



MOD-83-0000471-A

Witness: Lieutenant Colonel [REDACTED] SO73

No. of witness statement: First

Date: 27 February 2020

**In the matter of an investigation into the death of Saeed Radhi
Shabram Wawi Al-Bazooni**

WITNESS STATEMENT OF [REDACTED] SO73

I, [REDACTED] SO73 will say as follows:

1. I am making this statement for the purposes of the investigation into the death of Saeed Radhi Shabram Wawi Al-Bazooni (the "Investigation").

Background

2. At the time of the incident I was deployed as part of 26 Armoured Engineer Squadron based at the former Iraqi Naval Academy in Basra. I held the rank of Second Lieutenant and was the Troop Commander of Armoured Troop. I shared a room with [REDACTED] SO70

IHAT statement

3. On 20 January 2015 I was interviewed and asked to give a statement about the incident to the Iraq Historic Allegations Team ("IHAT"). I have been provided with a copy of my statement (my "IHAT statement"). This was given almost 12 years after the event and my recollections were not perfect as a result. A further 5 years have now passed, and I therefore cannot confidently confirm the content of that IHAT statement, although I use this statement to correct, or add to, the IHAT statement so far as I am able to.

Reliability of record of IHAT statement

4. First, I would like to alert the investigation to concerns I have about the accuracy of IHAT's record of my evidence on 20 January 2015 and make some specific comments. Although I signed the statement, looking at it afresh, the IHAT statement captures my answers without giving any indication of the questions that elicited the responses. I recall the questions being leading, closed and abrupt. This deprives the IHAT statement of context. There are also numerous examples of incorrect nomenclature, terminology and phraseology in the statement, which may not have concerned me at the time, but I now recognise indicates a failure to correctly capture my evidence and, in places, renders the statement misleading. More specifically:

- a. It uses shorthand phrases that does not accurately reflect what I would have said, such as "Sandhurst Officer Training Academy" rather than "the Royal Military Academy, Sandhurst". The sentence, "Every day the OC would hold 'O' Group meetings attended by 2ic Troop Commanders and Squadron management staff which including the QM and Signals" should be "...attended by the Second in Command, Troop Commanders and Squadron...". The IHAT statement also failed to explain the purpose of the 'O' Group, which was to disseminate direction, guidance and information, as well as coordinate activity.
 - b. It unreliably records the Chain of Command and reporting lines. It refers to me being "monitored" by SSgt SO74 whereas it should say "mentored". It refers to me being "shaded" by SO74 it should say "shadowed".
 - c. It omits certain facts. When referring to the vehicles, it refers to the driver and me having radio headsets: "one was to monitor the Battlegroup frequency and the other to have contact with the Squadron." We would also have had a Regimental net to monitor and so there were 3 nets to communicate on, not 2 as the IHAT statement implies.
 - d. Some of my evidence has been captured less equivocally than I would have given it. Where it says, "I do not recall detaining any looters", it is more likely I would have clearly stated, as a fact, that I absolutely did not detain any looters whilst in Iraq.
 - e. The reverse is true of some other parts. My recollection of my conversation with SO70 after the incident would have been hindered by the passage of time and so I would not have been able to recall the conversation word for word. This is not sufficiently indicated in the IHAT statement. Furthermore, the assertion that SO70 could speak Arabic" should be caveated to say SO70 could speak "some" Arabic. I do not know how competent his language skills were, or how effectively he could communicate with the locals, or if he even was familiar with the local dialect.
 - f. Parts of the IHAT statement could mislead by the vague nature of the note. It captures my confirmation that the terms "wetting", "sin bin", "stress position" and "taken out of area" meant nothing to me in relation to Op TELIC 1. This is correct but I would add that I only became aware of those terms post-deployment. It says I do not know of anyone from the Squadron going to the area of the incident afterwards. This should say "immediately afterwards" because members of the Squadron would have eventually returned to wash vehicles prior to recovery back to Germany.
 - g. My concern with the nickname "SO70" was that it unfairly created a presumption of guilt not innocence. I did not, and do not, feel SO70 had to "prove his innocence" as the IHAT statement says.
5. It may not be relevant to the Investigation but - with reference to my statement that I could not recall any Iraqis being employed on the base - on reflection I do remember locally employed civilians doing general duties on the base.

Conversation with [SO70] after the incident

6. Second, it is true that [SO70] told me of the incident when he returned to the compound and I have noted above that the IHAT statement does not reflect the obvious doubts I would have had about the precise wording used by [SO70]. It also fails to put the conversation into context.
7. I remember that the conversation was fleeting. Although I cannot remember exactly where I was, it is likely I was close to our room and I remember that [SO70] said he had been told to get changed and go straight to see the Medical Staff to be checked out. Transport would have been waiting and there was not an opportunity for me to ask questions about what had happened. The conversation was limited because it was so short. Although I got the impression from the brief conversation that [SO70]'s purpose for duck-diving was to save a person from drowning, as I said in my IHAT statement, I did not know that someone had died until later.
8. I cannot remember any other conversation with [SO70] about the specifics of the incident after this. Although I cannot remember for sure, it is likely we would have been told not to discuss the incident amongst ourselves. As a matter of decency, I would also have been unlikely to probe [SO70] on the incident. [SO70] is a friend, whom I speak to at least two times a year, and so we have certainly talked about the surprising number of investigations into this incident and the process. However, I do not recall ever discussing the specifics of the incident beyond the conversation I relay in my IHAT statement.

Instructions and training on dealing with looting

9. Third, my deployment to Iraq, on Op TELIC 1, was around 17 years ago and it is very difficult to recall what I knew then about looters or what we were told to do, particularly as my recollection is clouded by what I know now as a Lieutenant Colonel with nearly 19 years of military experience. I know now of the wider disruption and implications caused by looting in Iraq.
10. I have noted above that I did not detain any looters whilst in Iraq. Our deployment was not in a policing role, nor to uphold the rule of law. I do not recall any specific training on the issue. We were given conventional prisoner handling training but that was for prisoners of war in the context of an International Armed Conflict. As I say in my IHAT statement, I suspect we would have used our common sense to deal with looters. However, I cannot recall any occasion I had to do this.

Statement of Truth

I believe the facts stated in this witness statement are true

Signed: [SO73]

Dated: 27 Feb 20