



MOD-83-0000355-A

STAFF – INVESTIGATION  
OFFICER ONLY



MOD Form 266A/B  
(Introduced 12/03)  
Case No: 64872/04

SERVICE POLICE  
WITNESS STATEMENT  
(CJ Act 1967, S.9; MC Act 1980, ss5A (3a) and MC Rules 1981, r70)

Statement of: SO30

Rank/Status: Cpl

Age if under 18: Over 18 (if over 18 insert 'over 18')

Occupation: HM Forces (RM)

This statement (consisting of 4 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Signature: SO30

Dated 18<sup>th</sup> December 2004

I am Cpl SO30, 40 Cdo RM, BFPO 643. My parent unit is 40 Cdo RM, Norton Manor Camp, Taunton, Somerset. I am on Op TELIC and am due to leave on 17 Jan 05.

Prior to deploying on Op TELIC, I attended OPTAG trg. Part of this includes the Rules of Engagement (ROE) and the White Card. I know and understand the ROE and always carry the White Card.

On arrival at Op TELIC, I zeroed my rifle 5.56mm A2 and I have zeroed it a number of times since then. I carry 120 rounds of 5.56mm and 1 red phosphorous grenade.

I am a member of C/S PE10B. This is commanded by Sgt SO29, his driver is Mne SO34 and the top covers are Mnes SO28 and SO32. I command the second vehicle in the C/S and my driver is Mne SO35 and my top covers are Mne SO35 and a Fijian soldier known as SO31, I can't remember his name. Whilst on patrol we communicate with each other using Personal Role Radios (PRR).

On Fri 17 Dec 04, our C/S was tasked to take a BFBS presenter to Shaibah Logistics Base (SLB) from Az Zubayr Port (AZP). I don't know his name.

Prior to leaving we received a brief by the unit Int Officer (I don't know his name). We were told to be aware of a maroon coloured sedan car that is of interest and to be wary of VBIEDs. Prior to leaving we also received a brief from Sg SO29 which comprised of our 'actions on' for all situations, which included any contacts (we were reminded about the ROE), vehicle breakdown and the procedure for civilian cars getting in between our 2 vehicles.

Our procedure is not to let any cars come from behind unless they prove that they are not a threat or it is an emergency vehicle and it is clearly marked as such.

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MOD Form 266E (Continuation Sheet)

Sheet No: 2

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Continuation of statement of SO30

We left AZP about 1715 hrs, before doing this we all loaded our weapons and the top covers made their weapons ready to fire. We travelled along route MAUI onto TOPEKA through 'Two Mosques' roundabout and then turned around and we intended to turn right to SLB.

As we were approaching the junction to turn right, my vehicle (Wolf Land Rover) was behind Sgt SO29s (Pinzgauer). It was very dark and there was no street lights. I became aware of my two top covers shouting for a car to stay back. I believe I heard Mne SO33 shouting 'Stop, stop stay back.' I heard him shout this about 2 times. I tried to turn around but I couldn't see the car but I could see some lights in the left wing mirror and I would guess that the car was about 10 metres away.

I heard a single shot being fired, I did not see or hear or where the shot hit. I don't know who fired this shot but I recognized the sound as that of an A2 rifle. Mne SO33 carries a Minimi and SO31 carries a rifle. I heard 2 further single shots being fired, I don't recall if anything was being shouted or not.

I then heard the Minimi from my vehicle fire a burst of about 3 to 5 rounds. I didn't see or hear where these rounds landed. I then told my driver to pull over to the right as I knew the car was close (I still had not seen the car or its driver).

Our vehicle went to the right. I heard a loud burst of rounds, which I didn't recognize as one of our weapons. The top covers shouted that he was firing. I then said over the PRR 'Contact left.'

The front vehicle also pulled over to the right. I saw the car go past us and I could see that it was a white 4 door saloon car and it went left onto the central reservation.

I saw the front vehicle top cover firing at the white car. I could only see tracer being fired and these rounds hitting the car's bonnet.

After the car went left it carried out a U turn and stopped. It was facing away from us. I did not believe that the car was a threat anymore and I therefore said over the PRR 'Stop, stop, stop. Cease fire.'

This incident lasted for about 15 seconds and I honestly believed that my life and that of my colleagues was under threat.

I never saw any of the vehicle occupants. I did not fire my weapon at all. After we had dropped the BFBS person off, we returned to the incident with the QRF and searched the area.

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**MOD Form 266E (Continuation Sheet)**

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Continuation of statement of: SO30

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I am not able to say if the car had been moved. However, when I had last seen it, it had been facing Basra City.

Signed: SO30

Signed: JR SHERER  
Sgt  
RMP (SIB)

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