

Title:	N86 - Risk Assessment
Summary:	Assessment of risk in the event of identification during the Undercover Policing Inquiry (UCPI)
Relevant to:	UCPI
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Peer Reviewer:	Graham Walker
Version:	Gisted – Version 2
Date created:	13/06/2018
Security level:	Official Sensitive

REASON FOR A SECOND VERSION

The risk assessor sets out his reasoning for producing an additional risk assessment, as a result of a specific risk factor that came to light after the first risk assessment was completed. The risk assessor decided not to amend the previous body of the report, because he appreciated it had been two months since it was submitted, and would have already been considered. The following sections were added to the original report: Section 20, entitled *Description*

- Appendix P entitled *Description*
- Appendix Q entitled *Description*

[NB: This report amalgamates both versions so is a composite document]

PURPOSE

This risk assessment has been prepared in relation to the Undercover Policing Inquiry, and concerns the officer known as N86.

The purpose of the document is to provide an objective assessment of the creation of or increase in risk to N86 and third parties if information is disclosed by the Undercover Policing Inquiry (UCPI) which directly or indirectly leads to the identification of N86 as a former undercover police officer (UCO). The report covers the situation in relation to both her/his pseudonym and real identity if details became known.

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. 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 123 footnotes in this risk assessment. The risk assessment contains a contents page.

20. Appendix

Appendix 'A' - Other material generated during the risk assessment and featuring in the footnotes

Appendix 'B' – Open Source material (*Reference*)

Appendix C – Interview with risk assessors – written version (*Reference*)

Appendix D – Interview with risk assessors – typed version (*Reference*)

Appendix E – Copies of research generated documents (individuals and groups)

Appendix F – HOLMES research (*Reference*)

Appendix G – *Review of material*

Appendix H – Section 6.5 of the Ellison report

Appendix I – Op. Herne pro-forma (*References*)

Appendix J – Op. Herne profile (*References*)

Appendix K – Statement of N86 dated 16.06.1984 (*References*)

Appendix L – 2 page report written by N86 and handed to the risk assessor (*Reference*)

Appendix M – *Description* (*Reference*)

Appendix N – *Description* (*Reference*)

Appendix O – Fact checking emailed report from N86 to risk assessor (redacted) – *Reference*

Section 1-3: The risk assessment sets out details of N86's real name and cover name. N86's UCO deployment is also summarised. N86 is not a core participant. N86 is also not the subject of investigation. N86 held a supervisory/management role within the SDS for a period including part of the 1990's as DI and then as DCI. N86's cipher is in the public domain through the publication of the Ellison report and through the UCPI web site.

The risk assessment summarises N86's background and life before joining the MPS as well as her/his MPS pre-UCO role. N86 was recruited as a UCO by an SDS officer. There was no psychometric testing at the time. N86 was posted initially to the back office. Having been brought into the unit it was customary to be allocated a field officer (normally a DS) to groom you.

There was an assumption of lifelong anonymity. N86 did not receive a home visit. N86 states that s/he did the work on the understanding that both sides would maintain secrecy, and that s/he would have lifelong protection from her/his employer.

N86 does not believe it is open to the Home Office, the Commissioner or the Inquiry to change the basis on which s/he undertook the work in the absence of very good, evidence-based, case-specific reasons for doing so. N86 comments on the desirability of, and provides reasons for adhering to "a meaningful assurance of confidentiality".

N86 was told that the SDS had been set up with the approval of the Home Office and the Commissioner, and must be kept secret. The SDS was subject to annual review, initially by the Home Office. The Commissioner made personal visits and commended officers, as did other senior management. Reference is made in the risk assessment to third parties.

The risk assessment sets out N86's views about the release of her/his cover name in light of the confidentiality issues raised above.

Section 4: This section discusses N86's deployment and covert identity.

It also discusses her/his role as manager between 1988 and 1994 as DI and DCI.

N86's UCO deployment was shorter than usual. N86 was permitted to vacate the role early due to the effect that it was having on her/ his health.

The risk assessment sets out the main group infiltrated, as well as peripheral interactions. N86 states that s/he did not have any relationships whilst deployed. There is no suggestion to the contrary. N86 was not arrested. N86 states that s/he received excellent support whilst deployed from her/his DCI.

In 1993 N86 completed a report regarding training and selection methods. N86 concluded that mental and physical health was paramount, and proposed a safety / welfare system. N86 adopted a code of conduct. The report proposed improving the welfare and management of SDS UC's, bringing them into line with other units.

That same collection of papers covers N86's involvement in discussions with senior management reviewing performance indicators, the value of training, and the feasibility of infiltrating /targeting specific groups. The papers continue to review psychological testing, and whether training programmes were suitable for the needs of long term SDS deployments.

A review of documents held on N86 gives a clear understanding of the amount of time and effort N86 put into trying to address welfare and stress issues. N86 realised that they impacted heavily upon her/his staff, and doubtless s/he would have been alert to them as a result of her/his own experience when deployed. S/he introduced a variety of schemes including using former UCOs as mentors, but s/he was not restricted to simply that programme. N86 raised the potential for stress management in a variety of ways. For example, N86 was part of the discussions that reviewed what duties UCs should be given at the conclusion of their deployments. A statement N86 wrote in 1994 covering the selection of police officers for undercover work and their subsequent support is included behind Appendix K.

What is also evident is that N86 was involved in sensitive areas of work at a management level. N86 is involved in a number of discussions, decisions, and dissemination of information which post-date her/his managerial role on the SDS.

N86 made various recommendations around suitability of potential UCs including N43, with whom N86 was heavily involved in terms of recruitment and deployment.

N86 introduced psychometric testing when s/he was a DI on the unit.

There is mention of N86, as discussed above, bolstering the 'mentoring' system into the SDS during 1992.

The risk assessment sets out the nominals over which N86 has a supervisory role whilst on the SDS. It also describes the arrests of one UCO that N86 supervised. In addition, it also discusses the authorisations that N86 gave in relation to a number of UCOs and the pastoral support offered to another.

N86 is mentioned in the Ellison report.

When N86 relinquished her/his post as an officer in charge of the SDS, her/his DCS wrote a report stating that her/his contribution had been excellent, particularly in the areas of welfare, recruitment and development of her/his staff.

The vast majority of the documentation relating to this period covers N86's generic responsibilities. These would include;

- *Description*
- *Description*
- *Description*
- Targeting strategies
- Commendation reports
- Miscellaneous staff files
- Reports covering arrests of UCs
- Documents re training proposals
- Staff welfare issues
- Staff promotion or move correspondence
- Extension of duty reports
- *Description*
- *Description*
- Correspondence about SDS recruitment
- Overseas travel authorisations
- Issues concerning the 'McLibel' trial
- An ALF plot to contaminate Lucozade
- Intelligence recording around the Poll Tax riot
- A variety of prospective ALF attacks
- Training issues
- Interviewing candidates
- *Description*

N506, a chartered occupational psychologist, was briefed by N86 about the SDS. She states that she sometimes felt 'largely ignored', and came to the view that the SDS preferred to be independent, behaving as different (or perhaps better) than the rest. N86 states that they were breaking new ground, and psychometric testing was a new initiative.

N86 received a number of commendations during her/his career.

Sections 5-6: N86's post undercover career in the police is discussed. It included work in sensitive areas. N86's opinion was sought on the proposed creation of a National Training Scheme for UCOs, as well as other factors affecting UCO deployments.

N86 featured in the Ellison report in connection with the Stephen Lawrence Campaign. N43 alleged that N86 was central to their claim of having been tasked to gather any intelligence capable of being used to undermine the Lawrence family campaign. In addition, there was an allegation that N86 had not properly reflected the credit due to a black officer for a valuable piece of intelligence.

N86's written response states that s/he had not used any expressions involving racist overtones. S/he denied s/he had failed to recognise the contribution of a black officer in gathering intelligence. S/he denied that there was any tasking against the Lawrence family during her/his service with the SDS, an allegation that had come from N43 who had been tasked towards 'Youth against Racism in Europe' (YRE) in North East London. N86 denied being provided with a report that contained personal information about Mrs. Lawrence. S/he comments upon the role of SDS to infiltrate groups, some of whom would wish to make political capital over the Stephen Lawrence campaign. N43's central allegation is that N86 pressurised him/her to obtain information that could be used to smear the Lawrence family, an allegation categorically denied by N86.

S/he accepts that s/he disagreed with N43, as s/he believed N43 required an administrative role within SB after the UC deployment, whereas N43 wished to pursue a surveillance career.

N86 comments on the effect of her/his cover name being released, in the context of the Ellison report.

N86's post police employment is discussed.

Section 7: N86 was not subject to any formal investigation.

Section 8: N86's personal situation is discussed, including details of her/his family. N86 declined speak to officers from Op. Herne. S/he did meet the risk assessor. N86 suffers from a post viral disorder. The risk assessor has no additional details. N86's mental health condition is also set out.

Section 9: N86's current exposure is discussed. The cipher 'N86' is in the public domain in terms of the UCPI and the Ellison Report. The Ellison report comments upon whether N43 was under pressure exerted by N86 to find material to smear the Lawrence family. There are 65 references made to N86 in the Ellison report. The risk assessor does not duplicate what is in the report, but the research is included behind Appendix B.

Section 10: N86 met with the risk assessor in September 2017.

Section 11: This section deals with the causal link in terms of completing a mosaic/jigsaw effect. In the case of N86, her/his cipher is already in the public domain through the Ellison Report. The risk assessor mentions the risk that naming him in a cipher as a manager has an effect on the risk of naming him in connection with her/his UC deployment.

Section 12: The risk assessor discusses the current terrorist threat level for the UK.

Section 13: The risk assessor sets out a number of computer systems which have been researched including PNC (convictions), PND (nationwide intelligence) and IIP (MPS Intelligence) and the product of that research in relation to specific individuals.

Section 14: The risk assessor discusses the risks posed by the groups infiltrated.

Section 15: The risk assessor discusses the risks posed by certain individuals.

Section 16: The risk assessor discusses indicators of psychological risk requiring expert assessment.

Section 17: The risk assessor discusses N86's perception of the risk to her/his private and family life. The risk assessor accepts that revelation of N86's role as a UCO attached to the SDS, or her/his role as a manager with

the backdrop of the Ellison report, would risk a very real and fundamental change her/his family situation and lifestyle resulting in considerable media intrusion. The risk assessor comments on the effect on N86's private and family life.

Section 18: Various possible measures to mitigate the risk to N86 are discussed. The risk assessor discusses the anticipated result of revealing N86's pseudonym while giving evidence. He also discusses the advantages of keeping separate N86's UCO and managerial roles. The risk assessor considers the effect of revealing various aspects of N86's deployment.

In relation to giving evidence, the risk assessor considers that screening would be of significant value as it would protect her/his current appearance becoming known. Voice modulation would be important when giving evidence. The risk assessor considers there are obvious advantages to giving evidence in private but notes that this would reduce the transparency of the inquiry.

19. CONCLUSIONS

19.1 General comments

The risk assessor sets out the details of the groups into which N86 was deployed as a UCO and the threat from the same as well as in relation to specific individuals.

There is no suggestion of misconduct by N86 in relation to her/ his deployment as a UCO.

N86 returned to the SDS as a Detective Chief Inspector later in her/his career, a period that coincided with a number of significant issues arising within the unit. This latter period is likely to be of considerable public interest, and the oversight and management of the SDS critical to the Inquiry.

S/he does however receive attention in the Ellison report. At issue is whether he targeted undercover officer(s) towards trying to obtain material in connection with the Lawrence family.

S/he also received attention in connection with whether s/he gave a black UCO sufficient credit in relation to a specific operation, and, if s/he did not, whether that was racially motivated.

N86 categorically denies both allegations.

Therefore N86 is likely to be of significant interest to both the media and to those wishing to identify UCOs.

N86 does not currently have either her/his real identity or her/his pseudonym in the public domain.

The effect of N86's mental health on her/his post-police career is discussed. Third party risks are also discussed.

N86 had a dual role as a UCO in one spell of her/his service, but a manager in another. S/he is in the public domain in terms of the Ellison Report.

Therefore the conclusions below have needed to consider whether the identification of N86 in her/his management role could (in the absence of steps taken to prevent it) lead to her/his identification in a UC role, and vice versa.

In her/his managerial role her/his involvement with a sensitive matter is noted. The risk assessor also draws attention to the extent N86 looked to assist with the welfare of UCs.

Aspects of N86's current living arrangements are discussed as are concerns about the effect of revealing the groups into which N86 was deployed. N86 is satisfied that this would be sufficient to shatter her/his current lifestyle, and the risk assessor agrees.

The revelation of her/his pseudonym and (more so) her/his real identity would increase the risk s/he faces. The assessments are outlined below.

The current risk to N86, with the situation where her/his pseudonym and real identity have not been revealed, is low.

19.2 Assessment scores

(i) N86 – Risk of physical attack if pseudonym officially confirmed IF N86 gives evidence in her/his real name as an SDS manager

The latter role, when N86 was a DCI, was not an undercover role. Therefore N86 did not have a pseudonym for that posting. The risk assessor considered the complexities of having been a UCO and subsequently a manager.

The risks posed by those seeking to identify N86 in her/his real identity are set out, taking into account the length of time since her/his UCO posting. The risk assessor sets out the risks to N86 should her/his real name be revealed.

In essence the risk in this category is therefore (almost) identical to the risk of physical attack if her/his real identity is confirmed.

The risk assessor assesses the likelihood of an attack in these circumstances as 'low' (2). This is higher than if only her/his pseudonym was revealed without revelation in her/his managerial capacity, but the risk assessor still does not believe the main threat would come from a physical attack.

The risk assessor assesses the impact if it did occur as 'moderate' (3). The risk assessor did consider scoring as minor (2) but he is aware of the age of the nominal, and the impact any such assault could have.

The overall score is therefore 6.

(ii) N86 – Risk of physical attack if pseudonym officially confirmed IF N86 is NOT identified when giving evidence as an SDS manager

The risk assessor considers the complexities of N86 having been a UCO and then subsequently a manager.

The risk assessor sets out the details of N86's current exposure.

The risk assessor also considers the risk to N86 from her/his pseudonym being revealed having not given evidence as an SDS manager (and therefore linked to N86 in the Ellison report). In these circumstances, the risk assessor considers the likelihood of an attack as 'very low' (1), as it would be unlikely if current exposure between pseudonym and real identity was maintained.

The risk assessor considers the impact if it did occur as 'moderate' (3). He did consider scoring as minor (2) but was aware of the age of the nominal, and the impact any such assault could have.

The overall score is therefore 3, but (as always) this overall score should be considered in the light of the comments under 'overall risk' in Appendix D.

(iii) N86 – Risk of physical attack if real identity officially confirmed

The risk assessor considers the complexities of N86 having been a UCO and then subsequently a manager.

The risk assessor has considered the risk to N86 if her/his real identity was revealed. He assesses the likelihood of an attack as 'low' (2). This is higher than if only her/his pseudonym was revealed, but the risk assessor still does not believe the main threat would come from a physical attack.

The risk assessor assesses the impact, if an attack did occur, as 'moderate' (3) with an identical rationale as above.

The overall score is therefore 6.

(iv) N86 – Risk of interference with family and private life if pseudonym officially confirmed IF N86 gives evidence in her/his real name as an SDS manager

The risk assessor considers the complexities of N86 having been a UCO and then subsequently a manager.

The risk assessor considers that the likelihood of interference is high (4). The risk assessor sets out specific risk factors that he has taken into account

The risk assessor has also borne in mind the potential for significant and ongoing media interest in the widest terms.

The risk assessor assess the impact, if an attack did occur, as serious (4)

The risk assessor therefore assesses the overall impact as 16.

(v) N86 – Risk of interference with family and private life if pseudonym officially confirmed IF N86 is NOT identified when giving evidence as an SDS manager

The risk assessor considers the complexities of N86 having been a UCO and then subsequently a manager.

The risk assessor believes the 'risk probability' to be higher in terms of interference with family and private life than of physical attack. Therefore the risk assessor assesses the likelihood of an attack as low (2).

The risk assessor sets out his concern, apart from the mental health issues suffered by N86, of the devastating impact this could have on her/his current life and assesses the impact, if an attack did occur, as serious (4).

The overall score is therefore assessed as 8.

(vi) N86 – Risk of interference with family and private life if real identity was officially confirmed

Clearly the risk of interference with family and private life if N86's real identity was confirmed must logically be higher than if only her/his pseudonym was revealed.

The risk assessor considers that the likelihood of interference is high (4). He sets out specific risk factors leading to this conclusion. The risk assessor has also borne in mind the potential for significant and ongoing media interest in the widest terms.

The risk assessor assess the impact, if an attack did occur, as serious (4)

The risk assessor therefore assesses the overall impact as 16.

SECTION 20

The risk assessor reviews the risks to N86 in light of a specific risk factor. Were this risk factor to come to fruition, the risk assessor considers the risks to be of the same seriousness and impact as above.

Signature of author:



Date: 14/06/2014

Appendix 'B' – Open Source material

Appendix C – Interview with risk assessors – written version

Appendix D – Interview with risk assessors – typed version

Appendix E – Copies of research generated documents

Appendix F – HOLMES research (*Reference*)

Appendix G – *Review of material*

Appendix H – Section 6.5 of the Ellison report

Appendix I – Op. Herne pro-forma (*Reference, Reference*)

Appendix J – Op. Herne pro-forma (*Reference, Reference*)

Appendix K – statement of N86 dated 16.06.1984 (*Reference*)

Appendix L – 2 page report written by N86 and handed to the risk assessor

Appendix M – *Description*

Appendix N – *Description*

Appendix O – Fact checking emailed report from N86 to risk assessor (redacted) – *Reference*

Appendix P – SDS Discussion paper - *Description* (part of *Reference*)

Appendix Q - *Description* (*Reference*)