

Appendix 7: List Of Recommendations

<p>Recommendation 1</p>	<p>Consideration should be given to the establishment of a policy by the Ministry of Defence to ensure that all documents or other material, including electronic material, are retrieved from theatre and elsewhere at the conclusion of an operation, catalogued and stored in secure accommodation for a period of at least 30 years and all searches of that material recorded, so that the Department is able to say what material is available and its location, and if the need arises, to confirm in litigation or to a Public Inquiry that it has complied with its obligation to disclose relevant material.</p>
<p>Recommendation 2</p>	<p>Digital video and audio recordings should be made of both interrogation and tactical questioning sessions. Such recordings should be retrieved from theatre, catalogued and stored in the same way and for the same period of time as the other documents/ records to which reference is made in Recommendation 1.</p>
<p>Recommendation 3</p>	<p>All training material should be dated, appropriately retained and archived in such a way that it can easily be established when the training material was composed, when it came into force and the period during which it remained in force.</p>
<p>Recommendation 4</p>	<p>A Shooting Incident Policy should be drafted which is practically achievable in practice in Theatre, which is compliant with Article 2 of the ECHR and which enables the ascertainment of the relevant facts leading up to, during and consequent upon the Shooting Incident by an independent body such as the Royal Military Police within a time limited but reasonable period after the Shooting Incident.</p>
<p>Recommendation 5</p>	<p>Appropriate procedures should be introduced to ensure that there is an accurate and detailed contemporaneous record of the circumstances relating to the original capture/detention of a prisoner and his general physical condition (including an appropriate photographic record) on arrival at the prisoner handling area together with an explanation from the soldier responsible for the detention of the individual of any obvious physical injuries suffered by the detainee in question.</p>
<p>Recommendation 6</p>	<p>All detainees should be clearly informed of their rights and obligations as soon as is practicable upon arrival at any detention facility. As a minimum this should include informing the detainee as to the reason(s) for his detention and explaining, in clear and basic terms, that his human rights will be protected and respected.</p>

<p>Recommendation 7</p>	<p>Appropriate measures should be taken to ensure that minimum safeguards are in place where a detainee is to be strip searched. These include informing a detainee as to the necessity of the strip search and requesting his/her cooperation. Those conducting a strip search should always bear in mind the need to respect the detainee’s dignity, particularly having regard to any cultural sensitivities. Searches should be conducted by, and in front of, the minimum number of persons necessary and screens or other measures should be taken to shield the detainee from as many of those attending as possible. Those persons should be of the same gender as the detainee unless none are available.</p>
<p>Recommendation 8</p>	<p>There should be an appropriate review of all current policy and procedures to ensure that a sufficient number of suitably trained interpreters are readily available and on hand during all aspects of prisoner detainee handling and at all holding units, including all forms of interrogation and questioning, including during the issuing and provision of medication, the need to ensure that basic requests for water/food/lavatory breaks are properly understood in prisoner holding areas and to give safety briefings and to help deal with any problems prior to and/or during flight transfers.</p>
<p>Recommendation 9</p>	<p>Appropriate forms should be made available to allow a medical examiner to declare a detainee unfit for detention and questioning. The decision as to whether a detainee has been declared unfit for detention and questioning should be readily apparent and the reasons for that decision should be recorded. Any conclusion to the contrary effect should be expressed in ethically acceptable terms.</p>