

Witness Name: Joseph Grist

Statement No: 1

Exhibits:

Dated:

THE BAHAMOUS INQUIRY

Witness Statement of Joseph Grist

I, Joseph Grist will say as follows:-

Introduction

I make this statement in response to the Inquiry's Rule 9 Request dated 20 April 2009. I have read this Request, and I seek here to cover everything that it raises to the best of my ability and recollection. I have also been shown and have read a copy of my handwritten witness statement for the SIB dated 15 September 2003 [MOD015905].

Career History

1. I joined the army as a Private in 1999. I did my basic training at Catterick for 12 weeks and then undertook Phase 1 training for nine weeks to become an infantry soldier. I joined my Battalion, 1 Queen's Lancaster Regiment (1 QLR) in 2000. Within my first year of service with the Battalion, based in Catterick, I was promoted to Lance Corporal. I went to Canada

on exercise in February 2001 for 6 months. While there I was involved in a major accident, where the vehicle I was driving went out of control and hit a tree. I was evacuated by helicopter. I suffered severed muscle fibres to my left leg and long term back pain. Most of the other training I undertook was in the UK, either around Catterick or Salisbury Plain.

2. I heard rumours that either my Battalion or one other was going to Iraq in January 2003, about 6 months before I deployed. I officially found out that we were deploying in March 2003, at which point the Battalion began planning its training programme. Following this, in or around April 2003, the training itself started (see paragraph 19 below). I deployed to Iraq in July 2003 for six months. I was in one of the first parties of 1 QLR to deploy.
3. I returned from Iraq in January 2004 and after a period of post tour leave I returned to Catterick. I went on exercise to Jordan shortly afterwards, but left early to do a tour in the Falkland Islands for 6 months. While there I went on a Navy Vessel to South Georgia for 2 weeks. I left the army in 2004.

Personal Appearance

4. Whilst in Iraq in 2003 I was 20/21. I originally had short fair hair, in a crew cut. However part way through the tour it was so hot that I had my head fully shaven. I am 5 feet 10 / 11 inches tall. I am a medium build and muscular. I have brown eyes and a fair complexion. I am almost certain that I did not have any tattoos while in Iraq. I do have some now.

Rank and Role- including chain of command

5. When I deployed to Iraq I was a Lance Corporal and acted at different times as a Section Commander or a Section 2IC in A Company, based at Camp Stephen. I moved between the two roles because I moved between Sections regularly, depending on where man power was required and my role depended on whether there was a more senior Section Commander already in the Section I was moved to. In the first part of the Tour I was generally a 2IC and in the second part of the tour I was generally a Section Commander.
6. A Company was split into 3 platoons and initially my Platoon Commander was Colour Sergeant Hollender. The Platoon was spilt into two multiples, one led by Colour Sergeant Hollender, the other led by Sergeant Lawrence. Each multiple was made up of two sections of 8 men. As stated from time to time I would move between Sections within the Company depending on the availability of soldiers.
7. The Section I was with most of the time before the period 14 – 16 September 2003 was within Sergeant Lawrence's Multiple. Corporal Howarth was my section Commander. My section consisted of 8 men including myself and Corporal Howarth. I was the 2IC in this section. Below me were Privates Gosling, Bancroft, Walker and Jordan. There were also two other private's in the section, who's names I do not now recall.
8. When I was a Section Commander it was in 1 Platoon and Private Aspinall was my 2IC and was replaced by Private Graham. This was after the death of Baha Mousa.
9. As a Section Commander or Section 2IC I was responsible for the safety of troops on patrol and their administration. The Platoon Commander was responsible for the Platoon and its sections. On a daily basis the Platoon Commander would go to

Regimental Head Quarters at BG Main in order to receive orders and be provided with the time frame in which to carry them out.

10. Other people I remember in my Platoon included: Lance Corporal Woods, Lance Corporal Brezinski, Private Shakeshaft, Private Laurikietis, Private Fallon and Private Broadbent.

11. On a daily basis my Section carried out patrols to show presence on the street in order to keep the peace. We also carried out house raids, patrolled road blocks and controlled or prevented riots. We also spent a lot of time protecting the banks in Basra. When Saddam Hussain was overthrown the Iraqi pay system became problematic, prompting Iraqi nationals to want access to their money for a period of about 4 weeks. We spent a lot of time at one bank in particular, controlling the movement of people in and out and preventing unrest. The mood was often tense, bordering on a riot a lot of the time. We also undertook 'quick relief' duty; this is essentially being on call at the camp, so that if something happens to another section out on patrol which they could not handle, then the quick relief section is called as back up. This would generally be as a response to riots.

12. We also undertook guard duties as and when required. I guarded detainees from time to time at Camp Stephen, but never at BG Main.

13. Following Baha Mousa's death I moved to the multiple commanded by Lieutenant Rodgers. This was known as G10A.

Training

Basic Training

14. In the 12 week Phase 1 basic training, which I did near Edinburgh, the only thing I did relating to detainees was the Law of Armed Conflict course. We saw a video and had power point presentations about the Geneva Conventions. I do not remember exactly what was said but prisoner handling was touched upon. I am not sure if I ever saw "prisoners" hooded during Phase 1 training exercises. I cannot now recall any specific examples. I do not recall any teaching or training about hooding. As well as prisoner handling we were also taught about discipline and the need to obey orders.

15. In Phase 2, which was a nine week course in Catterick, again the only training on prisoner handling was in the Law of Armed Conflict lesson. It was, however, more in depth and covered how to arrest someone, which included a practical exercise and involved being taught that only reasonable force could be used. We were also told how to control aspects of the arrest, for example putting a suspect face down on the ground and applying plasticuffs to the rear. We were also taught to obtain information from prisoners; by this I mean how to question them to obtain their name, age and background. We were taught to take prisoners to a holding area, but not what to do once they were there; as we would just hand them over at that point. The instructors we had were largely based in Catterick. I do not recall who they were; once a soldier reaches the rank of Lance Corporal they can be asked whether they wanted to teach on such courses.

Subsequent training

16. I do not recognise the terms ITDs (Individual Training Directives) or MATTS (Mandatory Annual Training Tests). I was just asked to do training on an ongoing basis and did it. The Platoon Commanders dealt with the syllabus for the year in relation to what we needed to work on to improve our skills. I would be given a diary of things to do and work from that. I recall going to Salisbury Plain on a number of occasions on exercise. While there we did role-plays where we performed our duties as soldiers or pretended to be prisoners. Prisoners on these exercises would be plasticuffed to the back and sandbagged as in paragraph 20 below.

17. In order to become a Lance Corporal I undertook the Junior NCO course. It touched upon prisoner handling but I do not recall what was said as the course focused on leadership skills.

18. I did a pre-Senior NCO course, which was introduced as a three week course to establish whether soldiers should do the full corporal course at Brecon. Prisoner handling was taught on the course in the same manner as in Phase 2 training.

Pre-deployment training

19. I undertook pre-deployment training preparing for me to go to Iraq from around March 2003. We were provided with white cards on the Laws of Armed Conflict to put in our top left hand pockets, to be kept there at all times. If we did not keep them there we would be given a small discipline. Colonel Mendonca insisted on this. People often lost them before deployment, but they were replaced. The cards contained the laws of armed conflict and the rules of engagement. The cards were given by the Company Sergeant Majors to Platoon Section Commanders to distribute to their sections. We had to sign to say that we had received the cards. I remember that when we

deployed to Iraq the cards that the previous regiment had, who may have been the Black Watch, contained rules that were very different to ours. Theirs were more 'shoot first and think later', whereas ours were much stricter.

20. I attended training on Salisbury Plain almost every week prior to deployment for Fighting in Built up Areas (FIBUA) training. FIBUA training was also carried out at our local FIBUA village, Copehill Down, but this was not as big as the one on Salisbury Plain. It was in these FIBUA villages that we were trained in prisoner handling. We acted out scenarios arresting, restraining and holding prisoners as soldiers or pretending to be prisoners. We were taught to use reasonable force to capture someone and put a single hessian sandbag over the head and plasticuff the prisoner to the back. The sandbag had drawstrings, but these were not pulled tight as it was unnecessary; being plasticuffed prisoners could not take them off anyway. I do not remember when or how I first learnt about using sandbags in this way. Although I can recall that sandbags were used in this way I do not remember any training or teaching about using sandbags or hooding prisoners. The emphasis of these exercises was practicing the attack. Dealing with the prisoners not a major part of the exercise. If prisoners were captured they were handcuffed and hooded and then passed on to the platoon sergeant. Then we would change places and we would act in the role of the defender.

21. If more than one individual was arrested we needed a holding area where they could be secured until the rest of the attack was completed. We would hand over the prisoner to the Platoon Sergeant who would assess any injuries. We then transported and guarded prisoners until they were handed over

to the Military Police. We did not learn about how to treat prisoners in a detention centre, only a holding area.

22. We did conduct after capture to the extent that we were taught to cooperate to a certain extent, not like the SAS who can only give their name and number. This was only very basic, as being captured is not a situation that can be controlled so people do not know what will happen.

23. We had a lesson on questioning, which was not in-depth. It involved the same material as Phase 2 training referred to in paragraph 15 above.

24.1 QLR ran the training. If we didn't have anyone to teach a particular subject area someone would be sent off to be trained and then return to train the rest of us.

25. Outside of these role-plays we had training from the Provost, not the redcaps (military police) on prisoner handling. This repeated training that we had previously and is referred to above and dealt with securing the prisoner and obtaining basic information.

26. We had Arabic Language training and training on the Laws of Armed Conflict (LOAC). The LOAC training consisted of videos and power point presentations as it usually did. We also had a lesson from the Intelligence Corps on the history of Iraq and what to expect there in terms of culture, language and people.

Conditioning and related matters

27. I have been asked what I understand is meant by the following terms and what training and orders I had in relation to them:

- i. **Hooding** – Hessian sandbags were usually kept on soldiers webbings for using for a variety of purposes, including being put over prisoners heads in order to prevent them from seeing where they were being taken and disorientating them to prevent them from guessing who they were with and where they were. It was to give us control. I do not know if this was for the purposes of questioning.

I first learnt about hooding and saw it done in Phase 1 training, referred to above. I have seen it done, had it done to me and done it to others throughout my training. In Iraq we had chest rigs (a lighter type of webbing) and so usually kept sandbags in our day sacks which we left in the Saxons, to prevent us from getting heatstroke from carrying too many things on our bodies. The Platoon Sergeant would have a list of equipment which the Section 2IC would distribute, which included the sandbags and glow sticks. There were always a lot of sandbags around. Jackets could be used if there were no sandbags, but it wasn't an issue as there were always some around. I don't think we were ever taught about using jackets if there were no sandbags. You could use anything that stopped the prisoners from seeing.

No one questioned the use of sandbags on prisoners in Iraq. I used them and saw others use them regularly. We were always taught to use them. If it was not correct to sandbag someone the Platoon Commander would have said. Near the end of the tour I seem to remember sandbagging being knocked on the head although I believe that sandbags were still being used when I was in Jordan and the Falklands. In Jordan I do not recall any exercises involving prisoner handling but I am certain that we still had sandbags and it was understood that one of their uses was for putting over the heads of prisoners. In the Falklands there was a very large exercise that we did although because I was in a Supporting Fire (SF) role I did not see any "prisoners" being captured. In the whole time that I

was in the army I do not recall being taught about or seeing the use of blackout goggles.

- ii. **Stress positions** – I understand stress positions to be putting a person in a position where their muscle fibres are in a state of contraction and start going into stress. It makes them feel uncomfortable. It breaks morale as well as being physically uncomfortable. I first learnt about stress positions in Phase 1 training. They were used on us as a form of discipline. An example was having to squat and remain static against a wall putting the legs under tension. Physical Training instructors used stress positions more than anyone else. They knew best how to isolate certain muscle areas and so were the most effective at doing them. They were always used as punishment. We were never given instructions to use them ourselves.

Stress positions were used in Iraq as a way of controlling prisoners. They were used at BG Main, where they were generally taken straight away or Camp Stephen if they were processed there first. I only dropped detainees off at BG Main, but know that stress positions were used there from the other people in my Multiple. I don't remember who told me. I just remember that I knew it was going on. I saw stress positions and questioning on a marble patio area just outside the HQ building at Camp Stephen, at least weekly. By stress positions I mean kneeling upright with their hands behind their heads. This generally happened for a couple of hours before the prisoners were either released or sent to BG Main. Prisoners were questioned by the Company CO and CSM (Sergeant Major Tomkinson) at a desk in view of, but outside of earshot of, the other prisoners who were still in stress positions. The marble patio area where the prisoners were kept was a large area so this separation of questioning and detaining prisoners could be achieved. I assume that questioning took place at BG Main in the same way as prisoners were put into stress positions as they were at Camp

Stephen. I did not put people into stress positions myself. The Company Sergeant Major of A Company appeared to be in control of the use of stress positions and questioning at Camp Stephen. I saw people stood on their knees with their head upright. Sometimes they were facing a wall. Someone always guarded the prisoners.

- iii. **Force** – Although I do not recall specific training on the use of force on prisoners I understood that the force used should be the minimum to maintain control of the prisoner.
- iv. **Food and water** – I have never been taught about depriving prisoners of food and water.
- v. **Plasticuffs** – I learnt how to use plasticuffs in Phase 2 training referred to in paragraph 15 above. It was an aspect of prisoner handling to secure prisoners' hands. We were taught how to put them on to the rear of the prisoner's body, because if they were applied to the front the prisoner would still be a threat as their movement would not be as limited. We were taught that the blood supply should not be cut off. We used plasticuffs whenever prisoner handling came into training or practice. On Op Telic 2 we carried plasticuffs and used them all the time.
- vi. **Discomforting levels of noise** – I have not been taught to use noise as an interrogation technique and have not witnessed it. I have only read about it in books and seen it in films.
- vii. **Sleep deprivation** – I have never heard of sleep deprivation being used in the interrogation of prisoners.
- viii. **Shock of capture** – I have heard of the shock of capture, but do not recall if I heard about it prior to, in or post my tour of Iraq. I think it means how each individual reacts to a situation that scares them.

- ix. **Conditioning** – I am not sure what this means, it may be something to do with adapting the body's ability to cope with hostile environments. Before Iraq we were in the desert for two weeks adapting to the weather.

Prisoner Handling (general)

28. When we got to Iraq the handover from Blackwatch did not include Prisoner Handling as far as I am aware. I was not directly involved in the handover.

29. In Iraq, as indicated at paragraph 27, soldiers sandbagged and plasticuffed prisoners all the time, like they were always taught to do. Stress positions were used openly and anyone could have seen them used. If prisoners were brought in we knew they would be put in stress positions just outside the boundary wall at Camp Stephen. I was aware that the Provost Staff dealt with them at BG Main.

30. I arrested prisoners and transported them to Camp Stephen and BG Main. At one point I even took a prisoner to an American Camp to drop him off.

The TDF (Visits to BG Main)

31. I visited the TDF at BG Main quite a few times to drop off prisoners to the Military Police, not the Provost. I did see the Provost there but did not have much interaction with them. We usually lined up our Saxons outside of the detention facility, near to the toilets. I never went in there when there were any prisoners inside as it was unnecessary and there were guards on the door so I assume I would not have been allowed in. I think I went in there once, when invited (I do not remember by whom) when it was empty. It smelt of urine and had no air

conditioning (like everywhere else) and so was hot. I went in daylight so do not know what the lighting was like in the dark.

The arrest of two detainees.

32. I had no involvement in raiding hotels on Operation Salerno. I have read my SIB statement dated 15 September 2003 and with the passage of time I have no recollection of the events I describe. Having said that I have no reason to believe that anything in that statement is untrue.

33. I do not recall if we sandbagged the detainees who in my statement I describe arresting. I do not recall how the prisoners were treated or seeing any injuries.

Baha Mousa aftermath

34. I went on leave for 7 days after arresting the men on 15 September 2003. I was not made aware of Baha Mousa's death until after my return. At that stage I moved from the Platoon of Colour Sergeant Hollender to G10A. I did not speak to any of the accused as they were under investigation. I have no actual knowledge of events.

Accounts to the press/media

35. I have never given an account to the press or media.

36. I have been asked what is meant by the "Ops CMS" in my handwritten statement at MOD015905. I think that this must be a reference to the Operations Company Sergeant Major (CSM) who was Sergeant Major Tompkinson.

Statement of Truth

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

Signed 
Joseph Grist

Dated: 10/10/09