



MOD-83-0000694-A

Exhibit:

Dated: 30 March 2023

In the matter of an investigation into the death 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

FIRST WITNESS STATEMENT OF

[REDACTED] SO95

I, [REDACTED] SO95 of [REDACTED]
[REDACTED] shall say as follows.

1. I joined the Army in [REDACTED], commissioning into the 1st Bn The Black Watch (1 BW) from Sandhurst. I remained with the Black Watch (then the Royal Regiment of Scotland post amalgamation) until I left the Regular Army in 2015 at the rank of Major. [REDACTED]
2. I have read all statements I have previously provided, dated 9 May 2003, 16 October 2012 and 15 November 2017 and confirm that the contents are accurate and there is nothing I would want to amend or clarify.
3. I was appointed 2nd In Command (2IC) and Operations Officer (Ops Officer) of Fire Support Company in about February 2003. I had previously been posted away from 1 BW and returned to the Battalion in Jan 2003 where I had initially been 2IC B Coy before being appointed to Fire Support Company. The terms Coy 2IC and Coy Ops Offr were used interchangeably once we had gone into our ground holding role in Basra. Ops Offr moniker reflected the focus on patrolling and responsibility for ground in that element of the operation however many of the responsibilities remained the same. I was mainly responsible for writing the patrols programme and deciding

where patrols should go based on information and intelligence from CSgt SO90, who was the Company Intelligence Officer (IO) and from previous patrols. I also stood in for the Officer in Command (OC) when he was not available. The dynamic in Fire Support Company was unusual in that all the other Platoon Commanders were senior to me and so they picked up some of the other roles which would usually be those of the 2IC. WO2 SO101 (the CSM) had responsibility for the Prisoner of War Cage and elements of camp security. Towards the end of the tour in Iraq I swapped roles with Capt [REDACTED] and took over command of Mortar Platoon.

4. The Chain of Command at Camp Stephen in 2003 was the OC Maj SO88 with the Platoon Commanders primarily reporting to him. The 2IC/Coy Ops role is primarily a controlling function rather than a command one. Command decisions are taken by the OC and my role was in support of that. The command function was executed primarily by the OC with Platoon Commanders as subordinate commanders reporting largely to him. I ran the ops room and information, intelligence, administration for patrols and issues around the patrols function were largely my preserve with support from the Company Sergeant Major (CSM) WO2 SO101, Company Quarter Master Sergeant (CQMS) CSgt SO98 and the Coy IO CSgt SO90. We fed information and intelligence up to our Battle Group Headquarters based in the Ba'ath Party HQ in Basra. Command issues passed from OC to CO although orders in the CO's name were issued by BG HQ to the Coys and likewise by Coy HQ to the Coy. However, in spite of lack of command role this does not equate to lack of responsibility and if people had concerns that they needed addressing or passing on to the OC they could report it to me as the Coy 2IC.
5. On deployment into Iraq, other than the basics of 'hello' and 'thank you' etc I could not speak Arabic.

B. Training and instruction

6. I remember the focus of our training between Jan and March 2003 was on warfighting, manoeuvring the Battle Group in readiness for likely operations in Iraq. In terms of training, briefing or instruction provided on the Rules of Engagement in the post-war fighting phase of Op TELIC, I cannot recall being given any training. There was certainly no possibility that we would have been given training on how to maintain law and order and to prevent looting and neither did we receive any training on the use of restraint techniques for detainees as discrete from PWs. In terms of prisoner handling I cannot recall any specific training aimed at how to deal with prisoners post occupation. I would have had some standard training in the Army on prisoner handling and I am sure I would have completed this prior to deployment, but there was certainly nothing specific to the 'post war' phase. My previous operational experience was in Kosovo in [REDACTED] where we were in a peace support role. I recall we had some training on dealing with detainees here. Kosovo was a much more mature theatre with an established police force (UNMIK) who were on hand to deal with

detainees, within approx. 30min – 2 hours an UMIK police officer was on hand to assist and take over detention of any suspects. With respect to Iraq I cannot recall any training being given on the processing of detainees or the requirements for medical examination and there was nothing specific to our roles at Camp Stephen. We had been specifically trained for combat operations, not the stabilisation phase. No one had experience of administering a city or acting as its sole police force, especially in the light of a break down in law and order as the shackles of the Ba'athist regime were thrown off. From my perspective little thought appeared to have been given to the transition to stabilisation and we just had to adapt to it in the moment, against a backdrop of lack of resource and incoherent political direction. For instance preventing anyone in the Ba'ath party from being part of the new administration, dissolving the Iraqi Army and allowing all Iraqis to have guns. This exacerbated conditions on the ground. (Training on later tours was much better and focused on stabilisation and rebuilding Iraq, evidence that the Army was quickly adapting to the situation and learning from its mistakes.) It is my understanding that at the time in 2003, this was the first time that a combat force had transitioned directly from war fighting into a peace support role, without another unit taking over the role.

C. Detainees at Camp Stephen

7. My role in relation to detainees at Camp Stephen was very limited. If they came in while I was duty I would report this up the chain of command. Other than this, I had no specific role in relation to looking after them, or their welfare, their questioning or anything else.
8. Detainees would be taken to Camp Stephen at the discretion of the commander on the ground. It would depend on the circumstances as to whether someone would be detained. If an operation were intelligence led, the specific purpose might be to apprehend and detain a specific individual, on other occasions and at other times a patrol might be on the ground and pick up someone looting and bring them back to camp to be processed by the RMP with the hope that they would be arrested and face justice for looting (this rarely happened).
9. Once detainees arrived at Camp the CSM would be responsible for them. All of us had a responsibility for making sure people were not poorly treated but the CSM had overall responsibility.
10. I can't remember the process and procedures for processing detainees, but I suspect that it would have been dealt with by the CSM. I have no idea what a 'Slammer' form was. I think that when detainees arrived at Camp they were taken to an area to the left of the gate (as you exited the camp) and would be processed there. I am certain that someone would have been there to process them, but I can't remember the exact details of this. The arrival of detainees would be reported to our Ops Room and

then up the chain of command to Battle Group HQ and then to Brigade. I cannot remember if there was any special procedure for identifying High Value Targets (HVTs) or whether any process differed for them.

11. We had a Company medic who would carry out a medical check. He was from the Royal Army Medical Corp (RAMC) and not a qualified doctor, although he did have good medical skills and was kind and compassionate. Although I can't remember any specific details my assessment is that the medic would have been called when any detainees arrived, by those on duty in the PW cage and the medic would carry out a basic health check in the holding area.
12. We had plenty of interpreters based with us at the time and my recollection is that interpreters were used during processing and detention to explain what was happening.
13. I couldn't say that there was a Standard Operating Procedure (SOP) for processing detainees. We simply weren't set up for that, having transitioned from a war fighting footing. We just tried our best in the transition to do the right thing by treating people properly and trying to maintain law and order.
14. I assume the 'EPW' area refers to the PW area, although we called the individuals placed there 'detainees' not 'prisoners of war'. If this is what is meant, this was the area to the left-hand side of the main gate as you exited the camp.. We did make a distinction between 'prisoners of war' and 'detainees' recognising that during Combat Operations the enemy combatants were PWs and all others were detainees. In the stabilisation phase detainees were likely to have been criminals or suspected criminals, persons of interest (i.e. High ranking Ba'ath officials, High Ranking Military officers) and later on suspected insurgents. My recollection is that the area had a camouflage net over it to provide some shade and while I can't remember this, it must have had some way of keeping the detainees inside it, so I think it probably had some razor wire or barbed wire coils to prevent them getting in or out of the area. Other than this I can't remember any facilities in the area, as it was intended just to be a temporary holding facility for initial processing before release or moving them to BG HQ.
15. In terms of any physical contact with detainees, the only contact would have been during the initial capture. This would have involved putting them into a vehicle and bringing them back to camp. Inevitably getting someone into a vehicle and out of it, with their hands tied in front or behind their back would require some physical contact. I can only remember one instance when a Jock tried to grab a detainee by the hair after a planned operation at the 'wood and metal factory' to deter looting there and the CSM's response was immediate. He was straight in there and told him not to do that. He was very clear and very public about that, and it was dealt with in a flash.

16. Once the detainees had been processed it would be up to BG HQ and the Royal Military Police (RMP) whether they were moved on or released. The decision came from BG HQ, but we had embedded RMPs with us who would also have a say in how to deal with looters and make decisions (in hindsight they should have been advising the chain of command at the time it felt like they were making decisions).
17. I can't remember how long detainees would stay at Camp Stephen, but it was only set up to be a short-term holding area and they would then go on to BG Main and from there to Shiaba (the main logistic hub at the time).
18. There was a rota for guarding the detainees and while I can't remember specifically, I would imagine that there would usually have been 2 guards on duty and likely an NCO in charge of the PW cage, with a staggered handover, which was the usual way to organise rotas, so that one soldier is always fresher than the other. I think the rota would have been organised by the CSM who was responsible for internal security. I would think that the rota would be for 2-4 hours at a time, with a handover every 2 hours. If we had lots of detainees this would have had to be amended. For instance I remember on one occasion during the war (prior to our entrance into Basra) being on a 4-ton truck with about 30 Iraqis PW with me and 2 other soldiers to guard them on the move - we just had to manage. So, we were primarily being pragmatic in our response to detainees and flexibility in the rota would have been required but I can't remember the detail.
19. In terms of procedures and practices in providing food and water to the detainees, again, as we didn't hold them for long I can't remember that we gave them food, but they certainly had access to water. My recollection is that they would normally only be there for 2-4 hours, and at the most maybe 8 hours.
20. Detainees would sometimes be questioned at Camp Stephen. I think that the CSM was one tactical questioner and CSgt SO90 was another. I think the routine followed was that they would be questioned and then moved on to BG HQ. I can't comment on when they would be questioned but we were just trying to gather intelligence.
21. In terms of 'tactical questioning' the aim was to try to get initial information from the detainees while they were still under the 'shock of capture'. It was therefore a fairly limited process. There would have been a JSP (Joint Service Publication) outlining what could be done, but this has changed over time with the lessons of the last 20 years. At the time I think understanding was much more limited, but ultimately we were trying to extract as much information as possible while the detainees were still in a state of shock. I am aware that tactical questioning was carried out, by whoever the tactical questioners were.

22. I am unclear what is meant by the term 'props'. I can infer what that might mean, and I do not believe that props were ever used for tactical questioning.
23. I do know that we did hood people, although not out of malice. I remember being taught at Sandhurst that we could do this and then move them away which was just to deprive them of their vision. I know that I mentioned that in a previous witness statement and I confirmed I didn't know at the time that it was a prohibited technique.
24. We would also use plasti-cuffs in order to control detainees. These were applied firmly so they couldn't get away, but not so as to hurt them.
25. The only instance of ill-treatment of detainees that I witnessed was the tugging of hair which I mentioned earlier in this statement and which as I said was dealt with immediately by the CSM.
26. I cannot recall that we had any procedure or protocols in place to report detainee incidents or deaths. In hindsight and against the backdrop of experience I have gathered over the past 20 years I can see that the whole process was pretty loose, we didn't expect anyone to die and wouldn't have seen a need for a process to report this. If there was something happen, it would have been reported by the watchkeeper at the time up the chain of command.

D. Death of Radhi Nama

a. Search operation: 08 May 2003

27. Going back to my original witness statement, I cannot add anything more than what I have already said in relation to the death of Radhi Nama. I certainly can't remember anything better now than I did in 2003. The purpose of the operation was to capture Radhi Nama's son, who was suspected of being a rapist. The Chain of Command was Maj [REDACTED] SO88, as OC, providing orders down to the Anti-tank Platoon, who had been deployed as the strike team. Sgt [REDACTED] SO111 (RMP) had provided the source of information and CSgt [REDACTED] SO90 and I did the initial planning, with the detailed planning then being carried out with the OC of Anti-Tanks, CSgt [REDACTED] SO119.
28. As I set out in my previous statement, the target of the operation was the son of Radhi Nama, who was a suspected rapist. I have set out above the chain of command. I believe that there would have been a pre-operation briefing, but I don't remember that it was given by me and think that CSgt [REDACTED] SO90 would have provided this.
29. I did not go on the search operation myself.
30. Whilst in Iraq we were still using the Clansman radio system. It was designed for working in Germany in the Cold War, where line of sight communications were

possible. It was not ideal to be used in Iraq in a built-up area. As a result we had a lot of communications difficulties because the signal could not get through and we were using a system at the very limit of its range.

31. As a result of these equipment difficulties, it was not unusual that a call sign would be unable to communicate with the base and this was a regular occurrence but the time out of radio contact was normally limited as the vehicles moved out of communications black spots and it was normally possible to regain communications.
32. I was not aware of any allegations of ill-treatment of Iraqi civilians by British soldiers during the search operation.
33. Given the length of time which has now passed, I cannot remember how I became aware of Radhi Nama's detention and transfer to Camp Stephen. I simply cannot remember whether this was in line with procedures and expectations.

b. Radhi Nama at Camp Stephen

34. I don't recall seeing Radhi Nama at Camp Stephen either before or after his collapse.
35. The first I recall hearing about his death was when CSgt [REDACTED] SO98 came into the Ops Room and told me that a prisoner had died. I can't recall what time this was but I do remember being very surprised as this was not what I would have been expecting. I remember a sinking feeling in my stomach as this was not something anyone would have wanted to happen.
36. In terms of how I viewed the news from CSgt [REDACTED] SO98, given my knowledge of him, nothing in his demeanour raised any suspicions that there had been any untoward behaviour. I knew CSgt [REDACTED] SO98 well and believed him to be honest and believe that if he had felt that there was a concern that someone had been beating up a prisoner he would have asked me to go and check on the prisoner. I trusted him at the time to be honest with me, and I still trust him. If he had said that there was an issue I would have checked, but I had the impression he was as shocked by what had happened as I was.
37. As soon as I heard the news from CSgt [REDACTED] SO98, I called this in straight away. I did not check on Mr Nama. I reported the death to Bn HQ, and the medic took a look at them. He was then transported to the International hospital in Basra. I can't remember which call sign took him, but it wasn't me.
38. I can't remember, other than having re-read my statement from 2003 discussing what had happened with anyone else.
39. I did not see Radhi Nama after he had collapsed.

40. I can recall that after the incident had occurred, we obviously discussed the events surrounding Radhi Nama's death as we were all shocked and upset by what had happened. I would likely have discussed this with CSgt [SO98], the OC, CSM and CSgt [SO90] and I recall there being a general feeling of depression over what had happened.
41. No-one suggested or implied that I should not discuss what had happened and neither did anyone seek to influence what I said about it.
42. I did not participate in or witness any ill-treatment of detainees.
43. I can only speculate as to what caused Radhi Nama's death. It was really hot in Basra. Radhi Nama was probably in his 60s and there was a lack of air conditioning and water in Basra – this was the case across the general population, not within the Camp. He lived in the poorest part of Basra, and I suspect that he was hot and dehydrated even before we picked him up. I also imagine that he was under a huge amount of stress – the mindset of people being picked up by Iraqi forces under Saddam was that they wouldn't be coming back and something horrible was likely to happen to them. He was probably therefore under an inordinate amount of stress. I'm not really sure we understood this well enough at the time (this is a conclusion I have come to reflecting on what happened post 2003) and I have thought after the event that we added to all these factors. I assume that he was transported back in a Warrior. In effect we put him into a metal box (the Warrior) to be transported back to camp along with our own soldiers. The Warriors were unbearably hot, and post patrol you would come out of a Warrior soaked in sweat. He was then put in the PW area where shortly after he died. Given there was no ability at Camp Stephen nor BG HQ to carry out a post-mortem I suspect that he suffered a heart attack. There was no post-mortem so I can't prove or disprove this, but I don't believe that the soldiers I served with would beat up an old man. I do think that if the Government had been serious about the post war operation phrase we would have been properly resourced to carry out stabilisation, including the deployment of personnel qualified to carry out post mortems, policing and greater legal support and better training and instruction to deal with detainees. We didn't. Without a post-mortem there is inconclusive evidence and as a result there is no closure for anyone and no answers, which is deeply unsatisfactory for Mr Nama's family and for everyone else involved. Without proof there is a vacuum filled by conjecture and conspiracy theories.

c. Informing Radhi Nama's family

44. I know that Radhi Nama's family were informed of his death. I remember [SO88] (the OC) talking to his interpreter and writing a letter to the family to tell them he had died. He wanted to explain where his body was and to express his condolences. [SO88] used the translator to translate the letter and to make sure the phraseology was

correct and culturally competent. I think that SO88 then delivered the letter to the house. I don't know whether it was handed over or just put through the letter box. They then extracted quite quickly given the circumstances. I think this was the day after the death. Radhi Nama had been picked up in the morning and I think arrived at camp around 09.30. I was told he had collapsed at about 11.10 and then told he had died at 11.18. So, he had been with us for less than 2 hours.

45. As far as I am aware the only members of C Coy who went to his house after his death were the OC and his team to deliver the letter. It was felt that we needed to let them know that he had died and that his body was at the hospital. To my knowledge that was the only time anyone went to the house after the death as there was no other reason to go back.

E. Death of Mousa Ali

46. In relation to the detention and subsequent death of Mousa Ali I had nothing to do with the search operation when he was detained. Similarly, I had nothing to do with his detention at Camp Stephen. I can't remember the full circumstances of his detention but think that it was a joint operation with SMU
46. I don't recall having any personal interaction with Mousa Ali. I can't remember whether my description of him was as a result of seeing him myself or having him described to me. Obviously, I did hear about what had happened after the event and my memory is just what was told to me. I cannot comment on the events prior to and surrounding his death as I can't remember anything about it. I wasn't involved in the reporting of the incident as [REDACTED] was Coy 2IC by then. I don't remember any discussion or considerations concerning the incident or any allegations of ill-treatment or violence in relation to Mousa Ali's capture, detention or death.

F. Culture at Camp Stephen

47. There are two elements to answering this, context of the feeling of the soldiers and the command culture;
- a. **Context.** I believe a majority of our soldiers had felt that the war was unjustified (although they were incensed by the Iraqi Army and Fedayeen's treatment of Iraqi Civilians during the war) and were dubious about its legality. That, added to the whiff of farce around the stabilisation phase (searching for non-existent weapons of mass destruction and a situation where we would detain looters to prevent critical material or infrastructure from being stolen only for their release to be ordered) meant at the time of the incident my assessment is there was a general feeling of frustration with our inability to deal with the situation with regard to looting and of feeling let down by the Government. We did not have the

wherewithal to deal with what we were facing on the ground. We felt that Iraq needed a Police force and civic administrators, not soldiers who had not been trained for this role. There was widespread looting across Basra all over and we were being told to pick up looters, only to release them shortly afterwards. I think most Iraqis thought the situation was appalling (they were right) as they were mainly law-abiding citizens and didn't want to see their country ravished by looters. Edicts from Paul Bremmer's interim administration were deeply unhelpful - it had stated that anyone from the Ba'ath party could not form part of the new regime. It excluded all the people who might have been able to help in the situation, such as teachers, doctors, many of those working in the oil industry, as they had all been required to be part of the Ba'ath party prior to the war to keep safe. That decision stopped the country from getting back on its feet. The soldiers felt that they had done their bit and had fought the war and now they wanted to go home and someone else should take over. We were trying our best to resolve the situation of looting and people who were working with malign intent to weaken Iraq when we wanted it to succeed. We also wanted the Iraqis to step up and help themselves (in hindsight given the learned helplessness engendered by Saddam's rule this was unrealistic and unfair). Where we were positive was is that I think that we believed in what we had done removing Saddam. The Jocks could see that the Iraqis had spent 20 years on some form of war footing and they deserved something better. The Jocks were horrified when they saw how horrendous the living conditions were for many Iraqis and they were frustrated by the lack of law and order. I think most Jocks saw the Iraqis as human beings and had pity for them and wanted to help. However, our perspective was the looters deserved to be punished and should be locked up and due process followed, but this didn't translate into killing people. We remained professional but frustrated with our inability to properly detain people. We felt that this reflected poorly on the British Army and the Black Watch and soldiers and were frustrated that the systems were not in place to support us to do our jobs. Overall, I think that most soldiers wanted the Iraqis to have a better life post invasion as Iraq had gone through a difficult time since 1980.

- b. **Command Culture.** [SO88]' style of command was action centred (by which I mean he felt that standing by and not becoming involved in helping resolve the situation in Iraq was unacceptable and he led from the front) underpinned by decency. I felt he was morally upstanding and was keen to do the right thing as demonstrated by writing the letter to Mr Nama's family. Moreover, he was kind to the Iraqis who were our interpreters and was respectful of the Iraqis more broadly. He was approachable and willing to take advice and alternative points of view. Fire Support Company liked and respected [SO88]. He was a good leader.

48. Allied to my assessment of [SO88]' leadership approach I think that Iraqis were generally viewed in a positive light. We believed in the peace and believed that they had a role to play in that.

49. I think there was a general frustration that we were unable to deal with detainees properly at Camp Stephen as we didn't have the resources or processes in place.
50. Following the previous death in the cage, I think there must have been some change to how detainees were dealt with. I can't imagine that Radhi Nama's death would have happened and it would have been business as usual. SO88 would have said that we needed to make sure it didn't happen again. However, I do think that we didn't feel that we had done anything wrong in relation to Radhi Nama and his death had been bad luck and so any changes would not have been a root and branch overhaul. I don't think anyone felt that we had done anything untoward and so there was no need to have any major change. With hindsight, this approach feels naïve and we should have gone through all our procedures to review how detainees were being dealt with, and what had conspired to cause the previous death, but that is a view with the benefit of hindsight. We were not set up to do that; our previous experience in Northern Ireland or Kosovo was based on dealing with an established police force (UNMIK, RUC/PSNI) in support. Here we had no support and we were to some extent making it up as we were going along. It felt all along that the UK and US government wanted to deal with the post war phase on the cheap and the proper resources had not been in place to win the peace. No-one seemed to have thought ahead and this impacted on the ability of the American and British troops on the ground to deal with the situation.
51. In army parlance, the term 'beasting' means to make someone work physically hard. The nuance is that it is usually in relation to Physical Training – running really fast, carrying lots of weight, doing many repetitions of an exercise such as burpees etc. It can be used in the context of using PT as a form of punishment. To the best of my knowledge it was never used in this context, and I can't remember it being used in Iraq.
52. I didn't see any mistreatment of detainees or civilians at Camp Stephen.
53. I was not aware of any incidents of mistreatment – but link to para 57
54. I was not aware of any individuals mistreating detainees.
55. I cannot remember seeing or hearing of any threats made to detainees, including that they should be made to get into water.
56. Given that I don't recall any instances of mistreatment and I don't think that any occurred, I don't think it was something that we thought about. The only instance I can recall is the one I have already mentioned, when the CSM came down hard on a soldier who tugged on a detainees' hair.

57. I do remember that CSgt [SO98] spoke to me once and said he was concerned about how a detainee had been treated. I think he said the individual had been kicked. As far as I remember I reported this to the OC. I can't remember the detail (whether he had seen it or it was hearsay) but I am sure [SO88] addressed this and there was no further reports or concerns raised by anyone else. I am sure if [SO98] had not felt the issue had been dealt with he would have raised it again.
58. I would like to think that commanders had a good level of oversight of troops at Camp Stephen. I think we would have been aware of things going on. The majority of NCOs were good, solid people who would have been aware if things were going on.
59. I do think that NCOs and patrol commanders had a certain amount of freedom. We let people get on with their roles and didn't try to micromanage them to the nth degree. We trusted one another and therefore there was an allowance to let them get on with things by themselves. In hindsight we could perhaps have had better defined roles, but we ended up in a situation which we were not expecting when we went to fight the war.
60. The NCOs with the most influence were CSgt [SO90], CSM (WO2 [SO101]), Sgt [SO115] and Sgt [SO100], Sgt [SO119].
61. The CSM, WO2 [SO101], was a strong character within the Regiment and the Company although it would not be fair to say that he 'dictated' what happened he did have a commanding presence [SO88] was in command and WO2 [SO101] was good at injecting urgency and getting things done, supporting [SO88]'s intent. I had some issues with him, but these were not related to any treatment of detainees and related more to events which had occurred during the war fighting phase. He did however have an important and large influence within the Camp, which was understandable as the CSM. I know that WO2 [SO101] would have been involved in lots of detention but I am not aware of any incidents occurring. I certainly did not see any mistreatment of detainees by WO2 [SO101] and believe that he behaved in a professional and proper manner in this respect. As context, an issue had occurred in during the combat phase of the operation where he had had an Negligent Discharge (ND) which had badly wounded another NCO in HQ Coy. There was a summary dealing where he was found guilty of the ND. There was some discontent with how he had approached this, which caused some ill feeling. This was further exacerbated when he had a subsequent ND with a AK47 he was trying to clear in the camp. This caused a further erosion of his good name. I am concerned that people have conflated ill feeling due to these instances with [SO101]'s approach to PW handling. In my opinion this is unfair and with respect to PW handling I can only report from my recollection he was entirely professional.
62. Cpl [SO102] was, I believe, a Cpl in the Mortar platoon. He was a well-liked character, certainly headstrong, but I think people warmed to him. He would also

have been involved in the detention of detainees, as everyone was eventually as there were so many looters. However, I am not aware of any incidents where he mistreated detainees. I know that he had been involved in a fairly hair-raising contact during the war fighting phase and so must have been under some stress but I am not sure whether that would be relevant to this investigation.

G. Existence and awareness of ‘wetting’

a. ‘Wetting’ generally

63. I had no experience of the term ‘wetting’ while in Iraq although I have obviously heard it since. Without wishing to appear flippant in the context of this investigation my understanding of the term would have been to get people wet, likely as a punishment.
64. I never saw detainees being placed into water, transported to bodies of water or being threatened with being placed in water.
65. I cannot comment on any suggestion that detainees were transported to bodies of water.
66. Similarly I cannot comment on what would have happened if detainees had been placed in water as I am not aware of this happening.
67. I cannot remember any incidents of soldiers on patrol putting or throwing detainees in the Shat Al-Basra canal.
68. Similarly, as I cannot recall this ever happened, I cannot comment on a suggestion that restraining devices would have been put on them.
69. Again, as I did not see any detainees being placed in water, I cannot comment on whether force was used, but it would seem to be criminally stupid if this had happened.
70. I cannot comment on whether detainees were in danger when in water as I did not see this and was not aware of it happening.
71. I cannot comment on how long this practice may have lasted as I am not aware of it occurring in the first place. I am aware of a rumour that someone in the Irish Guards had thrown someone into the river, I think this was subsequently dealt with and don’t recall whether this was on TELIC 1 or subsequently.

b. Reporting of ‘wetting’ incidents

72. There was no requirement to report incidents of detainees entering or being placed into bodies of water as it didn't happen and therefore there was no need for a reporting process.
73. As there was no requirement to report, it follows that there was no process to follow.
74. Given that I was not aware of any incidents of individuals being placed in water there was no reporting of this.

c. Chain of Command

75. I do not believe that any senior commanders were aware of any allegations that water was being used on detainees.
76. There were no directions given in relation to the use of water as a deterrent to looting. I do remember the wheels of a donkey cart being thrown into the water as a deterrent as it would prevent the vehicle being used in looting.
77. There were no directions given by commanders about the use of water on detainees or placing the detainees in water.
78. To my knowledge there was no practice of using water on detainees and so there would be no reason for directions to be given.

d. 'Wetting' at Camp Stephen

79. There was a stream outside Camp Stephen, opposite the front gate. I believe it was a channel that led into the Shat Al Arab. It was only about 2 feet wide and perhaps 2 ½ feet deep. It was certainly not deep or full of water.
80. I did not ever see any detainees being put into the stream outside Camp Stephen.
81. As such I am unable to comment on any suggestion that detainees were put into the stream.
82. I was never involved, either as a participant or observer in any incidents of detainees being put into water.
83. I am not aware of any detainees being brought back to Camp Stephen after having been placed in water.
84. Neither am I aware of any incidents of detainees being placed in the stream outside Camp Stephen.

85. As such, I don't believe that individuals had a view about the suggested practice – it simply didn't come up in discussion.

e. Orders

86. I have no recollection of Maj [REDACTED] SO88 needing to put a stop to detainees being thrown in the stream near Camp Stephen or of any order being given in relation to this.

87. As such I could not comment on why he might have felt it necessary to make such an order.

88. While I am now aware of the suggestion that he made such an order, I cannot recall any order being made and it would have made no sense to me in any event, given that I was not aware of any issues such as this.

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 believe in tis truth

Signed: {Electronically Signed} [REDACTED] SO95

Printed Name: [REDACTED] SO95

Date: 30 Mar 2023