



MOD-83-0000095-A

Witness Name: Major Andrew Wareing

Statement No.: 1

Exhibits: None

Dated:

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

**WITNESS STATEMENT OF
ANDREW WAREING**

I, Andrew Wareing, will say as follows:-

1. I am making this statement for the purposes of the investigation into the death of Mr Nadheem Abdullah.
2. I am currently Chief of Staff of the [REDACTED] a tri-service Unit based in South Wales. I sit below the Commanding Officer in the command hierarchy. I hold the rank of Major.
3. I joined 3 PARA as the Ops Officer in September 2002. Until Christmas the battalion was providing soldiers to support Operation FRESCO, military cover for the firemen's strike in the North London and Essex area. In January 2003 3 PARA began to conduct training for operations in Iraq. We deployed to Kuwait in the February thus we only had 3 to 4 weeks to conduct preparatory training before leaving the UK.
4. As Ops Officer I was the Commanding Officer's principal staff officer responsible for operational matters. In peacetime, I helped the Second in Command to run the battalion on the Commanding Officer's behalf. I liaised with Brigade Headquarters regarding operational matters and the Training Officer who put training programmes

into place. In wartime I assisted the Commanding Officer with all planning activity. I turned his verbal direction into written direction to the Battalion Chain of Command. I also provided liaison between the unit HQ and the Brigade HQ focusing entirely on operational matters.

5. When told we were to be deployed to Iraq, we did not have an operational plan. We were simply told we would deploy with 16 Air Assault Brigade to Kuwait and should prepare the Battalion for war fighting operations in Iraq thereafter. In the 4 weeks before the Battalion deployed we conducted an intense training package in Wales. Most of us did not consider if, and at what stage post-war operational support from the Army might be needed. At Battalion level, we simply had to get on and prepare for the most demanding operations we expected to face. That was war fighting. We had a very limited amount of time and had to prioritise training effort.
6. My only pre-2003 overseas operational experience (excluding Northern Ireland) was Kosovo in 1999. Kosovo was not dissimilar to Iraq in that I was deployed at short notice. We were jungle training in Belize, recovered to the UK and immediately deployed to Macedonia before entering Kosovo. We went prepared for war fighting but there was no requirement and the deployment was short. There was no specific training for a stability phase.
7. Iraq was the second overseas operation I had deployed on. There was no opportunity to conduct specific training for the stability phase. Since Iraq my only overseas operational deployment has been to Afghanistan where the context is very different with no distinct separation between war fighting and stability operations. There is a comprehensive training package to prepare soldiers for operations in Afghanistan though.
8. Pre-deployment training for stability operations is important but where time is short, as with Operation TELIC 1, it is more important to train for the most demanding task. This is war fighting because closing with and destroying the enemy is the most demanding and intense task soldiers can face. Training must be relentless as war fighting is complex and getting the basis right is critical to success. I acknowledge the stability operations that might follow are also essential to the success of a campaign.

9. I have been asked by the Inspector if I think that, in the event there is inadequate time to take soldiers already prepared for war fighting and train them for stability operations, the Army would be operating under a disadvantage. I do not think it would. I am content that we could put our soldiers into an environment where they may not have had the ideal preparatory training, but could still trust them to rely on previous training, use their initiative and judgment, and make the right decisions. We continually teach them the difference between right and wrong, for example as part of routine annual values and standards training.
10. I would point out that on deployment to Iraq, 3 PARA had amassed significant experience in Northern Ireland. For example C Company 3 PARA would have had a number of soldiers who conducted previous tours in Northern Ireland. They could draw upon these experiences. In some respects operations in Northern Ireland were not dissimilar to stability operations in Iraq in terms of the requirement to conduct patrols, stop and search vehicles and generally prevent lawlessness.
11. There was some tension in the relationship between 3 PARA and the local Iraqi civilians. We were operating in a relatively lawless part of Southern Iraq. The regime had gone and a vacuum was left behind in its place. That vacuum was quickly filled by inter-tribal fighting and criminals. There was a huge amount of looting and some score-settling taking place. 3 PARA represented law and order, so there were those who did not want us there. Context is important too. Being stopped by a 3 PARA patrol would certainly not have been the first time that civilians were met by people with guns. That was their way of life. In general I think the population did not want us there and we didn't feel particularly welcome. There was certainly some resentment at our presence.

Vehicle checkpoints ('VCPs')

12. The Inspector has described to me a hypothetical situation in which an Iraqi vehicle carrying men and women has failed to stop at a vehicle checkpoint ('VCP') set up by a 3 PARA patrol, but which was later apprehended by 3 PARA in a village.
13. In my view, the soldiers would have to adopt a robust position from the start and would be seeking to impose their will. How they conducted the VCP would depend on the circumstances. For example, if it was daytime, they could see who was in the car and

what they were doing. At night they could not. It would also depend on the geography of the area where the VCP was taking place. It is difficult to say what actions were appropriate, as they would differ according to the particular circumstances at the time. The soldiers would certainly have to gain control of the situation. I can understand that civilians in a vehicle approached by soldiers who were robust may well regard them as confrontational, particularly if they were shouting.

14. In the event that an Iraqi man was reluctant to get out of a vehicle upon being ordered to do so by a soldier, and therefore did not get out quickly enough, I would expect a soldier to encourage him out of the car as best as he could. However, if opening the door and gesticulation didn't work the soldier would have to haul the person out. If there was resistance, appropriate force must be used.
15. Once out of the car, I would expect that the individual to be checked to see that they are not armed. This would be done by physically taking hold of the person and patting them down to check for concealed weapons. If necessary, the person would be made to stand against the car or placed on the ground. The approach used by a soldier would need to be commensurate with what was going on elsewhere in the VCP and the perceived threat.
16. Soldiers are trained to use proportionate force which might include wrestling someone to the floor. It is certainly harder for a person to assault a soldier from a prone position on the ground than if they were stood against a vehicle, where they could run, kick or lash out. It would be up to the commander on the ground to decide if it was the right thing to put an individual on the floor, or whether the better course of action would be to allow them to stand. Depending on the circumstances, it may be an appropriate response to have an individual lying on the ground with their hands behind their back so they could be searched.
17. We rely on the soldiers' previous training to help them develop good military judgment and use force proportionate to the circumstances. We generally record this type of training. Certainly, any soldier who served in Northern Ireland completed a comprehensive training package before their deployment. There may be records documenting the training 3 PARA received in Northern Ireland but given the time that has passed these may well have been lost.

18. We occasionally conducted arrest and restraint training for the purpose of restraining people. However, real life events rarely happen exactly as per training simulations in the gym. People have a habit of being difficult. It must be borne in mind that soldiers in Iraq were burdened with weapons, webbing, body armour, radios and water, all of which weigh a lot. If an individual is determined not to go to the ground then the situation can become very difficult for a soldier.
19. I have been asked whether I think there is any training that would be useful in order to equip a soldier faced with difficult circumstances to do a job without escalating a situation to the point where unnecessary physical force is used. Soldiers can be trained for likely events which can happen in a particular situation, but events have a habit of not turning out the way you expect them to. If a person at a VCP in Iraq was non-compliant, and was physically resistant, then I think the use of appropriate physical force would have been necessary. If the person who was resisting sustained some bruising, this would not surprise me.
20. If in such a situation, a soldier had used a rifle butt in order to control and restrain a resistant person, I would not be too surprised. The soldiers in Iraq were performing their duties against the background of a suspicion that the occupants of any vehicle might be armed and pose a threat to their lives. Soldiers are not supermen and physically restraining a man can be very difficult. If you have something in your hands such as a rifle, which is heavy, you may well resort to it to subdue the person if they are physically resisting you.
21. I would think it unusual that a soldier in such a hypothetical situation would hit a person with their helmet in order to get them out of the car or get them to the ground. Not wearing a helmet was Unit policy at the time as we wanted to lower our profile and appear less intimidating. 3 PARA had a custom of attaching our helmets to the side of our webbing when not wearing them but I think it would be odd for a soldier to hit someone with his helmet. That said, our helmets were lightweight so it might be preferable for the individual as the alternative would be hitting him with a rifle, fists or another part of the body. We were not issued batons.
22. If a forceful stopping of a vehicle took place, in which the degree of force used had caused minor injuries to the occupants of the vehicle, then I would have expected the platoon to have reported to its Company Headquarters once returning to base. If this

had occurred in Northern Ireland, then a detailed patrol report would have been submitted, detailing the nature of the occupants, the vehicle, location and circumstances. However, in Iraq in 2003 we didn't have that formal structure in place. In Iraq, I would have expected the patrol to compile a report saying that they had stopped a vehicle at a VCP during which an individual had resisted arrest. This would have then been reported to their Company HQ, who would have reported it to Battalion HQ if they deemed it appropriate.

23. Looking back, there were lots of patrols conducted on a daily basis during which people needed to be removed from their cars at a VCP. If minor confrontation was the norm, then reporting such an incident up the chain to Company HQ might not have seemed appropriate. I would not necessarily have expected such a report to have come to me. However, if there had been major incident as a result of a VCP, such as someone being seriously hurt and needing hospital treatment, or an exchange of fire, I would expect this to be reported up the chain of command.
24. I do not remember receiving any reports of a VCP where any civilians had been injured.
25. In the event that civilians had been put on the ground to be searched and controlled, I would be mildly surprised if they were still lying on the ground after the soldiers had left the scene. However, I wouldn't be alarmed if I heard this had happened, as the soldiers might have specifically directed the individuals to remain lying on the ground until they had departed the area or the individuals may have chosen to remain there.
26. I have been asked by the Inspector whether the inability of soldiers to speak Arabic could have presented a problem when they must stop a civilian vehicle, search it and get people out of the vehicle. I think there undoubtedly would have been problems and their task would more difficult. In the absence of language skills they would have to rely on basic hand signals and raising or lowering the tone of their voice in order to make their intentions known. This would certainly make the process more difficult.
27. It was normal to go out on patrol without an interpreter, and I think we only got our first interpreter quite late on in the stability phase. There would not have been an interpreter at Section level.

28. Soldiers would normally be provided with the basics of the local language, such as 'stop.' I have a vague recollection of a language card being issued with a few basic words of command in Arabic such as 'move' and 'lie down.' I may be mistaken though.
29. I do not think that any harm would be done by training soldiers on the risks which can arise from misunderstanding between a soldier and a civilian as a result of the absence of a common language. However, I think that we train soldiers sufficiently well to do what's right and wrong and to use force appropriate to the circumstances. I believe that in general our soldiers are adequately trained to transition from war fighting to peace enforcement duties. It is not a major burden. I would point out that for 3 PARA there was no clear visible indication on the ground of a move between war fighting and stability operations.
30. As regards any training on sensitivity to local culture, I do not remember any specific training, although there may have been a small booklet handed out regarding local culture.

Statement of Truth

I believe the facts stated in this witness statement are true.

Signed ..  ..

Dated 24 / 10 / 14