

## **EN36 – GISTED SUMMARY OF GROUNDS OF APPLICATION**

1. EN36 seeks a Restriction Order precluding disclosure of EN36's real and cover names. EN36 asserts that disclosure of EN36's real and/or cover names would result in substantial breaches to his/her Article 2, 3 and 8 rights and those of his/her family. There would also potentially be risks to ongoing operations and/or other undercover/cover officers.
2. Prior to being deployed with the National Public Order Intelligence Unit, EN36 worked as a test purchase officer. EN36 completed the advanced undercover course and joined the National Public Order Intelligence Unit for a short period in the mid-2000s.
3. After leaving the National Public Order Intelligence Unit, EN36 continued in an undercover role for a number of years. At least one operation poses a significant risk to the life of EN36.
4. EN36 is a serving police officer who remains able to be deployed as an advanced undercover officer.
5. EN36 considers that disclosure of his/her cover or real identities would place EN36 and potentially EN36's family at substantial risk of death or serious injury in breach of his/her Articles 2 and 3 rights. There is also potentially a risk to the lives of other undercover officers who EN36 has interacted with during other deployments.
6. EN36 is concerned about being targeted as a result of giving evidence in this Inquiry whether by individuals that EN36 has infiltrated or by those who take issue with undercover police officers generally.
7. Disclosure of EN36's real or cover names would result in a breach of EN36's Article 8 rights. The majority of EN36's friends do not know that he/she had any involvement in undercover policing. EN36 has always kept professional and private life separate and private. In addition, EN36 would suffer a degree of anxiety and stress if his/her identity were to be revealed that would have a serious impact upon his/her ability to function and live in the UK.
8. EN36 is still available to undertake undercover work but would not be able to undertake undercover work in future if his/her identity were revealed.
9. EN36 would feel the need to move abroad if his/her real or cover identity were revealed and EN36's whole career would be over and life adversely impacted.
10. EN36 is extremely concerned about the likely press intrusion if his/her identity is disclosed or published.
11. EN36 believes that he/she was given assurances that his/her name and details would never be revealed and he/she had genuinely believed that he/she would always be protected. Had EN36 known otherwise, EN36 would not have agreed to become an undercover officer at all.
12. EN36 concludes that there are substantial and immediate risks to EN36's Article 2 and 3 rights arising out of disclosure of EN36's real or cover identities and that these risks extend

to members of EN36's family and potentially other undercover officers. Any potential link to EN36's identity would result in a significant risk to EN36's life and/or EN36 would be targeted. Disclosure of EN36's real or cover identities would also unduly compromise EN36's Article 8 rights. Disclosure of EN36's real or cover identities cannot be justified.

Dated: 24 August 2017