

## GISTED WITNESS STATEMENT OF EN36

*EN36 has provided the Inquiry with a witness statement comprising 52 paragraphs.*

*Italicised text below represents where the contents of the witness statement have been gisted.*

1. I am EN36 and I make this statement in connection with my application for a Restriction Order under section 19 of the Inquiries Act 2005. I understand that the Inquiry has been provided with my real name. I am utilising the cipher that the Inquiry provided to me in order to protect my anonymity.
2. I have prepared this statement without access to any documentation relating to my evidence which is held by the Inquiry, Operation Elter or Operation Herne. I am relying solely on my recollection of events and reserve the right to provide a supplementary statement if necessary when I have received the relevant documentation and an expert risk assessment. This statement is true to the best of my recollection and belief.
3. ***Gist:*** *Prior to being deployed with the National Public Order Intelligence Unit, EN36 worked as a test purchase officer.*

### National Public Order Intelligence Unit

4. ***Gist:*** *The witness statement describes EN36's involvement with the National Public Order Intelligence Unit. EN36 completed the advanced undercover course and joined the National Public Order Intelligence Unit for a short period in the mid-2000s. EN36 was asked to attend a number of demonstrations during his/her secondment to the National Public Order Intelligence Unit which he/she did.*

### Post-National Public Order Intelligence Unit work

5. ***Gist:*** *The witness statement sets out in detail EN36's post-National Public Order Intelligence Unit work, including as an undercover officer. EN36 is still available to be deployed as an undercover officer and would be prepared to accept a deployment if requested.*

### Article 2

6. ***Gist:*** *EN36 is happy to give evidence to the Inquiry, conditional upon the appropriate security arrangements being in place. At the very least, EN36 would want only to be referred to by his/her cipher number and to give evidence behind a screen and with voice modulation technology.*
7. I would have huge concerns that if my cover or real identities were released this would almost certainly place me, and potentially my family, at substantial risk of death or serious injury. I am unsure whether this could be mitigated by relocation, even to another country.
8. ***Gist:*** *EN36 explains his/her concerns regarding how disclosure of EN36's cover name could lead back to EN36.*

9. I also have concerns in relation to the risk posed to me by giving evidence in this Inquiry. As part of my undercover roles, I have infiltrated activist groups and I cannot say which of these might remember me or make a link to me through my evidence and wish to take action against me as a result. In the intervening years, it is entirely possible that individuals I have had contact with have become more active or have greater influence over others and want to take action against me. Regardless of this, I know that there are individuals who may take issue with my previous work. My primary concern is people associated with these groups are easily manipulated to take extreme action.
10. I require an expert assessor to assess the level of risk arising to myself and others from the various deployments that I have identified above.

### **Article 3**

11. Whilst the concerns I have set out above relate primarily to Article 2, there is an equally clear risk of significant harm being caused to me and my family. It is likely that any unsuccessful attempt on my life would result in severe injuries.
12. In addition, I feel that the level of anxiety and stress that I would experience if my identity were to be revealed would have a serious impact upon my ability to function and live in this country.

### **Article 8**

13. Disclosure of my real and cover identities will have a significant impact upon my life.
14. ***Gist:** EN36 sets out details of his/her family situation and the potential impact on EN36's family. EN36 has always intentionally kept his/her professional and personal lives very private and separate. The last thing EN36 wants is any publicity or attention having avoided this for his/her entire career. EN36 would be prepared to accept a deployment if requested but if EN36's real or cover identity were revealed in this Inquiry, then that would become impossible. EN36 explains why he/she would feel the need to move abroad somewhere if his/her real or cover identity were revealed.*
15. As a result of the above, my professional life would be hugely impacted by disclosure of my identity. I would no longer be able to undertake a role that I very much enjoy and I would also suffer significant financial loss.
16. I am also extremely concerned about the likely press intrusion if my identity is disclosed or it is possible to identify me from the evidence. I am fully aware that the press is very active and very intrusive. I have known of officers who have been publicised and the press have identified their address and waited at their house.
17. I cannot say for sure, however, I am almost certain that on the NUTAC course we were given assurances that our names and details would never be revealed. I had genuinely believed that I would always be protected in this country. I never envisaged any opportunity in which

my identity would be revealed, in particular where the decision would be taken completely out of my hands.

18. Had I thought that there was any risk of what is now being considered by the Inquiry, I would not have agreed to become an undercover officer at all. My understanding has always been that everything would be done by the Constabulary who owned the job to avoid exposing that undercover officer.
19. **Gist:** *EN36 explains why he/she is concerned about risks to other officers.*

### **Conclusion**

20. In conclusion, I request that the Inquiry takes into consideration the compelling arguments in support of my application for a restriction order of my real and cover names as set out above.
21. There are substantial and immediate risks to my Article 2 and 3 rights arising out of disclosure of my real or cover identities. These risks also extend to members of my family and potentially other undercover officers. **Gist:** *EN36 provides detail regarding his cover identity.* Any potential link to my real identity would result in a significant risk to my life and/or I would be targeted. Disclosure of my real or cover identities would also unduly compromise my Article 8 rights. The impact of disclosure of my real or cover identities on my life cannot be justified and I respectfully request that my application is granted.
22. I reserve the right to provide a supplemental statement once I have been provided with a risk assessment report and relevant documents.

### **STATEMENT OF TRUTH**

I believe that the facts stated in this witness statement are true.

SIGNED: EN36

DATED: 21 August 2017