

MOD-83-0000004-A

Witness Name: S010

Statement No.: 1

Exhibits: S010/1

Dated:

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

**WITNESS STATEMENT OF
S010**

1. S010 will say as follows:-

1. I am submitting this statement for the purpose of the Iraq judicial inquiry being conducted by Sir George Newman.
2. This statement is strongly based on the statements I made during the original RMP investigation which was conducted in 2003 – 2005 and is based on my recollection of events at that time. I do not now recall the events I describe below in the same detail at this time, particularly given that (i) it is now over 11 years since the events themselves, and (ii) it is between 9 and 11 years since the original RMP investigation.
3. In 2003 I was serving with C Company ('Coy'), 3 PARA. Between 14 February 2003 and the end of May 2003/early June 2003, I deployed with my unit to Iraq on Op TELIC. I was employed as the Platoon Commander of 8 Platoon ('8 Pl') for the duration of that tour.
4. During April 2003, I cannot recall the exact date, I was deployed with 8 Pl to Al Uzayr, Maysan Province. We had previously been working from Camp Condor within Maysan Province with the remainder of my unit.

5. 8 Pl was deployed to Al Uzayr as a response to intelligence that there was possibly an Iranian influence in the area, as well as a lot of car hijackings. Al Uzayr was close to the Iran/Iraq border, about 10km.
6. When I deployed to Al Uzayr, it was as Commander of 8 Platoon and we were an independent unit. My reporting chain was to Coy HQ at Camp Condor.
7. 8 Pl consisted of three Sections of about 8 men. There were also 4 snipers attached and about 4 assault pioneers. These personnel were not attached to the Sections. The Pl Sgt was Sgt O'Brien, RAF Regt and the Section Commanders were S001 Cpl White and Cpl Markl. Cpl White was returned on compassionate leave and his Section was taken over by LCpl Sexton. This happened before the move to Al Uzayr.
8. On arrival at Al Uzayr, we set up the Pl HQ in an old police station, which was used for the duration of our time there as an operating base. Once established, our remit/orders were to carry out foot patrols of the local town and vehicle patrols of the two roads that ran through Al Uzayr. This was mainly on Route 6, which ran from Basra to Baghdad, and on the road that ran from the Iranian border, east to west.
9. 8 Pl had 3 vehicles allocated to us: a ½ ton Land Rover which was an admin vehicle; a WMIK; and a Pinz-gauer for patrolling. When on vehicle patrol, the Section responsible would use the WMIK and Pinz-gauer and the Section Commander would choose which vehicle to use. Half of the Section would go in each vehicle.
10. Before 8 Pl arrived at Al Uzayr, orders were given to the whole Pl by me about the situation and our mission. Part of our overall mission was the responsibility for carrying out vehicle patrols and conducting vehicle check points ('VCPs'). This was because local villains, referred to as 'Ali Baba', or people from Iran were conducting hijackings and robberies. There was no police force in Al Uzayr at this time. Our job was to try and introduce some stability to the area and to regenerate the police force. VCPs were to be conducted to search for persons attempting to smuggle large amounts of arms, cash or other contraband. A briefing about VCPs was given but not about how they were to be conducted. This was because all the Section Commanders had Northern Ireland experience and had all conducted numerous VCPs before.
11. On arrival at Al Uzayr, I gave the Pl a day or so to settle in before the patrols of the road started. There was Pl Ops Room set up in the police station and this

was manned by a radio operator and either myself or Sgt O'Brien on a shift system.

12. The 3 Sections were working on 6 hour shifts consisting of guard, rest and patrols. When on patrols the amount done was limited by me, due to manpower constraints and working hours. During the 6 hour patrol period, the Section would usually be out on the ground for about an hour and a half maximum. This was because once we had shown a presence on the ground, the area calmed down and it was not possible for the Section to be out that long.
13. When patrols went out, I briefed every Section Commander prior to leaving. This was a verbal briefing and included the area to be covered where the VCPs were to be done, either 'rolling' or 'statics', and also general pertinent actions. An example was that we experienced trouble with radio communications and if they lost communications or experienced trouble then they had to return to the PI location. We were working under the Rules of Engagement ('ROE') as per the white card, JSP 398. The local population was to be treated with courtesy, as per Northern Ireland rules. If whilst conducting VCPs the patrol made a find, then I was to be informed and they would detain the person and convey them to Camp Condor. I was to be informed of any incidents that took place on the ground.
14. The members of my PI that were on patrol on 11 May 2003 in the 8 PI Area of Operations were as follows: S001 [REDACTED] S004 [REDACTED] S003 [REDACTED] S005 [REDACTED] S006 [REDACTED] and S002 [REDACTED] S002 [REDACTED] was an additional individual given to 8 PI from Sp Coy, 3 PARA, to supplement manpower as he was a WIMIK driver and his vehicle also came to 8 PI.
15. I only had the resources for one Section to patrol at any particular time.
16. I have been asked whether I can remember any incidents involving S001 [REDACTED] and his Section whilst at Al Uzayr. I cannot remember the exact date but it is annotated in the log book that was recovered by the Special Investigation Branch of the Royal Military Police (SIB RMP). I produce a copy of this radio log as Exhibit S010 1.
17. I can remember receiving a radio message from S001 [REDACTED] Section stating that a vehicle had avoided a VCP. I told them to catch the vehicle and search it as it sounded suspicious based on my previous experience. I had been conducting VCPs for about 3 weeks before this and the same had happened. When we caught the vehicle it was found to contain large amounts of weaponry.

18. I told them to deal with the situation and if they had no weapons or cause for concern then send the civilians on their way. I did not speak to them again on the radio.
19. I spoke to S001 on his return to Al Uzayr to find out what had happened. He told me that they had searched the civilians and sent them on their way. A patrol report was not compiled as nothing of significance had been found.
20. I noticed that the other Section members seemed excited about something, although this was not a visible excitement, rather it was just something I picked up on. I know these Section members really well and I felt that something had happened on patrol. I spoke to them collectively but no one came forward or told me anything. I asked them what had happened whilst out and they all said that nothing had happened.
21. I should note that when I saw S001 and his Section after they returned to Al Uzayr, I did not notice any blood on their uniforms or weapons. We had previously dealt with incidents whereby civilians had been bleeding and it was thus not unusual for any of my PI to have blood on them, but in the case of S001 and his Section I did not see any blood on them.
22. I felt that something had happened involving these men and discussed my concerns with Sgt O'Brien. I believe that he spoke to them as well but I do not know for sure. I have discussed this fact with Sgt O'Brien since and although I believe something happened, I'm not sure exactly what.
23. A couple of days after this, the interpreter that we had working for us came to see me. His name was [REDACTED] and he was [REDACTED]. He told me that my guys had killed someone. Prior to this, rumours through the village claimed that the English was responsible for the death of a baby and an old man. This happened because there was an element in town who did not want the British there. When the interpreter told me this, he said nothing else; only that someone had been killed. I told him to report it to the Chief of Police, who had been employed at that time.
24. I did not put any credence on [REDACTED] report as there had been rumours before. Also I did not want to believe that my men could be involved in such an incident and this was because of my feeling that something had happened. However, I told him to report it because if was indeed true then the police had to be informed. I did not report it to my unit authorities as I did not believe my men were involved.

25. A few days later, the SIB RMP arrived at Al Uzayr and recovered the uniforms, weapons and kit from S001 and his Section. I believe that prior to this, the Section was spoken to by the Regimental Sgt Major, WO1 Eisler and the Company Sgt Major, WO2 Huxley, but I do not know what was said.
26. After the kit had been recovered from the Section, I spoke to them again on a number of occasions but each time all denied that anything had happened whilst on patrol. It reinforced my feeling that something did happen but I don't know exactly what.
27. When the SIB RMP recovered the equipment from S001 and his Section, I was told that it was in relation to an allegation that they had killed an Iraqi. I was informed of this by my unit before the SIB RMP arrived.

Ammunition

28. As the Pl Cmdr it was not my responsibility directly to account for, or to check, ammunition holdings within the Pl. This role was performed by the Pl Sgt and as such would have been conducted by Sgt Stones initially and then Sgt O'Brien when he assumed the part of 8 Pl Sgt. Ordinarily I would not have been involved in that process. I am unaware of the exact system that would have been invariably in place at that time to ensure that ammunition expended would have been replaced. This would have been conducted by the Pl Sgt.
29. At the time that 8 Pl were located in Al Uzayr there had been a recent change over from warfighting to peacekeeping operations. As such, I do not believe that there was detailed instruction with regards to the accounting of ammunition. It is my recollection that we adopted a similar system of checks to that which I had previously experienced in Northern Ireland. In essence, there was no hard and fast rule.
30. I can recall an occasion when Cpl Markl's Section had cause to discharge rounds. The exact nature of the incident I can't recall due to the time that has elapsed, but I remember that a full incident report was written and submitted up the Chain of Command.
31. I cannot recall any occasion where I was given an Operational Order. Any instructions given to me would have been verbal in the form of orders over the radio, usually given by the Coy 2 I/C. I do not recall any specific instructions given with regard to how to deal with thieves. My understanding was that operations should be conducted in a similar manner to those which were conducted in Northern Ireland.

The radio net and logbook

32. The PI Ops Room that was set up at Al Uzayr had at least one radio set, manned by the person on radio 'stag' with either myself or the PI Sgt in the vicinity. All routine traffic on the radio net would be conducted by the person on radio stag. However, should anything significant have occurred then invariably myself or the PI Sgt would have taken over the radio 'net'.
33. There was only one means of getting on the net, either a headset or a handset, such that only one person in the Ops Room could listen into the net at any time. On the occasions that I would be on the net, the radio stag would listen in to my half of the conversation. I would expect that at the end of any such occasion he would ask for any points regarding which there was an issue so that the stag could then make the relevant entry into the logbook.
34. Turning to Exhibit S010/1, I can confirm that 8 PI's callsign was 'D2Ø'. I can also confirm that an entry detailed as 11 May 2003 at 1751 hrs stating 'Veh avoided VCP' is in relation to the first conversation I had with the patrol. Also, an entry at 1810 hrs on the same day detailing, 'Checked 2x pax, nothing found let go' is in relation to a later conversation regarding the same incident which was held between 8 PI and either myself or whoever was on radio stag (I cannot recall whether I was called to the Ops Room on that specific occasion).
35. The radio net allowed communication to 8 PI callsigns but also to Coy HQ, which was identified in the logbook as 'Ø'.
36. To the best of my recollection and without reference to any notes, the callsigns in use within 8 PI were as follows:
 - D21 – 1 Section
 - D22 – 2 Section
 - D23 – 3 Section
37. In addition callsigns such as 'D21C' would denote the Section Commander. 'D2ØB' is the callsign of the PI Sgt.
38. Entries were made in the logbook in respect of any message heard on the radio net without exception. To the best of my recollection, the volume of traffic on the net wasn't heavy. However, I would have expected the radio operator to be unable to record every message in exceptional circumstances such as during a major incident, where the volume of traffic would be high.

39. In relation to patrol reports, these were not completed due to lack of resources and lack of time. It was accepted that only in the event of a significant incident would a written incident report be compiled.

Outcome of original RMP investigation

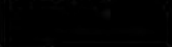
40. For completeness, I would like it noted that all members of my Platoon were acquitted of all charges they faced arising out of the incident described in this statement.

Statement of Truth

I believe the facts stated in this witness statement are a true recollection of what I said during the original RMP investigation

S010

Signed



Dated

10 / 11 / 14

Witness Name: S010

Statement No : 1

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

**WITNESS STATEMENT OF
S010**

Exhibit S010 1

S010

10/11/14



MOD-83-0000076-A

Date 11-5-05 Own Call Sign _____ Frequency _____

Time	To	Call From	N.R. No.	Text	Date/Time Group
0740	D20	Ø	VHF	REX DIFFICULT	
0750	Ø	D20	VHF	REX OK	
0755	INFO ONLY			REX OK	
				DOUGLAS ON DUTY	
10:00	INFO ONLY			BATESMAN ON DUTY.	
10:01	Ø	D20	VHF	REX OK	
10:20	D20	Ø	VHF	REX OK	
10:21	D20	Ø	VHF	D20 B	
10:32	D20	Ø	VHF	SENDING DOWN PAPERWORK TO CHECK SPAN-SENA TRACK - 2	
11:12	D20	D22C	VHF	BACK AT OUR LOCATION	
11:57	INFO ONLY			LICPL VELLA ON DUTY.	
11:57	Ø	D20	VHF	REX OK.	
12:26	Ø	20B	VHF	Is it possible to have a pay parade on 64 run?	
12:28	20B	Ø	VHF	yes. later on.	
13:36	Ø	D20	VHF	RCK: O reads D20 difficult. D20 * O strength 5.	
13:59	INFO ONLY			CPL WRIGHT ON DUTY.	
14:40	Ø	D20	VHF	RCK N-H	
14:42	D20	Ø	VHF	RCK (COULD HEAR Ø - Ø COULD NOT HEAR US)	
14:51	Ø	D20	VHF	RCK Difficult at Ø CLEAR HERE	
15:02	D20	Ø	VHF	Ø - Difficult, N-H	
16:14	Ø	D20	VHF	RCK OK.	
16:54	D20	D21C	VHF	RCK Ø (COULD HEAR C/S C/S COULD NOT HEAR Ø)	
17:19	D20	D21C	VHF	REX SAME AS ABOVE.	
17:22	D20	D21C	VHF	RCK SAME AS ABOVE.	
17:24	D20	Ø	VHF	D35A DELAYED AWAITING P/CALOS	
17:25	D20	D21C	VHF	RCK (HEAR C/S N-H)	
17:26	D21C	D20	VHF	RCK N-H	
17:29	D20	D21C	VHF	RCK (HEAR C/S N-H)	
17:30	D20	D21C	VHF	RCK - 15	
17:46	Ø	D20A	VHF	REF 2x 351 BATTERIES	
17:51	D20	D21C	VHF	VEH AVOIDED VEP	
17:56	INFO ONLY			DOUGLAS ON DUTY	
18:05	D20	D21C	VHF	RCK OK.	
18:10	D20	D21C	VHF	checked 2x Pax nothing found let go.	

Date 11-5-05 Own Call Sign D20 Frequency _____

Time	To	Call From	N.R. No.	Text	Date/Time Group	Sig. Strength
1827	D20	D21C	VHF	LOC STAT 282759		
1835	D20	D21C	-"	LOC STAT 291790		
1851	D21C	D20	-"	ACK ON LOC STAT 336709		
2005	INFO ONLY		VHF	Sgt EGAN ON DUTY		
2006	Ø	D20	"	Rck OK		
204	D23C	D2Ø	"	Rck OK		
2041	D23C	D2Ø	"	Rck OK		
2047	D2Ø	Ø	"	Rck OK		
2100	D2Ø	D23C	"	Rck OK		
2110	D2Ø	M23B	"	Rck (difficult)		
2120	D2Ø	M23B	"	Rck OK (Good Comm)		
2122	D2Ø	D23C	"	Rck OK		
2124	D2Ø	D23C	"	Rck (D23C Good) D2Ø weak.		
2125	D2Ø	D23C	"	Rck OK		
2127	D2Ø	D23C	"	Can D2Ø relay to M23B.		
2200	INFO ONLY		"	L/CPL VELLA ON DUTY		
2254	D23C	D20	VHF	Loostat.		
2255	D20	D23C	VHF	Making way back to base		
2302	D20	D23C	VHF	Back in this location fig 10 mins		
2318	D20	D23C	VHF	Rck OK.		
0001	INFO ONLY		-	PTE TATAM ON DUTY		
0030	Ø	D2Ø	VHF	Rck OK		
0250	D2Ø	Ø	VHF	Rck OK		
0400	INFO ONLY			DOUGLAS ON DUTY		
0410	D20	Ø	VHF	ACK of all day		
0412	D20	Ø	HF	ACK of heard.		
0538	Ø	D20	VHF	ACK of		
0700	INFO ONLY			S002 [redacted] on duty		
0700	Ø	D20	VHF	Rck of nothing heard		
0710	Ø	D20	VHF	Rck of OK		
0747	D20	Ø	VHF	Rck of OK		
0755	INFO ONLY			Sgt EGAN ON DUTY		
0812	D2Ø	Ø	VHF	330 ON ROUTE.		
0820	D2Ø	D21	VHF	Rck OK		
0821	D2Ø	Ø	VHF	Rck OK		
0820	D2Ø	Ø	VHF	D2Ø HAVE CALL SIGN ON CALL FOR TASKING		
0950	INFO ONLY			L/CPL VELLA ON DUTY		
1000	D20	Ø		Rck of		
1041	Ø	D20		Rck Ø to D20 OK		

D20 to Ø Difficult