



MOD-83-0000589-A

In the matter of an investigation into the deaths of Radhi Nama and Mousa Ali

and

In the matter of an investigation into the death of Ahmed Jabbar Karim Ali

Inspector: The Rt Hon Dame Anne Rafferty DBE

SECOND WITNESS STATEMENT OF

SO85

I, SO85, state as follows:-

I make this further statement for the purposes of the investigation into the deaths of Radhi Nama and Mousa Ali and the investigation into the death of Ahmed Jabbar Karim Ali, in response to the List of Supplementary Questions provided by the investigation on 2 December 2022.

A. Training and instruction

1.1. I am referred to paragraph 7 of my witness statement where I state:

We had pre-deployment training in Catterick, UK via OPTAG. I cannot remember the content of this training, the dates or the duration. It was a mix of theory and practical training. My best recollection is that we ran through exercises where we were shown how to hood detainees and place them into stress position such as kneeling or sitting whilst hooded. It was a two day course, 1 day of theory training and 1 day of practical. I cannot recall any more detail.

I am asked to whom I am referring when I say 'we' (regiment, individuals, etc).

1.2. I do not recall precisely who was at pre-deployment training, but I believe it was the whole Battalion.

B. Group orders

- 2.1. I am referred to paragraph 8 of my First Witness Statement where I confirm that following Group Orders I would “*cascade these orders to my multiple.*” I am asked to explain to the best of my recollection how I would have disseminated information obtained at Group Orders amongst my multiple.
- 2.2. After Orders were cascaded down, there would have been a formal session where the whole group would attend. I cannot recall whether my Orders sessions were with the full team or just with NCOs. In any case the orders would have eventually hierarchically been cascaded down to the lowest level of the team, if not by me at a formal session, then by someone else who had been at that session.
- 3.1. I am referred to paragraph 12 of my First Witness Statement where I state: “*If the looters were not going to be released immediately we would walk them into the police station and comment Ali Babba. This was a direction at battalion level; I believe to demonstrate to the local community someone who was stealing.*” I am told that this comment was intended to humiliate the individual in their community and asked how the community or passers-by would react.
- 3.2. I do not recall how the local community or passers-by reacted to this. I do believe the practice was employed and intended as a deterrent rather than to humiliate individuals.
- 3.3. I am asked what form this direction at battalion level took.
- 3.4. I cannot remember what form this direction took but it was widely used from Battalion Commanding Officer to multiple level.
- 3.5. I am asked how this direction was distributed to troops, and by whom.
- 3.6. Unfortunately, due to the amount of time that has elapsed I cannot remember how this was distributed or by whom.
- 4.1. I am directed to paragraph 10 of my First Witness Statement which states: “*I can’t ever remember detainees being in camp for very long as the holding area [was] at Battle Group HQ.*” I am asked to say where Battle Group HQ was located.
- 4.2. Battle Group HQ was in central Basra. It was where the Commanding Officer along with Regimental Police (etc.) were located. I cannot remember what this location was called but it was around a 5-minute drive from Camp Steven where we were located.
- 4.3. I am asked to comment on how often, and under what circumstances, detainees would be taken to or held at Camp Stephen.
- 4.4. I cannot remember this. I believe it was a call made from Company staff as to whether we brought detainees back to Camp Stephen but I cannot say for sure.

C. Culture at Camp Stephen

- 5.1. I am directed to paragraph 23 of my First Witness Statement where I state: *“I have been asked to describe what I understand by the term ‘beasting’. I understand as something that happened to me during my military training. It is the practice of punishment by physical activity e.g. Press ups until you cannot do anymore.”* I am asked whether I ever witnessed “beastings” at Camp Stephen, either on service personnel, detainees, or otherwise on Iraqi civilians, and if so who carried them out and what form they took.
- 5.2. I did not ever witness “beastings” of anyone outside of service personnel (particularly not beastings of detainees, or otherwise of Iraqi civilians). In terms of service personnel, I myself was subject to many ‘beastings’ during my time in the Army – from ‘day 1’ – as were many, if not all other soldiers and officers. My view is that it was part of the Army DNA at the time. I recall this happening during training at Sandhurst and elsewhere; I do not particularly recall beastings happening to me or other service personnel at Camp Stephen.
- 6.1. I am directed to paragraph 24 of my First Witness Statement which says: *“I did not witness the mistreatment of detainees at Camp Stephen. I can recall that detainees were put into stress positions, but I cannot recall where and when this was.”* I am asked to describe what I mean by ‘stress positions.’
- 6.2. By this, I mean being made to sit upright. I cannot remember if detainees’ hands were tied. It is possible that they were, but if they were that may have been because that is how they were transported for security reasons. This would have been in line with how soldiers were trained and instructed to work when detaining anyone.
- 6.3. I am asked how often this happened, and who put detainees into stress positions.
- 6.4. I cannot answer this as – beyond the incidents of detainees being put into stress positions that I did witness and can recall – I have limited to no recollection given the amount of time that has elapsed since. It is important to emphasise, firstly, that using stress positions was part of pre-deployment training in the Army at the time, which I had no cause to question, and, secondly, that I did not place detainees in these positions myself. I now know that what I saw – in line with what was instructed – was in fact not correct. I had no reason to doubt it at the time.

D. Existence and awareness of ‘wetting’

- 7.1. I am referred to paragraph 32 of my First Witness Statement where I state:

For major incidents a debrief was held once we returned to camp with the company commander or the company sergeant major present.

I am asked to explain what I mean by a 'major incident.'

7.2. By the term 'major incident' I mean anything that resulted in a weapon being fired, or otherwise some form of contact. I cannot say exactly what criteria was used to determine when to conduct debriefs or how frequently they occurred, but the practice of debriefing is a common one.

7.3. I am asked to provide further detail about the debriefs described, including: (i) who typically would have been in attendance; (ii) what would have been discussed; (iii) how often these debriefs took place; and (iv) what the outcome of a major incident debrief would have been.

7.4. Taking each of these points in turn:

(i) I cannot say exactly but I believe the Company Commander, Intelligence Officer, Company Second-in-Command and Company Sergeant Major.

(ii) Without being able to remember specifics, I believe we 'walked through' an incident. Such incidents were also reported both in patrol reports and radio logs.

(iii) I cannot remember how often these debriefs took place, but every patrol would have had to have filed a patrol report.

(iv) I cannot remember the exact process but there would have been a debrief with the company commander, after which there was a debrief with the Commanding Officer. Everything would have been logged in a report, certainly via radio or in a patrol report at the lowest level.

8.1. I am directed to paragraph 36 of my First Witness Statement which states that there was "*a ditch running alongside the road into Camp Stephen from the main road.*" I am also directed to paragraph 37 of my First Witness Statement which refers to a stream outside Camp Stephen. I am asked whether the 'ditch' and the 'stream' are the same waterway outside Camp Stephen, and if so to describe the waterway in as much detail as I can.

8.2. Yes, the 'ditch' and the 'stream' are the same waterway. I have very little recollection of the waterway other than the fact that it was a ditch with banks of approximately one metre on either side. I cannot recall the amount of water it contained but I do believe that we patrolled over the stream, so I would assume it was not deep. I cannot recall in any detail, however.

E. Specific incident – October 2003

9.1. I am referred to paragraph 47 of my First Witness Statement where I say:

Unfortunately, I was aware that Pte ██████ was an unstable individual and I cannot imagine that he would have been operating with just Pte ██████ as he was the youngest in my team.

I am asked to give specific examples of behaviour which led me to conclude that Pte ██████ was ‘an unstable individual.’ I am also asked if any such examples involved detainees or looters, and if so to provide more detail.

9.2. I remember clearly that Pte ██████ physically challenged me in front of our team when he refused an order relating to the setting up of a roadblock. I cannot remember why he challenged the order, but I do recall that it was an order that was in line with standard operating procedure (to move to a ‘cut off’ position at a roadblock). He also on two occasions jumped out of a moving vehicle alone to run after people throwing stones at us, which was not what we had been trained or directed to do. Although he chased the people throwing stones, he did not make contact with the people throwing the stones on either occasion. I can think of no examples that involved detainees or looters.

10.1. I am referred to paragraph 48 of my First Witness Statement where I say: *“in any event, I would not let a soldier swim out 20-30 metres, whilst fully clothed and into a deep river for this reason.”* I am asked to explain what ‘this reason’ is.

10.2. This reason is that when wearing combat clothing, body armour, webbing, boots, carrying a rifle, and possibly wearing a helmet, swimming any distance let alone swimming twenty to thirty metres out into a deep, moving river would be foolish.

11.1. I am directed to paragraph 53 of my First Witness Statement where I refer to two incidents where I reported members of my team. I state that reporting these incidents *“caused me issues with some of my team as they didn’t like that I had reported them... My team did not like that I had done this but I had no choice.”* I am asked to explain what I mean by ‘issues.’

11.2. By ‘issues’ I mean that I was seen as – to use a colloquial expression – “grass” by members of the team that believed I should not have reported the incidents. This led to an uneasy relationship. We lived and worked in close confines which amplifies such items. Whilst I respect their view, I had no choice but to report them according to processes and rules that were in place. Not reporting incidents was not an option for me.

11.3. Two more – possibly interrelated – incidents come to mind that may assist the Inquiry in getting a sense of the issues I faced due to having to report incidents.

11.4. Firstly, towards the last weeks of our tour, certain team members refused to take orders and believed that we were being given overly dangerous. Some even believed I was willingly volunteering for these tasks, but all tasks were distributed by Company HQ staff based on a

rota. Primarily those voices were led by Pte SO112 and I reported it to our Company Second-in-Command Captain [REDACTED] to request that certain soldiers were switched to another group – as I was genuinely concerned of something happening to me whilst out on patrol with my team – but this request was rejected.

- 11.5. Secondly, when we were attached to a Danish Battle Group, some soldiers were caught by the Danish Commander spying into female shower cabins inside the Danish camp. Those soldiers were placed on restrictions by the NCOs who were part of the task force, which some believed was unfair as they saw what the soldiers had done as ‘fun’. Again, I had no choice but to report that incident.

I believe that the facts stated are true.

SO85

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20 December 2022
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