

*Sops,*  
*e38*  
*881*  
*For info to note*

D/IIT/1/1

17 May 2003

APS3/Secretary of State


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- Director Iraq
- PJHQ CivSec
- AG DCS

*Pen*

*I wonder whether this would be an appropriate subject for a written memorandum (we would be to finance the SR points) ?*

*Check with Adam plann*



UK FORCES USE OF HOODING

Your email of the 14 May 2004 asked for consolidated advice on the practice of hooding. I have drawn the following together with significant assistance from PJHQ J9.

**General Background:**

1. All members of the Army receive training on prisoner handling. In the case of soldiers this is during their Phase 1 training and for officers at RMA Sandhurst. This training is supplemented annually in the form of Individual Training Directives (Army) (ITD(A)). ITD(A)s are mandatory for all Army personnel and those deploying on operations must also complete mandated Pre-Deployment Training (PDT). IDT(A)6 provides annual training on the law of armed conflict and includes direction on prisoner handling.
2. The Joint Services Intelligence Organisation, part of DISC Chicksands run two courses to teach procedures for prisoner handling and interrogation. The Prisoner Handling and Tactical Questioning (PH&TQ) course is designed for front-line soldiers who are likely to come into contact with enemy prisoners shortly after they have been captured. It is a five and a half day course which is designed to ensure that personnel can conduct initial questioning of prisoners, in

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adherence with the Geneva Conventions, and determine whether more detailed questioning is warranted.

3. The interrogation course is an additional 5 days of training at the end of the PH&TQ course. It is designed for Service personnel who are in an appointment that could require them to conduct interrogation of captured enemy personnel. It teaches individuals how to question captured personnel, in accordance with the Geneva Conventions and the Laws of Armed Conflict, in order to obtain information of potential intelligence interest. The underlying tenet is that a 'broken' PW cannot provide information for the Interrogator to achieve their aim. It identifies the following techniques as totally unacceptable under any and all circumstances, both because they are illegal and they are counter-productive:

- Physical punishment of any sort (beatings etc).
- The use of any stress position.
- Intentional sleep deprivation.
- Withdrawal of food, water or medical help.
- Degrading treatment (sexual embarrassment, religious taunting etc).
- The use of 'white noise'.
- Torture methods such as thumb screws etc

4. The hooding of prisoners is not taught as part of the annual IDT(A)s, nor is it part of the PH&TQ course which teaches that the hooding of detainees is unacceptable. However, blindfolding or obscuring of a detainee's vision for operational reasons is acceptable if there is clearly justifiable military reason, such as preventing a prisoner from seeing sensitive material, or friendly forces dispositions. It should be noted that there is no prescriptive direction with regard to hooding contained in any of the relevant manuals, doctrine or military law.

#### **Op Telic Guidance**

5. The Land Warfare Centre's Op Law Branch briefing on Op TELIC OPTAG PDT Packages made it clear that hooding is not permitted and prior to deployment all personnel received:

- Cultural awareness briefings highlighting the unique sensitivities in IRAQ in particular and Arab culture in general
- Rules of Engagement training including the procedures for handling prisoners.

6. Annex B of CJO's directive to COMBRITFOR for HUMINT Operations (dated 27 February 2003) gave direction for interrogation and tactical questioning during Op TELIC. It referred to two other Armed Forces documents: Joint Warfare Publication 1-10 – Prisoner of War Handling and Army Joint Publication 2.5 – Handling of Captured Personnel, Captured Equipment and Captured

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Documents. These documents do not discuss hooding explicitly but do state that physical or mental torture or other forms of coercion must not be used in order to obtain information (reflecting UK interpretation of the Geneva protocols).

7. No advice was sought on hooding for arrest or transit and no direction given. PJHQ were not aware of the Heath Ruling until it was raised in the last two weeks. Hooding for the purposes of arrest and transit was normal procedure on operations (as is the case for most Armed Forces in the world). PJHQ do not believe that the use of hoods had not been significantly challenged in practice since PJHQ was established in 1996 and so there was no apparent reason to seek specific advice for Operation TELIC. The hooding of detainees for arrest or transit of detainees was a standard procedure for UK troops prior to TELIC. Hoods were used in Afghanistan and it is likely that they were used in every other operation where individuals were detained. However, as this was standard procedure this would not necessarily have been reported and so records are not immediately available. PJHQ are investigating further but currently have no firm data.

**Extent of Hooding**

8. *Interrogations* – We have found no evidence that would suggest that interrogators ignored their training and hooded prisoners at any point during TELIC. Guards at interrogation centres may have used hoods to move prisoners around and we understand that in some cases prisoners may have requested hoods to preserve their own anonymity.

9. *Tactical Questioning* – Tactical Questioning (TQ) was more widespread than interrogation and all formations have personnel trained in TQ. We do not believe that there were any instances of hooding being used during TQ. This would also have been in contradiction to TQ doctrine as laid out in JWP 1-10 where hooding (or even blindfolding) is considered counterproductive since it prevents direct contact between the questioner and prisoner and inhibits rapport. PJHQ have set in train actions to trawl all units that operated in Iraq to form a definitive understanding.

10. *Arrest/Transit* - Hooding during transit between the point of capture and the detention facility was widespread, as there were very few enclosed vehicles in which detainees could be transported. This was the established norm for UK troops but the extent to which it was used varied from unit to unit. As with TQ PJHQ have initiated a trawl of units but it will take time to collect returns and collate them into a coherent overall picture.

11. By May 03 Gen Brims had issued direction that 1 Div should cease hooding (despite being given legal advice in theatre that under specific and limited circumstances – those under which UK troops routinely used hooding - it was not unlawful). When 1 Div handed over to 3 Div on 12 July 03 this direction

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was lost. 3 Div therefore reverted to normal procedure and the practice began again until CJO issued his formal direction in late September 03 that it should cease.

12. There is no firm evidence that the hooding of prisoners at the PW camp Joint Force Interrogation Team (JFIT) facility, during major combat operations, went beyond the normal use for arrest/transit activity. Anecdotally there may have been problems stemming from the very large numbers of PWs in civilian clothing being held at a facility designed for military prisoners. There were very limited facilities for separating prisoners so it appears hooding was used on prisoners held at the centre. It was concern about this that Gen Brims noted when he visited the JTIF and which prompted him to direct 1 Div to cease the practice. PJHQ are investigating more details on the use of hoods at the JFIT.

**Special Forces**

13. The UKSF have not used hooding [REDACTED] other than in Iraq. This is not representative of a general policy not to hood [REDACTED]

[REDACTED]

Detainees have been hooded throughout this transit period, apart from when they have been subject to tactical questioning and when they are given a medical examination. Sec(HSF)2's submission of 13 May 04 explained why UKSF continued to hood personnel despite CJO's instructions of September 03. From [REDACTED] May 04 UKSF have used blacked out goggles rather than hoods.

**Concerns about Hooding**

14. The ICRC expressed concerns about the duration for which some detainees were being hooded at the JTIF prior to Gen Brims order to cease hooding but although this was early in the conflict we cannot be certain of the date. There is some anecdotal evidence to suggest that two ICRC representative who visited the facility disagreed as to whether the hooding was acceptable on security/safety grounds. It was however, agreed that goggles or blindfolds would be acceptable and serve the same purpose. PJHQ are investigating any documentation, which might exist to support this suggestion. The use of hoods outside of detention centres has not to our knowledge been raised as a concern.

**Current position and issues.****SECRET UK EYES ONLY**

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15. Following CJO's instruction to cease hooding in September 03, PJHQ, with the exception of the SF, have had no reports of this instruction being disregarded in Iraq. DSF formally instructed UKSF to stop using hoods on the May 04. A mixture of goggles and blindfolds are being used instead of hoods. We are not aware of any complaints that have been received about the use of goggles.

16. PJHQ have now issued instructions to all operational commanders that hooding is to cease; blindfolds are to be used in Afghanistan while blindfolds will not even be used in the Balkans.

17. Your email also asked about CO/SIB investigations, other than that of Baha Mousa that involved the use of hooding. In the time available AG Sec have been unable to review the SIB cases to identify possible links with hooding. We will provide further advice if this should be the case.

Stuart Kistruck  
Deputy Head IIT  
[REDACTED]

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