



MINISTRY OF DEFENCE

SERVICE POLICE RECORD OF A TAPE OR VISUALLY RECORDED INTERVIEW

Exhibit No: Inv Reference No: Page of

Interview of

Number: Rank/Status: Surname:

First name(s) Date of Birth:

Place of birth:

(Tick Box) Male Female

Interviewed by

Number: Rank: Surname:

Forenames:

Unit and address:

Persons Present

Rank / Status:	Name & Initials:	Reason:
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Date of Interview: At (Place):

hrs Time Finished: hrs

No. of Master Tapes/Discs*: Exhibit No(s):

Certificate

This record consisting of pages each signed by me is the exhibit referred to in the statement made and signed by me.

Date: Signature of Service Policeman preparing record:

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Tape Counter	Person Speaking	Text
[00:55:11]	Baroness Hallett	Good morning everybody and good afternoon to those in Iraq. Thank you all for attending today's hearing, by video link or in person, with apologies for the delay in establishing the link. If we should lose the link I will continue with the hearing while efforts are made to restore it. But I will make no final decision without giving those trying to attend via video link the opportunity to make representations. As you all know, I was appointed by the Secretary of State for the Ministry of Defence to continue the work begun by Sir George Newman following his sad death earlier this year. I appreciate that in the aftermath of his death little progress was made in the investigation, certainly as far as some of the parties were concerned, and I understand why. But it is now time to pick up the pace again. It is in everyone's interest to have a full, fair and effective investigation concluded as soon as possible. I should like to begin by making a few things clear. Firstly, I recently invited, through my Assistant and Counsel, representations from the parties as to any findings and statements made by Sir George and whether or not I should find myself bound by them. No one suggested I should revisit the issues upon which he had reached conclusions and so I have no intention of doing so unless compelling reasons emerge. Secondly, provisional anonymity orders will continue to apply to those who have applied for anonymity, pending a decision on all three applications, once I have possession of all the material that will be relied upon in making all the applications. To make it plain, no one must publish the identity of the applicants for anonymity pending that decision. Thirdly, a transcript of this directions hearing and any other hearing and a copy of any orders made will be made public in English and Arabic on the IFI website when available. I believe the parties have been informed of the issues that I wish to consider and possibly determine this morning. The most important of which is obviously the timetabling of this investigation. And so the first issue, as it seems to me and to my Counsel that we need to consider, and I believe Miss Jackson is going to tell me the up to date position, for the issue in respect of experts.
[00:58:29]	Natasha Jackson	Yes, thank you. So in relation to experts, there are going to be experts in psychiatry instructed on behalf of two of the witnesses. CVs have been sent by the representatives from Blackfords and by the representatives from Kangs Solicitors. Firstly, in respect of the representatives from Blackfords, you've been given the CVs of a Dr Alcock and a Mr Hopley sorry, Dr Hopley and have the quotation for that expert evidence as well. Are you in a position to make a decision in respect of the experts to be instructed?
[00:59:05]	Baroness Hallett	Miss Wilson, you're here representing the soldier represented by Blackfords?
[00:59:11]	Rachel Wilson	I am, yes.
[00:59:12]	Baroness Hallett	Sorry to sound mercenary, but it seemed as if you had two experts, both of whom were well qualified and one of whom was considerably less expensive. Are you content to go with Dr Alcock?
[00:59:24]	Rachel Wilson	I am, yes, thank you Baroness Hallett

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[00:59:25]	Baroness Hallett	Very well. So you will instruct Dr Alcock, thank you very much.
[00:59:29]	Natasha Jackson	Thank you. And then the representatives for Kangs Solicitors who have put forward the CVs of two experts, one a Dr Bagalkote and the other a Dr Watts. You should also have the costs for those which are both under the sum that has been suggested by Dr Alcock and are in the region of £1,500 to £1,800.
[00:59:53]	Baroness Hallett	So, Mr Harrington. Where have we got to, as far as you've got the two experts. They both seem to be a reasonable cost, comparatively speaking, or relatively speaking. What are you going to do? Which one would you like to choose?
[01:00:08]	Fergus Harrington	That's correct, we would like to instruct Dr Bagalkote.
[01:00:14]	Baroness Hallett	Right. And he's available, a) to provide the reports? I should have asked you this too, Miss Wilson, so if you could consider your answer to the same question. He's available to provide the report and, if necessary, provide any extra instructions in the timetabling we have generally in mind?
[01:00:33]	Rachel Wilson	Yes.
[01:00:34]	Baroness Hallett	And Mr Harrington?
[01:00:35]	Fergus Harrington	Yes.
[01:00:40]	Baroness Hallett	Right. Very well. And then I think we come to agree to you instructing him, Mr Harrington. So where do we go then on the next thing, is [inaudible; 01:00:47, 'timetabling'?] when the instructions go out?
[01:00:49]	Natasha Jackson	Yes. So firstly, you've been provided with a draft letter of instruction by the representatives from Blackfords and by the representative from Kangs. If you've had the chance to consider those. Do you have any . . . [inaudible; 01:01:03, 'applications'?)
[01:01:02]	Baroness Hallett	I have. As far as the Blackfords letter of instruction, that is approved. Mr Harrington, could you please discuss before you go either today or some time very soon, with Miss Jackson and Miss Lewis, there's one line in your letter that I think is covered by another part. So if you could just discuss with them before I finally approve your letter. I think there could be some scope for confusion as to the extent of the remit that you'll be offering the expert. So if you could discuss with them and if that line, or omission of that line could be agreed, then I'll approve your letter.
[01:01:38]	Fergus Harrington	I can do that, yes.
[01:01:39]	Baroness Hallett	Thank you very much. So, timing on the experts, when are the letters going to go out?

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[01:01:44]	Natasha Jackson	I'm sorry, that would be as soon as the letters are approved.
[01:01:46]	Baroness Hallett	Oh, so is that agreeable with you Miss Wilson?
[01:01:46]	Rachel Wilson	Yes.
[01:01:46]	Baroness Hallett	Coming under the heading 'timetabling'?
[01:01:47]	Rachel Wilson	Yes, perhaps so, I think.
[01:01:48]	Baroness Hallett	Right. Anything else as far as experts are concerned?
[01:01:52]	Rachel Wilson	No thank you.
[01:01:53]	Baroness Hallett	No?
[01:01:53]	Fergus Harrington	No, thank you.
[01:01:55]	Baroness Hallett	I'm not going to come to the back row, unless you wish to say something, please just indicate. But I understand you here more as observers. Mr Henderson, is that right?
[01:02:04]	Duncan Henderson	There is something on anonymity if I may mention that point. <i>[inaudible; 01:02:07]</i>
[01:02:06]	Baroness Hallett	Yes, of course, do you want to go back to that now?
[01:02:08]	Duncan Henderson	I think what you said is that provisional anonymity would continue for those who have applied. I think you indicated there were three such persons. So far as my two clients are concerned . . .
[01:02:20]	Baroness Hallett	There's three such applications.
[01:02:22]	Duncan Henderson	<i>[inaudible; 01:02:22, 'I beg your pardon?']</i>

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[01:02:22]	Baroness Hallett	So I meant, I meant three such applications,
[01:02:24]	Duncan Henderson	Yes, I'm not sure if that includes my two clients. The position is, I informally indicated that they wished to apply for anonymity. The indication has been given by your Assistant that the anonymity which they've enjoyed to date, by way of sort of general anonymity will continue until such time that you may decide that it should be withdrawn, at which point they would have the opportunity to make representations to you. I'd be grateful if you could just confirm that that's the position, particularly for my client, who's not here today, who does have some concerns. [<i>Inaudible</i> ; 01:02:59, 'some concerns?']
[01:02:59]	Baroness Hallett	Certainly. I mean, I see no reason at the moment to distinguish between any of the parties represented by you or the other firms of solicitors. So, provisional anonymity will apply to all the soldiers.
[01:03:11]	Duncan Henderson	[<i>Inaudible</i> ; 01:03:12, 'I'm obliged Ma'am] Thank you Baroness Hallett. I am obliged and will inform my client the same.
[01:03:13]	Baroness Hallett	Thank you. Right. As far as timetabling is concerned, yes, Miss Lewis?
[01:03:20]	Julia Lewis	Thank you. I think there are three matters really related to timetabling. The first being in respect of provision of the expert reports, which applies to the clients of Blackfords and Kang's. The second in respect of witness statements. And the third in respect of dates for public hearings, which of course applies to all parties. In respect of the expert reports, we would suggest 31 January 2020 for the provision of the reports. And thereafter, seven days to pose questions from either the IFI or the representatives themselves, which would be the 7 February 2020. And 14 days for the experts to reply, which would take us to 21 February 2020.
[01:04:07]	Baroness Hallett	Right. Miss Wilson, any comments . . . sorry to come to you first, but, as you're the person on the left, any comments about that proposed timetable? I appreciate we have Christmas holidays in England quite shortly. Does that timetable work for you?
[01:04:26]	Rachel Wilson	It does. I think when we last spoke to our experts, which was a couple of weeks ago, supplying the timetable, we suggested mid-January. Now that time has moved on, I think 31 January would be suitable and I was going suggest early February, so we can go for 31 January. And I don't see any difficulties with the subsequent dates either.
[01:04:45]	Baroness Hallett	Right. Thank you very much. And Mr Harrington, I think you're affected by this too?
[01:04:53]	Fergus Harrington	31 January wouldn't be an issue for us. [<i>Inaudible</i> ; 01:04:55]
[01:04:56]	Baroness Hallett	So that's okay, that's right by you?
[01:04:58]	Fergus Harrington	Yes.

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[01:04:58]	Baroness Hallett	Right. And the seven days thereafter and then the 14 days, that's all . . .
[01:05:01]	Mr Harrington	Yes.
[01:05:02]	Baroness Hallett	So it's good for you. Thank you very much. I don't think anybody else is affected by that issue?
[01:05:08]	Julia Lewis	No.
[01:05:09]	Baroness Hallett	So the letters of instruction are going out when?
[01:05:12]	Julia Lewis	With . . . the letter of instruction for Blackfords is ready, so we would say immediately. But seven days for both in the expectation that the letter of instruction for Kangs can be agreed within those seven days.
[01:05:27]	Baroness Hallett	Both happy?
[01:05:29]	Miss Wilson	Yes, thank you.
[01:05:30]	Mr Harrington	Yes.
[01:05:31]	Baroness Hallett	Very well. Seven days for the letter of instructions to go out to the experts. Obviously, the sooner the better, because we don't want them to miss the deadline of 31 January. Right. So that's the timetable for the expert reports. Then the next issue of timetabling?
[01:05:47]	Julia Lewis	Okay. Moving then to the provision of the witness statements, in respect of the client from ABV Solicitors, it has been suggested that the witness statement can be provided by 31 January 2020. We would, in any event, suggest a deadline of 28 February 2020 as the deadline for all three witness statements. That's a week . . . sorry, a month after the deadline for the expert reports, with the expectation to receive ABV's statement before that, but with a final backstop of 28 February 2020.
[01:06:25]	Baroness Hallett	It seems to me to be perfectly generous, given the amount of time that there has been already to get at least some of the witness statements. Is everybody happy with that timetable?
[01:06:36]	Rachel Wilson	Baroness Hallett, it's difficult to know at the moment as to whether that will be sufficient time. I appreciate that, on the face of it, a month would seem sufficient. I only hesitate because it may be dependent on whatever issues the report throws up. And so, I was going to ask for perhaps six or eight weeks, but perhaps that could be reviewed upon receipt of the report.
[01:07:04]	Baroness Hallett	Well, let us . . . subject to anything Mr Harrington or Mr Hashmi I have to say, let's, let's, let's stick to the 28 February for everybody at the moment. If, as things transpire you . . . you have reason to believe that's going to have to be extended, I'd like to stick to 28

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		February, because I want to get the hearings in March, April, if at all possible. Because that's still going to be many, many years after the incident. So the sooner we get on with it, the better. So shall we say stick with 28 February, but you undertake to keep us informed of any possible reasons why that timetable may not be effective? It's still four weeks. So if your lay client is in the position to give instructions, then it's still four weeks to put in place any special measures that may be needed if they're recommended.
[01:07:53]	Rachel Wilson	Yes, of course.
[01:07:54]	Baroness Hallett	Right. Very well, unless . . . yes, Mr Harrington, any comments, are you content?
[01:08:00]	Fergus Harrington	I have the same comment as Miss Wilson. Dependent on our position [<i>inaudible</i> ; 01:08:07] in the report, it may be that measures have to be put in place, and that could take some time. And for us to take instructions from our lay clients, I would have asked for six to eight weeks but understand that there's a need to move quickly and we're content for 28 February.
[01:08:24]	Baroness Hallett	And you give the same undertaking that if . . . as soon as you . . . if you do, appreciate there's any reason for any delay, you'll keep my team informed?
[01:08:32]	Fergus Harrington	We would, yes.
[01:08:33]	Baroness Hallett	Thank you. And is it Mr Hashimi?
[01:08:36]	Zaki Hashmi	Mr Hashmi [<i>inaudible</i> ; 01:08:37, 'Baroness Hallett']
[01:08:38]	Baroness Hallett	Sorry, Mr Hashmi, I'm so sorry.
[01:08:39]	Zaki Hashmi	Not at all. I've heard what you have said, Baroness Hallett, regarding a collective deadline [<i>inaudible</i> ; 01:08:48] 28 February [<i>inaudible</i> ; 01:08:51] the expectation is noted [<i>inaudible</i> ; 01:08:52]
[01:08:53]	Baroness Hallett	Well, and thank you for being able to produce it at an earlier date, as far as it seems possible. It seemed to me that it's better to have the same deadline for everybody, but obviously the sooner you can get it to us, the better.
[01:09:03]	Zaki Hashmi	Absolutely. We will work with both the formal deadline of 28 February and the indicative deadline for the solicitors on 31 January very much in mind.
[01:09:13]	Baroness Hallett	Thank you very much, and don't think this issue really applies to you, Mr Henderson, I think that that's all been dealt with by Sir George already?

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[01:09:21]	Duncan Henderson	No, Ma'am, we haven't, we haven't got a timetable yet . . .
[01:09:23]	Baroness Hallett	Yes.
[01:09:24]	Duncan Henderson	As for witness statements, I have very recently been provided with the witness statements for my two clients. There are issues in relation to both of those, which I will be writing to your office about. I think there is some further information which we . . . we do need before we can decide the extent of the statement to this [<i>inaudible</i> ; 01:09:47] that may be, may be required.
[01:09:50]	Baroness Hallett	So 28 February, does that seem suitable?
[01:09:52]	Duncan Henderson	That is what I . . . I was going to ask for, Ma'am. We may be able to do it a bit earlier, but if you could give us until then, as . . . as I think you are aware, I am going to be retiring from GLD next month. My successor, Julian Malt, who sits two places to my left is taking over. He's 'reading his way in'?', but if he could have till then, I'm sure he'd be very grateful.
[01:10:16]	Baroness Hallett	Very well. In which case we'll say 28 February. All solicitors undertaking to inform the investigation if they foresee any problems with meeting that timetable. Right. So the next stage, obviously, is dependent on that timetable being met. So I appreciate that things might have to shift if the ground shifts, but given that 28 February is our target date.
[01:10:42]	Julia Lewis	On that basis then, we'd suggest two days of public hearings, between 16 March and 8 April, 16 March, being the Monday two-and-a-little-bit weeks after the deadline for the witness statements, and suggest provision of dates to avoid within that window within the next, say, seven days.
[01:11:07]	Baroness Hallett	Right. So just so those in Iraq understand, the reason for saying the window 16 March to 8 April, is 8 April marks the beginning of another English public holiday, namely Easter. First of all, as far as Iraq is concerned, would those . . . are you happy that we are ask for your dates to avoid within that particular window, 16 March to 8 April. The idea is that I don't fix the dates today, but I ask people to give me dates to avoid in that window of time.
[01:11:51]	Zainab Al-Qurnawi	[<i>inaudible</i> ; 01:11:53] 16 March to 18 April . . .
[01:11:54]	Baroness Hallett	8, 8, 8 April . . . 8th
[01:11:59]	Zainab Al-Qurnawi	8 April should be okay.
[01:12:01]	Baroness Hallett	Right. Thank you. Right. Anybody any comments about the window?

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[01:12:07]	Rachel Wilson	Simply that perhaps we could have seven days to indicate any issues, as to availability during that period?
[01:12:12]	Baroness Hallett	Oh no, the idea is that you'll, you'll liaise afterwards, provided you're content with the window that I've set. Yes? Mr Harrington, yes?
[01:12:19]	Fergus Harrington	We have no issues with the window [inaudible; 01:12:21]
[01:12:22]	Baroness Hallett	Mr Hashmi?
[01:12:22]	Zaki Hashmi	We will be in touch within 7 days. [inaudible; 01:12:22]
[01:12:23]	Baroness Hallett	Mr Henderson? I appreciate you won't be around in March/April as far as this case is concerned, but . . .
[01:12:30]	Duncan Henderson	Julian Malt will be informed on my behalf. [inaudible; 01:12:29]
[01:12:31]	Baroness Hallett	Right.
[01:12:31]	Duncan Henderson	Whatever [inaudible; 01:12:32] I'm sure Mr Malt would let me know [inaudible; 01:12:36]
[01:12:35]	Baroness Hallett	Right. Okay.
[01:12:36]	Duncan Henderson	[inaudible; 01:12:36] Thank you Baroness Hallett.
[01:12:38]	Baroness Hallett	So I'll . . . I'll set the proposed window is 16 March to 8 April, and the parties to liaise with my team as to any dates to avoid, for two days of public hearing within that window of time. Is there anything else as far as that was concerned? You said something else?
[01:12:59]	Julia Lewis	I said seven days for setting the dates to avoid.
[01:13:02]	Baroness Hallett	Oh yes. And that this . . . so parties within seven days to liaise with my team. Right. Anything else on timetabling?
[01:13:17]	Julia Lewis	No.

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[01:13:18]	Baroness Hallett	No. Length of hearings. Having not been involved in this investigation before, I'm told that so far the investigation hasn't taken up more than two days of hearing time. Do people think that is best estimate?
[01:13:34]	Rachel Wilson	On the basis of what's gone before, I think that's reasonable [<i>inaudible</i> ; 01:13:38]
[01:13:40]	Baroness Hallett	Everyone else agree. No other comments. Right. Very well. Anything else as far as my team are concerned
[01:13:51]	Julia Lewis Natasha Jackson Farah Doctor	No.
[01:13:53]	Baroness Hallett	All right. Anything as far as you're concerned? Anything as far as any of the parties are concerned? Any other issues they wish to raise?
[01:14:02]	Rachel Wilson	No thank you.
[01:14:03]	Duncan Henderson	[<i>inaudible</i> ; 01:14:03] No thank you.
[01:14:04]	Baroness Hallett	Anything as far as you are concerned, in Iraq, that you wish to raise before I conclude this morning's hearing?
[01:14:12]	Zainab Al-Qurnawi	The only thing would we be given t the soldiers' witness statements and [<i>inaudible</i> ; 01:14:23] from them?
[01:14:24]	Baroness Hallett	Sorry, I didn't catch that.
[01:14:27]	Natasha Jackson	Would they be provided, I think, with the soldiers' witness statements, which would normally [<i>inaudible</i> ; 01:14:31] be provided to them.
[01:14:31]	Baroness Hallett	Yes, you'll see the material that is provided, yes.
[01:14:36]	Zainab Al-Qurnawi	Okay. Thank you very much.
[01:14:40]	Baroness Hallett	Anything else? If not, thank you very much, thank you all for attending, and for ensuring that we get these proceedings back on course. Thank you.

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