

GISTED RISK ASSESSMENT

EN506 Gisted Risk Assessment

1. This is an open gisted version of the “NPCC Assessment of the Risks Relating to the Restriction Order Application in respect of EN506” (“the risk assessment”). The report seeks to identify and assess risks in the event that EN506’s real identity were to be made public.
2. The risk assessment is dated 25 October 2018. It was prepared by Andrew Large.

Executive Summary

3. EN506 is currently a serving officer. EN506 formally qualified as a cover officer after attending the National Undercover Training Assessment Course (NUTAC). However, EN506 began working with undercover officers a number of years previously. EN506 continues to work in a sensitive role.
4. The risk assessment sets out how EN506’s legend was created and how EN506 has developed it over a number of years.
5. EN506 was never seconded to the Animal Rights National Index or the National Public Order Intelligence Unit. EN506 came into contact with the National Public Order Intelligence Unit, as he/she was asked to carry out an administrative role in respect of an undercover operation.
6. In his/her statement, EN506 has chronicled a series of undercover operations, which EN506 has been involved with focused on serious and organised crime. There are individuals within these operations that pose a serious risk to any law enforcement officer.
7. EN506 has a social media profile.
8. In the event that the Inquiry reveals the true identity of EN506 there is a risk that the traditional or non-traditional media may identify the pseudonym used by EN506. The risk assessment explains the risks that may flow from such an outcome.

Definition of Terms

9. The risk assessment sets out the following definition of terms. These terms are used throughout the risk assessment to describe the risk assessor’s conclusions:

“THREAT:-

A statement of intention or circumstances that lead to a conclusion that an individual or entity may inflict injury, damage or other hostile action against another, either personally or through third parties.

- **Low** – The circumstances portrayed lead the assessor to conclude that the potential for injury, damage or hostile action is limited based on the information available at that time. An example may be where someone has thought or spoken to others about carrying out a course of action. May have carried out preliminary research, but has little intention of seeing threat through.

- **Medium** – Protagonists may have carried out research to fulfil a desire to inflict injury, damage or other hostile action against another. Protagonists may be prepared to implement their threat if the situation presents itself and there is some evidence that they have exhibited the potential for such behaviours previously.
- **High** – Protagonists may have carried out extensive research and there is evidence that they have exhibited such behaviours previously. Protagonists are highly motivated to carry out their threat and are unlikely to desist until the threat is realised or other factors intervene.

RISK:-

The likelihood of the threat materialising.

- **Low** – Unlikely.
- **Medium** – Possible / May happen.
- **High** – Likely / Expected.

HARM:-

Physical injury, that which is deliberately inflicted. Includes mental, physical and professional harm. Harm will be construed widely so as to embrace interference with private life.

Examples of physical injury are:

- **Low** – The impact would have a very limited effect upon the officer, and could be readily mitigated. In terms of physical injury it would not exceed that which could be treated with non-expert ‘first aid’.
- **Medium** – Would significantly impact on the welfare of the officer. In physical terms would require professional attention (GP, hospital).
- **High** – Risk of overwhelming impact on family or other circumstances. In physical terms would result in a life threatening injury.

Professional:- will include business, business interests, employment, employment prospects and professional reputation.”

Applicant / Officer Details

10. The risk assessment sets out details of EN506’s true identity and police career. The risk assessment also sets out details of EN506’s family circumstances.
11. EN506 has a social media profile.
12. EN506 came into contact with the National Public Order Intelligence Unit, as he/she was asked to carry out an administrative role in respect of an undercover operation.. Therefore, EN506 did not deploy into or have contact with any extremist group. During that operation, EN506 had contact periodically with the undercover officer deployed and the cover officer in order to obtain operational updates. This continued until the operation was cancelled.

Career History and Identified Risks

13. The risk assessment sets out details of EN506's police career. EN506 was an intelligence officer when he/she started to work with undercover officers. Whilst still carrying out that role, EN506 qualified as a cover officer and has worked in a sensitive role ever since.
14. The risk assessment sets out the details of a number of undercover operations concerning serious and organised crime which EN506 took part in, including information relevant to risk regarding the individuals who were the subject of investigation.
15. EN506 continues to work in a sensitive role in relation to serious and organised crime.
16. EN506 was never seconded to the Animal Rights National Index or the National Public Order Intelligence Unit. EN506 came into contact with the National Public Order Intelligence Unit, as he/she was asked to carry out an administrative role in respect of an undercover operation. EN506 periodically met with the undercover team deployed during this operation in order to obtain operational updates. This continued until the operation was cancelled.
17. There are no reports or mention by EN506 of ever being compromised whilst in the presence of the undercover team EN506 worked with. There is no mention of EN506 ever having met any of the subjects of the National Public Order Intelligence Unit operation, particularly in the presence of the undercover team. The risk assessor therefore believes that little risk would emanate towards EN506 from this National Public Order Intelligence Unit operation should the inquiry decide to reveal EN506's true identity (or pseudonym).

Conclusion

Current risk of harm to the officer

18. EN506 continues to work in a sensitive role. There have been a substantial number of crime groups and individuals targeted within the operations supported by EN506 during this period. It is the risk assessor's belief that there exists a number of groups and individuals from within these operations that would highly likely seek to inflict serious harm against EN506 should EN506's role in the investigations against them be disclosed.
19. EN506 came into contact with the National Public Order Intelligence Unit, as he/she was asked to carry out an administrative role in respect of one undercover operation.. For the reasons sets out above, the risk assessor believes that no threat currently exists towards EN506 due to EN506's involvement in this operation.
20. EN506 is not aware of any photograph having been taken of him/her whilst deployed in any covert role. EN506 has not given evidence before the courts in respect of any undercover operation that he/she has supported and has not appeared in the media linked to any such police operation.
21. From research there is no evidence that EN506 was ever compromised, whether solely or when in the presence of any undercover officer. There is no evidence that EN506 ever met with any undercover officer whilst the undercover officer was operationally deployed and was in the presence of any target or targeted group. Therefore EN506 remains unknown to the individuals that pose the greatest threat.

22. There are undoubtedly individuals and crime groups that are capable and would highly likely inflict serious harm against EN506 should EN506's role in the investigation that has been or is being conducted against them ever be revealed. However, for the reasons outlined the risk assessor believes the current overall level of risk towards EN506 to be low.

Overall assessment of current risk towards EN506.	
THREAT	LOW
RISK	LOW
HARM	HIGH

Revelation of the true identity

23. EN506 has a social media profile.
24. EN506 has developed and made use of a pseudonym, in support of his/her day to day duties. The risk assessor is not aware of any recorded instances where the relationship between EN506 and any of the undercover officers that EN506 had contact with was ever compromised. Similarly, the risk assessor is not aware of any instance where EN506 met with any undercover officer in the presence of any target(s). EN506 has stated that he/she has never given evidence in support of any undercover operation. Therefore there should be no reason why those targeted during the covert operations that EN506 supported would have had any reason to have come across EN506's pseudonym or indeed EN506's true identity.
25. EN506 was never seconded or deployed by the Animal Rights National Index or the National Public Order Intelligence Unit but did on one occasion support a National Public Order Intelligence Unit deployment.
26. Both the traditional and non-traditional media continue to maintain an interest in the public inquiry into undercover policing. It has been well publicised how some of the non-police non-state core participants and non-traditional media view the decisions / revelations by the Inquiry. The risk assessor believes that should the Inquiry reveal the true identity of EN506, even with the an explanation as to the limited role EN506 played in respect of the National Public Order Intelligence Unit, it would be inevitable that parties would still choose to research EN506.
27. Should either the traditional or non-traditional media choose to publish information about EN506, including a photograph, it would mean that EN506 could not continue in his/her current role. The risk assessment explains the consequential risks that would be generated as a result, including towards undercover officers and others.

Overall assessment of risk towards EN506 in the event of revelation of EN506's true identity.	
THREAT	HIGH
RISK	MEDIUM
HARM	HIGH

28. Those who may pose the greatest risk of violence towards EN506 clearly stem from his/her involvement in the covert investigation of serious and organised crime. At present the individuals and crime groups of concern are unaware of the relevance of the true name, pseudonym or appearance of EN506. Publication of the true identity of EN506 should not therefore ordinarily raise the risk of violence towards EN506 unless other information was to be revealed, such as details about the serious and organised crime operations that EN506 has been involved in or the names of those targeted.
29. However, there is a risk, albeit much smaller than in the case of the media, that these groups or individuals are conducting their own research along similar lines. An alternative and more likely risk is that these groups or individuals are monitoring information being published by the media or indeed the Inquiry. Therefore although less likely, there nevertheless remains a possibility that crime groups or individuals involved in serious and organised crime, including those mentioned within the body of this assessment, may through research published by the media or research conducted by themselves identify undercover officers and/or other covert assets.
30. Therefore, based on evidence that the risk assessor has seen to date, the risk assessor believes that the overall level of threat, harm and risk in respect of violence from organised crime groups and associated individuals in the event that the true identity of EN506 was to be revealed is as follows:

Overall assessment of risk towards EN506 from organised crime groups in the event of revelation of EN506's true identity.	
THREAT	MEDIUM
RISK	LOW
HARM	HIGH

31. The following measures may be considered to support EN506 in the event that EN506 is requested to provide live evidence to the Inquiry:
 - a. Measures implemented to protect the current likeness of EN506 from being revealed:
 - i. Covert entry to and exit from any tribunal or evidence provided via video link or evidence heard in private.
 - ii. Use of screen to shield EN506 from view of non-police non state core participants, media and public.
 - iii. Use of voice modulation.
 - b. Questioning restricted to prevent details of the private life of EN506 being revealed.
 - c. Questioning restricted solely to the role played by EN506 on behalf of the National Public Order Intelligence Unit but not to include the identity of EN506's home police force.

- d. Questioning restricted to prevent detail of serious and organised crime investigations supported by EN506 from being revealed.
32. The protection of the current likeness of EN506, including voice, would reduce the risk of researchers being able to confirm the identity of EN506. Other than a name they would have no means by which they could make a positive identification. There would remain a lower, residual risk that that a researcher could identify further information that would betray the identity of EN506.
33. A restriction on the questioning of EN506 to prevent the details of EN506's private life being revealed would again assist to reduce the risk of anyone confirming EN506's identity.
34. A restriction on the questioning of EN506 to prevent detail of the serious and organised crime investigations that EN506 has supported being revealed would lessen the risk of anyone being able to identify EN506. Any revelation about these operations may give a researcher a point of reference for their research.
35. There is evidence of non-traditional media researchers conducting widespread research to identify undercover officers. There would remain a risk that a researcher may still choose to carry out research in respect of EN506, who they will be aware is a serving police officer, and be able to confirm his/her identity.
36. The risk assessor believes that revelation that EN506, in EN506's true identity, performed an administrative role in respect of a particular National Public Order Intelligence Unit operation would significantly undermine these measures, as researchers would have a point of reference to be able to confirm EN506's identity.
37. Note: any risk towards EN506 would highly likely rise should information be revealed during the course of EN506 appearing before the Inquiry in an open hearing that reveals the full extent of EN506's current role and/or details of the serious and organised crime operations that EN506 supported or identifies the operational targets. In the event, risk towards EN506 and other third parties would need to be reconsidered.

Mitigation Measures

38. The risk assessor is not aware of any risk management plan having ever been prepared by the home force of EN506, although he is aware that they have grave concerns about the position of EN506 in relation to the Inquiry. The risk assessor has therefore considered the options the home force of EN506 may implement in the event that EN506's true identity was to be revealed.
39. The risk assessor's conclusion is based on the research mentioned in the body of this assessment and on personal experience gained during his police service of dealing with threat, harm and risk. The risk assessor has not discussed this individual case with any member of the Protected Persons Unit that could be asked to support EN506 and therefore the risk assessor's conclusion may only act as a guide to the Inquiry.
40. There is a tiered response to protecting persons that are under threat. Those measures are categorised as "lower response", "middle response" and "higher response".

41. In the case of the lower response, the risk assessor states that such measures are of limited value as they do not deal with the issue of when EN506 and/or members of EN506's family leave their home. It does not deal adequately with the issue of media intrusion.
42. Given the factors surrounding EN506, the risk assessor does not believe that EN506's situation would meet the criteria for the measures described within the higher response. The risk assessor believes that should the true identity of EN506 be revealed the lower response would be the most likely response from EN506's home force unless information comes to light that raises the level of threat, harm and risk.

Summary Conclusion

43. Should the Inquiry be minded to release the true identity of EN506, the risk assessor assesses the threat, harm and risk of interference to the private life of EN506 would rise from low to medium, whilst the risk of physical harm would remain low. However, for the reasons outlined, the risk assessor believes that revelation of the true identity of EN506 would highly likely lead to the position held currently by EN506 to become untenable. It would also significantly raise the risk of compromise others who work with EN506 and those who carry out a covert policing role. Based on evidence, together with the research that the risk assessor has carried out, the risk assessor believes this risk would rise from low to at least medium.
44. Note: should information be released into the public domain during the course of the Inquiry that reveals the full extent of EN506's current role and/or details of the serious and organised crime operations that EN506 supported or detail of the operational targets, the risk of violence would highly likely change and would need to be reconsidered. Risk towards third parties would also need to be reconsidered.

Appendix A: List of Third Party Stakeholders Contact Details

45. Appendix A contains a list of third party stakeholders and their contact details.

Appendix B: CV of NPCC Assessor and Quality Assurance Assessor

46. Appendix B sets out the CV of Andrew Large.

Appendix C: Limitations of Risk Assessment

47. The purpose of this report is to provide a risk assessment to accompany an application to the Undercover Policing Inquiry for anonymity.
48. This report seeks to identify and assess risks to the officer or ex-officer concerned were their cover identity/identities or real identity to be made public.
49. Whilst consideration has been given to ways in which risks may be mitigated, any recommendations made are solely to assist the Inquiry and should not be relied upon by the officer or ex-officer concerned or the relevant Home Force(s) for the preparation or implementation of any risk management plan or for any other purpose.
50. The assessment contained in this report is the opinion of the author based on the material made available to the author.

51. The application for anonymity has been designed on the basis that it is officer led and supported by a solicitor representing the officer. This has an advantage that the officer is at the heart of the process and that the risks they perceive are central to any assessment. However, it does have the disadvantage that the starting premise for any assessment is reliant upon the officer's recollection of events and understanding of risk to themselves and third parties.
52. The amount of material provided to the author relating to the officer or ex-officer concerned is likely to be incomplete because:
 - a. Whilst National Public Order Intelligence Unit documents held by Operation Elter have been reviewed, to date the Elter team have only been able to index a limited amount of the archived material recovered. Accordingly it is not known whether the remainder of the archive contains material relevant to this particular risk assessment.
 - b. It has not been possible to examine every document indexed by Operation Elter because of the volume of material and the time constraints within which this risk assessment has been prepared.
 - c. There is not one national repository of police intelligence or information that can be relied upon as containing all information that may be relevant to the assessment of risk to any particular officer or ex-officer. Home Force(s) and specialised departments have their own systems and databases and the NPCC Assessors have arranged for proportionate research to be conducted, but have not arranged for searches to be conducted of every police database.
 - d. The NPCC Assessors have utilised the Operational Security Advisors (OPSY) network to conduct proportionate research into particular National Public Order Intelligence Unit deployments with the relevant Home Force(s) concerned. The NPCC Assessors are reliant upon the research and information provided to them by the Home Force(s) and the OPSY network.
 - e. Officers deployed by the National Public Order Intelligence Unit are likely to have had deployments before and after their National Public Order Intelligence Unit service. These other deployments may have been in various teams or departments around the country, or even abroad. The NPCC assessors have utilised the Operational Security Advisors (OPSY) network to conduct proportionate research into such activity with the relevant Home Force(s) and the NPCC Assessors are reliant upon the research and information provided to them by the Home Force(s) and the OPSY network.
53. The identification of any risk in this report is not intended to represent or imply that the officer or ex-officer concerned faces no other risks other than those specifically mentioned in this report, because of the limitations set out above.
54. The NPCC assessors have set out third party equities, although the list appended to this report is unlikely to be a full and complete list of third party equities due to the limitations already referred to.

55. Although the NPCC assessors have also endeavoured to identify potential risks to third parties, that is not the purpose of this report and will not always be possible due to the limitations already referred to.
56. Attention is drawn to the following factors which limit the completeness of the risk assessment in relation to the particular subject of this report, EN506:
- EN506 has been involved in covert policing for a significant number of years. It is therefore disproportionate and likely unachievable to be able to identify every person or organisation that may have featured in each operation that EN506 has supported. It is highly likely that there will have been occasions when EN506 gave ad hoc support to other operations and undercover officers that have not been formally recorded or that records no longer exist.

Appendix D: Schedule of Supporting Documentation

57. Appendix D lists the document references together with a description of each document relied on in the risk assessment.

Appendix E: Declaration

58. Appendix E contains the following declaration:

- “1. I understand that my duty in providing this written report and giving evidence is to help the Inquiry, and that this duty overrides any obligation to the subject of this report. I confirm that I have complied and will continue to comply with my duty.
2. I know of no conflict of interest of any kind, other than any which I have disclosed in my report.
3. I will advise the Inquiry if there is any change in circumstances which affect my answer to points 2 above.
4. I have fully referenced the sources of all information I have relied upon during the preparation of this report.
5. I have exercised reasonable care and skill in order to be accurate and complete in preparing this report.
6. I have endeavoured to include in my report those matters, of which I have knowledge or of which I have been made aware, that might adversely affect the validity of my opinion. I have clearly stated any qualifications to my opinion.
7. I have not, without forming an independent view, included or excluded anything which has been suggested to me by others, including the solicitors acting for the subject of this report.
8. I will notify the Inquiry immediately and confirm in writing if, for any reason, my existing report requires any correction or qualification.

9. I understand that my report will be submitted to the Inquiry, that it will form the basis of my evidence and that I may be asked questions about it in writing or orally at a hearing.”

59. Appendix E also includes the following signed and dated statement of truth: “I confirm that I have made clear which facts and matters referred to in this report, in respect of EN506, are within my own knowledge and which are not. Those that are within my own knowledge I confirm to be true. The opinions I have expressed represent my true and complete professional opinions on the matters to which they refer.”

ENDS