



MOD-83-0000695-A

Dated: 3 April 2023

**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

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FIRST WITNESS STATEMENT OF

[REDACTED] SO92

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I, [REDACTED] SO92, state as follows:-

I make this 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 Questions provided by the investigation on 15 March 2023.

**A. Background**

1. I would like to make it clear to the court that given that a substantial amount of time has passed since the named events occurred, I am unable to remember a lot of what has happened which would be relevant to this Investigation. I have relied on my earlier Witness Statements in part in the disclosure provided by the Investigation in this Witness Statement.
2. I joined the military in [REDACTED] as an infantry soldier (as per your witness statement of 20 June 2013. I joined the 1<sup>st</sup> Battalion The Black Watch (RHR) in [REDACTED]. I travelled with them until [REDACTED], when I was attached to 16 Regiment Royal Artillery as an Infantry Adviser until I left in [REDACTED]. I finished as the rank Colour Sergeant (C/Sgt).

3. I confirm I have provided Witness Statements previously dated 25 May 2003, 6 June 2003, 20 June 2013 and 17 February 2015. I confirm the contents of these Witness Statements are still true to the best of my knowledge.
4. I confirm that I was a Corporal for Anti Tanks part of C Coy in 2000 and was a section commander for Anti Tanks. I was in charge of the section, we had three vehicles and specialist Anti Tanks system. I had 19 people in my section. When walking in the streets, we used to go in groups of four or six. It really depended on the jobs we were doing that day.
5. At Camp Stephen in May 2003, CSM is the Company chain of command. I reported to the Company Commander, 2i/c, Platoon commander, 2i/c, Platoon Sergeant, section commander, sect 2i/c Platoon chain of command.
6. I could not speak Arabic in May 2003.

#### **B. Training and Instruction**

7. Before and including May 2003, we were all trained and updated of the situation we were in. These briefings happened daily. We were trained in the Rules of Engagement in the post-war fighting phase of Operation Telic. I only came across looting when I was deployed in steel work factories. Looters used to use donkeys and cars to steal the steel rods.

#### **C. Detainees at Camp Stephen**

8. Commanders on the ground would make decisions whether to detain people at Camp Stephen. The guard and the CSM were responsible for detainees. I have never heard of a Slammer form and do not know who this would be completed by. Upon arrival at Camp Stephen, detainees were required to complete the paperwork. The arrival of detainees would be reported up to the Chain of Command. I cannot recall if a medical check would take place with detainees.
9. The process of High Value Targets being identified and recorded did not differ where the detainee was identified as a HVT.
10. Interpreters were used and available during processing and detention.
11. The process and procedures for processing detainees would always be followed at Camp Stephen.

- a. In terms of the description of the EPW cage, I refer to my previous Witness Statement dated 20 June 2013:

*“The EPW cage was inside the compound situated right hand side of the main entrance. It was an area covered with a cam net fixed to poles. It was quite a big area. The cam net was a Warrior cam net. I can’t remember if there was any furniture inside it.*

*It was situated opposite to the guard room.”*

I have also provided a signed and attached exhibit in the same statement.

12. The amount of time that detainees were held at Camp Stephen was not the same for every detainee as they would be bought in at a different time of day. After leaving, they would go to the chain of command. I am not sure how many detainees were guarded at Camp Stephen or how many guards were required for each detainee, whether there was a rota guard for guard duty, how guard duty was handed over and who was in charge of the rota. I can confirm water was available at all times for detainees and meals were served to them. We then had ours.
13. I am not sure under what circumstances detainees might be questioned at Camp Stephen and who would authorise and conduct the questioning. It was not a part of my role to question detainees or tactically question them. That was way above my role, there were specialist people to do this.
14. I confirm that I never witnessed the use of hooding on detainees at Camp Stephen as this was not within my role. I never witnessed the use of plasticuffing on detainees at Camp Stephen, nor did I witness the ill treatment of detainees at Camp Stephen.

#### **D. Death of Radhi Nama**

##### ***a. Search operation: 08 May 2003***

15. I refer to my Witness Statement of 25 May 2003. I was involved in a search operation and was tasked as the Commander of the search team for the operation which mounted on 8 May 2003 regarding an Iraqi male who was detained and died while in custody. The operation consisted of Cpl [REDACTED], LCpl SO108, Pte [REDACTED], Pte SO103, Pte [REDACTED], Pte [REDACTED] and Pte [REDACTED]. Sergeant SO119 briefed me on the evening of 7 May 2003 that the target was Mohammed Radhi Nama, who was believed to be a convicted rapist.

16. We were deployed on tasking at about 6.30 on 8 May 2003. However, we failed to identify the correct address and returned to camp for breakfast. After breakfast, we were again deployed under the direction of Sergeant SO111 RMP (Royal Military Police) and identified the correct address and entered to search.
17. When we entered the house, there were two females, two children and one elderly male. I believe the search took about 90 minutes, but I am certain it was not longer than two hours. It was clear that the suspect was not around. The briefing stated that the suspect may own and carry prohibited weapons, therefore we searched the house for weapons. I supervised the search where a number of items were seized, including a tripod system for a machine gun, a bag full of rounds, military respirators, wood weapons butts and a long metal cosh.
18. Whilst we were conducting the search, the elderly male was harassing the search team and obstructed them. As a result, he was placed in the squatting position facing the room, with his hands on his head. The interpreter accompanying the search spoke to the male who informed him that he has previously broken his hand. He did not complain at any time that he felt ill. I can confirm that at no point did we treat the male with force and we treated him humanely.
19. We recovered a computer, photographs of a man which we believed was Mohammed and a wallet. Due to possession of the ammunition, the elderly male was detained by myself.
20. We then departed and travelled to camp. The elderly man travelled with me in my warrior. Once we arrived at C Coy lines, the man was handed directly over the guard force to be detained in the EPW cage. I cannot remember if it was myself or someone else who gave the authority for Radhi Nama to be detained.
21. I was not told anything about Radhi Nama's medical history, this was recorded on paperwork that has nothing to do with me.
22. Referring to my Witness Statement of 6 June 2003, I can recall I asked two of the crew to place Radhi Nama in the Warrior, however I cannot recall who they were. I cannot remember if Radhi Nama was hooded when taken out of the house to the Warrior, however upon our arrival back to camp, after he was taken out of the Warrior, I can confirm he was definitely not hooded.
23. As I mentioned in my Witness Statement of 20 June 2013, on the journey back to Camp Stephen, the detainee was taken in the back of my Warrior, however I could not see him

during the journey as I would have been in the turret of the Warrior as the Commander. The journey was approximately 30 minutes.

24. I refer to my Witness Statement of 20 June 2013, where I state I cannot remember who handed the Radhi Nama over to the guard Force, it would have either been CSgt **SO119** or a member of the search team. I cannot remember who the guard was.
25. As mentioned in my Witness Statement dated 17 February 2015, the last time I saw Radhi Nama was half an hour to an hour before he passed away when we handed him over to staff at the POW (Prisoner of War) cage.
26. One of the POW guards ran over to get CSM (Command Sergeant Major) **SO101**. I do not recall who he was but we were told he had passed away. I was in a state of shock when I heard this.
27. When we were informed about Radhi Nama's death as stated in my Witness Statement 17 February 2015, I remember I said to Captain **SO101** something along the lines of "boss, what the fuck?" I responded with something along the lines of "don't worry we will get on with paperwork."
28. Radhi Nama was treated humanely throughout my time in custody, I had no further dealings with him after he was put in the EPW cage.

***b. Informing Radhi Nama's family***

29. As mentioned in my Witness Statement of 20 June 2013, I cannot remember why we returned to Radhi Nama's home on two other occasions but it may have been to explain his death to his family, no one else from the search team or C Company accompanied us on these visits, it was only myself, RMP (Royal Military Police) - and possibly SIB (Special Investigation Branch) personnel as I have mentioned in my Witness Statement of 17 February 2015. Sergeant **SO111** was present on the later occasions, definitely the first time. Referring to my Witness Statement of 25 May 2003, we had an interpreter present at the time of the search on 8 May 2003, however I cannot recall his name.

**E. Culture at Camp Stephen**

30. As any other deployment, the culture at Camp Stephen was to do your job to a high standard as trained.

31. With regards to how Iraqi civilians were generally viewed or treated by those at Camp Stephen, we would speak to them how you would be spoken to.

32. Detainees were not treated badly in the EPW cage when I was there. I never witnessed any beatings.

**F. Existence and awareness of ‘wetting’**

**a. *‘Wetting’ generally***

33. I cannot recall coming across the term “wetting” and am not sure what this means.

**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: SO92.....

Name: SO92

Dated this 03 day of April 2023