

GISTED PERSONAL STATEMENT OF EN51

EN51 provided the Inquiry with a witness statement comprising 8 pages dated 27 February 2017. The below represents a gist of that statement.

EN51 applies for anonymity in respect of EN51's real and cover identities. EN51 would not be prepared to assist further without anonymity and the recognised level of special measures. EN51 does not wish to obstruct the Inquiry process, but his/her priority is the safety of his/her family and EN51.

EN51 raises concerns about time pressures in producing this statement and not having received legal advice or advice on what s/he can lawfully disclose and notes their obligations under the Official Secrets Act.

EN51 has been assured that they are not the subject of investigation but was recently informed that Operation Elter is investigating the NPOIU and awaits clarification of the remit and terms of reference.

EN51 has not been subject to a personal risk assessment prepared for the purpose of the ILT.

Operational Background

EN51 sets out their exemplary service within UK law enforcement until their retirement. EN51 notes that the response of law enforcement to the compromise of the UCO technique and this Inquiry were significant factors in EN51's decision to leave their career.

EN51 sets out their significant experience working in undercover policing. The level of commitment required has had significant impact on all aspects of family life and has involved sacrifices. EN51 has received numerous commendations from both his employer and the judiciary mainly for EN51's role in undercover policing.

EN51 sets out their undercover policing career between the 1990s and when EN51 left the MPS. This included a period of time with the NPOIU in the last years of its existence as a cover officer only. EN51 also remained undertaking non-NPOIU undercover operations during this time.

EN51 sets out the details of a risk assessment previously prepared not for the purpose of this Inquiry which sets out the risks to EN51 as medium to high and that any compromise would increase risk significantly and may lead to a significant impact on EN51's private life.

Sets out EN51's current employment and that any exposure of identity would have a significant impact on that and cause significant financial implications for EN51 and family.

Resultant Risks

EN51 sets out that their involvement has been in hundreds of authorised operations (outside of the NPOIU) some of which have led to enforcement action against violent and capable individuals and groups including a variety of serious offences. EN51's role has prevented significant loss of life and ensured the removal of illegal commodities from circulation.

EN51's deployments have led to prosecutions including where it has been revealed that there was a UCO, and on other occasions that information has been lawfully withheld. Other deployments have not led to judicial outcome and the covert deployment has not been exposed.

Exposure of EN51's real or cover identities would give rise to a significant risk or harm to other individuals both in law enforcement and members of the public. There is a serious risk of retribution given the nature of the individuals and organisations that EN51 has dealt with.

On the occasions that EN51 has given evidence, s/he has been afforded special measures which the Judge has considered to be necessary and proportionate based on the seriousness of the offences and the perceived risks. On each occasion, EN51 has been screened from public view, and given evidence in their pseudonym first name. EN51 has always understood that if special measures were refused that no evidence would be offered and the proceedings withdrawn. It was on that basis that EN51 voluntarily performed this dangerous role.

EN51 sets out the steps that s/he has taken to protect his/her identities and sets out the concerns s/he has about the impact upon his/her family. If EN51's true identity was revealed s/he would need to seek witness protection measures for EN51 and their family.

EN51 has managed to take steps to protect their identity throughout their career and the approach taken was viable throughout their undercover career but is now only challenged by the Inquiry process.

Exposure of EN51's real / cover identities would give rise to a significant impact on his/her family and serious financial consequences.

Since the exposure of the NPOIU as a consequence of Kennedy's revelations and the subsequent fallout, the risk of compromise to EN51 and others has significantly increased. EN51 was involved in managing credible risk and welfare matters against a background of a media witch hunt with little visible support from senior management. EN51 felt that there was a lack of understanding of the impact and effects on him/her. This has had an impact upon EN51's health and led to medical conditions and impact on EN51's family.

EN51 is disappointed that officers who had authorised and benefitted from the deployments of the unit felt unable or unwilling to offer any defence of a tactic that they were happy to authorise and this effectively led to the demise of the capability.

EN51 fears that the Inquiry will focus on the actions of those who did the difficult role i.e. the UCOs and cover officers whilst the senior officers who tasked, oversaw and authorised the tactic will absolve themselves from any responsibility

Whilst EN51 fully accepts that s/he volunteered for roles that put him/her at the frontline of operational activity EN51 did so on the understanding that if they acted lawfully and to the best of their abilities, which has always been the situation, they would be supported. EN51 is sad to say that this has not been the case.

EN51 has not been accused of any wrongdoing or subject to any criticism in the roles performed in authorised activities and having now retired from law enforcement has no desire for any further involvement.

Signed: EN51

Dated: 27/02/2017