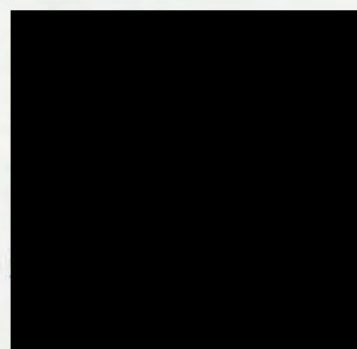


MOD-83-0000106-A



November 10<sup>th</sup> 2014

**Purpose:**

I have been asked to address a number of points touching on the circumstances of the death of Mr Hassan Abbas Said on August 3<sup>rd</sup> 2003.

I have been provided with information and various witness statements and reports, all of which I have considered when answering the Inspector's questions below:

- a) Witness statement of Said Abdul Razak dated 17 August 2003
- b) English translation of a witness statement of Said Abdul Razak Mahdi dated 12 August 2014, including Attachments 1 and 2
- c) Witness statement of Peter George Brookes dated 9 March 2004
- d) Witness statement of Kenneth Wayne Bamford dated 6 October 2003
- e) Witness statement of Gary John O'Donnell dated 5 August 2003
- f) Witness statement of Paul Dominic Everitt dated 30 August 2003
- g) Witness statement of Patrick William Burgess dated 27 September 2003
- h) Witness statement of Phillip Richard Hoffman dated 16 October 2003

**Qualifications and Experience**

I am a Forensic Scientist specializing in the examination of firearms, ammunition and related items. I have worked continuously and exclusively in this field since February 1976, having started working as a Forensic Scientist in December 1973. For the first twenty-two years of my career, I was an employee of the Metropolitan Police Forensic Science Laboratory, which in April 1996 was merged with the Forensic Science Service (FSS). For a number of years I was a visiting lecturer for the Kings College, University of London, MSc course in Forensic Science.

In December 2011, together with colleagues in the Firearms Department, I was made redundant following the Government decision to close the FSS. I rejoined the Metropolitan Police Service in June 2012 as a Senior Forensic Scientist in the Metropolitan Police Service Forensic Firearms Unit.

My work in this case has been carried out in a private capacity and should not be seen as relating to my employment within the Metropolitan Police Service.

#### **Technical Note:**

To avoid ambiguity and confusion, I would like to deal with the terminology relating to small-arms ammunition.

In common parlance, when someone refers to a 'bullet', they usually mean a complete round of ammunition or a cartridge. Strictly, a bullet is the projectile with which a cartridge is loaded. The rest of the round of ammunition consists of the cartridge case, the propellant charge within it and the primer (or cap) in the base of the cartridge. This latter, when struck by the firing pin of the weapon, ignites the propellant causing the bullet to be discharged from the weapon.

I will use the word 'bullet' in its correct context throughout.

### Points to Address:

Please imagine the following scenario: a 5.56mm Nato calibre bullet is fired from an SA80 rifle at a range of less than 90cm into the lumbar area of a human body.

- 1) Is this type of bullet a standard form of ammunition used by the British Armed Forces?

Yes. Based on the description and identification of the recovered fragments in the report of the Firearms Expert of March 9<sup>th</sup> 2004. The bullet is described as 'SS109'.

- 2) Can any other type of bullet be used with an SA80 rifle?

Yes. A cartridge of the correct type could be loaded with any type or design of projectile of the calibre for use in that weapon.

- 3) Is that particular type of bullet designed to act in a particular way, for example to explode or fragment on impact?

No. To the best of my knowledge it is not intended to fragment or expand.

- 4) Are bullets which are designed to explode or fragment on impact illegal under international law? Please specify what particular type of rifle ammunition is illegal under international law.

To the best of my knowledge bullets that explode or deliberately fragment are outlawed.

- 5) As far as you're aware, where are such exploding or fragmenting bullets available?

I am not aware that such exploding bullets are generally available. Expanding bullets are available and these are primarily intended for hunting purposes.

- 6) Can such exploding or fragmenting bullets be used with an SA80 rifle?

See point 2) above.

- 7) If you have the required expertise, what in your view would happen to the bullet described in the scenario above upon impact with human flesh?

The SS109 bullet would be deformed and probably break into at least two major parts, the front and rear section. This break typically occurs at a circumferential groove in the surface of the bullet called the cannelure.

8) If you have the required expertise, what would happen to the bullet upon impact with human bone?

There would be further fragmentation should the bullet or, if already broken, either of the two parts strike bone.

9) Please answer Qs 6 and 7 above in relation to a hypothetical scenario in which a 5.56 Nato calibre bullet is fired from an SA80 rifle at a distance greater than 90cm?

I am not aware of any exploding bullet that might be available to fire in the SA80 rifle.

10) Please consider the two witness statements of Said Abdul Razak. Are the injuries described consistent with your experience of the damage that could be caused by a 5.56mm Nato calibre bullet? If not, why?

The injuries described are perfectly consistent with the behaviour of this type of military bullet.

11) Again considering the two witness statements of Said Abdul Razak, is the fragmentation of the bullet consistent with your experience of the use of 5.56mm Nato calibre bullets? If not, why?

As noted above, yes it is.

12) Based on the evidence we have sent to you, can you reach a conclusion as to the type of bullet with which Mr Said was shot? Please confirm whether there is the required continuity evidence for you to reach a conclusion.

The description of the recovered bullet fragments by the Firearms Expert is consistent with the type of bullet described in the expert's report, the SS109.

13) Considering the evidence before you, is there any other comment you wish to make?

None beyond my opinion that everything I have seen is consistent with the use of a standard bullet for this calibre of military ammunition.

I would of course be happy to reconsider these findings should any other or contradictory information come to light.

#### **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.

FA Tomei