



MOD-83-0000259-A

Witness Name: Ciaran Munchin Griffin
Statement No.: 1
Exhibits: CMG/1, SJR/2, CMG/2, CMG/3

Dated: 9 Aug 15

**In the matter of an investigation into the death of
Mr Muhammad Abdul Ridha Salim**

**WITNESS STATEMENT OF
CIARAN MUNCHIN GRIFFIN**

I, Ciaran Munchin Griffin, will say as follows:-

1. I have been asked to provide a statement setting out what I can remember in relation to an incident that occurred on 5 November 2003 in Basra City, Iraq, resulting in the death of an Iraqi male whom I now know to be Mr Muhammad Abdul Ridha Salim.
2. At the time of the incident, I held the rank of Lieutenant Colonel ('Lt Col') and was the Commanding Officer of the 1st Battalion, The King's Regiment ('CO 1 KINGS').
3. I first joined the Army in September 1983 and received my commission into the King's Regiment in April 1984. Prior to my first deployment in Iraq, I had served in Germany, Northern Ireland (where I did 5 tours), Bosnia, the former USSR and other Warsaw Pact countries. I am currently still serving in the British Army.
4. In respect of the incident on 5 November 2003, I should firstly provide some context. 1 KINGS was deployed in Iraq between June and November 2003. From late (about the 28th) June to early (about 6th) November 2003, 19 Mechanised Brigade had operational command of all British forces in the South Eastern region of Iraq. On 6

November operational command was transferred to 20 Armoured Brigade. The area controlled by 19 Mechanised Brigade and subsequently 20 Armoured Brigade was split into five regions. These five regions were each under the control of a separate battalion (also known as a unit). Four of these battalions, including 1 KINGS, were British. The fifth was a Danish Battalion, known as DANBAT.

5. The geographical area for which my battalion was responsible was in turn divided into four regions, each of which was under the control of a separate company or squadron, each under an officer commanding (OC) of the rank of major. Broadly, the area was divided into three regions west of the Shatt Al Arab waterway, under the control of A Company, B Company and a tank squadron under my command, provided to me from the 2nd Royal Tank Regiment (2RTR), and one region east of the Shatt Al Arab, under the control of D Company. Certain of the companies and squadrons changed during my tour of duty.
6. The geographical area for which 1 KINGS was responsible included the northern part of Basra, and a number of towns outside of Basra strung along the Shatt Al Arab with scattered villages east and west of the river. The majority of the population lived in Basra and the towns. On the whole these were densely populated and poor, consisting of single storey houses along narrow alleys, often with an open sewer running down the middle. The houses themselves were often built around a central courtyard, with no external windows.
7. The main remit of 1 KINGS was to establish law and order, and to get public utilities and services operating again, in its area of operations. This was an extremely difficult task.

Security situation

8. The security situation in the Basra area when I arrived was the most difficult to manage that I had encountered during my service in the army. If I compare the situation in Iraq in 2003 with my experience in Northern Ireland, in Northern Ireland we had developed a much deeper understanding of the background to the conflict. In contrast, when we arrived in Basra in 2003, we knew nearly nothing about the

environment we were going into, which made it much more difficult to corroborate any information we received. In later years, a lot more information was available to British Forces, but in 2003 it was very rare that we received any real intelligence information from higher command. Nearly everything we knew came instead from contacts with local people.

9. Security in Iraq was extremely difficult and violence was a daily occurrence. This came from four main sources: threats from terrorists, riots, tribal in-fighting and criminals. Each of these threats was exacerbated by the large numbers of military grade weapons which Saddam's army had left behind at the end of the war, a few months before. These weapons had simply been abandoned and, although some had been recovered by Coalition Forces, many had been picked up by civilians (or else former soldiers became civilians, and kept their weapons). During my tour the local population had weapons which included not only assault rifles like AK-47s (many Iraqi families would have at least one of these), but also RPK and PKM machine guns, DShKs and rocket propelled grenades.

(a) Terrorists

10. There was the constant threat of terrorist attacks by insurgents, and others. To begin with these were not common, but were becoming more so towards the end of my tour. The terrorists included both indigenous groups from Basra, and terrorists who came down from the North from the 'Sunni triangle' area near Baghdad. My understanding was that they operated in small groups. They did not operate overtly, but would attack British troops, and sometimes the Iraqi police, using explosive devices or by shooting. For example, they would plant old artillery shells along the roads targeting coalition troops and vehicles; they would also conduct close quarter attacks, where they would pull up alongside a vehicle and fire into it.
11. During 2003, attacks on camps were a fairly rare occurrence: most of the attacks on British troops as well as civilians occurred outside the camps, so the security of our camps was not our only concern at that time. In later years this changed so that there were far more attacks directly on our camps themselves.

12. Attacks on 1 KINGS forces were not a daily occurrence but tended to occur in groups. a spate of attacks, say every 10 days. Where there was one attack, we would be on higher alert because we would expect further attacks were imminent. There was also the constant threat of suicide bombers. Although during my tour no suicide bombers targeted my troops we were given intelligence information that such a threat was a real one. This made us particularly nervous of cars or vans being driven in a suspicious way.

(b) Riots

13. During my tour, there were a large number of riots, which were unpredictable and could flare up for any number of reasons. For example, the Coalition Provisional Authority (CPA) ordered payments to be made to Saddam's old army conscripts, who were now unemployed and a serious threat to security. Serious rioting occurred around 4 October 2003 when we tried to distribute this money, due to a rumor that there was not enough cash to go round. We also had major riots on the 8th - 9th August, which involved people shooting at us with machine guns and rocket propelled grenades, and which were caused in part by fuel shortages. A great problem with the riots was that they were sporadic and unpredictable.

(c) Tribal feuds

14. The population in 1 KINGS area was divided into a complex system of tribes. These tribes had existed for centuries but had been largely suppressed under Saddam's regime. At the end of the war, these tribal loyalties strongly reasserted themselves.

15. There was a great deal of violent infighting between tribes. Disputes took the form of long-lived vendettas and violent revenge attacks. In particular, disputes which were many years old but which had been suppressed under Saddam flared up. Members of different tribes lived in close proximity to each other in the densely populated urban areas we patrolled. Such disputes often occurred within families, as well as between tribes: although families would unite to confront an external threat, it was also common for a brother to fight his own brother to the death. Such feudal fighting remains a very common problem throughout the Middle East and Central Asia.

16. Disputes were fought out using the military grade weapons left behind by Saddam's army. At the start of my tour, nearly every night we would see red tracer bullets in the sky, evidence of gunfights using military grade heavy machine guns (ordinary rifles do not normally fire tracer bullets). We saw evidence of neighbours firing on each other with heavy weaponry such as the DshK (which is a tank mounted machine gun designed to shoot down helicopters), which would be set up on the flat roof of a family's house.
17. Although these feudal attacks were not aimed at British forces, it was part of our responsibility to deal with them so as to secure our primary aim, general security for the people living in our area. To that end, I spent a large amount of time discussing tribal disputes with the relevant actors and trying to resolve them without violence. One of the methods I personally used was to speak with the local leaders, such as the local Imams, who could tell us about the relationships between various groups. However, there were very few written records relating to the disputes, and most of the people I spoke to were partisan: there was no sense of impartiality amongst the people in Basra at that time.
18. I do not know whether Major Routledge (who was the Officer Commanding ('OC') C Company ('C Coy') 1 KINGS) also investigated all tribal disputes in the same way, however this is what I did and what I would have expected others to do when appropriate.

(c) Crime

19. My understanding is that at the time of the war, Saddam had released all the criminals from jails. There were criminal gangs in operation in 1 KINGS' area, with (at the start of my tour), no operational police force to control the situation. Kidnaps and hijacks (accompanied by executions) were the most common form of crime. Children and elderly people would be kidnapped and held to ransom. Theft also continued throughout my tour.
20. Although for most of the time, people were friendly and cooperative towards us, any time a patrol from 1 KINGS went out, it could meet any of the threats I have outlined above. We had to hold a balanced position of being friendly to people, yet also ready

to respond to an attack in a very short space of time. In particular, in respect of information which we received concerning a potential attack, we had to balance the need to exploit that information as quickly as possible in light of the dangers I have referred to, against the fact that in a perfect world we would wait longer in order to ensure that the information could be corroborated.

Steps taken to establish law and order and services

21. One of the main tasks we were keen to accomplish was to establish a stable judicial system and police force. The 1st Battalion of the Royal Regiment of Fusiliers ('1 RRF') had begun a rebuilding programme at the end of the war and we picked up where they had left off.
22. Together with the Royal Military Police we recruited and trained from the community new and former policemen returning to their jobs. However, I must say that we had very little means of adequately vetting the recruits, and the result was that the police were a very mixed bag. Some were genuinely dedicated individuals, but many others were only interested in lining their own pockets through extortion and bribery.
23. Likewise with the judiciary, we wanted to establish a stable system after decades during which all the judges had been appointed by Saddam, however this was a very slow process. Around November 2003, and for a long period afterwards, members of the judiciary could be part of the problem, not always providing impartial judgment, but instead sometimes siding with their political or tribal faction, or susceptible to bribery.
24. Although we worked very closely with the police they were not directly under our command: at first we did have day to day control of their work, but when a competent Police Commander was appointed he took over this control. Ultimately they answered to the civil administration, which was effectively the Coalition Provisional Authority, supported by the local governing council. The Iraqi Police were responsible for all arrests related to ordinary crimes and we would hand over any criminals that we detained. Anyone attacking coalition troops would be detained by the Coalition rather than handed over to the Police. We would normally send them to the Theatre Internment Facility (TIF) at Umm Qasr.

25. I do not now recall whether by November 2003 we had established a fixed judiciary and police force, however if we had done so it would only have been recently.

26. At the start of my tour there was no evidence of a system in place to record crime. I relied very much on anecdotal evidence, and would speak for example to my chief interpreter to get a feel for recent events and crimes. As I have said, I would also meet with local tribal leaders and members of the civil administration on a weekly basis to discuss the situation.

Incidents involving death or wounding of civilians

27. Rules of Engagement govern the use of force by British Forces. The essential tenet is that lethal force may only be used to protect life and where there is no other way to protect that life. All soldiers are made well aware of these Rules of Engagement and each soldier in my unit carried a small card with some bullet points setting out the Rules of Engagement so far as they applied to that soldier.

28. Where there is an incident in which troops are engaged, a contact report would be sent in the first instance over the radio up the chain of command. A log is always kept of all radio contacts, at company, unit and brigade level. This log is contemporaneous. Sometimes at the lowest level, a lack of manpower or operational circumstances may prevent a contemporaneous radio log from being kept. If radios are functioning a contact report should come through to my Headquarters in a matter of minutes. If radios are down, it might take some hours. If the incident appears serious and there is an ongoing threat, re-enforcement may be sent. The first concern is to bring the incident to a close, and to get casualties (civilian or military) given first aid and taken to the nearest medical facility.

29. After an incident, when the patrol has returned to base, the patrol commander would speak to the company commander in order to be debriefed by him. If the incident was not serious, nothing further happened. If the incident was serious, the company commander would ordinarily ask each of the soldiers involved to explain what had happened. He may take written notes but ordinarily these would not be in the form of

signed statements. If the company commander was aware that there had been a civilian casualty or death, then when it was safe (which could be immediately, or a number of days later) he would generally try to speak to people (through his interpreter) to try to find out what had happened. The company commander may take photographs of the scene if a camera was available but there was no formal forensic examination of the scene.

- 30: As soon as possible after an incident, the company commander would try to talk to anyone who was able to give information. If the identity of the injured or dead civilian was known, this would include the family. Once the company commander had gathered as much information as he could, he would then send me a report in writing. Whenever possible he would also come in person to speak to me. I had then to produce a formal written report to go to brigade level. At this stage, depending on the circumstances, I personally may have undertaken further investigation which might have involved visiting the scene, visiting the family, and talking to soldiers involved. What steps I took depended very much on the individual case. If the casualty was taken to hospital I would generally get my unit doctor to go to the hospital to talk to the doctors there and speak to the patients if still alive.
31. Divisional HQ produced a policy letter on how incidents were to be investigated which included guidance on when the RMP (SIB) should be involved, in accordance with that policy, if I was not satisfied at the time that I produced my report that all the necessary information had been gathered, or that the Rules of Engagement had been complied with, then I would recommend that the RMP carry out a further investigation. Once I had completed my report and made my recommendation then it was sent to Brigade Headquarters where it was considered by the Brigadier who was in command of the Brigade.
32. Turning to the 5 November 2003, I do not now recall the details of this particular incident, however I am aware that the case was reported to me by Major Routledge (as he then was) on 6 November 2003. His report annexed a statement from Sergeant **SO11** and an incident sketch map. I would have considered those documents and I believe I also spoke to Major Routledge. From my records, it was clear to me what had happened and I took the view that the incident fell within the Rules of

Engagement and no further investigation was needed. I produced a report on this case the same day and sent it to Brigade HQ. I now produce a copy of my report as Exhibit CMG/1. I produce a copy of Major Routledge's report as Exhibit S.JR/2.

33. I have been asked by the inspector what in my opinion would be the appropriate response to the information received by Warrant Officer ('WO2') SO12 from the walk-in. In my view, the most important question to determine would be what were the intentions of the men who were alleged to be armed. The mere fact that a group of men were said to have weapons in a house would not in itself be particularly serious, however any intention to attack British troops or civilians (outside the camp or in the camp itself) would be very serious. In my judgment any intention to attack British troops or civilians would be a sound reason for taking immediate action in order to prevent that attack.
34. I understand from the reports that there is some confusion concerning whether the entry through the target door was to be a soft-knock or a hard-knock. I cannot say what instruction was given, however in my experience it is very difficult to dictate in advance what kind of entry is most appropriate.
35. The primary factors in deciding whether it is appropriate to conduct a soft knock as opposed to a hard knock are (i) what it is believed the intentions of the occupants would be in the event of a soft knock; and (ii) according to the local geography and construction of the building, what the occupants' opportunities would be in the event of a soft knock. It is true that if the circumstances dictate that a soft-knock presents a low risk, then it is better to do a soft-knock. However, it is very difficult to assess the risk involved until the troops are present at the target location.
36. November 2003 was a busy period, when there were a large number of low level operations being carried out by British troops. There were a number of incidents which involved shooting and casualties, however I am not aware of any other incidents in which the circumstances were identical to this case. Certainly also there would also have been a number of soft and hard knocks carried out on houses which didn't result in injury.

37. I have been asked by the Inspector why the walk-in was not kept at Camp Cherokee after the intelligence was taken from him. I cannot comment on why this was not done on this occasion. however in general terms it would always be better to keep hold of an informant until after the information had been exploited. This has been the normal procedure in my experience over the last 30 years. I do not know why it was not done on that day.

38. I do not recall going to visit the family of the deceased, although I did visit a number of other families during this tour who had suffered a loss. Nor do I recall being directly involved in any follow-up to this incident, which may have taken place either immediately or at any time thereafter. As far as I recall Major Routledge liaised with this family. I believe that he met the family and that he wrote a letter on 9 November 2003 to a family member setting out the circumstances in which Mohammed Abdul Ridha SALIM had been shot. I now produce that letter as Exhibit CMG/2. An application for a civilian charitable donation to the family was also made to the Brigade HQ by a member of my administrative staff Captain Millen on my behalf. I now produce a copy of that application as Exhibit CMG/3.

Statement of Truth

I believe the facts stated in this witness statement are true

Signed .



Dated

9 August 2015