

MOD-83-0000067-A

Witness Name: Daniel Worthington

Statement No.: 1

Exhibits: None

Dated:

**In the matter of an investigation into the death of
Mr Nadheem Abdullah**

**WITNESS STATEMENT OF
DANIEL WORTHINGTON**

I, Daniel Worthington, will say as follows:-

1. I have been asked to provide a statement setting out what I can remember in relation to an incident that allegedly occurred on 11 May 2003 near Al-Uzayr in Maysan Province, South East Iraq, resulting in the death of Mr Nadheem Abdullah.
2. I served with 3 Parachute Regiment ('3 Para') from 1998 until 1 April 2004. Between 6 January and 1 September 2003 I was employed as the Coy Comd for C Coy as an Acting Major. Between 13 February and 29/30th May 2003 I was deployed on Op TELIC with my unit. I am no longer serving in the British Army.
3. During the war-fighting phase 3 PARA was made up of around 600-700 people, the majority of which were based at Camp Condor.

Al-Uzayr

4. At Camp Condor, we were well aware that there should be a deployment at Al-Uzayr, and I was involved in the instigation of the deployment to the police station there, which came about as the result of a request from local leaders. Al-Uzayr was regarded as a town that required monitoring, not quite lawless, but still a viper's nest of criminal activity.

5. When we established our position at Camp Condor I was asked to attend meetings as major OC commanding 3 Para. I attended several meetings in Al-Uzayr with local leaders in a formal meeting room in what was effectively a town hall. The leaders met with us and we talked to them through a translator as to what they wanted from us in the post-liberation period, which included such things as the restoration of power lines which had been destroyed from air bombings, and they wanted improvements within a certain time frame. The local dignitaries described an element of lawlessness in the area and a lack of security including car-jackings and gunfire at night, and they wanted British troops in the area to bring stability. I'm sure there would have been deaths in the area as a result of the lawlessness. There was also the proximity to the Iranian border and the possibility of drug trafficking, although I'm aware that reports of this could have been hearsay, as nothing was substantiated by patrols or intelligence. Accordingly, the local leaders requested a presence at Al-Uzayr.
6. We were well accustomed to stabilisation procedures, particularly as 3 Para had been in Kosovo, so we agreed to deploy a platoon to the police station at Al-Uzayr as a public relations exercise in order to show a presence in the area and bring stability as part of our strategy of winning hearts and minds. We even played football with the local children. My view is that we did this because we wanted to show the local population that the British Forces were there to stabilise the region. But we were also conscious that we had a limited timeframe within which to operate.
7. Accordingly, 8 Pl of C Coy were deployed to Al-Uzayr as a result of the request from the town council and agreement from the Battlegroup Headquarters ("HQ") in order to improve the security of the town, to provide a monitor of movement between the Iran/Iraq border and to create the conditions for training and recruiting the local police force. This platoon consisted of around 30 people on a rotational basis and was divided into 3 sections at the police station.
8. 8 Pl was commanded by S010 [REDACTED] with Sgt Kevin O'Brien RAF Regt as the second-in-command ("2IC")/Platoon Sergeant. There were three Sections within 8 Pl, each commanded by a Corporal.
9. We would have discussed this deployment with Battalion Headquarters, the CO of which would have been John Lorimer. I also would have discussed it with Maj Mark Christie and Cpt Andrew Wareing. There was an element of mission command; that is, how you deploy your forces is up to you, although I would have had to flag it up as we were putting a fixed position out of Camp Condor near the Iranian border. I would have done something like a combat estimate or risk assessment with regards to the

soldiers, considering factors such as the distance of the deployment from the base, the local terrain, communications, and asking myself such questions as: how important is this to the overall mission? What are the risks? However, we did not have the luxury of thinking about such things for a long time.

10. Typically C Coy is a dismounted Infantry formation with no significant vehicle complement, except for 1 x Pinzgauer, which is the vehicle for the Company Quartermaster Sergeant (CQMS). I recall that on several occasions I directed that the CQMS' Pinzgauer vehicle would be utilised by 8 Pl at Al-Uzayr in order to enable them to conduct vehicle borne patrols of greater distance and duration than as if on foot. Due to the time that has since passed, I cannot now recall the number of occasions that this occurred or the timeframe or dates. I do recall that at some time the CQMS raised his concerns that releasing the Pinzgauer to the Platoons was hindering his ability to do his job as he was dependant upon the use of the vehicle. Following this conversation with SSgt Salmons, the CQMS of C Coy, I made arrangements to source vehicles from elsewhere within 3 PARA. I cannot now recall exactly who I spoke to, to arrange this but typically all WMIKs and Pinzgauers are held by Sp Coy, and D Coy. I would have either have spoken to the Company Commanders directly or through the Battalion chain of Command. Thus it is not possible to state where the vehicles that 8 Pl utilised had come from.
11. It took about 15-20 minutes to get to the base at Al-Uzayr from Camp Condor, and the CQMS would do a run down there on a daily basis. I would go along occasionally and see how the guys down there were getting on. There was daily traffic between the base and Camp Condor.

Patrols

12. 8 Pl daily tasks were generally liaison with key personalities within Al-Uzayr and to improve the security within the town. The way that this was implemented and carried out was that 8 Pl moved into and occupied an old police building. That was then used as their patrol base. Security patrols in and around the town and on key roads were conducted from that base on a daily basis. The patrol patterns for 8 Pl's area would be directed by the Platoon Command, within Al-Uzayr. VCPs were also conducted by the patrols.
13. There would have been an assessment of the risk to the troops when going out on patrol, and the debate would have been about whether to deploy a platoon or an

augmented platoon. We decided that the two platoons (7 and 9 platoon) at Camp Condor should also patrol the broader area of Al-Uzayr, with one being asked to maintain a Quick Reaction Force ("QRF").

14. With regard to VCPs, these were done at the discretion and controlled by the PI Comd. This would be done during the pre-patrol brief by the PI Comd to the Section Commanders. The individual Section Commanders would be responsible for and the controlling of the VCPs once out on the ground. With regard to the use of force towards civilians at VCPs, this would be the PI Comd's discretion, working within the framework of the rules of engagement issued from higher formation. The rules of engagement in force at that time were still extant from the war fighting phase. Discretion rested with S001 regarding when to establish a VCP and how it was organised. S001 would normally submit a control plan indicating where he would go, or Sgt O'Brien or S010 would instruct him where to go. If there was nothing in the way of instruction then S001 as section commander could use his discretion to go and set up VCPs where he liked.
15. In terms of organisation of a platoon, a sergeant is typically in charge of discipline and admin and rationing and is 2IC of the platoon. The officer would concentrate on such things as tactics and communications. Depending on how the platoon structured its operations, it would be divided into multiples. Sgt Kevin O'Brien would be multiple commander 2, whilst S010 had control of multiple 1.
16. A sergeant will have spent anywhere between 12 to 15 years serving, but a lieutenant probably only around 2 years. A corporal would have been serving or at least 8-9 years, so the NCOs have the benefit of experience and time.
17. In order to avoid the risk of snipers or IEDs you would avoid repeating patrol patterns, and accordingly there was a master overlay of patrols produced. S001 would be told to concentrate on a particular area, and then that route would be overlaid onto the master.
18. I am aware that patrol reports were compiled and were required to be completed, however, I am unaware if these were done for each patrol or on a daily basis, encompassing all patrols that day. The patrol reports were passed to the Coy HQ.
19. Typically the patrol would maintain communications with the base during the patrol. There probably would have been reference points around the town and there should have been radio checks going back when the patrol went past these. You would have

- wanted to avoid saturating an area and equally ignoring it. There was nothing that would be recorded regarding what the instructions were with regards to patrols, and nothing recorded afterwards unless there had been an incident on patrol. If an incident had happened it was for S001 to record. Any patrol briefings and de-briefings were carried out by the PI Comd and was his responsibility.
20. I would not have been informed as a matter of course as to what occurred during patrols. There was a lot going on at the time, and it was necessary under such conditions to draw a line and let people get on with things in order to try and avoid creating unnecessary paperwork.
 21. In the absence of anyone reporting anything, Sgt O'Brien and S010 were reliant on the calibre and training of the people doing the job. The men going out on patrol were specifically asked to patrol the area because of a dangerous situation, which was pretty lawless. It was necessary to trust people like S001 and his section to operate professionally. If something had gone wrong whilst they were on patrol I would expect it to have come out, as there was ample scope for someone to come forward and report something up the chain of command to Sergeant Major Ben Huxley, myself or the Chaplain.
 22. I would assume that S010 and Sgt O'Brien themselves would have taken some patrols out as it was important for the local commander to know the ground. I would be astonished if they had not led at least a multiple or a constituent part of 8 PI out on patrol. If this was not happening then I am sure it would have gone up the chain of command and we would have heard about it, as it would be dangerous not to know the ground.
 23. With regards to S010 statement that the men returning from patrol seemed to be in a 'state of visible excitement', I find it strange that this wasn't mentioned to me. I would at least have expected it to have been discussed with Sgt O'Brien, and I would have expected there to have been a patrol report or a debrief regarding it. Any incident should have been formally captured in a log book or a patrol report.

Rules of Engagement ("RoE")

24. As far as I am concerned, there is never any ambiguity about the RoE. From a legal perspective, they were very clear and people would have been issued the appropriate card. RoE are also in the orders process. The Brigade Commander is given them and

they goes down through the orders process to the soldier on the ground. Furthermore, I distinctly remember a tactical aide memoire in relation to the RoE, which was a very large document, akin to a thick bible.

25. The RoE were of paramount importance. The soldier has to know what his reaction should be in a particular situation. For example, would it be a situation where you would put your berets on and try to win hearts and minds, or is a more aggressive posture required?
26. There was always a big question about the RoE transitioning into peacekeeping from war. If the RoE hadn't shifted to peace support, there would be an element of tactical command on the ground. The RoE would have been discussed and confirmed on a regular basis, and all patrols would have been well aware of the existing RoE at the time.

VCPs

27. Experience of tours in Northern Ireland was highly relevant in terms of what the British Forces were doing in Iraq. We had already used the same VCP drills from Northern Ireland in Kosovo in 1999, where the operation was about maintaining a very overt presence on the ground and reassuring people that there were measures in place to stop criminal elements moving around freely.
28. As a battalion conducting VCPs on operations, the majority of people in my Coy would have done VCPs many times in Operational Training and Advisory Group ('OPTAG') training, as well as in Northern Ireland and Kosovo. However, tactical considerations layered on top of that, such as sighting and frequency of VCPs, would have been left to the discretion of the Patrol Commander.
29. In terms of establishing whether or not someone is a civilian or a combatant, you have to make a tactical decision about whether or not that person is hostile, and whether or not there is a threat to life. I am sure that as part of OPTAG there would have been drills in VCPs. Training would require you to work through all manner of difficult scenarios, either physically on the ground in OPTAG or on video sessions where you would stop the tape and ask someone what they would do. For example, in a scenario where a vehicle is driving straight towards one of your colleagues and causing an imminent threat to their life, you would be asked to discuss what you would do in that situation.

30. In my mind there was always a 'soft' VCP for peacetime operations – for example, berets on and soft posture – and a 'hard' VCP, which is not quite an ambush but is a tactical VCP. A hard VCP would involve troops being hidden away off the road as you would be operating on an understanding that you are conducting the VCP in order to stop the Fedayeen or other criminal elements. This is in contrast to the VCPs in Northern Ireland. 3 Para would have gone through OPTAG. Mark Christie was the Battalion 2IC with responsibility for the Battalion's pre-deployment training, as mandated by 16 AA Bde. Captain Andrew Redding was the Battalion's designated Training Officer. Each company also had a designated 2IC/Training Officer.
31. The layout of all VCPs would probably be quite similar, whilst everything else would be dictated by tactical requirements on the ground. If a soldier had had the scenario-based training, they would know how to do both a hard and a soft VCP. VCPs would be second nature for any soldier who had served in the parachute regiment, and some of the troops would have had that tactical awareness from having served in Kosovo, where it was a higher tension environment than in Northern Ireland. I am quite sure ■■■ S001 would have served in Kosovo.
32. Even during the peacetime phase of operations in Iraq, we were focussed on showing a presence in and dominating the area, controlling it on behalf of the village elders. We were there to control the traffic of arms and drugs, so the VCPs would not have been of the soft variety.
33. If someone in a vehicle which had been stopped at a VCP was resisting getting out after being requested to leave the vehicle, I would expect the soldiers to escalate the situation by cocking their weapon to make it clear that they were serious. If that did not work then I would expect a soldier to start with the driver and forcibly evict them, just like a bouncer removing someone from a nightclub. You would choose the two burliest soldiers to use the minimum force required in the form of restraints and holds, and once that person had been dragged out, you would hope that the other people in the vehicle witnessing that would follow.
34. Once everyone was out of the vehicle you would line them up and make sure that they are covered whilst you searched the vehicle. You would then search the remainder of the people in either a standing or a kneeling position. In order to search them, you would want them at the very least kneeling down. However, you would not force them down so they were lying face down on the ground, as you would not be able to search

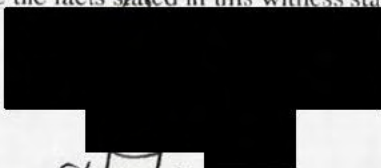
someone in that position. If someone was resisting going into a kneeling position you would give them a kick to the back of their knees.

35. I would not reprimand a soldier for putting someone onto the ground lying face-down, but I would want to know more about the scenario that led to them doing that. If they had used excessive force I would want to know why. Given the environment that the men were operating in, I would not have had a problem with them using force in conducting a VCP.
36. It might be necessary to kick someone in order to get them to spread their legs in order to be searched, but you would kick a fleshy part of the body, and with the minimum of force. I do not consider it inconceivable that a soldier, in certain circumstances would use their rifle butt to hit someone in a fleshy part of their body, but I cannot imagine a soldier using their helmet to hit someone with. A para's helmet is not worth hitting someone with.
37. In this instance, the vehicle had apparently avoided the initial VCP, and we were operating under warfighting RoE, and therefore it would have been the norm for people who had been searched in a VCP to have been left prone on the ground. We were not in the 'hearts and minds' phase of operations.
38. We were given ample training, and if anything untoward had happened on 11 May 2003 it would not have been due to a lack of training. The troops had received weeks of training with the American forces in Kuwait before going into Iraq.
39. Camp Condor was getting frequent visits from families making accusations against us and demanding compensation. The Civil Military Cooperation team would be called to the front gate to meet those people. It was not my job to investigate these allegations. I logged them and then handed them over to the RMP to investigate. Around that time I remember that British forces operating in Basra were being accused of drowning babies, but it transpired that all these alleged cases involved female babies.
40. I do not know what happened on S001 patrol on 11 May 2003. I was only aware of an incident involving a patrol/Section from 8 Pl during May 2003 when I was approached by the RMP (SIB) whilst serving in Iraq.

Statement of Truth

I believe the facts stated in this witness statement are true

Signed .



Dated06/10/14.....