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MOD Form 266A (Military)

Case No: 64695/03

**WITNESS STATEMENT**

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

**Statement of:** Richard John ENGLEFIELD**Age if under 18:** Over 18      **Occupation:** HM Forces (Army)  
(if over 18 insert "Over 18")

This statement (consisting of 5 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.

Dated the 20<sup>th</sup> day of October 2003

Signature: RJ ENGLEFIELD

I am the above named person.

I am the Officer Commanding of Anzio Coy, 1 QLR, presently serving on Op TELIC where I arrived on 19 Aug 03. I am due to depart theatre on 7 Nov 03, when I will return to my unit in Catterick, N Yorks.

On Fri 12 Sep 03, at HQ, 1 QLR Main, Basrah, SE Iraq, I attended an O Gp chaired by the Commanding Officer, of my unit. Also in attendance at the O Gp were the 2i/c Maj Chris Suss-Francksen, the Ops Offr Capt Gareth Seeds, OC Burma Coy Maj John Lighton, OC Coruna Coy Maj Mark Kenyon, OC Somme Coy, Maj Edward Hemesley, all 1 QLR. It is possible that the ISTAR Officer Maj Mike Peebles and IO Capt John Semen, both 1 QLR were also in attendance. The Commanding Officer gave orders on operation Salerno, which was to take place on Sun 14 Oct 03, in the city of Basrah involving all of the Coys mentioned.

The aim of the operation was to conduct searches of a number of hotels in an effort to identify a number of individuals who it was suspected may be on the premises who were Former Regime Extremists (FRE's). In addition the hotel was to be searched so that foreign guests could be identified and intelligence gathered on persons who may have been or assisting FRE's. Each company was provided with a number of hotels to search with a secondary task of searching other locations as a result of Intelligence gathered during the Operation on the ground.

The Commanding Officer emphasised that the Operation was a soft knock operation. (Soft knock requires our seeking permission from the owner of the premises to enter and search before doing so, as opposed to Hard knock, when entry is gained by use of force). I saw that the hotels I was required to search were located between junctions Pink 10 and Pink 13 on the Basrah spot map and this included the hotel 'Ibn Al Haitham.'

Signature: RJ ENGLEFIELD

Signature witnessed by: DPW SPENCE

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MOD Form 266E (Continuation Sheet)

Sheet No 2

Case No: 64695/03

Continuation of statement of: Richard John ENGLEFIELD

On Sat 13 Sep 03, at Anzio Coy lines, Camp Stephen, Basrah, I chaired an O Gp at which the multiple commanders, A/CSM, CQMS, Int Officers and Ops Officer were all in attendance. I briefed them on the Operation emphasising that it was a soft knock operation. I recall that I tasked G10A, the multiple commanded by Lt Rodgers, of my unit, with searching the hotel 'Ibn Al Haitham.' All of the commanders have had experience of searches on similar previous operations.

On Sun 14 Sep 03, the Operation got underway during which I was out on the ground at the scene communicating with my multiple commanders via Personal Role Radio (PRR).

During the morning, whilst the searches continued I received communication from Lt Rodgers that his c/s had located a number of weapons in the hotel, 'Ibn Al Haitham.' I went to the hotel and spoke with him, when he showed me a number of weapons recovered which were now on the reception desk. I saw also that there were 7 males of local appearance in the foyer all of whom were prone, face down on the floor. These males I was led to believe were employees who were present or working in the hotel on our arrival.

Whilst the males were prone on the floor they were not restrained in any way at this time.

I left the hotel, giving instructions that the searching should continue and periodically returned to the hotel when guests wished to leave, purely to ensure they were not on those listed as FRE's.

When the search was concluded I returned to the hotel, where arms, ammunition and ancillaries had been recovered. As the items were not attributable to any one of the males present all 7 were arrested. With the exception of one of the males who was escorted from the premises separately as a source for further intelligence, I ordered the other males be plasticuffed but not hooded. It is normal practice to hood the individual so that they cannot be identified by the public, however as I had arranged for the transport vehicle, a Bedford 4 ton vehicle to reverse close to the entrance I did not think it necessary to hood as neither the public or waiting press, who had congregated outside the hotel would get a clear view of those detained. (Additionally, I did not think it would look good in the media for us to walk out hooded subjects). With their arms plasticuffed the males were aided into the rear of the Bedford 4 ton vehicle, when I saw only one slip slightly knocking his knee but not so as to cause any notable injury, the knock being only slight. None of the males showed signs of visible injuries or ailments.

After loading onto the vehicle, which then departed the scene, I did not again see the detained males.

Signature: RJ ENGLEFIELD

Signature witnessed by: DPW SPENCE

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MOD Form 266E (Continuation Sheet)

Sheet No 3

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Continuation of statement of: Richard John ENGLEFIELD

I was not required to compile any documentation in respect of the 7 detained as this is required to be completed by the arrest team, G10A.

On Mon 15 Sep 03, I was informed by both the Ops room, Anzio Coy and the Adjt, 1 QLR, that a detainee had died.

Subsequent to this news I attended 1 QLR Main, where I addressed the c/s G10A informing them only that if they required advice or assistance they could approach me.

In a separate brief, in an effort to identify what had occurred, I spoke with Lt Rodgers and the brick commanders who I believe were LCpl Redfean, Pte Cooper, Pte Graham and another, possibly Pte Reader, of my unit. Collectively they informed me that the prisoner had broken free previously and shoulder charged someone or rugby tackled them, when he returned to custody it was noted he was not breathing and the Doctor/medics were called to assist. Following this however, the male had died.

I did not question anyone further in an effort to resolve any responsibility for what had occurred.

Signed: RJ ENGLEFIELD

Signed: DPW SPENCE  
WO2  
RMP (SIB)

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