

<b>Title:</b>	<b>N41 - Risk Assessment</b>
<b>Summary:</b>	<b>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>Graham Walker</b>
<b>Version:</b>	<b>Gisted – Version 1</b>
<b>Date created:</b>	<b>23/02/2018</b>
<b>Security level:</b>	

### **PURPOSE**

This risk assessment has been prepared in relation to the Undercover Policing Inquiry, and concerns the officer known as N41.

The purpose of the document is to provide an objective assessment of the creation of or increase in risk to N41 and third parties if information is disclosed by the Undercover Policing Inquiry (UCPI) which directly or indirectly leads to the identification of N41 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**

07 – 12 – 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 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

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 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.

#### **APPENDICES**

**Appendix 'A'** – contains reference material that is already held by the UCPI and the references to larger documents which can be made available when the Risk Assessor has referenced only pages or sections from it.

**Appendix 'B'** – holds the main documentation referenced and the relevant pages from within larger documents and is marked B1, B2, B3, et al in the footnotes to correspond with the index.

***There are 25 footnotes in this risk assessment. The risk assessment does not contain a contents section.***

**Sections 1 – 3.1:** The risk assessment sets out details of N41's real name, cover name and reference numbers.

Factual Update: N 41 is now part of the 'Designated Lawyer Officers' group who has core participant status. N41 is not the subject of investigation.

The risk assessment summarizes N41's deployment, police career, situation, and possible consequences of revealing N41's true identity or cover name. It states that there is a clear and significant risk to both N41 and other individuals of physical harm and interference.

N41's life before joining the MPS is stated.

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

**Section 3.2 – 3.4:** N41's pre-UCO police role is summarized. There is nothing from this period that affects the current risk assessment.

The risk assessment sets out how N41 came to be recruited as a UCO. N41 had no formal training.

A guarantee of lifelong anonymity was verbally provided to N41 by the SB Detective Chief Superintendent.

**Section 4:** This section sets out details of N41's deployment and covert identity. There is no evidence of any intimate relationship during the deployment.

The risk assessor highlighted that N41 provided significant intelligence to enable effective policing at demonstrations and public gatherings. N41 was witness to an event of significant interest to the Inquiry.

N41 stated that the support provided during the deployment was good.

**Sections 5 – 6:** N41's post-UC deployment career in the MPS is discussed including a public facing role involving protection duties.

**Section 7:** N41 was not subject of any formal investigation.

**Section 8:** N41's current personal situation is discussed including details about N41's family. N41 stated that s/he is suffering from stress and anxiety due to the UCPI.

**Section 9:** N41's current level of exposure is discussed, including a potential vulnerability for identifying N41.

**Section 10:** N41 met with the risk assessor in October 2017. N41 fact checked the risk assessment in December 2017.

**Section 11:** The risk assessor discusses the current terrorist threat level for the UK sourced from [www.MI5.gov.uk/threat-levels](http://www.MI5.gov.uk/threat-levels) and the current threat to N41.

**Section 12:** It is stated in the risk assessment that a number of computer systems have been researched, including PNC (convictions), PND (nationwide intelligence) and IIP (MPS intelligence). PNC, PND and IIP checks are conducted upon groups and individuals contained in Sections 13 and 14 of the risk assessment appropriate to the UCO.

**Section 13:** The risk assessor discusses the current risk of physical harm and interference to N41 from the group(s) N41 infiltrated.

**Section 14:** N41 did not identify any individuals of particular concern.

**Section 15:** The risk assessor discusses N41's perception of the risk of physical harm and interference from the group(s) N41 infiltrated and those individuals within the group(s), as well as the risk from other sources. N41 relies upon the assurance given by senior management prior to the deployment that N41's real and cover name would not be disclosed. N41 believes that the dates of deployment, geographical area of operation and group(s) infiltrated were covered in the assurance provided to N41. Other areas of risk are discussed.

**Section 16:** The risk assessor objectively assesses whether the media will be interested in N41, were N41's real or cover identity to be official confirmed. The risk assessor is of the view that there is likely to be media interest in an aspect of N41's deployment. Other potential sources of physical harm or interference to N41 are discussed. These fall into four categories.

**Section 17:** Various possible measures are discussed to mitigate the risk to N41. It is felt that if N41 were invited to give evidence, use of a cipher would have value should the cover name and real name not be disclosed. Screening would have the utmost benefit to N41 in the prevention of N41's recognition. Voice modulation would only have value if the cover name was not disclosed. Evidence in private would allay the fears of N41 to a significant degree and should be considered, potentially in respect of certain aspects of N41's deployment.

**Section 18:** The risk assessor discusses current third party concerns. The risk assessor is of the view that official confirmation of N41's deployment would significantly increase the risk of physical harm to third parties.

## **19. CONCLUSIONS**

The assessment scores the risk assessor has shown below are based on what increased risk the former UCO would be facing in the event of identification or disclosure during the Undercover Policing Inquiry (UCPI). The risk assessor has assessed both objective and subjective factors in reaching his conclusions. The risk assessor understands that this risk assessment will form part of the Metropolitan Police Service decision making in relation to whether a restriction order is applied for or not.

### **19.1 Current risk**

The risk assessor discusses the current risk to N41 and the results of open source research.

In the risk assessor's opinion the current risk to N41 and N41's family from physical harm is very low.

In the risk assessor's opinion the current risk to N41 and N41's family from interference is very low.

The risk assessor bases this on *two factors*.

### **19.2 If existing exposure of the cover or real identity, what difference does 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 them, 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 recognized 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's concern is the disclosure (official confirmation) of the group(s) infiltrated and/or N41's cover name. The release of the cover name would be a risk increase as key associates are highly likely to recognise N41's cover name *for two reasons*.

### **19.3 Objective assessment of N41's current exposure**

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 risk assessor discusses the results of the open source research into N41 and highlights seven vulnerabilities.

The risk assessment sets out the risk to third parties.

### **19.4 Objective assessment of the increase to the risk of physical harm to this officer if**

**their real identity were to be officially confirmed**

The risk assessor discusses the nature of the risk of physical harm to N41 if N41's real identity were to be officially confirmed.

The degree of harm likely to be inflicted on N41 would be significant. The intervening period following disclosure or exposure would result in a significant adverse impact to the psychological well-being of N41 and that of N41's family in anxiety and distress.

Taking into account the group(s) targeted and their current threat, no individuals were named by N41 as causing a particular threat to N41 or N41's family, and N41's subsequent roles the risk assessor assesses the likelihood of physical attack to this officer as **medium (3)**, where the probability of the risk occurring is considered possible to occur at some stage.

The impact of this will be critical (5) resulting in a life threatening injury, and require total changes, such as re-location, to ensure safety.

Overall score is (15)

**19.5 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**

In the risk assessor's opinion the media interest in N41 would be of significance and amount to interference *for the following reasons:*

***Discussion of four reasons***

The risk assessor assesses the probability of this occurring as high (4) where the probability of the risk occurring is considered probable to occur at some point.

The risk assessor considers the impact as **serious (4)** in that the impact upon N41's personal and family life would require major readjustments to their lifestyle, significantly impacting on the private life of N41 and N41's family.

The overall score in this category would therefore be 16.

**19.6 Objective assessment of the increase to the risk of physical harm to this officer if their cover identity were to be officially confirmed**

The likelihood of physical attack if the cover name is officially confirmed will result in an increase in that the perceived risk is possible to occur at some stage (3). In this case, should action occur, there **may** be an intervening period of time where the research to find the true identity of N41 is undertaken. The intervening period following disclosure or exposure would result in a significant adverse impact to the psychological well-being of N41 and that of N41's family in anxiety and distress.

The impact of this will be critical (5) resulting in a life threatening injury, and require total changes, such as re-location, to ensure safety

Overall score is (15).

**19.7 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**

The risk assessor assesses the probability of this occurring as high (4) where the probability of the risk occurring is considered probable to occur at some point.

The risk assessor considers the impact as serious (4) in that the impact upon N41's personal and family life would require major readjustments to their lifestyle, significantly impacting on the private life of N41 and N41's family.

The overall score in this category would therefore be 16.

**19.8 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.**

- **dates of deployment**
- **geographical area of operation**
- **groups infiltrated**

In the risk assessor's view, should the cover name of N41 be disclosed, the disclosure of these additional factors would not increase the risk to N41 above that at 19.6, but this in itself is a significant increase.

The release of the dates of deployment and geographical area of operation alone and without further detail would, in the risk assessor's view, not increase the risk to such a degree. To do so however would be somewhat worthless.

**Signature of author:**

**Date:**

26/2/18.