



The Iraq Historic Allegations Team Quarterly update

The purpose of this document is to fulfil IHAT's obligation to ensure that the public can access information about its progress. It details the following:

Noteworthy developments during the reporting period
Number of cases referred to the IHAT
Number of cases at each stage of the IHAT process

Information regarding the nature of the allegations; completed cases; number of cases discontinued (and the reason why) can be found elsewhere on the IHAT webpage.

16 February 2015

IRAQ HISTORIC ALLEGATIONS TEAM (IHAT) QUARTERLY UPDATE – OCTOBER TO DECEMBER 2014

Overview

Work has continued into providing relevant information to allow the UK government to draft a response to the dossier submitted to the Office of the Prosecutor of the International Criminal Court, in conjunction with the Iraq Historic Allegations Prosecution Team (IHAPT) at the Service Prosecution Authority (SPA).

This quarter saw three deployments of the specialist Achieving Best Evidence (ABE) interview teams.. Video interviews with 30 witnesses were obtained.

The IHAT has conducted initial investigative assessments of approximately 800 additional cases provided by Public Interest Lawyers (PIL) and Leigh Day and Company (LDC) since Jul 14. The results of the LDC cases were forwarded on 18 Sep 14 to Provost Marshal Navy, advising the IHAT investigate a further 174 cases. The direction to do this has now been received.

IHAT current strategic objectives:

- Allegations of unlawful killings in the custody/care/control of British Forces
- Allegations of the unlawful killings of juveniles
- Allegations of unlawful killings outside of custody
- Allegations of serious ill-treatment including GBH, rape, sexual assault
- Allegations of ill-treatment that may meet the war crimes threshold
- Allegations of ill-treatment not meeting war crimes threshold

Cases allocated to IHAT

The tables below detail IHAT cases and show at which stage those cases are in the IHAT pre-investigation and full investigation process.

As of 05 Jan 15, the IHAT has been assigned **252** cases involving **432** victims. For the purposes of this report an IHAT case refers to a single victim or group of victims which maybe known or unknown, whilst a victim refers to a single individual against whom an alleged crime(s) was committed. This caseload comprises of 197 cases of alleged Ill Treatment involving 366 victims of the IHAT current caseload. The remaining 55 cases are allegations of unlawful killing comprising of 66 victims. In Nov 14, 88 cases involving 153 victims were added to the IHAT caseload.

PREDICTED IHAT CASELOAD

Other allegations of unlawful killing and ill treatment have been sent to the IHAT by PIL which are still being assessed. These cases have not yet been forwarded as they are still being analysed. In addition other potential victims have come to light as a result of ongoing investigative activity and are currently subject to initial analysis

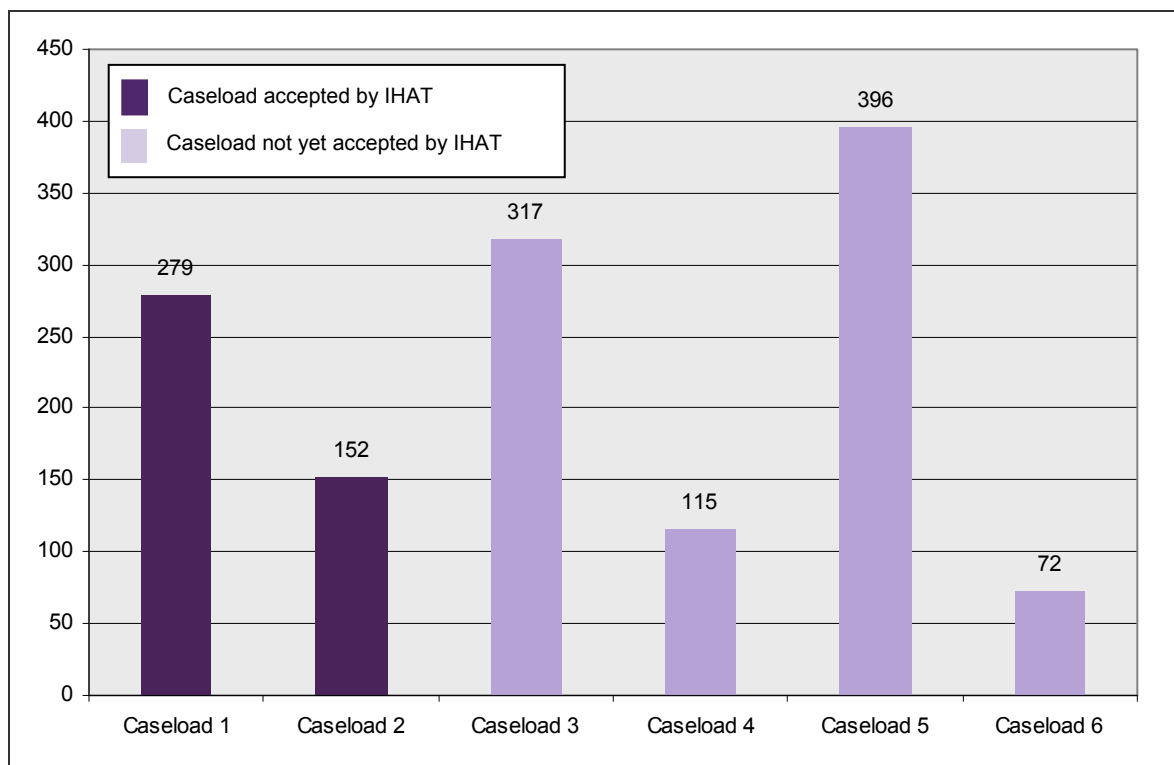
For these reasons, the cases known to the IHAT have been subdivided into six categories in order to help improve the case management process. These categories are summarised in the table below:

FIGURE 1: SUMMARY OF CURRENT AND PREDICTED IHAT CASELOADS

CASELOAD	DETAILS	CURRENT STATUS
Caseload 1	Original IHAT caseload registered up to 18 Nov 14.	Accepted by the IHAT
Caseload 2	Criminal allegations identified within civil private law claims accepted on 18 Nov 14.	Accepted by the IHAT
Caseload 3	Additional criminal allegations received by IHAT from PIL between Aug 14 and Oct 14. ¹	Awaiting PM(N) endorsement
Caseload 4	Additional criminal allegations identified by IHAT Investigation/Interview Teams since 18 Nov 14.	Analysis in progress
Caseload 5	Additional criminal allegations received by IHAT from PIL between Oct 14 and Dec 14.	Analysis in progress
Caseload 6	Additional criminal allegations received by IHAT from PIL after 1 Jan 15.	Awaiting Analysis

If all the cases outlined above are endorsed, it is estimated that the total IHAT caseload will comprise 1331 victims. A breakdown of this figure by Caseload can be found in Figure 2 below:

FIGURE 2: CURRENT AND PREDICTED IHAT CASELOADS count by victim.



¹ Caseload 3 includes one allegation of rape that has been fast tracked and accepted by the IHAT due the serious nature of the allegation.

STATUS OF CURRENT IHAT CASELOAD

Allegations of Unlawful Killing

This Strategic Overview therefore focuses on IHAT Caseload 1. The IHAT is still waiting for further details of the nature of the criminal allegations made within civil private law claims in Caseload 2 from the originating complainant via their legal representative.

FIGURE 3: STATUS OF UNLAWFUL KILLING ALLEGATIONS IN IHAT CASELOAD 1

CASELOAD 1 OVERALL STATUS count by victims	number of victims	% of total victims
Pre-Investigation	36	56%
Investigation	21	33%
Closed following Pre-Investigation	7	11%
Closed following Investigation	0	0%
Total	64	100%

There are currently 36 allegations of unlawful killing at the Pre-Investigation stage of the IHAT process this represents 56% of all the unlawful killing allegations in Caseload 1. This means that 28 (44%) of unlawful killing allegations in Caseload 1 have passed through Pre-Investigation.

So far seven (11%) of the unlawful killing allegations in Caseload 1 have been closed following Pre-Investigation. This means that 75% of allegations are currently being accepted by the IHAT for full or directed investigation.

If this trend continues, it would be expected that 27 of the 36 allegations still left in the Pre-Investigation phase would be accepted for full or directed investigation by the IHAT. However, the initial cases involve death in custody or in contact with UK Armed Forces. Therefore, future cases may lead to fewer proceeding to a full investigation.

FIGURE 4: PRE-INVESTIGATION STATUS OF UNLAWFUL KILLING ALLEGATIONS IN IHAT CASELOAD 1

CASELOAD 1 PRE-INVESTIGATION STATUS count by victims	number of victims	% of total victims
Initial Assessment	0	0%
Case Assessment	28	44%
Senior Management including JCRP	7	11%
Pending allocation to Investigation Pod	1	2%
Total	36	57%²

The 28 (44%) allegations of unlawful killing in Caseload 1 are currently being assessed by the IHAT, with a further seven (11%) being considered in preparation of being assessed by the Joint Case Review Panel (JCRP).

² 2 % rounded up

Allegations of Ill Treatment

There are 165 allegations of ill treatment at the Pre-Investigation stage of the IHAT process which represents 77% of all ill treatment allegations in Caseload 1. This means that 50 (23%) of ill treatment allegations in Caseload 1 have passed through Pre-Investigation.

FIGURE 5: STATUS OF ILL TREATMENT ALLEGATIONS IN IHAT CASELOAD 1

CASELOAD 1 OVERALL STATUS count by victims	number of victims	% of total victims
Pre-Investigation	165	77%
Investigation	39	18%
Assigned to Problem Profile	7	3%
Closed following Pre-Investigation	0	0%
Closed following Investigation	4	2%
Total	215	100%

There are seven (3%) cases which have been assigned to have a Problem Profile developed by the IHAT in order to direct forthcoming multiple case Investigations.

To date there are four (2%) ill treatment allegations in Caseload 1 that have been closed following Investigation. A further 39 (18%) allegations of ill treatment are currently subject of IHAT investigations.

FIGURE 6: PRE-INVESTIGATION STATUS OF ILL TREATMENT ALLEGATIONS IN IHAT CASELOAD 1

CASELOAD 1 PRE-INVESTIGATION STATUS count by victims	number of victims	% of total victims
Initial Assessment	52	24%
Mensa	103	48%
Case Assessment	5	2%
Senior Management including JCRP (Lite)	2	1%
Pending allocation to Investigation Pod	3	1%
Total	165	77%³

There are currently 103 (48%) victims from Caseload 1 who are to be interviewed, with a further 52 (24%) awaiting initial assessment.

³ 3 % rounded up