

## Service Police Legacy Investigations (SPLI) – Work Completed

The information contained within the table below refers to all cases which have been closed having been subject of a full investigation.

Decision to close date	Investigation Number	Number of allegations within each investigation	Reason for Closure
31 Jul 19	W1	8	<p>This investigation concerned allegations of the unlawful killings of five Iraqi males, three of whom were unidentified; the ill treatment of 2 Iraqi civilians and looting and threats to kill a further Iraqi civilian in May 03.</p> <p>The final report states that for eight of the suspects there was no prospect of obtaining any evidence which would enhance meeting the Evidential Sufficiency Test. After consultation with Service Prosecuting Authority the case was closed. Three accused were referred to the Director of Service Prosecutions (DSP) in Apr 19 the EST having been met and one of these accused was subsequently referred to the DSP by his nominal Commanding Officer in Jul 19. The DSP concluded that there was no realistic prospect of conviction against any of the accused on any charge.</p>
16 Sep 20	W2	2	<p>This investigation concerned allegations of the unlawful killings of 2 Iraqi males in Aug 03. Following investigation initiated by IHAT and concluded by SPLI and obtaining legal advice from SPA, the final report states that the available evidence does not meet the Evidential Sufficiency Test (EST), nor was there any prospect of obtaining any evidence that would enhance the likelihood of meeting the EST in this case.</p>
30 Sep 19	W3	4	<p>This investigation concerned allegations of the assault and abuse of Iraqi civilians detained by UK forces in Basra, in April 2004. The Service Prosecuting Authority (SPA) was consulted from the outset and legal advice provided. At the end of September 19, the Service Police referred two individuals to a nominated Commanding Officer in relation to those offences. In October 19, the CO referred the individuals to the SPA. The SPA decided no charges should be directed in this case.</p>
23 Apr 20	W4	3	<p>This investigation concerned allegations of rape and ill-treatment of 1 Iraqi male and the ill-treatment of 2 males in May 03. The IHAT initiated the investigation the findings of which were extensively reviewed by SPLI; all available repositories were also researched and no new evidence was identified that supported the</p>

			allegations. Having taken into consideration all the available evidence from the comprehensive review, investigation and legal advice provided, it was decided to discontinue further investigative work as there were no further reasonable or proportionate lines of enquiry available that might lead to there being sufficient evidence to refer any individual for a criminal offence nor any prospect of obtaining evidence which would enhance the likelihood of the Evidential Sufficiency Test (EST) being met.
30 Sep 19	W5	31	This investigation centred on claims of ill treatment, and sexual assault of Iraqis while being held by UK forces during May 2003 in Iraq. This investigation was considered alongside W19 as both incidents took place in the same location, the same month and involved the same chain of command. The investigation was terminated after consideration of all available evidence and comprehensive legal advice. The final report states there were no further reasonable or proportionate lines of enquiry available which may lead to there being sufficient evidence to charge a serviceperson with a criminal offence. It was also considered there was not any prospect of obtaining that evidence.
19 Dec 18	W6	2	This investigation concerned the allegations of a non-fatal shooting of an Iraqi national on 19 Aug 2003 and the unlawful killing of an Iraqi national on 27 Aug 2003. The final report stated that in both accounts there were no further reasonable, or proportionate, lines of enquiry that might lead to the evidential sufficiency test being met. The investigation was closed after all available evidence was reviewed and legal advice taken into consideration.
30 Sep 19	W8	1	This investigation concerned the death of Baha Mousa. After a public inquiry into the circumstances of Mr Mousa's death generated further material and witness evidence, it was passed to IHAT to review and assess whether there was new, or existing material, to support further charges against any individual. This investigation was a legacy investigation transferred to SPLI when IHAT closed. In Sep 19, SPLI discontinued further investigative work on this investigation. Both IHAT and SPLI's exhaustive enquiries could not conclude that Mr Mousa's death was caused unlawfully. The investigation was closed after all available evidence was reviewed and legal advice taken into consideration. The final report concluded there were no further reasonable or proportionate lines of enquiry that would lead to there being sufficient evidence to charge any British Serviceperson in direct relation to Baha Mousa's death or that there is any likelihood of obtaining

			any evidence which would enhance the prospect of proving any form of criminal liability for the death of Baha Mousa on the part of any British Forces personnel.
12 Sep 16	W9	1	The investigation concerned the allegation of unlawful killing of an Iraqi civilian on 23 May 2003. IHAT referred it to Service Prosecuting Authority (SPA) on 12 Sep 2016 for consideration of charges. The SPA decided, on 14 Sep 2017 after IHAT had closed and SPLI took on the remaining legacy investigations, not to proceed with any further action.
12 Jun 20	W10	1	This investigation concerned allegations of unlawful conduct made by a former serving member of UK forces relating to incidents in Iraq during 2003. All available evidence and legal advice was considered before the investigation was terminated. The final report states there are no further reasonable or proportionate lines of enquiry available which might lead to there being sufficient evidence to charge any UK personnel with a criminal offence. Nor is it considered likely there is a prospect of obtaining any evidence or the Evidential Sufficiency Test (EST) being met. This investigation was considered alongside W54 as there were links between the cases.
22 Dec 17	W12	1	This investigation concerned the alleged unlawful killing of an Iraqi child on 22 Aug 2003. The final report, dated 20 Mar 18, stated that while a shot was fired by a UK soldier, there were no further reasonable, or proportionate, lines of enquiry that would lead to the evidential sufficiency test being met. The investigation was closed after all available evidence was reviewed and legal advice taken into consideration and the Evidential Sufficiency Test (EST) was not met.
7 Nov 18	W13	1	The investigation centred on an allegation of unlawful killing of an Iraqi citizen on 14 Sep 2003 by UK armed forces. Despite a UK soldier being identified and interviewed, the final report stated that there were no further reasonable, or proportionate lines of enquiry that would lead to the evidential sufficiency test being met. The investigation was closed after all available evidence was reviewed and legal advice taken into consideration and the Evidential Sufficiency Test (EST) was not met.
3 Mar 20	W14	1	This investigation centred around the alleged unlawful killing of an Iraqi male in Basra, May 2007. All available evidence and legal advice was considered and the final report states there were no further reasonable or proportionate lines of enquiry available which may lead to there being sufficient evidence to refer any individual for any criminal offence nor is there any prospect of obtaining any evidence which would lead to the Evidential Sufficiency Test (EST) being met.

30 Oct 19	W17	1	This investigation concerned the death of an Iraqi male as a result of shot being fired by a UK soldier on 18 Jul 03. The final report stated that, taking into account all evidence and extensive legal advice, while a shot was fired by a UK soldier it has not been possible to show the soldier operated outside the legal framework provided by the Rules of Engagement. It concluded there were no further reasonable, or proportionate, lines of enquiry that would lead to the Evidential Sufficiency Test (EST) being met.
20 Sep 17	W18	4	This investigation concerned the allegation of the war crime of Outrage Upon Personal Dignity of Iraqi civilians between 1 Sep and 12 Sep 2006. The final report states there were no further reasonable or proportionate lines of enquiry that would lead to the evidential sufficiency test being met. The investigation was closed after all available evidence was reviewed and legal advice taken into consideration and the Evidential Sufficiency Test (EST) was not met.
13 Jun 19	W20	6	This investigation centred on the allegations of assault and ill-treatment of three Iraqi males, the alleged ill-treatment and sexual assault of one Iraqi male and the alleged assault of one Iraqi male between the period of Sep and Dec 03. The final report states that following consideration of all available evidence there were no further reasonable or proportionate lines of enquiry available which might lead to there being sufficient evidence to refer any British serviceperson with an offence, nor was there any likelihood of obtaining any evidence which would enhance the prospect of proving any criminal liability against British Forces.
21 Sep 20	W22	16	This case concerned the alleged ill-treatment of 16 Iraqi males on 9 Sep 03. The investigation, initiated by the IHAT, was taken over by SPLI which following receipt of legal advice undertook further lines of enquiry and a review of information held. Due to the serious nature of the allegations in this case, DSP instructed Independent Counsel to examine the case however, it was considered that there was insufficient evidence to provide a realistic prospect of conviction in respect of any suspect under consideration. As the Evidential Sufficiency Test (EST) had not been met to refer any member of the British Forces for any offence, nor was there any prospect of obtaining any evidence which would enhance the likelihood of meeting the EST, the case was closed.
21 Dec 18	W29	1	This investigation concerned allegations of serious sexual assault and assault of an Iraqi civilian between 22 and 25 March 2003. The final report states there were no further reasonable, or proportionate, lines of enquiry that would lead to

			the evidential sufficiency test being met. It also says there was not any likelihood of obtaining evidence that would enhance the prospect of proving any form of criminal liability against any British forces' personnel. The investigation was closed after all available evidence was reviewed and legal advice taken into consideration.
18 Dec 19	W30	1	This investigation concerned allegations of serious sexual assault and assault of an Iraqi civilian between 20 June 2003. The final report states that there is no realistic prospect of any criminal charges being brought against any member of the British forces personnel and that it would not be proportionate to conduct further enquires. The investigation was closed after all available evidence was reviewed and legal advice taken into consideration and the Evidential Sufficiency Test (EST) was not met.
5 Nov 19	W31	3	This investigation centred on the alleged physical and sexual assaults of three Iraqi males in Aug 03. Initial enquiries were made by the IHAT and upon closure SPLI took primacy for the case. After detailed investigation and taking the legal advice obtained from the SPA the case was discontinued. It states that having taken account of all available evidence and legal advice there were no further reasonable or proportionate lines of enquiry that would lead to the charging of any British Serviceperson with an offence; nor was there any likelihood of obtaining any evidence which would enhance the prospect of proving any form of criminal liability against British forces personnel.
27 Jun 19	W32	4	The investigation concerned the alleged non-fatal shootings of four Iraqi males in Sep 03. Following a thorough investigation, it was not possible from the evidence to show that any of the Service personnel operated outside the Rules of Engagement; that there were no further reasonable or proportionate lines of enquiry available which might lead to there being sufficient evidence to charge any British Serviceperson with an offence nor was there a prospect of obtaining evidence which would enhance meeting the Evidential Sufficiency Test.
16 Jul 20	W34	1	The case concerned the alleged physical and sexual abuse, inhuman and degrading treatment and torture of an Iraqi make in the period between Jul 03 and Dec 04. Originally considered by the IHAT the case was transferred to SPLI who continued with the enquiries however, in May 20 the complainant's solicitors advised that he no longer wished to pursue his criminal allegations. Upon review of all the evidence and considering the legal advice, the inability to engage with

			the complainant and the failure to discover any evidence which would lead to the identification of any British Forces personnel, the final report states that the evidence does not meet the Evidential Sufficiency Test (EST) and nor was there any prospect of obtaining evidence which would enhance the likelihood of the EST being met.
16 Nov 20	W35	2	The investigation centred on the alleged ill-treatment of two Iraqi males in Feb and Mar 04. Following an extensive investigation by the IHAT and, in conjunction with legal advice, concluded by SPLI the case was closed. The final report states that the Evidential Sufficiency Test (EST) had not been met nor were there further reasonable or proportionate lines of enquiry available which might lead to there being sufficient evidence to charge any person with a criminal offence nor any likelihood of obtaining any evidence that would enhance the prospect of proving any form of criminal liability on the part of any serviceperson.
25 Sep 20	W54	31	The investigation centred on a series of allegations of manslaughter, child destruction, rape, ill-treatment and failure to exercise Command responsibility for the period of Op TELIC 2 by 31 complainants. Following a long running and comprehensive investigation and with due consideration given to the extensive legal advice provided by both SPA and Counsel it was deemed that there was no realistic prospect of a conviction in some cases and that the Evidential Sufficiency Test had not been met in others; nor were there further reasonable or proportionate lines of enquiry available which might lead to there being sufficient evidence to charge any person with an offence and the case was closed.
22 Sep 20	W57	16	The investigation centred on the allegations of ill-treatment, abuse and sexual assault at the DTDF between 2005 and 2007. The allegations spanned a two-year period and SPLI conducted an extensive, wide-ranging investigation. However, legal advice from SPA advised that there was insufficient evidence to charge any identifiable person, subject to Service law, with a Service offence. After careful analysis and consideration of the material and the legal advice provided against each case, it was decided that the available evidence did not meet the Evidential Sufficiency Test (EST) to refer any British Forces for any offence, nor was there any prospect of obtaining any evidence which would enhance the likelihood of meeting the EST in any of the cases.
27 Aug 20	W59	1	The investigation concerned the alleged grievous bodily harm and ill-treatment of an Iraqi male in Jun 03. Following consideration of all the available evidence and the legal advice provided by SPA and noting the advice of the independent

			counsel it was considered that there was no further reasonable or proportionate lines of enquiry available which might lead to there being sufficient evidence to charge any British soldier with an offence, nor was there any prospect of obtaining evidence which would enhance meeting the Evidential Sufficiency Test in this case.
--	--	--	--