

MOD-83-0000102-A

**STAFF - INVESTIGATION  
OFFICER ONLY**

MOD Form 952A  
Introduced 6/90

# Service Police - Record of a Tape Recorded Interview

Exhibit No. <b>DMB/3.</b>	Case Reference No. <b>64658/03</b>	Page <b>1</b> of <b>106</b>
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**Interview of**

Number	Rank/Status	Signature	S002
Portraits	S002		
Date of Birth	Place of Birth		
Station/Post/Regt. No. <b>3 PARA, Hyderabad Bks, Colchester</b>			
Contract/Other		Special Constable/Police Constable <input checked="" type="checkbox"/>	Special <input type="checkbox"/>
Station/Post		Member Status	

**Interviewed by**

Number	Rank	Signature	BATES
Portraits	David Mark		
Station/Post/Regt. No. <b>34 Section SIB (UK) RMP Hounslow</b>			

**Persons Present**

Rank/Status	Name & Initials	Role
SSgt	RJE TOLMIE	2 <sup>nd</sup> Service Policeman
Mr	G IRVINE	Solicitor

Date of Interview	1 Dec 03	Interview Rm, 34 Sect SIB, Hounslow
Time Started	1158	Time Finished
		1530
No. of Member Lines	Three (3)	Exhibit Nos.
		S002/1/1, S002/1/2 & S002/1/3

**Certificate**

This record consisting of **106** pages, with necessary notes to the interview, is handed to the signatory herein and signed by me.

Date: **10 Dec 03**

Signature of Service Policeman  
Preparing Record

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Continuation of record of Tape recorded Interview

MOD Form 952B  
Introduced 6/90

Reference No.	DMB/3	Case Reference No.	64658/03	Page	1 of 106
Number		Sub-Section	S002		
Page Number	S002				
Date (S) and Time (Cont)					

1159 hrs SSgt Bates:

At the end of the interview I will give you a notice explaining what will happen to the tapes when the interview is finished. I'm making enquiries into the alleged murder of Mister Nadhem Abdullah on Sunday the Eleventh of May of Zero Three on the road between Nahr Al E'Z and Al Ferka, Southern Iraq. I'm going to ask you some questions but before I do I must caution you, you do not have to say anything but it may harm your defence if you do not mention when questioned something which you later rely on in court. Anything you do say may be given in evidence. To ensure you understand the caution I will explain it in three parts.

a. 'You do not have to say anything'. That means exactly what it says. When I ask you some questions today you do not have to answer those questions if you do not want to. Do you understand?

S002

I understand.

SSgt Bates:

b. 'But it may harm your defence if you do not mentioned when questioned something which you later rely on in court'. This means that if I ask you a question today and for whatever reason you do not answer that question, however you are then asked that question at court and you decide to answer it, the court may think a number of things. They may draw a conclusion and wonder why you did not answer the question when the Police had asked it. They may think that you have answered the question at court because you have had time to think about it and have made an answer up and they may think that you are not telling the truth. Do you understand?

S002

I understand.

SSgt Bates:

c. 'Anything you do say may be given in evidence'. This means that the tapes that are recording the interview, those two there, can be played in

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Service  
Police Officer

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Continuation of record of Tape recorded Interview

MOD Form 952B  
Introduced 6/90

Exhibit No.	DMB/3	Case Reference No.	64658/03	Page 1 of 106
Initials		Subject	S002	
Investigator	S002			
Head (S) and Tape Count				

court or whatever is said on the tapes can be written down and read out to a court. Do you understand that?

S002

I understand.

SSgt Bates:

Okay. To ensure that you do understand the caution I'm going to ask you a couple of questions to confirm that, okay. If I ask you a question today, do you have to answer that question?

S002

No I don't.

SSgt Bates:

What can happen to the tapes that are recording the interview?

S002

They could be used against me in the court as evidence.

SSgt Bates:

Okay. Right the time is now twelve zero one hours, you now have the right to free legal advice, request the presence of an observer at the interview, leave the interview room unless you are in arrest or I decide that there are sufficient grounds to arrest you. If arrested you may have any person notified of that fact unless I decide to delay that right. You may consult the Service Police Codes of Practice when practicable, which is the grey book there and it just lays down, obviously what should be in the interview room, and what the equipment should be and...

S002

Yeah, I've seen that.

SSgt Bates:

Okay, you may exercise any of these rights now but if you do not, you may do so later during the courts of the interview. I'm now handing over an MOD Form Eight One One Alpha entitled Notice to Suspect for you to read and keep if you wish. There we go. The Notice to Suspect is and explanation of your rights and contains additional information to that

Signature of  
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Police

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Continuation of record of Tape recorded Interview

MOD Form 952B  
Introduced 6/90

Report No. **DMB/3** Case Reference No. **64658/03** Page 1 of 106  
Number \_\_\_\_\_ Rank/Status \_\_\_\_\_ Station **S002**  
Report No. **S002** \_\_\_\_\_  
Title and  
Last Name \_\_\_\_\_

which I have already given you. Have a quick read over that (inaudible).  
If you're happy with it we'll continue.

**S002**

Right.

SSgt Bates:

Okay, you happy with that?

**S002**

I'm happy with that.

SSgt Bates:

Right, is there anything on there that you'd like explaining fuller or...

**S002**

No.

SSgt Bates:

...you don't understand? Okay. Right, the time is now twelve zero hours.  
Mister Irvine is present as your solicitor now.

**S002**

Yeah.

SSgt Bates:

Would you like him to remain present during the interview?

**S002**

Yes.

SSgt Bates:

Okay, do you wish to have an observer present now?

**S002**

No.

5 mins  
40 secs

SSgt Bates:

Right, okay. Before we actually go into the interview there's just a couple  
of things I'd like to confirm. I contacted you last week on...

**S002**

Thursday.

SSgt Bates:

Thursday, and requested that you attend today for interview, did I not?

Signature of  
Sgt  
Policeman

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Continuation of record of Tape recorded Interview

MOD Form 952B  
Introduced 6/90

Investigator: **DMB/3**      File Reference No: **64658/03**      Page: 1 of 1  
Name: \_\_\_\_\_      Rank: \_\_\_\_\_      Subject: **S002**  
Force: **S002**      \_\_\_\_\_  
Time: \_\_\_\_\_  
Date: \_\_\_\_\_

**S002**

Yep.

SSgt Bates:

Yeah, and so you've attended today voluntarily?

**S002**

Yep.

SSgt Bates:

Okay, you were discharged from HM Forces on the Thirty-first of October, sorry the Thirty-first of August this year but as I did explain to you on the phone you're still under One Three One of the Army Act, you're still subject to Military Law, do you understand that?

**S002**

I understand.

SSgt Bates:

Okay. Have you had time to consult with Mister Irvine prior to the interview?

**S002**

Yes I have.

SSgt Bates:

Are you happy to continue the interview now?

**S002**

Yes I am.

SSgt Bates:

Mister Irvine, are you happy to continue?

Mr Irvine:

I am indeed.

SSgt Bates:

Right. Okay, as I said before, I'm making enquiries into the alleged murder of Mister Nadhem Abdullah on Sunday the Eleventh of May in Southern Iraq. Can you tell me in as much detail as you can remember about a patrol that you did on Sunday the Eleventh of May Two Thousand and Three.

Signature of  
Service  
Police Officer

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Continuation of record of Tape recorded Interview

MOD Form 952B  
Introduced 6/90

Investigator No: **DMB/3**      Incident Reference No: **64658/03**      Page: **03**  
Interviewee: **S002**  
Investigator: **S002**

**S002**

I don't know what I did on that date.

SSgt Bates:

Right.

**S002**

Like, I, if you asked me what I did on that day I wouldn't remember.

SSgt Bates:

Right.

**S002**

If you're referring to an incident...

SSgt Bates:

Yep.

**S002**

...that you're asking me then I can't remember what, if you're telling me what I did on that day, I can't remember.

SSgt Bates:

Okay. I'm not telling you what you did on that day, but the date that I'm mentioning is, there was an incident involving the patrol that you were a member of, Eight Platoon, Three PARA?

**S002**

Yeah.

SSgt Bates:

And you were a member of a Section lead by a **S001**

**S002**

Yeah.

SSgt Bates:

Did you have a nickname in that Section?

**S002**

**S002**

SSgt Bates:

Okay, and you were part of the seven man patrol that day?

Signature of  
Service  
Personnel

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Continuation of record of Tape recorded Interview

MOD Form 952B  
Introduced 6/90

Exhibit No. **DMB/3** Case Reference No. **64658/03** Page 3 of 10  
Interviewer: [Redacted] Range: [Redacted] Subject: **S002**  
Topic: **S002** [Redacted]  
Date (DD MM): [Redacted]  
Time (HH): [Redacted]

**S002**

Yes I was.

SSgt Bates:

Okay. So you said that about, ask you about an incident, I'm making enquiries into the alleged murder of this Iraqi, do you know, what do you know about that?

**S002**

I remember SIB coming into my camp that I was at and saying that there was a murder and they asked for patrol reports on what happened that day.

SSgt Bates:

Right.

**S002**

And as far as I'm aware I was told on that day that we weren't even in that area so...

SSgt Bates:

You were told on that day you weren't in that area?

**S002**

Well, apparently that's what some of the patrol had put.

SSgt Bates:

Right.

**S002**

But if we was, you know, I wouldn't know because I don't look at the patrol reports, I'm a [Redacted].

SSgt Bates:

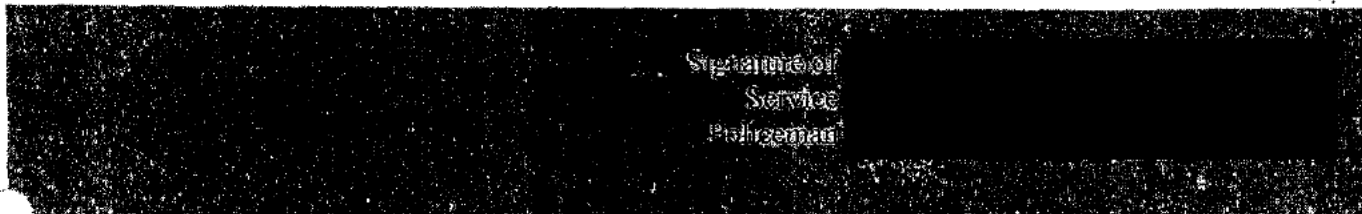
Obviously I've given disclosure to Mister Irvine, I gave him a disclosure brief, alright, do you know why we're sat here today talking about this?

**S002**

I do know why we're sat here, yes.

SSgt Bates:

Right. Okay, obviously I'm not going to ask what you discussed with Mister Irvine, that is legal in confidence. However, I'm making enquiries into an alleged murder as I said.



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Continuation of record of Tape recorded Interview

MOD Form 952B  
Introduced 6/90

Establishment No	DMB/3	Case Reference No	64658/03	Page No	2/2
Number		Serial No	S002		
Investigator	S002				
Threat No					
Tape No					

S002

Okay.

SSgt Bates:

Okay. The reason you're sitting here today is because you were a member of the Section with six other people from Three PARA, yeah. S001 was one the, was the patrol commander?

S002

Okay.

SSgt Bates:

Who were the other people in the patrol that you were out with, your Section?

S002

I remember someone, I can't remember their names, I know obviously S001 I was told a S004 was present, a S004 I know S004 I know, I can't remember their surnames, I know a bloke called was there, a bloke called. The others I can't honestly remember because I drive twice a day every day, so the people that I have with me, you know, they all change, swap and change.

SSgt Bates:

So do you go out with different people on the same day then?

S002

Yeah, twice a day, three times a day sometimes.

SSgt Bates:

Okay, what I'd like to do then is, I'd like to get a bit of background on this, yeah about obviously Op TELIC and your time in Iraq and that. So I've got a few questions to ask you about that and that should hopefully refresh your memory, okay. When did you actually deploy on Op TELIC?

S002

Op TELIC, I think it was February the Sixteenth I think.

SSgt Bates:

Okay, where did you deploy to?

Service  
Production

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Continuation of record of Tape recorded Interview

MOD Form 952B  
Introduced 6/90

Initials: **DMB/3** Case Reference No: **64658/03** Page 4 of 10  
S002  
S002

**S002** We deployed to Kuwait at first and then, I think it was about a month and a half later we deployed into Iraq.

SSgt Bates: Right. Who did you deploy with?

**S002** Three PARA machine gunners, Platoon.

SSgt Bates: Right, did you stay in the same Section all the time or...?

10 mins **S002** Yeah, you'd stay in the, within the Support Company itself, you'd stay within the same tents, sometimes you'd swap and change because you'd have to have half a Platoon in one tent, half a Platoon in another and vice versa, where they could fit you basically. But in general yeah we all tried to, we were kept within the Platoon, as best possible.

SSgt Bates: Is Eight Platoon part of Support Company?

**S002** Eight, no.

SSgt Bates: Which Company is that part of?

**S002** Eight Platoon would be C Company.

SSgt Bates: Right, so how come you'd be working with C Company then?

**S002** C, I would be working with C Company, I remember working with C Company when they asked for drivers to go with the C Company because C Company wanted to borrow some Wimmicks, which is a military land rover.

SSgt Bates: Right.

Signature of  
Service  
Police

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Continuation of record of Tape recorded Interview

MOD Form 952B  
Introduced 6/90

DMB/3      64658/03      Page No. 151 1006  
S002  
S002

S002      And C Company didn't have any drivers at the time who were off road trained.

SSgt Bates:      Right.

S002      They had drivers who could drive Wimmicks but apparently they weren't allowed to drive them unless they were off road trained.

SSgt Bates:      Okay.

S002      So they wanted the machine gun Platoon to oh, how can I explain this, basically if C Company wanted a vehicle from another Platoon, they'd have to have someone from that Platoon who was authorised to drive that Wimmick to go with the vehicle and drive the vehicle so a C Company person was not allowed to drive the vehicle.

SSgt Bates:      I see, so if C Company wanted to borrow a vehicle...

S002      They had to take a bloke from the Platoon that they were borrowing the vehicle from.

SSgt Bates:      To drive it?

S002      Yeah.

SSgt Bates:      Okay.

S002      Because they weren't covered if they weren't properly trained.

SSgt Bates:      Was there a period though on your tour with Op TELIC, that you were serving with C Company all the time as a driver?

Signature of  
Service  
Participant

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Continuation of record of Tape recorded Interview

MOD Form 952B  
Introduced 6/90

Reference No.	DMB/3	Case Reference No.	64658/03	Page 11 of 106
Number		Subject	S002	
Forenames	S002			
Date (S) and Time (M)				

S002

Yes there was.

SSgt Bates:

Can you tell me where that was, obviously to the best of your memory?

S002

It was when we were peace keeping after the war had, I suppose, I suppose when the mode went from war to peace keeping, I remember them saying right you know, C Company want some Wimmicks and there was a dispute whether they would get their vehicles with one of us or without the drivers from the Platoons.

SSgt Bates:

Right.

S002

So they end up getting a vehicle from machine guns and obviously they allocated me as a driver to go with that vehicle, so obviously I had to work with C Company.

SSgt Bates:

So were you working with C Company all the time?

S002

I was work, yeah while I was with my vehicle I was with C Company, yeah.

SSgt Bates:

What period of your tour was that, I mean was it at the start, the middle or the end?

S002

It was towards the end I would say.

SSgt Bates:

When did you return to the UK then?

S002

It was the beginning of June I believe, I can't remember, I think, I think it was June.

Signature of  
Service  
Police Officer

[Redacted Signature]

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Continuation of record of Tape recorded Interview

MOD Form 952B  
Introduced 6/90

Exhibit No.	DMB/3	Case Reference No.	64658/03	Page 12 of 106
Number		Reference	S002	
Reference	S002			
Date of interview				
Tape Code				

SSgt Bates: So how long were you working with C Company prior to that as a Wimmick driver?

S002 I wasn't, I wasn't working with C Company prior to that. That's the only time I worked with C Company, when...

SSgt Bates: Yeah, no, sorry, before you returned to the UK in June, for what period before your return to the UK had you been working with them, so were you working them during May, all of April, were you working in March?

S002 I can't remember. It would have to be, I know it's near the end so it would be in the last month I suppose, it would probably be in May, June. May, June time.

SSgt Bates: Right, but you were with C Company as a driver before you returned to the UK, that was your last job on TELIC?

S002 Yeah, that was the last job and then we, they no longer needed the Wimmicks because they were preparing to go back to Kuwait to the (inaudible) allocated back to my, my Platoon, machine gun Platoon.

SSgt Bates: Right.

S002 Before we left.

SSgt Bates: So when you went from the war role to the peace keeping role, what briefings did you receive regarding that?

S002 Well first of all we were doing, staying within our Platoons, after the war had finished we were peace keeping within our Platoons, like machine gun Platoon and then after that I don't know why, they changed things around and they said right, Support Company's going to go and peace keep in that

Signature of  
Sgt  
Police

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Continuation of record of Tape recorded Interview

MOD Form 952B  
Introduced 6/90

Exhibit No. **DMB/3** Case Reference No. **64658/03** Page 11 of 110  
Number **S002**  
Forename **S002**  
Time (S) and  
Tape Count

area, C Company's going to peace keep in this area and C Company wanted the Wimmicks so then obviously they had to take blokes out of machine guns Platoon to go with C Company.

SSgt Bates:

Right.

**S002**

There was a bit of a dispute about that because obviously that would mean the machine gun Platoon would have less people to work with.

SSgt Bates:

Yeah.

**S002**

But in the end they decided to let machine gun drivers go to other Companies.

SSgt Bates:

Right. So which area were you working in then with C Company?

**S002**

I think it's called Al U'Zayra, I think.

SSgt Bates:

Right and what were you actually doing there, obviously you were a Wimmick driver?

**S002**

Yeah basically, basically what I would do is, every time a patrol would go out they would request for a Wimmick every time so if the, if C Company had a patrol going out twice a day then they'd take a Wimmick and a Pinz-Gauer with them.

SSgt Bates:

So you weren't actually, so you weren't actually a member of a Section, you were just a member of C Company.

**S002**

Yeah, I was just, I was literally a driver and they said right, a patrol's going out, obviously I was put on the, on the, in the Section for that day so

Signature of  
Sgt  
Pinz-Gauer

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Continuation of record of Tape recorded Interview

MOD Form 952B  
Introduced 6/90

Exhibit: **DMB/3** Case Reference No: **64658/03** Page 14 of 106  
Submitter: **S002**  
Investigator: **S002**  
Title: [Redacted]  
Name: [Redacted]

I wasn't fixed in a Section, I'd be used as a driver for the Section that went out.

SSgt Bates:

I see. Okay, so what briefings did you receive then about your rules of engagement?

**S002**

We were given cards to read, we were given, I think we had quite a few briefs on rules of engagement.

SSgt Bates:

And what were they to the best of your recollection?

**S002**

To the best of my recollection it was, if you feel threatened in any situation, if you're not sure and you feel your life is in danger, then you know, do what you, you deem necessary in the situation. If you fear your life is in danger then do something about it.

SSgt Bates:

And what about when it had changed from war role to the peace keeping role?

**S002**

And the peace keeping role as well.

SSgt Bates:

So if you...

**S002**

If you, if you felt your life was in danger then you know do the best of your ability what you can.

SSgt Bates:

Okay.. So where you were then...

**S002**

Because obviously people were still getting attacked in peace keeping.

15 mins  
50 secs

SSgt Bates:

So where you were then, the last month of so, this Al U'Z...

Signature of  
Sgt  
Police Officer

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Continuation of record of Tape recorded Interview

MOD Form 952B  
Introduced 6/90

Tape No. **DMB/3** Case Reference No. **64658/03** Page 15 of 101  
Initials: [Redacted] S002  
Investigator: **S002** [Redacted]  
Theme(s) and  
Tape Count:

**S002**

Al U'Zayra..

SSgt Bates:

Thank you. Was that a Platoon, Company location?

**S002**

They had, first of all they had a, a camp, I'm not sure what area that was in and we would be tasked to go to, what's it called, like ammunition sites where you know, ex barracks are, Iraqi barracks where there'd loads of munitions and bunkers and things, there'd be munitions and civilians would go on there and end up either taking the weapons or things like that or blow, end up hurting themselves; we had to task there and guard it and then towards the end, towards the end they were, they wanted to build a Police community in another area, I think that's at Al U'Zayra, I'm not sure. In that area they were training local civilians to be Police, training them, and we were the Police at the time, just to police the area.

SSgt Bates:

Right.

**S002**

In a separate abandoned building that they'd, we'd cleared out, dug out and made our own little base.

SSgt Bates:

Right so you're say you were like Police, to police the area, what were your tasks then, what were your, you know, daily tasks?

**S002**

Daily tasks would be things like you know, someone would say that they'd been robbed or attacked and you'd go to the place, calm the people down saying, trying to get information out of them with, what they called, those people, translators. We didn't have translators all the time so most of the time we were trying to communicate by hand or how we could to them to ask what the situation was, why they've called us and then we'd do standard vehicle VCP, Vehicle Check Points because there was alleged robberies going on in that area, family disputes, apparently other farmers

Signature of  
Sgt Bates  
Pol. Comm.

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Continuation of record of Tape recorded Interview

MOD Form 952B  
Introduced 6/90

Exhibit No.	DMB/3	Case Reference No.	64658/03	Page No. of	103
Number		Recorder's Name		Signature	S002
Reference	S002				
Time (S) and					
Tape Count					

shooting at other farmers so we'd go there and try and basically protect them, tell them, you know if there's any problems give us your, come to us and we'll come and you know try and find out why or who's you know attacked you or tried to rob you because apparently along the highway where we was based a lot of people were being kidnapped or you know shot at and vehicles stolen so we just patrolled that area you know, just to show our presence so it would make the people feel safe I suppose.

SSgt Bates:

Did you do VCP's yourself, were you involved in VCP's?

S002

Yeah.

SSgt Bates:

Okay, tell me how you would run a, how a VCP was run then.

S002

All different, basically you'd either have a VCP at a fixed point, three different, three different points along a main road, or we'd do a VCP down another quiet road, I can't quite remember that area. How can I explain, they'd want, one time I'd go out and you do VCP's on the main high road. Another time you'd do a VCP on one main road and then go down the side roads, do VCP's like that.

SSgt Bates:

Right, the Section that you were working in, yeah, how would the Section be deployed at a VCP, what would your job be?

S002

They'd basically say to me right, the Section's going out at that time, obviously you're, we're taking a Wimmick out, they hardly, I don't think they hardly ever went by foot, they'd always be driven because there'd be long distances where they'd be wanting to do these VCP's so they'd always want a driver, two drivers, obviously no-one was allowed to drive my Wimmick, that's the whole idea of me being with C Company otherwise we'd have just given them the Wimmick. So the whole purpose

Signature of  
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Personnel

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Continuation of record of Tape recorded Interview

MOD Form 952B  
Introduced 6/90

Exhibit No.	DME/3	Case Reference No.	64658/03	Page 15 of 40
Number		Substance	S002	
Portfolios	S002			
Time (s) and Tape Count				

of them having a Wimmick there was for me to drive it because they weren't allowed to drive it.

SSgt Bates:

Yeah, I understand that but what was your job at VCP?

S002

Just that I would just sit in the vehicle and watch my arcs or if they needed help to stand at a VCP point then I would, but I wouldn't be too far from the vehicle, I'd be standing next to my vehicle.

SSgt Bates:

Okay.

S002

Apart from that all my job was to drive.

SSgt Bates:

What was your personal weapon?

S002

An SA80.

SSgt Bates:

And that was what you carried when you were driving was it?

S002

Yes.

SSgt Bates:

Anything to add at this point?

SSgt Tolmie:

Yeah, these VCP's, how would you normally position your vehicle?

20 mins

S002

It depends. Sometimes you'd have two vehicles on the same side of the road and staggered or sometimes you'd have one vehicle on one side of the road, on the highway and then another vehicle on the other side of the highway.

SSgt Tolmie:

Would all VCP's be planned?

Signature of  
Sgt  
Police Officer

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Continuation of record of Tape recorded Interview

MOD Form 952B  
Introduced 6/90

Exhibit No.	DMB/3	Case File Number	64658/03	Page No.	04	006
Number		Real Status	S002			
For	S002					
Time (s) and Tape Count						

S002 No sometimes we'd just stop and do a VCP.

SSgt Tolmie: So how would you do them?

S002 Basically if we've been driving down a road and a vehicles turned around and driven off and we haven't chased it because it's driven off for suspicious reasons, then we just stay on that road to see if any other vehicles come by.

SSgt Tolmie: Right.  
S002 But I don't really know the format of what they did because I was just told what to do.

SSgt Tolmie: Okay, you mentioned there something about chasing, did you chase vehicles?

S002 Yeah a number of times, a vehicle would come to a check point and turn around, it wouldn't come through our check point so we'd obviously want to know why it's turned around. Obviously we'd be thinking right, villagers have been saying that they've been robbed in this area, obviously one of the reasons why we'd go and do a VCP in that area, so a number of times. In fact a lot of the times they'd just come to a VCP point, stop before because they see us doing a VCP and just drive off. And at first we just, we thought to ourselves well maybe they're just driving off but then after a while, because in that area we were told that people were being robbed, then basically we decided in the end instead of standing at a fixed check point, we'd chase after the vehicle and a number of times we've found weapons.

SSgt Tolmie: So whose decision would it be to chase, the vehicle?

S002 The Section Commander.

Signature of  
Service  
Police Officer

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Continuation of record of Tape recorded Interview

MOD Form 952B  
Introduced 6/90

Report No.	DMB/3	Case Reference No.	64658/03	Page	10 of 406
Investigator	[REDACTED]	Read Status	[REDACTED]	Findings	S002
Examiner	S002	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Date	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Time	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

SSgt Tolmie: Okay, was it his decision, was there ever an order given from Battalion HQ that you could chase vehicles or was this something that you just started doing on patrol?

S002 I haven't got a clue.

SSgt Tolmie: How did you get involved in it?

S002 I was just the driver.

SSgt Tolmie: But, what I'm saying is, for you, did you ever know of orders or did it just happen that you started chasing vehicles?

S002 I don't know of any orders, I wasn't told anything, I was just told you know, just go after that vehicle so...

SSgt Tolmie: Right, if you were chasing a vehicle, how would you go about stopping it?

S002 You'd either try and drive in front of it or usually what they would do is they'd just pull over or stop, throw weapons out their vehicle and then carry on driving. If they did that then we stopped chasing the vehicle or you know, this was an everyday occurrence basically, I can't, I can't remember you know.

SSgt Tolmie: Yeah but how would you physically stop that vehicle, how would you position your vehicles, where would you go?

S002 Oh, it would stop and they would run out.

SSgt Tolmie: Right but where would you park?

Signature of  
SERVICE  
PROTECTION

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Continuation of record of Tape recorded Interview

MOD Form 952B  
Introduced 6/90

Reference No.	DMB/3	Case Reference No.	64658/03	Page No.	
Subject		Rank/Station		Signature	S002
Reference	S002				
Date of Report					
Date of Interview					

S002 We'd park about fifty metres away from it or sometimes twenty metres away from it.

SSgt Tolmie: Right, you mentioned there that you would go in front of it?

S002 Yeah you'd try, right as a driver all I'm thinking is, well how am I going to stop this vehicle so I'm thinking of trying to get in front of the vehicle and then slow down, try and make the vehicle pull in, but I don't remember that ever happening.

SSgt Tolmie: Right.

S002 If they're saying right, follow the vehicle, we want the vehicle to stop, you know, as a driver I'm thinking right, how am I going to get the vehicle to stop.

SSgt Tolmie: Yeah, what I'm saying to you is, I know what you're trying to say, this is what you're thinking. It's very important that you answer what you actually did, not what you think you would have done, okay.

S002 Oh right. I don't...

SSgt Tolmie: So when you chased a vehicle in Iraq, on Op TELIC, how did you go about that, how did you do that, how did you stop that vehicle?

S002 It would stop.

SSgt Tolmie: So you were never ever in a position where you were forced to stop a vehicle?

S002 I remember once a vehicle was coming through the check point, it didn't seem like it was going to stop so I remember I was just driving my vehicle

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Personnel

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Continuation of record of Tape recorded Interview

MOD Form 952B  
Introduced 6/90

Establishment	DMB/3	Case Reference No.	64658/03	Page 2 of 2
Name		Rank	S002	
Force	S002			
Time				
Date				

slightly in front of it, so basically I remember once driving my vehicle from the side of the road into the middle of the road to make sure it would stop physically.

SSgt Tolmie:

Right.

S002

But a vehicle that we'd chased would just stop.

SSgt Tolmie:

And you would park normally, what behind it?

S002

Yeah.

SSgt Tolmie:

In front of it?

S002

Yeah, I've, I remember a few times where we've stopped in front of the vehicle and then the vehicle behind, our military vehicle would stop behind that as well.

SSgt Tolmie:

So you'd box it in sort of thing?

S002

Yeah boxed it in, yeah.

SSgt Bates:

And you've done that on a couple of occasions you say?

S002

Yeah I remember doing that on a couple of occasions.

SSgt Bates:

Okay, and all the vehicles you stopped like this, were they travelling at the time or have you ever done it any vehicles that were parked at the side of the road?

S002

Just vehicles that were parked on the side of the road, apart from, I remember once like I said, a vehicle looked like it wasn't going to stop in a

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Continuation of record of Tape recorded Interview

MOD Form 952B  
Introduced 6/90

Investigator	DMB/3	Case No.	64658/03	Page	22
Interviewee		Section	S002		
Continuation of	S002				
Page					
Date					

VCP. Obviously the soldiers didn't want to stand in front of the way so I just moved the vehicle in front.

SSgt Bates:

Yeah. So you have done this before with vehicles that have been parked on the sides of the roads, to stop them driving away?

5 mins

S002

Only if we, if it's turned away from a VCP point and it's stopped then we would, sorry didn't drive off again because obviously it had stopped and it might drive off again so we'd just want to make sure, we'd contain the vehicles so we'd know why it would, it would have just, you know, it's acting suspicious, if there's been shootings in that area and obviously we want to detain that vehicle for, you know, driving away from a VCP point.

SSgt Bates:

Yep, okay. Who was, who was the person that communicated with the locals there?

S002

Everyone would because no-one could speak, speak...

SSgt Bates:

Wasn't there one particular person in your Section?

S002

No.

SSgt Bates:

So how did you, you yourself then communicate with the locals?

S002

Just try, try the best we could.

SSgt Bates:

Go on then, how would you do it?

S002

Well you'd just use hand gestures and you'd talk to them in English, obviously you don't think they'll understand but, you know, you can't just stand there looking at them and saying, you know.

Signature of  
Interviewee  
Polymaths

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Continuation of record of Tape recorded Interview

MOD Form 952B  
Introduced 6/90

Initials	DMB/3	Case Reference No.	64658/03	Page 2 of 10
Reference		Signature	S002	
Project No.	S002			
Date of 2006				
Time				

SSgt Bates:

Okay. How would...

S002

I, I knew a few words like, you know, kif for a stop, Ali baba meant you know, a thief, you know just things like that.

SSgt Bates:

Right, how were you sort of treated there by the local population?

S002

How were we treated. Well I suppose when you drive through the village they'd just stare at you really. Sometimes they'd be happy to see you, some villagers weren't happy to see you, some villagers were. You know, they'd come running out the houses hoping that you'd give them food. Obviously we were told not to give them food because that would defeat the object of what other units would be trying to do, giving them food and basically we were just told not to feed them for their safety as well in case they ran out in front of us, things like that.

SSgt Bates:

Okay. Did you have any civilians or locals employed with your unit?

S002

Locals, I remember at our, at this little building that we stayed in there was a doctor that would come over and we'd talk to the doctor, he could speak English.

SSgt Bates:

Right.

S002

I remember there was a, their local, not their Police, I don't even know if they were officially Police but you know people in the community who wanted to be Police and to, you know, police that area. They would come in, the Military Police would actually talk to them, we wouldn't. I don't remember any of us talking to them. The Military Police would actually train them and talk to them.

Signature of  
Sgt  
18

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Continuation of record of Tape recorded Interview

MOD Form 952B  
Introduced 6/90

Exhibit No: **DMB/3** Case Reference No: **64658/03** Page No: 01 of 01  
Number: [redacted] S002  
Topic: **S002** [redacted]  
Time (s) and Date Cont: [redacted]

SSgt Bates: Okay, when you used to go out on these patrols and do these VCP's, was there any form of reporting procedure?

**S002** Um...

SSgt Bates: You mentioned before about patrol reports.

**S002** Yeah, Section Commander would fill out a patrol report.

SSgt Bates: Were you ever involved in that?

**S002** No.

SSgt Bates: Did you ever have to fill out any form of reporting?

**S002** No..

SSgt Bates: Okay, what about communications, what were your comms when you were out on the road?

**S002** Comms, sometimes we'd get comms, sometimes we wouldn't,

SSgt Bates: Okay, you say you were a driver, were you ever involved in the radio communication side?

**S002** I was a few times when they had to leave a radio that was built into the vehicle. Obviously I'd have to man it because I'd have to stay with the vehicle if they was to go into a house or, can't explain, because I can't leave the vehicle and obviously they'd say to me can you just man the radio, listen out for anything.

SSgt Bates: So when you were out on patrols and you were manning the radio...

[redacted signature area]

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Continuation of record of Tape recorded Interview

MOD Form 952B  
Introduced 6/90

Identifying Number	DMB/3	Case Number	64658/03	Page 25 of 1076
Number		Room Number	S002	
Classification	S002			
Date (MM/DD/YY)				
Tape Control				

S002

But that wasn't, that wasn't a common occurrence, that would be...

SSgt Bates:

No, that's okay, you've done it occasionally though haven't you?

S002

Yeah, I've, I remember just doing it once or twice actually.

SSgt Bates:

Okay. So I'm not trying to trip you up and catch you out, I'm just trying to establish a few things. So when you were like on the communications with your wagon, what sort of things would you have to report to higher formation?

S002

I don't know the procedures, I'd just be told to listen out on the net, if you hear anything or if I ask you to come forward, it would be as simple as that because I don't, I don't have voice procedure on the net, I'm not, I don't carry, I don't need to carry a radio, the Section Commander does that.

SSgt Bates:

Right.

S002

Or it's either fixed in the vehicle so...

SSgt Bates:

You must have a basic knowledge otherwise they wouldn't ask you to look after the radio would they?

S002

Yeah, but I wasn't told to report anything into, into Headquarters or anything like that, I was just told to listen on the net if I was asked you know, bring the vehicle forward.

SSgt Bates:

From the vehicle on the ground?

S002

Yeah, from wherever we was asked to, from wherever I was asked to stop, if they got out to look at an area and they'd want to, say for example

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Service  
Officer

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Continuation of record of Tape recorded Interview

MOD Form 952B  
Introduced 6/90

IR Number	DMB/3	Case File Number	64658/03	Page 26 of 30
IR Number		IR Number	S002	
IR Number	S002			
IR Number				
IR Number				

they'd want to keep patrolling forward so they'd come back to the vehicle say to me come forward, you know, if they were in a ditch where I can't see them, they'd just say can you bring the vehicle forward.

SSgt Bates:

Right. Okay.

S002

I wasn't tasked to give any information or send details back to anyone over the net.

SSgt Bates:

Right, you got anything?

SSgt Tolmie:

You mentioned there going through villages and there were different reactions to you in different villages?

S002

Yeah.

SSgt Tolmie:

How did you find local civilians, what was your opinion of them?

S002

I found them, I didn't really have an opinion to be honest because half of them were, you know happy to see us, half of them weren't so I couldn't really, I couldn't really tell what their true feelings were towards us.

SSgt Tolmie:

Alright.

30 mins

S002

To be honest. I mean they might be nice to your face and then want to shoot you next thing, I don't know, that's how I see it, I don't really know them.

SSgt Tolmie:

Okay.

S002

Because there's so many different.

Signature of  
S002  
P. Tolmie

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Continuation of record of Tape recorded Interview

MOD Form 952B  
Introduced 6/90

Initials: **DMB/3** Date: **64658/03** Page: **1 of 1**  
Subject: **S002**  
Investigator: **S002**  
Tape Control: \_\_\_\_\_

SSgt Tolmie:

You also mentioned that when you went out on these patrols it would be, there would be patrol reports generated, was that, is that normal practice?

**S002**

I believe so, I don't know the standard procedure, all I know is that patrol reports were being written.

SSgt Tolmie:

Okay, do you ever have to fill in anything as a driver?

**S002**

No.

SSgt Tolmie:

Right.

**S002**

The only, the only thing I would have to fill in, is to do with the vehicle, you know, ie. put my name on the back of the work ticket and things like that you know, service the vehicle.

SSgt Tolmie:

So during the time that you'd been out there, and doing these patrols, do you yourself ever become involved in any enemy action?

**S002**

Yeah. I remember an incident where a vehicle, we chased a vehicle into a village and we found weapons and then some people had run off the vehicle, had run into the distance. Then we'd have blokes, you know, trying to look for them and they were shot at and returned fire.

SSgt Tolmie:

Did you ever get shot at?

**S002**

Not directly but we did have rounds incoming towards our direction because obviously the troops had left from where we pulled up to, what I'm saying is, where we stopped, the blokes in the vehicles would get off, would you know, go forward, get down to see where, what they could see and...

Signature of  
Service  
Policeman

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Continuation of record of Tape recorded Interview

MOD Form 952B  
Introduced 6/90

Exhibit No. **DMB/3** Case Reference No. **64658/03** Police Station No. [REDACTED]  
Name [REDACTED] Rank [REDACTED] [REDACTED] **S002**  
[REDACTED] **S002** [REDACTED]  
Time of Day [REDACTED]  
Tape Control [REDACTED]

SSgt Tolmie:

Mmm.

**S002**

And the next minute rounds were being fired so...

SSgt Tolmie:

Alright.

**S002**

...and obviously they'd be firing in our direction because...

SSgt Tolmie:

Right, but there was never any incident where this would have been sort of face to face or you'd have been, you personally were in imminent danger, I mean I know you're saying that your patrol had gone out and there were incoming rounds, that's general, I'm saying you personally did you ever?

**S002**

No, not that I remember although there were a few scary occasions where you know, women and men have had weapons and they bring them out and I'd be saying to them have you got Bundock, which is a rifle and saying something in Iraqi and they'd like, you know, they'd give you the gun that they were holding but if you're at a distance, you think right they're holding their gun now and you think to yourself, right, could they pull the gun towards me and so that's the only really scary situation.

SSgt Tolmie:

Did you ever notice anybody in a patrol that you with come under that type of imminent, immediate and imminent threat?

**S002**

What, as in someone pointing a rifle at them?

SSgt Tolmie:

Yeah, and actually requiring them to do something in return, either open fire or anything else to protect themselves.

**S002**

No not really, threatening behaviour with a rifle just pointing at us..

Signature of  
[REDACTED]  
Police Officer

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Continuation of record of Tape recorded Interview

MOD Form 952B  
Introduced 6/90

Declaration No. **DMB/3** Case Registration No. **64658/03** Page 27 of 406  
Name: [REDACTED] Rank: [REDACTED] Section: **S002**  
Address: **S002** [REDACTED]  
Time: [REDACTED]  
Date: [REDACTED]

SSgt Tolmie: Right. Did you ever notice anyone in the patrol needing to defend themselves against a local?

**S002** Not really.

SSgt Tolmie: You're saying not really, what do you mean either yes they did or no they didn't?

**S002** Well because you're always, you're always thinking of you know, things around you, there's always people watching and so...

SSgt Tolmie: But you didn't, you didn't see anything that you would class as being overtly threatening?

**S002** No.

SSgt Tolmie: Okay.

SSgt Bates: Right what I'd like to do now is, I'd like to talk about something that happened in May. Now, you said before you can't remember the date but there was a patrol, an incident that you were, that you were involved in with a Section.

**S002** Okay.

SSgt Bates: Did you not?

**S002** On...

SSgt Bates: You said...

Signature of  
[REDACTED]  
Date: [REDACTED]

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Continuation of record of Tape recorded Interview

MOD Form 952B  
Introduced 6/90

Officer Name: **DMB/3** Case Reference No: **64658/03** Page No of 004  
Report Station: **S002**  
Investigator: **S002**  
Date: **03/05/03**  
Time: **00:00**

**S002**

I don't know what I did on that date, if you say to me I was out, I went in that area on that day, then I'd have to believe what you say because if it's on a patrol report that's where I went on that day then obviously then that's where I went on that day but if you said to me, you know, on that day, did you go there, I don't know because I went to about three different locations every day.

SSgt Bates:

Okay, well the day I'm going to talk about is Sunday the Eleventh of May, and I know that you were part of a Section.

**S002**

Okay.

SSgt Bates:

That was headed by **S001** and you went out with that Section, members of the Section were **S001** **S004** and others.

**S002**

Okay.

SSgt Bates:

Okay, now on the day that I'm talking about, obviously there was an incident, however, what I'm asking you is if you can recall anything about it. Now you said before that there was an incident on a patrol that you were involved in, did you not?

**S002**

Yeah.

SSgt Bates:

Okay, what was that incident?

**S002**

Right, because you said **S001** and **S004**, then I remember...

SSgt Bates:

**S001**

35 mins

**S002**

Sorry, **S001** and **S004**, I remember going on a patrol with them where we chased this vehicle, it pulled into a little village and we got,

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Service  
Police Officer: 

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Continuation of record of Tape recorded Interview

MOD Form 952B  
Introduced 6/90

Exhibit No: DMB/3      Date of Interview: 64658/03      Page: 2 of 2

Investigator: \_\_\_\_\_      Subject: S002

Witness: S002      \_\_\_\_\_

Time (S. and M.): \_\_\_\_\_

Tape Comm: \_\_\_\_\_

there was two people in a vehicle, two men in a vehicle, they come out the vehicle and they wouldn't lie on the floor so we restrained them to lie on the floor and when they lay on the floor then I went back to my vehicle and just watched my arcs because I was more concerned about the other buildings around and obviously concerned about the vehicle because I'm not supposed to leave it, considering it was left in a village, you know, you think to yourself someone could come out and take something from the vehicle, you know. Just basically, I'd get in trouble for leaving the vehicle so I went back to the vehicle, I was covering my arcs.

SSgt Bates:

Okay, you mentioned two men were in the vehicle that you chased, they were restrained and then you went back to the vehicle.

S002

Yeah.

SSgt Bates:

How, why were you chasing them, tell me about that?

S002

I can't remember why we actually started chasing them, like I said, every day they either, they'd either stop at a VCP or they don't stop or they've turned around from a VCP on that day, I can't remember why we chased them.

SSgt Bates:

Right, so what you're referring to is an incident that happened at some point when you were serving with C Company as a driver, you were out with S001 and S004 and the other members of the Section and you stopped this vehicle but you don't know why. Do you remember anything about the vehicle?

S002

Yeah, it was, I think I remember it being white.

SSgt Bates:

What type?

Signature of  
Service  
Member

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Continuation of record of Tape recorded Interview

MOD Form 952B  
Introduced 6/90

Examiner No: **DMB/3**      Case Reference No: **64658/03**      Date of Interview: **03/04/03**  
Investigator: **S002**      Subject: **S002**  
Witness: **S002**      [Redacted]  
Time (hh:mm):  
Place (City):

**S002**

A pick-up I suppose.

SSgt Bates:

Okay, you say there were two men in there.

**S002**

There were two, well before there were quite a few people sitting in the back and they got off and ran somewhere, because the vehicle had stopped in this little village, well we drove up to this little village where they stopped, saw the vehicle had stopped there instead of going through and carrying on, so we thought, right it's stopped there so obviously we're going to check this vehicle, see if they've, or, and that area to see if they've left any weapons, thrown any weapons out or any, even along the way, you know well if they'd thrown anything out the vehicle.

SSgt Bates:

Right, so you stopped it?

**S002**

Yeah.

SSgt Bates:

How did you stop it?

**S002**

No it stopped, it stopped.

SSgt Bates:

It stopped?

**S002**

It stopped in a village.

SSgt Bates:

So it was the vehicle that you were chasing, had stopped?

**S002**

There was two vehicles, one went straight ahead and I don't know where that went, that just disappeared because it was a lot faster than our Wimmick and this vehicle stopped so obviously we approached with caution this vehicle and it was in the village as well so we were like, you know, are we being amb... set up here.

Signature of  
Sergeant  
Polhemus

[Redacted Signature]

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Continuation of record of Tape recorded Interview

MOD Form 952B  
Introduced 6/90

File No.	DMB/3---	Case Reference No.	64658/03	Page	1 of 10
Interviewer		Rank/Status	S002		
Post reference	S002				
Time (start)					
Time (end)					

SSgt Bates:

Okay, how did you park your vehicles around it?

S002

I remember parking my vehicle, oh I can't exactly, say if the vehicle was facing forward, I remember parking my vehicle horizontal to it but about fifty metres away.

SSgt Bates:

About fifty metres away?

S002

I think so, I can't remember, I can't remember, how far away it was.

SSgt Bates:

Well fifty metres is a long way. Okay, you parked horizontal to it, but not at the front, or not at the back?

S002

It wasn't, I can't remember.

SSgt Bates:

Okay.

S002

It's like, this is like a common occurrence, you know, you've stopped by a vehicle, I've stopped by so many different vehicles I honestly can't remember.

SSgt Bates:

Right, but you said there were two men in it.

S002

I remember two men.

SSgt Bates:

What do you remember about those two men?

S002

Middle age I suppose.

SSgt Bates:

Both of them?

Signature of  
Officer  
Police Officer

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STAFF - INVESTIGATION

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Continuation of record of Tape recorded Interview

MOD Form 952B  
Introduced 6/90

DMB/3 64658/03 S002

S002

They both looked roughly similar in age.

SSgt Bates:

Middle aged? What were they wearing?

S002

An all in one I think, I can't remember.

SSgt Bates:

Okay, were they...?

S002

Because usually they have trousers or sometimes they'll have a top and trousers sometimes, I mean I can't remember.

SSgt Bates:

Right, so what happened then?

S002

What happened, I remember S001 going, approaching the vehicle and telling, I don't, I honestly can't remember if he said to them get out or they started to get out or we had to take them out, I can't remember. But I do remember restraining one of them to get them to the floor and having to struggle to restrain him to the floor, and being concerned about, no, it's taking time to restrain this person to the floor considering we were in a village where people you know could be, people had been attacked in that area so obviously there's weapons because we'd been doing searches of houses and be finding weapons left, right and centre in houses so I was concerned about the village that we were in you know, in case someone would just jump out and you know, try to attack us.

SSgt Bates:

Right, how did you restrain him?

S002

I remember trying to lock his arm, to get him to go to the floor, saying lie down on the floor. I think, I think his friend whoever it was, was already lying on the floor and pointed to him saying lie down, lie down. He just would not lie down on the floor so we couldn't even search him, you know, we were worried about grenades and other things like that, that he

Signature of [Redacted] Sergeant

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Continuation of record of Tape recorded Interview

MOD Form 952B  
Introduced 6/90

Officer No.	DMB/3	Case Reference No.	64658/03	Page 3 of 106
Officer Name		Rank	S002	
Officer Address	S002			
Officer Phone				
Officer Email				

might have on him, booby traps so you know, we were trying to restrain him to get to the floor. So I remember getting him in an arm lock trying to push him to the floor, ended up getting him to the floor and just walked back over to the vehicle. I said to S001, S001 that I was going back over to the vehicle.

0 mins  
0 secs

SSgt Bates:

Right. So you've had a struggle to restrain him and get him to the floor and once he's on the floor you just walk off.

S002

Yeah, because he's lying on the floor now.

SSgt Bates:

Well how did you keep him lying on the floor. If it was a struggle to get him on the floor in the first place.

S002

Yeah.

SSgt Bates:

How did you get him to the floor. You say you had him in an arm lock?

S002

Yeah.

SSgt Bates:

So can you describe to us exactly how you got him from being in an arm lock to on the floor?

S002

To be honest I can't remember because every person that we tried to get to lie on the floor, you know, either struggles or puts up a little bit of a struggle to get down on the floor.

SSgt Bates:

Right.

S002

So you now, this has happening you know, every day,, getting someone to lie down on the floor, you know, usually we say to them stand on the side, search the vehicle or get them to lie down on the floor and then search the

Signature of  
Service  
Personnel

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Continuation of record of Tape recorded Interview

MOD Form 952B  
Introduced 6/90

Field No.	DMB/3	Case No.	64658/03	Page No. of Tapes	
Number		Subject	S002		
Reference No.	S002				
Time(s) and Tape Count					

vehicle so we don't have to, and someone's watching them so we don't have to worry about them, don't have to worry about them running to a vehicle, running into a house, running off. Once they lie down on the floor then it'd be easier, once they lie down someone watching them, for us to search the vehicle and to deem that area safe obviously with his hands up so we could see what he was doing, you know. But I remember on this particular occasion he would not lie down on the floor like most of the other people they wouldn't lie down on the floor so you know, I can't honestly remember what I did to get...

SSgt Bates:

You see...

S002

I just remember that I would have to get him in an arm lock for minimum force to get him to lie down.

SSgt Bates:

Right. I'm going to stop the interview to change the tapes because there's going to be a buzz in a minute saying that there's been forty one minutes have passed.

S002

Yeah.

240 hrs Tape change procedure carried out.

241 hrs Tape recorder switched off.

Tape Two:

1254 hrs Interview re-started. S002 was re-afforded his rights as stated at the commencement of the interview.

SSgt Bates:

Has anything been done or said during the interruption to change tapes which will influence your answers to my questions?

Signature of  
Service  
Participant

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