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PJHQ/10/5341

18 Sep 2003

PS/Secretary of State

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SofS

- This could be very messy
- 2 soldiers have been arrested
- Mui (AF) will deal as lead Minister



**OP TELIC: UPDATE ON DEATH OF ONE DETAINEE AND INJURY TO TWO OTHERS, WHILE IN UK CUSTODY.**

Reference A: PJHQ/10/5341 dated 16 September

Issue

1. Further information on the death of an Iraqi detainee and injury of two others while in UK custody in Basrah this week.

Recommendation

2. Secretary of State is invited to note;
  - a) the new information that is now available in connection with the arrest operation that was conducted by the First Battalion the Queen's Lancashire Regiment (1QLR) on the 14 September
  - b) that in addition to the death of one Iraqi detainee already reported in Reference A, there are also two other Iraqis who have sustained injuries while in the custody of UK forces
  - c) that the next of kin of the dead man have been informed and that the story could now break
  - d) that procedures in-theatre are being reviewed

BMI Downgrade - UNCLASSIFIED

SECRET UK EYES ONLY

- e) the associated, updated, defensive press lines

Timing

3. Urgent. This may now reach the media very quickly.

Background

4. At 0600HRS on 14 September the 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. Troops from 1 QLR entered the hotel in a low key manner and found a group of men sitting in the lobby. Whilst being questioned, one of them managed to escape. With the exception of two elderly men who were allowed to remain seated, the others were made to lie on the floor. No restraint was used up to this point but the men were handcuffed. During the operation 8 individuals (previously we reported 15) were apprehended and small caches of rocket propelled grenades (RPG) and small arms were confiscated. The suspects had ID cards that appeared to have been issued by US TITAN corporation allowing them to carry weapons and pass through Coalition Forces (CF) checkpoints. These were checked through J2 and the CIA and found to be false. Added to the weapons and documents that were found during the search, the QLR believed that they had discovered a FRL cell.

Medical Update

5. One of the individuals who had been detained died on the night of 15 September whilst still in the custody of 1 QLR. I reported the background to this death in Reference A and there is nothing to add to this other than that the cause of death is not known as pathology is awaited. The NOK have been informed and have asked for an Iraqi pathologist to conduct the post mortem. We are trying to arrange this. A British pathologist is due to arrive in theatre on 20 September and if we need to use him we will arrange, at the request of the NOK for an Iraqi Doctor to be present. A second individual was admitted to 33 Field Hospital at Shaibah on 16 September with acute renal failure, believed to be as a result of trauma. He required emergency haemofiltration and at the time the prognosis was very poor. However, his clinical situation has changed; he received immediate dialysis, was taken to Basrah General Hospital on 17 September and, following the results of blood tests this morning, has been cleared for return to 33 Field Hospital. It is anticipated that his treatment can be managed in theatre without the need to transfer him to the UK. A third individual was taken to 33 Field Hospital on 16 September with circumferential soft tissue injuries to the abdomen with some blistering. The individual has been treated and is now mobile.

Procedures

6. The detail of how to categorise detainees and the subsequent procedures to determine whether they should go to the Theatre Internment Facility (TIF) or Iraqi police is well documented. In this instance however the detainees were not taken to the TIF within the required 14 hours of arrest. The reasons for this are now being reviewed with the aim of ensuring there is no scope for confusion in future.

7. In this instance the Tactical Questioning (TQ) of the suspects was conducted by two Intelligence Corps Staff Sergeants, both fully trained in TQ. It would appear that the hooding of the suspects took place on the advice of one of the Staff Sergeants. However, there is currently no documentation in theatre covering TQ procedures. MND(SE) are reviewing this urgently.

Subsequent Brigade Action

8. 19 Mech Bde already have some action in hand to clarify some of the procedures that were used in Op SALERNO and await further direction from the Division on further points. As at 1500hrs on 17 September;
- All detainees to be either in the TIF within 14hrs, or transferred to Iraqi police or released
  - There is to be no hooding or blindfolding although temporary blindfolding will be allowed to deny the detainee ability to see inside the CF bases.
  - Medical inspections, by Doctors, to be conducted on arrival, periodically as required and at the end of the detention period
  - TQ is to be conducted by fully qualified personnel only

Arrests

9. Earlier today two soldiers from Anzio Company, 1 QLR were arrested in connection with the death of the detainee and will be interviewed under caution tonight. They are receiving legal advice from the RAF Legal Advisor in Basrah. We must expect to have to confirm this publically if asked.

Presentation

10. The SIB investigation into the incident is well underway and appropriate press lines are attached to deal with possible enquiries.

[Signed]

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PJHQ-J9-POL/OPS4  
[REDACTED]