



MOD-83-0000593-A

RESTRICTED

Statement of: [REDACTED] SO101

Form MG11(T)

Page 1 of 3

WITNESS STATEMENT

Criminal Procedure Rules, r27.2; Criminal Justice Act 1967, s.9; Magistrates' Courts Act 1980, s.5b

Statement of: [REDACTED] SO101

Age if under 18: Over 18 (if over 18 insert 'over 18')

Occupation: C COY 1BW

This statement (consisting of 4 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature: [REDACTED] SO101

Date: 09/05/2003

Tick if witness evidence is visually recorded (supply witness details on rear)

I am the above named person.

I am currently serving with my unit as detailed overleaf in support of Op Telic in Iraq.

I have today been asked by Sgt [REDACTED] RMP (SIB) to explain the procedures for the detention of Iraqi nationals detained by members of my unit, prior to them being handed over to the Royal Military Police. In particular I will refer to an incident which occurred on Thu 8 May 03 in which an Iraqi national detained died in custody. The system in place is as follows:

An operation is mounted, either as a specific op based on intelligence received from various sources including the RMP, or where a routine patrol came across an Iraqi national committing an offence. In the case in question a specific op was mounted to arrest Iraqi nationals based an intelligence received that they were escaped, convicted murderer/rapists. In general a patrol would be tasked to detain persons but the actual size and manning of the patrol would depend on a number of factors, including the location of the suspects, the number of suspects and the number of men available.

Once a person has been detained he/she is returned to C Coy lines for processing. It is Company policy to involve what is known as a 'Break Chain policy'. This is where the callsign involved in the actual detention of the suspect will hand him/her over immediately on return to lines, in order that the soldiers involved may be allowed to rest after what may have been a heavy contact. It is also to allow the

Signature: [REDACTED] SO101
2021

Signature witnessed by: [REDACTED]

RESTRICTED

RESTRICTED

Statement of: [REDACTED] SO101

Form MG11(T)

Page 2 of 3

paperwork procedures to be conducted by a person who has not directly been involved in the action to detain the suspect. This guard force is made up of Company personnel, who go through a routine of guard – patrol - rest. In this instance I nominated LSgt [REDACTED] SO87 Irish Guards, and Cpl [REDACTED] SO102 C Coy, to guard the prisoner.

Once a person is detained and held within C Coy lines, he/she is processed as quickly as possible for handover to the RMP. This processing includes the completion of an "Op Slammer" form, which is provided at Battle Group level. Once this is complete it is taken with the detainee and the detainee commander to the RMP receiving NCO and a face to face briefing is given by the detainee commander. The detainee is then handed over to the RMP, together with the Op Slammer paperwork which I believe then stays with the detainee.

I recall that in this particular instance the callsign on the ground sent a radio message to the Ops Room stating that they had detained a person, having found weapons and ammunition during a search. The detainee was returned to Coy lines where as previously stated I nominated 2 soldiers to guard over him. I then instructed Sgt [REDACTED] of my unit to lay the weapons and ammunitions out in front of HQ building for identification and logging. Whilst this was happening, CSgt [REDACTED] SO90, the Coy intelligence Officer (IO) was speaking to the detainee through interpreters, in order to establish his identity. It was at this stage that it became apparent that the man in detention for possession of the weapons, was in fact the father of the wanted rapist/murder. CSgt [REDACTED] SO98 of my unit prepared the Op Slammer paperwork for completion.

Upon completion of the IO speaking to the detainee I made my way to the guard locations to actually complete the Op Slammer paperwork but on arrival I was informed by LSgt [REDACTED] SO87 that the detainee had passed out having had a drink of water. I instructed LSgt [REDACTED] SO87 to place the detainee into the three quarters prone position and also summoned a medic to assist. At this stage I saw a male lying on his back on the floor, apparently unconscious, although I did not have the chance to look properly at him before instructing LSgt [REDACTED] SO87 as previously mentioned. Shortly after this the medic, Cpl [REDACTED] SO84, RAMC arrived at the scene and took control. I left the scene and returned to the Ops Room to brief the staff and to prepare a vehicle to move to the hospital if required. After 2-3 minutes the medic reported to the ops room that he was leaving for the hospital with the detainee.

I have today handed to Sgt [REDACTED] the following items to which he attached exhibit identification label marked as follows:

Signature: [REDACTED] SO101
2021

Signature witnessed by: [REDACTED]

RESTRICTED

RESTRICTED

Statement of: **SO101**

Form MG11(T)

Page 3 of 3

SO101 1 – 1 x clear plastic bag containing various military items.

SO101 2 – 1 x clear plastic bag containing various weapon stocks.

SO101 3 – 1 x green satchel containing numerous rounds.

SO101 4 – Apparent tripod legs for weapons system.

I have signed the exhibit labels.

I can state that these items are those recovered during the Op to detain the rapist and which gave the grounds for the detention of the person who subsequently died in custody.

Signature: **SO101**
2021

Signature witnessed by: **██████████**

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