

EN289 – GISTED SUMMARY OF GROUNDS OF APPLICATION

1. EN289 was never deployed to infiltrate groups or individuals. He/she did little more than attend a few demonstrations and feed back some basic intelligence on numbers and the potential for disorder. EN289 does not believe that he/she engaged with individuals at the demonstrations and there were no specific targets. EN289 contends therefore that he/she has no relevant evidence to provide to the Inquiry in relation to the National Public Order Intelligence Unit.
2. With this background, the Inquiry is requested to take into account the severe distress that the Inquiry is causing to this officer and the impact that this is having on EN289's personal and professional lives. EN289 asserts that revelation of his/her real name will cause unjustified interference with his/her article 2, 3 and 8 rights.
3. The application sets out the nature of EN289's current and historic policing work, which includes a sensitive investigative role.
4. In relation to the National Public Order Intelligence Unit, EN289 was, to the best of his/her recollection, only ever deployed on approximately six occasions. These deployments involved attendance at marches and demonstrations. EN289 was never provided with an official legend and he/she did not infiltrate any organisation or group. EN289 does not recall the need to stay away from home on any of the deployments or that he/she had had an in-depth conversation with anyone. EN289 was a Level 2 undercover officer and so his/her role involved providing basic intelligence and was no different to the sort of policing that takes place at any demonstration. This intelligence would be fed into the Senior Investigating Officer responsible for the policing of the demonstration.
5. EN289 confirms that EN289 and their cohort were instructed to obtain the identity of a deceased child but EN289 does not believe that he/she was ever provided with any documentation in that name. EN289 did not disclose the pseudonym to anyone nor did EN289 build a legend or live under that pseudonym. EN289 does not recall that pseudonym. EN289 does not know therefore if disclosure of the pseudonym would pose a risk to him/her because a link could be made with his/her real name.
6. EN289 cannot recall whether any specific assurance was given to him/her that his/her real identity would not be disclosed but he/she is firmly of the belief that an assurance must have been provided as, otherwise, he/she would not have undertaken this work.
7. EN289 does not recall any further deployments for the National Public Order Intelligence Unit following his/her career development in the early 2000s.
8. The application sets out in detail the police work that EN289 has done to date, which includes sensitive investigative work. EN289 has decided not to apply for further career development as a direct consequence of his/her substantial concerns about this Inquiry.
9. Obvious risk to life arises out of EN289's current work but EN289 is unable to assess the extent to which that risk increases if his/her involvement in this Inquiry is publicised.

EN289's statement outlines the precautions that he/she takes and has taken in the past. EN289 has a genuine and substantial concern about attacks from extreme left wing activists. EN289 is deeply anxious about the risks to the lives and well-being of EN289's family if EN289 should be targeted by them. EN289 requires a risk assessor to consider this risk carefully. EN289 is conscious that animal rights activists were prepared to take extreme action against individuals who were just on the periphery of their targets.

10. EN289 is extremely concerned about the impact on his/her and his/her family's article 3 rights if his/her identity is released. EN289's concern ranges from the prospect of physical assaults on EN289 and EN289's family to attacks on EN289's home, cyber-attacks and immense damage to his/her reputation within his/her local community.
11. One of the key issues for the Inquiry to take into account when assessing EN289's application for a Restriction Order is the immense distress and anxiety that EN289 has suffered since EN289 was contacted by the Inquiry. This is comprehensively and eloquently expressed in EN289's statement. In short, EN289's daily life has been seriously impacted. It is having a hugely adverse impact on his/her personal relationships and his/her working life to the extent that he/she will not be applying for a promotion this year. This has implications for EN289's career, earnings and pension.
12. EN289 has lost weight and has difficulty sleeping. EN289 has not told his/her partner about the Inquiry as his/her partner has significant ongoing health concerns.
13. EN289 has attended counselling sessions and been evaluated by an expert psychiatrist for the purposes of this application.
14. EN289 is concerned that if members of his/her community believe that he/she was an undercover officer and he/she was in some way embroiled in the issues that the Inquiry is considering then his/her reputation would be severely and irreparably damaged.
15. EN289 is also concerned about the impact on his/her partner's article 8 rights. EN289 believes that he/she would be severely embarrassed and upset if it was made known that he/she was involved in the Inquiry and that it could impact on his/her partner's business.
16. The impact of this Inquiry on EN289 is so significant that he/she has considered leaving the police and moving away from where EN289 and his/her family currently live.
17. EN289 has movingly described in his/her statement the impact that his/her possible involvement in this Inquiry has had on his/her health, personal relationships and career. It is submitted that in light of EN289's minor deployments in which EN289 did not infiltrate any organisations or individuals then EN289 should be informed that he/she is not required to assist the Inquiry and his/her anonymity should be protected. EN289 cannot recall what pseudonym was used and it is doubtful that the release of a pseudonym could be traced to EN289 but this does need to be considered.
18. In summary, EN289 has provided a compelling rationale for his/her identity to be protected and it is submitted that the risks to his/her article 2, 3 and 8 rights far outweigh the public interest in disclosure of his/her real name. Given the impact that this is having on his/her life

and his/her ability to perform a demanding and important police role, the Inquiry is urged to reach an early determination in favour of granting a Restriction Order and to confirm to EN289 that he/she will not be required to assist or give evidence to the Inquiry. At this stage EN289 does not know if any risks arise from disclosing his/her pseudonym as he/she cannot recall the name he/she used whilst assisting the National Public Order Intelligence Unit. If the name is very similar to his/her real name (or if it can be connected to his/her real name) then a Restriction Order covering that name is also sought.

19. A further statement may be required once the risk assessor report, relevant documents and the medical evidence are provided.

Dated: 7 July 2017