

be required and hooding may be necessary, such as immediately upon capture. I do not recall any other reasons for hooding being mentioned.

55. It was my impression that in discussions it was understood by all the lawyers and other staff officers I dealt with that hooding for the purposes of interrogation was not permitted by the UK. This accorded with my general knowledge of the case law and Heath Directive and I was given assurances that hooding was not taking place for this purpose although I cannot recall whether this was from legal or other officers or both. It was also my view (and I advised) that the Law of Armed Conflict did not permit hooding for the purposes of interrogation, but did not prohibit the use of hooding in other situations and that it could be legitimate in limited circumstances, namely to protect the immediate physical safety of UK troops and/or operational security where, for example, PW were being transferred from one area to another within a UK facility. This issue was widely discussed with key NCHQ staff and I am certain that I also discussed it with Lt Col Clapham, Rachel Quick and Maj Davies. However, I made it clear in the advice I gave that hooding was permissible only so long as absolutely necessary in these limited circumstances. I also advised that the Chief of Staff to 1 UK Division (Col Marriott) should meet with the ICRC representative to discuss this and any other PW issues. I did this to ensure that the ICRC met with a representative of the General who was suitably senior and who would immediately have the authority to act, or who would have the ear of General Brims, if there were any issues which required their urgent attention.
56. I believe that I discussed the issue with colleagues from PJHQ J9 Legal who agreed my advice. Lt Col Clapham was visiting NCHQ (for OP TELIC Phase 4 planning) and I recall that he visited the Division and the UK PW Camp at Umm Qasr. I do not recall whether that visit was solely to deal with the issue of hooding. Shortly after