

Witness Name: Ian Michael Jaggard-Hawkins

Statement No: 1

Exhibits:

Dated: 23 February 2010

THE BAHA MOUSA PUBLIC INQUIRY

WITNESS STATEMENT OF IAN MICHAEL JAGGARD-HAWKINS

I, IAN MICHAEL JAGGARD-HAWKINS will say as follows: -

1. I make this statement in response to the Inquiry's Rule 9 Request dated 17 December 2009. I have read this Request, and I seek here to cover everything it raises to the best of my ability and recollection. I have also been shown and have read copies of various documents which the Inquiry has specifically asked me to consider.

Career History

2. I joined the Army in 1977 as a Private soldier in the Royal Army Medical Corps ("RAMC") and was commissioned into the Royal Army Pay Corps in 1991. I completed my Officer training at Worthy Down and was then posted to the 3rd Royal Tank Regiment.
3. I spent my first 9 years of commissioned service with the 3rd and then 2nd Royal Tank Regiment in Hemer and Fallingbostal in Germany.

4. I moved to Worthy Down in 1996 and was promoted to Major. This was followed by a tour in Glasgow, again as a Major, and then I was posted to 7 Armoured Brigade ("7 Armd Bde") Headquarters in Germany as the Staff Officer Grade 2 Staff and Personnel Support.
5. I deployed to Iraq in February 2003 with the expectation of undertaking a six month tour. I deployed in the rank of Major and was the Officer Commanding of the Brigade Field Admin Office.
6. On my return from Iraq in late May 2003 I continued for a short period to be the Staff Officer Grade 2 Staff and Personnel Support. In 2006 I was promoted to Lieutenant Colonel. I have had a short tour as a Lt Col in the Service Persons and Veterans Agency followed by a seven month deployment to Sarajevo as the Deputy Chief of Information Analysis Branch.
7. In April 2008 I was posted to the Permanent Joint Headquarters at Northwood as the Service Secretary.
8. I am currently the Staff Officer Grade 1 Service Secretary at the Permanent Joint Headquarters in Northwood and am responsible for the manning, administration and honours and awards for the Chief of Joint Operations operational and administrative areas.

Training

Basic training

9. I completed my basic training at the RAMC Depot in Ash Vale, Aldershot in 1977. I do not remember in any detail the training I received in relation to the Law of Armed Conflict ("LOAC") and/or prisoner handling. However, as a member of the Medical Corps one's training places emphasis on the fact that all patients require equal treatment under the Geneva Convention.

Annual training

10. Throughout my career I have taken part in LOAC training as part of annual training. The training involved watching a very old video, followed by a briefing and a short test.
11. I have not received any training in the detention and treatment of prisoners of any category. The Medical Corps administer medical aid to injured personnel and are not involved in the handling or detention of prisoners of any category.

Sight deprivation

12. I have never received or given any training or instructions regarding the hooding or blindfolding of prisoners.
13. As I have never had any responsibility for, nor involvement in the arrest, detention or handling of prisoners, I have never personally used sandbags to hood or blindfold prisoners. It is my view that the use of sandbags to hood prisoners is not acceptable. I base this view on my own personal opinion that prisoners should be treated humanely and shown respect. I believe this opinion comes from an expectation that if I were taken as a prisoner of war I would not like to be subjected to such behaviour.

Stress positions

14. I have never received or given any training or instructions regarding the use of stress positions on prisoners.
15. I am not sure what a stress position actually is and on that basis I cannot comment on its legality.

Food and water

16. I have never received or given any training or specific instruction on the provision of food and water to prisoners. Again, as in paragraph 13 above, it is my personal opinion that prisoners should be treated humanely and with respect, which obviously includes being provided with adequate food and water.

Noise and sleep deprivation

17. I have never received or given any training or guidance on the use of white noise or depriving prisoners of sleep.
18. I would assume that the use of these techniques is probably not acceptable because it is my personal opinion that prisoners should be treated humanely and with respect. However, as I have not had any training in this area I cannot comment on their legality.

Plasticuffs

19. I have never received or given any training or guidance on the use of plasticuffs and how they should be applied. I have seen British Police use them on the television but do not know if they are legal in a war environment.

Shock of capture

20. I have never received or given any training or guidance on establishing or maintaining the shock of capture. I am not sure what 'shock of capture' means, nor what the process involves, and on that basis cannot comment on its legality.

Conditioning

21. I have never received or given any training or guidance on conditioning. I am not sure what 'conditioning' means, nor what the process involves, and on that basis cannot comment on its legality.

Rank and role during Op TELIC 1

22. I held the rank of Major during Op Telic 1 and I was employed in the 7 Armd Bde Field Administration Office ("Admin Office"), based initially at Shaibah Airport and subsequently at Basrah Palace.
23. I was responsible for the administration and pay and personal administration for 7 Armd Bde personnel deployed on Op TELIC, for the duration of the deployment from Kuwait into Iraq.
24. My day to day role involved managing finances, including phone cards, recording details of occurrences (moves in and out of Theatre) and Casualty Notification to the Divisional Headquarters.

Pre-Deployment Training

25. Although my role on Op Telic 1 did not involve any contact with prisoners, I remember receiving some pre-deployment training in Germany concerning LOAC, which consisted of a video presentation and test (the same training as described above at paragraph 10). This was provided by a training team but I cannot recall exactly when or where this took place, nor who provided the training.

Responsibility for treatment of prisoners during Op Telic 1

26. I have been asked for an explanation of which branches at Brigade level, and which individuals within 7 Armd Bde had responsibility for ensuring the proper treatment of prisoners during Op Telic 1, including during detention generally and during tactical questioning or interrogation. In

response, I did not have any involvement in the detention of prisoners and so have limited knowledge of who was responsible for these matters.

27. I believe that Maj Chris Parker, as Chief of Staff, had overall chain of command responsibility within 7 Armd Bde for prisoner welfare. I would also suggest that the Divisional Staff, including the Royal Military Police ("RMP"), had some responsibility for prisoner welfare. However, I did not actually work in the Brigade Headquarters building and so do not know who would have had input to any operational orders involving prisoner handling.

28. I would also presume, but do not know for fact, that Major Peter Langford as the Deputy Chief of Staff would have had input as prisoner handling areas would probably require some logistic support. My understanding is that the Divisional staff would have had input as the Brigade was fighting during the war, so there must have been a rear echelon looking after any captured personnel.

Communication of Orders

29. I have been asked to explain the process by which orders from Division were disseminated down to Brigade and Battlegroup level, and to identify the individuals responsible for the process. In response, my department received orders delivered by me at the weekly Admin Orders Group ("O Group"). If possible, I would attend the Brigade O Groups but as my team were not involved in the war fighting (we were part of the echelon within the Brigade Support Group) and my orders were for the administrative officers in the Brigade, I did not always attend these O Groups. I did experience difficulty attending all Brigade O Groups due to transport and security issues.

FRAGO 152 / FRAGO 63

30. I have been asked whether I was aware of any order or guidance, prior to either FRAGO 152 or FRAGO 63, which prohibited the use of hooding or otherwise covering the face of a person detained. In response, I had no involvement in either the arrest or detention of prisoners of any category, and I do not believe that I saw FRAGO 152 or FRAGO 63. These orders were not within my area of responsibility and I do not believe they would have crossed my desk at any stage.
31. I was not aware of any FRAGO that at any stage authorised the use of hooding, whether from Division or Brigade.
32. I do not know whether and, if so, the extent to which FRAGO 152 and/or FRAGO 63 were communicated from 1 (UK) Div to 7 Armd Bde, and from 7 Armd Bde to the Battlegroups.

Handover

33. I have been asked to provide as detailed an explanation as possible of how the handover from 7 Armd Bde to 19 Mech Bde was conducted. In response, I remember that I handed over the Admin Office to a female Major (whose name I cannot now remember) on a Thursday afternoon, but I cannot remember the exact date.
34. I remember that the handover to this female Major all took place in a bit of a hurry as she had arrived late in theatre. I remember that she arrived in theatre on the same day that we handed over responsibility for the refurbished Iraqi National Bank to the Bank Staff.
35. I remember that the handover process took approximately a full day and consisted of me providing to the female Major a summary of the accounts and a cash certificate. I did not hand over any documents as such, other than numerous cash receipts and ledgers relating to the Bank activities.

36. I was assisted in the handover process by my staff, specifically WO1 Rumbold and WO1 Cheyne, and a number of junior NCOs from Brigade units whose names I cannot now remember. WO1 Rumbold and WO1 Cheyne assisted me by looking after the Accounts and cash flow for the Central Bank of Basrah. The handover itself was quite simple – we held a large reserve of cash and the Major's staff counted and signed for it. My staff then prepared to leave. This is a well rehearsed process and the staff were aware of what was required.
37. I note that in his statement to this Inquiry, Maj Parker suggests that I was responsible for ensuring that all paperwork was handed over to 19 Mech Bde, which included sifting through documents and ascertaining which were to be kept in theatre. In response I think he is mistaken about this. My team were located within a different building within the Headquarters, and I remember that I left theatre around 7-10 days prior to Maj Parker's departure. I had no involvement in the handling, dissemination, or security or retention of any Brigade documentation. My primary responsibility, following the war fighting phase, was to fund the local economy using the Dollar or Iraqi currency. I was not employed in the G2/G3/G5 areas of Brigade HQ – these are the Intelligence, Operational and Planning teams. I neither have the professional background or experience to do such work.
38. I have been asked whether 7 Armd Bde FRAGO 63 was handed over to 19 Mech Bde and if so, by what process. I do not recall ever seeing this document and cannot comment on whether it was handed over and by what process this was done. Having now read the FRAGO I assume that it would have been handed over because it dealt with an ongoing situation concerning captured individuals. However as I had no involvement in or responsibility for this document I have no knowledge of whether it was in fact handed over.

39. Similarly I do not know what, if any, documents or records might exist to help verify whether particular FRAGOs were handed over to 19 Mech Bde.
40. My role and responsibility in Iraq was to regenerate and fund Basrah. I had no responsibility whatsoever for the custody, maintenance and/or storage of any Brigade documentation. I had no facilities to hold or maintain confidential documents and had no responsibility or involvement in prisoner handling at any time. I worked mainly for Maj Peter Langford, the Deputy Chief of Staff, and did not have access to these documents. Prior to being contacted by this Inquiry I had not seen either FRAGO 152 or FRAGO 63. Maj Parker is therefore mistaken about my involvement in the handover.

Accounts to Press

41. I have never given an account of matters relevant to the Inquiry to the press or other media, although I was interviewed by Sky News on the running of the Admin Office during the war stage.

Statement of Truth

I believe that the facts stated in this witness statement are true.

Signed


~~L. M. Jaggard-Hawkins~~

Dated

24 February 2010.