

EN33 – GISTED SUMMARY OF GROUNDS OF APPLICATION

1. EN33 seeks a Restriction Order precluding disclosure of EN33's real and cover names. EN33 asserts that disclosure of EN33's real and/or cover names would result in breaches to his/her Article 2, 3 and 8 rights.
2. Prior to being deployed with the National Public Order Intelligence Unit, EN33 performed uniformed duties. During the course of those duties, EN33 was involved in the arrest and interview of individuals. There is a risk that these individuals would recognise EN33 and seek to harm or kill him/her.
3. EN33 cannot recall all of the individuals whom he/she interacted with whilst test purchasing. However, EN33 describes an involvement in the arrest and conviction of a major drug dealer who had a tendency towards violence and may present a risk towards EN33 if he recognised EN33 or discovered EN33's identity. EN33 also purchased drugs from another group of individuals who may pose a risk to EN33 if EN33's identity is revealed.
4. EN33 joined the National Public Order Intelligence Unit in the early years of its existence. Details of EN33's legend-building are set out.
5. The application sets out details of EN33's undercover work whilst seconded to the National Public Order Intelligence Unit. EN33 is concerned that there may be photographs and/or footage of EN33 whilst deployed and that these could lead to EN33's identification.
6. In relation to EN33's undercover work whilst seconded to the National Public Order Intelligence Unit, the application sets out EN33's concerns about those who EN33 has no doubt will seek to locate EN33 and inflict violence or harm upon EN33 and/or damage EN33's property and protest at EN33's home.
7. After leaving the National Public Order Intelligence Unit, EN33 continued in an undercover role for a number of years.
8. The application references two operations on which EN33 was deployed after being seconded to the National Public Order Intelligence Unit. EN33 is concerned that the subjects of these operations are violent or may seek revenge. EN33 was subsequently seconded to an overt role in which EN33 gave evidence at court. EN33 is concerned that if his/her identity is revealed in this Inquiry, these individuals or others associated with them may recognise EN33 and seek to harm EN33.
9. As a result of the above, EN33 would be immensely concerned about the risk to EN33's life if EN33's cover or real identity is disclosed in this Inquiry. EN33 would always have an underlying concern that his/her life would be in danger and EN33 would suffer significant anxiety as a result. EN33 is also concerned about being targeted by individuals EN33 has no previous dealings with merely by association with this Inquiry and being an undercover officer.

10. EN33 is also concerned about the impact on his/her private and family life. EN33's mother has a deteriorating illness. She is extremely vulnerable and would easily be identified and targeted by individuals who wished to target EN33. Furthermore, EN33 is concerned that there are many individuals who would protest at his/her house, cause damage to his/her property or abuse him/her in public if his/her previous work became public knowledge. EN33 is also concerned about the level of press attention this Inquiry will generate and the extreme impact that this would have on his/her private and family life.
11. EN33 lives with his/her partner whose Article 2, 3 and 8 rights would equally be placed at risk if EN33's identity were disclosed or revealed during this Inquiry.
12. EN33 has never had his/her identity compromised or revealed and has not discussed his/her work as an undercover officer with others. EN33 had always assumed that his/her identity would be kept secret and protected no matter what and would not have become an undercover officer had he/she believed this might not be the case. EN33 relocated once he/she had finished working in an undercover capacity to try and sever all ties to his/her previous roles. EN33 would be extremely distressed if his/her identity is now revealed or became known as a result of this Inquiry.
13. EN33 submits that there would be a substantial and unjustifiable interference with the Article 2, 3 and 8 rights of EN33 and EN33's family if EN33's real or cover identity were to be revealed in this Inquiry.

Dated: 16 August 2017