



IRAQ HISTORIC ALLEGATIONS TEAM

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

14 March 2016

## **IHAT QUARTERLY UPDATE - OCTOBER TO DECEMBER 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.

### **IHAT Strategic Priorities:**

2. 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**

3. As at 31 December 2016 the IHAT had received allegations of potential criminal behaviour relating to 3392 victims:

- 1667 will not be pursued for a variety of reasons (for example duplicates, not a criminal offence or not within the jurisdiction of the Service Justice System). This includes the four allegations reported as received in the last Quarterly Report which were returned to PIL with a request for a witness statement.
- 27 are still in initial assessment to determine whether they need to be addressed further.

4. This leaves allegations relating to 1698 potential victims which IHAT must consider, comprising:

- 325 allegations of unlawful killing.
- 1373 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 696 allegations, of which:

116 were of unlawful killing:

- in 114 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).
- one case was referred to the RAF Police for further investigation and closed.

580 were of ill-treatment:

- In 577 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).
- one soldier was referred to the DSP with a view to prosecution (DSP decided not to proceed).
- one case was referred to the RAF Police for further investigation and closed.

7 The remaining 1002 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 13 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 to the IHAT by PM(N) on 18 November 2014.	Allocated to the IHAT (Allocated 18 November 2014)
Caseload 3	Additional criminal allegations received by IHAT from PIL 1 August 2014 to 31 October 2014.	Allocated to the IHAT (Allocated 28 January 2015)
Caseload 4	Additional criminal allegations identified by IHAT Investigation/Interview Teams from 18 November 2014 to 31 July 2015.	Allocated to the IHAT (Allocated 10 August 2016)
Caseload 5	Additional criminal allegations received by IHAT from PIL 1 November 2014 to 31 December 2014.	Allocated to the IHAT (Allocated 15 July 2015)
Caseload 6	Additional criminal allegations received by IHAT from PIL 1 January 2015 to 31 March 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.	Allocated to the IHAT (Allocated 19 October 2016)
Caseload 9	Additional criminal allegations received by IHAT from PIL 1 April 2015 to 7 September 2015.	Allocated to the IHAT (Allocated 2 December 2015)
Caseload 10	Additional criminal allegations identified by IHAT Investigation/Interview Teams since 10 September 2015.	Analysis in progress
Caseload 11	Additional criminal allegations received by IHAT from PIL since 23 October 2015.	Allocated to the IHAT 14 April 2016
Caseload 12	Additional criminal allegations received (June 2016) by IHAT from PIL since 23 October 2015.	Analysis in progress (4 victims added to date)
Caseload 13	Additional criminal allegations identified by IHAT Investigation/Interview Teams since 8 September 2015.	Analysis in progress

<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 Sep 16	Number of victims as at 31 Dec 16
Receipt	0	0
Pre-Investigation	4	3
Investigation	17	15
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	5
Terminated	41	40
<b>Total</b>	<b>63</b>	<b>63</b>

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

<b>CASELOAD 3 OVERALL STATUS</b> count by victims	Number of victims as at 30 Sep 16	Number of victims as at 31 Dec 16
Receipt	0	0
Pre-Investigation	72	71
Investigation	14	11
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>	14	18
Terminated	8	8
<b>Total</b>	<b>108</b>	<b>108</b>

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

<b>CASELOAD 4 OVERALL STATUS</b> count by victims	Number of victims as at 30 Sep 16	Number of victims as at 31 Dec 16
Receipt	0	0
Pre-Investigation	0	0
Investigation	2	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>	1	1
Terminated	0	0
<b>Total</b>	<b>3</b>	<b>3</b>

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

<b>CASELOAD 5 OVERALL STATUS</b> count by victims	Number of victims as at 30 Sep 16	Number of victims as at 31 Dec 16
Receipt	0	0
Pre-Investigation	15	14
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>	2	3
Terminated	0	0
<b>Total</b>	18	18

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

<b>CASELOAD 6 OVERALL STATUS</b> count by victims	number of victims as at 30 Sep 16	number of victims as at 31 Dec 16
Receipt	0	0
Pre-Investigation	51	51
Investigation	1	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>	9	10
Terminated	19	19
<b>Total</b>	80	80

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

<b>CASELOAD 9 OVERALL STATUS</b> count by victims	number of victims as at 30 Sep 16	number of victims as at 31 Dec 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>	6	6

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

<b>CASELOAD 11 OVERALL STATUS</b> count by victims	number of victims as at 30 Sep 16	number of victims as at 31 Dec 16
Receipt	0	0
Pre-Investigation	37	35
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	1
Terminated	0	0
<b>Total</b>	<b>37</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 30 Sep 16	number of victims as at 31 Dec 16
Receipt	0	0
Pre-Investigation	157	145
Investigation	45	43
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>	11	24
Terminated	5	6
<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 30 Sep 16	number of victims as at 31 Dec 16
Receipt	0	0
Pre-Investigation	123	15
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	108
Terminated	33	33
<b>Total</b>	<b>156</b>	<b>156</b>

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

<b>CASELOAD 3 OVERALL STATUS</b> count by victims	number of victims as at 30 Oct 16	number of victims as at 31 Dec 16
Receipt	0	0
Pre-Investigation	198	111
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	87
Terminated	8	8
<b>Total</b>	207	207

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

<b>CASELOAD 4 OVERALL STATUS</b> count by victims	number of victims as at 30 Sep 16	number of victims as at 31 Dec 16
Receipt	0	0
Pre-Investigation	0	0
Investigation	19	19
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	1
Terminated	0	0
<b>Total</b>	20	20

**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 1 Oct 16	number of victims as at 31 Dec 16
Receipt	0	0
Pre-Investigation	371	223
Investigation	7	7
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	148
Terminated	15	15
<b>Total</b>	393	393



**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 30 Sep 16	number of victims as at 31 Dec 16
Receipt	0	0
Pre-Investigation	250	164
Investigation	5	5
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	86
Terminated	2	2
<b>Total</b>	<b>257</b>	<b>257</b>

**Figure 3G: Status of III Treatment Allegations in IHAT Caseload 8:**

<b>CASELOAD 8 OVERALL STATUS</b> count by victims	number of victims as at 30 Sep 16	number of victims as at 31 Dec 16
Receipt	0	7
Pre-Investigation	0	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>0</b>	<b>12</b>

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

<b>CASELOAD 9 OVERALL STATUS</b> count by victims	number of victims as at 30 Sep 16	number of victims as at 31 Dec 16
Receipt	0	0
Pre-Investigation	20	12
Investigation	2	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	8
Terminated	8	8
<b>Total</b>	<b>30</b>	<b>30</b>

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

<b>CASELOAD 10 OVERALL STATUS</b> count by victims	number of victims as at 30 Sep 16	number of victims as at 31 Dec 16
Receipt	0	0
Pre-Investigation	0	0
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>	0	0
Terminated	0	0
<b>Total</b>	<b>4</b>	<b>4</b>

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

<b>CASELOAD 11 OVERALL STATUS</b> count by victims	number of victims as at 1 Oct 16	number of victims as at 31 Dec 16
Receipt	0	0
Pre-Investigation	71	33
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	38
Terminated	3	3
<b>Total</b>	<b>75</b>	<b>75</b>