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STAFF INVESTIGATION
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Case Reference No: 23006/09

Unit Address: 156 Pro Coy RMP
Goojerat Bks
Colchester
Essex
CO2 7NZ

Tel No: [REDACTED]

Date: May 09

**ALLEGED NEGLIGENT PERFORMANCE OF A DUTY
SECTION 29A (B) AA 1955
FINAL REPORT**

Persons Reported:

Number: [REDACTED] Rank: [REDACTED] Surname: [REDACTED]
Forenames: [REDACTED]
Born: [REDACTED]
Ethnic Origin: [REDACTED]
Nationality: [REDACTED]
Unit: JF Med GP,
Camp Bastion,
Op Herrick,
BFPO 792

Number: [REDACTED] Rank: [REDACTED] Surname: [REDACTED]
Forenames: [REDACTED]
Born: [REDACTED]
Ethnic Origin: [REDACTED]
Nationality: [REDACTED]
Unit: RTMC,
Chetwynd Barracks,
CHILWELL,
Nottingham,
NG9 5HA

Introduction

1. **Background to Case.** About 1210 hrs on Thu 26 Mar 09 information was received from [REDACTED] RTMC, Chetwynd Bks, Nottingham outlining the details of a negligent discharge. It would appear that about 1120 hrs that day, [REDACTED] Guards, RTMC, Chetwynd Bks was conducting a dry weapon handling test in the Operational Training Wing, Building 8, Chetwynd Bks when [REDACTED] fired a live round from her SA80, A2 rifle. No injuries were sustained.

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Evidence

2. **Witness Evidence.**

- a. [REDACTED] states that he was with [REDACTED] of his unit during the Weapon Handling Test during which [REDACTED] fired a round during the stoppage drills.
- b. [REDACTED] provides continuity in the production of evidence relating to the training records of [REDACTED] and the issue of drill ammunition to [REDACTED]. He further provided continuity regarding the recovery of Infantry Training, Vol. 2, Pamphlet 5.
- c. [REDACTED] provides continuity relating to the recovery of [REDACTED] competence profile from the JPA computer system.
- d. [REDACTED] provides exhibit continuity relating to the recovery of [REDACTED] training records from her parent unit.
- e. [REDACTED] provides evidence relating to the identification of RTMC ammunition batch numbers.
- f. [REDACTED] states that about 2045 hrs on Wed 25 Mar 09 he secured the exterior of OTW, RTMC, Chetwynd Bks, Chilwell and then subsequently re-opened the building about 0600 hrs on Thu 26 Mar 09.
- g. [REDACTED] states that upon issuing any drill rounds from his store, they would have been subject to a 100 per cent check and that there would be no possibility of a live round being issued in place of a drill round.
- h. [REDACTED] states that it would have been impossible for the weapon system which a shot was fired from during [REDACTED] weapon handling test, to have left the armoury of RTMC containing live ammunition within it. He further corroborates his account providing documentary evidence which supports his claim.

3. **Expert Evidence.**

- a. [REDACTED] provides evidence regarding the inspection of the 5.56 mm rifle used by [REDACTED] during her weapon handling test.
- b. [REDACTED] states that in his capacity as [REDACTED] the empty case found at the scene came from a batch manufactured in 2008. He further stated that as such the round fired could have come from any unit in the British Army who were in receipt of 5.56 mm ammunition manufactured in this year and is therefore untraceable.
- c. [REDACTED] states in his capacity as an Ammunition Technician Officer (ATO) the technical differences between drill and ball 5.56 mm ammunition.

4. **Crime Scene Investigation.** The scene of the alleged negligent performance of a duty was examined by a Crime Scene Investigator (CSI) following the incident. Following scene analysis an empty 5.56 mm case was recovered at the scene, however, was not the subject of forensic examination due to cross contamination of the item prior to arrival of RMP. Analysis of the scene detected a suspected bullet hole in the exterior wall of Ypers Classroom, OTW, RTMC, from which a trajectory can be traced through the surrounding plant life of the building to a suspected bullet hole within the exterior wall of a building a distance of 30 meters from Ypers Classroom. The bullet head was not discovered.

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5. **Photographic Evidence.** The scene of the alleged negligent performance of a duty was photographed during the CSI examination, and the resulting photographic supplement depicting the scene is enclosed for entitled addressees.

Interview with Suspect

6. Suspects.

a. ██████████ stated during interview after caution that prior to arrival at RTMC she had passed a weapon handling test in Feb 09 and then subsequently undertaken and completed the pre deployment range package organised by her parent unit. She further stated that she knew the difference in appearance between a 'drill' and 'live' round. ██████████ stated that she had loaded the magazine used in her weapon handling test with the ammunition provided and that she had checked each round upon loading it into the magazine. ██████████ insisted that she had loaded three drill rounds into her magazine. ██████████ was informed that she would be reported for the outlined offence.

b. ██████████ stated during interview after caution that he was an in date Skill At Arms Instructor and that he held the highest range qualifications available. ██████████ stated that he had set up his class room on the night of the 25 Mar 09 in order to conduct weapon handling tests. ██████████ stated that at this time he individually checked each drill round within the classroom. ██████████ then stated that at the end of the days training he left the classroom set up with the drill rounds contained within, in order to re-commence weapon handling tests on the morning of 26 Mar 09.

On the morning of 26 Mar 09 ██████████ stated he entered his classroom and had a 'cursory glance' at the drill rounds within and then commenced the tests satisfied that it was safe to do so. ██████████ stated that if he had individually checked each round prior to commencing the weapon handling test he would have noticed a live round amongst the drill rounds contained within the classroom and in so doing would have stopped the test and informed his chain of command.

Other Relevant Information

7. Further Evidence/Enquiries.

a. As part of post incident action initiated by RTMC, an ammunition accident investigation was commenced by Nottingham Tp, 721 Sqn, 11 EOD Regt. After consultation with the RMP this investigation was postponed awaiting the completion and release of information contained within this report. 11 EOD will forward their subsequent report to entitled addressees.

b. Enquiries have established that it is not possible to trace the empty case discovered at the scene to an individual unit and that witness evidence has failed to ascertain how a live round came to be within Ypers Classroom, OTW, RTMC during ██████████ weapon handling test. Unless information of a positive nature is received which leads to the identification of an offender (s), enquiries into the circumstances surrounding the presence of a live round within Ypers classroom have now ceased.

The failure to identify an offender regarding this matter does not detract from the offence for which ██████████ and ██████████ have been reported for.

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8. **Original Evidence.** Copies of all relevant statements are attached, the originals and case exhibits of which, are held on file at this unit and are available for production if required.



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