

Title:	N109- Risk Assessment
Summary:	Assessment of risk in the event of identification during the Undercover Policing Inquiry (UCPI)
Relevant to:	UCPI
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PURPOSE

This risk assessment has been prepared in relation to the Undercover Policing Inquiry, and concerns the officer known as N109.

The purpose of the document is to provide an objective assessment of the creation of or increase in risk to N109 and third parties if information is disclosed by the Undercover Policing Inquiry (UCPI) which directly or indirectly leads to the identification of N109 as a former undercover police officer (UCO). The report covers the situation in relation to both their pseudonym and real identity if details became known.

DATE OF DOCUMENT

19 – 10 – 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 Adrian Baxter.

It has been peer reviewed by Graham Walker

THE PROCESS ADOPTED

There are a number of methods used in the assessment of risk. The process adopted in the production of this report has been documented.

The terms have been documented.

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 documented 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.

There are 102 footnotes in this risk assessment. The Risk Assessment does not contain a contents section.

Section 1 ("Real identity"): The risk assessment sets out N109's real identity, pseudonym and cover names. N109 is now part of the 'Designated Lawyer Officers' group who has core participant status. N109 is not the subject of a misconduct investigation.

Section 2 ("Summary"): The risk assessment sets out details of N109's deployment, that N109 returned to the SDS in a managerial role, and gives details of N109's current personal and work situation.

Sections 3.1 - 3.2 ("Life before joining MPS" and "Police career history pre-UCO role"): The risk assessment details N109's life before joining the MPS, and police career pre-UCO role. There is nothing from this period that affects the current risk assessment.

Sections 3.3 - 3.4 ("Recruitment to UCO role" and "Guarantee or assurance of anonymity"): N109 was offered a position in the SDS after coming to the attention of a senior SDS manager. N109 did not recall any formal interview. The senior SDS manager and other UCOs provided direction and advice for building a legend for N109's target group. N109 was aware of the Tradecraft document. N109 cannot remember anything specifically being mentioned regarding anonymity, but considered it implied by what they did and how they went about their tasks. N109 gave another reason for believing that anonymity was assured. The Risk Assessor could not locate any documents recording any assurance.

Section 4 ("Undercover Deployment"): This section sets out the details of N109's undercover deployment, addressing the following (where applicable): dates of deployment; main groups infiltrated; peripheral interactions; covert identity; behaviour that might raise risk; tasking; assimilation into the group; key associates; compromises or other security concerns during deployment; Photographs and images known/in existence; Relationships entered into; Arrests; Prominent successes; other UCOs affected; Withdrawal / exit strategy; Support during deployment; Return to regular policing; Commendations. N109 stated that the group(s) involved contained violent elements. An example was given of violence enacted against an informant. The Risk Assessor could not corroborate the example but confirmed that it was believed by N109 and by the SDS senior management at the time.

N109 is concerned about confirmation of the cover name and provided a reason. There are not believed to be any third party concerns. N109 believes that there are photograph(s) of N109 during the deployment in existence. N109 described welfare support as being good throughout the deployment.

N109 denied entering into any relationships and stated that relationships were not permitted. There is no documented intelligence to suggest that N109 was involved in any inappropriate sexual relationship.

Sections 5 and 6 ("Post UC Deployment within the police" and "Police police employment or engagement"): Any post UC deployments and post police employment is discussed. N109 returned to the SDS as a manager in 1980/1990s running operational aspects of SDS work. N109 was also employed in a role with public exposure. N109 also worked in very sensitive roles. N109 expressed a fear that any confirmation of true identity would increase the personal risk to N109 of both harassment and potentially, physical harm.

Section 7 ("Formal investigation"): N109 is not the subject of any formal investigation and there is no connected litigation.

Section 8 ("Current situation"): N109's current situation is set out, addressing (where applicable): age and marital status, current location, children, current employment, route to work, role in community, partner's employment, social media, knowledge of role amongst family and friends; physical health, psychological health, how "discoverable" the officer is.

N109 repeatedly expressed a fear that N109's home address would be revealed. N109 is concerned about the effects of the Inquiry and that people will assume N109 was involved in wrongdoing. N109's stress levels are raised as a result of the Inquiry. The perceived threat to N109's family weighs heavily upon N109.

N109 had particular concerns that some of the UCOs with whom N109 worked during the managerial role in the SDS may be hostile towards N109. N109 described stress caused to N109 and N109's partner as a result of this perceived hostility.

Sections 9 and 10 ("Current level of exposure" and "Interview between Risk Assessors and UCO"): N109's current level of exposure is discussed. There has been no self-disclosure, no court order, no police revelation, and no official disclosure. The Risk Assessor met with N109 in September 2017.

Section 11 ("General existing threat conditions"): The risk assessment discussed the current terrorist threat level, which is severe.

Section 12 ("Research conducted"): The nature of the research conducted by the risk assessor is discussed including searches of HOLMES and Relativity, the PNC (which shows convictions), PND (nationwide intelligence), IIP (MPS systems), and open source research.

Sections 13-14 ("The group(s) infiltrated" and "Individuals")

The risk currently posed by the groups infiltrated, and the risk from five particular individuals, are discussed. Full research documents contained within the appendices are referenced.

N109 stated that the individuals were capable of research and gave reasons. The Risk Assessor could find no documentation to confirm or dispute this assertion by N109, but noted that it was N109's strongly held belief.

Sections 15-16 ("The officer's subjective views" "Other potential sources of harm to this officer")

The UCO's perception of the risk and potential interference with family life are discussed.

N109 stated that N109 found it difficult to assess the risk of physical harm. The group showed no corroborated example of violence towards members. N109 reported feeling an

increased risk of physical harm from confirmation in the Inquiry, but did not expand upon this assertion. N109 reported being absolutely terrified of psychological harm through trolling on the internet. N109 anticipated making significant changes to N109's current lifestyle should N109 be confirmed, and explained how those changes would affect N109.

N109 fears that the risk of interference to N109's family will be substantially increased if N109's real name is published by the Inquiry.

N109 was both a UCO and a manager. N109's role as a supervisor may be of interest to the Inquiry. N109 was a manager of individual UCOs who will be of interest to the Inquiry. This combination, N109 believes, would make N109 a subject of great interest to the media and the interest groups. N109 described concerns that some of the UCOs with whom N109 worked during the managerial role in the SDS may be hostile towards N109.

N109's partner was terrified of other named SDS officers and was deeply concerned with regard to the interview with the risk assessors. N109's partner fears harassment from a named individual and others when interest in the Inquiry is likely to increase.

N109 believes that confirmation of the cover name would be insensitive, inappropriate and potentially dangerous. N109 offered an explanation for that view.

The Risk Assessor considered that the media would take a high interest in N109, for reasons including that N109 returned to the SDS as a manager and dealt with officers likely to be of interest to the Inquiry.

Section 17 ("Mitigating the risk"): Measures to mitigate the risk are discussed. Screening would remove some anxiety for N109 and would be of value to mitigate identification or recognition. Voice modulation would be of less importance than screening, but may have some marginal value.

Section 18: ("Third party risk") third party risks are discussed, including possible harm to N109's family.

19. CONCLUSIONS

This section did not include any factual detail that is not set out in the sections above.

19.1 Current risk

The current risk of physical harm and of interference to N109 and family were both assessed as "low".

19.2 Where there has been existing exposure of the cover or real identity, what difference can official confirmation make?

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/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.

The risk assessors are aware that the Chairman has recognised in his 'Minded to' note that being named in connection with the Inquiry may result in a "stimulation or revival of adverse interest".

The risk assessor discusses whether there has been exposure of either the real or cover name in this instance.

19.3 What is your assessment of whether there is currently a sterile corridor between the officer's real and cover name?

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.

The strength of the "sterile corridor" between N109's real and cover names was discussed.

19.4 What is your objective assessment of the outcome of the disclosure of all or any of the dates of deployment, the geographical area of operation, and the groups infiltrated

It is assessed that the likelihood of disclosing geographical data, the group infiltrated and the dates would not increase the risk of physical harm or interference to N109 or N109's family.

19.5 What is your objective assessment of the increase to the risk of physical harm to this officer if their real identity were to be officially confirmed?

There is no risk from the group(s) infiltrated and no individual identified who the Risk Assessor thinks would provide an ongoing physical risk to N109 or family from the period of the deployment.

Other SDS officers could identify N109, and N109 believes that these officers may "out" N109. The Risk Assessor assesses that N109 would be "high on the list" of those officers, should they wish to "out" their colleagues. The Risk Assessor provides two reasons for this. This could render discussion about protecting N109's identity academic.

The Risk Assessor considers that there is little evidence to support the contention that N109 would be in physical danger if N109's real identity was known.

The Risk Assessor would therefore assess the probability in this category as 'very low' (1) – the probability of the risk occurring is considered unlikely.

The impact is hard to assess, but mindful of the age of the UCO the risk assessor assesses it as 'moderate' (3). This would significantly impact on the welfare of the officer and would require professional attention.

The overall score is therefore (3) very low.

19.6 What is your objective assessment of the increase to the risk of interference with this officer and their family if their real identity were to be officially confirmed?

The Risk Assessor did not identify any risk from the group(s) infiltrated or from individuals.

The media are however, more likely to take greater interest in N109 should N109 be named, owing to N109's dual role as an operative and manager of the SDS.

As a manager N109 dealt with some difficult nominals, and oversaw a disciplinary procedure.

The Risk Assessor would therefore assess the risk in this category as medium (3) the probability of the risk occurring could reasonably be foreseen, and it is considered distinctly possible at some stage.

The Risk Assessor gave a reason for considering that the impact would be greater and identified further evidence needed.

N109's view is that media intrusion would be devastating to N109's children. The Risk Assessor agreed that there is a risk of media intrusion for N109's children but felt it would not be too negative or as impactful as N109 fears, and explains why.

The Risk Assessor would therefore assess the impact in this category as serious (4). This presents a major impact on the welfare of the officer. In terms of their family and personal life it would require major readjustments to their lifestyle, significantly adversely impacting on their personal lives.

The overall score is therefore medium (12).

19.7 What is your objective assessment of the increase to the risk of physical harm to this officer if their cover identity were to be officially confirmed?

The Risk Assessor discusses the strength of any sterile corridor between N109's real and cover names.

Section 19.5 provides the rationale that there is little evidence to support the contention that N109 would be in physical danger if the real identity was officially confirmed. The same rationale applies should N109's cover identity be revealed.

The Risk Assessor would therefore assess the probability in this category as 'very low' (1) – the probability of the risk occurring is considered unlikely.

The impact is hard to assess, but mindful of the age of the UCO, the Risk Assessor assesses it as 'moderate' (3). This would significantly impact on the welfare of the officer and would require professional attention.

The overall score is therefore (3) very low.

19.8 What is your objective assessment of the increase to the risk of interference with this

officer and their family if their cover Identity were to be officially confirmed?

It is rational to assess that the likelihood that N109 would be identified in N109's real name by confirming N109's cover name is very low.

The Risk Assessor would therefore assess the probability in this category as 'very low' (1)

The Risk Assessor would consider the impact as 'moderate' (3). In reaching that conclusion the Risk Assessor has considered N109's age, and accepted N109's assertion in relation to the likely impact upon N109's family.

The overall score in this category is therefore (3). Very Low.

19.9 If the cover name were to be officially confirmed, what is the risk of additionally confirming the names of the groups infiltrated by this officer, the dates of the officer's deployment and the geographical location of their areas of operation, if any?

It is reasonable to assess that there would be no increase in risk in this category. Explanations are given.

20. Considerations for N109's role as a supervising officer for SDS.

20.1 Summary:

N109 returned to SDS during a lively period for SDS with N109 being a manager of the unit.

Factual account by N109 of N109's role as a manager of the SDS.

N109 stated that during N109's time as a manager, there was an 'appetite for supervision'. N109 cited three examples.

N109 gave N109's views on the True Spies programme.

N109 was made responsible for ensuring compliance with regard to the regulatory framework governing operations of numerous UCOs, including those of interest to the Inquiry. Each of these nominals may be subject to a separate risk assessment. N109's involvement and knowledge of all aspects of those nominals was discussed. N109's position was that there is a lateral risk to N109 from some of those managed. The risk assessor also identified some lateral risk where none was declared by N109. The Risk assessor provided a brief summary of those nominals regarding their individual deployments, and stated if a lateral risk was declared by N109 or potentially identified by the risk assessor. All of the information was obtained from the initial meeting and fact check with N109. Where the Risk Assessor found supporting documentation he added a footnote.

N109 had managerial issues with a number of nominals, including a specified officer and others of interest to the Inquiry.

21. CONCLUSIONS In role as a manager

21.1 Current risk:

What is the current risk of physical harm to N109 and family?

Low.

What is the current risk of interference with N109 and family?

Low.

The Risk Assessor only assessed the increase in risk if N109's real name were disclosed in connection with the managerial role, and explained why.

21.1 What is your objective assessment of the increase to the risk of physical harm to this officer if the real identity were to be officially confirmed in the role as a manager?

The Risk Assessor considered the effect of confirming N109's real name in the managerial role.

The Risk Assessor considered that evidence given by N109 in N109's managerial position is likely to attract significant attention, both from the media, and also from those people interested in identifying UCO's per se, and particularly those who went on to become managers. The Risk Assessor identified what form that attention might take.

The Risk Assessor assessed the probability in this category as 'very low' (1) – the probability of the risk occurring is considered unlikely.

The impact is hard to assess, but mindful of the age of the UCO the Risk Assessor therefore assessed it as 'moderate' (3). This would significantly impact on the welfare of the officer

The overall score is therefore (3) very low.

21.2 What is your objective assessment of the increase to the risk of interference with this officer and family if N109's real identity were to be officially confirmed in N109's role as a manager?

In considering the increased risk in this area, the factors in 21.1 above equally apply.

In essence, the factors considered with regard to the increased risk in this category are virtually identical to those in section 19.6, as the same risks for the same reasons apply.

The Risk Assessor would therefore assess the risk in this category as medium (3) the probability of the risk occurring could reasonably be foreseen, and it is considered distinctly possible at some stage.

The impact, however, is more significant for two reasons. N109's view is that media intrusion would be devastating to N109's children. The Risk Assessor agreed that there is a risk of media intrusion for N109's children but felt it would not be too negative or as impactful as N109 fears, and explains why.

The Risk Assessor would therefore assess the impact in this category as serious (4). This presents a major impact on the welfare of the officer. In terms of their family and personal life it would require major readjustments to their lifestyle, significantly adversely impacting on their personal lives.

The overall score is therefore medium. (12).

The Risk Assessor notes that although the increased risk of harm or interference, should real name be confirmed, is currently low, the Risk Assessor is unsighted on a specific area of evidence which may affect that risk.

Any or all of the special measures available for presentation of evidence as a UCO should be considered for N109 in N109's managerial role if appropriate.

Signature of author:

Date: 28/2/11

Signature of moderator:

Date:

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