



MOD-83-0000700-A

On behalf of: SO90
Witness: SO90
No of witness statement: Supplementary statement
Date: 12 April 2023

IN THE MATTER OF THE IRAQ FATALITY INVESTIGATIONS

**AND 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**

SUPPLEMENTARY WITNESS STATEMENT OF SO90

I, SO90, state as follows:

I made this supplementary statement further to my reformatted witness statement dated 22 February 2023.

On 24 February 2023, I provided my solicitors, Maddox Legal Limited of Octagon Point, 5 Cheapside, London, EC2V 6AA ("Maddox"), with my answers to the IFI's List of Supplementary Questions dated 26 January 2023 ("my Answers").

Maddox have duly re-formatted my Answers in line with the Inspector's requirements into this supplementary statement. The paragraph numbers match the numbers of the supplementary questions posed by the IFI.

I understand from Maddox that they have not made any changes or additions the substance of my Answers except as follows:

- Crucially, to make sure my Answers are now capable of comprehension without reference to the supplementary questions posed.
- Maddox have sense checked the substance of my Answers and made any obvious amendments in this regard, including checking for any spelling and grammatical errors.

Both of my statements are made in circumstances where:

- The IFI has refused to provide disclosure and I have not been made aware of all of the material within the IFI's remit.

- The events in question happened 20 years' ago and have been fully investigated. My memories are poor and impaired.

Both of my statements are made without prejudice to any disclosure that may be provided by the IFI or any third party.

The facts and matters stated in my supplementary statement are within my knowledge, save where I state otherwise, and I believe them to be true. Where I refer to information supplied by others, the source of the information is identified; facts and matters derived from other sources are true to the best of my knowledge and belief.

A. Background

1. Paragraph 2.1 of my witness statement says: *"The Statement May 2003. I refute this was the statement given by myself at the time as there are words and statements within which I did not state."* The IFI understand that this statement was signed and the signature witnessed.

In my statement dated 17 October 2012, I state: *"Further to my statements dated 23 May 2003 which I gave whilst deployed on Op Telic 1, I have today read these statements and do not wish to amend any of their contents."*

During the 17 October 2012 interview, I went through the May 2003 statement with the investigator, changed wordings and signed the October 2012 statement.

I confirm that I do not consider the following part of the May 2003 statement to be an accurate representation of what I said: the fact that I arrested the detainee. To clarify, I did not arrest the detainee. I in fact stated to the OC that it was not necessary to arrest him.

2. At paragraph 3.1 of my statement, I confirm that as an intelligence Officer, I was *"responsible for ensuring all patrol traces were marked on the Honesty Map to ensure we were not patrolling the one area too many times."*

An Honesty trace is a route on a map of where the patrol has been. With the collection and overlay of all of the maps, we could ensure that we patrolled the whole area and did not repeatedly patrol areas to then make a pattern of movement.

B. Detainees at Camp Stephen

3. The circumstances under which detainees would be taken to Camp Stephen is not within my knowledge.
4. At paragraph 11.2 of my witness statement, I state: *"The Company Medic would be called initially"* to undertake a medical check on any detainees.

4.1 The person dealing with the detainee had responsibility for calling for the Company Medic at Camp Stephen.

4.2 What I mean when I say the Company Medic would be called *"initially"* is that the Medic would undertake medical assistance unless he required assistance from the MO.

5. At paragraph 16 of my witness statement, when asked about the processing of detainees, I stated: *"If processed, they would be handed over to the Battle Group Holding Cell"*.

I go on at paragraph 17 to say: *"If we held detainees they would be moved as soon as possible to the BG HQ Holding Cell"*.

- 5.1 The Battle Group Holding Cell was there to process all detainees within the Battle Group area.
- 5.2 The processing of detainees involved taking their names and details of why they had been detained.
- 5.3 I do not know who undertook the processing as I never processed any detainees.
- 5.4 I would not know whether it is the case that not all C Company's detainees were processed.
- 5.5 I have been asked under what circumstances would detainees be processed and when detainees might not be processed. On one occasion, there were several thieves who were caught stealing metal from the local scrap yard detained outside of camp. I had nothing to do with this and left the Sargent Major to deal with this.
- 5.6 I am not aware under what circumstances detainees would be: (i) processed but not released, or (ii) handed over to the BQ HQ Holding Cell but not processed.
- 5.7 What I meant in paragraph 17 by detainees being moved *"as soon as possible"* is that detainees should have been moved as soon as possible to the Battle Group Holding Cell.
- 5.8 I cannot comment on what happened to detainees who were not processed as I never dealt with any detainees who were not processed.
- 5.9 Radhi Nama and Mousa Ali were processed as they were detained during a company Operation.
- 5.10 I have been asked how often detainees would be taken to Camp Stephen to be detained and/ or processed. I did not see detainees on a regular basis.
6. In relation to my evidence concerning the questioning of detainees at Camp Stephen:
 - 6.1 The Company Sargent Major would question the detainees.
 - 6.2 I am not aware of any circumstances where a detainee should have been questioned any further.
7. At paragraph 21.2.1 of my witness statement, I say I understood 'TQ Trained' to mean *"Someone who would be trained to carry out questioning who can pitch questions at the right level and sequence to achieve a favourable answer"*. By *"favourable answer"*, I meant that the questioning could get the truth.

C. Death Radhi Nama

8. At paragraph 28 of my witness statement, I state: *"I did not detain Radhi Nama. I argued with the Company Commander ref this in the house"*.

In my witness statement dated 23 May 2005 I stated: *"I believed Radhi NAMA was lying and withholding information I made the decision to detain him and convey him back to our location for further questioning"*.

8.1 I confirm that I did not make the decision to detain Radhi Nama. The company Commander made the decision.

8.2 I have been asked to give full details of this argument to the best of my recollection. I remonstrated that he obviously knew nothing of his son's activities nor where he would hide.

9. At paragraph 31 of my witness statement, I confirm that I did not hood Radhi Nama. To my knowledge, I confirm that I did not see that Radhi Nama had been hooded nor plasticuffed by anyone else upon his detention.

10. At paragraph 32 of my witness statement, I state that I was informed about Radhi Nama's medical history *"after the OC Handed the letter in to the house"*.

At paragraph 35 of my statement, I then say: *"I was travelling in the back of the Company Commanders Land rover to attend the daily Orders group at Battle Group HQ. The Company Commander proceeded to the house with a letter"*.

10.1 "the house" means the house of Radhi Nama and his family.

10.2 I was informed about Radhi Nama's medical history after his death.

10.3 I believe that the Company Commander informed me of Radhi Nama's medical history.

10.4 I was not aware that we were going to visit the house on route to the daily Orders group.

11. At paragraph 23 of my witness statement, I say: *"All detainees would have been Hooded until they reached the EPW area where they would be de-hooded."*

At paragraph 33 of my witness statement, I say: *"He [Radhi Nama] was placed in the EPW area with no hood or Plasticuffs."*

I confirm that Radhi Nama was placed in the EPW area with no hood nor plasticuffs because these were removed before he got to the EPW area.

12. When asked *"Who did you hand Radhi Nama over to at Camp Stephen?"*, at paragraph 33 of my statement I write: *"He was placed in the EPW area with no hood or plasticuffs."* I have been asked to answer the question: To whom did I hand over Radhi Nama to at Camp Stephen? Radhi Nama was placed in the care of the guard at the time.

13. At paragraph 34 of my witness statement, I confirm that the last time I saw Radhi Nama was *"Some time later that day as I had asked the guard if he had been fed"*.

The IFI understand that I questioned Radhi Nama earlier that day.

13.1 I asked whether the detainee had been fed around evening mealtime at approximately 4pm.

13.2 I had no more interaction with the detainee.

13.3 I questioned the detainee for 5 minutes to see if he knew where his son was. The detainee did not know where his son would go. I believed the detainee was in a good condition. When I left the EPW cage, he had water.

13.4 Between completing my questioning and asking the question above about feeding, I was either in the Ops room or in my bunk space.

14. At paragraph 36 of my witness statement, I say I was informed of Radhi Nama's death by Mr SO95, whom the IFI understand is Captain SO95.

The IFI understand Radhi Nama collapsed between 1100 and 1115, and life was pronounced extinct at approximately 1118.

14.1 I confirm that Mr SO95 is Captain SO95.

14.2 I was awoken by Captain SO95 sometime in the early hours of the following morning.

14.3 Captain SO95 informed me that the prisoner had died. He asked for advice and went on to explain that after his watchkeeping duties, a soldier had approached him and told him that the prisoner had died while being questioned by the CSM and Cpl SO102. At this point I got Sgt SO100 up and made Mr SO95 repeat what he had told me. I told Mr SO95 that he should go to the OC or the RSM. I believe he went to the OC. However, I did not find out if he had as the next time I saw him he was at the front gate awaiting transport. He seemed to be in a distressed state as he was clearly upset and kicking his webbing around. I could not approach him as I was in an interview with the RMP at that time.

D. Death of Mousa Ali

15. At paragraph 48 of my witness statement, I say there were SMU soldiers in the operation which resulted in Mousa Ali's detention. I was not at the briefing, so I was not aware of the soldiers' roles during the operation.

16. I never witnessed any ill-treatment of detainees during the search operation.

17. At paragraph 64 of my witness statement, I say the detainees were "unloaded from the vehicles and escorted" to the EPW on arrival at Camp Stephen.

17.1 I have been asked who escorted the detainees from the vehicle to the EPW area at Camp Stephen. This would have been the soldiers from the vehicles they travelled back in.

17.2 I never witnessed detainees being removed from vehicles.

18. At paragraph 69.1 of my witness statement, I say: "I questioned the General in the Interview area not the EPW area. (I started by asking him his name and rank) it was at this time I realised I would gain nothing by this I instructed the guard to return him to the EPW area and went to my room".

18.1 The Interview area was a covered area to provide shade with a table and chairs for any interviews.

- 18.2 To the best of my knowledge, any detainees and walk ins were always questioned at the interview area.
- 18.3 What I meant by "*I realised I would gain nothing from this*" is that the General had already replied that he knew nothing and only answered questions regarding his rank and name. As I said, he was not actually our prisoner so I should not have been instructed to ask him any questions at all.
19. At paragraph 69.2 of my witness statement, I state: "*The Company Sargent [sic] Major instructed me to interview him. I objected as these were not actually our detainees and would be transferred the following day*".
- 19.1 When the Company Sergeant Major asked me to question the detainee, he instructed me to question him about the whereabouts of arms and ammunition.
- 19.2 What I meant by "*these were not actually our detainees*" is that the detainees were only being held at Camp Stephen until transport could be arranged as they were detainees of the unit we were supporting.
- 19.3 This prompted me to object to questioning the detainee because I was not at the briefing, meaning that I was not fully aware of the facts.
20. At paragraph 72.1 of my statement, I say members of the Reconnaissance Platoon were tasked with guarding the detainees while I was present in the EPW area. I cannot recall who they were.
21. My previous accounts refer to me going to the EPW cage and taking out for questioning a detainee I variously refer to as 'General Karim' and 'General Kassim'. I believe I am referring to the same person. The soldiers escorted him to the interview area.
22. I state at paragraph 82.2 of my statement that I "*knew nothing of the detainees*" before I questioned the detainee.
- I then state at paragraph 83.4 of my statement that I asked "*His name address and if he knew about any weapons were located*".
- For the avoidance of doubt, I have been asked to confirm what I knew about this detainee when I went to question him. I was informed at the end of the operation by the Unit we were supporting, at a short meeting before the Unit left our location, that the detainee had been arrested on the suspicion that he knew where a large number of weapons and ammunition had been hidden.
23. At paragraph 90 of my statement, I state: "*I did not witness any of the alleged beatings or Kicking of any Detainees*". In addition, I was not aware nor made aware of the same.
24. At question 96.1, I was asked about whether there were tanks and/ or tank tracks at Camp Stephen. My answer was that there were warrior vehicles. There were no tank tracks as the vehicles were kept outside the compound to stop tracks being formed inside the compound for this very reason.

E. Culture at Camp Stephen

25. Paragraph 109 of my statement says that I felt the culture at Camp Stephen was “uneasy”. What I meant by this is that the Platoons did not interact with each other the way they had prior to Deployment.
26. At paragraph 110 of my statement, I say: “I would say in the main civilians were treated with due respect”.
- 26.1 What is meant by “in the main” is that all civilians were treated with respect when we dealt with them.
- 26.2 I cannot recall any incidents where civilians were treated unfairly.
27. At paragraph 113 of my statement, I say: “A beasting to me would mean being made to carry out physical Fitness”.
- 27.1 I have been asked to explain the distinction between casual exercise and a beasting. Casual exercise to me would mean going for a run or carrying out your own exercise at your own pace.
- 27.2 I have been asked what I understand the desired outcome of a beasting was – being made to exert yourself by a Physical Training instructor.
- 27.3 I never witnessed beatings at Camp Stephen.
28. At paragraph 119, I state: “No I did not witness any complaints at Camp Stephen”. I was not made otherwise aware of any complaints being made at Camp Stephen.
29. I state at paragraph 120 of my statement that I considered that commanders had “quite high” oversight of troops at Camp Stephen. What I meant by “quite high” is that commanders would have known what was going on within the camp area.
30. At paragraph 121, when asked to describe the degree of freedom that NCOs and/ or patrol commanders had over those under their command at Camp Stephen, I responded: “I would say that junior commanders did not have freedoms as they were all bunked close together”. I have been asked to explain what I meant by this and explain the degree of freedom NCOs and/ or patrol commanders had. I would say that all movement or activities in camp would have been overseen by any other person due to the proximity of the sleeping areas and limited facilities.
31. Paragraph 123 of my statement confirms that I believe “The Company Seargent [sic] Major [WO2 ██████████ SO101] was very much a dictator and liked to be in control of every aspect. I considered him quite dangerous at that time”.

At paragraph 123.1, I also state: “The Company Seargent major [sic] [WO2 ██████████ SO101] liked to influence every aspect within the camp and made everyone aware of it”.

- 31.1 I personally consider WO2 ██████████ SO101 “a dictator” because any decisions made were forced upon the remainder with no comeback or questions, and “quite dangerous” because he presented himself as untouchable and had considerable influence with the OC and RSM.

31.2 What I meant by WO2 [REDACTED] SO101 “liked to influence every aspect within the camp and made everyone aware of it” is that he made sure that everyone knew that he was in control of all aspects within the camp.

32. Paragraph 124 of my statement says that I “did not think Cpl [REDACTED] SO102 was influential. I recognised him to be more of a follower to the Company Searegent [sic] Major”. What I meant by a “follower to the Company Searegent [sic] Major [WO2 [REDACTED] SO101 /” was that he made it quite clear to his fellow NCOs that he had a special relationship with the CSM, even calling him [REDACTED] SO101 from time to time.

F. Existence and awareness of ‘wetting’

33. I do not understand the term “wetting”.

34. When asked if I could recall any incident involving soldiers on patrol putting detainees into water or throwing them into the Shat Al-Arab River, at paragraph 129 of my statement I wrote: “I do not have any knowledge of this or have i heard this happened”. I have been asked to clarify this. I thought this was clear, I have not heard of, nor have I heard of anyone being accused of any such incident.

35. At paragraph 134 of my statement, I say: “there would be no requirement” to report incidents of detainees entering or being placed into bodies of water.

At paragraph 136 of my statement, I then state: “If there were any such incidents [of detainees entering or being placed into bodies of water] then this would have been reported to the chain of command”.

I have been asked to clarify this. The IFI has posed the following question: If there were no requirements for incidents of this nature to be reported, why would they then be reported to the chain of command? This is wrong; if any such incident took place, of course someone would (or should) have reported it up to the chain of command. I was not aware of any such incidents.

STATEMENT OF TRUTH

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed: [REDACTED] SO90

Name: SO90

Date: 12 April 2023