

## **EN288 – GISTED SUMMARY OF GROUNDS OF APPLICATION**

1. EN288 applies for a Restriction Order as a consequence of the significant and immediate interference with EN288 and EN288's family's article 2, 3 and 8 rights should EN288's real or cover identities be disclosed. EN288's statement provides a detailed and categorical explanation of the numerous risks to EN288 and EN288's family's lives if there is any possibility of his/her identity being revealed.
2. EN288 is extremely worried about retribution from those he/she infiltrated. EN288 is also legitimately concerned about the potential for EN288 to be subjected to media intrusion to a high degree which would be distressing in itself but also result in EN288's article 2, 3 and 8 rights being infringed due to being the target of those EN288 infiltrated as referred to in EN288's statement.
3. EN288 worked in an undercover role for a number of years, during which EN288 infiltrated serious and organised crime groups. EN288 provides a detailed account of the risks that members of these groups pose to EN288's life. EN288 is in no doubt that that he/she would be murdered by members of these crime groups if they could locate EN288. EN288 is concerned that images of him/her may exist.
4. It is clearly evident that the targets of many of the operations in which EN288 was deployed pose a substantial and immediate risk to the lives of EN288 and EN288's family.
5. In addition to the article 2 risks to EN288, EN288's family and other undercover operatives, there are clear and multiple risks that they would be subjected to inhuman and degrading treatment ranging from vandalism of property and vehicles through to cyber-attacks, reputational damage and physical attacks. EN288 is certain that if some of those targeted by EN288 could find EN288, then they would torture EN288 and EN288's family before they killed them.
6. There are obvious and numerous risks of interference with EN288's and EN288's family's article 8 rights. If EN288's identity is disclosed, EN288 would have to relocate immediately and be placed in witness protection. EN288 does not accept that a witness protection programme would protect them in any event.
7. EN288's life is already severely impacted by the work that EN288 did during EN288's undercover career and considers that any further infringement of EN288's article 8 rights is wholly unnecessary. The benefits to the Inquiry or members of the public from the revelation of EN288's real or cover names are wholly outweighed by the risks to EN288 and EN288's family's lives if EN288 could be located and targeted as a consequence.
8. EN288 respectfully urges the Inquiry to grant a Restriction Order in connection with EN288's cover and real names and contends that, in light of EN288's hugely compelling statement, his/her application should be granted as a matter of urgency. The risks posed to EN288 and EN288's family's lives from disclosure are clear, substantial and immediate.

Dated: 14 August 2017