



MOD-83-0000701-A

Amended Response witness Statement
03/05/2023

A. Background

1. I have been asked for an overview of my military career, I refer to my statement of 31 July 2013 for my history of employment:
"I joined the Army in December 1988 to The Black Watch and joined C Company in 2002 in August prior to deployment. I deployed from Fallingbostal, Germany initially to Kuwait which was a holding area before over the breach into Iraq. I deployed as a Mortar Section Commander holding the rank of Sgt."
2. I confirm that my previous statements dated 23 May 2003 and 31 July 2013 are correct and accurate to the best of my recollection.
3. I began the role of Platoon Sergeant of Mortar Platoon for C Coy, 1 BW in August 2002. This role involved providing command, leadership, and management to a section of men, approximately 45 men per section.
4. I refer to my statement of 31 July 2013 for my chain of command at Camp Stephen:
"My chain of command was my OC Mortar Platoon Capt [REDACTED]." I reported directly to Morton platoon commander who reported to the company commander, Major [REDACTED] SO88.
5. I could not speak Arabic in May 2003.

B. Training and instruction

6. I have been asked to give details of my training, briefing and instruction prior to and including May 2003. I refer to my statement of 31 July 2013:
"I did do some pre-deployment training which covered POW handling but there was nothing in the lectures covering hooding/stress positions etc."
7. Prior to May 2003 I did receive training, briefing and instruction on the Rules of Engagement in the post-war fighting phase of Operation TELIC; maintaining law and order and the prevention of looting; the use of restraint techniques; prisoner handling. This training is standard MOD training.
8. I did not receive any specific training on the processing of detainees and the requirements for medical examination; or Training, briefing or instruction specific to my role at Camp Stephen.

C. Detainees at Camp Stephen

9. I have been asked to give detail about my role in regard to detainees at Camp Stephen. At Camp Stephen the responsibilities would rotate between three platoons: Patrol, Guard and Quick Reaction Force. The guard platoon was responsible for detainees and general security. I cannot recall the specific time frame for rotation, but this would have been the decision of the Platoon Sergeant.
10. I have been asked to explain the circumstances under which detainees would be taken to Camp Stephen, detainees would be taken to Camp Stephen if they were a threat to the security of the general area i.e., looting. The decision to detain an individual when outside of Camp Stephen is made by the patrol commander.
11. The Guard Platoon and their commander, Company Sergeant Major, was responsible for detainees at Camp Stephen in May 2003. My company was not on guard platoon rotation for either of the incidents in May 2003.
12. I have no knowledge of the process and procedure for processing detainees at Camp Stephen. Detainees were physically handed over by either the Quick Response Platoon or the Patrol Platoon, to the Guard Platoon immediately upon arrival into Camp Stephen.
13. I am not aware of any paperwork required to be completed for processing of detainees.
14. I have no knowledge of a 'Slammer' form until I was made aware by the public enquiry. I have no knowledge of who would be responsible for completing a 'Slammer' form.
15. I am aware that detainees were handed over to the guard platoon upon arrival at Camp Stephen, however I have no knowledge about any further procedure or process of this handover.
16. I have no knowledge of where detainees would have been taken upon arrival at Camp Stephen.
17. Arrival of the detainees would have been reported to the Chain of command and a patrol report would be produced, this is a paper document detailing the arrival of the detainees.
18. I have no knowledge of whether or how High Value Targets (HVTs) were identified and recorded.
19. It is not within my knowledge whether a medical check would have taken place. I am not aware the timeframe for completing medical checks. I am not

aware of who would arrange medical checks. I am not aware who would conduct medical checks. I am not aware of the location that any medical checks would take place. I am not aware of what a medical check may comprise.

20. I am aware that interpreters were employed at Camp Stephen and on patrol. I do not have knowledge of whether they were used during processing and / or detention.
21. I have been asked to comment on whether procedure for processing detainees were always followed at Camp Stephen. To the extent of my knowledge appropriate POW practice and procedure for processing detainees was followed at Camp Stephen.
22. I refer to my previous statements to describe the 'EPW area' and the 'EPW cage', I cannot recall any further information, I refer to my 2013 statement:
"I describe it as a cam net on camouflage poles, a big shady igloo. It was situated inside the gate on the right-hand side. Inside was water but no furniture."
23. It is not within my knowledge whether there was ever any physical contact with detainees.
24. It is not within my knowledge what happened to the detainees after they were processed. The battlegroup centre detention would make decisions in this regard.
25. It is not within my knowledge how long detainees would be held at Camp Stephen or where would they go after leaving.
26. Detainees were guarded at Camp Stephen in accordance with POW Handling procedure. I am not aware of how many guards were required for each detainee specifically at Camp Stephen or the existence of or details of a rota for guard duty. I am not aware of how guard duty was handled or who was in charge of the rota (if it existed).
27. The practices for detainee food and water at Camp Stephen is not within my knowledge.
28. I cannot recall the circumstances for questioning detainees at Camp Stephen, who would authorise it or who would conduct it.
29. Details of 'tactical questioning' at Camp Stephen is not within my knowledge, the camp employed professional questioners. I have no knowledge of the term 'tactical questioning'. I am not aware of 'tactical questioning' being used by members of C Coy.

30. It is not within my knowledge whether props would be used for questioning or tactical questioning.
31. I cannot recall witnessing the use of hooding on detainees at Camp Stephen.
32. I did not witness the use of plasticuffing on detainees at Camp Stephen.
33. I did not witness any ill-treatment of detainees at Camp Stephen.

D. Death of Radhi Nama

a. Search Operation: 08 May 2003

34. I do not have any knowledge on the death of Radhi Nama. Myself and my platoon were not involved in the search operation on 8 May 2003, his detention, death or informing Radhi Nama's family.
35. I have no knowledge of the purpose of and preparation for this search operation. I have no knowledge of the purpose of the operation, the chain of command for the operation, the source, tasking and planning of the operation or any pre-operation briefing.
36. I was not aware of any allegations of ill-treatment of Iraqi civilians by British soldiers during the search operation.
37. I have no knowledge of Radhi Nama's detention and transfer to Camp Stephen.

b. Radhi Nama's death

38. I did not see Radhi Nama at Camp Stephen before or after his collapse.
39. I have no knowledge of Radhi Nama's collapse or death.
40. I did not speak to anyone about the incident as I was not aware.
41. I did not speak to anyone about the events surrounding Radhi Nama's death.
42. At no point did anyone express or imply that I should not discuss the matter or seek to influence what I said about it.
43. I did not see anything which might be relevant to why Radhi Nama died.

c. Informing Radhi Nama's family

44. I have no knowledge of whether Radhi Nama's family was informed of his death. I have no knowledge of when or by whom they were informed.

45. I am not aware of any members of C Coy returning to Radhi Nama's house after his death.

E. Death of Mousa Ali

a. Search operation: 13 May 2003

46. My involvement in the search operation on 13 May 2003 which resulted in Mousa Ali being detained is detailed in my statement of 23 May 2003, I cannot recall any additional information:

"Our task was to go to two houses on the same street (GR: 2U 684 799 covers both houses) and conduct searches."

47. I have been asked to comment whether this was a C Coy operation or joint or lead by Specialist military Units. I refer to my statement of 23 May 2003:

"I along with other members from my Coy received a briefing from members of SMU [REDACTED] regarding a double operation which was to take place that evening involving 2 multiples from my Coy."

48. I cannot recall a specific chain of command for this operation. My ordinary reporting procedure was that I reported directly to Morton platoon commander who reported to the company commander, Major SO88 [REDACTED]. I refer to my statement of 31 July 2013 for my chain of command at Camp Stephen:

"My chain of command was my OC Mortar Platoon Capt [REDACTED] [REDACTED]."

49. For details of any briefings given or attended I refer to my statement of 31 July 2013:

"About 1600hrs on 13 May 03, I along with other members of my Coy received a briefing from members of SMU [REDACTED] regarding a double operation which was to take place that evening involving 2 multiples from my Coy."

50. I recall that SMU members were present and participated in the operation, however, I cannot recall any further information. I refer to my statement of 21 July 2013:

"It was a SMU Op and I do remember that there were SMU [REDACTED] in my 432 Warrior and other SMU [REDACTED] on the Op. I can't describe them [REDACTED]."

51. I am not aware of a bearded British soldier participating in the operation.

52. Interpreters were present on the operation. I cannot recall any further information than that detailed in my statements. I refer to my statement of 23 May 2003:

"My multiple which consisted of 4 teams of 4 people and an interpreter...".

I refer also to my statement of 31 July 2013:

"There was I'm sure an interpreter out on the Op but I can't remember his name."

53. Reporting during the operation was conducted by personal radios for short range communication between individuals. Each vehicle also had a radio connection directly to Camp Stephen.
54. I cannot recall anything out of standard Op procedure being reported to me during the operation.

b. Events of search operation

55. I have been asked to provide details of the search and detention during the Operation of 13 May 2003 of which I was part of the search team. I cannot recall any further details about the events of the search and detention. I refer to my statement of 2003.
56. I cannot recall any further details about the sequence of events during this operation, I refer to my statement of 23 May 2003:
"When the AK 47 was brought from Mr ALI's bedroom he attempted to run away. Therefore, Cpl SO116 and I restrained him by placing one of his arms into a goose neck. I assisted Cpl SO116 who is an Arrest and Restraint instructor. During the initial struggle the 3 of us fell to the floor. When the three of us got up from the floor and Mr ALI was under control I noticed a small amount of blood on the floor, but I could see no visible injuries to Mr ALI, Cpl SO116 or myself."
57. I maintain the account of the events in my previous statement to the best of my recollection.
58. The decision to restrain Mousa Ali was a reaction by myself and Corporal SO116 due to his attempt to run away.
59. The goose neck restraint was used because it is a recognised technique.
60. I cannot recall the detail of how Corporal SO116, Mousa Ali and myself subsequently fell onto the floor from the initial restraint.
61. I cannot recall the details of how Corporal SO116, and I subsequently got Mousa Ali "under control".
62. I recall from my previous statements that I noted blood on the floor, Mousa Ali was then checked for any visible injuries by myself and Corporal SO116.
63. In terms of the force used, I refer to my previous statement 28 May 2003:

"I feel the amount of force used to restrain him was perfectly acceptable due to his size".

64. As far as I can recall I first become aware that three men had been detained via radio.
65. I confirm that Mousa Ali's house was not initially targeted as part of the search operation. The decision was made to search this house during the operation, I refer to my statement of 23 May 2003, I cannot recall any further information:
"a decision was made to do subsequent searches, as people had been seen running over the roofs from the 3rd house on the right. We also searched the 3rd house on the left, finding nothing and the 2nd house on the right. This was to ensure nothing had been moved from the target houses and hidden."
66. I cannot recall who made the decision to search the additional houses.
67. As far as I can recall I did not see any detainees other than Mousa Ali during the search. I recall from my statement that he was in good condition, I refer to my statement 23 May 2003:
"At no point during the search and arrest did Mr ALI complain of any illness and he appeared to me, to be perfectly healthy, especially during the initial struggle."
68. I am aware that Mousa Ali was wearing plasticuffs during the search. I refer to my statement of 31 July 2013:
"ALI was plasticuffed... I do not know if he was hooded at any time."
69. I cannot recall Mousa Ali, or other detainees being placed into a vehicle.
70. I cannot recall if I travelled back to Camp Stephen in the same vehicle as any detainees. I refer to my statement of 31 July 2013:
"I can't remember if ALI or any other detainee were transported back to Camp Stephen in m Warrior or not."
71. I am not aware of any of the detainees being offered or provided with food or water.
72. I did not participate in or witness any ill-treatment during the search operation.

c. Events at Camp Stephen

73. I confirm that the detainees were placed in an Enemy Prisoner of War cage upon returning to Camp Stephen. I refer to my statement dated 23 May:

the detainees were “placed in the Enemy Prisoner of War (EPW) cage at C Coy for processing”.

74. I cannot recall the condition of the detainees upon arrival at Camp Stephen.
75. I cannot recall who escorted the detainees to the EPW cage.
76. I cannot recall to whom the detainees were handed.
77. I cannot recall whether the detainees were hooded and/or plasticuffed when handed over to the guards.
78. To the best of my recollection the detainees would have been handed over to the Guard Platoon. The Guard Platoon and their commander, Company Sergeant Major, was responsible for detainees at Camp Stephen in May 2003. As the vehicle commander I was responsible for packing away the vehicle and this was my focus upon returning to Camp Stephen, my team would've handed the detainees over to the Guard Platoon. I am not aware of what information was or should have been given.
79. The CSM was responsible for making decision about the detainees at Camp Stephen. I refer to my statement of 31 July 2013:
“The person in charge of detention of detainees at Camp Stephen was the CSM.”
80. I am not aware of what paperwork may have been completed in respect of any detainees.
81. I do not know when the C Coy Medic was asked to perform a medical check and by whom.
82. I cannot recall whether I informed the C Coy Medic that I noticed blood on the floor during the arrest of Mousa Ali.
83. I cannot recall seeing the detainees after returning to Camp Stephen.
84. I cannot recall the temperature and weather conditions upon arriving at Camp Stephen after this Operation.
85. I cannot recall if there were jerry cans in the EPW area.

d. Mousa Ali's collapse

86. I was not near the EPW area at or around the time Mousa Ali collapsed.

87. I do not remember seeing or hearing of Mousa Ali being made to exercise with jerry cans.

e. Reporting of the incident

88. I have no knowledge whether any record was made, or paperwork completed about the incident after Mousa Ali was confirmed dead. I had no dealing with the detainees whilst at Camp Stephen.

89. I am not aware who was responsible for reporting Mousa Ali's death.

90. I am not aware of the existence of or detail of any procedural requirements for reporting the incident to the chain of command and/or to the RMP. I was not involved with the detainees at Camp Stephen.

91. I am not aware whether Mousa Ali's death was reported up the chain of command and / or to the RMP. I was not involved with the detainees at Camp Stephen.

92. I recall that the RMP became involved in investigating the incident as they took my statement in 2003 based on the occurrence of a fatality.

93. I am not aware of the occurrence of or reason for a delay in informing the RMP of the incident. I was not involved with the detainees at Camp Stephen.

94. After Mousa Ali's death I did not speak to anyone about the events.

95. At no point did anyone express or imply that I should not discuss the death of Mousa Ali.

96. I am not aware of anyone speaking to Bashar Ali and /or threatening him to stay silent after the incident.

f. Informing Mousa Ali's family

97. The existence of or detail of any procedures for informing the next of kin of a detainee death is not within my knowledge.

98. I do not know when Mousa Ali's family was informed of his death.

99. I have no knowledge of any details or timeframe of informing the family of Mousa Ali's death or Bashar Ali's location.

F. Culture at Camp Stephen

100. I would describe the culture at Camp Stephen as that to be expected at a military camp during wartime. The atmosphere was mostly very tense as we had only recently occupied the city.
101. Iraqi civilians were generally viewed and treated positively by those at Camp Stephen. The camp employed locals as translators and tradesmen.
102. The detainees were viewed and treated in accordance with the standard practices and procedures for POW. I recall that detainees were only held at Camp Stephen for a short time as this was not a secure compound.
103. When in the EPW cage detainees were treated according to the standard practices and procedures for POW.
104. I understand the term "beasting" to refer to training technique used by instructors, in which they would require the soldiers in training to run up and down a track. I do not know any other definition of the term. I cannot recall any incidents of "beasting" at Camp Stephen.
105. I did not witness any mistreatment of detainees and / or civilians at Camp Stephen.
106. I cannot describe any incidents of mistreatment of detainees or civilians at Camp Stephen as I did not witness any.
107. I cannot identify any individuals who mistreated detainees.
108. I did not witness any threats made to detainees. I did not witness any threats to detainees to get into water.
109. I have no knowledge of how individuals who mistreated detainees would be considered at Camp Stephen as this did not occur.
110. I did not witness or hear troops complaining about the treatment of detainees and / or civilians at Camp Stephen.
111. I am not aware to whom these complaints may have been raised, how they were received or how the complainant was treated by others at Camp Stephen.
112. I would describe the degree of oversight that commanders had of troops at Camp Stephen as the same as to be expected on any other military base. There was a strict chain of command.

113. The degree of freedom NCOs and / or patrol commanders had over those under their command at Camp Stephen was no different to any other military base. They had freedom of action within the scope of the commanders' orders.
114. I cannot recall whether any of the NCOs were particularly influential within Camp Stephen. I cannot recall information to identify or describe them.
115. To my knowledge WO2 SO101 [REDACTED] was a Company Sergeant Major at Camp Stephen, this is the highest rank. He also had a depth of experience in the field. I would describe him as influential due to his rank and experience. I do not recognise that he 'dictated' what happened within Camp Stephen to any degree other than that suitable for his rank.
116. I am not aware of HO2 SO101 [REDACTED]'s role and influence within the camp other than as described above. I am not aware of any incidents of detention of detainees in which WO2 SO101 [REDACTED] was involved. I am not aware of any incidents of mistreatment of detainees in which HO2 SO101 [REDACTED] was involved. I am not aware of any other incidents in which WO2 SO101 [REDACTED] was involved which may be relevant.
117. To my knowledge Cpl SO102 [REDACTED] was a section commander. I am not aware that he had any more influence than anyone else of this role.
118. I am not aware of Cpl SO102 [REDACTED]'s role and influence within the camp other than as described above. I am not aware of any incidents of detention of detainees in which Cpl SO102 [REDACTED] was involved. I am not aware of any incidents of mistreatment of detainees in which Cpl SO102 [REDACTED] was involved. I am not aware of any other incidents in which Cpl SO102 [REDACTED] was involved which may be relevant.

G. Existence and awareness of 'wetting'

a. 'Wetting' generally

119. I do not understand the term "wetting".
120. I did not witness detainees being placed into water, threatened with being placed into water, and / or transported to bodies of water. I cannot give any further description.
121. I am not aware of why detainees would be transported to or placed into bodies of water.
122. I am not aware of what happened when detainees were placed into water. I do not know the depth to which detainees were placed. I do not know whether detainees were made to submerge themselves. I do not know how long detainees were placed into water for. I do not know whether detainees were forced to stay in water if they tried to get out. I do not know what

happened to detainees after they were placed into water or released after being placed into water.

123. I cannot recall any incidents when soldiers on patrol would put detainees into water or throw them into the Shat Al-Arab River.
124. I did not witness any restraining devices (such as plasticuffs) being placed on detainees before they were placed into water.
125. I did not witness force being used on detainees whilst they were being placed into water.
126. I have no knowledge of whether detainees were ever in any danger whilst being placed into water because I was not aware of this occurrence.
127. I am not aware of how long the practice of placing detainees into water continued.

b. Reporting of 'wetting' incidents

128. I am not aware whether there was a requirement to report incidents of detainees entering or being placed into water. I was not aware of the practice of 'wetting'.
129. I am not aware of any process for reporting of 'wetting'. I am not aware to whom incidents were reported, what happened after incidents were reported, if any de-briefing was carried out or whether any feedback was given to units or individuals that reported an incident.
130. I am not aware whether there was any requirement to report incidents. I am not aware whether incidents were reported despite no formal process existing.

c. Chain of Command

131. In Camp Stephen I was a Senior Commander, and I was not aware of water being used on detainees. I am not aware of whether other Senior Commanders were aware of the practice.
132. I have no knowledge of incidents of water being used for the practice of 'wetting'.
133. I have no knowledge of any individual commanders who may have been aware of the practice of 'wetting'.
134. I have no knowledge of anything to lead me to believe any of the Senior Commanders were aware of the practice of 'wetting'.

135. I have no knowledge of what, if anything, the Senior Commanders did when they understood that detainees were being placed into bodies of water.
136. I am not aware of any directions being given to use water generally as a deterrent to looting.
137. I am not aware of any direction given to commanders about the use of water on detainees or placing detainees into water.
138. I am not aware of a practice for using water on detainees. I am not aware whether there was any reason given for such a practice.

d. 'Wetting' at Camp Stephen

139. I am aware that there was a stream outside Camp Stephen, but I cannot recall a description of same.
140. I did not witness any detainees being put in, or going into, the stream outside Camp Stephen.
141. I have no knowledge of who put detainees into the water, what methods were used to force detainees into the water or the reaction of detainees when directed to get into the water.
142. I have no knowledge of what happened when the detainees were placed in the water, for how long they were in the water.
143. I have no knowledge of whether these incidents were visible from Camp Stephen. I have no knowledge of how often detainees were put into the stream outside Camp Stephen.
144. I am not aware of why detainees were put into the stream.
145. I have no knowledge of detainees being withdrawn from the EPW cage to be placed into the stream.
146. I was not involved in any incidents (as an observer or a participant) of detainees being put into water.
147. I am not aware that any detainees were ever brought back to Camp Stephen after having been placed in water.
148. To my knowledge there were no incidents of detainees being placed into the stream well-known within the Camp.

149. I have no knowledge of the view of this practice in Camp Stephen.

e. Orders

150. I am not aware of Major SO88 being required to put a stop to detainees being thrown into a stream near Camp Stephen.

151. I do not remember an order made by Major SO88 to stop this practice.

152. I am not aware of why Major SO88 was required to put a stop to detainees being placed in the stream.

153. I am not aware of how Major SO88 put a stop to this practice of 'wetting'.

154. I am not aware whether this was a particular order or a group order.

155. I am not aware of the reaction of other commanders at Camp Stephen to Major SO88's "putting a stop to this practice". I am not aware of any resistance from other commanders. I am not aware of the reaction of the troops.

156. I have no knowledge of whether Major SO88 put a stop to the practice as soon as he became aware of it or how long after he became aware action was taken.

157. I have no knowledge of the order of Major SO88. I had no views as to whether it was necessary as I was unaware of the order and of the practice of 'wetting'.

SO100

08 May 2023