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TEMPLATE TO BE USED FOR REPLY

Ministry of Defence
THURSDAY 8 DECEMBER 2005

Adam Price Esq MP (CARMARTHEN EAST & DINEFWR) (PC)

WRITTEN

To ask the Secretary of State for Defence, when officials and Ministers in his Department were first informed of the direction by the General Officer Commanding 1 (UK) Armoured Division banning hooding in April 2003. 36483

Minister replying The Rt Hon Adam Ingram MP

Adam Price Esq MP (CARMARTHEN EAST & DINEFWR) (PC)

WRITTEN

To ask the Secretary of State for Defence, for what reason the General Officer Commanding 1 (UK) Armoured Division in Iraq issued formal direction barring hooding in April 2003. 36585

Minister replying The Rt Hon Adam Ingram MP

**DRAFT REPLIES SHOULD BE SENT TO PARLIAMENTARY
QUESTIONS AND NOT PQMAIL**

Officials were aware of the direction by General Officer Commanding 1 (UK) Armoured Division in the days after it was issued. Ministers were formally made aware of this verbal order in May 2004.

The direction was issued because it was assessed that was no longer militarily necessary to continue the practice of hooding.

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September 09

PQ Ref 2209S

BACKGROUND NOTE

Alan Price asks a lot of PQs on Iraq. The use of hooding by UK forces in Iraq has been of particular interest to him. Last summer saw him ask a lot of questions on the subject, referring to the order issued by CJO in October 2003 which banned the use of hoods as blindfolds in Iraq for prisoners in transit in Iraq. This is the first time that he has referred to an order issued by General Brims in April that year which banned hooding previously.

The hooding of detainees for the purposes of arrest or transit was a standard procedure for UK troops prior to and during the start of Operation TELIC as they were very few enclosed vehicles in which detainees could be transported. Since the use of hooding for purposes of arrest or transit was considered routine business it was not drawn to the attention of Ministers. UK armed forces in all theatres are currently under instruction not to use hooding in any circumstances.

However the use of hoods during interrogation is regarded as contrary to the Geneva Conventions. This technique was never part of the standard operating procedure on Op TELIC. We have found no evidence that would suggest that interrogators ignored their training and hooded prisoners during interrogation, nor do we believe that there were any instances of hooding being used during tactical questioning as a technique to extract information.

In March 2003 ICRC expressed concerns about the length of time which some prisoners were being hooded for at the Joint Force Intelligence Team (JFIT). General Brims instructed his Chief of Staff, Brigadier Patrick Marriot to issue a verbal order banning the practice in all circumstances. The decision was made because it was no longer judged to be militarily necessary to continue with the practice.

General Brims' directive was lost during the roulement in July which saw 1 (UK) Armoured Div leave theatre. The new Brigade reverted to standard procedure and began to use hoods during the arrest and transport of detainees for security purposes.

In September 2003 an Iraqi detainee, Baha Mousa, died in UK custody. He had been hooded during the period running up to his death. CJO's order banning hooding followed at this time, which Ministers were made aware of. Special Forces continued to hood detainees during transit until 12th May 2004 (Sec(HSF) 5/5/12 13 May 2004 refers).

We have not been able to locate any records that Ministers were informed formally around the time that General Brims' April 2003 verbal order was issued. Ministers may have been unofficially informed of the order prior to this but we have not unearthed any evidence to support this. In May 2004, however, the issue of hooding received extensive Parliamentary interest following allegations of abuse in the Daily Mirror and references to hooding that became public in an ICRC report. Ministerial briefing at that time¹ made reference to General Brims' verbal order.

Unfortunately, due to the passage of time we have not been able to establish exactly when MoD officials became aware of the order. The best evidence available suggests some officials in the UK were aware very soon after it was issued and the POLAD in theatre advised on the

¹ D/IIT/1/1 dated 19 May 2004