



MOD-83-0000301-A

Witness Name: **SO16**

Statement No.: 1

Exhibits:

Dated:

**IN THE MATTER OF AN INVESTIGATION INTO THE DEATH OF  
MR AHMED JABBAR KAREEM ALI**

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**WITNESS STATEMENT OF  
SO16**

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I, **SO16** will say as follows:-

1. I have been asked to provide a statement regarding my recollection of events regarding an incident that occurred on 8 May 2003 at Bridge Four, Basra, Iraq, which resulted in the death of an Iraqi male whom I now know to be Mr Ahmed Jabbar Kareem Ali.
2. I make this statement from my own memory to the best that I am able given the passage of time and also from reference to my witness statement taken by Staff Sergeant Jay on 27 April 2004 at BATUS. My solicitor has also reviewed the transcripts of interviews taken by Staff Sergeant Jay on 27 April 2004 and 18 November 2004 and on which this statement is also based.
3. Other than the witness statement referred to in paragraph 2 above, I have not been able to bring myself to look at any of the documents that have been provided to my solicitor in relation to this matter. I was exonerated of all charges against me at the General Court Martial held in 2006. Since then, I have tried to get on with my life as best as I can. To find out that I had to again deal with the events of 8 May 2003 was personally devastating and is having a significant detrimental impact on my mental health on a daily basis.

4. I enlisted into the British Army in 2001 when I was 16 years old, completing my basic training with the 1<sup>st</sup> Battalion Irish Guards at Pirbright & Catterick before moving to Munster in Germany.
5. Prior to my deployment to Iraq on Operation Telic, which was my first deployment, as a Battle Group we underwent various combat exercises at all levels from Pairs fire and movement to full Battle Group Operations. Training took place in various locations in Germany and then in Kuwait in the weeks leading up to the invasion of Iraq.
6. At the time of the incident, I was 18 years old and held the rank of Guardsman and was serving with No1 Company, 1<sup>st</sup> Battalion Irish Guards.
7. Following my tour of Iraq we returned to our base in Germany in May 2003 and shortly after I was promoted to the rank of Lance Corporal. I then returned to the UK to commence training for a tour of Northern Ireland which I began around October 2003, following which I went on a training exercise in BATUS in Canada in early 2004. It was when I was in BATUS that Staff Sergeant Jay first interviewed me in connection with the events of 8 May 2003.
8. Following my arrest and charge I developed a serious alcohol problem as a result of which I got into trouble on a regular basis. This pattern of behaviour continued throughout 2005 and into 2006, while I was waiting for the Court Martial proceedings. As a result of my behaviour and alcohol problems, I was referred to an Army Medical Facility in Llanfechan, Wales, which specialised in dealing with combat stress. I was diagnosed as having PTSD but was not treated for this in any way – from memory I think I only spent around a day at the Facility.
9. Following the General Court Martial proceedings in 2006 in which I was acquitted of manslaughter, I tried to move on by burying in my mind as best I could all that had happened. I transferred to Aldershot and in early 2007, when 1<sup>st</sup> Battalion Irish Guards were due to return to Iraq, I instead successfully completed the Guards Paratroopers course as well as Juniors Battle Course to achieve the rank of Corporal, all by the age of 22. On completion of the above course I was posted to 3<sup>rd</sup> Battalion Parachute Regiment with the Guards Para Platoon as a section Commander. Following a hugely successful tour of Afghanistan where I commanded in a number of intense battles, in 2008 I was awarded the Military Cross for breaking cover to save the life of an interpreter who had been shot. I then went on to successfully complete the Platoon Sergeant's Course in

2009 where I gained a distinction and then undertook a further tour of Afghanistan in 2010 - 2011.

10. I was discharged from the Army in April 2012.

#### **Training for and Deployment to Iraq**

11. Prior to Operation Telic, as noted in paragraph x above, we underwent training in Kuwait in the weeks leading up to the invasion. This largely consisted of basic section manoeuvres and battle group training, as well as Card Alpha training and training on the Law of Armed Conflict
12. I do not recall being given any peacekeeping training prior to deployment on Operation Telic. I vaguely remember some basic training in relation to the Geneva Convention but nothing more than that.
13. Between 28 February 2003 and 9 May 2003 I served with No1 Company, 1st Battalion Irish Guards on Operation Telic in Iraq. I was the driver of a Warrior armoured vehicle designated Callsign 1-2. As the driver I was responsible for the maintenance and general upkeep of the Warrior. Sergeant **SO15** was the commander of Callsign 1-2 and I operated under his command. The gunner, also under Sergeant **SO15** command, was Guardsman **SO17**. The dismount section commander was Lance Corporal **SO19** and the dismounts were Guardsman **SO27**, Guardsman **SO22**, Guardsman **SO24** and Guardsman **SO18**.
14. After the combat phase of Operation Telic ended we switched to being an army of occupation although I can't remember exactly when this happened. In the last few weeks of Operation Telic we were based at the Gymnasium in Basrah and protected Basrah General Hospital as part of a rotation.
15. I don't remember being given any direction or guidance about how we were to conduct ourselves or how we were supposed to maintain law and order. Nor do I remember receiving any training as to how we should act as an army of occupation.
16. I was aware that there was an on-going and widespread problem of looting by locals up and down the country. I had witnessed a previous incident of looting which occurred the day after we had gained control of the University as part of Project Elysium and during which we had lost two of members of our Platoon. Hundreds of Iraqis ransacked the University – we were occupying just one building and we had no choice but to let them get on with it.

17. I do not recall at any point being given any specific guidance, instruction or training as to how to handle looters. Nor was I aware of any specific system in place to deal with looters - I was aware that some looters had been taken to a prison in the North-West of Basrah but nothing more than that. As a Guardsman driver, I would not have expected to receive the same level of training as the dismount section may have in relation to matters such as handling of looters.

#### **The incident on 8 May 2003**

18. On the morning of 8 May 2003, our last day in Basrah, I was on static guard outside Basrah General Hospital which my Callsign was tasked with protecting as part of a rotation. This was the day before we were due to leave Basrah and return to Germany.

19. I have been shown a copy of my witness statement taken by Staff Sergeant Jay at BATUS on 27 April 2004 and which sets out my recollection of events of that day from when I was first informed there was looting taking place up until the time the looters entered the water at Bridge Four. I stand by the contents of that statement but with the following clarifications.

20. This was the first time I had had to deal with looters and before the four looters were put in the back of the Warrior, I remember calling the looters in on the radio and I remember clearly being given the response to "throw them off the top deck". I did not know what was meant by this but I relayed this information to Sergeant SO15 who then instructed us to mount up. I do not know whether or not Sergeant SO15 also put a radio message in. I got into the driver's position and Sergeant SO15 was in the Commander's turret. I was aware that the looters were in the back of the Warrior with Guardsmen SO17 and SO18.

21. I agree with my statement when I said there was no real system in place for dealing with looters but despite what it states in my statement, I was not aware that it had become common practice for looters to be dropped out of town to punish them by making them walk all the way back. Nor had I heard of looters being 'wetted'.

22. I had comms with Sergeant SO15 and he instructed me where to drive to which was out to Bridge Four.

23. The remainder of this statement is based on the ROTI taken at BATUS on 27 April 2004 and then at LONDIST on 18 November 2004 as summarised by my solicitor as well as



from my own recollection of events, again to the best that I can recall given the passage of time.

24. I drove the Warrior out to Bridge Four as instructed by Sergeant SO15 and then down the left slip road and under the Bridge. I stopped the Warrior under Bridge Four, parallel to the water and which I now think to the best of my recollection was about 5-10 metres from the water's edge rather than 15-20 metres as I stated previously – the bank was dried mud and sloped slightly down, levelled off and then gently sloped down again to the water.
25. I got out of the Warrior and went round to the back. The hydraulics on the Warrior which allowed me to open the rear door from inside the Warrior had been broken and I can't remember if they were fixed by that point or not. I can't remember if I opened the back door to the Warrior or if it was already open by the time I got round to the back and nor can I recall whether I had been instructed to get out of the vehicle by Sergeant SO15 or not but I remember SO17 and SO18 at the back of the Warrior with the four looters.
26. SO17 was having trouble untying two of the looters who were tied together by their arms with what looked like bits of rag so I went to help. I told SO17 to go and get something to untie them – I can't remember if I said to get a knife or it might have been wire clippers.
27. One of the two looters kept clinging on to me while I was trying to untie him so I hit him a couple of times on the top of the head, no more than twice, in an attempt to get him to let go of me but not with any great force.
28. SO17 and SO18 were then stood near the river bank each holding one of the looters. I remember that Sergeant SO15 was also stood near the river bank and he told me to "come over here". I pulled the two looters I had down the bank towards where the other two looters, Sergeant SO15 Guardsmen SO17 and SO18 were stood on the flat bit near the water's edge. Despite what I said when I was interviewed by Staff Sergeant Jay on 27 April 2004 in BATUS, I don't remember anyone shouting at the looters to get in the water or exactly how they ended up walking into the water. I have thought long and hard on this point and whilst I really cannot remember the details of what happened, I do have a vague recollection that SO17, SO18 and myself were gesticulating at the looters to get in the river but I simply cannot remember any more

than that. I think the two looters that SO17 and SO18 were holding walked into the water first followed by the two I was holding shortly afterwards.

29. The edge of the water was fairly gently sloping out into the river and the four looters then walked down the rest of the bank and out into the river until they were stood roughly in a line with the water around about waist height. They then turned around and faced the bank where we were standing.
30. The looters were just stood there in the water then one of them, who I now know to be Mr Ali, went under the surface of the water, came up again then went under again. The other three looters just stood still in the water. I am still unable to say with any certainty whether Mr Ali was one of the two looters that I had untied.
31. I can remember Sergeant SO15 was standing close by on the embankment at this point and saying to me that if he comes up again, I had to go in and get him but if he didn't, then we'd go. I am fairly certain I started to remove some of my clothing to go into the water to rescue the looter who had gone under - I was unable to remember when I was interviewed under caution at BATUS in April 2004 what clothing I took off and with the passage of time, I am still unable to remember precisely what it was I was taking off but it was likely to have been my shirt – but he never came up again.
32. The other three looters were still stood in the water. We then turned and walked back to the Warrior – I can't remember if Sergeant SO15 ordered us back into the Warrior or we just got back in - and drove back to Basrah General Hospital. The whole episode, from getting out of the Warrior to getting back into the Warrior, was over in a matter of minutes. At that time I didn't know what had happened to Mr Ali but I didn't see him again after he went under the surface for the second time.
33. At no point did I throw stones at any of the looters and nor did I see anyone else throw any stones.
34. Once we had returned to Basrah General Hospital, we were stood round the back of the Warrior and Sergeant SO15 spoke to all of us. I can't remember exactly what he said to us but I seem to recall him saying something like what had happened shouldn't go any further. Other than that, Sergeant SO15 never spoke to me about the incident.
35. I never discussed what had happened with either SO18 or SO17. I think I spoke to Guardsman SO22 about the incident but I can't remember when. I think I may also have spoken to Guardsman Tester about the incident but I am not certain on that.

36. The next day No1 Company left Iraq and we returned to our base in Germany, via Kuwait.

37. Following on from this incident and the subsequent investigation and General Court Martial proceedings as noted in paragraphs 8 above, I struggled with alcoholism and this incident was one of the traumas that I had to work through and which contributed to my combat stress which I still remain to be untreated for. This incident should not have happened and I deeply regret that it did.

**Statement of Truth**

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

Signed SO16

