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Witness Name: Daniel Charles Morgan O'Connell

Statement No.: 1

Exhibits: PCAM/2, DCMO/1

Dated:

**In the matter of an investigation into the death of
Mr Ahmed Jabbar Kareem Ali**

**WITNESS STATEMENT OF DANIEL
CHARLES MORGAN O'CONNELL**

I, Daniel Charles Morgan O'Connell, will say as follows:-

1. I am making this statement for the purposes of the investigation into the death of Mr Ahmed Ali.

Background

2. I was deployed with members of my unit on Op TELIC between 6th March and 17th May 2003. At that time I held the position of No 1 Pl Comd, No 1 Coy, 1 Irish Guards (IG), and had served with the IG since June 2002.
3. Throughout the duration of the actual conflict, members of No 1 Coy and I were attached to the Scots Dragoon Guards. However, by the 8th or 9th April 2003, No 1 Coy had become established, having taken over a gymnasium to the south-east of Basrah. The gym was situated on 'Route Red' and at a distance of between 2 and 3 km from Basrah General Hospital.
4. When in Basrah, No 1 Coy was split into 4 Platoons, each Pl having in excess of 30 members and 4 Warrior tanks.

Looting in Basrah

5. When we first got into Basrah, or I suspect a couple of days after when things had calmed down there, there was a lull. That's when I remember the looting was at its worst. When we were going out from the gym on patrol I don't think we were going

out particularly for looting but to patrol the streets of Basrah. At such times when we would encounter looters we tried to push them off the premises where they were looting. Generally they would steal metal and air-con units. I think I was filmed by Sky TV trying to cut a donkey from a cart to stop them getting away with things. It was a futile exercise. We would move a looter far enough away to make them leave the premises they were looting at the time. But you could stay there half an hour, go and come back and the same situation would be going on.

6. I don't remember saying anything to senior officers about the futility of trying to stop looters. I would have definitely been able to say something to Captain Brennan, and maybe I did but I don't remember doing so.
7. There wasn't a strategic plan when we first went in for the various tasks we were confronted with, such as how to deal with looting, rubbish clearance, electricity, water. There wasn't a strategic plan for any of it.
8. We generally had a hands off attitude to looting, as our job as soldiers was to concentrate on other things. We patrolled looking for insurgents, following up on any attacks from buildings. We might have been protecting the hospital and defending that against people that were up to no good. That was our role and that was what we were trying to do. But we had to get a balance. We had not been invited into the country. You were there and you wanted to try and allow people to get back to normal, but it was difficult to ask a force of however many soldiers we were to do that effectively in a city of so many people.
9. We were going out in Landrovers or Warriors and encountering thousands of looters. People weren't necessarily hostile to us but it was an uncomfortable situation. Some would disperse, but when we went away they would all come back again. There were unpleasant situations where we were dealing with ill-feeling or aggression from looters. I think there were times when there were elements of frustration due to the futility of trying to deal with the looters, and also I think they were as frustrated with us as much as we were with them.
10. Looking back, and with the benefit of hindsight, perhaps if we'd had more manpower on the ground we could have arrested looters and taken them to some holding centre, but once we'd gotten them there I don't know what we would have done with them. We couldn't ignore the situation, and then we would have been allowing the society to breakdown when we were trying to build it back up.
11. I don't remember SO20 saying 'don't bring in looters to the gym anymore', but I don't think the gym could have taken any more people in. Perhaps with

more manpower on the ground to secure assets that were constantly being looted that would have helped the situation. But the Iraqi police force were a pretty revolting bunch with a sinister history behind them, and so we didn't want to have the same police. Eventually they got round to reinstating the police with fresh hiring.

12. There was chaos on the streets, but there was a real lack of planning. Two of our chaps died, but they were in a different section (Drums and Pipes) to Sgt SO15 [REDACTED]. I don't think their deaths would have had a particular impact upon SO15 [REDACTED] behaviour or the other members of call-sign 12 because they were in a different section. The Drums and Pipes were a very close knit group. We were only a platoon of 23-24 when in Germany, but we needed 37 to be fully equipped for Iraq and so we took on some members of the Drums and Pipes, but the two men who were killed weren't part of SO15 [REDACTED] section so I don't think their death would have had a particular impact on him.
13. I recall being asked about the impact of the deaths at the Court Martial. It was obvious that the deaths had an impact. It was chaos in Basrah. To use an analogy of someone setting up a business, it was as if a decision maker had gone to set up an office in a foreign country without any understanding of business or regulatory plans, the business landscape, or the business they were trying to make money from. That's the way I now view the situation in Iraq in 2003.

The Gymnasium

14. We were based in the Gym. We would move from the gym to the hospital for a period of static guard duty there.
15. As I recall, the reason for the Warrior was for a show of presence. I wouldn't have been made aware on that or on any other occasion if the Warrior had moved from its location at the hospital. I wasn't there at the hospital at the time of the incident, and I don't remember what the procedure was for the Warrior moving on from its location. I wouldn't have necessarily found out if it had moved.
16. Having re-read my previous accounts provided to the RMP, I can see that we used to do camp guard or guarding the gym. There would be a static task, either at the hospital, or at one other location, one on rest, another patrolling. I wouldn't have expected any of my section commanders to give me an hour-by-hour activity log or a detailed account of what they had been doing that day because I trusted what they were doing. On the night in question I did the night duty. I knew where Basrah hospital was.
17. I can't think of any reason that they would have moved other than if they had been given a command to do so. They normally would not move because your role for that period was as static guard. However, this is an assumption that one would make, and

that I have made, because I had never heard of the Warrior going off. If your role or task you've been given is to stay and guard a location then that's what you do.

18. According to the doctrine of Mission Command you trust your subordinates to do what their role is. I can't remember if I visited the hospital or not during the day of 8th May 2003. I trusted my platoon and my section commanders to do what was expected of them. I haven't got a strong view as to whether they should have told me if they were moving off or not. It was an ordinary practice to move looters off the premises.
19. I have considered a scenario where looters had been caught at the hospital, subjected to treatment by Iraqi police, pulled through a stagnant pond or made to splash around in it, and then some of their clothing had gone, then been brought by British soldiers to the hospital, handcuffed one next to another. If Sgt SO15 had asked me over the radio what to do with them after that I would have told him to ensure they leave the area. There were alternatives to taking looters away in the Warrior, such as by Landrovers, of which we had a couple but not many. They also had the ability to walk the looters off of the premises.

Orders/dealing with looters

20. I do not remember a coherent structure from the Brigade force itself with regards to messages coming down telling us what to do with looters. We tried to move looters from the area but it was pretty futile because it was such a regular occurrence and not something that was ever going to be contained.
21. I don't remember being asked specifically by Sgt SO15 about what to do in this situation but I remember being asked as a Coy group. However, my recollection is that we just tried to move them off the premises. I don't remember anyone saying 'this is what you do'. We had Coy orders each night, and this was when we would pick up information about what was going on. Coy orders were given by Maj MacMullen and attendees included platoon sergeant and platoon commander level but I can't remember everyone who was there.
22. I have been shown by the Inspector FRAGO 91 [PCAM/2], and in particular the guidance regarding looters. This is not something I remember seeing. Maybe this document was given out in Coy orders, but I don't remember. I would have expected a document like this to have been given out in Coy orders, which is where that information would have been disseminated.
23. I knew that people were put into water. In Basrah, next to most roads was an irrigation ditch. It was disgusting water. I'm not proud of it but you would put looters into water and make them walk home wet. I can't remember if we discussed it in Coy orders. The

idea was to make them want to go home and get changed, with an element of humiliation.

24. I don't remember hearing about the practice happening in other Coys. We would have had contact with other Coys. The only other IGCoy was 2 Coy and they were based in the old palace. They had access to a different waterway from us. I understood that the practice of putting looters into water was going on, but I can't remember where it was discussed that that would happen, and I don't remember any time of orders with MacMullen that it was mentioned.
25. I don't remember anyone such as Captain Brennan commenting that any looters were being thrown off piers. I can't remember anyone being thrown into a river. We made them get wet but the principle was for them to get them to go home in order to get changed.
26. When I first heard about the practice of making looters wet it seemed like a good idea, like a common sense approach. You would make them uncomfortable and they would go home. It was a practice akin to using water cannons. If we had had water cannons we would have drenched the looters. If there had been strategic planning before the invasion then perhaps that's what they could have done. I myself never saw anyone put into the Shatt Al-Arab canal.
27. Basrah was built on marsh area so there were lots of drainage ditches, probably about 2 metres wide, with water in them, by the side of the road. They had some depth but I don't remember a river by the side of the road. Nor do I remember anyone being thrown into a river by the side of the road.

Bridge 4

28. I have been shown photos of the area where the drowning occurred [DCMO/1]. There was extensive fighting around Bridge 4. The Basrah side of the bridge is on the left of photo 1. We did bits and pieces there. The operation in which my platoon and I were awarded the Military Cross bravery award was much further down Bridge 4. We had moved down the road into the complex, so that was going East. It took place on one day when there was an opportunity to move in. The whole Coy was involved in the attack, and I was in 1 platoon. I led 37 men into a university complex. There wasn't that much opposition but I had some good soldiers and a good platoon sergeant. The men would have included SO15 [REDACTED] who would have been in his vehicle, whilst dismounts would have mounted outside the vehicle and would have gone into buildings.

8th May 2003

29. I don't know that much about what happened on the 8th May 2003. I was very surprised in Germany or whenever it was that it first came out, because when you've been through what we had you're a close knit group. When we got back from Iraq we were in Germany, and then in Northern Ireland. We split up quite quickly. I was in the Irish Guards, SO15 was in the Coldstream Guards, so we were split up. I don't know much about what happened.
30. The Inspector has asked me what I think about the Warrior being taken to Bridge 4 to deal with the looters. I'm surprised to hear that the Warrior travelled 8km to Bridge 4, as that was a long way to go from the hospital.
31. The river at Bridge 4 was a big river, and it is common sense to me that you would be asking for trouble if you threw someone into that river. I think the prosecutor cross-examining me at the Court Martial asked if I would have swum in that river. My recollection is that it was a river you would not have gone into.
32. I should have known about what happened. If I had been told about this the next day then I could have done something about it, such as finding out what actually happened, and with a view to learning lessons. However, I first heard about this in Germany, which is when the Special Investigation Branch (SIB) investigators turned up. Afterward MacMullen called me into his office and asked me if I knew about this. I told him I didn't know anything. I asked Sgt SO25 if he knew anything and he said he didn't. The SIB came again after that, and by the time I made my second statement in 2004 I was back in Catterick.
33. I would say that the immediate transition from combat to peacekeeping was a tough one. I would agree that different troops could have been sent in after combat, because some of the chaps were affected by the fighting.
34. We knew on the 8th May that that was our last day there before pulling out. At Coy orders on the 7th May, MacMullen said to just keep everything tight for the next 24 hours. The orders worked like a trickle down effect, MacMullen would go to BG orders, and then come back and give the orders to me, and I'd chat to the platoon, and assume on this occasion told them that we were going to be leaving the next day.
35. I was aware that there had been a message going around that we were leaving. We had to treat the lads with a degree of trust to do things. From my memory of the chaps, it doesn't surprise me that SO16 would have tried to do something to help. SO18 was illiterate, from Merseyside, and the army was probably the only thing that gave him security. I got my mother and sister to send him parcels. My recollection

is that he would be easily led and probably similar to other guardsman there but SO16 was a decision taker.

36. I remember SO19 being a very good section commander, tough, but not in a bad way. He was clear headed. I think if he'd decided to stay in the army he would have done very well.

Statement of Truth

I believe the facts stated in this witness statement are true

Signed



Dated 05 07 16