

REVIEW

**FOR THE USE, CONDUCT AND PARTICIPATION IN CRIMINAL
ACTIVITY OF UNDERCOVER OFFICER(S) (UCO) AND/OR
COVERT HUMAN INTELLIGENCE SOURCE(S) (CHIS)
PARTICIPATING IN CRIMINAL ACTIVITY
(THIS FORM DOES NOT RENEW AN AUTHORISATION)**

Applicant: *D Baleman*
NETS.

Ref. No. *1108*

Force / Agency	Nottinghamshire Police	Branch	National Public Order Intelligence Unit
Operation Name	Pegasus	Operation No.	B/45/2004
Officer in Charge	Detective Inspector D. Hutcheson	Contact No.	[REDACTED]

1. Intelligence update and proposed strategy changes

Progress since last Authorisation / Review (to include the following details)

- ✓ Do the criteria for authorisation continue to be met?
- ✓ State every respect in which the information in the previous application has changed.
- ✓ Detail why it is necessary to continue with the authorisation(s).
- ✓ Detail the justification for the participation of the UCO and/or CHIS.
- ✓ Detail the value to the investigation or operation of the product obtained so far.
- ✓ Proposed strategy (in consultation with the Specialist Operations Unit).

The Use and Conduct of UCO 133 within Operation Pegasus was authorised by ACC Ackerley on the 5th November 2008. This review is submitted in order to notify the Authorising Officer of recent developments and intelligence obtained by UCO 133 relating to planned direct action to be taken by activists on the site of Ratcliffe on Soar power station and the participation of UCO 133 during that planned direct action.

The operation remains relevant and all criteria for authorisation detailed in the original authority and subsequent review continue to be met.

Other than information contained in this review all the information contained in previous applications remains the same.

In view of the current intelligence (See Appendix 'A') it is requested that the Use and Conduct of UCO133 allows them to comply with the strategy outlined in Appendix 'B' attached.

In order for UCO 133 to continue to gather pre-emptive intelligence in connection with this attack on Ratcliffe on Soar power station it is necessary and proportionate for the existing participation authority to commit minor criminal damage, obstruction and trespass on land to continue.

UCO 133 will endeavour to use the 'authority to participate' as a last resort but it is necessary in the event that to ensure their own safety and that of others they cannot avoid committing crime.

It is proportionate as the actions proposed by the activists to damage Ratcliffe on Soar power station could cause a severe economic loss to the United Kingdom and have an adverse effect on the public's feeling of safety and security. If successful their actions would harm the power supply as their objective is to shut down the furnaces and the turbines.

2. Collateral Intrusion

Comment upon any collateral intrusion and any plans to minimise it

There have been no incidents of reporting from this operation that have amounted to collateral intrusion.

Any likelihood of collateral intrusion will be minimised through focussed briefings and debriefings between the UCO and the Cover Officer, specifically related to the objectives of the operation and the limitations of the authority.

Any product subject of collateral intrusion will be brought to the attention of the SIO who will decide on its retention or destruction in line with current policy

3. Risk Assessment

Any change from original risk assessment must be detailed

Deployment on the proposed action at Ratcliffe on Soar power station will not involve UCO 133 in any activity not previously covered within the Assessment of Risk attached to the original authority.

However there is a risk that UCO 133 may get arrested during this action.

Risks

UCO 133 may be held in a cell for several hours.

UCO 133 may be given the same solicitor as other activists which may lead to them receiving confidential information.

UCO 133 may be requested by other activists to give a statement / evidence in the defence of others.

In order to extricate UCO 133 from the prosecution process it may be necessary to take a similar course of action with others similarly involved.

Management of Risks.

UCO 133 is a very experienced UCO who is both physically and psychologically very strong and would be able to deal with the stresses of being held in a police cell. UCO 133 knows that the operation is legal and that procedures would be implemented to effect their release in a safe and appropriate manner.

UCO 133 will decline any offer of a solicitor.

UCO 133 will be engaged in the driving and dropping off of activists prior to them committing offences. UCO 133 will withdraw from the vicinity of the power station in order to avoid arrest and to avoid becoming a witness to offences.

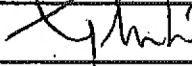
SIO Inspector David Hutcheson will be regularly informed of the situation of UCO 133 and in the event of their arrest will be immediately informed in order to liaise with the Nottinghamshire Senior management and the Criminal Prosecution Service.

4. Confidential Information

Where there is a likelihood that confidential information has been accessed and or acquired in the course of the investigation or operation; or where such information will be accessed or acquired give details.

It is probable that persons taking action at the power station will be arrested and prosecuted, it is natural for those involved to discuss their defence strategy with others. The deployment strategy of UCO 133 being involved in the driving and arrangement of drivers and not in the actual direct action taken on the Ratcliffe on Soar should preclude them from being involved in these discussions. UCO 133 will take all steps necessary to avoid being in receipt of confidential information.

Should confidential information be obtained by UCO 133 the SIO will be informed and the information will be handled and dealt with in line with current guidelines and safeguards.

Signature		Rank	CB. Manager.
Name	G. NEWTON	Date	7.4.09


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Operational Head Comments

In cases involving sources participating in criminal activity the controller's comments should be included.

This is a specific review for Use and Conduct for the Easter weekend to allow UCO 133 to be involved in this event in order to facilitate the flow of intelligence to police.

The request is necessary and proportional in order to prevent serious crime. In particular participation authority is sought to ensure that the UCO has this option should it be necessary, as a last resort, to protect their legend and ensure their safety if the activists change their plans at the last minute.

Signature		Rank	01
Name	HUTCHISON	Date	3.4.09

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Information

On Friday 9th January 2009 [REDACTED] a Leeds based environmental activist approached UCO 133 asking them to take part in a reconnoitre of a target for direct action by environmental activists.

At 7am Saturday 10th January 2009 UCO 133 met with [REDACTED], a male from [REDACTED] and two youths believed to be based in London. They briefed UCO 133 that the target was Ratcliffe on Soar power station. The UCO drove [REDACTED] and the others to the power station and dropped them off nearby. Having completed the reconnoitre the UCO collected them and drove back to Neds housing cooperative in Nottingham where they debriefed the recce.

The main points that came out of this debrief were:

B25

A lot of middle class youngsters are getting more and more involved with climate change issues on the back of this years Climate Camp.

These youngsters are not 'politicised' they don't care about political issues they just want to save the world from climate change.

They had very expensive cameras with long lenses.

They were photographing access points.

There is a bridge over the Trent Canal and a railway bridge with Engineers access over the canal into the woods at the back of the power station.

The three youngsters were stopped by security who whilst checking them out received information from their control room that made it clear that they had been watched on CCTV as they walked around the perimeter and took photographs.

This sought to inform the 3 where covert CCTV cameras had been sited.

The recce and subsequent direct action is being funded by Greenpeace.

[REDACTED] asked UCO 133 to take part in a climbing action during April 2009.

UCO 133 spent the weekend of 21st / 22nd March 2009 with [REDACTED] and obtained the following information.

Intelligence B25

The planned direct action against Ratcliffe on Saur power station will take place on the 13th April 2009 (Easter Monday).

There are several perceived [by the activists] reasons for this:-

1. People are on holiday so can take part.
2. Policing levels are at a minimum.
3. Security Officers will be at a minimum.
4. Authorities will be off guard thinking that they have got away with no action on 'Fossil Fools Day'.

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Appendix 'A'

At the moment a maximum of 8 people are aware of the date and location of this action including Source, [redacted], 2 activists from London, [redacted] and [redacted].

The preparation plan is identical to that of the attack on the railway line at Drax power station South Yorkshire. [redacted] wants to recruit 150 activists to take part in an undisclosed action. Activists will be given a location to attend at a given time, (on arrival prior to Drax they were told to turn phones off and were not allowed to leave). After everyone is present they will be briefed on the details of the action.

They will be kept at this forward meeting point until it is time to make their way to the power station. Indications are that this would be about 0300 hrs.

There will be several different actions carried out at the site. The different actions will not be finalised until the skills of those intending to take part have been identified. However UCO 133 is on the list of climbing trainers for Greenpeace and has been recruited into the action in order to form part of the 'climbing team'. This team is made up of very experienced climbers who intend to climb one of the towers and stay there for up to 3 days.

In order to reduce to a minimum the involvement of UCO 133 in criminality the UCO met with [redacted] in Leeds on Sunday 29th March and explained their reluctance to be arrested and offered to drive activists to the Ratcliffe on Soar site instead of being involved in the climbing of one of the towers.

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Appendix B

UCO 133 to continue to meet with activists who are planning the action against Ratcliffe on Soar power station and express support for those activities already being discussed.

UCO 133 will arrange to provide a vehicle to transport activists to the vicinity outside of Ratcliffe on Soar power station.

UCO 133 will conduct a "dry run" over Easter weekend with activists prior to the event to provide intelligence on what the plans of activists for the attack on the power station.

Having dropped off activists UCO 133 will leave the immediate area and await the call from activists to return and collect them.

UCO 133 will be then expected to act as prisoner support to any activists arrested as a result of the direct action. UCO 133 will subsequently seek to distance themselves from judicial procedures relating to those prosecuted in connection with this action.

UCO133 to conduct audio recordings of meetings with activists and during planned event if practicable.

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Authorising Officer

I have reviewed the use, conduct and participation of uco 133 and am satisfied that the deployment remains lawful, necessary and proportionate.

1) I add to the conduct [redacted] and [redacted].

2) I confirm the participation of uco 133 in their entry into, control damage, obstruction and aggravated trespass into land, and in what is set out in appendix B of the review document.

I authorize that the uco use the audio recording equipment in their presence to obtain intelligence and evidence.

I have been briefed and am satisfied that there is no likelihood of obtaining confidential information due to the risk management plan.

I am satisfied that an appropriate risk assessment has been conducted and that suitable measures to protect uco 133's health and safety are in place.

Name	IAN ARCHER	Rank	A/C
Signed	[Signature]	Date	7/4/09

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