source research**

I have conducted some very basic research on the internet in connection with N330. *Details of results*

*N330's personal details are available on the internet to an informed searcher. Details of results*

#### **11. THE RISK CURRENTLY POSED BY THE GROUPS INFILTRATED**

There is no risk from the Vietnam Solidarity Campaign as an organisation as it no longer exists.

#### **12. THE RISK FROM INDIVIDUALS WITHIN THE GROUP**

##### **12.1 Associate causing N330 particular concern / perception of risk by the UCO**

N330 has not mentioned any individuals he was targeted against, but makes it clear that (if still alive) they would be elderly, and he does not consider himself to be at risk.

##### **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 issues 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.**

Not known beyond that covered in the emails detailed in section 7

##### **13.2 Counselling, medication, welfare, psychological referral etc.**

Not known

#### **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

Apparently low, given the comments of N330 in his emails, as detailed in section 7.

#### 14.2 Nature and gravity of the risk

None identified. I consider that the risk maybe marginally higher than he considers it, but see below for the conclusions.

#### 14.3 Media intrusion

None identified. N330 seems primarily reassured that no-one would be interested in the specifics of his particular case. That may well be the case, but I consider there would be a significant interest in anyone who was a former SDS officer. That means interest in him may be higher than he assumes.

#### 14.4 Effect on friends and family

None identified

### 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)

None identified

#### 15.2 Security arrangements in place

Not known

#### 15.3 The anticipated result of revealing pseudonym only

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

I remain unconvinced from the emails listed in section 7 that N330 had a formal cover identity, or a single pseudonym.

#### 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 falls outside of the scope of this risk assessment.

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

#### 15.5 Using a cipher

Strictly from a risk assessment point of view, and given the limited amount of information I have available to me, there are no obvious reasons why the use of a cipher would be required.

In other cases there maybe limited value in a cipher, because the nature of their actual evidence provided by a UCO could lead to them being identified, at least in their cover identity, by people they engaged with. The specific nature of their testimony would be sufficient to identify them to people with knowledge of an incident or event, and therefore the value of using a cipher maybe very limited indeed.

N330 is at the extreme end of the spectrum of UCO's, partly because of the length of time since his deployment, and partly because of the (apparent) lack of intrusion into the VSC. He portrays his deployment as largely superficial (*"...I was present at hundreds of political meetings, joined many public demonstrations and protests throughout the MPD and knocked on hundreds of doors..."*)

It may well be that in these circumstances a cipher would provide a meaningful barrier to his identification, where with the majority of UCO's it would not, for the reasons outlined above. Should the Inquiry decide that they do not wish N330 identified (see section 16) then they may see this as a realistic option.

#### **15.6 Screening**

From a risk assessment perspective, any risk however minimal would be lowered by the use of screens. If the appearance of a UCO is not known then it would be harder to identify them. There are various methods of identifying a person, some of which are entirely dependent upon knowing their appearance. Because the risk is assessed as below it may not be deemed necessary to provide screens. However, if the Inquiry decided they wished to protect the real identity of N330 then screens would be of value.

#### **15.7 Voice modulation**

The same principles would apply as in section 15.6 above

#### **15.8 Prohibition around publication**

The same principles would apply as in section 15.6 above

#### **15.9 Receiving evidence in private.**

The same principles would apply as in section 15.6 above

### **16. CONCLUSIONS**

#### **16.1 General comments**

N330 does not have his real name or covert identity, if indeed he had a formal covert identity, in the public domain

The risk from the group he targeted is nil as it no longer exists. It was a specific group for a specific purpose, so the threat from linked groups, or organisations that emerged from his target group, is not relevant.

I have not identified any former associates who may constitute a threat.

The risk assessors are not medical experts. However from the very limited information available there are no obvious or apparent indicators that should be followed up in terms of his psychological well being.

I have only communicated with N330 via email.

I am unaware if his wife is still alive.



## 16.2 Assessment scores

### N330 – Risk of physical attack if pseudonym officially confirmed

It appears that N330 may not have had a formal covert identity in the normally understood manner, so there is little I can add of value. Similarly I suspect from his emails that the 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 his real identity becoming known.

If he was identified in his cover identity only I would consider the likelihood of him being attacked as 'very low' (1). I would normally consider the likely impact, given the comments from N330 about the current age of any living subject against whom he was targeted, as negligible or minor. However, I would also bear in mind the age of N330. I would not want to make general assumptions around whether he is an increasingly frail in his senior years, but 'moderate' may be a more appropriate assessment (3).

The overall risk in this category would therefore be 3.

### N330 – Risk of physical attack if real identity officially confirmed

I would share the view of N330 that this would appear unlikely.

I consider the likelihood of an attack on N330 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.

As above, I would normally consider the likely impact, given the comments from N330 about the current age of any living subject against whom he was targeted, as negligible or minor. However, I would also bear in mind the age of N330, and therefore 'moderate' would be a more appropriate assessment (3).

The overall risk in this category would therefore be 3.

### N330 - Risk of interference with family and private life if pseudonym officially confirmed

Given the comments above concerning the apparent lack of a formal cover identity, I would consider the likelihood of interference with his personal and family life if only his cover identity was known as very low (1).

I would consider the likely impact as minor (2).

The overall risk in this category would therefore be 2.

### N330 - Risk of interference with family and private life if real identity was officially confirmed

I would share the view of N330 that this would appear unlikely.

I consider the likelihood of interference with his personal and family life on N330 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).

I would normally consider the likely impact, given the comments from N330 about the current age of any living subject against whom he was targeted, as negligible or minor. However, I am cognisant of his comments about his privacy, and that clearly is of real importance to him. I also bear in mind the age of N330. **Health issue**

I am wary of underscoring in this category as I therefore appreciate that any direct approach to him, whether from the media or otherwise, may have a significant impact. That is not to say that I have any information that a journalist would necessarily act unprofessionally. I am just aware that an approach from

any individual that may not normally have an impact upon a person may have the affect of upsetting an elderly person in this context. Overall I consider 'moderate' would be an appropriate assessment (3) of impact.

The overall risk in this category would therefore be 6.

If the Inquiry was minded that it was not appropriate to identify N330, for any other reason concerning his vulnerability, then I consider screens would be an appropriate measure.

I should also make the point that N330 does in his correspondence. Should there be a significant delay in the Inquiry calling live evidence it may be that the health and welfare of N330 would need to be reassessed.

Signature of author;

Signature of moderator;

Date;

Date;

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#### **Appendix 'A' – Author CV – David REID**

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.

4<sup>th</sup> July 2016; Retired from the MPS

22<sup>nd</sup> November 2016; Employed as a risk assessor in relation to the UCPI

## **APPENDIX 'B' – AUTHOR CV – Kevin Shanahan**

### **Police Career**

Employed as Police Officer with British Transport Police from January 1979 until April 2010, this period covers working in both 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 timescales 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 wellbeing 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.

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

Emails between DI Foster and N330

Emails between David Reid and N330

MPS DL6  
OFFICIAL  
LOG D5919



#### **Appendix 'G' – Documents used to compile this report**

A nominal search has been conducted on the Op. Herne HOLMES account for N330. All of the documents listed within the nominal records are in different categories which normally include areas such as Actions; Addresses / Telephones; Arrests; Associates / Colleagues; Compromise; Employment / Commendation; Financial; Health / Welfare; Legend; Interview / Contact / Correspondence; Legal / Civil action; Political organisations; Press / Media / Exposure; Research / Intelligence; Travel; Undercover deployments / Arrests; Vehicles

The risk assessment takers into account documents within those folders. 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 of documents***

#### **Appendix 'H' – Documents reviewed but not considered relevant to the risk assessment**

A nominal search has been conducted on the Op. Herne HOLMES account for N330. All of the documents listed within the nominal records have been checked. The documents listed below do not contribute to the risk assessment.

##### ***Details***

MPS DLS  
OFFICIAL  
LOG D5919

**Appendix 'I' – Conflict disclosure statement**



**Appendix 'J' - Documents from HOLMES not on Relativity**

MPS DLS  
OFFICIAL  
LOG D5919

MPS DLS  
OFFICIAL  
LOG D5919

**Appendix 'K' - Initial DLS profile summarising contents of Relativity**