



IRAQ HISTORIC ALLEGATIONS TEAM

# **The Iraq Historic Allegations Team (IHAT) Quarterly update**

25 July 2016

## **IHAT QUARTERLY UPDATE - APRIL TO JUNE 2016**

### **Introduction and Aim**

1. The aim of this document is to ensure that the public have access to relevant information that details the progress made by the IHAT. This includes noteworthy developments during the reporting period; the number of cases referred to the IHAT and the number of cases at each stage of the IHAT process. Information relating to the nature of the allegations and completed cases can be found elsewhere on the IHAT webpage.

### **Overview**

2. Due to travel restrictions outwith the control of the IHAT, there has been no OP MENSA deployment during this period. Arrangements are in hand to attempt to overcome this issue and increase the number of interviews in the coming months.

### **IHAT Strategic Priorities:**

3. The current strategic priorities of the IHAT include:
- a. Allegations of unlawful killing in the custody of British Forces.
  - b. Allegations of unlawful killing following contact with British Forces.
  - c. Allegations of unlawful killing of juveniles.
  - d. Allegations of serious ill treatment including rape, sexual assaults and Grievous Bodily Harm.
  - e. Allegations of ill treatment where the war-crime threshold has been met.

### **Cases Allocation**

4. As at 30<sup>th</sup> June IHAT had received allegations of potential criminal behaviour relating to 3367 victims:

- 1503 will not be pursued for a variety of reasons (for example duplicates, not a criminal offence or not within RNP jurisdiction);
- 192 are still in initial assessment to determine whether they need to be addressed further; and
- 4 allegations received since the last quarterly report have been returned to PIL with a request for a witness statement.

5. This leaves allegations relating to 1668 potential victims which IHAT must consider, comprising:

- 325 allegations of unlawful killing; and
- 1343 other forms of alleged ill treatment, ranging from serious sexual assault to common assault.

6. Of these IHAT has closed or is in the process of closing 176 allegations, of which:

90 were of unlawful killing:

- in 88 cases the allegation of criminal behaviour was not sustainable;

- one soldier was referred to the DSP with a view to prosecution (DSP decided not to proceed); and
- one case was referred to the RAF Police for further investigation.

86 were of ill-treatment:

- In 84 cases the allegation of criminal behaviour was not sustainable;
- one soldier was referred to his Commanding Officer for disciplinary action (and was fined £3,000); and
- one soldier was referred to the DSP with a view to prosecution (DSP decided not to proceed).

7. The remaining 1492 allegations are subject to further work.

### **Predicted Caseload**

8. The IHAT continues to review allegations of unlawful killing and ill treatment submitted by PIL and other legal representatives. These allegations have been subdivided into twelve caseloads in order to manage the receipt and flow of cases within the organisation. These are summarised as follows:

**Figure 1: Summary of Current and Predicted IHAT Caseloads<sup>1</sup>**

CASELOAD	DETAILS	CURRENT STATUS
Caseload 1	Original IHAT caseload registered up to 18 November 2014.	Allocated to the IHAT (Previous to 18 November 2014)
Caseload 2	Criminal allegations identified within civil claims allocated from 18 November 2014.	Allocated to the IHAT (Allocated 18 November 2014)
Caseload 3	Additional criminal allegations received by the IHAT from PIL between August and October 2014.	Allocated to the IHAT (Allocated 28 January 2015)
Caseload 4	Additional criminal allegations identified by the IHAT Investigation/Interview Teams since 18 November 2014.	Analysis in progress (5 victims added to date)
Caseload 5	Additional criminal allegations received by the IHAT from PIL between October and December 2014.	Allocated to the IHAT (Allocated 15 July 2015)
Caseload 6	Additional criminal allegations received by the IHAT from PIL since 1 January 2015.	Allocated to the IHAT (Allocated 17 July 2015)
Caseload 7	Additional criminal allegations received in March 2015 relating to AI Sweady Inquiry.	Allocated to the IHAT (Allocated 31 March 2015) <b>All cases have been closed</b>
Caseload 8	Additional criminal allegations identified in the narratives of Claim Register entries provided by PIL where no specific complaint has been submitted by PIL.	Analysis in progress
Caseload 9	Additional criminal allegations received by the IHAT from PIL and other legal representatives since 1 April 2015.	Allocated to the IHAT (Allocated 2 December 2015)
Caseload 10	Additional criminal allegations identified by the IHAT Investigation/Interview Teams since 10 September 2015.	Analysis in progress (4 victims added to date)
Caseload 11	Additional criminal allegations received by the IHAT from PIL since 22 October 2015.	Allocated to the IHAT 14 April 2016
Caseload 12	Additional criminal allegations received by the IHAT from PIL since 23 March 2016.	Allegations returned to PIL requesting a signed witness statement

<sup>1</sup> Purple - caseloads allocated by PM(N); Blue – completed caseloads; White – yet to be allocated to the IHAT by PM(N)

## Status of Current IHAT Caseload: Allegations of Unlawful Killing

9. The current status of the IHAT caseload is shown below and reflects the status of cases against those provided for the previous Quarterly Report.

**Figure 2A: Status of Unlawful Killing Allegations in IHAT Caseload 1:**

<b>CASELOAD 1 OVERALL STATUS</b> count by victims	Number of victims as at 31 Mar 16	Number of victims as at 30 Jun 16
Receipt	0	0
Pre-Investigation	15	5
Investigation	20	17
In the process of being closed <i>(Dep Hd instructed that no further investigative work is to be undertaken. Final Reports being drafted for submission to Director IHAT).</i>	9	18
Terminated	19	23
<b>Total</b>	<b>63</b>	<b>63</b>

**Figure 2B: Status of Unlawful Killing Allegations in IHAT Caseload 2:**

<b>CASELOAD 2 OVERALL STATUS</b> count by victims	Number of victims as at 31 Mar 16	Number of victims as at 30 Jun 16
Receipt	0	0
Pre-Investigation	0	0
Investigation	0	0
In the process of being closed <i>(Dep Hd instructed that no further investigative work is to be undertaken. Final Reports being drafted for submission to Director IHAT).</i>	1	0
Terminated	1	2
<b>Total</b>	<b>2</b>	<b>2</b>

**Figure 2C: Status of Unlawful Killing Allegations in IHAT Caseload 3:**

<b>CASELOAD 3 OVERALL STATUS</b> count by victims	Number of victims as at 31 Mar 16	Number of victims as at 30 Jun 16
Receipt	0	0
Pre-Investigation	102	94
Investigation	4	4
In the process of being closed <i>(Dep Hd instructed that no further investigative work is to be undertaken. Final Reports being drafted for submission to Director IHAT).</i>	1	9
Terminated	1	1
<b>Total</b>	<b>108</b>	<b>108</b>

**Figure 2D: Status of Unlawful Killing Allegations in IHAT Caseload 4:**

<b>CASELOAD 4 OVERALL STATUS</b> count by victims	Number of victims as at 31 Mar 16	Number of victims as at 30 Jun 16
Receipt	0	0
Pre-Investigation	3	2
Investigation	0	1
In the process of being closed <i>(Dep Hd instructed that no further investigative work is to be undertaken. Final Reports being drafted for submission to Director IHAT).</i>	0	0
Terminated	0	0
<b>Total</b>	<b>3</b>	<b>3</b>

**Figure 2E: Status of Unlawful Killing Allegations in IHAT Caseload 5:**

<b>CASELOAD 5 OVERALL STATUS</b> count by victims	Number of victims as at 31 Mar 16	Number of victims as at 30 Jun 16
Receipt	1	0
Pre-Investigation	17	16
Investigation	0	0
In the process of being closed <i>(Dep Hd instructed that no further investigative work is to be undertaken. Final Reports being drafted for submission to Director IHAT).</i>	0	2
Terminated	0	0
<b>Total</b>	<b>18</b>	<b>18</b>

**Figure 2F: Status of Unlawful Killing Allegations in IHAT Caseload 6:**

<b>CASELOAD 6 OVERALL STATUS</b> count by victims	number of victims as at 31 Mar 16	number of victims as at 30 Jun 16
Receipt	0	0
Pre-Investigation	61	53
Investigation	0	0
In the process of being closed <i>(Dep Hd instructed that no further investigative work is to be undertaken. Final Reports being drafted for submission to Director IHAT).</i>	19	27
Terminated	0	0
<b>Total</b>	<b>80</b>	<b>80</b>

**Figure 2G: Status of Unlawful Killing Allegations in IHAT Caseload 9:**

<b>CASELOAD 9 OVERALL STATUS</b> count by victims	number of victims as at 31 Mar 16	number of victims as at 30 Jun 16
Receipt	0	0
Pre-Investigation	6	6
Investigation	0	0
In the process of being closed <i>(Dep Hd instructed that no further investigative work is to be undertaken. Final Reports being drafted for submission to Director IHAT).</i>	0	0
Terminated	0	0
<b>Total</b>	<b>6</b>	<b>6</b>

**Figure 2H: Status of Unlawful Killing Allegations in IHAT Caseload 11:**

<b>CASELOAD 11 OVERALL STATUS</b> count by victims	number of victims as at 31 Mar 16	number of victims as at 30 Jun 16
Receipt	0	1
Pre-Investigation	0	36
Investigation	0	0
In the process of being closed <i>(Dep Hd instructed that no further investigative work is to be undertaken. Final Reports being drafted for submission to Director IHAT).</i>	0	0
Terminated	0	0
<b>Total</b>	<b>0</b>	<b>37</b>

**Status of Current IHAT Caseload: Allegations of Ill Treatment**

**Figure 3A: Status of Ill Treatment Allegations in IHAT Caseload 1:**

<b>CASELOAD 1 OVERALL STATUS</b> count by victims	number of victims as at 31 Mar 16	number of victims as at 30 Jun 16
Receipt	0	0
Pre-Investigation	162	158
Investigation	44	44
In the process of being closed <i>(Dep Hd instructed that no further investigative work is to be undertaken. Final Reports being drafted for submission to Director IHAT).</i>	12	15
Terminated	0	1
<b>Total</b>	<b>218</b>	<b>218</b>

**Figure 3B: Status of Ill Treatment Allegations in IHAT Caseload 2**

<b>CASELOAD 2 OVERALL STATUS</b> count by victims	number of victims as at 31 Mar 16	number of victims as at 30 Jun 16
Receipt	88	44
Pre-Investigation	68	79
Investigation	0	0
In the process of being closed <i>(Dep Hd instructed that no further investigative work is to be undertaken. Final Reports being drafted for submission to Director IHAT).</i>	0	33
Terminated	0	0
<b>Total</b>	<b>156</b>	<b>156</b>

**Figure 3C: Status of Ill Treatment Allegations in IHAT Caseload 3:**

<b>CASELOAD 3 OVERALL STATUS</b> count by victims	number of victims as at 31 Mar 16	number of victims as at 30 Jun 16
Receipt	21	18
Pre-Investigation	185	180
Investigation	1	1
In the process of being closed <i>(Dep Hd instructed that no further investigative work is to be undertaken. Final Reports being drafted for submission to Director IHAT).</i>	0	8
Terminated	0	0
<b>Total</b>	<b>207</b>	<b>207</b>

**Figure 3D: Status of Ill Treatment Allegations in IHAT Caseload 4:**

<b>CASELOAD 4 OVERALL STATUS</b> count by victims	number of victims as at 31 Mar 16	number of victims as at 30 Jun 16
Receipt	0	0
Pre-Investigation	1	1
Investigation	1	1
In the process of being closed <i>(Dep Hd instructed that no further investigative work is to be undertaken. Final Reports being drafted for submission to Director IHAT).</i>	0	0
Terminated	0	0
<b>Total</b>	<b>2</b>	<b>2</b>



**Figure 3E: Status of III Treatment Allegations in IHAT Caseload 5:**

<b>CASELOAD 5 OVERALL STATUS</b> count by victims	number of victims as at 31 Mar 16	number of victims as at 30 Jun 16
Receipt	304	271
Pre-Investigation	88	106
Investigation	1	1
In the process of being closed <i>(Dep Hd instructed that no further investigative work to be undertaken. Final Reports being drafted for submission to Director IHAT).</i>	0	15
Terminated	0	0
<b>Total</b>	<b>393</b>	<b>393</b>

**Figure 3F: Status of III Treatment Allegations in IHAT Caseload 6:**

<b>CASELOAD 6 OVERALL STATUS</b> count by victims	number of victims as at 31 Mar 16	number of victims as at 30 Jun 16
Receipt	113	100
Pre-Investigation	144	155
Investigation	0	0
In the process of being closed <i>(Dep Hd instructed that no further investigative work is to be undertaken. Final Reports being drafted for submission to Director IHAT).</i>	0	2
Terminated	0	0
<b>Total</b>	<b>257</b>	<b>257</b>

**Figure 3G: Status of III Treatment Allegations in IHAT Caseload 9:**

<b>CASELOAD 9 OVERALL STATUS</b> count by victims	number of victims as at 31 Mar 16	number of victims as at 30 Jun 16
Receipt	27	19
Pre-Investigation	3	3
Investigation	0	0
In the process of being closed <i>(Dep Hd instructed that no further investigative work is to be undertaken. Final Reports being drafted for submission to Director IHAT).</i>	0	8
Terminated	0	0
<b>Total</b>	<b>30</b>	<b>30</b>

**Figure 3H: Status of Ill Treatment Allegations in IHAT Caseload 10:**

<b>CASELOAD 10 OVERALL STATUS</b> count by victims	number of victims as at 31 Mar 16	number of victims as at 30 Jun 16
Receipt	0	0
Pre-Investigation	2	2
Investigation	0	2
In the process of being closed <i>(Dep Hd instructed that no further investigative work is to be undertaken. Final Reports being drafted for submission to Director IHAT).</i>	0	0
Terminated	0	0
<b>Total</b>	<b>2</b>	<b>4</b>

**Figure 3I: Status of Ill Treatment Allegations in IHAT Caseload 11**

<b>CASELOAD 11 OVERALL STATUS</b> count by victims	number of victims as at 31 Mar 16	number of victims as at 30 Jun 16
Receipt	0	70
Pre-Investigation	2	2
Investigation	0	0
In the process of being closed <i>(Dep Hd instructed that no further investigative work is to be undertaken. Final Reports being drafted for submission to Director IHAT).</i>	0	3
Terminated	0	0
<b>Total</b>	<b>2</b>	<b>75</b>