

Witness Name: Graham JONES  
Statement No: 1  
Exhibits: 1  
Dated: 23/10/09

**THE BAHA MOUSA PUBLIC INQUIRY**

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**WITNESS STATEMENT OF  
GRAHAM JONES**

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I, **Graham Jones** will say as follows: -

1. I make this statement in response to the Inquiry's Rule 9 Request dated 13 August 2009. I seek here to cover everything it raises to the best of my ability and recollection.

**Rank and day-to-day Role during Op TELIC II**

2. I was deployed on Op TELIC 2 with the Territorial Army (TA) in around May 2003, attached to 5<sup>th</sup> Platoon, B Company, 1QLR from 4QLR (Fusiliers). I do not now have a strong recollection for the names of most of the soldiers that I worked with, but I remember that my Platoon Sergeant was Sergeant John Battersby, who is now deceased, and I believe that my Platoon Commander was Second Lieutenant Reilly. My rank throughout Op TELIC II and as at 14 September 2003 was Lance Corporal. I left theatre in October 2003.
3. During Op TELIC II my day-to-day role was as a basic infantryman doing general ground work including vehicle checkpoints and raids. I was initially used as a Saxon driver, and later on became a top-gunner.

#### **Baha Mousa and those detained with him**

4. I recall that B Company was involved in the operation which led to the detention of Baha Mousa and the other detainees, but I cannot now remember the actual name of the operation. Nor can I remember many details about the operation, such as any prior briefing given to us about the operation, the exact date or time it started, or who I was with during the operation. The extent of my recollection of my involvement in the operation is as described below.
  
5. I remember that my Platoon was tasked to attend the hotel where Baha Mousa and the other detainees had been found, although I cannot remember where we travelled from to go there. However I think that this was the only hotel that my Platoon had been to on this day, so we may have come straight from BG Main. I do not remember what time of day it was when we arrived at the hotel, or what the name of the hotel was, but I remember that we arrived some time after the initial raid, as the perimeter outside had already been set up and secured by other Multiples. I remember that we knew some people in the hotel had been detained, but I do not think we had any more information. I remember that I went into the foyer of the hotel with my Platoon Commander to see what we were needed for. I do not know if Baha Mousa and the other detainees were still there at the time or whether they had been taken away, but I did not see any detainees while I was there. I remember that we then basically hung around outside the hotel for a few hours before leaving. I think I remember this day and the hotel now mainly because I remember that there had been an allegation that one of the soldiers had stolen some money from one of the guests. I cannot remember what happened after we left the hotel, or whether we returned to BG Main or went on to some other task.
  
6. I have been asked by the Inquiry about whether or not I saw Baha Mousa and the other detainees at BG Main. I certainly did not see him

or any other detainees inside the BG Main detention facility, because apart from one occasion described at paragraph 10 below, I never went into the detention facility at all.

7. I did see a group of detainees brought into BG Main on one occasion which I believe was around the same time as the operation on the hotels. I cannot be sure whether it was the same day as the operation, or a couple of days before or after the day of the operation. I can only now remember that it was at about that time during my tour because it was around the time of my birthday, which is █████ September. I remember that I was in the B Company building at BG Main when a group of B Company soldiers drove their vehicles into the camp and pulled up at the vehicle park. They were in my Company, which is why I recognised them. They unloaded about 7 or 8 detainees, all of whom were hooded with sandbags and plasticuffed behind their back. There seemed to be an air of excitement or even elation among the soldiers. I do not know the names of any of these men, as they were not from my Platoon.
  
8. I remember that the soldiers made the detainees kneel in the vehicle park area directly outside the B Company building and then they pushed them around and roughed them up with some kicks and punches. I specifically recall one big blonde guy, whose name I do not know but who I think was attached to the HQ section of B Company, come up and hit one of the detainees really hard, knocking him right over. I remember that I could not see any reason for this treatment, it seemed fairly chaotic and senseless. There were a number of guard towers around the perimeter of BG Main and the detainees were taken into one of these near the back of our building and beaten up by the soldiers. I did not see the detainees being taken into the tower and did not go into the tower myself, but the word spread quickly around B Company that this is what had happened. I cannot now remember individuals, but I remember the gist of the information going around was that B Company had found some detainees who had done something or other, and that they were in the tower if anyone wanted to 'have a go'. I remember that

there was a real buzz around the place and a few NCOs ran out to go into the tower. Again, I cannot now remember the names of these people, and I did not actually see anything happen in the towers, but it seemed pretty obvious what was going on. I stayed well away from the towers and the soldiers and wanted nothing to do with it. I didn't say anything to anybody. By that stage of the tour I was well used to the culture within 1QLR, which I believed was one in which violence was ingrained and commonplace, as I have described below. I do not know what happened to these detainees in the towers, and I did not see them again.

### **Personal experience with physical handling of detainees**

9. I have been asked by the Inquiry about my personal experience handling detainees held by 1QLR, and my view on the extent to which the chain of command sought to impose and maintain discipline in relation to prisoner handling.
10. My only experience of prisoner handling was one day at the detention facility at BG Main. I cannot now remember when this day was, but I think it was in the second half of my tour, a few weeks or maybe a month before my birthday. I remember that my Multiple was on guard duty at BG Main and I was tasked to be guard commander at the detention facility. I cannot now remember who tasked me, and do not know why I was tasked with this duty, but I think it was just because I was there at the time and was a free NCO on duty.
11. I went into the detention facility and saw that there were probably about 7 or 8 detainees kneeling on the floor with sandbags over their heads and hands plasticuffed behind their backs. I don't know who they were or what they had done. I was spoken to by a soldier who I think was from the Regimental Police (RP) and a soldier from the Intelligence cell, although I did not know who they were or what their names were. The RP guy was a stocky, fair-haired guy, about 5 foot 9, and I would

estimate that he was in his late 30s or early 40s. The Intelligence soldier was shorter and slimmer, and had dark hair. He was an officer and although I do not know his rank, I would assume he was a Captain. I do not think I would be able to recognise him now. The other guards in the detention facility were a handful of random privates who I didn't know and still do not know. The Intelligence soldier and man from the RP told us that the detainees were going to be questioned individually and that someone would come and collect each detainee in turn. They told us that we should be silent at all times, so that the detainees could not hear how many of us were there, or where we were in the room. They also told us that prior to being questioned they wanted the detainees to be 'roughed up' or 'loosened up', so that they were ready for questioning. I remember that the man from the RP used words to the effect of 'make sure they're turned over a bit'. Neither he nor the Intelligence soldier specified exactly what they meant by this. They then left.

12. I was there for a few hours, probably between 2 and 4. During the time I was there as guard commander myself and the other guards did as we were instructed. We did not speak to each other and we tried to keep the detainees unsettled and uncomfortable. I do not know who the other privates were, except that they were not from the same platoon as me. We kept some of them facing the walls of the detention facility and some of them in the middle of the room. We whispered close to their ears and breathed cigarette smoke on them to disconcert them psychologically. We picked them up and then turned them around and then sat them down again so that they would be confused. A couple of times some of the privates also struck the detainees with blows to the body, but I did not think this was appropriate and considered this to be taking things too far, and indicated silently with my hand that they should stop this, and they did. I did not strike the detainees myself at anytime. That sort of behaviour was not my thing. As they had advised, the RP or Intelligence soldier regularly came and pointed to a detainee, and this detainee would be picked up and taken away for questioning. After a few hours had passed I was relieved and left the detention facility, and did not have

any other personal experience of prisoner handling, or visit the detention facility again during my tour.

13. I also been asked by the Inquiry about my view on the extent to which the chain of command sought to impose and maintain discipline in relation to prisoner handling.
14. My view is that there was total lack of discipline within 1QLR in relation to the behaviour of the troops. I found there to be a very unpleasant culture and attitude within the Regiment, with generally low morale and a lack of control from senior officers.
15. The one obvious example of this was one day when I was seconded from my Platoon to another Platoon within B Company, because they were short of Saxon drivers. I cannot now remember which Platoon I was seconded to, but I believe that the Platoon Commander was a soldier by the name of Peel. I cannot remember exactly when this was, but I believe it was within the first couple of months of my tour.
16. I remember that out on patrol we apprehended a middle-aged Iraqi man in the Shia flats. I cannot remember why he was apprehended, but I recall that it was for some minor offence, such as theft. I was driving a Saxon which travelled behind an open-topped Landrover where they put this man, and as we drove along I could see the soldiers beating him up in the back of the vehicle. I did not and do not know these men, as I did not normally work with them, although I could probably pick them out if I was shown pictures.
17. For some reason we drove to the grounds of an old University. We pulled up and two or three soldiers basically dragged this man out of the Landrover onto the ground and gave him a real beating. I did not know why this was happening and was totally shocked to see it. They then dragged him along the road a bit by his arms and dumped him there, and then we left. I remember sitting in the Saxon and the Platoon

Commander was in the Landrover as the driver and not only did he not put a stop to the beating or say anything to his men, but it appeared that he actually found it amusing. I am pretty sure his name was Peel, although the names are getting mixed up. It was not the Commander of my platoon.

18. I did not saying anything to him or anyone else but when I got back to BG Main that night I went and saw my own Platoon Commander and went ballistic at him about what I'd seen, and told him that I was going to report the other Platoon Commander. He told me that he would instead have a 'word' and take it up with the chain of command, but I am not sure what happened as a result, if anything. I point blank refused to have anything more to do with that Platoon and I never went out with them again.
19. Overall, as I have stated above, I believe there was a lack of discipline generally in 1QLR, and an entrenched culture that condoned violence. I cannot believe that senior ranks did not know that this was going on. For example, when the detainees were beaten by B Company in the vehicle park and guard tower, as described above, this was directly outside the B Company office where CSM Leigh (who is now deceased) and the Adjutant were based. If anyone had been in the office they could not have failed to see what was going on.

#### **Accounts to Press**

20. I have not given an account of matters relevant to the Inquiry to the press or other media.

#### **Location**

21. I have been asked to mark on documents BMI00897, MOD021735 and MOD021736 the location of the tower and the B Coy building from which the assaults were visible, which I have done and exhibit to this

statement as 'GJ1'. My recollection is that the building marked as the "Main accommodation block" on document BMI00897 was where detainees were questioned.

**Statement of Truth**

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

Signed .....  .....

Dated ..... 23-10-09 .....

<b>Exhibit list to the Witness Statement of GRAHAM JONES, dated 23/10/2009:</b>			
<b>Exhibit</b>	<b>Description</b>	<b>URN</b>	<b>Hearing Bundle Reference</b>
GJ1	Version of plans with the location of the tower and the B Coy building from which the assaults were visible marked by Graham Jones	BMI05360	N/a