

EN49 – GISTED SUMMARY OF GROUNDS OF APPLICATION

1. EN49 applies for a Restriction Order in respect of EN49's real and covert names. EN49 asserts that disclosure of EN49's identity would breach EN49's and EN49's family's Article 2, 3 and 8 rights and also place others at risk.
2. In the late 1990s, EN49 was an officer in Special Branch. Part of EN49's duties involved gathering and disseminating intelligence on various activists and general domestic extremism. EN49 was also a Covert Human Intelligence Source handler.
3. EN49 is anxious that disclosure of EN49's real identity places EN49, EN49's family and Covert Human Intelligence Sources at immediate and substantial risk of death or serious injury from various groups. In addition to targeting EN49 for EN49's role in securing intelligence on their activities, they would seek to extract from EN49 the identity of Covert Human Intelligence Sources and details of the intelligence provided.
4. EN49 was seconded to the National Public Order Intelligence Unit between 2002 and 2011. EN49 selected his/her own cover name and joined an existing deployment relating to the infiltration of animal rights activists. EN49 was responsible for the welfare of the undercover officer and was the conduit for intelligence and actions between the officer and the Senior Investigating Officer.
5. Certain individuals within the animal rights movement(s) infiltrated were engaged in serious criminality. The activists engaged in intimidation and physical violence. Some used incendiary devices and caused substantial criminal damage to property and vehicles. Activists were also responsible for posting threats and publishing information on the internet in order to discredit individuals.
6. EN49 does not know if the revelation of EN49's cover name could result in the identification of the undercover officer but EN49 is certain that revelation of EN49's real name places EN49 and the undercover officer at an unacceptable risk from the targets of the deployment or other individuals connected to the extreme animal rights movement. EN49 believes that EN49 will be a direct target for the part that EN49 played in the infiltration and also that individuals will seek to extract from him/her the identity of the undercover officer. EN49 is concerned about physical violence, damage to EN49's property, cyber-attacks, intimidation and reputational damage.
7. EN49 refers the Inquiry to the content of EN49's own statement and the statement produced by an undercover officer seconded to the National Public Order Intelligence Unit for whom EN49 was the cover officer for the full details of the deployment and the risks arising from disclosure of either officer's identity. EN49 met with the officer often in public places. The individuals who were infiltrated and the group itself are clearly capable of violence and the contents of the statements provides a compelling account of the risks to those officers and their families' Article 2 rights. There is also the obvious probability of interference with their Article 3 and 8 rights.
8. EN49 does not know if any risk arises from revelation of his/her cover name but is certain of the risk to him/her and that undercover officer if his/her real name is disclosed. If EN49's

identity is revealed then s/he will be targeted by the individuals concerned. Violent individuals will also attempt to extract from EN49 the real identity of the undercover officer. A simple reference to the fact that an undercover officer was deployed against them in that geographical area at that time will expose the undercover officer to the prospect of discovery and retribution.

9. EN49 describes his/her family composition and explains that his/her family are unaware of the exact nature of his/her work.
10. EN49 asserts that senior management within the National Public Order Intelligence Unit provided numerous oral assurances that the identities of the cover and undercover officers would be protected. EN49 would not have undertaken the role if s/he believed that there was a risk that EN49's identity would be disclosed.
11. EN49 is concerned about the possibility that revelation of EN49's cover name could result in the identification of undercover officers but requires the risk assessor to comment on this aspect as EN49 does not know the wider picture. EN49 asserts that disclosure of EN49's real name presents a substantial and immediate risk to EN49's and EN49's family's Article 2, 3 and 8 rights. These risks extend to those for whom EN49 was appointed as cover officer. There is, of course, the real possibility of other undercover officers being exposed as a consequence of such disclosure.

Dated: 16 August 2017