



Ministry
of Defence

Army Policy & Secretariat
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Ref: ArmySec/ FOI2021/08528/C/O

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21 October 2021

Dear [REDACTED],

Thank you for your email of 4 August 2021 in which you requested the following information:

Can I please ask how many complaints were made to the RMP at any time in the last 11 years in relation to the treatment of civilians (killing etc.) by British troops in Afghanistan in 2010 and 2011?

Of these, can you please supply these complaints' code number or any other identifying data (date of complaint, location etc.)?

Can you please supply, if this does not exceed the cost limit of the request, a summary of these complaints and outcomes?

As I previously advised you, I am treating your correspondence as a request for information under the Freedom of Information Act 2000 (FOIA) and information in scope of your request is held. That information falls within scope of the qualified exemption: Section 30 (investigations). As such it was necessary for us to decide whether, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosure.

The information you have requested can be found annex A. While all of the information falls entirely within the scope of the qualified exemptions provided for at Section 30 (1) (Criminal investigations and proceedings) and there is a public interest in understanding ongoing work, the Public Interest Test determined that some information should be withheld to ensure that the judicial process is not prejudiced.

Under Section 16 of the Act (Advice and Assistance) you may find it helpful to note that cases are not referred for prosecution where they are discontinued due to a lack of evidence; disproved; the Evidential Sufficiency Test is not met or an allegation is withdrawn.

If you have any queries regarding the content of this letter, please contact this office in the first instance. If you wish to complain about the handling of your request, or the content of this response, you can request an independent internal review by contacting the Information Rights Compliance team, Ground Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-FOI-IR@mod.gov.uk). Please note that any request for an internal review should be made within 40 working days of the date of this response.

If you remain dissatisfied following an internal review, you may raise your complaint directly to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not normally investigate your case until the MOD internal review process has been completed. The Information Commissioner can be

contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website at <https://ico.org.uk/>.

Yours sincerely,

Army Policy & Secretariat

Annex A Requested information

Number of cases: 115

Table containing code number, a summary of these complaints date of complaint, location and outcomes

IRN	Investigation Classification	Date Reported	Location	Outcome	Sanctions Imposed
081048/10	Fatal Traffic Accident	11-Sep-10	CP 4.3, Gereshk, Afghanistan	No Referral Made	No Action Taken
083103/10	Battery (assault by beating) (CJA 88 s.39)	08-Jan-10	BABAJI District, Helmand Province.	Complaint Withdrawn	No Action Taken
083105/10	Battery (assault by beating) (CJA 88 s.39)	10-Jan-10	SHIN GHAZAK village, MARJAH District	No Referral Made	No Action Taken
083111/10	Common Assault (CJ88 s.39)	24-Jan-10	Not Known	No Referral Made	No Action Taken
083129/10	Assault occasioning Actual Bodily Harm (OF61 s.47)	02-Mar-10	ADI BAGH, NAD- E-ALI District, Helmand Province.	Referred - Not Guilty	No Action Taken
083135/10	Wounding with intent to do grievous bodily harm (OF61 s.18)	10-Mar-10	IYO Patrol Base KHUDAY NOOR, Helmand Province	Referred - Guilty - Offence dropped to ABH	18 months detention & Termination of Service
083136/10	Battery (assault by beating) (CJA 88 s.39)	14-Mar-10	Forward Operating Base (FOB) JACKSON	No Referral Made	No Action Taken
083140/10	Wounding / inflicting grievous bodily harm (OF61 s.20)	16-Mar-10	PB HABIB, MSQ, BFPO 792	Referred - Not Guilty	No Action Taken

083148/10	Assault occasioning Actual Bodily Harm (OF61 s.47)	20-Apr-10	MARJAH District, Helmand Province	No Referral Made	No Action Taken
083150/10	Assault occasioning Actual Bodily Harm (OF61 s.47)	21-Apr-10	BAHRAM CHAH District, Helmand Province	No Referral Made	No Action Taken
083160/10	Common Assault (CJ88 s.39)	25-May-10	Not Known	No Referral Made	No Action Taken
083164/10	Common Assault (CJ88 s.39)	01-Jun-10	Paind Kaly Village, Gharask District, Helmand Province.	No Referral Made	No Action Taken
083176/10	Common Assault (CJ88 s.39)	15-Jun-10	Herat Province	No Referral Made	No Action Taken
083178/10	Murder of person 1 year or over (Common Law)	18-Jun-10	Not Known	Referred - Non-Direction by SPA	No Action Taken
083180/10	Common Assault (CJ88 s.39)	21-Jun-10	Compound 3 THF	No Referral Made	No Action Taken
083185/10	Common Assault (CJ88 s.39)	24-Jun-10	NOWZAD District, Helmand Province	No Referral Made	No Action Taken
083186/10	Battery (assault by beating) (CJA 88 s.39)	25-Jun-10	HAJI-QADER KHAN SEDIC, Marja District, Helmand Province	No Referral Made	No Action Taken
083195/10	Assault occasioning Actual Bodily Harm (OF61 s.47)	12-Jul-10	Camp Bastion	No Referral Made	No Action Taken

083207/10	Battery (assault by beating) (CJA 88 s.39)	28-Jul-10	Ghorak District, Kandahar Province	No Referral Made	No Action Taken
083208/10	Common Assault (CJ88 s.39)	31-Jul-10	Lashkar Gah District, Helmand Province.	No Referral Made	No Action Taken
083222/10	Common Assault (CJ88 s.39)	06-Sep-10	Nahr-e-Saraj South (NES(S)),	No Referral Made	No Action Taken
083224/10	Murder of person 1 year or over (Common Law)	08-Sep-10	Markhan Zai village, Gereshk, Helmand Province	No Referral Made	No Action Taken
083228/10	Assault occasioning Actual Bodily Harm (OF61 s.47)	20-Sep-10	Nahr-e-Saraj South (NES (S)), Helmand Province	No Referral Made	No Action Taken
083229/10	Battery (assault by beating) (CJA 88 s.39)	24-Sep-10	Camp Bastion	Outcome Not Recorded	Outcome Not Recorded
083234/10	Common Assault (CJ88 s.39)	22-Oct-10	Camp Bastion	No Referral Made	No Action Taken
083237/10	Common Assault (CJ88 s.39)	31-Oct-10	Camp Bastion	No Referral Made	No Action Taken
083243/10	Common Assault (CJ88 s.39)	09-Nov-10	Not Known	No Referral Made	No Action Taken
083248/10	Battery (assault by beating) (CJA 88 s.39)	15-Nov-10	Camp Bastion	No Referral Made	No Action Taken

083251/10	Common Assault (CJ88 s.39)	21-Nov-10	Groop Shash Village	Outcome Not Recorded	Outcome Not Recorded
083252/10	Common Assault (CJ88 s.39)	24-Nov-10	Not Known	No Referral Made	No Action Taken
083256/10	Theft (TH68 s.1)	03-Dec-10	Noorzia Village	No Referral Made	No Action Taken
083266/10	Common Assault (CJ88 s.39)	22-Dec-10	Varsity Temporary Holding Facility (THF), Kandahar Airfield	No Referral Made	No Action Taken
081006/11	Theft (TH68 s.1)	07-Jan-11	Camp Bastion	No Referral Made	No Action Taken
081028/11	Public Nuisance - Exposure (COML)	11-Feb-11	Not Known	Transfer Investigation - CO Investigation	N/A
081063/11	Traffic Collision	08-May-11	Not Known	Referred - Result not available	Not Known
081095/11	Battery (assault by beating) (CJA 88 s.39)	18-Jul-11	PB JOHAN ZEB, CF LKG	Referred - Rejected by SPA	No Action Taken
081098/11	Theft (TH68 s.1)	23-Jul-11	BSN JOB, Afghanistan, BFPO 792	No Referral Made	No Action Taken
083102/11	Common Assault (CJ88 s.39)	06-Jan-11	Camp Bastion	No Referral Made	No Action Taken

083104/11	Common Assault (CJ88 s.39)	18-Jan-11	Not Known	No Referral Made	No Action Taken
083116/11	Common Assault (CJ88 s.39)	12-Feb-11	Camp Bastion	No Referral Made	No Action Taken
083121/11	Common Assault (CJ88 s.39)	19-Feb-11	Not Known	No Referral Made	No Action Taken
083122/11	Common Assault (CJ88 s.39)	22-Feb-11	Not Known	No Referral Made	No Action Taken
083123/11	Common Assault (CJ88 s.39)	22-Feb-11	Masisai village, Gereshk District, Helmand Province,	No Referral Made	No Action Taken
083127/11	Common Assault (CJ88 s.39)	02-Mar-11	Camp Bastion	No Referral Made	No Action Taken
081128/11	Driving without due care and attention (RT88 s.3)	13-Oct-11	Not Known	Transfer Investigation - CO Investigation	No Action Taken
083135/11	Assault occasioning Actual Bodily Harm (OF61 s.47)	12-Mar-11	Not Known	No Referral Made	No Action Taken
083140/11	Battery (assault by beating) (CJA 88 s.39)	19-Mar-11	Toghi Village, Gereshk District, Helmond Province	No Referral Made	No Action Taken
083149/11	Fatal traffic accident	07-Apr-11	Route Green Kabul	No Referral Made	No Action Taken

083152/11	Fatal traffic accident	09-Apr-11	Highway 601	No Referral Made	No Action Taken
083154/11	Common Assault (CJ88 s.39)	13-Apr-11	Lashkah Gah, Helmand Province	No Referral Made	No Action Taken
083156/11	Fatal traffic accident	18-Apr-11	Highway 601	No Referral Made	No Action Taken
083161/11	Battery (assault by beating) (CJA 88 s.39)	24-Apr-11	Helmand Province	No Referral Made	No Action Taken
083162/11	Common Assault (CJ88 s.39)	24-Apr-11	Camp Bastion	No Referral Made	No Action Taken
083164/11	Battery (assault by beating) (CJA 88 s.39)	11-May-11	Towrah Ghandey, Nimroz Province, Afghanistan	No Referral Made	No Action Taken
083166/11	Assault occasioning Actual Bodily Harm (OF61 s.47)	14-May-11	Gareshk District, Helmand Province	No Referral Made	No Action Taken
083168/11	Battery (assault by beating) (CJA 88 s.39)	16-May-11	Camp Bastion	No Referral Made	No Action Taken
083174/11	Battery (assault by beating) (CJA 88 s.39)	20-May-11	Camp Bastion	No Referral Made	No Action Taken
083178/11	Battery (assault by beating) (CJA 88 s.39)	30-May-11	Musa Qal'eh, Helmand Province	No Referral Made	No Action Taken

083180/11	Fatal traffic accident	31-May-11	Lakshak Kalay, Gereshk District, Helmand Province	No Referral Made	No Action Taken
083186/11	Battery (assault by beating) (CJA 88 s.39)	10-Jun-11	Gereshk	Complaint Withdrawn	No Action Taken
083188/11	Battery (assault by beating) (CJA 88 s.39)	14-Jun-11	Camp Bastion	Referred - No Action Taken on Legal Advice	No Action Taken
083195/11	Battery (assault by beating) (CJA 88 s.39)	20-Jun-11	Helmand Province	No Referral Made	No Action Taken
083197/11	Battery (assault by beating) (CJA 88 s.39)	28-Jun-11	Helmand Province	No Referral Made	No Action Taken
083198/11	Common Assault (CJ88 s.39)	02-Jul-11	Helmand Province	No Referral Made	No Action Taken
083199/11	Battery (assault by beating) (CJA 88 s.39)	02-Jul-11	Helmand Province	No Referral Made	No Action Taken
083201/11	Battery (assault by beating) (CJA 88 s.39)	08-Jul-11	Helmand Province	No Referral Made	No Action Taken
083203/11	Battery (assault by beating) (CJA 88 s.39)	10-Jul-11	Helmand Province	No Referral Made	No Action Taken
083204/11	Battery (assault by beating) (CJA 88 s.39)	14-Jul-11	Camp Bastion	No Referral Made	No Action Taken

083205/11	Common Assault (CJ88 s.39)	14-Jul-11	Herat Province	Transfer Investigation - NFDK	N/A
083208/11	Battery (assault by beating) (CJA 88 s.39)	19-Jul-11	Helmand Province	No Referral Made	No Action Taken
083209/11	Battery (assault by beating) (CJA 88 s.39)	19-Jul-11	Helmand Province	No Referral Made	No Action Taken
083210/11	Common Assault (CJ88 s.39)	20-Jul-11	Herat Province	Complaint Withdrawn	No Action Taken
083211/11	Battery (assault by beating) (CJA 88 s.39)	22-Jul-11	Kandahar Province	Complaint Withdrawn	No Action Taken
083212/11	Battery (assault by beating) (CJA 88 s.39)	25-Jul-11	Not Known	No Referral Made	No Action Taken
083213/11	Battery (assault by beating) (CJA 88 s.39)	04-Aug-11	Helmand Province	No Referral Made	No Action Taken
083216/11	Battery (assault by beating) (CJA 88 s.39)	05-Aug-11	PB SILAB, NDA (S)	Referred - Rejected by SPA	No Action Taken
083217/11	Battery (assault by beating) (CJA 88 s.39)	07-Aug-11	Kobak, Helmand Province	No Referral Made	No Action Taken
083219/11	Battery (assault by beating) (CJA 88 s.39)	08-Aug-11	Nimroz Province, Afghanistan	Complaint Withdrawn	No Action Taken

083221/11	Battery (assault by beating) (CJA 88 s.39)	18-Aug-11	Not Known	Complaint Withdrawn	No Action Taken
083223/11	Common Assault (CJ88 s.39)	22-Aug-11	Helmand Province	No Referral Made	No Action Taken
083224/11	Battery (assault by beating) (CJA 88 s.39)	25-Aug-11	Helmand Province	Complaint Withdrawn	No Action Taken
083226/11	Battery (assault by beating) (CJA 88 s.39)	27-Aug-11	Helmand Province	No Referral Made	No Action Taken
083227/11	Battery (assault by beating) (CJA 88 s.39)	27-Aug-11	Helmand Province	Complaint Withdrawn	No Action Taken
083232/11	Battery (assault by beating) (CJA 88 s.39)	07-Sep-11	Not Known	No Referral Made	No Action Taken
083233/11	Common Assault (CJ88 s.39)	14-Sep-11	Helmand Province	Complaint Withdrawn	No Action Taken
083236/11	Common Assault (CJ88 s.39)	24-Sep-11	Washir District, Helmand Province	No Referral Made	No Action Taken
083237/11	Assault occasioning Actual Bodily Harm (OF61 s.47)	26-Sep-11	Not Known	No Referral Made	No Action Taken
083238/11	Common Assault (CJ88 s.39)	03-Oct-11	Lashkar Gah District, Helmand Province	No Referral Made by ISAF	No Action Taken

083240/11	Battery (assault by beating) (CJA 88 s.39)	08-Oct-11	Not Known	No Referral Made	No Action Taken
083242/11	Battery (assault by beating) (CJA 88 s.39)	10-Oct-11	Lashkar Gah District, Helmand Province	Complaint Withdrawn	No Action Taken
083245/11	Common Assault (CJ88 s.39)	15-Oct-11	Sangin District, Helmand Province	No Referral Made	No Action Taken
083246/11	Common Assault (CJ88 s.39)	15-Oct-11	Lashkar Gah District, Helmand Province	No Referral Made	No Action Taken
083247/11	Assault occasioning Actual Bodily Harm (OF61 s.47)	20-Oct-11	Kandahar District, Helmand Province	Referred - Case Dismissed by CO	No Action Taken
083248/11	Common Assault (CJ88 s.39)	25-Oct-11	Lashkah Gar District, Helmand Province	Complaint Withdrawn	No Action Taken
083251/11	Common Assault (CJ88 s.39)	29-Oct-11	Lashkah Gar District, Helmand Province	No Referral Made	No Action Taken
083254/11	Common Assault (CJ88 s.39)	07-Nov-11	Kandahar District, Helmand Province	No Referral Made	No Action Taken
083261/11	Common Assault (CJ88 s.39)	22-Nov-11	Kandahar District, Helmand Province	No Referral Made	No Action Taken
083266/11	Grievous Bodily Harm (OF61 s.20)	03-Dec-11	Helmand Province	Referred - Rejected by SPA	No Action Taken

083267/11	Battery (assault by beating) (CJA 88 s.39)	07-Dec-11	Helmand Province	No Referral Made	No Action Taken
083269/11	Common Assault (CJ88 s.39)	12-Dec-11	Lashkar Gah District, Helmand Province	No Referral Made	No Action Taken
083271/11	Common Assault (CJ88 s.39)	16-Dec-11	Lashkar Gah District, Helmand Province	No Referral Made	No Action Taken
083272/11	Common Assault (CJ88 s.39)	16-Dec-11	Not Known	No Referral Made	No Action Taken
083273/11	Common Assault (CJ88 s.39)	19-Dec-11	Gereshk District, Helmand Province	No Referral Made	No Action Taken
083275/11	Common Assault (CJ88 s.39)	20-Dec-11	Lashkar Gah District, Helmand Province	No Referral Made	No Action Taken
083278/11	Battery (assault by beating) (CJA 88 s.39)	29-Dec-11	Ghambad, Naw Zad, Helmand Province	No Referral Made	No Action Taken
083280/11	Battery (assault by beating) (CJA 88 s.39)	31-Dec-11	Sangin District, Helmand Province	Complaint Withdrawn	No Action Taken
02010/12	Murder of person 1 year or over (Common Law)	07-Sep-12	Nad Ali	Referred - Guilty - Murder, reduced to Voluntary Manslaughter on appeal	360 month detention, reduced to 84 months on appeal & Termination of Service

083104/12	Offender 18 or over cause / incite a boy under 13 to engage in sexual activity - no penetration (SX03 s.10(1)(a)+(b)+(c)(ii)+(3))	10-Jan-12	Helmand Province	1 x SP Guilty - Racially or Religiously Aggravated Harassment. 1 x SP Guilty - Conduct Prejudicial to Good Order and Discipline	Respectively: 1 x SP Reduced in rank. 1 x SP fined £1000
083107/12	Common Assault (CJ88 s.39)	03-Jan-12	Theatre Holding Facility (THF), Kandahar Airfield (KAF),	No Referral Made	No Action Taken
083108/12	Common Assault (CJ88 s.39)	15-Jan-12	Helmand Province	No Referral Made	No Action Taken
083116/12	Common Assault (CJ88 s.39)	26-Feb-12	Shawal Village, Nadi Ali, Helmand Province, Afghanistan	No Referral Made	No Action Taken
093001/18	Murder of person 1 year or over (Common Law)	25-Mar-14	Helmand Province	No Referral Made	No Action Taken
093002/18	Murder of person 1 year or over (Common Law)	25-Mar-14	Helmand Province	No Referral Made	No Action Taken
002008/19	Murder of person 1 year or over (Common Law)	17-Jul-19	Not Known	No Referral Made	No Action Taken