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STAFF - INVESTIGATION
OFFICER ONLY

Case Ref No: 64695/03

MOD Form 266A/B
(Introduced 12/03)

SERVICE POLICE
WITNESS STATEMENT
(CJ Act 1967, S.9; MC Act 1980, SS.5A (3a) and 5B; MC Rules 1981, r70)

Statement of:	Anthony Alexander Daniel ROYCE	
Rank/Status:	Maj	
Age if under 18: (if over 18 insert "over 18")	Over 18	Occupation: HM Forces (Army)
This statement (consisting of 6 pages 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:	AAD ROYCE	Dated the 31st day of March 2005

I am the above named person.

Further to my statement dated 6 Feb 04.

During the Op TELIC 2 pre-deployment training phase, held at Catterick, I recall attending a 3 (UK) Div conference at which the practice of hooding individuals in Iraq was broached. I do not recall now who gave this lecture, however, I do recall that their use was discussed and advised against. I do not recall any reason being given to substantiate why hoods could not be used.

I understood that whilst the use of hoods had been used on Op TELIC, we were briefed not to use them so as to draw a clear distinction between what was the war fighting phase (ie, dealing with Prisoners of War) and peace keeping operations (with non combatants), however, this was my assumption of their discontinuance, not the view expressed by the lecturer at the briefing.

When I arrived in the theatre of Iraq. I gained the impression from 1 BW that they had made the transition from war fighting to peace keeping operations.

During my observations of the BW in the handover/takeover phase between the Battle Groups, from what I saw of their dealings with Iraqi nationals who were in arrest, who passed through the Battle Group HQ located in the former Ba'ath Party HQ, Basrah, all the Iraqi nationals were hooded,

Signature: AAD ROYCE Signature witnessed by: DPW SPENCE

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restrained and I understood being processed for onward delivery to the Theatre Internment Facility (TIF).

I raised the issue of hooding with members of the chain of command within 1 BW, though who exactly I do not recall, given it contravened information I had received and was briefed that they had received instruction that hoods could and should be used. Given the Battle Group were under command 7 Armd Bde at that time I did not visit the issue again until my Bde, 19 Mech Bde arrived in theatre and had taken over command. Once 19 Mech Bde was established and in command I recall I re-visited the subject of hooding, though now I do not recall in which appointment I was operating and therefore with which department at Bde I discussed this issue. To explain, as the ISTAR I was operating on behalf of the G2 (Intelligence) staff at Bde whereas in the BGIRO role I was operating on behalf of the G2 and Bde Legal staff.

I cannot be certain but given that the G2 led operations to lift Iraqi nationals for specific offences required that they be Tactically Questioned, a G2 led act, I believe it was from them I received subsequent advice.

I should clarify that once the Battle Group had assumed control from 1 BW, the practice of hooding and restraining by 1 QLR continued. I sought thereafter, for clarification of whether this was accepted practice from 19 Bde HQ. It should be understood that restraining and hooding was not only to maintain the 'Shock of Capture' for Tactical Questioning but also to prevent escape. I received confirmation at Bde level, from Maj Robinson DWR, in which he indicated to me the practice of hooding was necessary to maintain the 'Shock of Capture'. This practice was only necessary upon individuals who were likely to be Tactically Questioned by the G2 Int staff and not upon individuals arrested for minor criminal offences.

This matter was not a subject we discussed at length otherwise I would have recalled the conversation in greater detail. I recall only that the conversation was in passing in which I asked if we were still hooding, and he agreed giving the 'Shock of Capture' as a reason for doing so. It was not necessary for me to ask of him to explain this term as I was previously aware that the term 'Shock of Capture' referred to maintaining disorientation and insecurity in the mind of the detained individual, for the purpose of Tactical Questioning, which could only be conducted by Bde TQ qualified staff.

In receipt of this information, the exact date I do not recall, at an O Group chaired by the CO, 1 QLR, I would have raised this issue indicating that the use of hoods and restraints was approved for G2 led Ops where Iraqi nationals were arrested. Having provided this information to the CO and Coy Commanders I would not have had to mention it again thereafter as they would brief their own troops and it would become a Standard Operating Procedure (SOP).

Further to this, however, when implementing the BGIRO policy and creating JEM/1 referred to in my earlier statement, I briefed the CSMs of each Company that this was to be the requirement for the

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handling of arrested Iraqi nationals thereafter. My reason for giving this further brief to the CSMs was because I expected them to take the lead post arrest, which would not involve the Coy Commanders.

In response to a question raised by WO2 Spence, RMP (SIB), whether I consulted Bde Legal regarding the issue of hooding, I can comment only that at that time the Legal was Maj Clifton, ALS, and I most certainly would have raised the issue with him. The reason I would have done so was that I was concerned that we were conducting a necessary and approved practice for both securing of prisoners and where necessary maintaining the 'Shock of Capture'.

I do not recall when or where I raised this issue with Maj Clifton but again it would have been a passing comment to him asking if he was aware of the G2 practices and seeking confirmation from him that he had knowledge of it and had approved it. I would most certainly not have instigated the practice without having first sought his approval.

I can only suggest that both conversation with Maj Robinson and Maj Clifton would have occurred within a short time scale, potentially even the same day, before I raised the issue at the COs O Group.

For the period that the Iraqi nationals were held at HQ 1 QLR, as far as I was concerned they were my responsibility and not the responsibility of the Tactical Questioners. I would facilitate requests by TQs for the movement of Iraqi nationals, however, I remained in command at all times and I did not receive any requests from the TQs, which would have given rise to the detainees being ill-treated in any fashion. Consequently, I did not ever have to refuse any request made by the TQs.

To conclude, given I was responsible for the detained Iraqi nationals throughout the period they were held at our unit lines I also was responsible for their welfare prior to and post TQ. As such it was I who would determine when an individuals' hood was removed, the 'Shock of Capture' phase having ended. I would give instruction that hoods should be removed, unless this advice had already been given by the TQ himself.

Signed: AAD ROYCE

Signed: DPW SPENCE
WO2
RMP (SIB)