

## **Appendix 8: Report of C R Evans**

Due to their graphical content all images have been redacted as being unsuitable for publication

**Instructed By:**

**Reference:** Al-Sweady Inquiry

**Report  
of  
C R Evans**

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**INTRODUCTION**

1. I am a Senior Forensic Consultant in the Video Laboratory at Diligence BSB Forensic. I received training in imagery analysis at various stages of my military career in the Royal Air Force. In 1987 I attended the Joint School of Photographic Interpretation (JSPI) and qualified as a Photographic Interpreters Assistant. In 1990 I returned to JSPI and qualified as an Imagery Analyst, serving subsequently in that capacity at the Joint Air Reconnaissance Intelligence Centre (JARIC), RAF Brampton, which involved comparison and contrast of various objects utilising optical, electro-optical, infrared and radar imagery. In January 1996 I was appointed an instructor at JSPI, instructing various aspects of imagery analysis. From June 1998 to March 2010 I completed further tours of duty in the role of imagery analyst in the UK and the Middle East, as well as completing a further tour as a senior instructor at JSPI.
2. On completion of my RAF service In April 2010, I joined BSB Forensic where I am employed as a Senior Consultant in Imagery Analysis.
3. I have provided expertise and forensic support pertaining to image/facial comparison in a number of criminal cases, for the prosecution and defence, and I have given expert evidence at the Central Criminal Court and other Crown Courts.

**INSTRUCTION**

4. On the 25<sup>th</sup> February 2011, I received the following items from Mr Stephen Kinchington acting on behalf of the Al-Sweady Enquiry:

<b>Exhibit:</b>	<b>Description:</b>
Copy of DR 183	1 x DVD
Copy of DCM/5	1 x DVD
Copy of DCM/6	1 x DVD
Copy of MBM/5	1 x Hardcopy folder of images

5. On the 9<sup>th</sup> March 2011, I received the following items from Mr Roy Clarke acting on behalf of the Al-Sweady Enquiry:

<b>Exhibit:</b>	<b>Description:</b>
Copy of DCM/8	1 x DVD
"Third DVD"	1 x DVD

6. I have been informed by Mr. Kinchington that these items relate to allegations of unlawful killing at Camp Abu Naji in Iraq on 14 and 15 May 2004.

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7. I have been instructed by Mr Kinchington to correlate a number of bodies seen in the various photographic and video exhibits. To aid the analysis, I was supplied with briefing documents ("Summary of DCM/5, DCM/6, DCM/8 & Third DVD) which provide explanatory notes on the video recordings, together with timings and designations of 'Bodies' and 'KIAs' (Killed in Action). This report was originally dated 26<sup>th</sup> May 2011 and has been re-issued to incorporate changes to the video counter times shown at Annex B. The analysis and conclusions presented in the original report remain unchanged.

**COMMENT**

8. Video severely limits the smallest detail that can be determined and is expressed as the system resolution. It means that 'small' picture information is just not captured in the video image. Poor imaging can limit the opportunity to detect a significant difference, which would allow items or people to be positively differentiated. In any comparison between people or objects a single significant difference between two objects outweighs any number of similarities between them.
9. Digital CCTV systems have an added problem in that they rely on image compression. The type of compression varies depending upon the methods adopted by the manufacturer of the CCTV system. The net effect of compression is that fine detail is often poorly resolved, an object can be treated differently each time it is imaged by the system and artefacts can be introduced to the image by the recording system.

**EXAMINATION OF EXHIBITS**

10. DCM/5 contains fair quality, colour, digital imagery recorded from a single hand-held camera. There is time and date information associated with the imagery indicating that it was recorded on the 15<sup>th</sup> of May 2004. I viewed and reviewed the imagery in real time and frame-by-frame, and selected a number of images for illustrative purposes. I subsequently caused those images to be produced as prints that are numbered 0124V11/1-10, and which are at Appendix A.
11. DCM/6 contains fair quality, colour, digital imagery recorded from a single hand-held camera. There is date information associated with some sections of the footage indicating that it was recorded on the 15<sup>th</sup> of May 2004. I viewed and reviewed the imagery in real time and frame-by-frame, and selected a number of images for illustrative purposes. I subsequently caused those images to be produced as prints that are numbered 0124V11/11-26, and which are also at Appendix A.
12. DCM/8 contains fair quality, colour, digital imagery recorded from a single hand-held camera. There is no time and date information either superimposed

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or associated with this imagery. I viewed and reviewed the imagery in real time and frame-by-frame, and selected a number of images for illustrative purposes. I subsequently caused those images to be produced as prints that are numbered 0124V11/27-29, and which are also at Appendix A.

13. The disk referred to as 'Third DVD' contains fair quality, colour, digital imagery recorded from a single hand-held camera. There is no time and date information either superimposed or associated with this imagery. I viewed and reviewed the imagery in real time and frame-by-frame, and selected a number of images for illustrative purposes. I subsequently caused those images to be produced as prints that are numbered 0124V11/30-37, and which are also at Appendix A.
14. Copy of MBM/5 is an album containing 57 colour photographs, generally of good quality although some are poorly focussed.
15. Copy of DR183 is a disk containing 57 electronic, JPEG, files of the photographs contained in Exhibit MBM/5. I downloaded these files to my computer to aid the analysis.

#### **ANALYSIS**

16. It is important to note that my opinion is based on the examination of all the images available to me; the images in the body of this report are only intended to be illustrative. These illustrations may be of a lesser quality than when the images are viewed on high-resolution display monitors, such as those that I have utilized during my examination.
17. The general approach to the analysis is to utilize all available imagery information, such as facial characteristics, clothing, accessories, wounds blood distribution and any associated factors, to determine the correlation of bodies between imagery exhibits.
18. In the absence of date/time data, all timings in this report refer to the playback software's time-lapse counter.
19. It is my understanding, from the briefing documents, that the case revolves around a total of 20 bodies, which are designated as KIA 1- 20. The various imagery exhibits portray a total of 37 bodies, a number of which may be repeat recordings of the same body. These bodies have been designated as Bodies 1-37. The table at Appendix B shows which bodies are shown in which imagery exhibit, together with the counter times of the portrayal, the relevant print number and the final assessment of which KIA the body may be.
20. In some cases, compelling evidence in the form of a combination of significant and singular consistencies between two bodies being compared (such as

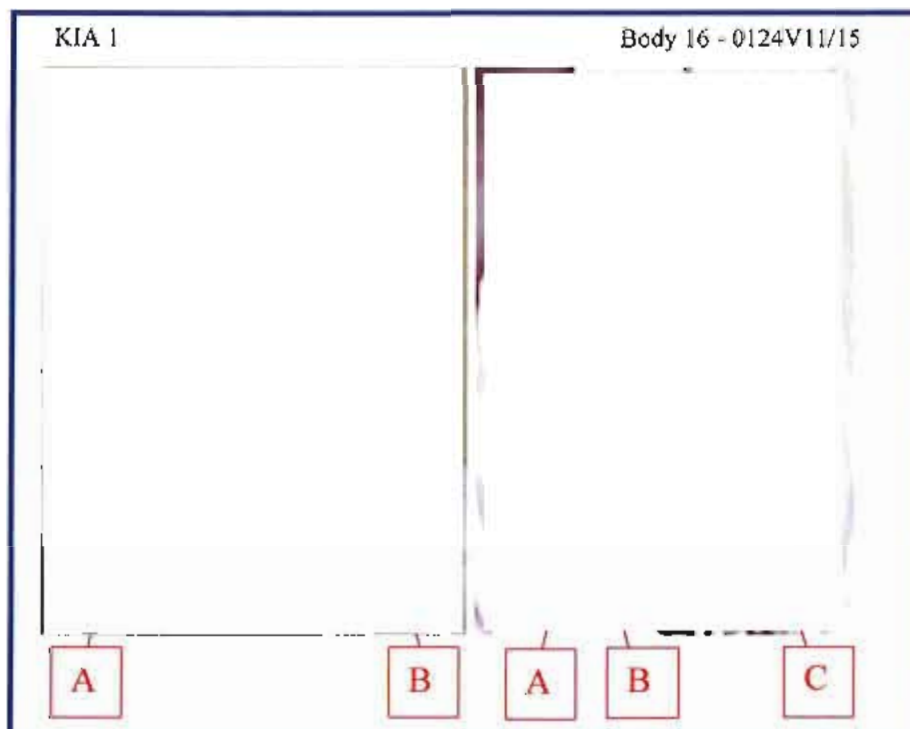
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distinctive jewellery, clothing and blood distribution), may preclude the need for detailed facial comparison. Having viewed and reviewed all relevant imagery exhibits, I am able to correlate the KIAs to Bodies as outlined below.

**KIA 1 - Possible Correlation with Body 16**

21. The imagery of Body 16 lacks fine-feature detail and is limited to a partial view of the right side of the man's face. Within the limitations of the imagery, Body 16 appears to present a darker skin tone in the area of the right infra orbital crease (Annotation A, Figure 1) which is broadly consistent with the corresponding area on KIA 1. The presentation of Body 16's moustache and beard also appears to be broadly consistent with that of KIA 1. I note that the imagery of Body 16 appears to present the corner of a light-toned garment (Annotation B, Figure 1) which possibly correlates with the white shirt seen to be worn by KIA 1.
22. Whilst the comparison of KIA 1 with Body 16 has highlighted a limited number of broad similarities, it is appropriate to note an apparent difference in the set of the two men's teeth. The imagery of Body 16 appears to present a gap in the upper row of teeth (Annotation C, Figure 1) whereas the image of KIA 1 presents a comparatively even row of teeth.



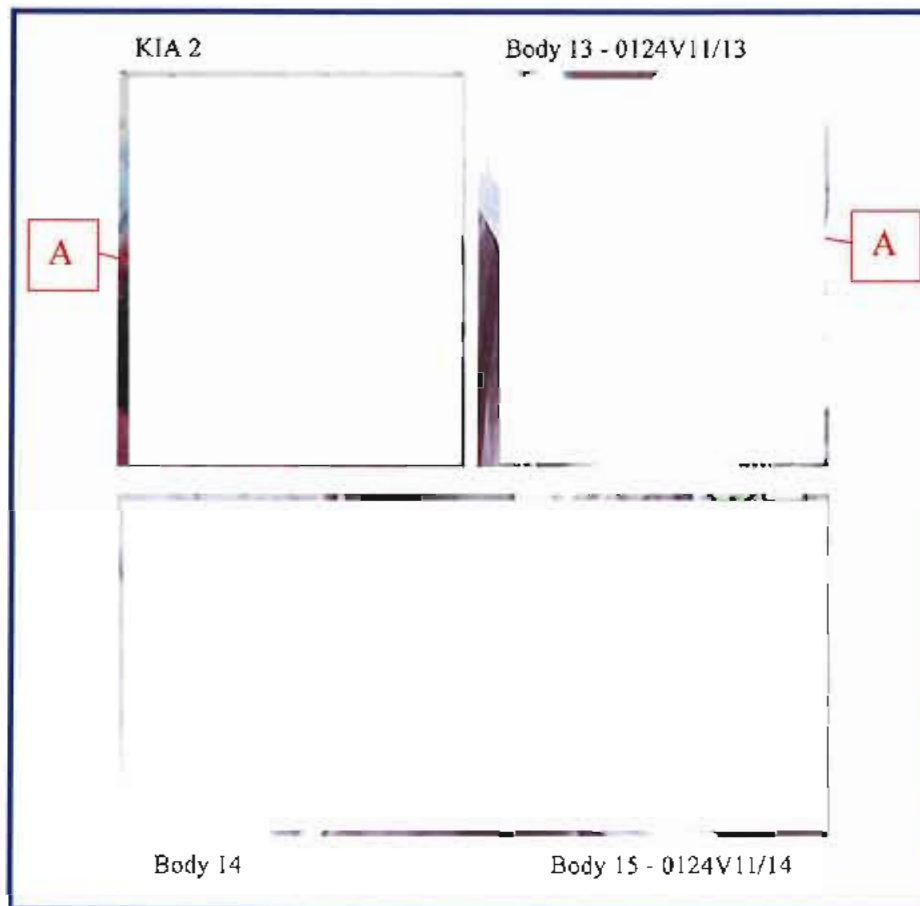
**Fig. 1**

23. Apart from the possible correlation with Body 16, I have found no other possible matches for KIA 1.

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**KIA 2 - Bodies 13, 15 and Possibly 36.**

24. The imagery of Body 13 is limited to a partial view of the left side of the man's face. Within the limitations of the imagery, the eyebrow, moustache and beard of Body 13 are entirely consistent with those of KIA 2. I also note that the left cheek of Body 13 presents a blood distribution pattern (Annotation A, Figure 2) that is strikingly consistent with that presented on KIA 2. The imagery of Body 15 (imaged alongside Body 14) is clearly a wider shot of Body 13.

**Fig. 2**

25. The imagery of Body 36 lacks fine-feature detail and provides a limited view of facial features. The possible correlation between Body 36 and KIA 2 is limited to similarities in terms of hair length and the apparent shape of the eyebrows, moustache and beard (See Figure 3).



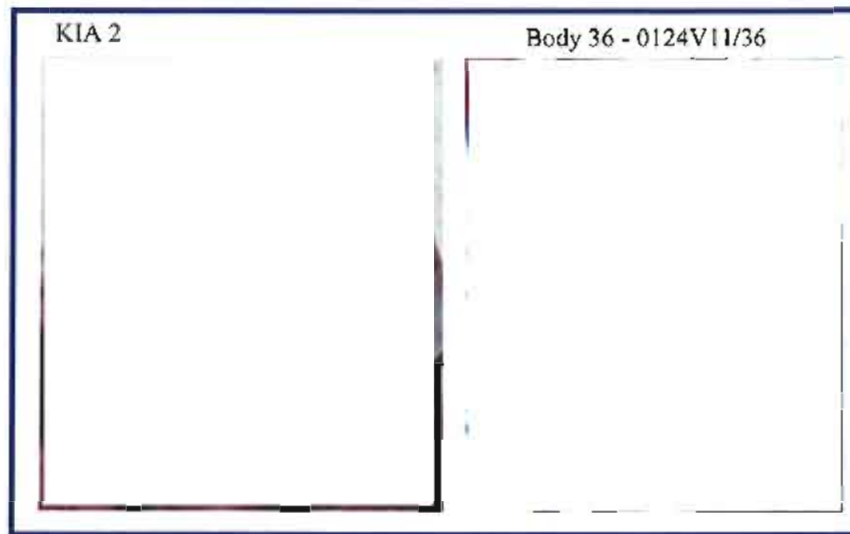


Fig. 3

**KIA 3 - Bodies 1, 3, 9, 28/29 and 33.**

26. The correlation of KIA 3 with Bodies 1, 3, 9, 28/29 and 33 is based on a comparison of both facial features and clothing. KIA 3 exhibits a significant trauma to the right eye (Annotation A, Figure 4) that is consistent with that presented on Bodies 3, 28/29 & 33. Further correlation is provided by blood distribution patterns near the left eye (Annotation B, Figure 4) and the chin (Annotation C, Figure 4).

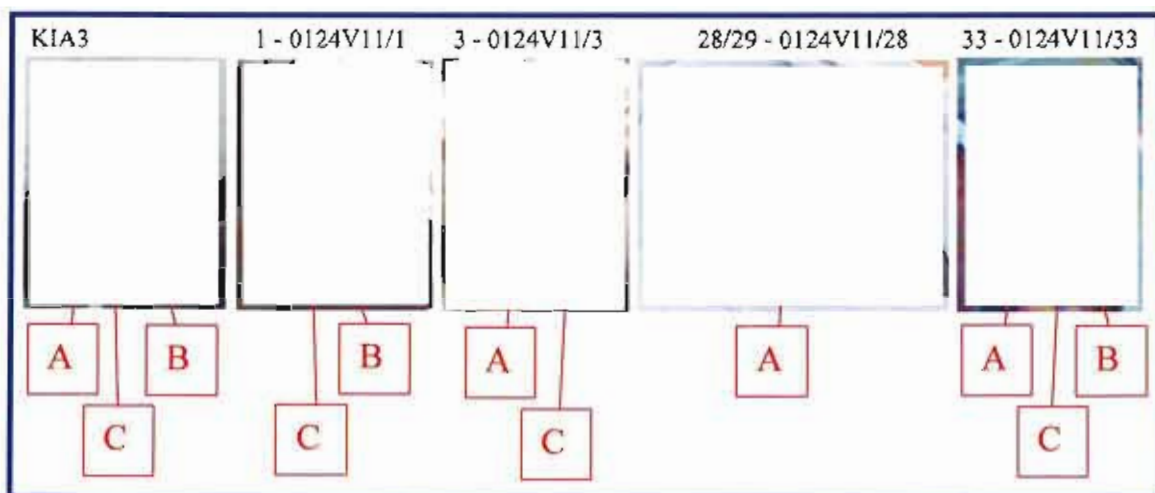


Fig. 4



27. KIA 3 is seen to wear dark-toned trousers that exhibit an elasticated waistband (Annotation A, Figure 5), a dark-toned outer top (Annotation B, Figure 5) and a white inner top that exhibits a central blood stain (Annotation C, Figure 5). These features are entirely consistent with those presented on the imagery of Body 9.

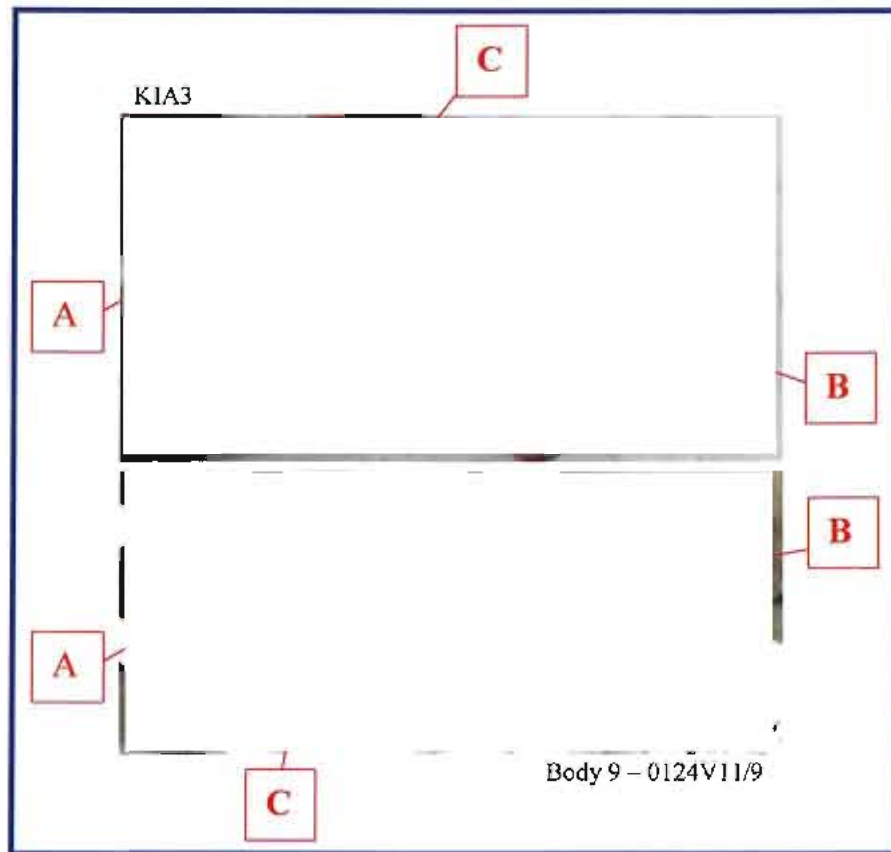


Fig. 5

**KIA 4.**

28. The analysis has provided no correlation for KIA 4.

**KIA 5 - Body 31.**

29. The correlation of KIA 5 with Body 31 is based on a comparison of both facial features and clothing. Body 31 exhibits thick, dark-toned eyebrows that are moderately arched and taper towards the lateral aspect (Annotation A, Figure 6). In this respect they are consistent with the eyebrows of KIA 5. Further correlation is provided by blood distribution patterns on the left side of the mouth (Annotation B, Figure 6) and above the left eye (Annotation C, Figure 6).

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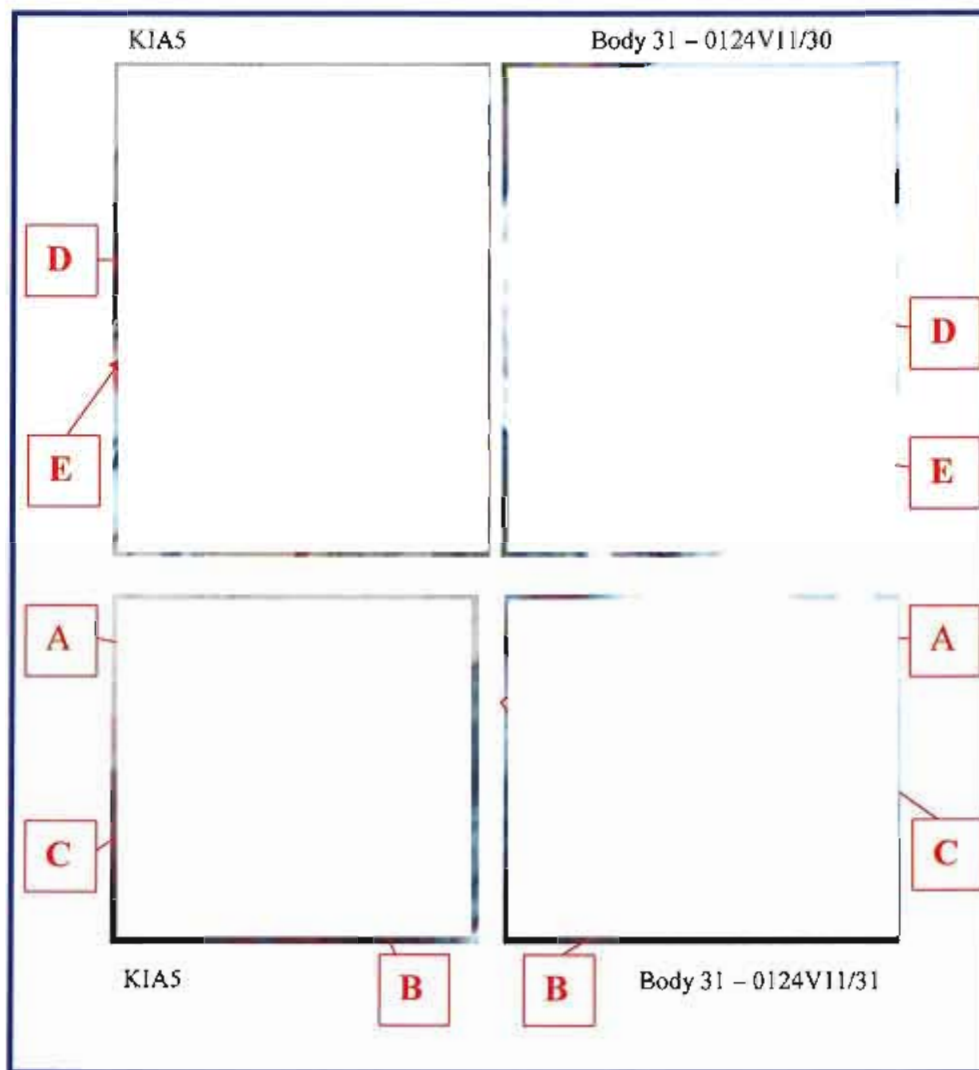


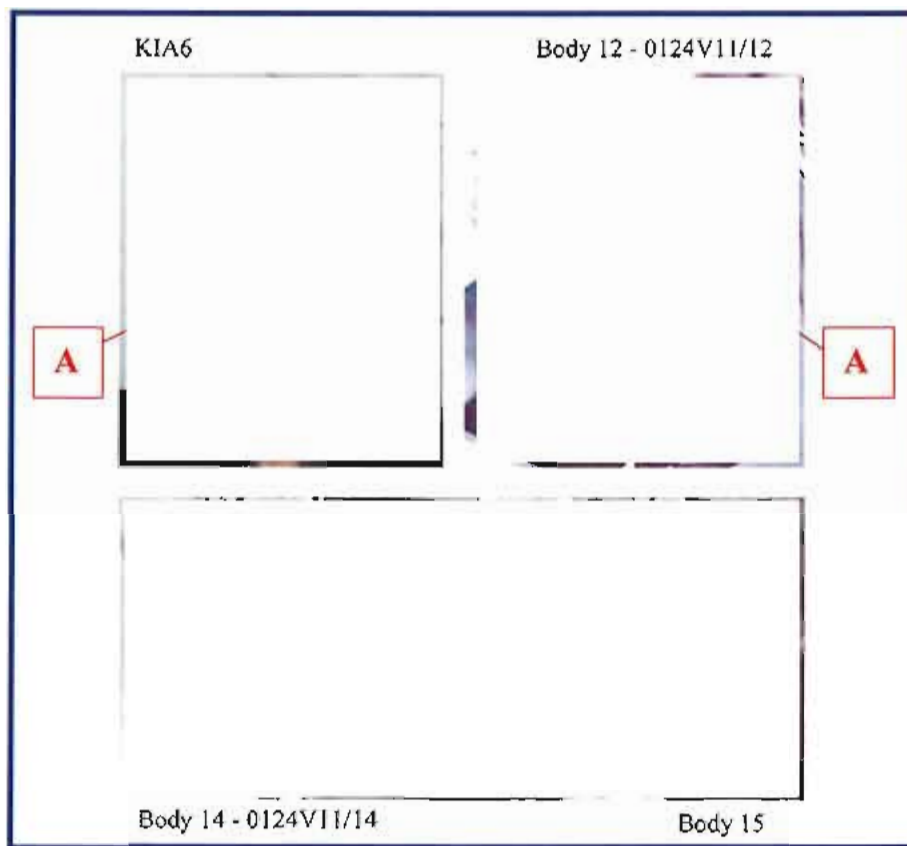
Fig. 6

30. KIA 5 is seen to wear a dark-toned outer top (Annotation D, Figure 6) and a white inner top that features red lettering (Annotation E, Figure 6). These features are entirely consistent with those presented on the imagery of Body 31.

#### KIA 6 - Possible Correlation with Bodies 12 & 14.

31. The imagery of Bodies 12 & 14 lacks fine-feature detail and is limited to a partial view of the left side of the man's face. Within the limitations of the imagery, the moustache and beard of Bodies 12 & 14 appear to be consistent with those of KIA 6. I also note that Body 12 presents a mark on the left side of his nose (Annotation A, Figure 7) that, within the limitations of the imagery, appears to be consistent with that presented on the face of KIA 6. The imagery of Body 14 (imaged alongside Body 15) is clearly a wider shot of Body 12.

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**Fig. 7****KIA 7.**

32. The analysis has provided no correlation for KIA 7.

**KIA 8 - Bodies 4, 25 & 32.**

33. The correlation of KIA 8 with Bodies 4, 25 & 32 is based on a comparison of both facial features and clothing. Body 32 exhibits thick, dark-toned eyebrows that appear moderately arched and taper towards the lateral aspect (Annotation A, Figure 8) and a thin, dark-toned moustache (Annotation B, Figure 8). In these respects they are consistent with the corresponding features of KIA 8. I note that the imagery of Body 32 presents a button at the corner of a collarless shirt (Annotation C, Figure 8) which appears to be consistent with that seen to be worn by KIA 8.

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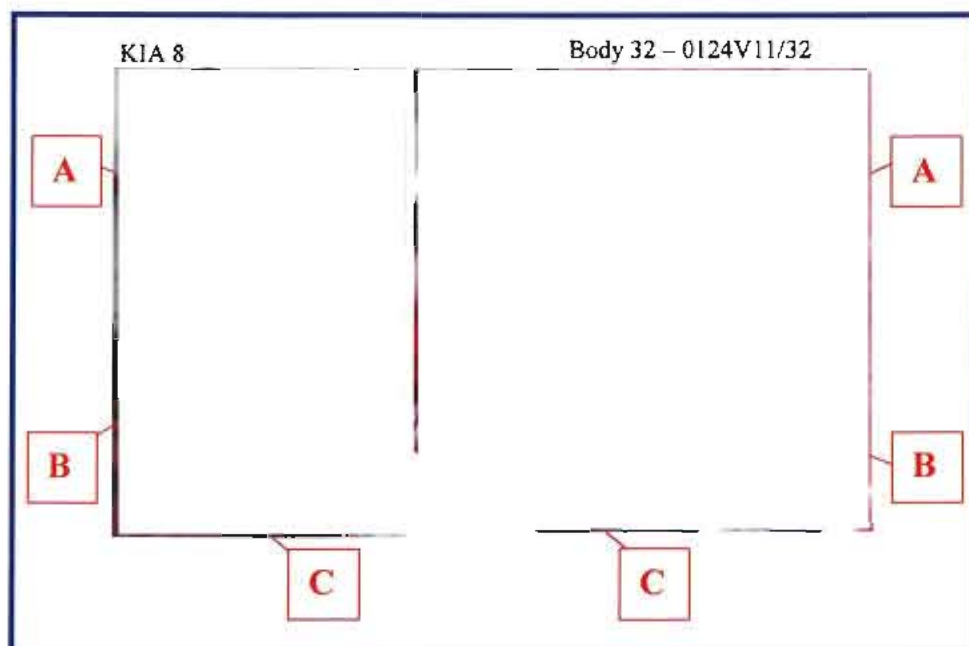


Fig. 8

34. The noses of Body 4 and Body 25 present as angular with a relatively straight appearance to the nasal rims (Annotation D, Figure 9) which appears to be consistent with the nose of KIA 8. Further correlation is provided by a blood distribution pattern in the area of Body 4's chin (Annotation E, Figure 9) which is also consistent with that seen on KIA 8.

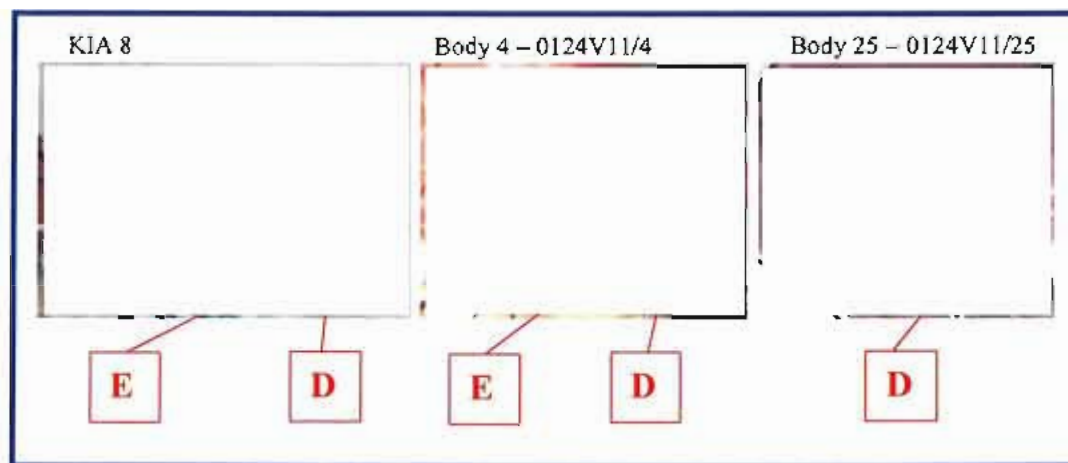


Fig. 9

**KIA 9 - Possible Correlation with Body 17.**

35. Body 17 appears on the imagery contained in Exhibit DCM/6. The summary of DCM/6 lists Body 17 as being "*Previously identified*" as KIA9. As the image of KIA 9 does not provide a view of any facial features, the possible correlation of KIA 9 with Body 17 can only be based on the apparent similarity in terms of the dense, dark-toned beard (See Figure 10).

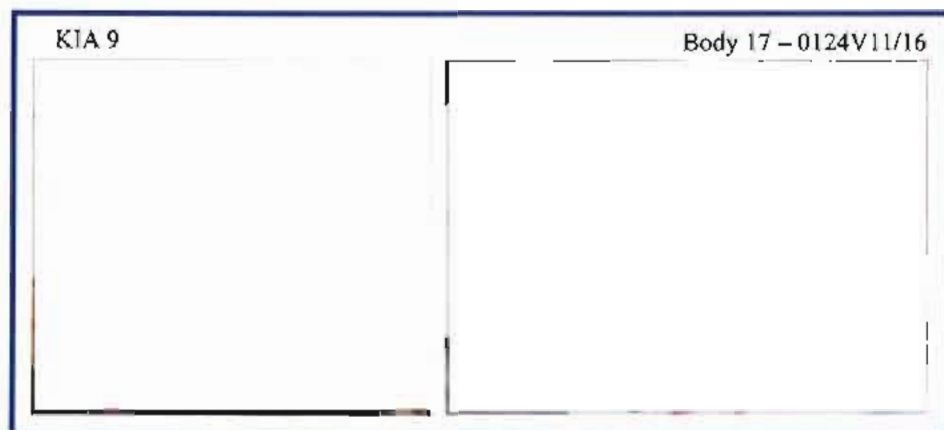


Fig. 10

**KIA 10 - Body 19.**

36. The correlation of KIA 10 with Body 19 is based on a comparison of blood distribution patterns. The imagery of Body 19 exhibits blood distribution patterns above the left eye (Annotation A, Figure 11), on the right cheek (Annotation B, Figure 11) and on the left cheek (Annotation C, Figure 11) that are entirely consistent with those seen on the corresponding areas of KIA 10's face.

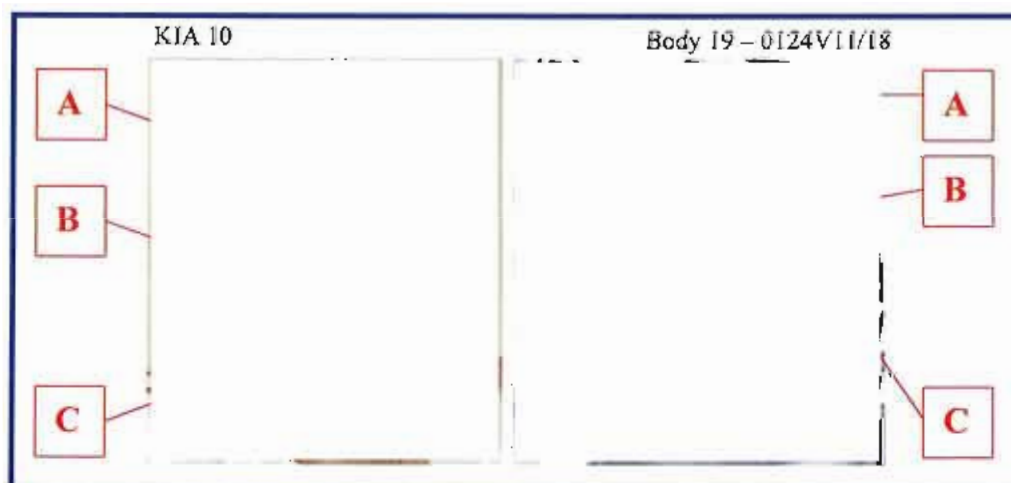


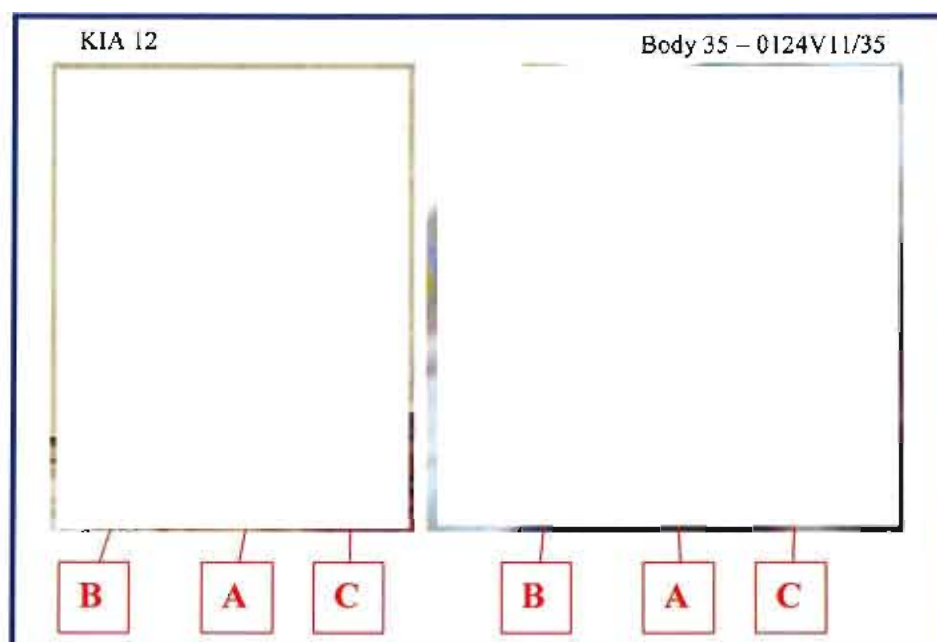
Fig. 11

**KIA 11.**

37. The analysis has provided no correlation for KIA 11.

**KIA 12 - Body 35.**

38. The correlation of KIA 12 with Body 35 is based on a comparison of both facial features and blood distribution patterns. The nose of Body 35 exhibits relatively wide alae and a rounded appearance to the nostril rims (Annotation A, Figure 12). In this respect Body 35's nose is wholly consistent with that of KIA 12. Further correlation is provided by blood distribution patterns above the right eye (Annotation B, Figure 12) and to the side of the left eye (Annotation C, Figure 12).

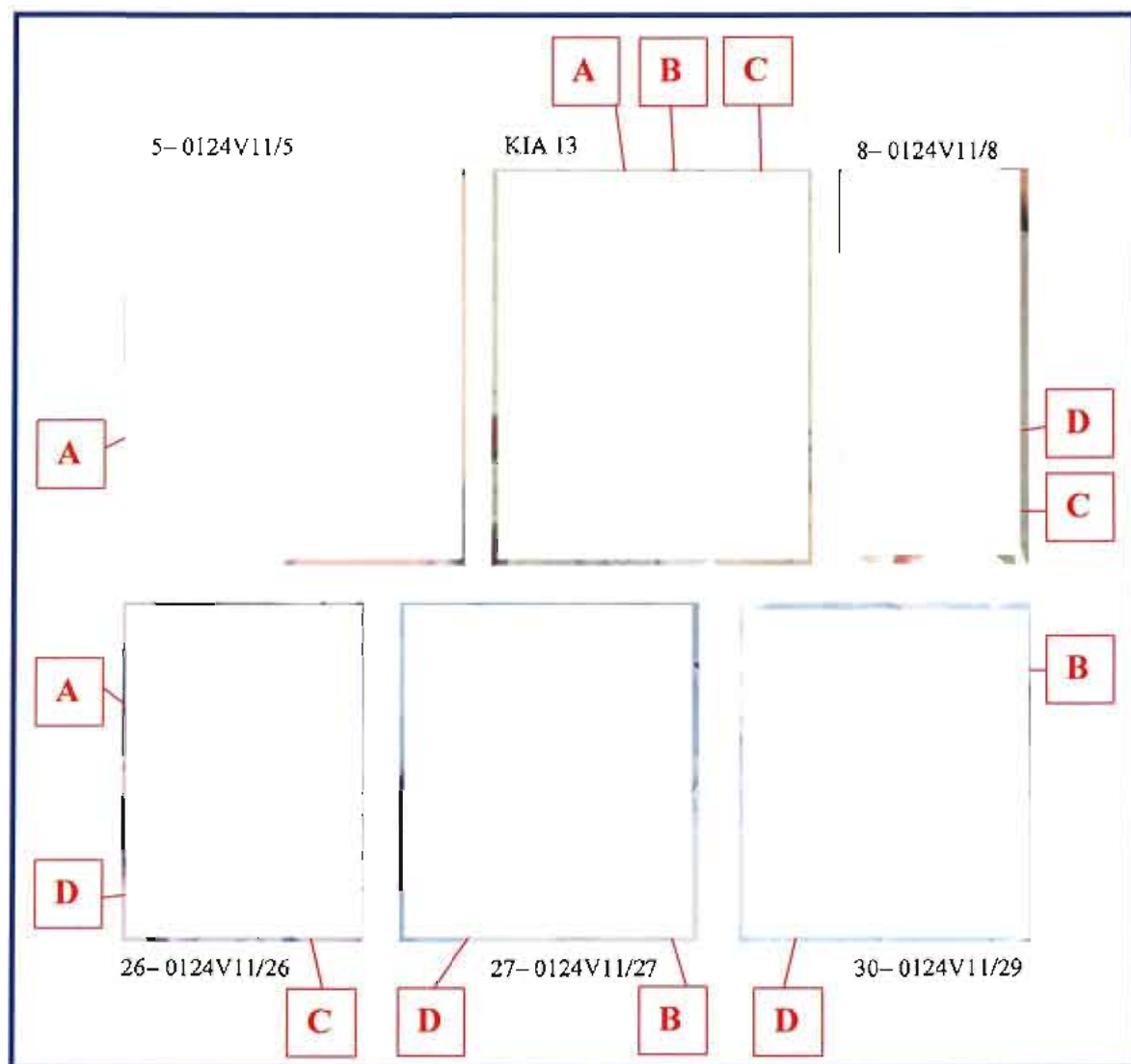


**Fig. 12**

**KIA 13 - Bodies 5, 8, 26, 27 & 30.**

39. The correlation of KIA 13 with Bodies 5, 8, 26, 27 & 30 is based on a comparison of facial features, blood distribution patterns, injuries and clothing. Bodies 5 & 26 exhibit blood distribution patterns below the right eye (Annotation A, Figure 13) that appear consistent with that seen on KIA13. Bodies 27 & 30 appear to present an injury to the forehead, just above the right eye (Annotation B, Figure 13). The position of this injury appears to be consistent with a possible injury to the forehead of KIA 13. KIA 13 is seen to wear a light green top (Annotation C, Figure 13) which, within the limitations of the imagery, appears to be consistent with the top worn by Bodies 8 & 26.

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**Fig. 13**

40. A correlation between Bodies 8, 26, 27 & 30 is provided by a linear injury to the right side of the neck (Annotation D, Figure 13).

**KIA 14.**

41. The analysis has provided no correlation for KIA 14.

**KIA 15.**

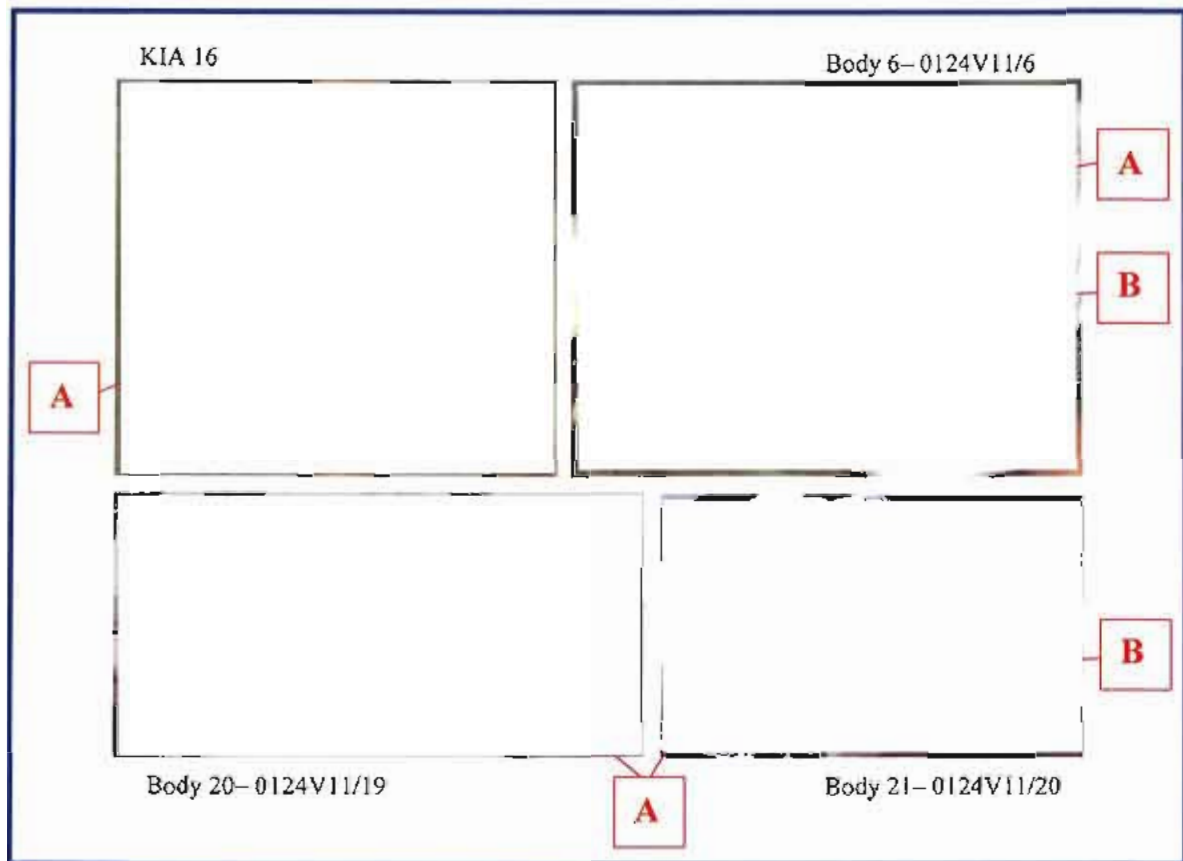
42. The analysis has provided no correlation for KIA 15.

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**KIA 16 – Possible Correlation with Bodies 6, 20 and 21.**

43. The imagery of Bodies 6, 20 & 21 is limited to views of the torso only. In each case the body appears to wear a white, blood-stained top that is pushed up towards the chest (Annotation A, Figure 14) which, within the limitations of the imagery, appears to be broadly consistent with that worn by KIA 16.

**Fig. 14**

44. I note that the imagery of Bodies 6 & 21 exhibit marks on the right side of the torso (Annotation B, Figure 14) which are not presented on the image of KIA 16.

**KIA 17 - Bodies 11& 18.**

45. The correlation of KIA 17 with Bodies 11 & 18 is based on a comparison of blood distribution patterns. Bodies 11 & 18 exhibit blood distribution patterns on the lower lip (Annotation A, Figure 15) that appear wholly consistent with that seen on KIA17. Body 11 exhibits a blood distribution pattern above the right eye (Annotation B, Figure 15) which is also entirely consistent with that seen in the corresponding area of KIA 17.

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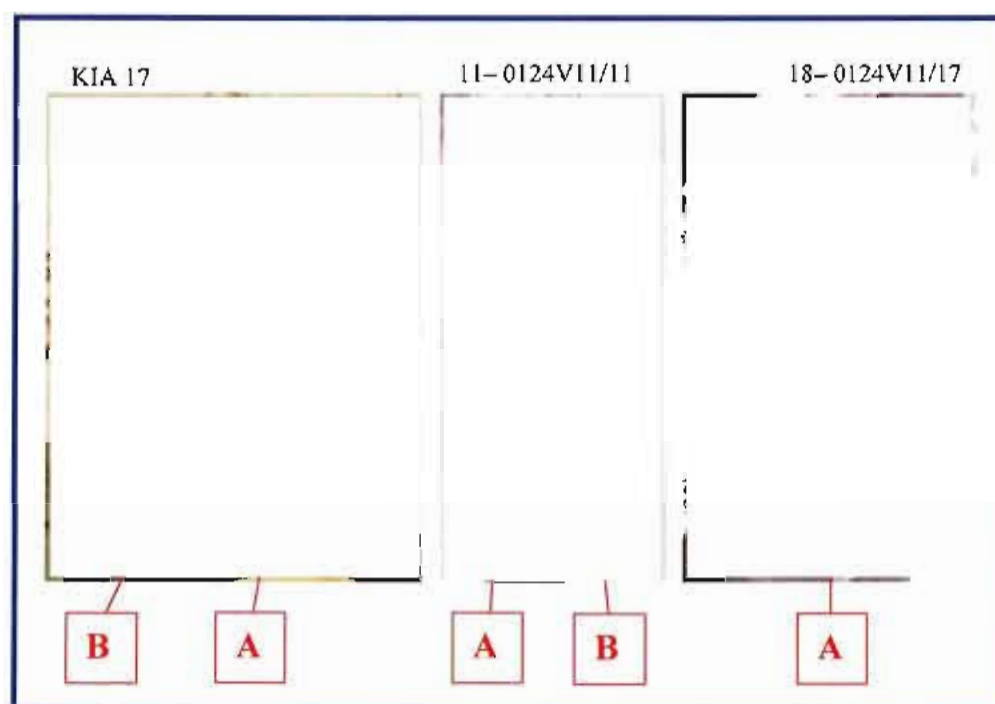


Fig. 15

**KIA 18 - Possible Correlation with Body 34.**

46. The imagery of Body 34 is limited to a partial view of the mouth and chin area. Within the limitations of the imagery, Body 34's chin exhibits a blood distribution pattern that appears to be broadly consistent with the corresponding area of KIA 18 (Annotation A, Figure 16).

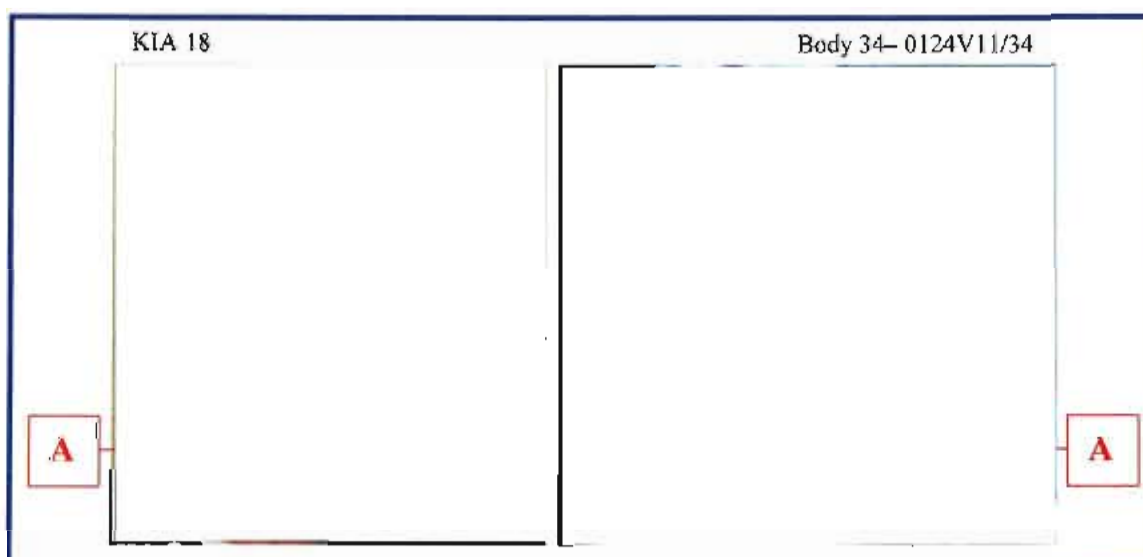
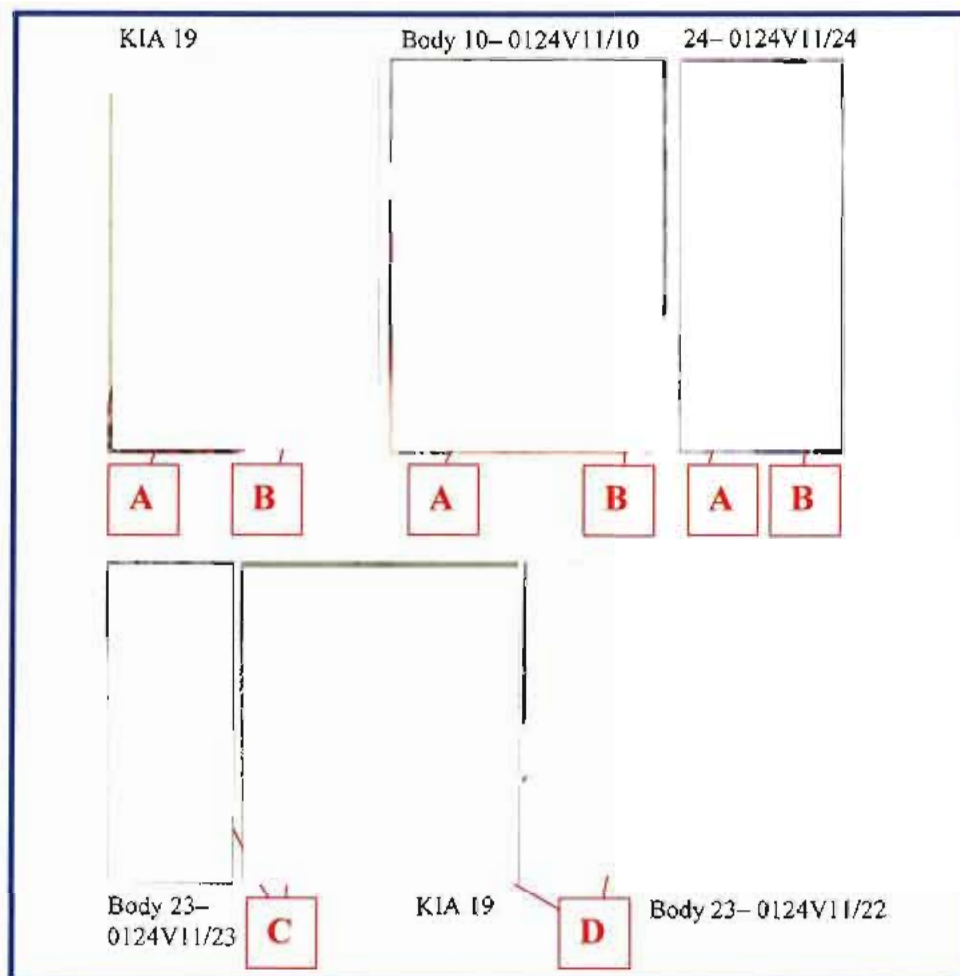


Fig. 16

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**KIA 19 - Bodies 10, 23 and 24.**

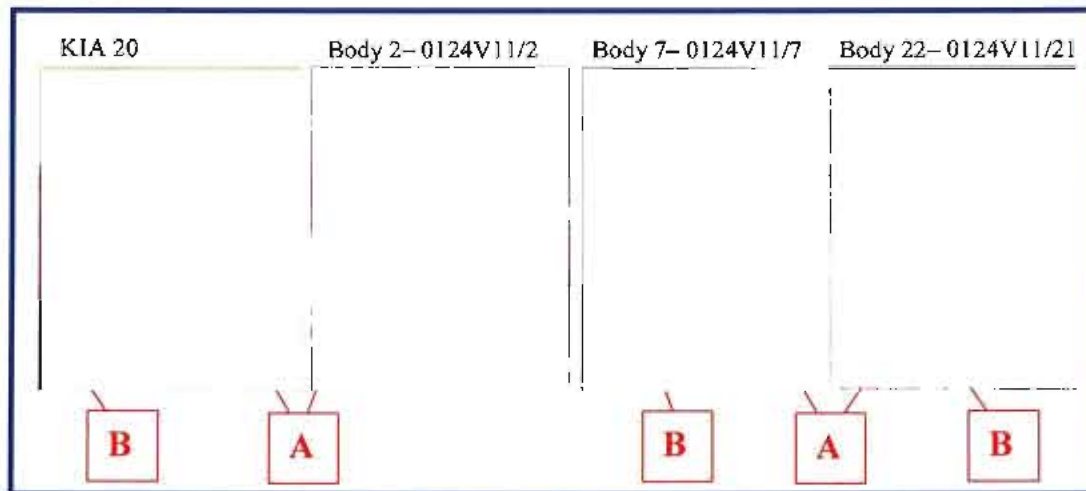
47. The correlation of KIA 19 with Bodies 10, 23 & 24 is based on a comparison of facial features, blood distribution patterns, injuries and clothing. Bodies 10 & 24 exhibit signs of trauma to the forehead (Annotation A, Figure 17) that appear wholly consistent with that seen on KIA19. The noses of Bodies 10 & 24 present a convex line to the dorsal ridge (Annotation B, Figure 17) with a rounded tip. In these respects the noses of Bodies 10 & 24 appear to be consistent with that of KIA 19. Body 23 is seen to wear a striped shirt (Annotation C, Figure 17) which, within the limitations of the imagery, appears to be consistent with the shirt worn by KIA 19.

**Fig. 17**

48. Further correlation between Body 23 and KIA 19 is provided by a linear blood distribution pattern on the left thigh of Body 23 (Annotation D, Figure 17) which is consistent with that seen in the corresponding area of KIA 19.

**KIA 20 – Bodies 2, 7 & 22.**

49. The correlation of KIA 20 with Bodies 2, 7 & 22 is based on a comparison of injuries and clothing. KIA 20 exhibits a significant degree of trauma in the area running from the upper lip to the right cheek (Annotation A, Figure 18). In this respect, Bodies 2, 7 & 22 all appear to present injuries that are consistent with that seen on KIA20. Bodies 7 & 22 are seen to wear a light-toned, checked shirt (Annotation B, Figure 18) which, within the limitations of the imagery, appears to be consistent with the shirt worn by KIA 20.

**Fig. 18****Body 37.**

50. The imagery of Body 37 lacks fine-feature detail and is limited to partial views of a bare upper torso and the top of a head (See Figure 19). Whilst the bare upper torso may suggest a possible correlation with the imagery of KIA 9, KIA 15 and Body 10, the lack of confirmatory detail is such that, in my opinion, Body 37 remains unidentified.

**Fig. 19**

**CONCLUSIONS**

51. In my opinion:

- a. KIA 1 is a possible correlation with Body 16.
- b. KIA 2 correlates with Bodies 13 & 15 and possibly correlates with Body 36.
- c. KIA 3 correlates with Bodies 1, 3, 9, 28/29 & 33.
- d. KIA 4 has no correlation.
- e. KIA 5 correlates with Body 31.
- f. KIA 6 is a possible correlation with Bodies 12 & 14.
- g. KIA 7 has no correlation.
- h. KIA 8 correlates with Bodies 4, 25 & 32.
- i. KIA 9 is a possible correlation with Body 17.
- j. KIA 10 correlates with Body 19.
- k. KIA 11 has no correlation.
- l. KIA 12 correlates with Body 35.
- m. KIA 13 correlates with Bodies 5, 8, 26, 27 & 30.
- n. KIA 14 has no correlation.
- o. KIA 15 has no correlation.
- p. KIA 16 is a possible correlation with Bodies 6, 20 & 21.
- q. KIA 17 correlates with Bodies 11 & 18.
- r. KIA 18 is a possible correlation with Body 34.
- s. KIA 19 correlates with Bodies 10, 23 & 24.
- t. KIA 20 correlates with Bodies 2, 7 & 22.
- u. Body 37 is unidentified.

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**DECLARATION**

1. **STATEMENT OF TRUTH:** This report is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.
2. 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.
3. I understand that my primary duty is to the Public Inquiry when preparing written reports and giving evidence and I have complied with that duty.
4. I believe my report to be accurate; it covers the issues raised by my instructions and reflects my views as an independent expert.
5. Where relevant my report includes any information of which I have knowledge, or of which I have been made aware, that might adversely affect the validity of my conclusions.
6. I have indicated any sources of information upon which I have relied in my report.
7. Those instructing me will be informed immediately, with written confirmation, if my existing report requires correction or qualification.
8. I understand that my report, subject to any corrections before swearing as to its veracity, will form the evidence to be given under oath.
9. I understand that an expert may assist any cross-examination on my report.
10. I confirm that I have not entered any arrangement whereby the amount or payment of my fees is in any way dependent on the outcome of the case.

Signed: .....

Date: 5<sup>th</sup> November 2012 .....**November 2012**

***Al-Sweady Inquiry***

***Lab Ref: 0124V11***

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