

GISTED ADDENDUM RISK ASSESSMENT

EN30 Gisted Addendum 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 EN30 - Addendum” (“the addendum risk assessment”).
2. The addendum risk assessment is dated 30 October 2018. It was prepared by Richard Clarke.
3. The addendum risk assessment sets out the following definition of terms. These terms are used throughout the addendum risk assessment to describe the risk assessor’s conclusions:

“THREAT:-

A statement of intention or circumstances that lead to a conclusion that one 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.
- **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 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 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.
- **High** – Likely.

HARM:-

Includes mental, physical and professional harm. This will be construed widely so as to embrace interference with private life, including workplace, home life, family and friends.

- **Low** – The impact would have a limited effect upon the officer and could be readily mitigated.
- **Medium** – Would reasonably be expected to impact on the welfare of the officer.
- **High** – Risk of significant impact on the officer.”

Introduction

4. This addendum is to be read in conjunction with the original risk assessment dated 16 August 2018.
5. The risk assessor has submitted this addendum as a consequence of the Chair's comments in respect of EN30 in a Closed Note dated 6 September 2018.
6. This addendum concerns information specifically relating to EN30's pre- National Public Order Intelligence Unit career.

Executive Summary & Additional Information

7. The risk assessment sets out the Inquiry Chair's request for further information and details of the further information requested and obtained.
8. The risk assessment sets out further details of EN30's pre- National Public Order Intelligence Unit career, the risks to EN30 and others associated with it and the potential damage to national security should EN30's identity be revealed by the Inquiry.

Conclusions

9. The risk assessor has reviewed this new information and has very carefully considered it in the context of what was written in EN30's original risk assessment dated 16 August 2018. In the opinion of the risk assessor, the new evidence only reinforces the original assertions made by the risk assessor and does not detract from the original conclusions of the assessor that are recorded in the original risk assessment for EN30.
10. The addendum risk assessment repeats those conclusions and the threat table:

The threat to EN30 and others from those connected to EN30's pre- National Public Order Intelligence Unit career.	
THREAT	HIGH
RISK	LOW
HARM	HIGH

11. The risk assessor is of the opinion that although the new evidence does not alter the risk assessor's opinion regarding the threat, risk and harm to EN30 and others from those connected to EN30's pre- National Public Order Intelligence Unit career, the basis on which this opinion is founded is now tethered to evidence that specifically relates to EN30 and those associated to him/her. The conclusions reached by the risk assessor previously no longer rely on generic assertions. For this reason, the risk assessor believes that the Inquiry Chair should be made aware of this new evidence and consider it in the light of specificity.

List of Third Party Stakeholders Contact Details

12. The addendum risk assessment sets out a list of third party stakeholders and their contact details.

Limitations of Risk Assessment

13. The purpose of this report is to provide a risk assessment to accompany an application to the Undercover Policing Inquiry for anonymity.
14. 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.
15. 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.
16. The assessment contained in this report is the opinion of the author based on the material made available to the author.
17. 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.
18. 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.
19. 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.
20. 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.
21. 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.

Schedule of Supporting Documentation

22. The risk assessment lists the document references together with a description of each document relied on in the risk assessment.

Assessor Declaration

23. The addendum risk assessment 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 answers.
 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.”
24. 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 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