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IN THE MATTER OF AN INVESTIGATION INTO THE DEATHS OF
MR NADHEEM ABDULLAH MANEA AND MR HASSAN ABBAAS SAEED

COURT 8
INNER LONDON CROWN COURT
LONDON. SE1

26 SEPTEMBER 2014

Before

SIR GEORGE NEWMAN (THE INSPECTOR)

Witnesses

Dr Abdul Khaliq Abdal Rasool Badan (via video link, in Iraq)

Dr Nicholas Hunt (in London)

Dr Saeed Abderrazzaaq Mahdi (via video link, in Iraq)

MR T POOLE QC (Counsel in London)
MS AL QURNAWI (Counsel in Iraq)
MR YOUSSEF FOUAD EL-KADI (The interpreter in London)

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(10.30 am)

(10.40 am)

(Proceedings delayed)

(Proceedings broadcast live to Iraq)

THE INSPECTOR: Good morning.

MS AL QURNAWI: Good morning.

THE INSPECTOR: Can you all hear me?

MS AL QURNAWI: Yes, we can hear you.

THE INSPECTOR: Can you see me?

MS AL QURNAWI: Yes, we can see you, but --

THE INSPECTOR: You need me to look in this direction, is that right? To look at the camera.

MS AL QURNAWI: Yes, you need to look in this direction. Can you see us?

THE INSPECTOR: I can see you, but the definition -- the distance makes it difficult for me to see precise features. Is it --

MS AL QURNAWI: We are having problems with the sound so can you repeat. I cannot hear you very well.

THE INSPECTOR: The quality of the picture doesn't enable me to see people's features, their facial features.

MS AL QURNAWI: Yes.

THE INSPECTOR: But perhaps that doesn't matter for the moment. All right?

1 MS AL QURNAWI: Okay. Yes, all right. We can see you, very
2 far, but we can only see you -- they are trying to alter
3 the picture. Sorry, Sir George, just give us a minute,
4 they are trying to do something about the camera.

5 THE INSPECTOR: I can see the ceiling now! That's better.
6 Excellent, thank you.

7 MS AL QURNAWI: Okay. You can't see me.

8 THE INSPECTOR: Well, I'll greet -- will you do -- you have
9 an interpreter there, Ms Al Qurnawi? Or we have an
10 interpreter here.

11 MS AL QURNAWI: Okay, I will do the interpretation.

12 THE INSPECTOR: Can I say, Ms Al Qurnawi, I have an
13 interpreter here, Mr Youssef El-Kadi. What we can do is
14 that he can interpret what I say and I will speak very
15 slowly, and if there are any questions which arise
16 because on the interpretation, which you will be aware
17 of because you will understand my English and you will
18 understand his translation, then just let me know, would
19 you?

20 MS AL QURNAWI: I will do. Just give me a second. Let me
21 translate to them what is going to happen. (Pause)
22 Yes, okay.

23 THE INSPECTOR: Okay. Good morning to you all.
24 (Proceedings interpreted unless otherwise indicated)

25 MS AL QURNAWI: Good morning. We cannot hear the

1 translator.

2 THE INSPECTOR: No, he is going now to somewhere he can
3 translate. So we will start again, Ms Al Qurnawi.

4 Good day to you all.

5 I should like to greet all those of you who are
6 there in Iraq and to say how pleased I am that you are
7 here today to participate in this first day of a hearing
8 between us in London and you in Iraq.

9 There have been, I know, uncertainties and
10 difficulties for the family of the deceased, Mr Nadheem
11 Abdullah.

12 These difficulties have been present in the last
13 week or so and I am very sorry that the difficulties
14 arose, but I am very delighted that they have been
15 overcome.

16 You may know that I have said many times that your
17 participation in the job I have to do is vital. And it
18 is for that reason that I am delighted that you have
19 a lawyer, Ms Al Qurnawi, with you today who can assist
20 you, guide you, support you, listen to you and speak to
21 me in English.

22 She has experience of English law, because she was
23 a solicitor here, and she is most able and qualified to
24 assist you.

25 I did refer, in my most recent statement, to the

1 difficulties you have had in the last few days, namely
2 conversations by telephone, which obviously caused you
3 anxiety and confusion. But the main thing is that you
4 are here today and we can get on with what we have to
5 do.

6 I should add that I have been making enquiries into
7 who was responsible for talking to you in the way that
8 it is said they did and I can report to you that I have
9 had cooperation from public interest lawyers, but my
10 investigations are still continuing.

11 But, more importantly now, let me talk about today.

12 As you know, we are in a court here in London.
13 There are a number of people present in the court. It
14 is a public hearing and anyone may attend who wishes to
15 do so.

16 You will not be able to see because of the camera
17 who is here, but I can assure you that there are some
18 people here, all of whom have an interest in what it is
19 that we have to do.

20 Now, because of the need for the questions to be
21 seen by you on camera, I need to explain to you who is
22 here. On my left is Mr Tom Poole. He is a barrister
23 who has been assisting me in the investigation. I have
24 asked him to give me help today in asking questions of
25 the two witnesses we will be taking evidence from.

1 I am in charge of the questions. I have discussed
2 the questions with him, but it is most helpful for him
3 to ask them, for me to listen, as you will be listening,
4 to follow up on anything that needs to be followed up
5 on, and that is how we will progress.

6 We have got a witness here in London, Dr Hunt.
7 Because of the camera, Dr Hunt will sit here (indicated)
8 next to me and I will sit back a little bit, like that
9 (indicated), so that Tom Poole can ask the questions of
10 Dr Hunt sitting here.

11 Now, the first item on the agenda is for Dr Abdul
12 Khaliq to give his evidence to me and perhaps he could
13 identify himself. How do you do, Dr Khaliq, good day.

14 MS AL QURNAWI: Would you excuse me, Sir George, just give
15 me a couple more minutes just to run through giving you
16 the attendees in this room, if I may.

17 THE INSPECTOR: I didn't --

18 MS AL QURNAWI: Can you hear me? Just to tell you who is in
19 the room here.

20 THE INSPECTOR: I would like that, please. Please, if you
21 would, Ms Al Qurnawi.

22 MS AL QURNAWI: As you see we have the Abdullah family, we
23 have Mrs Jusm Badr, she is the mother of the deceased.

24 THE INSPECTOR: I can just see, I can see two ladies at the
25 end.

1 MS AL QURNAWI: They have -- that is them, yes.

2 THE INSPECTOR: Would they mind if they just stood up so
3 I could see them?

4 MS AL QURNAWI: She will, yes. Can you see her now? The
5 mother?

6 THE INSPECTOR: Thank you, good day. Thank you very much.

7 MS AL QURNAWI: We also have here Fahd Abdullah, who is the
8 brother of the deceased. Can you see him?

9 THE INSPECTOR: I can. Good day.

10 MS AL QURNAWI: He is the brother and he is the spokesman
11 for the family.

12 THE INSPECTOR: Good day.

13 MS AL QURNAWI: I also have here Ali Abdullah Sagher. Can
14 you see him?

15 THE INSPECTOR: Just. That's better.

16 MS AL QURNAWI: The second brother. And I have here
17 Dr Abdul Khaliq, as you mentioned.

18 THE INSPECTOR: Thank you.

19 MS AL QURNAWI: I also have two witnesses, Alzad(?) another
20 family member, Youssef (?), he is a witness, another
21 Abdullah family member. He is not on your list but he
22 is one of the witnesses attending this hearing, and his
23 wife, Mrs Dalal.

24 THE INSPECTOR: How do you do. Thank you, Ms Al Qurnawi.

25 MS AL QURNAWI: You see we have Mrs Souad Nasser here, she

1 is to my right, but you can't see this part of this.

2 THE INSPECTOR: I can't quite see ...

3 MS AL QURNAWI: Can you see her? She's next to me.

4 THE INSPECTOR: I see you.

5 MS AL QURNAWI: And then Mrs Souad is next to me.

6 THE INSPECTOR: Okay.

7 MS AL QURNAWI: And on my left side is my other colleague,

8 Khalid here. And I have behind Mr Saleem.

9 THE INSPECTOR: That is Mr Saleem. I know his name.

10 MS AL QURNAWI: Yes.

11 THE INSPECTOR: I know his name very well. Good, thank you.

12 MS AL QURNAWI: Thank you. Okay.

13 THE INSPECTOR: Everybody is ready. Dr Khaliq, I will now

14 ask Mr Poole to ask you some questions.

15 DR ABDUL KHALIQ (called)

16 Questions from MR POOLE

17 MR POOLE: Dr Khaliq, can you hear me okay?

18 A. Yes.

19 MR POOLE: I am going to ask you some questions on behalf of

20 the inspector. The purpose of these questions is to

21 understand the events surrounding the death of Nadheem

22 Abdullah as best we can.

23 It is also, as you will appreciate, an opportunity

24 for members of the family, and relatives, to understand

25 those events.

1 Could I start with some formalities. Could I ask
2 you to state your full name, please?

3 A. Abdul Khaliq Abdul Rasool Badan.

4 MR POOLE: I understand that although English is not your
5 native language, you can read, write and speak English.
6 Is that correct?

7 A. Yes.

8 MS AL QURNAWI: Can you hear us well?

9 THE INSPECTOR: Yes.

10 MR POOLE: Doctor Khaliq, if I could ask you perhaps just to
11 keep your voice up or perhaps move the microphone
12 closer, if that's possible.

13 A. Abdul Khaliq Abdul Rasool Badan.

14 MR POOLE: Could you state your qualifications, please?

15 THE INTERPRETER: I didn't understand.

16 THE INSPECTOR: Is it --

17 MR POOLE: Dr Khaliq, it's very difficult to make out what
18 you're saying.

19 THE INTERPRETER: He's saying it in English anyway.

20 A. (Not interpreted) I have a higher diploma, I have a
21 medical practice. I have a higher diploma in child
22 health.

23 THE INTERPRETER: In child care. Paediatrician.

24 A. (Not interpreted) Child health. Child health.

25 MR POOLE: What is your current occupation?

1 A. Now I am a paediatrician in Basra General Hospital and
2 I am the general director of the private sector in the
3 hospital.

4 THE INTERPRETER: Paediatrician in the Basra General
5 Hospital.

6 THE INSPECTOR: Ms Al Qurnawi, I think it's purely because
7 of the microphone and the communications line. We are
8 having great difficulty hearing what Dr Khaliq is
9 saying.

10 MS AL QURNAWI: What we are going to do is put the laptop
11 with the camera here to help the quality of the sound.
12 Can you hear?

13 THE INSPECTOR: Yes.

14 MS AL QURNAWI: We are just trying to -- can you hear me
15 now?

16 THE INSPECTOR: I can hear you and it is clearer. What
17 happens is the sound has breaks in it so that you are
18 speaking from your seat and then the sound breaks.
19 Could you talk again where you are, testing, testing
20 testing?

21 MS AL QURNAWI: Testing, testing, testing. What we're going
22 to do is --

23 THE INSPECTOR: That is excellent.

24 MS AL QURNAWI: Place the laptop here for Dr Khaliq and this
25 may improve the quality of the sound.

1 Okay, here is Dr Abdul Khaliq.

2 A. Testing testing okay?

3 MS AL QURNAWI: Can you hear him now?

4 THE INSPECTOR: That's better.

5 A. Now? Is that better?

6 THE INSPECTOR: That's better.

7 MS AL QURNAWI: I think we can't do anything about breaking

8 up of the sound but this is the most we can do.

9 THE INSPECTOR: Excellent.

10 A. Okay. Now I am a paediatrician in a hospital and I am a

11 manager of the same hospital. I am director of the

12 private sector of the same hospital.

13 MR POOLE: In 2003, you were the hospital director in Qalat

14 Saleh, is that right?

15 A. Yes, that's right, yes.

16 MR POOLE: You also worked --

17 A. Yes, that's right.

18 MR POOLE: You also worked in a private clinic. In

19 Al Uzayr. Is that correct?

20 A. Yes.

21 MR POOLE: You have provided a statement for the

22 investigation. I have a copy of that statement, dated

23 11 August 2014. Have you also got a copy of that

24 statement? Is your statement in Arabic or English?

25 MS AL QURNAWI: The date of the statement you mentioned, is

1 it 11 August?

2 THE INSPECTOR: Yes.

3 MS AL QURNAWI: Wait a second, I don't think --

4 A. (Not interpreted) We don't have it.

5 MS AL QURNAWI: It is 11 August 2014. I haven't got it.

6 MR POOLE: If it assists --

7 A. Yes, yes.

8 MS AL QURNAWI: We have it here.

9 A. Yes, we have it.

10 MR POOLE: Does that statement contain seven paragraphs?

11 A. Yes.

12 MR POOLE: Have you had an opportunity to read that

13 statement recently?

14 THE INSPECTOR: Have we lost sound? Can you hear us?

15 A. Yes.

16 MR POOLE: And are the contents of that statement true?

17 A. They are very true, provided there is something

18 indicated (audio break up).

19 MS AL QURNAWI: Do you mind if I will -- I will say because

20 Dr Abdul Khaliq earlier has pointed out something that

21 (audio break up). Or is it clearer for me to say? Can

22 you hear me?

23 MR POOLE: Yes, Ms Al Qurnawi. If you would like to then

24 inform me what you have been told by Doctor Khaliq.

25 MS AL QURNAWI: Okay. Regarding point 5 of this statement

1 of 14 August 2014, I have only the Arabic copy here with
2 me, I have not seen the English because I think it's
3 under (?) translation. But there's one thing on topic
4 5, the Arabic version says that Nadheem was lying on the
5 floor in the clinic, in Dr Khaliq's clinic, and the
6 blood was discharging from him. He said the correct
7 word, he said that the blood was clotting or collecting
8 in a clot. So that word.

9 THE INSPECTOR: I am sorry, Ms Al Qurnawi --

10 MS AL QURNAWI: External --

11 A. It was not an injury, it was a haematoma, haematoma
12 only.

13 MS AL QURNAWI: The statement says that he's seen blood was
14 coming out. It is not the correct word. That is
15 a correction or clarification of this point, point 5 of
16 his statement.

17 MR POOLE: I am grateful for that clarification.

18 MS AL QURNAWI: I don't know (inaudible) in the English.

19 MR POOLE: I am grateful. I will be asking some questions
20 about the injuries to Mr Abdullah and Dr Khaliq will
21 have an opportunity to explain then exactly what he saw.

22 Could I ask about some previous statements that
23 Dr Khaliq made. Ms Al Qurnawi, if you are able to
24 assist with locating those statements, I would be
25 grateful.

1 MS AL QURNAWI: Yes. Please go ahead, I have them here.

2 MR POOLE: The first statement is dated 22 May 2003.

3 MS AL QURNAWI: Okay. We've seen here three statements.

4 One was in written in Arabic and I pointed out this is
5 nothing to do with the deceased, this is to do with
6 another injured person that happened at the time.

7 Also, we have seen two previous statements dated
8 22 May 2003. One of these statements, one again relates
9 to that other person (audio break up) and only one of
10 them relates to the deceased. So we have here in front
11 of us two English statements dated 22 May and one Arabic
12 statement dated 22 May. Only one English is relevant to
13 this.

14 THE INSPECTOR: Thank you.

15 MR POOLE: Yes. Dr Khaliq, as you can understand written
16 English, I just want to ask you about the two English
17 statements dated 22 May 2003.

18 One of those statements ends with the following
19 sentence:

20 "This was the last I knew about the young man."

21 Can you --

22 A. Yes.

23 MR POOLE: Can you confirm that that statement is dealing
24 with Mr Nadheem Abdullah?

25 A. Yes.

1 MR POOLE: The other statement, dated 22 May, ends with the
2 following sentence:

3 "This young man came with the person who later
4 died."

5 Can you confirm that that statement is dealing with
6 the other man that was brought to your clinic along with
7 Mr Nadheem Abdullah?

8 A. Yes. Yes. I confirm that.

9 MR POOLE: Could I now please do the same exercise with two
10 statements dated 29 December 2003.

11 First, have you got two copies of English
12 translations of those statements?

13 A. (Interpreted). Yes, yes.

14 MR POOLE: One statement ends with the following sentence:

15 "I did not have any involvement in the certificate
16 of death being produced."

17 Can you confirm --

18 A. (Not interpreted) Yes.

19 MR POOLE: Can you confirm that that statement is dealing
20 with Mr Nadheem Abdullah?

21 A. Yes, yes, I confirm.

22 MR POOLE: And the other statement, of the same date, ends
23 with the sentence:

24 "I would no recognise this person again because it
25 was so long ago and he was not a usual patient in my

1 clinic."

2 Can you confirm that that statement is dealing with
3 the --

4 A. Yes. Yes, I've got it.

5 MR POOLE: Can you confirm that that statement is dealing
6 with the other person that attended your clinic with
7 Mr Abdullah?

8 A. Yes.

9 MR POOLE: Have you also got a copy of a statement dated
10 14 August 2005?

11 A. Yes.

12 MR POOLE: And also a statement dated 12 October 2005.

13 A. (Nods) yes.

14 MR POOLE: Have you had an opportunity to read those
15 statements recently?

16 A. I have read it probably just few minutes before.

17 MR POOLE: I would like to start --

18 MS AL QURNAWI: He read them --

19 MR POOLE: -- by asking some questions to establish the date
20 on which you saw Mr Nadheem Abdullah.

21 In your statement of 22 May you refer to two injured
22 men being brought to your surgery "a week ago".

23 A. Yes.

24 MR POOLE: These events happened a long time ago. There is
25 a death certificate --

1 A. Yes.

2 MR POOLE: -- that was produced by a colleague of yours.

3 Have you got a copy of that death certificate?

4 A. Yes.

5 MR POOLE: Can you tell us the date on which that

6 certificate was issued?

7 A. 12 May, 2003.

8 MR POOLE: Does that death certificate assist you in

9 recalling the day on which you saw Mr Nadheem Abdullah?

10 A. Yes, I remember him exactly. It was, I believe, about 3

11 or 4 pm.

12 MR POOLE: Did you say 3 or 4 pm? On which date would that

13 be?

14 A. Yes. Surely I didn't remember exact but then

15 investigators at that time -- that -- (inaudible) at

16 that time.

17 THE INSPECTOR: I don't think you got that answer, did you?

18 The shorthand writer here did not get that answer, could

19 we try it through the interpreter?

20 A. (Interpreted). I don't know the exact date to be

21 honest. It was the investigators who took down the

22 date.

23 THE INTERPRETER: I think he said.

24 MR POOLE: Do you know, Dr Khaliq, how long after you saw

25 Mr Abdullah that the death certificate was issued?

1 MS AL QURNAWI: Do you mind if I just explain?

2 THE INTERPRETER: She's repeating the question.

3 A. (Not interpreted) This is the first time that I have
4 seen this death certificate. But I heard about it, the
5 death certificate.

6 MS AL QURNAWI: He heard about the death certificate at the
7 time but he thinks that this is the first time he's seen
8 it right here on paper.

9 A. First time I've seen it.

10 THE INSPECTOR: Dr Khaliq, would it be best for me to
11 understand that you are really not sure about precise
12 dates and that you would not suggest that I should do
13 anything other than take the date of the death
14 certificate as the best evidence we have from the
15 doctors as to when death occurred?

16 Is that what I --

17 MS AL QURNAWI: Would you --

18 THE INSPECTOR: Sorry, Ms Al Qurnawi, yes.

19 MS AL QURNAWI: I just wanted to say -- yes -- if you don't
20 mind. (Pause)

21 A. (Interpreted). Is it a problem about the dates on the
22 death certificate?

23 THE INSPECTOR: No. It is not a problem at all. There is
24 no problem. But --

25 MS AL QURNAWI: He has no problem that you rely on the date

1 of the death certificate.

2 THE INSPECTOR: Exactly. I will take this opportunity to
3 explain to the family that the reason why I need to have
4 the best evidence I can obtain about when Nadheem
5 Abdullah died: because I need to make sure that, when
6 I question the soldiers, that I am questioning soldiers
7 about a date with which I can have some confidence.

8 Does that help everybody, Ms Al Qurnawi, to
9 understand why --

10 MS AL QURNAWI: If you do not mind, sir, let me recap.

11 (Pause)

12 Okay.

13 THE INSPECTOR: Thank you.

14 MR POOLE: Dr Khaliq, I would now like to ask you some
15 questions about the arrival of Mr Abdullah in your
16 clinic.

17 Are you able to assist with the time of his arrival?

18 A. Afternoon, maybe 3 or 4 pm.

19 THE INTERPRETER: In the afternoon.

20 MR POOLE: Maybe 3 or 4?

21 A. 3 or 4.

22 MR POOLE: Did he arrive on his own or were other people
23 with him?

24 MS AL QURNAWI: He arrived with his family. With other
25 members, but then he learnt later that those people were

1 with his family -- were members of his family.

2 MR POOLE: Was he able to walk in to your clinic?

3 A. No. No, no. By a blanket.

4 MS AL QURNAWI: He was prone. They were carrying him using

5 a blanket, he was not walking in to the clinic.

6 MR POOLE: Was he conscious when you first saw him?

7 A. No. There was severe --

8 MS AL QURNAWI: There was severe (inaudible) in his

9 consciousness, so he was not --

10 A. Able to come to.

11 MS AL QURNAWI: -- able to respond.

12 MR POOLE: You carried out a physical examination of

13 Mr Abdullah?

14 A. Yes.

15 MR POOLE: It is very important that we understand, with as

16 much detail as possible, what you saw. Could you,

17 therefore, describe Mr Abdullah's condition and any

18 injuries you saw?

19 A. (Interpreted) It's all written in all the -- it's all

20 written in all the statements. In all the statements.

21 MR POOLE: Dr Khaliq, we have seen the statements that you

22 have given. We would like you now, in your own words,

23 to describe what you can recall about Mr Abdullah's

24 injuries.

25 If you do not remember, then I can take you to your

1 statements.

2 A. (Not interpreted) Yes, yes, I try remember, but I mean
3 just one thing maybe because you know it was 11 years
4 ago. It is better to read the statement.

5 MR POOLE: Dr Khaliq, I will then take you to the account
6 you gave first in your statement of 22 May 2003.

7 You say that Mr Abdullah suffered from a large
8 bruise on the left side of his head.

9 A. Yes.

10 MR POOLE: You say he was confused and was vomiting. You
11 say his vomit was mixed with blood?

12 A. Yes.

13 MR POOLE: You say there was no visible injury on his head?

14 A. Yes.

15 MR POOLE: Just to be clear, do you mean there was no other
16 injury, other than the large bruise you had earlier
17 identified?

18 A. I mean there's no (inaudible).

19 MR POOLE: Sorry, could you --

20 MS AL QURNAWI: What he's saying -- okay I will now repeat
21 what he said. What he's saying is he doesn't mean in
22 this statement that there are no other injuries, but
23 what he said -- what he means, there are no cuts on the
24 head. So that's what he meant. There's no visible
25 injury on the head, ie no cuts.

1 MR POOLE: So there are no lacerations to Mr Abdullah's
2 head?

3 A. In medicine, we mean by laceration a humble injury, just
4 the skin on -- so I didn't mean that lacerations mean an
5 injury. I am a doctor, (inaudible) laceration word.

6 MR POOLE: So we're clear, when I refer to a laceration,
7 I am referring to an injury that breaks the skin.

8 A. (Interpreted). What we mean in Arabic with laceration
9 are scratches.

10 MS AL QURNAWI: Which is different from an injury, more
11 serious one.

12 MR POOLE: So let us not use the word "laceration". Were
13 there any injuries to Mr Abdullah's head that broke the
14 skin?

15 A. (Arabic spoken).

16 MR POOLE: Sorry, can you repeat --

17 A. (Interpreted). Do you mean by cuts that bleed or not?

18 THE INSPECTOR: Yes, bleed.

19 MR POOLE: Yes, a cut.

20 A. (Interpreted). I did not mean that. I did not mean
21 cuts that bleed.

22 MR POOLE: So --

23 MS AL QURNAWI: So what he meant, he meant there are no cuts
24 that caused bleeding, that he did not see this kind,
25 yes.

1 MR POOLE: So, as I understand what you -- as I understand
2 your evidence, you saw a large bruise on the left side
3 of the head and you did not see any cuts that resulted
4 in bleeding? Is that correct?

5 A. Exactly. Exactly. Exactly that.

6 MR POOLE: You refer to Mr Abdullah vomiting.

7 A. Yes.

8 MR POOLE: Am I right that you saw blood in the vomit?

9 A. Of course, yes.

10 A. (Interpreted). Of course.

11 MR POOLE: As well as Mr Abdullah's head, did you examine
12 the rest of the body?

13 A. I didn't concentrate on the rest of the body. Because
14 I think the main injury is in this cut to the head and
15 the head is the most important part of the body and
16 I saw the situation of (inaudible) I saw -- I decided
17 to -- I give an order to transfer to the hospital
18 because, whilst the situation was very critical, I was
19 trying to work in (inaudible) I didn't -- it is not so
20 uncommon to search for another --

21 THE INSPECTOR: Dr Khaliq, can I just try and summarise with
22 you what you have just said. That you did not pay
23 a great deal of attention to the rest of the body. Is
24 that right?

25 A. Yes.

1 THE INSPECTOR: And that was because you were very anxious
2 about his condition? Yes?

3 A. Yes. His head, about his head, yes.

4 MS AL QURNAWI: The condition of his head.

5 THE INSPECTOR: The condition of his head and his vomiting
6 and the blood in his vomit and that he was not
7 responding, he was confused?

8 A. Yes.

9 THE INSPECTOR: All those things caused you to be very
10 concerned?

11 A. Yes.

12 THE INSPECTOR: Thank you.

13 A. Yes, that's right.

14 MR POOLE: Was Mr Abdullah's condition stable?

15 A. Of course not. A man -- a man as confused and irritable
16 and vomiting like that, you can't say he was stable. So
17 I give an order to transfer him directly to the
18 hospital.

19 MR POOLE: Did you go with --

20 A. He is not stable.

21 MR POOLE: Did you go with him to the hospital?

22 A. No. No, no, it's not my duty to go out with him.

23 MS AL QURNAWI: Sir, did you get the first sentence about
24 the (inaudible) condition? Dr Khaliq said of course he
25 was unstable given his condition, the injuries to the

1 head, the vomiting, what is happening at the time, so
2 he, medically, can't call such a situation or such
3 a condition as stable. And therefore he immediately
4 ordered him to be transferred to the hospital.

5 THE INSPECTOR: I think that is clear -- is that clear
6 enough? I will go through it if you want, for the
7 record. I'm sorry, Dr Khaliq, and for the family but
8 I want the record that is being taken to be entirely
9 clear and it is not your fault, or indeed anybody's
10 fault, but the sound is very difficult. So I am just
11 going to summarise what I believe you have just told us.

12 Namely --

13 A. Fine.

14 THE INSPECTOR: -- he was not stable. He was confused. And
15 you were sure that he needed to get to hospital as soon
16 as possible. Correct?

17 A. Yes, correct.

18 THE INSPECTOR: Thank you.

19 A. Thank you.

20 MR POOLE: The death certificate that you have seen earlier
21 was not issued or signed by you. Do you know --

22 A. Of course, yes.

23 MR POOLE: Do you know the doctor who issued the
24 certificate?

25 A. (Interpreted). Yes.

1 MR POOLE: Did you discuss Mr Abdullah's situation with that
2 doctor before the death certificate was issued?

3 A. (Interpreted). No.

4 MR POOLE: The death certificate records the cause of death
5 as a "severe blow to the head which caused brain
6 hemorrhage". Do you feel qualified to say whether you
7 agree or disagree with what is stated as the cause of
8 death?

9 A. Yes. Yes, I can give this agreement.

10 MR POOLE: Sorry, could you repeat your answer?

11 A. Yes, I can agree with the doctor who assigned the cause
12 of death.

13 MR POOLE: I have in front of me a different format of the
14 death certificate that states the cause of death as:

15 "External strike to the head, causing internal
16 bleeding within the brain."

17 Have you got a copy of that version of the death
18 certificate?

19 MS AL QURNAWI: Are you suggesting there are two copies of
20 the death certificate or the same one we referred to
21 earlier?

22 MR POOLE: There certainly seemed to be two English
23 translations which record the cause of death in slightly
24 different terminology. Have you got those two?

25 MS AL QURNAWI: Wait a second, we are trying to find the

1 different versions. (Pause).

2 A. I think it means the same meaning.

3 MR POOLE: Dr Khaliq, you've anticipated my question.

4 A. Sorry. Sorry, sir, yes, yes.

5 MR POOLE: Is there anything in your opinion materially

6 different between the way in which the cause of death is

7 recorded on those two documents?

8 A. (Interpreted). I didn't understand the question.

9 MS AL QURNAWI: He did not understand the question, could

10 you repeat the question.

11 THE INSPECTOR: Ms Al Qurnawi, could I ask you: is it

12 possible that we are looking at two translations of the

13 death certificate in Arabic?

14 MS AL QURNAWI: If you can give us a second, we will look at

15 the Arabic one and then we probably -- out of those two

16 that we have here in front of us.

17 THE INSPECTOR: Do you have the Arabic one --

18 MS AL QURNAWI: Yes, we do.

19 THE INSPECTOR: -- in front of you?

20 MS AL QURNAWI: Yes, we have.

21 THE INSPECTOR: Are there two Arabic or is there only one

22 death certificate?

23 MS AL QURNAWI: There is only one.

24 A. Only one.

25 MS AL QURNAWI: But two translations.

1 A. Two translations.

2 THE INSPECTOR: Thank you. Ms Al Qurnawi?

3 MS AL QURNAWI: Yes.

4 THE INSPECTOR: Hello. Ms Al Qurnawi --

5 MS AL QURNAWI: Yes, I'm listening, go ahead.

6 THE INSPECTOR: I thought the family might like it if, from
7 time to time, I paused to enable you to see whether
8 anything which we have just dealt with brought anything
9 to their minds that you think I should know about now.
10 I do not mean that they should go into the detail of the
11 evidence which we will get from them at a later date,
12 but simply whether anything which they have heard from
13 Dr Khaliq just now, they would like to comment on.

14 Do you think that would be something they would like
15 and would help?

16 MS AL QURNAWI: Yes, it would be very helpful.

17 THE INSPECTOR: Would you like to take --

18 MS AL QURNAWI: Yes, that would be very helpful. Shall we
19 start now? Shall I --

20 THE INSPECTOR: Would you like to check with them then?

21 MS AL QURNAWI: Yes, please. Yes, please.

22 THE INSPECTOR: How long do you think you would need to have
23 for that?

24 MS AL QURNAWI: Won't be long, just a few minutes. If you
25 don't mind, put it on mute, speak to them then, a few

1 with a blunt instrument. Which were on the head area.
2 Which caused bleeding inside the head. That would
3 have -- which would have caused the internal bleeding.
4 There might be also fracture in the skull -- it may have
5 caused fractures in the skull. This is only an opinion
6 from the visible signs.

7 MR POOLE: I am grateful. If I can then just summarise what
8 you have just told us.

9 From your physical examination of Mr Abdullah, in
10 your opinion he received blows from a blunt instrument
11 in his head area, which was likely to have caused
12 internal bleeding and might have also caused a fracture?
13 Is that accurate?

14 A. Correct.

15 MS AL QURNAWI: Yes.

16 MR POOLE: Dr Khaliq, just to clarify, you referred to
17 "blows to the head", which I understand you mean more
18 than one blow. Can you explain to us why you reached
19 that conclusion?

20 A. (Interpreted). The injury included a large part -- if
21 it was only one blow, the area would have been smaller
22 in size.

23 MR POOLE: So is it correct that your opinion is based on
24 the size of the bruise that you saw to the left side of
25 Mr Abdullah's head?

1 A. (Interpreted). Not only -- not only the size of the
2 bruise, but also the condition -- his condition --

3 THE INTERPRETER: That's all I understood.

4 A. (Interpreted). Although it was only a short time after
5 the injury.

6 MR POOLE: Dr Khaliq, I would now like to ask you a few
7 questions about the other patient you treated at the
8 same time as Mr Abdullah.

9 Is it correct that he attended at the same time as
10 Mr Abdullah?

11 A. (Interpreted). Yes.

12 A. Yes.

13 MR POOLE: You say in your statement of 22 May that he was
14 walking but supported by others.

15 A. Yes.

16 MR POOLE: You say, in that statement, there were no broken
17 bones or visible cuts on his body, but there were minor
18 grazes on his face. Is that your recollection?

19 A. Yes.

20 MR POOLE: You examined that man; is that right?

21 A. (Interpreted). Yes.

22 A. Yes.

23 MR POOLE: And you gave him some medication.

24 A. Yes.

25 MR POOLE: You say in your December statement that his

1 condition improved after half an hour or so and he was
2 then discharged from your clinic. Is that correct?
3 A. Yes, went back home.
4 THE INTERPRETER: "Went back home".
5 MR POOLE: Do you recall whether you made any notes in
6 respect of that patient?
7 A. (Interpreted). No.
8 THE INTERPRETER: "No, I did not take any notes", I think he
9 said.
10 THE INSPECTOR: Thank you very much, Dr Khaliq. Unless
11 there is anything that Ms Al Qurnawi has in mind which
12 we should cover, we have no further questions for you.
13 MS AL QURNAWI: We have --
14 THE INSPECTOR: You have some questions that I should put to
15 him, you think?
16 MS AL QURNAWI: No, please go on.
17 THE INSPECTOR: I merely want to say how grateful I am that
18 you have come and I hope and I am sure the family are
19 grateful to you as well. Thank you.
20 Next, unless --
21 MS AL QURNAWI: May I just say I have no -- we have, the
22 family and myself, we have no further comments about
23 anything that's been said so far. I just want to know
24 about the time because how are we going to do with time
25 because we have the family here, we have the other

1 families waiting outside for the next session, so do you
2 have an idea how we're going to do now that --

3 THE INSPECTOR: Right. I think -- we were going to hear
4 from Dalal Finjan Saddam but I would suggest that what
5 we do -- no, we were not. Sorry, forget that. I was
6 wrong.

7 I think the best thing --

8 MS AL QURNAWI: I know, we are not.

9 THE INSPECTOR: What we need to do now is call Dr Hunt, here
10 in London. We can make progress then with Dr Hunt.

11 Could you confirm forward, Dr Hunt.

12 MS AL QURNAWI: Okay but after Dr Hunt, what is the agenda,
13 please?

14 THE INSPECTOR: After Dr Hunt, Ms Al Qurnawi, we could
15 perhaps take a break for a short time and then we can
16 deal with the next family. Is that all right?

17 MS AL QURNAWI: Okay. That's fine. Just let me explain to
18 them. (Pause)

19 THE INSPECTOR: Okay?

20 MS AL QURNAWI: Please, go ahead.

21 DR NICHOLAS HUNT (called)

22 Questions from MR POOLE

23 MR POOLE: Dr Hunt, I am going to ask you some questions.

24 A. Yes.

25 MR POOLE: Could I start with the formalities. I will ask

1 you to state your full name and your qualifications.

2 A. Yes. I am Dr Nicholas Charles Alexander Hunt. My
3 qualifications: Bachelor of Science, Bachelor of
4 Medicine, Bachelor of Surgery, Fellow of the Royal
5 College of Pathologists and Diploma of the Royal College
6 in Forensic Pathology.

7 MR POOLE: You have been asked by the inspector to provide
8 an expert medical opinion --

9 A. Yes.

10 MR POOLE: -- in relation to the death of Mr Nadheem
11 Abdullah.

12 A. Yes.

13 MR POOLE: You have prepared a statement that is dated 16
14 September of this year.

15 A. I have prepared that statement, yes.

16 MR POOLE: On the sixth and last page of that statement is
17 a signature. Is that your signature?

18 A. Yes.

19 MR POOLE: Have you had a chance to read that statement
20 recently?

21 A. Yes.

22 MR POOLE: Are the facts and contents of that statement true
23 to the best of your knowledge and belief?

24 A. Yes. Yes, they are.

25 MR POOLE: In providing your opinion, you have had access to

1 some material.

2 A. Yes, I have.

3 MR POOLE: Now, I would like to just run through with you

4 the material that you have studied. First, a statement

5 of Dr Il-Maliki dated 29 May 2003.

6 A. Yes.

7 MR POOLE: In addition to that statement from Dr Il-Maliki,

8 a second statement from him, dated 31 January 2004.

9 A. Yes.

10 MR POOLE: Statements from Dr Abdul Khaliq, dated

11 22 May 2003, 29 December 2003, 14 August 2005,

12 12 October 2005?

13 A. Yes.

14 MR POOLE: And to be clear, the statements dated 22 May and

15 29 December are statements dealing with Mr Nadheem

16 Abdullah?

17 A. Yes.

18 MR POOLE: You have also studied statements of Jasm Badr

19 Il-Mahamadawi?

20 A. Yes.

21 MR POOLE: Dated 29 May 2003, 20 December 2003,

22 12 December 2005, 30 September 2005.

23 A. Yes.

24 MR POOLE: You have seen a statement of Ali Al-Sager dated

25 2 July 2005.

1 THE INTERPRETER: Sorry, can you say that again?

2 MR POOLE: Ali Al-Sager, dated 2 July 2005.

3 A. Yes.

4 MR POOLE: And a copy of the death certificate of

5 Mr Abdullah.

6 A. Yes.

7 MR POOLE: In addition to those statements that you refer to

8 in your statement to the investigation, this morning you

9 have also seen statements from Ali Abdullah Manea, Fahd

10 Abdullah Manea, Dalal Finjan Saddamm and Issa Abdul

11 Sadah Salas.

12 A. Yes.

13 MR POOLE: You have also been sat in court whilst Dr Khaliq

14 gave his evidence.

15 A. Yes.

16 MR POOLE: Having had regard to all of those statements and

17 evidence, have you formed an opinion in respect of how

18 Mr Abdullah died?

19 A. Any opinion that I can give must be tempered with the

20 fact that I have not personally examined the body or

21 seen any photographs of injuries sustained.

22 The opinion, therefore, must be viewed in that

23 light, and that is a different perspective to that which

24 we would practice in the United Kingdom, where we would

25 have an autopsy examination and additional

1 investigations to help us determine the cause of death.

2 The injuries described, if I assume those to be the
3 major injuries, namely blunt head injuries, would,
4 broadly speaking, be capable of causing someone's death.

5 MR POOLE: Are there any specific parts of the witness
6 evidence that you would like to draw the inspector's
7 attention to that you have based your opinion on?

8 A. Yes. The description of the bruising to the head, in
9 association with the vomiting and a decreased level of
10 consciousness, which has been described as confusion.

11 MR POOLE: Based on the witnesses' descriptions of the
12 deceased's injuries, what, if any, conclusions were you
13 able to make about the nature of the injuries the
14 deceased sustained?

15 A. The conclusion is a broad one, and that is that these
16 are blunt head injuries.

17 MR POOLE: Are you in a position to express an opinion as to
18 what caused the blunt force trauma to the deceased's
19 head?

20 A. Based upon the description, I am not able to say exactly
21 what caused these injuries, no. There may be a number
22 of possibilities. There may be other lines of evidence
23 that assist with this. But pathologically, I cannot say
24 exactly what was used to cause these injuries.

25 MR POOLE: Are you in a position to say whether a weapon,

1 such as a rifle butt, might have been used?

2 A. A weapon such as that could cause blunt head injuries,
3 but I am unable to say that it must have done so.

4 MR POOLE: Had the deceased's injuries been caused by the
5 use of a rifle butt or by stamping from a booted foot,
6 would you have expected marks to have been left on the
7 deceased's skin?

8 A. The use of a weapon like a rifle butt or the boot of
9 a foot may have left distinctive injuries on the skin.
10 These are not always very obvious to the non-specialist
11 examining doctor.

12 MR POOLE: Have you seen any evidence to suggest that there
13 were such marks on the deceased's skin?

14 A. No, I have not.

15 MR POOLE: Is it safe to draw any conclusions from the
16 absence of such marks on the deceased's skin?

17 A. No. If one considers either the boot or the rifle butt,
18 whilst they may call distinctive injuries, they may also
19 cause non-specific injuries. So the absence of
20 distinctive features cannot be used to exclude such
21 items.

22 MR POOLE: Dr Abdul Khaliq states that the deceased was
23 vomiting and that there was blood in that vomit.

24 A. Yes.

25 MR POOLE: What, if anything, does this tell you about the

1 deceased's injuries?

2 A. Blood getting into the vomit may occur for a number of
3 reasons. It may occur if there is a break in the base
4 of the skull, causing blood to come into the back of the
5 throat. Blood may occur because there is damage to
6 teeth or the lining of the mouth.

7 MR POOLE: The deceased's mother states that she saw
8 bleeding from the deceased's mouth, which continued
9 after his condition deteriorated.

10 A. Yes.

11 MR POOLE: What if any comment would you make on this?

12 A. That doesn't necessarily help me decide between the
13 possibilities.

14 MR POOLE: Are you in a position to express a view whether
15 the deceased suffered a fractured skull?

16 A. No.

17 MR POOLE: Can internal bleeding in the head occur without
18 a fracture to the skull?

19 A. Yes, it can.

20 MR POOLE: Presumably, there are a number of situations
21 where a fatal outcome may occur following blunt force
22 trauma to the head?

23 A. Yes.

24 MR POOLE: In your opinion, can you say which of these
25 situations is likely to have occurred in the case of

1 Mr Abdullah?

2 A. No. It is possible to suggest mechanisms but not to be
3 sure which one, or indeed which combination was
4 involved.

5 MR POOLE: Is there any correlation between the mobility of
6 someone's head and the severity of brain injury as
7 a result of blunt force trauma?

8 A. There's not a direct correlation as such. However, it
9 is the case that more severe injury may occur in a head
10 that is mobile and then struck, rather than resting
11 against the ground, for example.

12 MR POOLE: You heard Dr Khaliq's evidence earlier this
13 morning --

14 A. Yes.

15 MR POOLE: -- that he did not see a cut, causing external
16 bleeding, on Mr Abdullah's head.

17 A. I did.

18 MR POOLE: Had Mr Abdullah sustained a cut to the head,
19 would you expect this to have been seen by either
20 witnesses or Dr Khaliq?

21 A. Cuts to the head, if sufficiently deep, may cause heavy
22 bleeding and I would expect that to have been visible.

23 MR POOLE: Does the presence or absence of a cut to the head
24 assist in determining the measure of force which may
25 have been used in the blow to Mr Abdullah's head?

1 A. No. It is possible to cause significant injury without
2 cutting or splitting the skin.

3 MR POOLE: Does the presence or absence of a cut to the head
4 assist in determining what caused the blunt trauma to
5 Mr Abdullah's head?

6 A. No. In this case it doesn't.

7 MR POOLE: You mention in your statement "one punch
8 manslaughter".

9 A. Yes.

10 MR POOLE: Could you explain what you mean by that term?

11 A. In this term, there are two common scenarios. In the
12 first, someone is struck to the head and then collapses
13 to the floor, striking their head on the floor and
14 suffers severe injury, primarily as the result of their
15 head striking the ground.

16 In the second scenario, a punch to the head or face
17 causes damage to an artery in the neck and severe
18 bleeding at the base, or the bottom, of the brain.

19 Those are the two most common scenarios.

20 MR POOLE: Are you able to express an opinion as to whether
21 there was a single blow or multiple blows to
22 Mr Abdullah's head?

23 A. Without having examined the injuries, I'm not in a
24 position to offer a firm opinion on that.

25 MR POOLE: Are you in a position to express an opinion as to

1 the degree of force used?

2 A. Again, it's not possible to be sure of the degree of
3 force used, as we know that in some cases the force does
4 not need to be very severe to cause significant damage
5 to the brain.

6 MR POOLE: You have seen two English translations --

7 A. Yes.

8 MR POOLE: -- of the death certificate?

9 A. Yes.

10 MR POOLE: One records the cause of death as a severe blow
11 to the head, which caused brain hemorrhage. The other
12 records the cause of death as an external strike to the
13 head, causing internal bleeding within the brain.

14 It is suggested that this is a translation issue.
15 In your medical opinion, is there any material
16 difference in the way that the cause of death has been
17 described in those two versions?

18 A. In essence, no. I would regard those as both referring,
19 essentially, to blunt head injury.

20 MR POOLE: Are you in a position to say what the cause of
21 Mr Abdullah's death was?

22 A. I can't as an English pathologist offer an opinion as to
23 the cause of death. But I can see nothing that is
24 obviously inconsistent.

25 THE INTERPRETER: Sorry, the last part?

1 A. I can see nothing obviously inconsistent between the
2 opinion of the doctor and the death certificate.

3 MR POOLE: You had the opportunity to hear from Dr Khaliq
4 and to see statements from the family and relatives of
5 Mr Abdullah --

6 A. Yes.

7 MR POOLE: -- prepared for this investigation.

8 A. I have, yes.

9 MR POOLE: Is there anything that you would like to add to
10 what you have either put in your statement or to what
11 you have stated in evidence this morning in light of
12 those statements or evidence?

13 A. I don't think I have anything to add.

14 THE INSPECTOR: Dr Hunt, can we summarise the causes of
15 injury which could be said to be consistent causes of
16 the injuries which we have heard spoken of?

17 I think it might help if you were able to say, in
18 summary, what I know is in your statement.

19 A. Yes.

20 THE INSPECTOR: But summarising the possible means whereby
21 the injury or injuries described could have been caused
22 so that we can see the range of possible causes which
23 I shall be dealing with.

24 A. By that, Sir George, do I take it to mean the pathology
25 that's occurring rather than the likely weapon?

1 THE INSPECTOR: I think if one was taking a list, does the
2 injury or are the injuries which you have heard
3 consistent with punches, kicks, any weapon or anything?
4 What would you exclude and what would you say was
5 possible?

6 A. Yes. The possibility of hard punching must exist to
7 explain bruising. And, as I mentioned in the one punch
8 manslaughter scenarios, this may cause very severe
9 injury and death. The possibility must remain of the
10 use of a rifle butt and the possibility would still
11 remain of the use of a shod foot. I would of course be
12 happy to consider any other suggestions.

13 THE INSPECTOR: So a punch or punches?

14 A. Yes.

15 THE INSPECTOR: Thank you. Over to you, Ms Al Qurnawi. Is
16 there anything that you would like me to put to Dr Hunt?
17 Either because Dr Khaliq would like it put or because
18 anybody --

19 MS AL QURNAWI: Yes, we have --

20 THE INSPECTOR: Okay.

21 MS AL QURNAWI: I will ask the family but in the meantime
22 Dr Khaliq does have a couple of small comments to make.

23 THE INSPECTOR: Thank you.

24 DR KHALIQ: (Not interpreted) Hello, thank you for Mr -- and
25 the statements, thank you very much.

1 Regarding the causes of haematomas. You mentioned
2 there are other factors, it depends on the scars or mark
3 or (inaudible).

4 I would like to mention other cause of haematomas.
5 In the case of head injury. It is -- I think you know
6 of suppress ulcer in the case of head injuries and then
7 I think you will know that.

8 THE INSPECTOR: I'm sorry --

9 A. I'm sorry, I did not understand.

10 THE INSPECTOR: No. Could we try again. The way in which
11 the -- it's the reverberation.

12 DR KHALIQ: I would like to add another cause of the blood.
13 That is regards (inaudible) which is the suppress ulcer
14 which occurred (inaudible) head ... blood (?). Do you
15 agree or not?

16 THE INSPECTOR: Okay. We understand.

17 A. Yes, thank you, Dr Khaliq. Dr Khaliq is making the
18 point that with severe head injury you may get ulcers in
19 the stomach, which can occur rapidly and cause bleeding.
20 Is that correct, Dr Khaliq?

21 DR KHALIQ: Yes, the suppress ulcer, as you know.

22 MR POOLE: Yes, thank you.

23 MS AL QURNAWI: One other comment if we may. Dr Hunt in his
24 statement, paragraph 10, to the CT scan -- x-ray, sorry,
25 X-ray. What did you know -- where did this come from?

1 statement.

2 THE INSPECTOR: It's the statement of 2 July 2005.

3 MS AL QURNAWI: Okay. (Pause).

4 THE INSPECTOR: To save time --

5 MS AL QURNAWI: Yes.

6 THE INSPECTOR: Have you got it?

7 MS AL QURNAWI: I can't see it -- no I can't --

8 THE INSPECTOR: If not, we will send it to you. All right?

9 MS AL QURNAWI: Yes, please do, thank you.

10 THE INSPECTOR: We will ensure you have it.

11 MS AL QURNAWI: Thank you.

12 THE INSPECTOR: Anything more?

13 MS AL QURNAWI: I don't think we have any further comments

14 from the family's side. (Pause) There are no further

15 comments from our side.

16 THE INSPECTOR: Then thank you very much. Thank you.

17 I think, if we could take a break now. Is the Saeed

18 family waiting outside?

19 MS AL QURNAWI: Yes. Can we just take one hour break, is

20 that possible?

21 THE INSPECTOR: That will be excellent.

22 MS AL QURNAWI: Okay. So we reconvene at 4 o'clock our

23 time, 2 o'clock your time.

24 THE INSPECTOR: 2 o'clock our time, exactly.

25 Now, before you go, is it possible -- the

1 interpreter here has pointed out to me that the problem
2 with the sound is -- you say it in Arabic.

3 THE INTERPRETER: (Explains in Arabic about the microphone)

4 MS AL QURNAWI: Yes, we do have one here but it is not as
5 powerful as yours.

6 THE INSPECTOR: I only mention it in case there's anything
7 that can be done to improve the sound, it would be good.
8 But we can manage, all right.

9 MS AL QURNAWI: Yes, we can manage. We have to let them
10 finish (inaudible).

11 THE INSPECTOR: Okay, one hour's time and thank you to the
12 Abdullah family and goodbye. Thank you.

13 MS AL QURNAWI: Thank you.

14 (12.59 pm)

15 (The short adjournment)

16 (1.57 pm)

17 THE INSPECTOR: Good afternoon. Can you hear me?

18 (connection lost)

19 THE INSPECTOR: Can you hear me, Ms Al Qurnawi?

20 MS AL QURNAWI: Yes, I can hear you. We are here in the
21 room. Yes, we can hear you very well. Can you hear us?

22 THE INSPECTOR: Good.

23 MS AL QURNAWI: Is that better?

24 THE INSPECTOR: It's Dr Abderrazzaaq who's next to you,
25 right? Can I just --

1 MS AL QURNAWI: Yes, let me -- he is Dr Abderrazzaq, can
2 you see him now?

3 THE INSPECTOR: I can see him. What I would like to do is
4 to greet the family by saying good afternoon.

5 MS AL QURNAWI: (Introductions made).

6 We have in the room here, Ali Abbas Saeed, the
7 brother of the deceased. Mr -- an uncle, Najji Saeed
8 Finjaan (?) of the deceased and Mr Tha'er Najji Saeed
9 (?), the cousin of the deceased, and Ali Hassan (?), the
10 friend, one of the witnesses, of the deceased.

11 THE INSPECTOR: All right. If I speak slowly, I would just
12 like to say a word to --

13 MS AL QURNAWI: And Dr Abderrazzaq, of course.

14 THE INSPECTOR: Good afternoon and thank you for coming. It
15 is very good that you have come this afternoon. Because
16 your presence and participation is a very important part
17 of the job I have to do.

18 The purpose of this afternoon is that I should
19 receive from Dr Abderrazzaq his evidence as to the
20 cause of death of Hassan Saeed.

21 For the purposes of what's going to happen, you will
22 see me, and you realise that I'm the inspector, and on
23 my left is my legal assistant, Tom Poole.

24 For convenience, Tom Poole will ask questions of
25 Dr Abderrazzaq and I will probably have some questions

1 and, if there are any questions which you have, which
2 you have not already given to Ms Al Qurnawi, and which
3 it makes sense that we should ask of Dr Abderrazzaaq
4 this afternoon, please tell Ms Al Qurnawi and she can
5 then tell me and we can look into it.

6 Thank you. Then I will hand over to Mr Poole,
7 Dr Abderrazzaaq, and he can commence the questions.

8 DR SAEED ABDERRAZZAAQ MAHDI (called)

9 Questions from MR POOLE

10 (All evidence interpreted unless otherwise specified)

11 MR POOLE: Good afternoon, Dr Abderrazzaaq.

12 A. Good afternoon.

13 MR POOLE: I am going to ask you some questions on behalf of
14 the inspector. The purpose of these questions is to
15 understand the events surrounding the death of Hassan
16 Saeed. It is also for members of the family and
17 relatives to understand these events.

18 Could I start, please, with some formalities. Could
19 you give us your full name?

20 A. Dr Saeed Abderrazzaaq Mahdi.

21 MR POOLE: Could you please tell us your qualifications?

22 A. I am a forensic doctor since 1976, approximately.

23 MR POOLE: I understand that you're currently employed --

24 THE INTERPRETER: He just repeated it, forensic doctor.

25 MR POOLE: I understand you're currently head of the

1 forensic facility, Basra. Is that correct?

2 A. I used to be in Basra.

3 THE INTERPRETER: It cut out in the middle.

4 MR POOLE: And you held that position --

5 A. And now with my advancing age --

6 MS AL QURNAWI: Maybe I can summarise this, maybe the line
7 is not quite clear. He used to be the head for
8 18 years. He used to be the head but now because of his
9 age, now he's only a pathologist not the head of the
10 department.

11 MR POOLE: Thank you. We are dealing with events in 2003.
12 At that time, what was your position?

13 A. I was the head of forensic science in Basra.

14 MR POOLE: You have provided a statement to the
15 investigation, dated 12 August 2014. Have you got
16 a copy of that statement?

17 A. Yes.

18 MR POOLE: Have you read that statement recently?

19 A. Yes.

20 MR POOLE: Are the contents of that statement true to the
21 best of your knowledge and belief?

22 A. Yes.

23 MR POOLE: In that statement, you refer to two documents: an
24 autopsy report, dated 6 August 2003 and a death
25 certificate. Can you confirm you are the author of

1 those two documents?

2 A. Yes.

3 MR POOLE: You provided a witness statement for the Royal
4 Military Police, dated 17 August 2003. Have you seen
5 a copy of that statement?

6 A. I don't remember that.

7 MR POOLE: Ms Al Qurnawi, could you assist --

8 MS AL QURNAWI: I am going to explain it.

9 MR POOLE: Have you got a copy of the statement dated
10 17 August 2003?

11 MS AL QURNAWI: Yes, we have. I have got all the statements
12 that were sent to me and on the basis of this witness
13 statement that Dr Abderrazzaak signed looked to produce
14 his August statement but I think this is the one you
15 referred to.

16 A. Maybe, yes, I think so.

17 MS AL QURNAWI: Before he produced his statement on
18 12 August, he saw all the statements so I believe from
19 the file that was sent to me this was the date so
20 I believe this is all the statements that you are
21 referring to, the one that goes back.

22 MR POOLE: I am grateful. As I understand your evidence, at
23 about 9 am on 3 August 2003, you received the body of
24 Mr Saeed from the police. Is that correct?

25 A. Yes.

1 MR POOLE: You confirmed that the body of Mr Saeed was dead
2 at 9 am. Is that correct?

3 THE INTERPRETER: That was a yes.

4 A. The death occurred at 1.30 am.

5 MR POOLE: 1.30 am on --

6 A. (audio break up)

7 THE INTERPRETER: I will ask him to repeat.

8 A. The death occurred at 1.35 am. On the 4th. (audio
9 break up)

10 THE INTERPRETER: The last part was missed.

11 MS AL QURNAWI: I will summarise. Let me explain it. What
12 Dr Abderrazzaaq said, there are two times here. 9 am,
13 3 August 2003, this is what is confusing, the body.

14 THE INSPECTOR: Yes.

15 MS AL QURNAWI: Is that clear?

16 THE INSPECTOR: Yes.

17 MS AL QURNAWI: 9 am, he received the body. At 1.35 in the
18 morning, he confirmed the death of Mr Saeed.

19 MR POOLE: So are you saying, Dr Abderrazzaaq, that Mr Saeed
20 died at 1.35 am on 3 August?

21 A. Yes.

22 MR POOLE: You carried out a visual external examination of
23 the body and made some findings. Can I read to you
24 those findings and ask you to confirm whether they are
25 accurate?

1 You found an inlet bullet wound in the right lumbar
2 area, measuring 5 millimetres by 6 millimetres. Is that
3 correct?

4 A. Yes.

5 MR POOLE: There were no other injuries visible. Is that
6 correct?

7 A. Yes.

8 MR POOLE: You then carried out a postmortem examination.
9 Correct?

10 A. Yes.

11 MR POOLE: And you recorded your findings in your report
12 dated 6 August 2003. Correct?

13 A. Yes.

14 MR POOLE: I will now read those findings to you and ask you
15 to confirm they are accurate.

16 First:

17 "Autopsy indications which appeared on the body of
18 Mr Saeed showed that he was injured by a fire bullet,
19 which caused him fractures, ruptures and bleeding, which
20 led to his death."

21 Is that accurate?

22 A. Yes.

23 MR POOLE: Second:

24 "The number of injuries was recorded as one injury."

25 Is that correct?

1 A. Yes.

2 MR POOLE: Third, in relation to the distance of shooting,
3 you record:

4 "No traces of gun powder were found around the
5 injury."

6 You go on to state:

7 "There were no indications found that the bullet was
8 shot from a near distance."

9 Is that accurate?

10 A. Yes.

11 MR POOLE: Fourth, you record direction of shooting:

12 "From behind to the front and from the right to the
13 left and upwards."

14 Is that accurate?

15 A. Yes.

16 MR POOLE: You record the cause of death as follows:

17 "The bullet entered the lumbar area ...

18 THE INTERPRETER: Lumbar?

19 MR POOLE: " ... it struck and fractured vertebrae numbers
20 1, 2 and 3, causing internal bleeding. A fragment of
21 bullet also damaged the left lung, causing internal
22 bleeding in the left thoracic cavity."

23 Is that accurate?

24 A. We say in Arabic (Arabic spoken). As you see there the
25 thoracic cavity, yes, there is an injury of the lung in

1 the rear thoracic cavity.

2 THE INTERPRETER: Okay, I may have used the wrong term,

3 sorry.

4 MR POOLE: You record the actual cause of death as internal

5 bleeding caused by the damage which I have just

6 described. Is that correct?

7 A. Yes.

8 MR POOLE: I understand that you removed four bullet

9 fragments from the body, three from the abdominal cavity

10 and one from the left lung. Is that correct?

11 A. Yes.

12 MR POOLE: What did you do with the bullet fragments?

13 A. I gave them to the police officer Ali Al-Najaf.

14 MR POOLE: You describe in your postmortem report the bullet

15 as being smashed. Could you explain what you mean by

16 this?

17 A. The bullet entered from one entry point and we found

18 four parts --

19 THE INTERPRETER: It's a bullet.

20 MR POOLE: You describe your experience of carrying out

21 postmortems. Are you able to estimate how many

22 postmortems you have conducted, prior to this

23 postmortem, involving shooting?

24 A. (Not interpreted) Maybe hundreds or thousands of cases.

25 MR POOLE: Based on your findings, do you feel qualified to

1 express an opinion as to the distance from which this
2 gun was fired?

3 A. From a medical point of view, we have two terms,
4 expressions. A gunshot from a close distance, which we
5 mean -- by which we mean a distance less than
6 90 centimetres. And the other term, which is not at
7 close vicinity or distance, by which we mean a distance
8 that exceeds 90 centimetres.

9 MR POOLE: Do I therefore --

10 A. (audio break up) From a scientific point of view -- it's
11 not possible from a scientific point of view to
12 determine the distance other than that.

13 MR POOLE: Is it, therefore, fair to summarise your evidence
14 as to distance that the shot fired in this case was
15 fired from a distance more than 90 centimetres?

16 A. Yes.

17 MR POOLE: Do you feel qualified to express any opinion as
18 to the bullet fragmenting in the body?

19 A. This is not from my own speciality, but it is the
20 speciality of weapons experts.

21 MR POOLE: I'm grateful.

22 THE INSPECTOR: Dr Abderrazzaaq, thank you very much. You
23 have been very clear and very helpful. Thank you.

24 Ms Al Qurnawi, is there anything you would like to
25 raise with me for this witness?

1 MS AL QURNAWI: No.

2 A. I want to clarify with regard to the distance.

3 MS AL QURNAWI: He will explain about the distance.

4 A. When we say at a distance which is not a close distance,
5 it is possible to be tens of metres, or even hundreds of
6 metres, and this depends on the investigations.

7 THE INSPECTOR: Yes. I understand. I understand. We will
8 have evidence in the investigation which I hope will
9 provide us with an estimate as to how far away the
10 person was who shot Hassan Saeed. All right, thank you.

11 A. Thank you. Thank you very much.

12 MS AL QURNAWI: Sir George, may I just check if the family
13 have any comments or anything out of this. Just give me
14 one second.

15 THE INSPECTOR: Would you like -- of course.

16 (pause)

17 THE INSPECTOR: Ms Al Qurnawi, would you like us to take
18 a break? Shall we leave you --

19 MS AL QURNAWI: No, I can tell you now what Mr (inaudible)
20 would like to say. He is the uncle. He is just having
21 some comments or raising some questions, according to
22 his knowledge that when you have a bullet, you are hit
23 by a bullet, it comes in from one side or place of the
24 body and comes out from the other side. He was
25 questioning the type of the bullet that was used in the

1 case of his cousin because this is a loaded bullet which
2 was exploded into -- inside the body into pieces. So he
3 believes this was a -- but I am going to answer if this
4 is -- what Dr Abderrazzaaq said this is to experts
5 because Dr Abderrazzaaq cannot comment on the size of
6 the bullet and whether it was forbidden or the type it
7 is. A matter for experts in this area and we can't
8 comment on this. So that is a comment that the uncle
9 had in this respect. So would you like to add anything?

10 THE INSPECTOR: Could you explain that we need to obtain the
11 evidence of a weapons expert who will assist us, and
12 that we are doing, and could you also explain that we
13 are looking for the records in respect of the ammunition
14 which was issued to soldiers who, it is believed, were
15 present and playing a part in these events.

16 We will obtain, I hope, the written records which
17 will show us what ammunition was issued and what rifle
18 or gun was issued.

19 I hope that's clear. Is that clear to them,

20 Ms Al Qurnawi?

21 MS AL QURNAWI: Yes, I will just tell them what you have
22 just said.

23 (pause)

24 MS AL QURNAWI: Okay, they have no further comments to make
25 and they appreciate that you are undertaking those tasks

1 in terms of appointing an expert because that is an
2 extremely important point for them because they strongly
3 believe that bullet that was used at the time was not --
4 was what was prohibited and the second point is looking
5 into the records hopefully of the soldiers, so they
6 appreciate that.

7 THE INSPECTOR: Thank you. I will do everything I can.
8 Thank you.

9 Apart from saying goodbye for today, but there will
10 be another occasion, Ms Al Qurnawi, as you know, which
11 we will plan, for the family to be present and to
12 participate in the next stage of the investigation which
13 I am carrying out. Thank you. Thank you.

14 A. Thank you.

15 MS AL QURNAWI: Okay, thank you so much thank you, sir
16 George, thank you, Tom, and thank you everybody. Thank
17 you, bye, bye.

18 (2.41 pm)

19 (The hearing adjourned)

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