



MOD-83-0000683-A

Dated: 31 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] SO98

I, [REDACTED] SO98, 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 17 March 2023.

A. Background

1. I joined the army [REDACTED] as an infantryman in the Black Watch (BW). I had regimental duty in BW up to the rank of Warrant Officer Class One (WO1). [REDACTED]
[REDACTED], I was based at Catterick as a platoon Sergeant instructor. On completion, I was posted to the Royal Military Academy at Sandhurst where I was responsible for teaching officer cadets [REDACTED]. I was then posted back to my battalion at Fallingbostal in Germany and was appointed as the Company Quartermaster Sergeant of C Company (C Coy) [REDACTED]. In around February 2003 I was

deployed with the BW as part of 7th Armoured Brigade to Kuwait where we continued with pre-operational training as part of Operation TELIC 1, acclimatisation and the collection and distribution of equipment to support Operation TELIC. In March 2003 I entered Iraq as part of the BW A1 Echelon (support unit) under Captain [REDACTED] until we established Shabiah support base on the outskirts of Basra at Az Zubayr. Once Basra was cleared, we moved from A1 Echelon into Basra. Initially we were held under the A2 Echelon and a few days later, we returned to our companies. I was then based at Camp Stephen for the remainder of Op Telic.

2. I was promoted to Company Sergeant Major in July 2003 prior to leaving Camp Stephen. I then returned to Fallingbostel where I also stood in as Company Commander when there was a gap in post between Company Commanders. [REDACTED] I was promoted to Regimental Quartermaster Sergeant and was based at Warminster. I was then deployed back to Iraq with the BW in Spring 2004. [REDACTED] I moved from the role of RQMS to the role of RCMO (Regimental Career Management Officer). [REDACTED] I was promoted to WO1 and seconded to the FCO Islamabad as an Assistant Military Adviser. I left the army in [REDACTED] with the rank of WO1.
3. I have previously given statements in relation to these events dated 14 May 2013 and 14 July 2014 which were taken by IHAT. On re-reading these statements, I note that they have a signature date of 2018 and I do not appear to have signed them. I notice the statements are poorly written with errors and inconsistencies. I will amend and correct the contents of those two statements as necessary throughout this statement, but I agree with the basic context of what is written.
4. I commenced the role of CQMS [REDACTED] and held this role in May 2003. The role was to provide logistical support, administration, weapons issue and resupply for an armoured infantry unit. Whilst I was based at Camp Stephen, the majority of my time was spent outside of Camp Stephen resupplying Company assets that were co-located with other BW Companies based in and around Basra, including going to the Brigade logistics base which was 30-40km from Camp Stephen.
5. The Company Commander was Major [REDACTED] SO88. Directly supporting him was [REDACTED] SO101 [REDACTED] as the Company Sergeant Major. I reported to both [REDACTED] SO88 and [REDACTED]

SO101 . I worked to Captain [REDACTED] and the Quartermaster [REDACTED] who were in charge of all of the Company Quartermasters. Cpl [REDACTED] and a LCpl reported directly to me.

6. I could not speak Arabic in May 2003 and I speak very little Arabic.

B. Training and instruction

7. At Fallingbosten and in Kuwait I received training and instruction on the Law Of Armed Conflict, the Geneva Convention and the Rules of Engagement. The training we received was for the role of warfighting. Once we moved into the security & stabilisation/peace enforcement phase of the operation in Iraq, we were reminded that we still had to abide by the LOAC, Geneva Convention and Rules of Engagement which covered matters such as prisoner handling and requirements for providing medical care to wounded/injured detainees. There was no formalised training at this stage.

8. There was no requirement for any specific training to my role at Camp Stephen as my role did not change from providing logistical support to C Coy.

C. Detainees at Camp Stephen

9. I have been asked what my role was at Camp Stephen with regards to detainees. I had no role with regards to managing detainees at Camp Stephen.

10. Detainees would only have been brought to Camp Stephen if it was a C Coy led operation and the orders required them to be taken to Camp Stephen. Detainees could be taken to several different locations depending on the instructions as laid down in the operational order. Which would have been based on who was commanding the operation at that particular time.

11. CSM SO101 would have been responsible for detainees at Camp Stephen and would have received all detainees at Camp Stephen, provided he was not out on an operation where a detainee was picked up.

12. When a detainee came to Camp Stephen, they were first taken to a holding area and then to a processing tent to verify their identification and to record personal details. This would

have been recorded on an Op Slammer form. An Op Slammer was an administrative record of someone being taken into detention. The Op Slammer was completed by a managerial position and by whoever was available at the time when detainees arrived at Camp Stephen for processing. A detainee would then be taken back to the holding area before being transported to the Battalion Headquarters in the centre of Basra.

13. Arrival of detainees would have been reported up the chain of command as it was the responsibility of the battalion RSM to process all detainees from across the battalion. Once a detainee had been processed at Camp Stephen, they would then be taken to the Battalion Headquarters in the centre of Basra for further processing.
14. I have been asked how HVTs were identified and recorded. I do not know anything about HVTs but if a HVT had been identified, they would not have been brought to Camp Stephen.
15. In terms of medical checks on detainees, I understand a check would be carried out on a detainee by the C Coy medic in the holding area to make sure they were physically fit and that they had no injuries. That would have happened as soon as they came out of a vehicle at Camp Stephen.
16. There were 2 female interpreters in the processing tent. They were local nationals and were there solely to help with translation and to help obtain the basic information needed for the Op Slammer.
17. As far as I am aware, the process and procedures for processing detainees was always followed at Camp Stephen.
18. I have been asked to describe the EPW Area and EPW Cage. I understand the EPW Cage to be the holding area which was an area of ground within Camp Stephen that was adjacent to the main entrance. It comprised of an open cleared area with a 2m wall to the rear and right of it. This area was secured by picket fencing and barbed wire on the other two sides. There was a cam net over the structure to provide shade. There was no furniture in the EPW Cage – the whole of Camp Stephen had been looted and stripped of everything before C Coy arrived. The EPW Cage was located near the vehicle park and not near any accommodation areas.

19. The EPW Area is what I understand to be the processing tent which was away from the EPW Cage. That was a 9ft x 9 ft military canvas tent with a table and a couple of chairs inside.
20. There was physical contact with detainees but only for the purpose of taking detainees out of vehicles and taking them to and from the EPW Cage and processing area.
21. As noted above, detainees would return to the EPW Cage after they were processed.
22. How long detainees were then held at Camp Stephen was dependent on the availability of people to take them from Camp Stephen to battalion headquarters. This was hours, never days – the transfer would happen on the same day.
23. The EPW Cage was over-watched by the gate guard and possibly 1-2 personnel if there were persons being held in the EPW. There was no unit who's dedicated role was to guard detainees. The role fell to those whose duty it was to secure the camp and this was dependent on operational tasks. The rota fell to the platoon sergeant who was responsible for managing the guard duty at the time.
24. Water was provided to detainees, but I cannot recollect if food was given to detainees as they were never at Camp Stephen for long enough to require feeding.
25. Detainees were never questioned at Camp Stephen, other than to verify their identity in the processing area and to ask if they knew why they had been detained. There was no tactical questioning at Camp Stephen and to my knowledge, no one was qualified to conduct tactical questioning at Camp Stephen.
26. I have been asked if I ever witnessed hooding of detainees. I cannot remember seeing it in Camp Stephen – there was nothing at Camp Stephen of tactical importance that would have required hooding.
27. I never saw any plasticuffing in Camp Stephen, but I assume detainees would have been plasticuffed at the point of arrest or detention to protect those transporting them in vehicles.
28. I never witnessed any ill treatment of detainees at Camp Stephen.

D. Death of Radhi Nama

a. Search operation: 08 May 2003

29. I can confirm that I was not involved in the search operation by C Coy on 8 May 2003 which led to the detention of Radhi Nama. I was not aware of any allegations of ill-treatment of Iraqi civilians by British soldiers during this search operation.

30. Page 3 of my previous statement dated 14 May 2013 suggests that I completed the Op Slammer form for Radhi Nama. I still have no recollection of having completed the Op Slammer form for this individual. This would have been outside of my normal roles and responsibilities, but it is possible that I may have completed it.

31. If I had completed the Op Slammer, then I would have seen Radhi Nama before his collapse, but I have no recollection of this and cannot comment on what his physical condition was like at the time. If I had processed this detainee, I would have requested medical assistance if his physical condition had not been stable.

32. I would have heard during daily Group Orders if a detainee had collapsed or died but I have no recollection of this or of anyone speaking to me about this incident. Equally I would not have had cause to speak to anyone about this. No one at any point suggested that I should not discuss this matter or seek to influence me in any way.

33. I saw nothing that might be relevant to why Radhi Nama died. My statement dated 14 May 2013 states '*cause of death being given as heart attack*' but from memory, I think it was [REDACTED] from IHAT that told me that Radhi Nama had died of a heart attack.

c. Informing Radhi Nama's family

34. I do not know if Radhi Nama's family was informed of his death or if any members of C Coy returned to Radhi Nama's house after his death.

E. Death of Mousa Ali

35. I was not involved in the search operation of 13 May 2003 during which Mousa Ali was detained. I was informed when I gave my statement dated 14 May 2013 that this operation was led by SMU's but I had no knowledge of this at the time of the operation and I had no contact with any of the detainees brought to Camp Stephen as part of this operation.

36. Reporting during the operation would have been by radio and details of movement would have been set out in the Coy radio log.
37. I have no recollection of Mousa Ali being brought into Camp Stephen as I was not involved with the search operation and I was not involved in his processing as a detainee.
38. I cannot recall any of the incidents in relation to Mousa Ali and as set out in my previous statements. The information in those statements sets out what others say my involvement was in relation to Mousa Ali but I have no recollection of any of this. I do remember seeing an extremely over-weight detainee at Camp Stephen around that time, but I would not have known if this was Mousa Ali as I have no recollection of having had any direct involvement with this individual or of being in the EPW Cage when that detainee was present.
39. I also have no recollection of Cpl [SO84] speaking to me about the collapse of this individual. If Cpl [SO84] had spoken to me, it would have been to inform me that someone had collapsed and that they required medical assistance. Cpl [SO84] would have then utilised the company ambulance if available. I would have stood people ready to take an individual to medical aid at the Battalion Headquarters and would have informed someone senior to me, such as Maj [SO88] of my intentions. I again have no recollection of acting in this way, but this could be verified by the Coy radio log which I have not seen.
40. I have no knowledge of any incidents or allegations of ill-treatment related to Mousa Ali's capture, detention or death and I do not know when his family were informed of his death.

F. Culture at Camp Stephen

41. Camp Stephen was a well-disciplined military unit that followed the values and standards of any British army unit. It was well led and well commanded by Maj [SO88].
42. We had 2 female translators who were embedded with us who were well treated and respected. Other Iraqi civilians we came into contact with were treated with respect and dignity at Camp Stephen.

43. I had very little contact with detainees at Camp Stephen as most of my duties were external to Camp Stephen. I had no reason to be in the EPW Cage so cannot comment on how detainees were treated there.
44. I have been asked what 'beasting' means. I understand this is meant to be putting individuals through arduous physical activities – it is a term that is used during military training to increase someone's physical endurance. I saw no incidents of 'beasting' at Camp Stephen.
45. I never saw any mistreatment of detainees or civilians at Camp Stephen, or any threats made to detainees. I also never heard of anyone at Camp Stephen mistreating any detainees.
46. I also never saw or heard soldiers complaining about the treatment of detainees or civilians at Camp Stephen.
47. Commanders had a high degree of oversight of troops at Camp Stephen. Commanders ate, slept beside and went on operations with their troops. There was always a large degree of command oversight.
48. With regards to the degree of freedom that NCOs and/or patrol commanders had over those under their command in Camp Stephen, NCOs had very little freedom other than to ensure that they managed the welfare and training of their subordinates and followed legal orders from senior commanders.
49. I have been asked if any NCOs were particularly influential at Camp Stephen. NCOs do not have influence; they respond to orders and are there to support senior commanders.
50. CSM [REDACTED] SO101 was however influential at Camp Stephen. His role was to maintain discipline, lead by example and support the Company Commander, Maj [REDACTED] SO88. Maj [REDACTED] SO88 and CSM [REDACTED] SO101 between them commanded and managed what happened within the Camp as this was their role. One of CSM [REDACTED] SO101's primary roles was to manage the detention of detainees in Camp Stephen for the short time they were there, prior to being sent to battalion headquarters. I am not aware of any incidents of mistreatment of detainees by CSM [REDACTED] SO101 or of any other incidents that might be relevant.

51. I have been asked about Cpl [REDACTED] SO102. Cpl [REDACTED] SO102 had no influence at Camp Stephen as an NCO. Cpl [REDACTED] SO102 would have answered to his platoon commander's instructions or the Company Commanders instructions. I am not aware of any incidents of detention or mistreatment or any other incidents that Cpl [REDACTED] SO102 was involved in.

G. Existence and awareness of 'wetting'

a. 'Wetting' generally

52. I have been asked if I understand the term 'wetting'. The first time I heard this term was when it was raised as part of this statement. I have no idea what 'wetting' is or what it means.

53. Whilst at Camp Stephen, I never saw any incidents of detainees being transported to or placed into water and I never heard of BW soldiers on patrol putting detainees into water or throwing them into the Shat-Al-Arab river. I therefore cannot answer anything about what may have happened when detainees were placed into water or if restraining devices were ever placed on detainees before they were placed into water. I also cannot comment on whether force was every used-on detainees before they were placed into water or anything else in relation to this alleged practice.

b. Reporting of 'wetting' incidents

54. As noted above, I have no knowledge of this ever happening and therefore cannot comment on reporting of any such incidents.

55. Whilst I never knew of any incidents of 'wetting', I would have expected any such incidents to be reported up the chain of command.

c. Chain of Command

56. If senior commanders were aware of water being used on detainees, we would have been given orders for this to cease as this would have been contrary to, including but not limited to, the LOAC, the Geneva Convention and the Rules of Engagement. No such orders were ever given either to use or to cease using this practice.

57. I therefore cannot remember any direction by commanders in relation to the use of water on detainees or placing detainees into water.

d. 'Wetting' at Camp Stephen

58. There was a stream outside Camp Stephen, but it was probably more of a rainwater gully which ran into the Shat Al-Arab river. This stream was around 40 meters from the front gate and would have been overlooked by the guard post at the front entrance of Camp Stephen.

59. I never saw any detainees being put in, or going into, this stream and I never saw detainees being withdrawn from the EPW cage to be placed into this stream. I was also never involved in any incidents of detainees being put into water and I never saw any detainees brought back to Camp Stephen after having been placed in water.

60. I never heard anyone say anything about detainees being put into the stream outside Camp Stephen or using this practice. I therefore cannot comment on what the view of others in Camp Stephen would have been of this practice.

e. Orders

61. I have no recollection of Maj [REDACTED] SO88 being required to put a stop to detainees being thrown into a stream near Camp Stephen and I have no recollection of any such order being given at Group Orders or at any other time. As noted above, I have no knowledge of this practice taking place at Camp Stephen and therefore cannot comment on any orders having been given in relation to this practice.

I believe that the facts stated are true.

[REDACTED] SO98
Signed [REDACTED]

Dated: 31 March 2023