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PJHQ/10/5341

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to note

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**PS/Secretary of State**

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**OP TELIC: DEATH OF ONE DETAINEE WHILE IN UK CUSTODY AND ONE IRAQI CHILD SERIOUSLY INJURED AFTER A NEGLIGENT DISCHARGE.**

Issue

1. Death of an Iraqi detainee while in UK custody and serious injury to an Iraqi child as a result of a negligent discharge.

Recommendation

2. Secretary of State is invited to note;
  - a) the details of 2 incidents that have happened in Iraq in the last 24 hours
  - b) associated defensive press lines
  - c) the fact that there will be Special Investigation Branch (SIB) investigations for both incidents

Timing

3. Routine.

Background

Incident Involving Death of Detainee

BMI Downgrade - UNCLASSIFIED

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4. At 0600HRS on 14 September the First Battalion the Queen's Lancashire Regiment (1 QLR) carried out an anti terrorist and anti criminal arrest operation (Op SALERNO) in the hotel district of Basrah. This was a brigade level operation. During the operation 15 individuals were apprehended and small caches of rocket propelled grenades (RPG) and small arms were confiscated. One of the individuals who had been detained died last night whilst still in the custody of 1 QLR. There were 4 Iraqi witnesses to the arrest.
5. Although the individual did not need to be forcibly restrained on arrest, advice from theatre suggests that he consistently struggled with his cuffs and hood during the day, repeatedly tried to escape and also allegedly lashed out at guards. At 1840Z the individual slipped his hood. Two members of the guard restrained him and replaced his hood. His pulse was also apparently checked at this time. Three minutes later the guard suspected that he might not be breathing. Cardio pulmonary resuscitation and exhaled air resuscitation were immediately administered and the Regimental Medical Officer was called. This treatment continued for 20 minutes. The detainee was declared dead at 1905 hrs. At this point the individual had been in custody for a total of 36 hours. He had spent 23 hours and 40 minutes of this hooded, albeit not continually. We are continuing to investigate the circumstances surrounding the incident and will provide further information when we have it.

Incident Involving Negligent Discharge

6. At 1514Z on 15 September, the gate guard at Al Uzayr patrol base appears to have negligently discharged his weapon. One round struck a male, 13 year old child. First aid was administered and the child was transferred to 33 Field Hospital by helicopter.
7. The child has been operated on and is in a stable condition. However, the gunshot entered through the abdomen, passed through the stomach and small bowel and disrupted one of the child's vertebra and may have severed his spinal cord. Which if confirmed by a CT scan may mean that the child is likely to suffer permanent paraplegia.
8. Commander Med MND(SE) has formally requested the evacuation of the child in order that he may receive appropriate clinical treatment, which is judged unavailable in theatre. We are currently looking at this. It is likely that he will be sent to Manchester Children's Hospital.
9. The issue of compensation will be looked at separately.

Presentation

10. SIB investigations will be conducted into both incidents and appropriate press lines are attached to deal with possible enquiries.