



MOD-83-0000454-A

1st witness statement of

SO72

Dated 30/01/2020

IN THE MATTER OF THE IRAQ FATALITY INQUIRY

I, **SO72**, will say as follows;

I believe the contents of this witness are true.

1. My name is **SO72**. I was born on **SO72**.

Background

2. I joined the Army in August 1998 at the age of 18, just after finishing Sixth Form and I joined the Royal Engineers and was posted to 32 Engineer Regiment. I was a sapper when the unit was deployed to Iraq in 2003 for Operation Telic 1.
3. Basic training when I joined lasted 6 months and I was based in Bassingbourn, Cambridgeshire for Basic Military Training, and moved to Gibraltar Barracks, Minley, Camberley, Surrey for Combat Engineer training. I was 18.
4. Following the end of this training I was posted to Germany for 6 months, to 21 Engineer Regiment. Whilst in Germany the regiment were deployed in Kosovo at the time, but I didn't go.
5. I then went on a trade course (a specialist construction course in Land Surveying) at Chatham for 12 months.
6. I was then posted to 32 Engineer Regiment in Hohne, Germany. That was around August 2000 and I was there until late 2004/early 2005. I was in 26 Armoured Engineer Squadron as a sapper (private soldier).

7. Although we were based in Germany we were often deployed elsewhere, first to Cyprus, then Bosnia and then to Iraq in February 2003. We deployed after pre-deployment training which took place in Germany and in theatre and we entered Iraq through Kuwait during the fighting phase of the War. The deployment was called Operation Telic 1. The war started in March 2003. I was in 26 Armoured Engineer Squadron and working as a Combat Engineer and driver. Maj [SO79] was my officer commanding and Lt [SO70] my troop commander.
8. The deployment to Iraq was my first there and it was during the war fighting phase.

The events of 23rd May 2003

9. I have been asked to provide a statement about the events of 23rd May 2003. I rely on the prepared statement made previously on 23rd June 2004, which is quoted verbatim (up to and including paragraph 46) below:
10. "On 23rd May 2003 I was in Iraq.
11. The 23rd May 2003 was a maintenance day for 26 Armoured Engineer Squadron. On this day we had to attend to the weekly servicing and washing of the vehicles.
12. I was the driver of vehicle call sign 40D, in command of that vehicle was [REDACTED] LCpl [SO71].
13. On the morning of the 23rd May 2003 myself and LCpl [SO71] got a water pump and loaded it onto our vehicle.
14. We then left the camp to go to the dock, approx. 200m away, in order to clean our vehicle. We followed Lt [SO70] ([REDACTED]) and [REDACTED] Spr [SO75] who were in another vehicle, Spr [SO75] was the driver.
15. When we arrived, we all got out, Spr [SO75] remained on his vehicle.

16. There were a number of children already present that were swimming and jumping off the side.
17. Myself and LCpl **SO71** unloaded the equipment to wash the vehicles. We then realized that we had brought the wrong pump.
18. Myself and LCpl **SO71** returned to the camp to pick up the correct pump. Lt **SO70** and Spr **SO75** remained at the dock.
19. After a short period, we returned, set up the equipment and began washing the vehicle down. We placed our weapons in the vehicle.
20. Lt **SO70** informed us that a tanker was on fire and to keep an eye on it. He told us that he was going to try and find a fire extinguisher.
21. Spr **SO75** remained on his vehicle. Whilst we were cleaning the vehicles, we were swarmed by children who were trying to help us. After about 20 minutes I was aware that Lt **SO70** had returned, although I didn't actually see him arrive.
22. I noticed that there was a group of Iraqis with him.
23. I didn't take a great deal of notice as I couldn't hear what was being said over the noise of the pump. A crowd of people gathering was just an everyday thing.
24. There were a large number of children and adults present which was normal, I was more conscious of the children near me.
25. I was in the process of shutting down the pump when I saw, out of the corner of my vision, somebody go into the water. I could not see who it was or why they went into the water.
26. As I watched I saw this person pull himself out of the water by climbing up a rope hanging off an anti-aircraft gun. As he was doing this, I then saw another lad run to the edge of the dock and jump into the water.

27. I walked to the edge of the dock to see what was going on. The surface of the water was approximately 6ft below the dock edge. I could see no sign of the lad that had jumped in. I waited for a few seconds then took off my boots and trousers and jumped in.
28. I made a guess as to where he would have gone and tried to find him by diving down and feeling my way. I couldn't see anything, there was zero visibility in the water.
29. I'm not sure when but I saw Lt **SO70** also dive into the water. I looked up to see children pointing, I dived to where they were pointing. I dived deep enough to touch the bottom. I have no idea how long I was doing this for, but I was so exhausted I got out, as did Lt **SO70**.
30. I rested for a short time then I went back in, so did Lt **SO70**.
31. I think Lt **SO70** had spoken to either LCpl **SO71** or Spr **SO75**, but I am not sure who.
32. I was becoming more and more exhausted; we could do no more and were told we had been ordered out of the water.
33. When I got out the crowd had grown and were agitated, they were pushing and shoving me. I was aware that some women had turned up and were screaming.
34. I put my boots and trousers back on, it was clear that the atmosphere was now hostile. The crowd wanted me to go back in. As I was dressing, I saw LCpl **SO71** push away a man who was attempting to take his rifle. I was aware that SSgt **SO77** was now present, I saw that he was also being pulled by the crowd towards the edge of the dock.
35. A decision was made to extract and return to camp, which we did.
36. At no time that day did I see any animals in the dock complex.

37. At no time did I see either of the lads pushed or thrown into the water.
38. At no stage did I see any person restrained, struck or abused either by myself or any other soldier.
39. At no stage did any of the locals attempt to assist the lads.
40. At no stage did I hear the lads swimming ability discussed or mentioned.
41. At no stage was I crying, or did I see any of the other soldiers cry.
42. At no stage did I hear the question of compensation discussed or raised.
43. I don't know why the men jumped in my only involvement was to try and save him from drowning.
44. The above statement was made in 2004, far closer to the events in question. Almost 17 years has passed since these events occurred. My recollection of events is no clearer now than it was then. In fact, I believe my memory to be substantially worse
45. I have been the subject of multiple investigations since 2003. I cannot be certain that my memory of events post-2004 has not been influenced by documents and materials I have seen in the time since."
46. The matter came to a Preliminary Enquiry held between 15th and 17th March 2006. Various witnesses were asked questions by the officers for the Army Prosecuting Authority and a decision not to prosecute was taken. I destroyed any material I had in my possession at that time on legal advice.
47. Very surprisingly, I was again interviewed by IHAT in 2015. I answered 'no comment' to the interview questions and provided no further information.

48. My memory was significantly better in 2004 when I was first asked about that the matter and that is what I seek to rely upon.
49. I have been asked other questions by the IFI and I seek to assist by commenting upon the specific questions:

Swim Training

50. As sappers, we must take an enhanced swim test as part of our training, because we spend a lot of time around water. Everyone in the army is expected to be able to swim, but our training was above what is expected of the infantry and other Arms and Services.
51. From my recollection we did a watermanship week, which involved spending a lot of time swimming in water, in clothes (uniform). To pass the course, you had to be able to swim 200m in clothes, without rest. You would not receive any certification, just a confirmation that you'd passed. This will be entered on the computer records by the regimental clerks.
52. I also qualified as a safety boat operative. The training for this involved surface level practice rescues from boats, more specifically how to get someone back in if they had fallen in the water.
53. I did not receive any dive instruction as part of my training. Nor had I any previous experience with diving. Diving is a very specialist skill which requires people to attend a very lengthy Diving Course at a Central Diving School. Most Royal Engineer Regiments have a small regimental diving team and 32 Engineer Regiment would have been no different. I was not a member of that diving team, but Army records should be able to confirm who was. I am not aware of the detailed initial training for divers nor their continuation training.
54. We were not instructed in underwater searching; this is again a specialist skill performed by the diving team and qualified searchers.

55. As normal in the Army there was expectation of bringing in relevant qualified people if that actually happened.

Wetting

56. I am not aware of the term “wetting” from any experience and training or indeed any rumour. The first time I heard the term ‘wetting’ was during the IHAT investigation.

57. As I understand it from the IHAT investigation, it is the alleged practice of forcing suspected looters into a river or canal.

58. I had no knowledge or experience of ‘wetting’, as either a concept, or a practice, either at the time or since.

Investigation and my state of mind

59. I have now been through several investigations since the events in 2003; I have found the whole process traumatic.

60. I find it very hard to continually be forced to relive these events. I left the army in 2007 because of the way I felt I had been treated.

61. I feel as though I’m being investigated for failing to save somebody.

62. I do not wish to attend the hearings to give evidence. I am concerned about my safety and that of my family if I have to give evidence in public and I am concerned if my name enters the public domain. I have started a new life and I would ask for anonymity in this inquiry.

Statement of truth

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

Signature:

A solid black rectangular box redacting the signature.

Date: 30/01/2020