



MOD-83-0000458-A

**RESTRICTED**

Statement of: **SO77**

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**WITNESS STATEMENT**

Criminal Procedure Rules, r27.2; Criminal Justice Act 1967, s.9; Magistrates' Courts Act 1980, s.5b

Statement of: **SO77**

Age if under 18: OVER 18 (if over 18 insert 'over 18') Occupation: SSGT

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This statement (consisting of 6 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature: **SO77**

Date: 05/06/2003

Tick if witness evidence is visually recorded  (supply witness details on rear)

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I am the above named person. I am currently serving with my unit detailed overleaf on operations in Iraq. I have been in that theatre of operations since 28 Feb 03.

I am currently employed as the Tp SSgt of Support Tp within my Sqn. My Tp Comdr is 2Lt **SO70**, whom I have known since Mar 03. I would describe him as about 5'10" tall with a slim build. He is currently tanned and has medium length dark brown hair.

Other members of my Tp include LCpl **SO71**, whom I have known for about 2½ years. He is about 5'10" tall with a medium build. He has dark brown medium length hair. Spr **SO75**, whom I have known for about 2½ years. He is about 5'7" tall with a very slim build. He has blond, short hair and has a fair complexion. Spr **SO72**, whom I have also known for about 2½ years. He has a slim build also and is about 5'10" tall. He is currently tanned and has light brown, short hair.

My Tp has various vehicles assigned to it. These include various tractors, two 432 tracked vehicles and one Spartan tracked vehicle. The 432 & Spartan vehicles have permanent callsigns which are printed on the side of the vehicles and in the 432 rear doors. The Spartan has the callsign 40A and the 432 have the callsigns 40 and 40D.

My Tp is currently attached to 1 Black Watch Battlegroup and as such we are based at a location within Basra. This location is part of what used to be an Iraqi Naval Academy. The remainder of the compound

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is now either derelict or is being used by local Iraqis who are squatting there. The location has a Quay side as part of it with easy access to the river. The Quay side area is not within my unit's location but within the area of the squatters. Having said this we regularly drive to this area to wash our vehicles on the Quay side.

One such occasion was on Fri 23 May 03 when 2Lt **SO70** and Spr **SO75** took our Spartan vehicle and LCpl **SO71** and Spr **SO72** took 432, callsign 40D to the Quay side to wash them. I remained at my unit's location as I had various tasks to carry out. I believe they left our unit location about 1045-1100 hrs, that day.

About 1155 hrs I had completed my tasks in Camp and was about to depart to wash my vehicle, which was 432 call sign 40. As I was leaving I was alerted by the Sqn 2i/c, Capt **SO76** that 2Lt **SO70** had requested assistance at the Quay side. He informed me that someone had fallen into the water and as a result he required a diver and a medic. He further stated that 2Lt **SO70** and Spr **SO72** were also in the water attempting to locate the person who had fallen in. He then asked me to get to the location and clarify the situation.

I then left camp and drove to the scene. The only other occupant of my vehicle was my driver, Spr **SO78** of my unit. To get to the scene we turned left out of our location on to the main road. At the roundabout almost immediately in front of us we turned left into the main entrance of the Naval Base. We then drove the 400-500 metres to the end of the road and then turned left into the dockyard area. Once in the dockyard area we turned right towards the Quayside which was about 50 metres away.

Once we arrived at the scene I could see our two vehicles parked there. The 432 was backed on to the waters edge and the Spartan was parked behind it, away from the water. There was about 10 feet in between the two vehicles. We parked our vehicle alongside the two vehicles, facing towards the water. I could see that Spr **SO75** & LCpl **SO71** were stood on the Spartan vehicle and 2Lt **SO70** and Spr **SO72** were stood together at the rear of the 432 on the waters edge. I could see that they were both extremely wet.

I dismounted my vehicle and 2Lt **SO70** and I approached each other. He told me that some local people had been at the Quayside stealing some wire. After he had warned them off about what they were doing he stated that 2 of them had jumped into the water. One of the men had managed to swim across the Quayside and climb out but the other had sunk under the water. He further stated that he and Spr **SO72** had been in the water for the past 20 mins trying to locate the man.

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As I was talking to 2LT [REDACTED] SO70 I noticed an Iraqi male approach us. He was in his late 40s or early 50s and had grey hair, he was also heavily unshaven. This man appeared to speak reasonably good English and acted as an interpreter for 2Lt [REDACTED] SO70. This was due to the fact that there were about 30-40 Iraqis at the scene who were all keen to speak to us about what had happened.

Among these people was a male I particularly noticed as he appeared to be quite hysterical about what had happened. He grabbed my shirt at one point and was pulling me towards him. He was shouting but I am unaware as to what he was saying.

I also recall 4-6 Iraqi women approach me shortly afterwards and do the same thing. As they were doing this I attempted to explain to them that we were doing all we could and that a diver was being requested but I did not appear to be getting through. Furthermore, by this time the 'interpreter' had disappeared.

As time went on more and more Iraqis arrived at the scene and the tensions were obviously running high. Although 2Lt [REDACTED] SO70 and Spr [REDACTED] SO72 were keen to do so I decided that it was too much of a risk for them to enter the water again to continue the search. I also decided that the scene was becoming too volatile for us to remain so I instructed all there to pack up all our kit and leave.

This we did over the next few minutes and I believe we left the location just before 1300 hrs.

On being asked I recall that on the day in question all four members of my unit at the Quayside were wearing desert combat trousers. The only one I recall wearing a desert combat shirt was Spr [REDACTED] SO75. The other 3 were wearing just olive green coloured t-shirts.

Furthermore I can confirm that I did not see any Iraqis in the water or jump into the water to aid in the search of the missing man.

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