

IN THE MATTER OF THE INQUIRIES ACT 2005

AND IN THE MATTER OF THE INQUIRY RULES 2006

THE UNDERCOVER POLICING INQUIRY

**[OPEN] SUPPLEMENTAL APPLICATION ON BEHALF OF N81
FOR RESTRICTION ORDERS**

Introduction

1. The Inquiry has been provided with the following documents in support of the restriction order applications made by N81 in 2016: (i) Closed and Open applications drafted by S&G LLP dated 19 February and 11 March 2016; (ii) MPS risk assessment dated 5 February 2016; (iii) personal statement of N81 dated 17 February 2016; (iv) gisted personal statement [undated]; (v) draft order; (vi) additional medical reports [redacted] provided on 1 June 2016 (although referred to in letter of 24 May 2016 from S&G LLP).
2. This document is intended to supplement the existing application for restriction orders in light of two additional documents which are filed in support of N81's existing application for restriction orders: (i) the risk assessment prepared by David Reid dated 28 June 2017; (ii) the psychiatric report prepared by Dr Walter Busuttill dated 15 February 2017.
3. This document organises the information contained in the two documents mentioned above and makes limited submissions on the basis of that information. It is not intended as a skeleton argument.
4. N81 maintains *his/her* application for the restriction orders sought in *his/her* original closed and open applications as set out in the draft order originally submitted.

The new risk assessment and [REDACTED]

5. As will be apparent from the new risk assessment, [REDACTED]
[REDACTED]
[REDACTED] N81 fully cooperated with the risk assessment process. A lengthy account of *his/her* responses to questions asked of N81 by the risk assessor is attached to the risk assessment. [REDACTED]
[REDACTED]
[REDACTED]

6. [REDACTED] [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

8. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED] Plainly, there is likely to be a correspondingly high level of interest and motivation for discovering N81's true identity.

- 9. Accordingly, N81 submits that on the available material, there are substantial grounds for concluding that there is a real risk [REDACTED] should *s/he* give evidence in public either under *his/her* pseudonym or a cipher.

[REDACTED]

Article 3 - risk of physical assault

- 11. N81 has always maintained that the risk of physical attack will not necessarily emanate from named individuals who are known to *him/her* or with whom *s/he* formed relationships with during *his/her* deployment. *His/her* concern is that someone who doesn't necessarily have any connection with any of the groups to which *s/he* was deployed will develop a hostile animus [REDACTED]

[REDACTED]

15. Although alluded to at various points in the risk assessment, both N81's deployment and the prospect of the disclosure of *his/her* identity [REDACTED]

16. [REDACTED] the Inquiry is invited to take into account the adverse consequences that would redound to N81's private and family life [REDACTED] were *his/her* identity to be disclosed, which would constitute the clearest possible interference with *his/her* Article 8 rights.

Conclusion

17. N81's application for the measures sought in the draft order is maintained and enhanced by the most recent material provided to the Inquiry.

SLATER & GORDON LLP

13th July 2017