



MOD-83-0000692-A

1st Witness Statement of [REDACTED] SO97

Exhibit: [REDACTED] SO97/1

Dated: 26 March 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

FIRST WITNESS STATEMENT OF

[REDACTED] SO97

I, [REDACTED] SO97, 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 dated 15 March 2023.

A. Background

1. I enlisted into the army on [REDACTED] as an infantryman in the 1st Battalion Blackwatch. During my military career I completed two tours of Iraq, two tours of Afghanistan, as well as tours of Kosovo and Northern Ireland. I became a Lance Corporal in [REDACTED] a Corporal around [REDACTED] and then a Sergeant around [REDACTED]. (The 1st Battalion BW became the 3rd Battalion Royal Regiment of Scotland in 2006). I left the military on [REDACTED] with the rank of Sergeant.

2. I have been shown copies of statements I previously made on 26 May 2003 and 21 May 2012. I confirm the contents of those statements and have nothing to amend or clarify.
3. I was based in Germany at Fallingbostal Station for training prior to deployment to Iraq in February 2003 as part of Operation TELIC. Once in Iraq, I was based at Camp Stephen for approximately 7 months. At the time of the incidents under investigation I was a Lance Corporal in C Coy, 1 BlackWatch (BW). I was number 1 in my team on Mortar Platoon. When there was a 'fire' mission, I would take the orders and apply them to the sight on the mortar. The command structure for my mortar detachment was Corporal SO102, Lance Corporal [REDACTED] who was senior to me in terms of experience, myself and one other Private.
4. In terms of the command chain at Camp Stephen in May 2003, Major SO88 was the CO for C Coy. Sergeant Major SO101 was the Camp Sergeant Major and Sgt SO100 was the Mortar Platoon Sgt and there were 6 mortar detachments in total. I reported to Sgt SO100.
5. I did not and still do not speak any Arabic.

B. Training and instruction

6. Prior to deployment in February 2003, I underwent pre-deployment training in Germany at Fallingbostal. I remember this covered issues such as Rules of Engagement and prisoner handling in the post-war fighting phase but I don't remember any other details about the training we received. From memory, Mortar Platoon were covering operational aspects of Operation TELIC whereas Anti-Tank Platoons were to be responsible for camp security.

C. Detainees at Camp Stephen

7. I have been asked what my role was with regards to detainees at Camp Stephen. I had no role in relation to detainees at Camp Stephen. Mortar Platoon was involved with operations and had nothing to do with detention or detainees. I have no knowledge of any processes or practices that might have been in place for detainees. The only time I had any involvement with detainees was when I was involved in the transportation of 3 detainees to Camp Stephen on 13 May 2003 following a search operation.

8. I cannot comment on the circumstances under which detainees would be taken to Camp Stephen but Camp Sgt Major [REDACTED] SO101 would have been responsible for detainees at Camp Stephen in May 2003 as the Camp Sargent.
9. I have been asked what paperwork would have been completed for detainees. As noted above, I was not involved with the processing of detainees so have no knowledge of necessary paperwork or procedures and I have never heard of a 'slammer' form.
10. Nor was I aware of how High Value Targets were identified and recorded or the details of any medical checks that may have been required or carried out in relation to detainees.
11. There were interpreters at Camp Stephen and an interpreter would come with us when we went on Ops but I have no knowledge of how or if interpreters were used during processing or detention.
12. In terms of the Camp, there was a tent with a cam-net over it (the EPW area) which I understood was a detainee holding area at Camp Stephen. I think the EPW cage was roughly in the middle of the Camp but I can't be certain of this.
13. I have been asked if I know anything about how detainees were held, for how long or how they were processed. As stated above, I have no knowledge of the processes in relation to detainees at Camp Stephen including questioning, hooding or other methods. I cannot comment on procedures for providing food or water to detainees or any questioning methods.
14. I never saw any plasticuffing or hooding of detainees, nor did I ever see any ill-treatment of detainees at Camp Stephen.

D. Death of Radhi Nama

a. Search operation: 08 May 2003

15. I have been asked what my role was in connection with the search operation by C Coy on 8 May 2003 during which Radhi Nama was detained. I had no involvement with this Operation on 8 May 2003 and am unable to give any account of the purpose of and preparation of this search operation.

16. I was not aware of any allegations of ill-treatment of Iraqi civilians by British soldiers during the search operation and was not aware of Radhi Nama's detention or transfer to Camp Stephen.

17. I did not see Radhi Nama during his detention at Camp Stephen and have no knowledge of any of the circumstances surrounding his death. Nor do I remember ever being informed of his death or speaking to anyone about his death. I did not see anything that might be relevant to why Radhi Nama died.

c. Informing Radhi Nama's family

18. I have no knowledge of if his family were informed of his death or when or whether any members of C Coy went to RNs house after his death.

E. Death of Mousa Ali

a. Search operation: 13 May 2003

19. I provided support to the search operation conducted on 13 May 2003. I believe this operation was led by SMU but I cannot remember any details of individuals involved from SMU in this Op.

20. Prior to the search operation, I remember attending a brief for the Op from Sgt [REDACTED] SO100 of my unit and that the Op would involve the searches of a number of houses and that searches of other houses would be happening simultaneously. I cannot remember any other details of what was covered in the briefing other than that the purpose of the operation was to search for weapons and ammunition.

21. In my team there was myself, Cpl [REDACTED] SO102, LCpl [REDACTED], Pts [REDACTED] and Pte [REDACTED] SO109 in the Mortar Platoon for this operation. Sgt [REDACTED] SO100 was my platoon sergeant and I answered to him.

22. I have been asked if I remember a bearded British soldier participating in this operation. Sgt Major [REDACTED] SO101 would not allow anyone to have a beard so there would not have been a soldier with a beard from my unit participating in this operation.

23. There would have been an interpreter with us on this operation but I cannot remember if there was just one or anything else about any interpreter.
24. Reporting during the operation would have been done by radio by Cpl SO102 and/or Cpl [REDACTED]. Nothing was reported to me about the search operation.

b. Events of Search Operation

25. I remember that the teams left Camp Stephen early morning to conduct the operation. On arrival at the location, we parked outside and then entered the property to conduct the search. The search took around 1 hour 30 minutes and we recovered weapons and ammunition from inside the house which was the objective of the Operation. An older male was also detained during this search but I cannot remember who detained this person.
26. After the search was finished, I was asked to take the detainee back to our 432 vehicle – it was most likely Cpl SO102 who ordered this as he was my team commander but I cannot be certain. I noticed there were already two detainees in the rear of the 432 when I returned to the vehicle, one of whom I would describe as being in their late 30s/early 40s with dark curly hair and obese, the other a young male aged around 19 or 20. At no point did I know the identity of the detainee I had escorted from the property or the identity of the other two detainees in the vehicle. What I will say is that all three detainees looked worried and seemed stressed but I would have expected that.
27. I have no idea why Mousa Ali's house was searched or who made the decision to do so. I was simply following orders.
28. The detainees were seated and remained seated on the floor in the back of the 432 with their hands behind their heads while they were transported back to Camp Stephen. I did not see them cuffed or restrained in any way, at no point did I see any of them wearing hoods, and nor did I notice any injuries on any of the detainees. I was up sat on the rim of the mortar hatches to provide cover and from where I was sat, I could see all 3 detainees. The rest of my team were also sat in the back of the vehicle with the detainees.
29. I do not believe that any of the detainees were offered any food or water while they were transported back to Camp Stephen with the journey back taking around 15 minutes.

30. I can confirm that I did not see or participate in any ill-treatment of the detainees or any other person during this Operation.

c. Events at Camp Stephen

31. When we arrived back at Camp Stephen, I took the young detainee, who I now understand to be Bashar Ali, to the EPW cage and handed him over to a guard. The detainee seemed physically fine, just worried. I do not know who escorted the other 2 detainees to the EPW. I do not remember Bashar or either of the other 2 detainees being hooded and I think I would have remembered if they had been as that would have stuck out.

32. Other than handing the young detainee over to a guard at the EPW I was not involved in any handover procedure. I believe that any handover would have been done by Cpl [REDACTED] SO102. As stated above, I knew nothing about procedures with regards to detainees and had no involvement with this. Once I handed Bashar Ali over at the EPW that was the end of my involvement with him. I did not see Bashar Ali or either of the other 2 detainees at any point after this.

33. I have been asked what the temperature and weather conditions were like upon arriving at Camp Stephen after this operation. I do remember it was very hot that day – the Operation began in the morning and it was early afternoon by the time we got back to Camp Stephen which is the hottest part of the day.

34. I cannot remember if there were any jerry cans in the EPW area but if there were, I expect they would have been filled with water.

d. Mousa Ali's collapse

35. As far as I am aware, I was not at the EPW at or around the time of Mousa Ali's collapse and I heard nothing about this detainee or how he was treated and certainly no reference to a detainee because made to exercise with jerry cans. I do remember being told that a detainee had died a day or so later but I had no idea who that detainee was or what had happened to them.

e. Reporting of the Incident

36. I was not involved in the detention process and so I do not know what the procedures would have been for reporting this incident and I have no knowledge of how or when it would have been reported or who would have been responsible for reporting this.

37. My first knowledge of the RMP being involved in investigating this incident was when I was asked to make a statement which from memory I think I gave on the same day as being asked, 26 May 2003. Everyone in my vehicle would have had to give a statement to the RMP. I have no idea if there was any delay in informing the RMP of the incident.

38. I do not remember speaking to anyone about the events and at no point did anyone suggest that I should not discuss this matter. I am also not aware of anyone speaking to Bashar Ali or threatening him to stay silent after the incident.

f. Informing Mousa Ali's family

39. I had no knowledge of any of the procedures around informing the family of Mousa Ali's death, when or how they were informed or if they were not informed until the RMP began investigations.

F. Culture at Camp Stephen

40. I have been asked to describe the culture at Camp Stephen at the time of the incident. If the question is aimed at asking if there was a culture of ill-treatment of Iraqi civilians or detainees, or threats made to detainees, as far as I am aware there was not. I never witnessed any incidents of ill-treatment at Camp Stephen and in all of my military career, I never witnessed any incidents which could be described as ill-treatment.

41. I cannot comment on how Iraqi civilians or detainees were generally view or treated at Camp Stephen. Personally, I felt sorry for the Iraqis as they were living in pretty poor conditions.

42. I cannot say how detainees were treated in the EPW cage at Camp Stephen as they were not handled by me or by my platoon.

43. I have been asked what I understand 'beasting' to mean. 'Beasting' means to me extreme physical activity but I never saw any incidents at Camp Stephen which could be described as falling within my understanding of 'beasting'.
44. As noted above, I never saw any mistreatment of detainees or civilians at Camp Stephen or witnessed any threats made to detainees. Nor did I ever see or hear others complain about the treatment of detainees or civilians at Camp Stephen.
45. In terms of the degree of oversight that commanders had of troops at Camp Stephen, it was a relatively small camp and your commanders knew what you were doing. I will say that Camp Stephen was a well-run camp from Major [SO88] to Sgt Major [SO101], all the way through the chain of command.
46. I have been asked if any NCOs were particularly influential at Camp Stephen. The answer to that is yes, an NCO has to be influential to do their job properly. You looked to your NCO for advice and leadership. That is how the army works.
47. CSM [SO101] was the Camp Sergeant Major so by the very nature of that role, he was particularly influential at Camp Stephen as he was in charge of the day to day running of the Camp. I have no knowledge of and nor did I witness any incidents of detention or mistreatment of detainees at Camp Stephen by Sgt Major [SO101] and nor can I recollect any other incidents involving Sgt Maj [SO101] that might be relevant to this investigation.
48. Cpl [SO102] was my team commander. He was a confident individual and influential only in the same respect as other NCOs. I did not witness Cpl [SO102] have any involvement with detainees at the camp which is what I would have expected, given his role in the Mortar Platoon. I cannot think of any other incidents in which Cpl [SO102] was involved which might be relevant.

G. Existence and awareness of 'wetting'

a. 'Wetting' generally

49. I have been asked what I understand by the term 'wetting'. The first time I heard this term was when I was contacted by the IFI and I have no knowledge or understanding as to what it might relate to.

50. I have no recollection of anyone ever using term 'wetting' or referring to detainees being put into water or threatened with being put into water. Nor did I ever see detainees being placed into water, threatened with being placed into water or transported to bodies of water.

51. I cannot offer any comment as to why detainees might have been placed into or threatened with being placed into water, transported to bodies of water, or what might have happened when they were placed into water. Nor can I comment on how long detainees might have been placed in water, how long they were forced to stay in water or what happened during or after being placed in water.

b. Reporting of 'wetting' incidents

52. As noted above, I have no knowledge of such a practice taking place during my time serving in Iraq and have no knowledge of any reporting of such incidents if they did happen.

c. Chain of Command

53. I have been asked if in my view, senior commanders were aware of water being used on detainees. Again, I have no knowledge of water being used on any detainees or of any detainees being put into bodies of water and so cannot comment on whether senior commanders were aware of this.

54. I was never given any directions to use water as a deterrent to looting or the use of water on detainees or placing detainees into water. I was not aware of any such practice.

d. 'Wetting' at Camp Stephen

55. I remember there was a stream outside Camp Stephen but I cannot remember any more detail than this.

56. I never saw any detainees being put in, or going into, this stream. I also never saw any detainees being brought back from the stream or any other body of water. I am therefore unable to comment on any methods in relation to ‘wetting’ or the details of any ‘wetting’ procedure or comment on why this may have happened.

57. I can also confirm that I was never involved in any such incidents and have no knowledge of detainees every being brought back to Camp Stephen after being put in the stream outside the camp. I cannot comment on the views of anyone else at Camp Stephen in relation to ‘wetting’.

e. Orders

58. I have no recollection of Major SO88 giving any order to stop detainees being thrown into a stream near Camp Stephen. I would have remembered if such an order had been given – it would have stuck in my mind if I had heard such an order. I also have no recollection of anyone else mentioning that such an order had been given.

59. I cannot comment on why Major SO88 may have been required to put a stop to detainees being placed in the stream, any orders he may have given in relation to this or the reaction of others to any such orders.

I believe that the facts stated are true.

SO97

Signed.....

Dated: 26 March 2023