



**MOD-83-0000591-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: Baroness Heather Hallett PC DBE

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WITNESS STATEMENT OF

SO85

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I, SO85 state as follows:-

1. I make this statement at the request of the Iraq Fatalities Investigation, in relation to the investigations of the above named individuals.

**A. Background**

1. I was commissioned [REDACTED] into the Royal Military Academy Sandhurst. (RMAS). I completed a platoon commanders course [REDACTED]. I was deployed on Operation Telic 2 between June and November 2003. [REDACTED]
2. [REDACTED]
3. I left the army in April 2007. I suffered a serious injury [REDACTED], which meant that I was no longer able to continue in the military as an infantry officer. I was effectively desk bound and I chose not to renew my commission.
4. I have not given any statements in relation to the matters under investigation.
5. In May 2003, I was in pre deployment as a rifle platoon commander based in Catterick, UK. I was attached to 1 Queens Lancashire Regiment (1QLR) A Company. The

platoon was divided in two multiples with each multiple consisting of around 12-15 soldiers.

6. I was not deployed to Camp Stephen until June 2003 on Operation Telic 2. I did not report to anyone who was present at Camp Stephen in May 2003. My role when I did arrive was as a multiple commander. As multiple commander I spent time preparing for patrols, out on patrol, writing patrol reports after the patrol. Alternatively, we were on standby for incidents which meant we were within camp awaiting short notice call out. The soldiers also rotated through camp guard duty. In addition to these tasks we also had rest shifts where we could sleep etc. I cannot recall the exact setup of the multiple, but it was split into 3 teams of which 2 were led by soldiers Pte [REDACTED] and LCpl [REDACTED]. I had a small team with a radio operator and 1-2 others I believe.

## **B. Training and Instructions**

7. 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.

## **C. Group Orders**

8. I did attend Group Orders as this is part of the structure of the military. I was in the UK in May 2003 but I did attend Group Orders when I arrived in Iraq. Group orders were run by the company commander and were either a general update or something more specific linked to an upcoming operation. I would then cascade these orders to my multiple. I can't remember how regularly they were held but they were frequent and possibly daily but I cannot say for sure.
9. Looters did exist in Iraq and I am sure that it was discussed at Group Orders during my deployment from June to November 2003. I cannot remember any details of order sessions or information regarding looters.
10. In general, looters were handed over to the Iraqi police during Op TELIC 2. At times they were also released by soldiers or sometime by Iraqi police if we were on a joint patrol. They may also be released by the police from police stations. We were definitely not equipped to be a police force with no functioning judicial system. We also had concerns over handing over looters to Iraqi police in case they were mistreated. This was situation dependent upon the police station and the police officers.
11. We let people we had temporarily detained at an incident go when we were advised over the radio to do so or when we had no evidence so to speak of any wrong doing. A challenge we faced was the local population was aware we were acting as a makeshift law force and as such, they used that to try to settle other disputes. I can only remember one example of a feud between 2 families where we were called on 2 occasions. One family claimed another had been shooting at them in an apartment

building stairwell. We found empty ammunition cases but had absolutely no way to ascertain how they got there or who fired them. On both occasions, I decided not to detain anyone. I remember this very clearly as I had a connection to the eldest daughter in the family who claimed to have been shot at and I tried to calm her down the first time we were called there. After this, she would call Camp Stephen asking for me. I never took those calls, they went via the operations room and I was informed. Due to the volatility of the situation in Basra at that time there was concern that I could be "honey trapped" to draw us into an ambush or similar.

12. We had a policy set at battalion level to walk looters to police stations and not put them in our vehicles. 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 believe that this was a Battle Group or Brigade directive. We received the orders from our Company Commander via our commanding office. To my knowledge it was his patrol who was the first to utilize this method.
13. There was never a mention of putting looters in the water in my presence or to my knowledge. Similarly, no orders to use water as a deterrent were given in my presence or to my knowledge.

#### **D. Detainees at Camp Stephen**

14. The situation in the city once combat operations ended was extremely hostile. We were shot at, had rocks thrown at us and faced burning road blocks. This was carried out by a minority. We also had a role to support the local population and to provide security to them as well as guarding critical infrastructure.
15. Looting was a problem at this time but it was not something that we focused on heavily as such. We had challenges with looters from a tribe who were executing security guards on an infrastructure site near the river. This resulted in many operations to show presence i.e. patrols, interaction with security guards etc. and to try to prevent the executions from happening. In general, we would support the Iraqi Police on patrol as much as possible as they became more established, but they lacked competence and training.
16. I did not have a role in relation to detainees at Camp Stephen. Any activities relating to detainees were handled by the company sergeant major, which is the army policy. I do not know if this was the case in May 2003 as I had not yet been deployed to Iraq. I can't ever remember detainees being in camp for very long as the holding area were at Battle Group HQ.
17. I cannot say for how long detainees were held. If they were not released immediately, they were taken to the police station. If it was believed that the detainee was of intelligence value, they would be taken to Camp Stephen to be interviewed by our intelligence officer. I believe that all detainees were interviewed in an area outside the operations room where there was outdoor table and chairs. This area was also used for group orders sessions

18. We would be advised over the company radio where a detainee should be taken, be it the local police or Camp Stephen. I believe that it might have only been on planned operations where we brought detainees back to Camp Stephen but I cannot say that with 100% clarity.

#### **E. Culture at Camp Stephen**

19. My time at Camp Stephen was on an operational tour so it was tense and as with any soldiers we had our challenges. Most of the time in camp was spent preparing for patrols, recovering from patrols, being on standby or eating and sleeping.

20. We had very good relations with the Iraqi civilians in general. A small minority didn't like us being there but in general we were accepted by them. We also met some local civilians in close proximity to the camp and asked them to help us as interpreters or around the camp with tasks.

21. I cannot say how detainees were viewed or treated at Camp Stephen as they were not handled by me or my team. This was the responsibility of the Company Sergeant Major.

22. I do not believe that there was an EPW cage at Camp Stephen during Op Telic 2. I think that this might have been on Op Telic 1, during the war fighting phase.

23. 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.

24. 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. Stress position were used commonly and using stress positions was part of our pre-deployment training. I am aware that now that it was not ok.

25. I did not witness any threats being made to detainees. I didn't witness any incident of mistreatment so I cannot comment on how any individuals were viewed.

26. In relation to the oversight of the commanders, I can say that during Op Telic 2 we all lived in the same buildings. Officers had our own small rooms which was shared with 2-3 other officers and the soldiers shared rooms in their teams. Camp Stephen was a small camp and everyone was able to interact with each other. There were no private area, all patrols were coordinated via the operations room and nobody came or left without it being logged.

27. I do not recall any NCOs being overly influential outside the normal chain of command. We are talking about a very hierarchical organisation where NCO's are strong personalities, even at Colour Sergeant level upwards against junior officers. That was the culture of the army, rightly or wrongly, whilst I was serving at least until reaching the rank of Captain.

28. I have no idea who WO2 SO101 or Cpl SO102 are.

## **F. Existence and Awareness of Wetting**

### *a. Wetting generally*

29. I have been asked what I understand about the term wetting. I do not understand it and I had not heard of it before being contacted by the IFI.

30. I have never witnessed a detainee (i) being placed in water, (ii) threatened with being placed into water, (iii) transported to bodies of water. I cannot offer any explanation or comment as to why detainees would be transported to a body of water, what happened when they got there, whether restraints were used, whether force was used or what happened to them after.

### *b. Reporting of Wetting incidents*

31. I cannot recall anything specific about reporting this but every incident regardless of what it was, was reported via the radio and should have been logged according to military processes.

32. In general, all incidents, were reported to company headquarters via radio. For major incidents a debrief was held once we returned to camp with the company commander or the company sergeant major present.

### *c. Chain of command*

33. I am asked whether I recall Major SO88 putting a stop to the practice of wetting. Unfortunately, I do not know who Major SO88 is; I was never under his command.

34. I have never witnessed any detainees coming back to camp Stephen having been placed into water. I have never made any previous statements about this.

35. I was never given order to use water as a deterrent against looting. I cannot recall any direction from my commanders about this. I do not believe that there was such a practice during Op Telic 2. If commanders were to be made aware of such an incident it would be reported to HQ either by radio or in a patrol report which was completed after each patrol.

### *d. Wetting at Camp Stephen*

36. I believe that there was a ditch running alongside the road into Camp Stephen from the main road. It was visible from the guard towers but I cannot remember whether it was fully or partially visible.

37. I did not see any detainees being put in or going into the stream outside Camp Stephen. As I have indicated above, I do not know who Cpl SO102 is so I cannot comment on his actions.
38. I was involved in one incident, which resulted in an individual ending up in the water. I believe that this occurred in July or August 2003. My Multiple was in the area. We were at the docks in Basra in an observing position to try to prevent executions of security guards in the docks, which had happened a number of times previously. We were split over numerous positions around the dock.
39. We had a "contact" with multiple armed men on the docks in Basra. Three men approached the docks by boat and came ashore. We issued a verbal challenge for them to stop. One individual opened fire on my patrol. That individual was engaged and shot. I was the person who fired the shots. The two other individuals running jumping into the water and back to their small boat. We called for an ambulance but unfortunately the individual who had been shot did not survive. The other two individuals escaped via boat and we returned to our observing position. The other two individuals came back to another dock later and we believed they were setting up an RPG to engage us but as rules of engagement did not permit us to engage we stayed in a observing position until I received permission to return to base. The body was immediately recovered and transported by Company Ambulance. I am unable to say at which point the person died or to where he was transported in the ambulance.
40. This incident was reported fully over the radio initially from the contact with the individuals to requesting a full medical evacuation. There was a full debrief at company and then battalion level and included Major General [REDACTED] visiting the site some days later. (It was a pre-planned visit but this became part of his agenda). I was written up for (but did not actually receive) a commendation for the incident due to the fact that I controlled the aftermath of the incident ensuring the remaining persons were not engaged and rigidly stuck to the rules of engagement and controlling my troops.
41. I was not involved in any incidents relating to the stream at Camp Stephen and I do not believe that this happened during my time there.

#### **G. Specific Incident – October 2003**

42. I have been provided with a very brief summary of an incident, which is said to have occurred in October 2003. I do not recognise this incident as something in which I was involved.
43. I have not been provided with any evidence that may refresh my memory of this event or any event similar to it. Whilst I have been interviewed about other incidents, which occurred during my deployment in Iraq, I have not previously been questioned about any incidents of the nature described in the summary provided to me.
44. It is correct that the following individuals were in my multiple; Privates SO112, [REDACTED], [REDACTED] and [REDACTED]. The team leaders within the multiple were myself, Private [REDACTED] and LCpl [REDACTED]. It is unlikely that I would have been with a team including

Private [REDACTED] as he was an appointed team leader and so would have had his own team with him. I cannot now recall which team members were with team leaders, although the information would be available via the MOD by way of radio and patrol logs.

45. There was a dry dock on the side of the Shat Al-Arab river between the Shat Al-Arab hotel and the British pontoon bridge.
46. I cannot recall ever being flagged down by security guards in this area regarding looters. We did patrol this area regularly by foot. Other soldiers from Camp Stephen would have done the same.
47. I cannot recall any incident where Pte [REDACTED] or Pte [REDACTED] detained anyone as is suggested. Unfortunately, I was aware that Pte [REDACTED] was an unstable individual and I cannot imagine that he would have been operating with just Pte [REDACTED] as he was the youngest in my team. I do not recall 2 males jumping in the river as is suggested.
48. I do not recall any occasion on which I instructed Pte SO112 to retrieve anyone from the river. It is unlikely that I would have selected Pte SO112 to carry out such a task as there had been a previous incident where he had initially refused an order by me to draw fire from a sniper who had us pinned down at the back of Camp Stephen. He would not have been my choice for individual tasks. 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.
49. I have never and would never make such a statement as "how do we punish" someone. I was a young officer in 2003 and very respectful of rank and rules. My officer reports, which I still have, describe a "hesitance with senior officers". That came from my upbringing with a career police officer as a father. This incident is something that I would have never allowed to happen through fear of breaking the rules.
50. I was not involved in the incident as described. The allegation itself does not make sense as the allegation firstly states that 2 males jumped into the river to escape and then it later says that they did not jump until after a comment about pushing them into the river. I know right from wrong and an incident like this never happened, not only that if it had I would have reported it. I was not involved in any incident where a male did not emerge from the water.
51. It is suggested that I spoke with the mother of a drowned man at Camp Stephen. I did not ever deal with visitors to Camp Stephen. This was the responsibility of the company sergeant major or duty senior NCO. I do not believe that during my entire time at Camp Stephen that I ever even spoke with any individual at the front gate of the Camp.
52. I ran my team on a tight lead and ensured we followed rules; even if those rules included stress positions and hooding which at the time I believed to be acceptable due to them being part of our training. I of course know now, with the benefit of hindsight and some more years this is not the case but you must understand that we did not set these policies they were British Forces policies used by every unit at least

on OP Telic 2. It is easy to reflect now but the fact was we believed this was acceptable as we had been trained to do it in our pre deployment training.

53. I had issues with some of my team following 2 occasions where I reported incidents according to our processes and rules. That caused me issues with some of my team as they didn't like that I had reported them. One incident was a negligent discharge of a weapon in the team accommodation where I had to report the individual as per military regulations and he was given a fine, I cannot remember how much he was fined. The second was an incident where a civilian claimed to have seen one of my team taking money from a safe and putting it inside his vest. I searched my team member, found the money and reported the individual to the company sergeant major. He was removed from patrol and given a military punishment, I cannot remember what this was. My team did not like that I had done this but I had no choice.
54. I wanted to have a career in the army and I had a new company commander who was known for his discipline, along with a commanding officer who ran his battalion by fear. I find it completely incomprehensible that this incident or anything like it ever took place and I cannot state that firmly enough.

I believe that the facts stated are true.

Signed...SO85.....

Dated...08 June 2022