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Wednesday, 31 March 2010

(10.00 am)

THE CHAIRMAN: Good morning, Mr Moss. Good morning, ladies and gentlemen.

MR MOSS: Mr French is our first witness this morning. He is already in the witness-box.

THE CHAIRMAN: Yes. Would you be kind enough to stand, please, Mr French and I will ask that you are sworn.

ANDREW FRENCH (sworn).

THE CHAIRMAN: Thank you. Please sit down. If you would get as close as you can to the microphone and speak into it, then we will all be able to hear you.

Yes.

Questions by MR MOSS

MR MOSS: Would you start by giving the Inquiry your full name please?

A. Andrew French.

Q. Mr French, I hope, on the desk in front of you, you have a red folder. If you take that out, you should find a hard copy of your statement to the Inquiry. If you go to the last page, which we have at BMI02883, please, do we see there, Mr French, in the hard copy, your signature --

A. That's right.

Q. -- and that you were providing this statement to the

1 Inquiry on 23 July 2009. When you were giving this
2 statement to the Inquiry, were you telling the Inquiry
3 that the contents of the statement were true to the best
4 of your knowledge and belief?

5 A. Yes, I was.

6 Q. As you probably know, Mr French, everybody has had
7 a chance to read your statement and the documents to
8 which you refer, so I am only going to take you to
9 certain topics within your statement. May I start just
10 briefing with your army career history?

11 A. Sorry, before -- could I just say at this stage that the
12 initial statement I gave back in 2004, when I have
13 reviewed it, there has been an inaccuracy within it.

14 Q. Yes.

15 A. It makes reference in the last paragraph that I wasn't
16 aware of any intelligence report and that possibly
17 linked suspicious activity to the Ibn Haitham Hotel.

18 Q. Just let me pause you there. Let's have a look at it if
19 you want to deal with it straightaway. We have it at
20 our MOD000286. You are speaking, I think, about this
21 statement -- is that right -- your statement that you
22 gave on 28 October 2004?

23 A. That's correct, yes.

24 Q. We are going to come to it, but by all means make a
25 clarification if you want. Go over the page to

1 MOD000287. I think you are referring to the paragraph
2 there:

3 "I am not aware and I did not see ..."

4 Is it that paragraph?

5 A. That's correct.

6 Q. And what do you want to tell us about that paragraph?

7 A. Within the body of that statement I actually referred to
8 I was aware of a number of reports of suspicious
9 activities around hotels which, was a general statement,
10 if you like, within the statement itself. That
11 paragraph that you refer to says "I am not aware". That
12 is actually inaccurate and that was a mistake on my
13 behalf. I failed to pick up on that when I read through
14 the statement before I signed it. As I alluded to in
15 the statement, I was aware of a number of reports that
16 had come in linking hotels to suspicious activity around
17 that time.

18 THE CHAIRMAN: Just pause a moment, Mr French. Everything
19 that you say is being taken down on a running transcript
20 and it is very difficult if you speak as fast as that,
21 so I would be grateful if you could slow down.

22 A. Understood.

23 THE CHAIRMAN: Thank you.

24 MR MOSS: Thank you for the comment and the clarification.

25 I will come on to ask you some questions about it in due

1 course.

2 Can I just ask you this since you have raised the
3 matter -- I don't want you to say anything about what
4 has passed between you and your solicitors, but when
5 were you first aware that you had got that mistake in
6 your earlier statement?

7 A. Just recently, within the last 48 hours.

8 Q. Did you not read through your original statement before
9 providing your statement to this Inquiry?

10 A. Yes, I did.

11 Q. You were asked to do so, weren't you, in preparation for
12 your statement to this Inquiry, to look at your previous
13 statement?

14 A. Yes.

15 Q. And, what, you didn't spot that mistake in your earlier
16 statement when you were providing your statement to this
17 Inquiry?

18 A. I didn't, but the statement that I gave to my solicitors
19 last year, I continually mention all the way through
20 that I was aware of reporting that came in, which is why
21 I thought it was quite important that I had to raise it
22 to the Inquiry.

23 Q. All right. As I say, we will come back to that. Thank
24 you for raising the matter.

25 Let's deal then, as I said I would, with your career

1 history. You tell us, is this right, that you joined
2 the army in 1987, initially as a private in the
3 Green Howards.

4 A. That's correct.

5 Q. You tell us that you have seen active service in really
6 quite a number of tours in Northern Ireland --

7 A. That's correct.

8 Q. -- and one tour in Bosnia.

9 A. That's correct.

10 Q. It looks -- correct me if I'm wrong -- from the details
11 that you give in your witness statement that you started
12 off as an infantry soldier, but in the late 1990s you
13 started to do work within the intelligence section of
14 the Green Howards.

15 A. That's correct.

16 Q. Thereafter did you, in fact, transfer to the
17 intelligence corps in 2001?

18 A. That is correct.

19 Q. You then had, I think, a period of training in
20 intelligence matters after which you were posted to be
21 part of 19 Mechanised Brigade; is that right?

22 A. That is correct, yes.

23 Q. Was it in that role that you were deployed to Iraq in
24 June of 2003 for Op Telic 2?

25 A. That's correct.

1 Q. At that time, Op Telic 2, I think you tell us in your
2 statement that your substantive rank was corporal, but
3 you in fact deployed as an acting sergeant.
4 A. That's correct.
5 Q. Subsequently you were promoted after Op Telic 2
6 substantively to sergeant --
7 A. That's correct.
8 Q. -- and later to staff sergeant.
9 A. That's correct.
10 Q. And at the time of your statement last year, you were
11 telling us that you were due to leave the army in the
12 autumn of last year. Have you in fact now left the
13 army?
14 A. Yes, I have.
15 Q. I think having served your full 22 years; is that right?
16 A. That's correct.
17 Q. May I deal with some aspects relating then to your
18 training. You tell us in your statement that the law of
19 armed conflict would have formed part of your basic army
20 training -- is that right?
21 A. That is correct.
22 Q. -- and that you recall seeing a video on the law of
23 armed conflict which you saw in your basic training and
24 a number of times subsequently; is that right?
25 A. That is correct.

1 Q. The Inquiry has seen that video. I don't need to ask
2 you too many questions about it. What was the central
3 message that you took away from your law of armed
4 conflict training, including that video, in terms of how
5 prisoners should be treated?

6 A. The main message I took away from that was that
7 prisoners had to be treated in a humane manner.

8 Q. And by "humane manner", what did you understand?

9 A. They had to be looked after, they had to be fed, they
10 had to be given water and first aid treatment if needed.

11 Q. You tell us -- perhaps I should just deal with it
12 briefly -- that subsequently you are aware that that
13 video has been replaced. I think you tell us that the
14 replacement video is somewhat more relevant and up to
15 date for operations in Iraq and Afghanistan.

16 A. That's correct.

17 Q. Did you, in fact, have any training, whether in your
18 basic training or subsequently, that dealt more
19 specifically with prisoner-handling?

20 A. No specific training, no.

21 Q. So far as exercises were concerned, do you recall one
22 way or the other whether exercises that you were
23 involved in included stages or elements of taking
24 prisoners and how they should be cared for?

25 A. Yes. I did receive guidance during training exercises

1 on this, yes.

2 Q. Can you recall, for example, whether you had any
3 training on how prisoners should be treated at the point
4 of capture?

5 A. Yes. I conducted -- in my infantry days I conducted
6 a number of exercises where we were asked to assault
7 enemy positions. In the aftermath of that, we would go
8 through the procedures of live prisoners, searching them
9 and then passing them on to the regimental sergeant
10 major and his team and they would be processed that way.
11 But that's the only training I ever received on that.

12 Q. Now in the course of those sort of infantry exercises,
13 dealing with the immediate processing of prisoners and
14 searching, was anything said one way or the other about
15 whether prisoners should be hooded or otherwise deprived
16 of their sight?

17 A. Absolutely not.

18 Q. Did you ever see the use of hessian sandbags in that
19 sort of training?

20 A. No, I didn't.

21 Q. If not on practical exercises, were you given any
22 theoretical training, any briefing, about whether or not
23 prisoners could be deprived of their sight?

24 A. No, I was not.

25 Q. So no training one way or the other?

1 A. No.

2 Q. What about your understanding in relation to that issue
3 of sight deprivation? Did you have an understanding of
4 whether prisoners could be, for example, blindfolded or
5 hooded with a common or garden soldier's hessian
6 sandbag?

7 A. I had an understanding, but it wasn't -- it was a wider
8 understanding. That understanding came from reading
9 books, watching programmes, that sort of thing, but no
10 direct understanding.

11 Q. So if I may take matters then on the eve, as it were, of
12 your deployment for Op Telic 2, what would your
13 understanding have been as to whether prisoners could or
14 could not be blindfolded or hooded?

15 A. To be fair, I was -- it was never, ever discussed either
16 way.

17 Q. I understand that you say that it wasn't discussed, but
18 if, at that stage, somebody had asked you "Are you
19 allowed to hood or blindfold a prisoner?" immediately
20 prior to Op Telic 2, what would your answer have been?

21 A. I would have said "no".

22 Q. If we can just have a look at paragraph 20 of your
23 witness statement, please, at BMI02868. The way you put
24 it in your statement was to say:
25 "However, it is my view, based on my understanding

1 of the Geneva Conventions, that hooding or blindfolding
2 PoW is not acceptable in any circumstances."

3 Is that right?

4 A. That is correct.

5 Q. You will correct me if I am wrong -- I don't want to put
6 words into your mouth -- should we take it that that
7 was, as it were, a deduction that you have made for
8 yourself or would have made for yourself, rather than
9 anything you had been specifically trained?

10 A. I would have said it would have been something I would
11 have made myself, yes.

12 Q. Thank you. What about stress positions? Do you
13 understand what I mean when I say "stress positions"?

14 A. I do, yes.

15 Q. What do you understand it to be?

16 A. Placing somebody in an uncomfortable position for
17 a period of time, such as making them sit with their
18 hands on their head or making them sit with their arms
19 behind their back or kneeling or leaning against a wall
20 with their arms outstretched.

21 Q. I follow. In relation to those matters, had you had any
22 training one way or the other as to whether those sort
23 of stress positions were permitted or prohibited?

24 A. No, I did not.

25 Q. And, again, your understanding of whether stress

1 positions would be permitted or not, what would your
2 understanding have been?

3 A. My understanding would be that they would not have been
4 permitted.

5 Q. Prior to going to Iraq for Op Telic 2, would the phrase
6 "conditioning" have meant anything to you?

7 A. Yes, it would have done.

8 Q. What would you have understood that to mean?

9 A. I would have understood it to be the period before
10 actual questioning. So, for instance, if somebody had
11 been detained, they would be taken to a building, an
12 environment, an area, they would be separated from other
13 detainees so they couldn't speak to each other in
14 preparation for being tactically questioned.

15 Q. Are you able to help us with where you got that
16 understanding from?

17 A. I think it was just a wider understanding that I had as
18 being part of the military. Also from reading -- again,
19 I mentioned before reading -- reading books, you know,
20 with the authors being people who had actually been
21 taken captive.

22 Q. Yes, Andy McNab, that sort of thing?

23 A. That sort of thing, yes.

24 Q. In terms of what British forces were allowed to do to
25 prisoners that they took on operations, did you have an

1 understanding of what the limits were of any sort of
2 conditioning?

3 A. It would have been a personal understanding. It
4 wouldn't have been from any direction that I seen, but
5 I would have had a personal understanding that it was
6 not allowed.

7 Q. I follow that. Help us, then, with what your personal
8 understanding would have been.

9 A. Well, basically the use of stress positions, hooding,
10 would not be accepted.

11 Q. Short of stress positions and hooding, then, which you
12 say would not be accepted, what sort of treatment would
13 be permitted as part of conditioning, at least as you
14 understood it?

15 A. As I understood it, we would follow the
16 Geneva Convention, as I mentioned before, to treat them
17 humanely, to provide food and water and, if needed, to
18 provide first aid treatment.

19 Q. If we may perhaps get some help from paragraph 23 of
20 your statement. May we look at BMI02868? When you said
21 here, "I understand 'conditioning' to be the period of
22 time prior to tactical questioning when mental pressure
23 is applied to a prisoner in order to facilitate tactical
24 questioning", the Inquiry may be helped to understand
25 what mental pressures would be brought to bear that

1 would be legitimate, again, at least as you understood
2 it.

3 A. Yes, it's the fear of the unknown, really. So a number
4 of people would be detained, they would be separated,
5 they would obviously be thinking about what's ahead of
6 them, what's going to happen to them, that sort of
7 thing. That's what I meant by "mental pressure".

8 Q. So the effects of isolation, essentially?

9 A. That is correct, yes.

10 Q. You tell us that you did understand that food and water
11 should be provided to prisoners. You told us that this
12 morning and it's in your statement.

13 So far as sleep is concerned, I think you tell us in
14 your statement -- is this right -- that you hadn't had
15 any formal training as to whether or not prisoners
16 should be permitted to sleep.

17 A. That's correct, yes.

18 Q. But you tell us in your statement -- is this right --
19 that your understanding would have been that permitting
20 them to sleep would have been part and parcel of
21 treating them humanely.

22 A. That's correct, yes.

23 Q. Now, Mr French, you go on in your witness statement to
24 deal, in a section under the heading of "Specialist
25 training", with various courses that you had once you

1 were in the intelligence corps. Can I just ask you
2 this? In all of those various training courses, did you
3 have anything that dealt with the physical aspects of
4 how prisoners should be treated?

5 A. No, I did not.

6 Q. You tell us that although you attended a debriefing
7 course, you have not yourself been trained in tactical
8 questioning and interrogation; is that right?

9 A. That is correct.

10 Q. So far as pre-deployment training is concerned -- we
11 don't perhaps need to go into the details of this -- but
12 you do tell us in your statement that you had
13 pre-deployment training both for various of your tours
14 in Northern Ireland and for your service in Bosnia -- is
15 that right?

16 A. That's correct.

17 Q. -- but those didn't specifically cover prisoner-handling
18 because of the nature of the operations that you were
19 being deployed on.

20 A. That is correct.

21 Q. So far as Op Telic 2 is concerned, perhaps more
22 relevantly, your pre-deployment training for Op Telic 2,
23 first of all, is it right that you missed the parts of
24 the pre-deployment training that were carried out by
25 OPTAG, the Operational Training and Advisory Group?

1 A. That is correct.

2 Q. Is that because you had to go to Iraq somewhat earlier
3 than some others and you were on leave before your
4 deployment?

5 A. That is correct. I deployed to Iraq in an advance
6 party, so I was actually on leave when that training was
7 being conducted.

8 Q. You tell us in your statement on this aspect that the
9 pre-deployment training that you did have was fairly
10 low key. What did you mean by that?

11 A. A lot of it was generated within my own section, so we
12 would spend a lot of time reading up on the activities
13 that were occurring out in theatre; we were getting
14 daily intelligence summaries that were coming in from
15 7 Armoured Brigade; we were specifically starting to
16 specialise in our own desk areas; at that time I was
17 going to be the Maysan Province desk head, so I would
18 extract information from those intelligence summaries.

19 Q. I am just going to pause you there, if I may, because I
20 am going to come to the intelligence preparations in
21 a moment.

22 A. Okay.

23 Q. But in terms of official, if you like, pre-deployment
24 training and preparations for going to theatre, I think
25 you are telling us that the intelligence section did

1 quite a lot to work up the intelligence picture in
2 advance; is that right?

3 A. That is correct, yes.

4 Q. In terms of training in such matters as the rules of
5 engagement -- I don't want you to go into details of
6 about those -- but such matters as prisoner-handling and
7 preparations for the deployment, that sort of training,
8 was there very much of it?

9 A. I didn't do any training with regards to
10 prisoner-handling, no.

11 Q. In fairness, can I just ask this? Bearing in mind what
12 your role was going to be in theatre, would you in fact
13 have expected to receive some training in
14 prisoner-handling or was that not really your area of
15 responsibility?

16 A. It was not my area of responsibility and I wouldn't have
17 expected to receive that training.

18 Q. With apologies for having interrupted you earlier, let's
19 move on, then, please to your deployment.

20 You tell us in your witness statement that once the
21 previous brigade -- 7 Armoured Brigade -- had actually
22 taken control of Basra, which would have been, I think,
23 in early April, you started to receive, as the
24 intelligence section for 19 Mech Brigade, the
25 intelligence product coming from 7 Armoured Brigade; is

1 that right?

2 A. That is correct.

3 Q. And would you, as part of that process, have seen the

4 intelligence summaries that were being produced?

5 A. Yes, on a daily basis.

6 Q. Would that have been in preparation for the relief in

7 place where 19 Mech Brigade --

8 A. It would have been, yes.

9 Q. And it's right, isn't it, that within the intelligence

10 section there would have been a division between the

11 NCOs, with people being assigned to different

12 geographical areas?

13 A. That is correct.

14 Q. Initially, which area were you preparing to be the desk

15 head for?

16 A. The Maysan Province.

17 Q. So in your preparations, would you have been receiving

18 information about activities and the picture

19 in Maysan Province and passing that on to the

20 battlegroup that was due to take over responsibility for

21 the Maysan Province?

22 A. That's correct, yes, I did.

23 Q. Can we deal then with your handover or the handover that

24 was given to you when you arrived in theatre. Did you,

25 in fact, receive a handover from 7 Armoured Brigade?

1 A. Yes, we did.

2 Q. Can we look at paragraph 49 of your statement, please,
3 at BMI02874? You tell us there, in paragraph 49, that:
4 "We took over from 7 Armoured Brigade military
5 intelligence section and when we got to Basra we were
6 given very thorough briefings by ...", a number of
7 officers that are named in your statement. Is that as
8 you recollect it now?

9 A. It is as I recollect it, but it was with a push.

10 Q. It was with a ...?

11 A. Yes, we highlighted fairly early on in the handover that
12 the motivation of the 7 Armoured Brigade MI section was
13 rightly -- having gone through the war-fighting stage,
14 was to actually go home. So it became a bit of
15 a struggle to get what we thought -- we required
16 a thorough handover because we were going to be deployed
17 for the next six months, so it was trying to get that
18 message over to them. So we did, in the end, receive
19 thorough briefings, but it was after we had gone back to
20 them and said, "Look, you know, we are going to be here,
21 you need to tell us more". So there were initial
22 problems in the handover.

23 Q. Now, the Inquiry has a particular interest in
24 understanding what happened in respect of orders that
25 were given during Op Telic 1 that related to

1 prisoner-handling and whether they were handed over to
2 the formations that were coming for Op Telic 2. Do you
3 understand?

4 A. I understand what you're saying, yes.

5 Q. During the course of your handover, was anything said
6 about prisoner-handling matters?

7 A. No, not to me personally, no.

8 Q. Bearing in mind the nature of your responsibilities,
9 would you, in fact, have expected to have been told what
10 the position was in respect of prisoner-handling?

11 A. No, I wouldn't have expected that, no.

12 Q. Would you have expected to be told, though, what the
13 position was in respect of procedures for internment
14 which might have touched on intelligence matters a bit
15 more?

16 A. I suppose we could have been told that. To be fair
17 I didn't -- you know, I didn't labour on that point. It
18 was not of immediate importance for me for my role.

19 Q. In any event, the Inquiry knows that there was an order,
20 a written order, FRAGO 152, at divisional level and
21 a brigade level equivalent, which contained
22 a prohibition on prisoners having their faces covered,
23 which might be taken to include hooding. Were you made
24 aware of that in any way during the course of the
25 handover?

1 A. No, I was not.

2 Q. And at any time prior to Baha Mousa's death, had you
3 come to understand that there was a specific prohibition
4 on hooding or covering prisoners' faces?

5 A. Not a specific prohibition. I just thought that that
6 was the case anyway.

7 THE CHAIRMAN: Would you have necessarily expected to have
8 seen such an order, bearing in mind your work?

9 A. No. I wouldn't have expected. That would have been
10 something that would have been dealt with by the brigade
11 command staff, not specifically the intelligence
12 section.

13 THE CHAIRMAN: All right.

14 MR MOSS: I think you tell us in your witness statement that
15 although you had prepared to be the desk head for
16 Maysan Province, that in fact you were given the task of
17 being the desk officer for Basra City; is that right?

18 A. That's correct, yes.

19 THE CHAIRMAN: May I just ask: Maysan was where?

20 A. It was to the north of Basra --

21 THE CHAIRMAN: North of Basra.

22 A. -- and it was centred around the town of Al Amarah.

23 THE CHAIRMAN: So it didn't include any part of Basra at
24 all?

25 A. It did not, no.

1 THE CHAIRMAN: I see. I know you are going to be asked by
2 Mr Moss, but you then were moved to Basra City itself.

3 A. That's correct, yes.

4 THE CHAIRMAN: Did that include the whole of Basra City or
5 was there part of that that was in another of the four
6 provinces?

7 A. It included the whole of Basra City.

8 THE CHAIRMAN: The whole lot. The other provinces didn't
9 include any part of it?

10 A. When we took over from 7 Armoured Brigade, they had
11 divided Basra City into two areas, north and south. Due
12 to the fact that we had less resources that deployed,
13 the decision was taken that one person would have to
14 cover the whole of Basra City, and with my experience
15 the decision was taken that I would be the best person
16 to do that.

17 THE CHAIRMAN: All right. Thank you.

18 MR MOSS: I don't know whether we can have on the screen
19 MOD023262? If we have the bottom two-thirds of that,
20 perhaps. Do we see towards the bottom of the map the
21 reference to "Al Basrah", just to get our bearings on
22 that?

23 A. Yes, I do, yes.

24 Q. Just in terms of the geography, do we see above that
25 "1 King's Own Scottish Borderers", who are marked in the

1 oblong box towards the top of the screen?

2 A. Yes, I do.

3 Q. Were they the battlegroup who had the Maysan Province?

4 A. Yes, they were, yes.

5 THE CHAIRMAN: I am sure we have seen this before, but I had

6 forgotten it.

7 MR MOSS: Revision. Yes, thank you.

8 If it matters, the desk head for Basra within

9 your section, would that have been one of the most

10 important desk heads?

11 A. Given the amount of information and intelligence that we

12 were receiving, it was probably the busiest desk of all

13 the desks that we had, yes.

14 Q. If it matters, do you know why you were moved from being

15 the desk head for Maysan Province to being the desk head

16 for Basra City?

17 A. Yes, when we got out there, we realised that we had less

18 resources than the 7 Armoured Brigade MI section had.

19 They had split Basra City down into north and southern

20 area, so they had a different desk head on each of them.

21 We didn't have the resources to cover that, so, as

22 I have just previously said, the decision was made that

23 I would be replaced as the Maysan Province desk head and

24 I would take over intelligence support of Basra City.

25 Q. Did that reflect in some ways your seniority at that

1 stage?

2 A. It did, yes.

3 Q. Now your chain of command, the Inquiry heard some
4 evidence about this in evidence yesterday. Who did you
5 report to who was immediately above you in the chain of
6 command?

7 A. My immediate chain of command would have been
8 Staff Sergeant Mark Davies.

9 Q. I think above him the sergeant major was
10 Sergeant Major Paterson.

11 A. That's correct, yes.

12 Q. And then Shantha Trowell is the section OC?

13 A. That's correct.

14 Q. And Major Robinson, above her, is the SO2 G2 within
15 19 Mech Brigade; is that right?

16 A. That's correct, yes.

17 Q. Can you help us with Major Radbourne and what his role
18 was?

19 A. Major Radbourne actually arrived at some point during
20 our deployment to Iraq. I was never quite sure what
21 role he undertook with him at the headquarters. I now
22 know that he was SO2 CBRN and Bowman, which is a radio
23 system employed within the forces --

24 Q. We don't need to go into any details of the Bowman
25 aspects, but you understand now that those were his

1 normal areas of responsibility?

2 A. They were his normal areas of responsibility, yes.

3 Q. Was he, in fact, a trained tactical questioner?

4 A. As I understood it, he was, yes.

5 Q. Now, without perhaps going into too much detail and
6 being a little bit careful, you do give us, in your
7 witness statement, an indication of some of the types of
8 intelligence you dealt with. You tell us -- is this
9 right -- that part of your day would be dealing with
10 what you referred to as "walk-ins". That is people who
11 simply came off the street giving intelligence about
12 areas of tension and planned attacks and that sort of
13 thing; is that right?

14 A. That's correct, yes.

15 Q. Does it follow that at this time in Op Telic 2, at least
16 some of the pieces of intelligence that were coming to
17 you, for example from walk-ins, would have been of
18 information that it was very difficult to assess its
19 reliability?

20 A. That is correct.

21 Q. In respect of intelligence coming up from battlegroup
22 level within Basra City, would that have been, first of
23 all, from 1 QLR for Basra City itself that you had
24 liaison with?

25 A. Yes, it would have been, yes.

1 Q. And from 1 King's for the area to the north of
2 Basra City, the outlying areas?

3 A. That is correct.

4 Q. Would you, in fact, have met with the intelligence
5 officers from 1 QLR?

6 A. On a daily basis, yes.

7 Q. Would they have provided you with their daily
8 intelligence summary from the battlegroup level?

9 A. That is correct.

10 Q. Again -- I think perhaps I can lead on this -- would the
11 picture have been that there would be a battlegroup
12 intelligence summary which fed into a brigade level
13 intelligence summary and which then fed into the
14 divisional level intelligence summary?

15 A. That is correct.

16 Q. Now I would like to turn -- thank you -- having dealt
17 with the generalities, to prisoner-handling aspects.
18 You tell us in your witness statement that, as part of
19 your responsibilities for the Basra area, you would
20 sometimes go out on patrol with 1 QLR; is that right?

21 A. That is correct.

22 Q. You tell us that that was because you needed to
23 understand and see what was happening on the ground.

24 A. That is correct.

25 Q. Did you, in the course of those patrols, see, at any

1 time, QLR taking prisoners?

2 A. No, I did not.

3 Q. Did you see prisoners in any 1 QLR locations?

4 A. No, I did not.

5 Q. Were you ever aware of prisoners being hooded?

6 A. No, I was not.

7 Q. You didn't see that yourself?

8 A. No, I did not, no.

9 Q. Did you hear that being talked about by those with whom
10 you worked in your section?

11 A. No, I did not.

12 Q. The Inquiry has heard quite a lot of evidence from 1 QLR
13 that the hooding of prisoners was something of
14 a standard operating procedure. Did you know that?

15 A. I didn't. As I did not see it, then I wasn't aware that
16 was going on.

17 Q. You weren't, for example, told by any of your colleagues
18 who were involved in tactical questioning that, when
19 they went to do TQ'ing, the prisoners might be brought
20 to them hooded?

21 A. No, I was not.

22 Q. If you had been told that hooding was in any shape or
23 form a standard operating procedure, what would your
24 reaction have been?

25 A. I would have raised it as an issue. It would have been

1 against my understanding of the Geneva Convention.

2 Q. Were you, at any time, part of a briefing or discussion

3 given by Staff Sergeant Davies, where he talked to the

4 BGIROs and the intelligence officers from the

5 battlegroups about tactical questioning and what was

6 expected, maintaining the shock of capture, that sort of

7 thing?

8 A. I recall that Staff Sergeant Davies was asked to prepare

9 a briefing for the battlegroups, but I was not involved

10 in any of the content or -- in fact I was not at that

11 briefing either.

12 Q. If a preplanned arrest operation was being contemplated

13 and staffed at battlegroup level, targeting a specific

14 location or specific prisoners, is that something, as

15 part of the military intelligence section of brigade,

16 you would have got to know about in advance?

17 A. Yes, it would be, yes.

18 Q. Would you have expected, as the Basra City desk head, to

19 see the operation orders or the warning orders planning

20 for such operations?

21 A. At brigade level, then I would probably say "yes". But

22 if the operation was being mounted by the battlegroup

23 and it was at company level, then, no.

24 Q. I would like to take you just briefly, I hope, to two of

25 the orders that we have. They are both QLR orders.

1 Could we look first, please, at Op Quintessential at
2 MOD011741? Just to help you get your bearings on this,
3 we see in the top left that it's an order dated
4 7 September. It's the second FRAGO relating to
5 Op Quintessential. Take it from me for the moment that
6 it's targeting oil smuggling.

7 If we have a look at the second page, please,
8 MOD011742, the distribution list, do you see there
9 that -- it is signed by Lieutenant Colonel Mendonca --
10 as well as the internal 1 QLR distribution, there are
11 a number of recipients at 19 Mech Brigade? Do you see
12 that?

13 A. Yes, I do.

14 Q. "19 MB TCC", can you help us with that?

15 A. I believe that to be the tasking and coordination cell.

16 Q. Tasking and coordination cell, did you say?

17 A. Yes, I did, tasking.

18 Q. What was that, the tasking and coordination cell?

19 A. To be fair, it was something that I wasn't involved in,
20 but it was just part of the operation process at brigade
21 level, as I understand.

22 Q. When you say "the operation process", do you mean that
23 it was something on the G3 side?

24 A. That's correct, yes.

25 Q. There has been some suggestion yesterday from

1 Warrant Officer Paterson and I think in written evidence
2 from Major Robinson as well that that may have been the
3 tactical coordination cell and that it was part and
4 parcel of the G2 side at brigade. Might that be right?

5 A. G2 input would have been part of that, yes, and that
6 would have been Major Robinson.

7 Q. This sort of order with an operation from 1 QLR
8 targeting the oil smugglers, is this an order that you
9 would have expected to cross your desk as the Basra desk
10 head?

11 A. No. I don't think -- I may -- I may have received
12 similar, but I don't specifically recall receiving this
13 one.

14 Q. If we look on the page we have at the moment -- and it's
15 part of the coordinating instructions, top left,
16 sub section 5, "Detainment", it says:

17 "[Persons] ... are to be arrested under suspicion of
18 illegal smuggling of fuel and are to be taken to BG Main
19 where questioning will take place and the evidence
20 bundle will be compiled. All arresting soldiers must
21 write statements with the attached RMP at BG Main.
22 Detainees are not to be conditioned but must be
23 handcuffed."

24 Even if you didn't see this particular order, were
25 you aware that orders coming up from 1 QLR going to

1 19 Mech Brigade were referring to "conditioning"?

2 A. I wasn't, no.

3 Q. If we just have a look at another one, please,

4 MOD043232, an Op Lightning warning order. This is now

5 25 August. Again, if you take it from me that this goes

6 to 19 Mech Brigade TCC. We see under 3, "Execution",

7 towards the bottom of the page, please:

8 "BGIRO [battlegroup internment review officer]

9 assisted by TQers from 19 Mech Brigade TCC ..."

10 Pausing there, 19 Mech Brigade TCC providing TQers,

11 does that not suggest that 19 Mech Brigade TCC was

12 linked to G2?

13 A. I understand that to be a responsibility of

14 Major Mark Robinson.

15 Q. Thank you.

16 "... if available and provost sergeant. Prisoners

17 are not to be conditioned unless TQ is authorised on the

18 basis of substantial evidence found during searches."

19 Do you see that there?

20 A. I do, yes.

21 Q. Again, do you think you would have seen this order at

22 the time?

23 A. No.

24 Q. Had there, in fact, been discussion within your section

25 about a process of conditioning that was permitted at

1 battlegroup level? Were you aware of that?

2 A. I wasn't aware of anything that had been discussed, no.

3 Q. You are sure that you hadn't heard of conditioning being

4 talked about in your office?

5 A. No, I hadn't.

6 Q. Had you, at any time, heard those in your section or the

7 officers above you giving any advice, whether in

8 meetings or on the telephone, to battlegroups about

9 prisoner-handling?

10 A. No.

11 Q. No discussions about hooding, stress positions,

12 blindfolding, maintaining the shock of capture?

13 Anything like that?

14 A. Nothing like that. I was aware that at a point during

15 our deployment there were problems once detainees had

16 been taken into custody. There was a process where we

17 would send them to Um Qasr, which was the location of

18 the TIF or JFIT. There was a few initial problems which

19 Major Robinson was working on to iron out, so that's

20 probably the only thing I was aware of in relation to

21 prisoner activity.

22 Q. Let's deal with that, then. Thank you. What was your

23 understanding of what the initial problems were with

24 prisoners going to Um Qasr?

25 A. Prisoners would go to Um Qasr without any relevant

1 documentation as to why they were arrested in the first
2 place. I believe there was an issue raised by the JFIT,
3 the TIF, and processes were put in place to rectify that
4 problem.

5 Q. What was the essence of the processes that were put in
6 place to rectify the problem?

7 A. I believe, at this stage, that was when we introduced
8 the battlegroup IROs, so that the prisoners -- all the
9 paperwork was done by the battlegroup internment
10 officers and then a decision would be made as to whether
11 or not they would be processed down to the JFIT or the
12 TIF for further questioning.

13 Q. All right. So prisoners had been arriving without the
14 proper paperwork, so there was to be an assessment
15 done -- is this right -- at an earlier stage in the
16 chain of who they were and whether it was appropriate
17 for them to go to the TIF at all?

18 A. That's correct, yes.

19 Q. I do not want to put words into your mouth, but was that
20 the essence of your understanding of why there was this
21 change to a system involving a BGIRO?

22 A. That is correct, yes.

23 Q. And apart from Major Robinson, can you help us with
24 anybody else who was involved in discussions or policy
25 decisions about that change in process?

1 A. The only one I was aware of was Major Robinson's
2 involvement.

3 Q. I just want to see if you are aware of any other reasons
4 for the change in process. Was there, at this time, to
5 your knowledge, a reduction of the number of RMP in
6 theatre?

7 A. I think the RMP operated with limited resources, to be
8 fair, yes.

9 Q. The previous orders dealing with how prisoners should be
10 handled, who they should go to, who should make the
11 assessments, gave a greater role to the RMP. I don't
12 want you to guess and say if you don't remember, but do
13 you remember there being discussion that the resources
14 of the RMP weren't sufficient to cope and that another
15 system would have to be found?

16 A. I don't remember, no.

17 THE CHAIRMAN: It is unlikely that you would have been
18 involved in those discussions in any way, would you?

19 A. I wouldn't necessarily, no, have been involved in those
20 discussions.

21 THE CHAIRMAN: You might obviously have heard someone
22 talking about it, like one of your officers, but you
23 don't remember any of that?

24 A. I could have heard somebody, but I didn't.

25 THE CHAIRMAN: No.

1 MR MOSS: Perhaps more directly to do with your
2 responsibilities, were there, at this time, concerns,
3 whether at brigade level or perhaps at battlegroup
4 level, that you were slow to receive intelligence back
5 from the JFIT, from the questioning that took place
6 there?

7 A. Yes, I would say that I was aware of that, yes.

8 Q. Again, I don't want you to guess because perhaps it
9 involves discussions from those who were higher in the
10 chain of command than you, but were you aware as to
11 whether or not that was a factor in the change of
12 processes that you tell us about in your witness
13 statement?

14 A. It could have been a factor, but I think it was more
15 borne out of frustration of the product that was coming
16 back from JFIT.

17 Q. When you first arrived in theatre, was the position, in
18 fact, that a lot of prisoners were being sent to the
19 JFIT without being sifted?

20 A. As I understand it, yes, that's correct.

21 Q. And as you recall it, there was then a definite change
22 of process after you had arrived; is that right?

23 A. Yes, there was.

24 Q. Now, as part of the new system, as it were, with the
25 BGIRO, did you have an understanding one way or the

1 other as to whether there would be tactical questioning
2 carried out as part of the process of assessing the
3 significance of prisoners at battlegroup level?

4 A. That is correct. I was aware that tactical questioning
5 would take place and a decision would be made whether to
6 send to JFIT or not.

7 Q. Can you help us with this -- and again please don't
8 guess. Tell us if you can't remember -- before the
9 BGIRO system, were you aware one way or the other of
10 whether tactical questioning was going on at battlegroup
11 level?

12 A. I don't recall.

13 Q. Were you aware of any orders that may have prohibited
14 interrogation at battlegroup level before --

15 A. No, I wasn't aware of any orders, no.

16 Q. Thank you. I think you tell us in your witness
17 statement that it was well known and well understood
18 that there was a shortage of tactical questioners -- is
19 that right?

20 A. That is correct.

21 Q. -- and that those that you are aware of who were
22 involved in tactical questioning were Staff
23 Sergeant Davies, Major Radbourne, Mr Porter and
24 Mr Smulski --

25 A. That is correct.

1 Q. -- and also some who were involved and attached to other
2 battlegroups; is that right?

3 A. That is correct, yes.

4 Q. Can we turn then, please, to Operation Salerno itself?
5 You know what I mean when I say "Operation Salerno",
6 don't you?

7 A. I do, yes.

8 Q. Now, I don't want you to go into details, please, about
9 particular pieces of information or particular pieces of
10 intelligence, but can you help us, first of all, with
11 what the general intelligence picture was that led to
12 Operation Salerno?

13 A. Yes. We'd started to receive a number of reports of
14 hotels being used by former regime loyalist groupings to
15 plan and mount operations against coalition forces from.

16 Q. Now, again, being careful not to divulge anything about
17 individual pieces of information or intelligence, is it
18 right that this picture of the use of hotels by former
19 regime loyalists came from multiple sources?

20 A. That is correct.

21 Q. As a result of that, were you tasked by Staff
22 Sergeant Davies to do anything?

23 A. Yes, I was. I was approached by Staff Sergeant Davies,
24 who informed me of the reports that he had been
25 receiving, and I was asked to task the battlegroups --

1 mainly 1 QLR and 1 King's -- to gather intelligence on
2 hotels within the Basra area, the location of them --
3 just a general intelligence-gathering exercise: who the
4 owner was, what clientele used the hotel, whether there
5 had been any problems of late within that hotel itself.

6 Q. Now I think, in respect of 1 King's, we can leave things
7 to one side because, in fact, they discovered that there
8 were no hotels within their area of operations; is that
9 right?

10 A. That is correct, yes.

11 Q. So far as 1 QLR were concerned, who obviously did have
12 hotels within the Basra City area, the mounting of
13 Operation Salerno and the choice of hotels that would be
14 raided, albeit as part of a soft knock, can you help us
15 with who selected the hotels? Would that have been done
16 by the intelligence officers of 1 QLR or would the
17 hotels have been selected by your section?

18 A. It was done by the battlegroup, 1 QLR.

19 Q. Would that selection have come up for approval to
20 your section?

21 A. Not to the MI section directly. It would have gone to
22 Major Robinson, who was G2 ops.

23 Q. Thank you. He would then have approved the selection of
24 hotels for the soft knocks, is that correct?

25 A. That is correct, yes.

1 Q. May we look, please, at the intelligence summary,
2 int sum 197, which is the first of the intelligence
3 summaries that followed the detention of Baha Mousa and
4 those detained with him. MOD048535, please. I think we
5 can see, can't we -- a form of document I am sure
6 familiar to you -- that this is the int sum for
7 19 Mech Brigade, number 197, in the middle of the page.
8 The date, time and group is 15 September at 5 o'clock in
9 the afternoon, taking information that was available up
10 to 4 o'clock in the afternoon of 15 September and
11 covering the 24-hour period from 4 o'clock on the 14th
12 to 4 o'clock in the afternoon on the 15th; is that
13 right?

14 A. That is correct.

15 Q. If we go within this document, please, to paragraph 8 at
16 MOD048540, we see, do we not, references to information
17 about the hotels?

18 "On 14 September ... an operation against the
19 Ibn Haitham Hotel was carried out. Previous
20 intelligence stated that a vehicle similar to the one
21 used in an attack on the RMP on 23 August 2003 was seen
22 outside this hotel."

23 Just pausing there, you see that that is
24 a suggestion that there was some intelligence before the
25 operation was mounted which had a connection or

1 a suspected connection to the RMP murder on 23 August.

2 Do you see that?

3 A. Yes, I do.

4 Q. If we just put that on to the left-hand side of the
5 screen and could we have paragraph 78, please, of your
6 statement on the right-hand side of the screen at
7 BMI02881? You deal with it in your statement and you
8 tell us that you have been asked to explain these
9 comments. You say:

10 "The document sets out the HUMINT we had received to
11 the effect that ..."

12 Then there is a redaction. I am just going to pause
13 there. Don't please say out loud, obviously, what is
14 behind that redaction, but is it right that in that
15 passage in your statement that has been redacted you
16 were describing a type of vehicle?

17 A. That is correct.

18 Q. Thank you.

19 "The document sets out the HUMINT received to the
20 effect that [a type of vehicle] ... believed to have
21 been involved in the assassination of three RMPs had
22 been seen outside the hotel."

23 You tell us:

24 "While I cannot remember exactly when it happened,
25 I remember that the three RMPs had been visiting

1 a police station in Central Basra where they had been
2 shot at close quarters and killed."

3 Just pausing there, when you provided your statement
4 to the Inquiry and you looked at int sum 197, did that,
5 in fact, bring back a recollection about this
6 intelligence about a certain vehicle?

7 A. No, I was always aware of that.

8 Q. You were always aware of it?

9 A. Yes.

10 Q. Thank you, those can be taken from the screen for the
11 moment. If we look, please, at the statement that you
12 sought to clarify earlier on. This was a statement,
13 wasn't it, on 28 October, MOD000287. You were recorded
14 as saying there:

15 "I am not aware and I did not see any intelligence,
16 which was collated or used during the briefings on
17 Op Salerno, which suggested the person(s) responsible
18 for the death of Captain Jones [we can leave that to one
19 side] ... or three RMP servicemen had or were
20 frequenting the hotels in the city."

21 You tell us, do you, that that part of your
22 statement is just wrong?

23 A. That is correct.

24 Q. Tell us a little about the circumstances in which this
25 statement was taken. Was it a statement taken over the

1 phone or in person by Warrant Officer Spence?

2 A. It was taken in person and I was interviewed at my place
3 of work.

4 Q. And the statement at the time, would it have been taken
5 in handwriting and only typed up later?

6 A. Yes, it was taken in handwriting, yes, and typed up
7 later.

8 Q. Did you get an opportunity to read through the
9 handwritten statement that Warrant Officer Spence took
10 from you at the time?

11 A. Yes, I did.

12 Q. And sign it?

13 A. Yes I did.

14 Q. If we go to the first page, without labouring the point,
15 it's right, isn't it, that there is the declaration in
16 standard form saying that this statement consisting of
17 three pages is true to the best of your knowledge and
18 belief and you make it knowing that if it is tendered in
19 evidence, you would be liable to prosecution if you had
20 willfully stated anything which you knew to be false or
21 do not believe to be true. Is that right?

22 A. That is correct.

23 Q. The statement that you gave, at least as it was taken by
24 Warrant Officer Spence, was clear -- if we go back to
25 MOD000287 -- wasn't it? The language is absolutely

1 clear:

2 "I am not aware and I did not see any intelligence
3 ..."

4 I think the confusion is I was referring to the link
5 between the death of Captain Dai Jones, on which I had
6 not received any intelligence and was not aware of any
7 intelligence linking the death of Captain Dai Jones with
8 the hotel itself, but the latter part of that paragraph
9 I was aware.

10 Q. Because the paragraph does seek to deal with both,
11 doesn't it? It does say "... death of Captain Jones,
12 QLR or three RMP servicemen".

13 A. It does, and, as I alluded to earlier on, it appears
14 that it's a mistake on my behalf.

15 Q. You see, it may be thought, in particular with your
16 experience in intelligence matters, that you would be
17 well used to looking at documents perhaps of this nature
18 with care to ensure that you are correctly reflecting
19 what you knew to be the position.

20 A. That is correct, but like everybody else I do tend to
21 skim-read documents as well.

22 Q. What, even a statement that's been given to a member of
23 the service police in relation to somebody who died in
24 custody?

25 A. That is correct.

1 THE CHAIRMAN: Sorry, I am not absolutely clear which part
2 you say you have got wrong. "... which suggested the
3 person responsible for the death of Captain Jones ... or
4 three RMP servicemen ...", which bit is wrong?

5 A. The part that I got wrong, Sir, was the latter part.
6 So it was specifically to reporting on the link to the
7 "... three RMP servicemen, had or were frequenting the
8 hotels in the city". That's the part I got wrong.

9 THE CHAIRMAN: It's correct about Captain Jones, is it?

10 A. It's correct about Captain Jones. I never received any
11 intelligence.

12 THE CHAIRMAN: Right, but the three RMP you say you did
13 receive --

14 A. I did, and it's a mistake in the statement that I should
15 have picked up on.

16 THE CHAIRMAN: Thank you.

17 MR MOSS: Thank you.

18 If we can go back to paragraph 78 of your statement
19 to this Inquiry, please, at BMI02881, we have seen that
20 in this statement you refer to the intelligence in
21 relation to the vehicle being seen outside the hotel.

22 As you sit there today, do you remember -- and
23 please, obviously, don't say anything that would divulge
24 what the source of any information may have been -- but
25 do you remember any other aspect of the intelligence in

1 relation to the Al Haitham Hotel that linked it to the
2 murder of the three members of the RMP?

3 A. Yes, I do.

4 Q. And again, being careful how you phrase it, what was
5 that?

6 A. It was a report of suspicious activity at the hotel.

7 Q. Do you remember what type of suspicious activity?

8 A. It was the comings and goings of individuals to the
9 hotel, as I recall.

10 Q. It doesn't seem to be something you are mentioning
11 specifically in paragraph 78.

12 A. No, it doesn't.

13 Q. Was there any reason for that?

14 A. I think the reason was I just generalised that I was
15 aware of intelligence linking suspicious activity or
16 a vehicle to the hotel itself.

17 Q. Again, perhaps that could be taken from the screen and
18 we could go back, please, to the int sum at MOD048540.
19 The int sum was also suggesting that there was a second
20 and separate piece of intelligence, where it says
21 "A separate report stated that armed men were seen at
22 the hotel around the time of the attack". In context,
23 that's clearly a reference to the RMP attack. Does that
24 now ring any bells to you?

25 A. Yes, that would have been part of the suspicious

1 activity.

2 It is the truth, is it, that this is intelligence
3 that you've always remembered and that your statement in
4 October 2004 was just a mistake?

5 A. Yes, that is the absolute truth.

6 Q. Can you just help us with one further matter then?
7 Could we just have a look, please, at the target pack
8 that was produced for Op Salerno at MOD030882, please?
9 Just to get your bearings so you know which document we
10 are looking at, this is the 12 September FRAGO from
11 1 QLR battlegroup for Op Salerno.

12 I don't think I need to take you to anything which
13 is within the body of the order, but if we go to the
14 annexes, please, at MOD030886, there were other parts of
15 the annex dealing with other hotels, but this is
16 the section of annex A which dealt with the Al Haitham
17 Hotel. First of all, can we just record, have you this
18 morning had an opportunity to look at the unredacted
19 version of this target pack, this page?

20 A. Yes, I have.

21 Q. Thank you. We see on the screen that there's reference
22 here to the Al Haitham Hotel at the top of the page.
23 A word has been redacted and then:

24 "... before the coalition forces entered Basra the
25 security and intelligence agents hid in this hotel and

1 kept informant files and instruments there."

2 A word has been redacted, please do not reveal what
3 it is, but then:

4 "... does not [know] who the manager is, but
5 believes he must be suspicious on this account.
6 [redacted] ... recommended keeping an eye on the hotel
7 to see who is staying there. The hotel has been
8 identified as a centre of former regime loyalist
9 activity ..."

10 Then a number of redacted words.

11 Now that target pack and the details about the
12 Al Haitham Hotel that I have just read for you, what is
13 your understanding of who would have actually written
14 that paragraph and produced this explanation in the
15 target pack? Was that battlegroup or brigade?

16 A. It appears to me that that's -- that sort of wording
17 would have come from brigade, but it would have been
18 written by -- included or inserted into the target pack
19 by the battlegroup.

20 Q. So it's the battlegroup who actually produces the target
21 pack?

22 A. That's correct, yes.

23 Q. But is what you are saying that it's reflecting
24 information that would have come down from brigade to
25 the battlegroup?

1 A. That is correct, yes.

2 Q. Now one doesn't see in that target pack, does one, any
3 reference at all to any pieces of intelligence or
4 information which had linked the Al Haitham Hotel to the
5 murder of the three members of the RMP?

6 A. That is correct.

7 Q. Would you have expected this target pack to include that
8 intelligence in some form or other if, indeed, the
9 intelligence about the link between the Al Haitham Hotel
10 and the RMP murder did in fact exist before Salerno was
11 launched?

12 A. If the link was known I would have expected it to have
13 been -- to have appeared in the target pack, yes.

14 Q. Are you able to help us at all with why that
15 intelligence -- or at least a summary of it -- was
16 missing from this target pack?

17 A. The only thing I can think of is that the operation that
18 was launched by the QLR, which is known as "Op Salerno",
19 was in support of the previous request, where we had
20 asked to do checks on hotels, and not specifically as
21 a result from the intelligence that we may have received
22 on suspicious activity at the hotel following the
23 RMP deaths.

24 Q. Just breaking that down -- correct me if I am wrong --
25 but I think you are telling us that there would have

1 been a previous request coming from brigade -- have
2 I got this right -- for intelligence gathering in
3 relation to the hotels?
4 A. I would have expected so, yes.
5 Q. And might it be the case that in respect of that IR --
6 that intelligence request or information request -- that
7 what was already known about some of the hotels might
8 have been conveyed to battlegroup level?
9 A. That's correct, yes.
10 Q. Even if that is the case, when a pack was being put
11 together to launch raids on the hotels, one would
12 expect, would one not, the target pack to include
13 information as significant as "There is some
14 intelligence suggesting that activity at this hotel
15 might be linked to the murder of three soldiers".
16 A. That is correct. I would have expected that, yes.
17 Q. You yourself, presumably, didn't play any part in
18 Op Salerno itself?
19 A. No, I did not.
20 Q. Would you have heard about the weapons haul that was
21 found at the Al Haitham Hotel?
22 A. Yes, I did.
23 Q. Did you take any part in analysing either the weapons or
24 the ammunition or the explosive devices or anything like
25 that?

1 A. Not physically, but I collated the information that came
2 from reporting received by the QLR once it had come into
3 our section.

4 Q. Just perhaps in broad terms, what was your assessment as
5 the desk head of the significance of the weapons find at
6 the hotel?

7 A. I think given the fact that we had what was considered
8 to be a significant weapons find, my understanding was
9 that all intelligence pointed towards FRL activity at
10 the hotel at the time.

11 Q. Now we know that Staff Sergeant Davies was one of the
12 two tactical questioners who was tasked with questioning
13 those detained from this hotel on the operation. Did
14 you have any discussions with Staff Sergeant Davies, who
15 you tell us was your immediate superior, about the
16 tactical questioning that he'd carried out?

17 A. Not that I recall, no.

18 Q. He didn't say anything to you about doubts as to whether
19 those who had been detained were in fact insurgents?

20 A. Absolutely not.

21 Q. Did he, at any time, say anything to you about him
22 knowing or suspecting that those who had been detained
23 had been roughed up or anything like that?

24 A. No, he didn't.

25 Q. The death of Baha Mousa obviously would have been

1 something that came to the attention of 19 Mech Brigade
2 shortly after he in fact died, wouldn't it?

3 A. Yes, it was, yes.

4 Q. Was it fairly quickly common knowledge that something
5 had gone, to be blunt, fairly badly wrong?

6 A. Within the headquarters environment, I believe so, yes.

7 Q. And was that known within the intelligence part of
8 19 Mech Brigade?

9 A. Not only within the intelligence, but within the G3
10 function as well, yes.

11 Q. Yes. But, in short, that he had been abused and
12 assaulted?

13 A. That was a rumour that I heard, yes.

14 Q. Were there discussions within the G2 side at
15 19 Mech Brigade, perhaps including Staff
16 Sergeant Davies, about what had happened?

17 A. Not that I'm aware of.

18 Q. Perhaps one other matter I should have dealt with
19 earlier. In relation to this intelligence which you
20 tell us today you have always known of -- previous
21 intelligence about the connection between the hotel and
22 the attacks on the RMP -- Staff Sergeant Davies refers
23 to that information as being of unknown reliability. Do
24 you think that that's right, that that intelligence,
25 without going into the details, was not of known or

1 Q. Sorry, I meant during the tour did that pressure come to
2 bear on you?

3 A. It was very difficult. We transitioned from war
4 fighting to insurgency, and pretty much the belief was
5 that the former Iraqi soldiers had basically downed
6 their weapons and sort of joined the insurgency. It was
7 difficult, the intelligence that we were receiving, to
8 verify it, so we were under pressure, yes, at that
9 stage, yes, for that.

10 Q. Thank you. You have explained in your statement that
11 you did four months training at Chicksands --
12 intelligence training.

13 A. That is correct.

14 Q. Without going into any detail of that training, you
15 explain in your statement that you were taught how to
16 provide intelligence briefings and summaries on that
17 course. Were you taught about the importance of
18 assessing the reliability of the intelligence that you
19 were receiving and passing on?

20 A. Yes, I received training on the NATO grading system,
21 yes.

22 Q. Again, without going into the details, were you taught
23 about the effect that the method by which the
24 intelligence had been obtained might have on its
25 reliability?

1 A. That is correct, yes.

2 Q. Were you taught to reflect that in your reports, as
3 well?

4 A. We were, yes.

5 Q. You would, at times, receive intelligence from
6 TQ reports?

7 A. That is correct, yes.

8 Q. Did those reports indicate the methods by which the
9 intelligence had been obtained?

10 A. As I recall, yes, they did.

11 Q. And what would they say about the methods that had been
12 used?

13 A. Sorry, could you repeat the question?

14 Q. Yes. What would the TQ reports indicate to you, as the
15 recipient, about the methods that had been used by the
16 TQers to obtain the intelligence that was within them?

17 A. Okay, I would have understood it, that, just as part of
18 the TQ process. It wouldn't have gone into any specific
19 detail, I don't think. It would have concentrated more
20 on the intelligence and information that was received
21 during the process.

22 Q. So they would not in fact have indicated the methods
23 that they were using?

24 A. Not that I'm aware of, no.

25 Q. Were you aware from any other sources, from discussions

1 with the tactical questioners, for example, of the
2 methods that they might use?

3 A. Yes, I was.

4 Q. And what were you aware in that case?

5 A. My awareness would be that the detainees would be
6 questioned one by one. If a number of detainees had
7 been held, they would receive tactical level questioning
8 and then, following that questioning, there would be
9 discussion as to whether or not that individual could
10 provide further intelligence.

11 Q. Did you have any idea about the sort of pressure that
12 might be put on a detainee during the questioning?

13 A. Just in my own personal opinion I would have thought
14 that they would have been under pressure, yes.

15 Q. Shouting?

16 A. What, the TQers shouting at them? I would have thought
17 that would have been part of the TQ process, yes.

18 Q. What about threats --

19 THE CHAIRMAN: Ms Hetherington, the weight of this evidence
20 by comparison with evidence from other people who did TQ
21 is comparatively small.

22 MS HETHERINGTON: Although, Sir, this was a person who --

23 THE CHAIRMAN: Well, I am not stopping you from pursuing it,
24 but it's not something that I can put a huge amount of
25 weight -- he wasn't a tactical questioner.

1 MS HETHERINGTON: I understand, Sir. It's more about the
2 understanding of those who received the reports, as to
3 what had gone into them.

4 THE CHAIRMAN: I follow.

5 MS HETHERINGTON: Were you aware that threats might be used
6 against the detainees to try to get them to answer
7 questions?

8 A. No, I was not aware of that, no.

9 Q. Were you aware that objects might be thrown around the
10 room?

11 A. No.

12 Q. Do you think you should have been aware if those sorts
13 of techniques were being used to get the intelligence
14 that you were then dealing with?

15 A. Not necessarily, no. Our view of the
16 prisoner-handling -- the tactical questioning, it wasn't
17 specifically related to my role. It was specialised
18 people within the brigade that had undergone a training
19 to do that. So I just took it as they were doing things
20 in accordance with the training they had been given.

21 Q. Even though whether or not someone has been threatened
22 to answer a question might affect your assessment of the
23 reliability of the answer?

24 A. It could affect it, yes. I admit that. It could.

25 Q. Thank you.

1 In terms of the intelligence, you say you were aware
2 of linking the hotel to the RMP deaths. I appreciate
3 that you accept that it should have been in the target
4 pack, but you said that it might have been intelligence
5 that was around and in circulation but not specifically
6 linked necessarily to that operation. Is that what you
7 were saying?

8 A. Yes, that's what I was saying, yes.

9 Q. It is right, isn't it, that brigade int sums would be
10 routinely circulated to the battlegroup intelligence
11 officers?

12 A. That's correct, yes.

13 Q. So even if that was the case, you would expect
14 Captain Seaman, the QLR intelligence officer, to have
15 been aware of that information?

16 A. I would have expected him to be aware of it, yes.

17 Q. Thank you. Finally this: you have explained today that
18 part of your job would be to deal with information from
19 walk-ins. Did anyone who came that you dealt with ever
20 make any complaints to you about the conduct of the
21 British forces in Basra City?

22 A. Not that I can remember, no.

23 MS HETHERINGTON: Thank you, Sir. Those are my questions.

24 THE CHAIRMAN: Thank you.

25 Miss Dobbin?

1 MS DOBBIN: Sir, I have no questions, thank you.

2 THE CHAIRMAN: Mr Garnham?

3 Questions by MR GARNHAM

4 MR GARNHAM: Just one, please. You have described the
5 significance of assessing the reliability of
6 intelligence. In what form is that assessment of
7 reliability recorded?

8 A. It's usually recorded as part of a debrief report.

9 Q. Does it feature on the int sum?

10 A. It didn't routinely feature on the int sum, no.

11 Q. Where else then is it? The debrief report, you say?

12 A. The debrief report that would have been compiled by the
13 HUMINT elements.

14 Q. Who has access to that?

15 A. Again, that would be on a need-to-know principle, so it
16 could be specific, it could be one or two people, it
17 could be a whole host of people. It depends on the
18 report, to be fair.

19 MR GARNHAM: Thank you very much.

20 THE CHAIRMAN: Mr Moss?

21 Further questions by MR MOSS

22 MR MOSS: Just one matter. Ms Hetherington, who asked you
23 questions first, after me, asked you about whether you
24 would receive information about the methods used in
25 tactical questioning.

1 I don't want to go into the rights and wrongs of it,
2 but can we look at the one example that we do have,
3 please, at MOD030811? This is the report from
4 Major Peebles, the ISTAR and the BGIRO from 1 QLR, whose
5 name you might recognise. Within that, if we just go on
6 two pages, we have the report from Staff Sergeant
7 Davies, as he then was, relating to the tactical
8 questioning and the information that was known as of
9 15 September.

10 If you just see at the top there, paragraph 1, you
11 will see reference to the previous intelligence that we
12 looked at in the int sum. Do you see that there?

13 A. I do, yes.

14 Q. If we go on within this to paragraph 4 over the page at
15 MOD030814, we see -- don't worry about the ciphers --
16 that in paragraph 4 Staff Sergeant Davies was saying
17 that tactical questioning of an individual -- one of the
18 detainees known to us as "D005" -- and then he sets out
19 certain things that were discovered as part of that
20 tactical questioning.

21 If we go over the page to paragraph 5, one sees that
22 tactical questioning of D006 revealed that he retired
23 from the Merchant Navy and so on and in relation to
24 other detainees set out in the note.

25 First of all, was that the normal sort of report

1 accept that. Would you tend to chat with your
2 colleagues about what you have heard?

3 A. Yes, we would discuss it, yes.

4 THE CHAIRMAN: When you say "discuss", I mean do you -- as
5 a number of other professions to -- gossip a bit about
6 what you've heard?

7 A. I wouldn't say "gossip". I would say it would be
8 "professional discussion".

9 THE CHAIRMAN: I am delighted to hear it. Do you think that
10 the similar sort of chat would be going on --
11 discussion, sorry -- in your office when, for instance,
12 an intelligence officer comes from a battlegroup?

13 A. Yes, I would have said that would have been professional
14 discussion, yes.

15 THE CHAIRMAN: It may be that an intelligence officer coming
16 from a battlegroup or indeed someone else coming from
17 a battlegroup could overhear you talking about some of
18 the intelligence that you had received?

19 A. I would say that was highly unlikely because we worked
20 in a secure environment.

21 THE CHAIRMAN: I follow. So they don't come anywhere near
22 you?

23 A. We had control of access to our working area and if you
24 weren't authorised, then you weren't in the office.

25 THE CHAIRMAN: You don't go in. And an intelligence officer

1 from a battlegroup wouldn't be authorised?

2 A. Yes, the intelligence officers would be, but, you know,
3 anybody around him, ie a driver that brought him, would
4 not necessarily be --

5 THE CHAIRMAN: No, no. I understand that. I just wondered
6 if it is at all possible that people might pick up
7 something which isn't a firm piece of intelligence, as
8 you would describe it, and think rather more of it than
9 might go on official documents.

10 A. It's possible, yes.

11 THE CHAIRMAN: All right. Thank you.

12 It is 25 past 11.

13 MR MOSS: Yes, would that be a convenient moment?

14 THE CHAIRMAN: Yes, very convenient. Thank you very much
15 for coming to the Inquiry and answering questions.
16 Those are all the questions you are going to be asked
17 and I am very grateful to you. You are now free to go.
18 10 minutes, 25 to.

19 (11.25 am)

20 (A short break)

21 (11.35 am)

22 MR ELIAS: Sir, I call Michael Porter, please.

23 THE CHAIRMAN: Yes. Thank you.

24 Please could you stand up, Mr Porter, and I will ask
25 that you be sworn.

1 MICHAEL VERNON PORTER (sworn)

2 THE CHAIRMAN: Thank you very much. Please sit down.

3 A. Thank you, Sir.

4 THE CHAIRMAN: If you could get as close as you can to the
5 microphone and speak into it, then we will all hear what
6 you have to say.

7 A. Okay, Sir.

8 Questions by MR ELIAS

9 MR ELIAS: Would you give the Inquiry your full name,
10 please?

11 A. My full name is Michael Vernon Porter.

12 Q. You are still in the army?

13 A. Yes, that is correct.

14 Q. And your current rank please?

15 A. Is WO2.

16 Q. Warrant officer 2?

17 A. Yes, sir.

18 Q. Would you have a look, please, at a file which should be
19 to your right-hand side and find in it a copy of your
20 statement to this Inquiry.

21 A. Yes.

22 Q. If you go to the last page of that, please, which is our
23 BMI04989, do you find your signature above the date of
24 5 October 2009?

25 A. Yes.

1 Q. When you signed that statement, were you attesting to
2 the Inquiry that the contents of it were true to the
3 best of your knowledge and belief?
4 A. That's correct.
5 Q. Thank you. If you put the statement aside. I am not
6 going to take you to all parts of it or indeed to very
7 many parts of that statement because, of course, we have
8 read it and it stands, of course, as your evidence to
9 this Inquiry.
10 Can I begin just by very briefly looking at your
11 career history? I think you joined the army in 1995; is
12 that right?
13 A. That's right, yes.
14 Q. I don't want your date of birth, but how old were you
15 then?
16 A. I was 21.
17 Q. You tell us that you passed out in 1996 as a lance
18 corporal, that you were a direct entrant into the
19 intelligence corps, and that is where you have remained
20 since?
21 A. Yes, that is correct.
22 Q. You were in Iraq in 2003. When did you go to Iraq?
23 A. We deployed to Iraq -- it was middle of June, as far as
24 I remember.
25 Q. You tell us in your statement that you left Iraq on

1 15 September.

2 A. That is correct, yes.

3 Q. Your role in Iraq?

4 A. I was a sergeant within the field security team, which

5 is based at Basra Palace.

6 Q. So part of the intelligence-gathering team?

7 A. No. We were separate to the intelligence. We were

8 separate to the brigade intelligence cell. We were

9 blistered on to 19 Mech Brigade --

10 Q. Yes.

11 A. -- to provide security advice to the outlying stations

12 and the brigade headquarters.

13 Q. Thank you. You were, yourself, were you, by that

14 stage -- deployment to Iraq -- a trained TQer?

15 A. That is correct, yes.

16 Q. And you did TQ'ing in Iraq, did you?

17 A. Yes, I did.

18 Q. That, as you tell us in your statement, included four to

19 six occasions of TQ'ing for prisoners who had been taken

20 by soldiers from 1 QLR.

21 A. That is correct.

22 Q. So that would be TQ'ing at BG Main, would it?

23 A. On those occasions that was at Battlegroup Main, yes.

24 Q. So we are clear from the outset of your evidence, did

25 you have any dealings at all with the Operation Salerno

1 detainees?

2 A. No, none whatsoever.

3 Q. You know what I mean by that, the "Operation Salerno

4 detainees"?

5 A. I believe that's to do with reference to Baha Mousa --

6 Q. Yes.

7 A. -- and the lift operation for that.

8 Q. So you had nothing to do with those detainees, either in

9 terms of tactical questioning or indeed any other aspect

10 of that operation, did you?

11 A. That's correct. I had no dealings with it.

12 Q. I am going to concentrate just on asking you a little

13 about the system that pertained and the way in which you

14 operated particularly as a TQer. But first of all just

15 let me ask you a little about your more general

16 training. You received, you tell us in your statement

17 to this Inquiry, training in relation to the Geneva

18 Convention and prisoner-handling, at least in the sense

19 that prisoners should be treated humanely.

20 A. That is correct, yes.

21 Q. You refer to attendance in December 2002 on

22 a prisoner-handling and tactical questioning course.

23 A. Yes, that's right.

24 Q. Was that a course that you attended knowing of the

25 likelihood that you would be going to Iraq?

1 A. Yes, that is correct.

2 Q. The course was held at Chicksands?

3 A. Yes.

4 Q. Do you remember how long it lasted?

5 A. It was a five-day course.

6 Q. Can you recall this? Were any of the others who were on
7 that course with you persons who you were later to
8 encounter in Iraq during your deployment there?

9 A. There was only one, but he was only in Iraq for ten days
10 as we were doing a handover takeover.

11 Q. That course, you tell us, was in two parts:
12 prisoner-handling and tactical questioning.

13 A. Yes.

14 Q. You were taught in both parts, were you?

15 A. That's correct.

16 Q. So far as prisoner-handling was concerned, were you
17 taught anything on that course in relation to the use of
18 blindfolds or hoods?

19 A. Yes, blindfolds were used to provide security.

20 Q. Were you instructed that that was permissible?

21 A. Yes.

22 Q. Blindfolds could be used to provide security?

23 A. Yes.

24 Q. And what, briefly, did you understand "security" to
25 mean?

1 A. That would be when the prisoner was being moved from the
2 holding centre or cell to where he was going to be
3 questioned, and it was there the vision was restricted
4 in order to maintain security in that the person
5 couldn't see sensitive areas where personnel ate or
6 slept -- those reasons.

7 Q. Were you taught anything on the course about whether it
8 was right or not to hood prisoners whilst they were in
9 a secure unit?

10 A. I can't remember.

11 Q. But certainly hooding, to be taken through sensitive
12 areas, was something that you were told was appropriate
13 and could be used?

14 A. Yes.

15 Q. Do you remember being taught anything on that course and
16 in relation to hooding as to any length of time for
17 which it might be permissible for a man to be hooded?

18 A. No.

19 Q. Did the course instruct you as to whether, at a tactical
20 questioning session -- that is to say when, if you were
21 the tactical questioner, the prisoner is now in your
22 presence -- the prisoner should or shouldn't be hooded?

23 A. When they arrived in the room, obviously they would be
24 hooded because they have been moved from the detention
25 facility, but as for remaining hooded, I can't remember

1 any details about whether they said they should remain
2 hooded or not.

3 Q. You tell us in your statement, however, that after the
4 questioning session the hood or blindfold would be put
5 on again to move the prisoner back to the secure unit,
6 the secure area.

7 A. Yes, that is correct, again for security reasons.

8 Q. And that was the instruction that you were given, was
9 it?

10 A. Yes.

11 Q. On that course, were you given any instruction at all
12 about the use of any other conditioning techniques? Do
13 you know what I mean by "conditioning techniques"?

14 A. I do believe I understand what you mean by "conditioning
15 techniques".

16 Q. It would include, would it, the use of stress positions,
17 for example?

18 A. I cannot recall being taught about the use of stress
19 positions.

20 Q. By that, so that we're clear about it, do you mean you
21 don't remember whether you were told, for example, that
22 stress positions were not to be used?

23 A. I cannot remember.

24 Q. Can you remember whether the course, in any shape or
25 form, covered these conditioning techniques: the use of

1 stress positions, perhaps deprivation of sleep, the use
2 of noise?

3 A. The deprivation of sleep and noise I do remember there
4 being conversation about that, yes, and that it should
5 not be used.

6 Q. That was the instruction, was it, that it should not be
7 used?

8 A. Yes, that is correct.

9 Q. But you can't remember either way about stress positions
10 and their use?

11 A. No.

12 Q. Just a little, then, about the TQ aspect of that course.
13 I don't want to go into the details of these matters,
14 but you were taught, were you, what might be called "the
15 techniques" that might properly be employed in
16 questioning?

17 A. Yes, that is correct.

18 Q. You say in your statement that something that you
19 describe as the "harsh technique" was part of the
20 instruction.

21 A. Yes, that's correct.

22 Q. Were you given instruction in relation to whatever
23 technique was employed in questioning as to whether it
24 was or was not proper to physically handle or touch the
25 prisoner?

1 A. I do remember that with regard to the harsh technique,
2 that, yes, you could be up close in somebody's personal
3 space, but by -- under no means were you to physically
4 sort of hit or strike the person.

5 Q. Now, just moving on to the job that you did in Iraq,
6 what was your rank then?

7 A. I was a sergeant.

8 Q. You tell us in your statement to the Inquiry that TQ'ing
9 was not, as it were, your primary job.

10 A. That's correct.

11 Q. The Inquiry has heard much evidence that there was,
12 however, a shortage of TQers. Would that be right?

13 A. Yes, that is correct.

14 Q. And you were called upon from time to time to fulfil
15 that role, were you?

16 A. Yes.

17 Q. So taking those four or five or six occasions when you
18 TQ'd prisoners who had been detained by 1 QLR soldiers,
19 what, you were simply detailed, were you, to go to
20 Battlegroup Main to stand by to TQ those prisoners?

21 A. That is correct.

22 Q. It is in that context, if I may, that I just want to ask
23 you some questions about the process and procedures.
24 When you went to Battlegroup Main in those
25 circumstances, did you believe that you had

1 responsibility for the detainees whilst they were in --
2 what we have been calling the "TDF" -- the detention
3 facility there?

4 A. No. That would be the responsibility of the holding
5 unit.

6 Q. What, the holding unit?

7 A. Yes, the people who had arrested the detainees.

8 Q. Tell me if you don't know, but was it, as you understood
9 it, at that time, the practice that the arresting unit
10 would be the guarding unit?

11 A. I believe that would be correct.

12 Q. Just so that we get perhaps the fuller picture, whether
13 you were TQ'ing for 1 QLR or indeed elsewhere, did you
14 understand that that was the practice that applied
15 universally?

16 A. Yes. If 1 QLR arrested a group of people, they would be
17 the unit responsible for that group of detainees.

18 Q. I'm sorry, it was my question, I have no doubt. Would
19 it be the arresting soldiers themselves who would be
20 doing the guarding, did you understand?

21 A. As far as I was aware, yes.

22 Q. So they remained responsible for the prisoners whilst in
23 the detention area. You would get to Battlegroup Main
24 and, as we know, there was a TQ'ing suite, if that isn't
25 too grand a name for it, 100 metres or so away from that

1 detention area; is that right?

2 A. That's correct, sir.

3 Q. The Inquiry is quite familiar with the set-up and the
4 layout of that, so I needn't trouble you with it. When
5 did your responsibility begin and end for a prisoner, as
6 a TQer?

7 A. My responsibility for the prisoner would be when the
8 guard force brought the prisoner in for questioning --
9 into the room where I was doing the questioning.

10 Q. And from then, as it were, you were left in control of
11 that prisoner?

12 A. Yes.

13 Q. When did your responsibility end?

14 A. When the TQ'ing session had ended and the guard force
15 had removed the prisoner and taken him back to the TDF.

16 Q. Did you ever brief guards on the conditions in which
17 a prisoner should be kept?

18 A. No.

19 Q. Would you have regarded that as being part of your
20 function or your task as a TQer?

21 A. No.

22 Q. Did you receive a briefing before you carried out the
23 TQ'ing from someone at Battlegroup Main?

24 A. Yes. I received a brief synopsis of the reasons why the
25 detainees had been arrested.

1 Q. And from whom would you normally receive that brief
2 synopsis?

3 A. Major Peebles or the intelligence officer or the
4 assistant intelligence officer.

5 Q. Major Peebles, then the battlegroup internment review
6 officer?

7 A. Yes, that's correct.

8 Q. In that briefing, were you ever told as to the
9 conditions in which prisoners were being held prior to
10 your questioning them?

11 A. No.

12 Q. Didn't you want to know?

13 A. I would turn up sometimes and I would only have a couple
14 of minutes to sort of get ready to tactically question
15 the prisoners who had already been there on certain
16 occasions and I just wanted to get straight on with the
17 tactical questioning.

18 Q. So you would need to be put in the picture, as it were
19 as to why these people had been arrested or this
20 individual had been arrested?

21 A. Yes.

22 Q. But did you have no interest in knowing, for example,
23 for how long he had been detained?

24 A. My responsibility for detainees was when they were in
25 a room. The responsibility of the detainees prior to

1 that would be with the holding unit.

2 Q. We understand what you said about that, I think. But no

3 doubt the tactics that you might employ in questioning

4 might be dependent, might it, upon, for example, how

5 long the individual had been detained before you were

6 questioning him?

7 A. From my personal experience I don't believe that had

8 a bearing on it because I chose to use the reasoning

9 approach within questioning, which I believed was more

10 effective, and I don't believe how long a person had

11 been held prior to my questioning, that would have an

12 effect on the detainee's response.

13 Q. So when you chose, as you say, to use the reasoning

14 approach, do you mean that that was your blanket

15 approach and that is the way you always did it?

16 A. That is correct.

17 Q. You have heard of "the shock of capture", have you?

18 A. Yes, I have, yes.

19 Q. Was that a meaningful phrase to you or would it have

20 been at that time?

21 A. Yes, it would.

22 Q. Was it important to you as a TQer that you should be

23 questioning a prisoner who, if it were possible, still

24 operated under the shock of capture?

25 A. It would be more beneficial, yes.

1 Q. Because ...?

2 A. That, coupled with the reasoning approach, I believed
3 was more effective in that the person would open up to
4 a reasoning approach.

5 Q. So coming back to your actual experience, it comes to
6 this, does it? You didn't ask and were never told of
7 the conditions in which a particular prisoner or group
8 of prisoners were being held?

9 A. That is correct.

10 Q. You were never told specifically, were you, that
11 prisoners were being conditioned in any way?

12 A. Not that I can remember, no.

13 Q. Specifically that they had been put into stress
14 positions?

15 A. Nobody mentioned that to me.

16 Q. Or that they had been kept hooded prior to questioning?

17 A. No.

18 Q. What was your understanding about the position? Would
19 it have been proper for prisoners to have been kept
20 hooded prior to TQ'ing?

21 A. For security reasons, I would assume yes.

22 Q. But not for the purposes of interrogation, to aid you,
23 if you like?

24 A. No.

25 Q. On your visit to Battlegroup Main -- you say four to six

1 times I think you TQ'd -- did you visit the TDF to see
2 prisoners there?

3 A. Yes, on a couple of occasions.

4 Q. And what was the purpose of those visits to the TDF?

5 A. The purpose of those visits was to ascertain why the
6 next prisoner had not been brought. If I had finished
7 the TQ'ing session and the guard force had removed the
8 detainee, I would have asked them to bring the next one
9 straight in and, if there was a period of about five or
10 ten minutes and no detainee had turned up, I would then
11 go and find out where the next detainee was and ask the
12 reasons.

13 Q. I think you tell us in your statement that you might
14 have done that once or twice.

15 A. Yes, a couple of occasions, yes.

16 Q. When you went to the TDF, did you ever see anything
17 untoward, that is to say prisoners hooded --

18 A. No, I did not.

19 Q. -- or prisoners in stress positions?

20 A. On the occasions I visited, no, I did not.

21 Q. Would it ever have been your practice to go to the TDF,
22 where you had, for example, a group of prisoners, to
23 select the next one for questioning?

24 A. No.

25 Q. How would you select from a group then?

1 A. I didn't select from a group. The guard force just
2 brought the next prisoner.

3 Q. So you would simply ask for the next one to be brought,
4 would you?

5 A. Yes. Because I was by myself, I didn't have time to go
6 and select a prisoner.

7 Q. But presumably, if you were given some intelligence or
8 information by the BGIRO or by the intelligence officer
9 or his assistant, that might dictate the order in which
10 you wanted to question, might it?

11 A. I don't believe that it would have an effect on the
12 information coming out of the person whether you TQ'd
13 the prime suspect first or second or third.

14 Q. At all events, it never happened, did it, as far as you
15 were concerned, that you were given information from
16 which you then dictated the order in which prisoners
17 were questioned?

18 A. No.

19 Q. It never happened?

20 A. No.

21 Q. Just so that we understand the picture perhaps more
22 fully, whilst you were in Iraq and acting as a TQer,
23 overall how many prisoners would you have TQ'd?

24 A. In total?

25 Q. Yes.

1 A. Probably around 150.

2 Q. Did you ever give instructions to any of the soldiers
3 guarding at BG Main that prisoners should be roughed up
4 or loosened up?

5 A. No, I did not.

6 Q. "Turn them over a bit" or anything of that kind?

7 A. No, I didn't.

8 Q. Does the name "Royce" mean anything to you?

9 A. I believe you're referring to Major Royce --

10 Q. Yes.

11 A. -- the BGIRO.

12 Q. You remember him, do you, as the BGIRO before
13 Major Peebles?

14 A. Yes.

15 Q. Did he brief you, do you recall now, before any of these
16 sessions?

17 A. I can't remember him briefing me, no.

18 Q. Did you ever have any discussion with him or receive any
19 information from him about stress positions, that
20 prisoners should be kept in stress positions or anything
21 of that kind?

22 A. No, I didn't.

23 Q. You, then, had no knowledge at all of the use of hoods
24 or stress positions at BG Main. If those things were
25 being used on prisoners, you had simply no knowledge of

1 it, did you?

2 A. That is correct.

3 Q. And you would tell this Inquiry if you had seen it?

4 A. Yes, I would.

5 Q. Other than for security reasons, would you have regarded

6 the use of hoods as being humane or inhumane?

7 A. I believe, having gone through the experience myself on

8 the PH&TQ course, that it was not inhumane.

9 Q. It was not inhumane?

10 A. Yes.

11 Q. You say "having gone through the experience". Do you

12 mean a bag had been put on your head?

13 A. Yes, it had.

14 Q. A hessian sandbag?

15 A. Yes.

16 Q. Was that one or more than one?

17 A. I can't remember.

18 Q. You didn't think that was inhumane. Would that have

19 been your view if the bag had been kept on your head for

20 hours or maybe days?

21 A. In that situation, yes, it could be deemed inhumane,

22 yes.

23 Q. So to some extent you would say it's a matter of how

24 long?

25 A. Yes.

1 Q. Finally this, then, please, just to come back to the
2 course that you went on in 2002. The Inquiry has heard
3 from a sergeant major -- not, I think, on the same
4 course that you were on, but on a course at about the
5 same time. He has told the Inquiry that stress
6 positions and their use were, as it were, openly
7 canvassed and taught. Is that your recollection?

8 A. I cannot recollect that, no.

9 MR ELIAS: Thank you.

10 THE CHAIRMAN: Yes. There will be questions from other
11 counsel now, Sergeant Major.

12 Yes, Ms Hetherington.

13 Questions by MS HETHERINGTON

14 MS HETHERINGTON: You say in your statement -- perhaps we
15 can have paragraph 8 up, which is BMI04980. You there
16 set out your understanding of the terms "conditioning"
17 and "shock of capture", and you say that:

18 "'Conditioning' is maintaining this shock, for
19 example, making sure that prisoners do not communicate
20 with each other. The purpose of this is so that it is
21 easier to get information out of them and they are not
22 able to concoct a story ... My understanding of
23 conditioning and shock of capture comes from attending
24 the PH&TQ course ..."

25 You give the one example of prisoners not being able

1 to communicate with each other. How was that done?

2 A. The prisoners would be sat or separated from each other.

3 The guard force would stop the prisoners communicating

4 with each other.

5 Q. How would they stop them communicating with each other?

6 A. They tell them to stop talking.

7 Q. Were there any other ways in which you were taught on

8 the course to maintain the shock of capture?

9 A. Dislocation from time, so the detainee has no idea how

10 long he or she has been held; stopping them concocting a

11 story, ie by stopping them talking.

12 Q. So although you were taught about a practice called

13 "conditioning" and the maintenance of shock of capture,

14 basically what that amounted to was, "Don't let them

15 talk to each other and don't let them know what time it

16 is"?

17 A. That is correct.

18 Q. You said in your statement that on the role-play

19 exercises both blindfolds and hoods were used from time

20 to time. Is that right?

21 A. That is correct.

22 Q. Were you ever told anything about whether one method was

23 more desirable than the other?

24 A. No.

25 Q. And you were told that the sight deprivation was for

1 security reasons, you say. Was anything said, either on
2 the course or informally during discussions in the
3 breaks, about an incidental benefit of sight deprivation
4 being the maintenance of the shock of capture?

5 A. No, I cannot recollect anything.

6 Q. And that's not a conclusion that you came to yourself
7 either?

8 A. No.

9 Q. In terms of sleeping, you said that you understood from
10 the course that sleep deprivation was not permitted.
11 Does it follow that you would be happy for prisoners to
12 sleep before you TQ'd them?

13 A. Yes, I would. However, in my time out there, there was
14 no sleep deprivation carried out.

15 Q. I am not quite sure I follow that answer. There was no
16 sleep deprivation and you would have been happy for them
17 to sleep; is that right?

18 A. It wouldn't have bothered me, no.

19 Q. I understand. Thank you.

20 You have explained that you were taught the harsh
21 technique on the course, but that you didn't actually
22 use it in practice; you used the reasoning approach.
23 You say in your statement that it was your experience
24 that the harsh approach didn't work because people shut
25 off to it very quickly.

1 A. Yes.

2 Q. Is that something you found during the course or during
3 early sessions in theatre?

4 A. During the course and viewing it from how I would
5 personally react to somebody screaming at my face.

6 Q. Was there any discussion in theatre about the approaches
7 that other TQers were using and whether or not they
8 agreed with you that the harsh approach was not
9 effective?

10 A. It was never discussed.

11 Q. In the reasoning approach that you say you adopted,
12 could you use any threats against the detainee to try
13 and get them to cooperate?

14 A. I didn't use any threats, no.

15 Q. What about saying, "If you assist me, I'll ensure you're
16 well treated", something of that nature?

17 A. Other people may have used that, but I did not.

18 Q. You said there was no discussion amongst the TQers about
19 the use of the harsh approach as opposed to other
20 approaches. Was there any discussion amongst the TQers
21 within the brigade G2 cell about the approaches that
22 might be used during TQ'ing and what might be effective
23 and what not?

24 A. No.

25 Q. Even though none of you had any operational experience

1 and you had all just done a five-day course?

2 A. That's correct.

3 Q. Who would you have gone to if you had any concerns about

4 whether a practice or approach was appropriate or

5 effective?

6 A. The BGIRO or somebody within the chain of command.

7 Q. So for advice on TQ'ing you would have gone to the

8 BGIRO, is that right?

9 A. Sorry, I think I misunderstood your question.

10 Q. Yes, I am not talking about the approach carried out by

11 perhaps guards. I am talking about, if you encountered

12 a difficulty in TQ'ing and wanted to know a strategy to

13 address it, who was supervising you or who was the

14 source of advice that you could have gone to?

15 A. I was not aware of any source of advice. It was just

16 personal experience and trying to work around the

17 situation that may have arisen.

18 Q. Is it fair to say that in some respects you were quite

19 isolated doing your job as a TQer in theatre?

20 A. Yes.

21 Q. You said that your name was put forward for the PH&TQ

22 course. Were you ever told why you were chosen to do

23 the course?

24 A. Yes, I believe there was a shortage of trained PH&TQers

25 prior to the actual invasion of Iraq in 2003 and they

1 realised that they needed to get at least another
2 20 through before Christmas-time. So a course was
3 organised at short notice and about 20 intelligence
4 corps personnel were placed on that course.

5 Q. But other than your intelligence corps background, there
6 was no specific reason that you were aware of why you,
7 as opposed to anyone else, was chosen?

8 A. No, that was the only reason, so far as I'm aware.

9 Q. You say in your witness statement that nobody was aware
10 that you were a TQer when you first arrived in Basra and
11 it wasn't until some time in the tour that that became
12 known and you started doing TQ'ing. Did you not
13 advertise the fact that you were trained because you
14 weren't keen to take up the role?

15 A. No, that was not the case. The reason it wasn't brought
16 to the attention of anybody was because the job that we
17 were doing out there required us going out onto the
18 ground two or three times a day on a daily basis and it
19 just slipped to the back of my mind. I was
20 concentrating on my primary job.

21 Q. I understand. Perhaps that links to the next question.
22 You say in your statement that you didn't particularly
23 enjoy tactical questioning and that you were pleased
24 when 20 Armoured Brigade took over because you had to do
25 it less often. Was that simply because TQ'ing was

1 inconvenient to you or did it in any way make you feel
2 uncomfortable?

3 A. Probably a bit of both.

4 Q. What about the practice made you feel uncomfortable?

5 A. I can't put my finger on it. I just didn't like doing
6 it.

7 Q. You say in your statement that after the death of
8 Baha Mousa you detected a difference in the way that
9 guards handled prisoners in that they were more
10 professional. Was that just at 1 QLR or more generally?

11 A. That was just at 1 QLR.

12 Q. In what ways had the soldiers at 1 QLR been less
13 professional before the death?

14 A. It's hard to say. They just carried -- the guard force
15 acted differently. They carried -- conducted themselves
16 slightly differently and it just appeared to be a more
17 professional approach to doing the job of guarding and
18 moving prisoners.

19 Q. Would it be fair to say that they were handling the
20 prisoners more and moving them more carefully than
21 before?

22 A. I believe that would be fair to say, yes.

23 Q. And in a more respectful manner?

24 A. I believe so, yes.

25 Q. Did you ever see any rough handling of detainees by QLR

1 soldiers before the death?

2 A. No, I did not.

3 Q. Lastly this: you say in your statement that you did
4 tactically question at Basra Palace on one occasion.

5 A. Yes.

6 Q. Can you recall at what stage of your tour that was?

7 A. That was probably about six weeks into my tour.

8 Q. Can you remember whether that was after a preplanned
9 operation or just some detainees who were brought in off
10 the cuff, as it were?

11 A. As far as I remember, I was told that some detainees
12 were being brought in that needed TQ'ing and that I was
13 requested or required -- sorry -- and I was to go and TQ
14 the prisoners.

15 Q. But you hadn't been involved in the briefing stage of
16 that operation?

17 A. I was not involved in the briefing process of that lift
18 operation or any operation.

19 MS HETHERINGTON: Thank you. Thank you, Sir.

20 THE CHAIRMAN: Ms Dobbin?

21 Questions by MS DOBBIN

22 MS DOBBIN: May I just ask what your understanding was of
23 the length of time that prisoners could be detained for?

24 A. Initially, I was not aware of the 14-hour rule, if
25 that's what you're referring to, and I only was -- found

1 out about that rule after I came back from R&R, which
2 was after the death of Baha Mousa.

3 MS DOBBIN: Thank you. That's all.

4 THE CHAIRMAN: Mr Ashley?

5 Questions by MR ASHLEY

6 MR ASHLEY: Now you have told us that when you went to carry
7 out TQ, you often went straight to the TQ room after
8 receiving your brief, as it were.

9 A. Yes.

10 Q. I think you have also said in your statement that you
11 didn't, therefore, brief the guard and that you assumed
12 they knew what they were doing. Now what was it that
13 made you make that assumption? What did you see or hear
14 that made you assume that they knew what they were
15 doing?

16 A. By the way that they moved the prisoner around. It was
17 the correct way that was taught on the course, with one
18 guard behind, one guard in front, and escorting the
19 prisoner around. So from that observation I assumed
20 that somebody had briefed the guard force on how to move
21 and look after prisoners.

22 Q. Did you tell us -- did I hear it right -- that it was
23 150 individuals you think you have TQ'd?

24 A. I think it was about that number. I do not know for
25 exact.

1 Q. So far as the techniques are concerned, one of the
2 examples of technique you give in your statement is the
3 "good cop/bad cop" as you describe it. Can you give us
4 some idea of what sort of bad cop things can be said or
5 done during the course of a TQ session? What were the
6 limits, if I can ask you that?

7 A. The limits would be -- obviously you weren't allowed to
8 touch the prisoner, but you would be sort of up close,
9 shouting at them. That's what that would involve.

10 Q. In terms of the sort of things that could be said, what
11 were you taught in relation to that?

12 A. There was no prescribed things to say. It was just the
13 good cop is approachable and the bad cop is obviously
14 the unapproachable one and is obviously not the one you
15 want to talk to.

16 Q. You said there were no prescribed things to say. Were
17 there any things that were specifically not allowed to
18 be said? What were the limits, in other words?

19 A. I can't remember -- on the PH&TQ course I cannot
20 remember any briefing or instruction as to what you
21 could not say.

22 MR ASHLEY: Thank you very much.

23 THE CHAIRMAN: Thank you. Mr Evans?

24 Questions by MR EVANS

25 MR EVANS: Thank you, Sir.

1 THE CHAIRMAN: When you went to 1 QLR, did you come across
2 Corporal Payne?
3 A. No, I did not.
4 THE CHAIRMAN: You are quite sure about that?
5 A. I wouldn't recognise him if I saw him in the street,
6 Sir.
7 THE CHAIRMAN: I see. Nobody told you "That's
8 Corporal Payne"?
9 A. Nobody did, Sir, no.
10 THE CHAIRMAN: Did you come across Sergeant Smith?
11 A. I may have done, but I cannot remember, Sir.
12 THE CHAIRMAN: You cannot remember whether you did or not.
13 All right.
14 I am just a little surprised -- the first time you
15 had done any TQ'ing was when you went to Iraq on this
16 occasion; is that right?
17 A. That is correct, Sir, yes.
18 THE CHAIRMAN: I am just surprised to hear you didn't talk
19 to other TQers to see what they did. Is that right, you
20 never spoke to them at all?
21 A. We never discussed TQ'ing, any of us, so far as
22 I remember.
23 THE CHAIRMAN: No discussion about "Well, I think the harsh
24 approach is better than the soft approach" or
25 vice versa, no discussions like that?

1 A. No, there was not. None, sir.

2 THE CHAIRMAN: All right.

3 There is one other matter I want to ask you. You

4 were asked by Ms Hetherington whether you noticed any

5 difference after Baha Mousa's death in the treatment of

6 prisoners by the 1 Queen's Lancashire Regiment.

7 I thought you said you did. Is that right?

8 A. Yes, I did, Sir, yes.

9 THE CHAIRMAN: How were you comparing what you saw then to

10 what you saw before?

11 A. Just how I observed the guard force moving the prisoner

12 around when they brought them into the room where I was

13 conducting TQ'ing. That's where I drew my conclusions

14 from, Sir.

15 THE CHAIRMAN: Let's go back to before Baha Mousa's death.

16 How were they bringing them into your room?

17 A. In a manner which was correct, one guard in front, one

18 guard behind, but after Baha Mousa they did the same,

19 but they just did it better. It's hard to quantify.

20 THE CHAIRMAN: It's hard to ...?

21 A. It's hard to quantify, but they just appeared different.

22 THE CHAIRMAN: They seemed to be adopting a more amenable

23 approach, is that right?

24 A. Sir, that's fair to say, yes.

25 THE CHAIRMAN: All right. Thank you very much.

1 Well, those are all the questions you are going to
2 be asked by the Inquiry. I am grateful to you for
3 coming to give your evidence. You are now free to go.

4 A. Thank you very much, Sir.

5 MR HALLIDAY: Sir, the next witness is Calvin Lee.

6 THE CHAIRMAN: Yes.

7 Yes, if you would be kind enough to stand up,
8 please, and I am going to ask that you be sworn.

9 CALVIN MARK LEE (sworn)

10 THE CHAIRMAN: Yes, by all means sit down. Could you please
11 speak into the microphone and then we shall all hear
12 you. Thank you.

13 Yes, Mr Halliday.

14 Questions by MR HALLIDAY

15 MR HALLIDAY: Could you state your full name, please?

16 A. Calvin Mark Lee.

17 Q. Can you see a red folder on the shelf in front of you?

18 A. I can, yes.

19 Q. Is your witness statement inside that?

20 A. Yes, it is.

21 Q. Does your signature appear on the final page?

22 A. It does.

23 Q. When you signed the statement, were you attesting that
24 it was true to the best of your knowledge and belief?

25 A. I was.

1 Q. You joined the army in 1981 as a private; is that
2 correct?

3 A. Yes.

4 Q. And you are still in the army now?

5 A. I am.

6 Q. What's your current rank, please?

7 A. Major.

8 Q. Is it right that you have been working in the
9 intelligence and security field since 1982?

10 A. Yes.

11 Q. In around 1985 you attended, you tell us in your Inquiry
12 statement, an A1 training course at Ashford.

13 A. I did.

14 Q. Could you explain, please, what the purpose of that
15 course was?

16 A. Yes, it was a generic int corps course to qualify you
17 for promotion -- I think it was from corporal up to
18 sergeant -- and it covered the range of employments that
19 we had.

20 Q. Did it cover prisoner-handling and tactical questioning?

21 A. That was a module of the course at that time, yes.

22 Q. How long did that particular module last?

23 A. I believe it was between one and two weeks.

24 Q. Can you remember where that particular module was
25 taught?

1 A. Yes, it was at Ashford, Templar Barracks.

2 Q. Do you know from what part of the armed forces the
3 instructors on that part of the course came?

4 A. I think they were predominantly int corps, but I can't
5 swear to that at this stage.

6 Q. Do you know whether or not they were based at
7 Chicksands?

8 A. No, Chicksands didn't exist at that stage. The
9 intelligence corps depot was Templar Barracks in
10 Ashford.

11 Q. Thank you. During that course you were taught to
12 conduct tactical questioning but not interrogation; is
13 that correct?

14 A. Yes, it is.

15 Q. Was the shock of capture mentioned during the course?

16 A. Yes.

17 Q. And what was said about that?

18 A. This would be the state a prisoner would be in having
19 just been captured -- shocked, disorientated, scared --
20 and therefore it is something that is exploitable by
21 a TQer.

22 Q. When you say "exploitable", does that mean it was
23 something which might make someone more amenable to
24 questioning?

25 A. Yes.

1 Q. More likely to answer questions?

2 A. Yes.

3 Q. Were you taught any methods for maintaining the shock of
4 capture?

5 A. No.

6 Q. Were you taught on that course whether or not prisoners
7 should be deprived of their sight prior to tactical
8 questioning?

9 A. No.

10 Q. You weren't taught that?

11 A. We were taught that a prisoner can only be deprived of
12 his sight if he was being moved through a sensitive
13 area.

14 Q. So there was no sense, was there, in which you were
15 taught that deprivation of sight might be used as an aid
16 to the tactical questioning itself?

17 A. No.

18 Q. Was it mentioned that one benefit of sight deprivation
19 might be maintenance of the shock of capture?

20 A. Not that I recall.

21 Q. Was there any mention of the methods for sight
22 deprivation?

23 A. No, I -- the term would be "blindfolded".

24 Q. Was sandbagging mentioned?

25 A. Not that I recall.

1 Q. It wasn't mentioned either positively or negatively, was
2 it, in that you weren't told "Sandbagging is out"?

3 A. No.

4 Q. Was there any mention of stress positions on that
5 course?

6 A. Stress positions were mentioned, yes.

7 Q. And what was said about them?

8 A. Primarily that we couldn't use them.

9 Q. Any mention of sleep deprivation?

10 A. Again, the same way -- sleep deprivation, but you can't
11 use it as an interrogator or a TQer.

12 Q. Were you told anything about subjecting prisoners to
13 noise?

14 A. I don't recall, but subsequently -- again, like sleep
15 deprivation, you can't use that to disorientate
16 a prisoner.

17 Q. What do you mean by "subsequently"?

18 A. Since that course. It would have been brought up in
19 something like individual training directives, ITDs.

20 Q. So you don't think that there was express mention of any
21 prohibition on sleep deprivation during that particular
22 course, but you think it's something you have learnt
23 since?

24 A. I honestly can't remember. It was 1985, a long time
25 ago, and I am sure it probably was, but I can't

1 categorically say.

2 Q. I don't want to ask you about the details of questioning

3 techniques that you were taught, but broadly speaking

4 were you taught that it was permissible to question

5 aggressively in certain circumstances?

6 A. In a firm but fair manner, yes.

7 Q. What might "firm" mean in that context?

8 A. Firm, raised voice, getting up front -- up close and

9 personal, into the person's sort of personal space.

10 Q. You say "raised voice". Would screaming be a fair

11 description of what you were taught?

12 A. Yes, it could be.

13 Q. Were you taught that it was permissible to use insults

14 when questioning someone?

15 A. I don't recall specific mention of insulting a prisoner.

16 Q. What about threats?

17 A. Again, I don't recall that.

18 Q. Now you were deployed to Iraq in 2003, were you not?

19 A. Yes, I did.

20 Q. Can you recall the approximate dates of your deployment?

21 A. I believe it was early June. It was probably about five

22 or six days before the six military policemen were

23 murdered up in Al Amarah.

24 Q. So that was the beginning of your deployment?

25 A. Yes.

1 Q. And when did it end?

2 A. I think it was round about mid or 15th to later
3 December -- back before Christmas.

4 Q. Does that mean that your deployment started shortly
5 before the end of Op Telic 1 and ended a little after
6 the beginning of Op Telic 3?

7 A. Exactly, yes.

8 Q. What rank were you at that time?

9 A. At that time I was a captain.

10 Q. What was your role during that tour?

11 A. I was the officer commanding of the field
12 security section.

13 Q. Could you describe briefly, in general terms, what you
14 did in that role?

15 A. Our role was to -- really to survey or inspect our
16 various UK locations to ensure that the units were
17 maintaining the required levels of security in terms of
18 documents being locked away, ammunition stored, that
19 they weren't conducting briefings with the interpreter
20 sat next to them, that sort of thing. So maintenance of
21 our own security standards.

22 Q. Did you have any responsibility for collecting or
23 collating intelligence gathered from Iraqi civilians?

24 A. No direct responsibility, but as an intelligence corps
25 soldier that's always in your mindset, yes.

1 Q. Did you have any personal responsibility for tactical
2 questioning or prisoner-handling?

3 A. No.

4 Q. Can you recall whether any members of your team were
5 qualified in tactical questioning?

6 A. Yes, I can.

7 Q. What were their names?

8 A. Sergeant Smulski and Sergeant Porter.

9 Q. And did those two individuals in fact conduct tactical
10 questioning during the tour?

11 A. Yes, they did.

12 Q. When they conducted tactical questioning duties, did you
13 in any way oversee their work?

14 A. No.

15 Q. You didn't instruct them as to how they should conduct
16 it or how they should handle prisoners?

17 A. No, I didn't.

18 Q. When they returned from tactical questioning duties, did
19 you debrief them about the work they had been doing?

20 A. No, I did not.

21 Q. You never asked them what tactical questioning methods
22 they had used, did you?

23 A. Not at all.

24 Q. You didn't discuss with them how prisoners had been
25 handled?

1 A. No.

2 Q. Do you know who I'm referring to when I mention the
3 "Operation Salerno detainees"?

4 A. I know subsequently, having read my witness bundle, that
5 "Salerno" was the operation name given to the operation
6 at that hotel. At the time I did not know that
7 "Salerno" was an operational name. I didn't need to
8 know.

9 Q. That hotel being the hotel where Baha Mousa and some of
10 his colleagues were arrested.

11 A. I am assuming so, yes.

12 Q. Do you recall that Sergeant Smulski helped with the
13 tactical questioning of those particular detainees?

14 A. Yes.

15 Q. You tell us in your witness statement that you heard
16 that one of those detainees had died. Do you remember
17 that now?

18 A. Yes, I do.

19 Q. You say that you heard this before Sergeant Smulski
20 returned to your unit; is that correct?

21 A. To the best of my recollection, that was correct, yes.

22 Q. When Sergeant Smulski did return, did you speak with him
23 about what had happened to these detainees?

24 A. Yes, yes, we did -- not formally, but I think we had an
25 informal discussion when he came back, yes.

1 THE CHAIRMAN: When you say "we", who do you mean?

2 A. Me and he -- me and Sergeant Smulski, Sir.

3 THE CHAIRMAN: I see, yes.

4 MR HALLIDAY: This would have been very shortly after he

5 returned to your unit, would it?

6 A. Yes. As I recall, he came back, he was extremely tired

7 and I can't remember if it was immediate or after

8 a period of rest.

9 Q. What did the two of you discuss?

10 A. Again, as I recall, the fact that a prisoner had died

11 and I said to him that he should be clear in his own

12 mind -- and it might even be worth jotting it down --

13 a sequence of events, timings, et cetera, what his

14 involvement was.

15 Q. Did you and he discuss how that prisoner may have died?

16 A. No.

17 Q. Did you discuss anything about how the prisoners had

18 been treated?

19 A. I honestly don't recall.

20 Q. This conversation must have been made more memorable by

21 the fact that one of the detainees had died. Would you

22 agree with that?

23 A. Yes, yes, I would.

24 Q. But you don't recall any discussion about how the

25 prisoners had been treated?

1 A. No, I know no detail at all.

2 Q. Where were you physically based during that tour?

3 A. At Basra Palace.

4 Q. And to whom did you report during the tour?

5 A. I was under the operational command of G2 at the

6 airport, which was sort of divisional level, and I was

7 operational control of whichever brigade happened to be

8 there at the time and in this instance it was 19.

9 Q. 19 Mechanised Brigade?

10 A. Yes.

11 Q. Was there anyone in particular within 19 Mechanised

12 Brigade to whom you reported?

13 A. Yes, there was.

14 Q. And who was that?

15 A. The SO2 G2 Major Robinson.

16 Q. Do you recall anyone else within the G2 cell, the names

17 of the others?

18 A. Generally or ...?

19 Q. The G2 cell at 19 Mechanised Brigade during that tour.

20 A. Major Robinson was the SO2 G2; Lieutenant Shantha

21 Trowell was the officer in command of the brigade int

22 section. There was a Major Radbourne who arrived --

23 I couldn't tell you when, but he wasn't there at the

24 onset, and he seemed to be almost a spare officer within

25 the brigade who was co-opted into the -- or bolted on to

1 the G2 set-up.

2 Q. Do you remember a Staff Sergeant Davies?

3 A. Yes, I do. He was part of the int section.

4 Q. You say in your statement that you were physically
5 co-located with the G2 cell. Could you explain, please,
6 what you mean by that?

7 A. Yes. Our work environment, we had a desk in their sort
8 of secure area, mainly because it had IT connectivity
9 and, as a G2 asset, that was the right place to be.

10 Q. So what was this secure area? Was it a room in an
11 office building or --

12 A. No, it was -- yes, it was a room in one of the bigger of
13 the palaces that were on that site, probably the only
14 one that had a door on it that we could use to make it
15 as secure as possible.

16 Q. Approximately how large was the room?

17 A. 10 yards by 10 yards. It was a fairly big
18 high-ceilinged palatial room really.

19 Q. A grand room?

20 A. In its day, yes.

21 Q. It had been a grand room.

22 When you were based in that room, did you ever hear
23 any members of the G2 cell talking about tactical
24 questioning or prisoner-handling?

25 A. Of the requirement for tactical questioners, yes, and it

1 was really, for me, limited to that -- not processes or
2 procedures.

3 Q. Did you hear any discussion about the methods of
4 tactical questioning --

5 A. No, I didn't.

6 Q. -- or prisoner-handling?

7 Did you ever hear the term "conditioning" mentioned?

8 A. Not in Iraq, no.

9 Q. Did you hear them mention the blindfolding or hooding of
10 detainees --

11 A. No.

12 Q. -- or stress positions?

13 A. No.

14 Q. Were none of these things mentioned even after the death
15 of Baha Mousa?

16 A. Not that I recall. It may have been, but I do not
17 specifically recall it.

18 Q. You don't recall being involved yourself in any
19 discussions about conditioning techniques?

20 A. No, I don't.

21 MR HALLIDAY: Thank you.

22 THE CHAIRMAN: Yes, I expect there will be one or two more
23 questions for you.

24 Miss Hetherington?

25 MS HETHERINGTON: No, thank you, Sir.

1 THE CHAIRMAN: Ms Dobbin?

2 Questions by MS DOBBIN

3 MS DOBBIN: Sergeant Lee, you have told us that you

4 commanded Sergeant Smulski --

5 A. Yes.

6 Q. -- and in your witness statement you appear at pains to
7 point out that he was very much a process-driven person.

8 Can I just make clear, by that do you mean that he was
9 the kind of person who would be at pains to comply with
10 his orders?

11 A. Yes. I think as a TA soldier, a Territorial soldier, he
12 was at pains to do things right. In the short time
13 I was with him, he appeared to me to be a very
14 procedural person. He would lay out his equipment
15 before we went out on to the road, ticking off the
16 boxes. When he was writing a normal security report, he
17 would go through the processes, refer to previous
18 reports, et cetera, yes.

19 MS DOBBIN: Thank you. That's all, Sir. Thank you.

20 THE CHAIRMAN: Thank you.

21 Mr Ashley?

22 Questions by MR ASHLEY

23 MR ASHLEY: In your statement you say that prisoner-handling
24 is the responsibility of the provost sergeant and that
25 the tactical questioner is there to get on with the

1 questioning. Do you stand by that?

2 A. Yes, I would, yes. The prisoners would be administrated
3 by the capturing unit or the holding unit in my
4 experience.

5 Q. Just going back to the methods of questioning, I think
6 we have a pretty good idea that you weren't allowed to
7 touch the detainees, so that was a physical limit. You
8 couldn't interfere in that way. So far as verbally,
9 were there any limits on what would be said during the
10 course of a harsh or any specific guidance on the course
11 given?

12 A. Not that I was aware of, no.

13 Q. So anything goes? You can shout, scream, swear,
14 whatever?

15 A. Yes.

16 MR ASHLEY: Thank you very much.

17 THE CHAIRMAN: Mr Evans?

18 MR EVANS: No thank you, Sir.

19 THE CHAIRMAN: Mr Halliday?

20 MR HALLIDAY: No more questions, Sir.

21 Questions by THE CHAIRMAN

22 THE CHAIRMAN: There is one matter I would just like to ask
23 you about. You were asked by Mr Halliday earlier
24 whether you were taught about stress positions, what you
25 were taught, and you said:

1 "Primarily that we couldn't use ... [stress
2 positions]."

3 What did you mean by "primarily", did they say
4 anything in addition to that?

5 A. I recall being shown slides of prisoners in other
6 situations.

7 THE CHAIRMAN: Yes.

8 A. One that sticks in my mind is -- I think they were
9 American soldiers captured in Vietnam, being crammed
10 into bamboo cages, and it would have been in the context
11 of the instructor saying, "These people are being put
12 into stress positions to prolong the shock of capture",
13 and that there are -- it was probably explained to us
14 that there are other ways of doing it, such as up
15 against the wall or hands -- in uncomfortable positions
16 for extended lengths of time.

17 THE CHAIRMAN: Yes.

18 A. But I am certain that we were instructed that
19 categorically we can't -- UK PLC -- use them.

20 THE CHAIRMAN: By "primarily", you mean that you were
21 actually --

22 A. Being told not to.

23 THE CHAIRMAN: -- told not to and demonstrated positions
24 that you certainly were not allowed to use?

25 A. Yes, exactly, Sir.

1 THE CHAIRMAN: Yes, I am grateful. Thank you very much.

2 Those are all the questions that the Inquiry is
3 going to ask you. Thank you for coming to give your
4 evidence. You are now free to go.

5 A. Thank you, Sir.

6 THE CHAIRMAN: I wonder, do I have the read only witnesses?

7 I have two copies this morning.

8 MR HALLIDAY: Better safe than sorry, Sir.

9 THE CHAIRMAN: Yes.

10 Summary of witness statements by MR HALLIDAY

11 MR HALLIDAY: There are three witnesses whose statements are
12 to be read into today's transcript.

13 Summary of witness statement of LARS BO HOLM PEDERSEN

14 MR HALLIDAY: The first is Captain Pedersen. He was
15 a member of the Danish armed forces initially attached
16 to the G2 branch of the 7 Armoured Brigade. He
17 subsequently moved to the G3 branch and took
18 responsibility for the brigade's anti-oil-smuggling
19 unit. In his short statement he informs the Inquiry
20 that he had no knowledge of the standard operating
21 procedure for detaining Iraqi civilians. He also states
22 that prior to being approached by the Inquiry, he had
23 not heard of the events in relation to Baha Mousa.

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Witness statement of LARS BO HOLM PEDERSEN

Witness Name: Lars Bo Holm
Pedersen

Statement No: 1
Exhibits:

Dated: 10 September 2009

THE BAHA MOUSA PUBLIC INQUIRY

Witness Statement of LARS BO HOLM PEDERSEN

1 I, Lars Bo Holm Pedersen, will say as follows: -

2 1. I arrived at the 7 Armd Bde's headquarters in
3 Basra at the beginning of June 2003, where I was
4 attached to G2. I was well received, even though our
5 British hosts were rather surprised the Danes suddenly
6 arrived.

7 2. As I had not been issued the safety clearance
8 required, I could not work with classified material,
9 which meant I was unable to do my job or help solve
10 tasks for quite some time. One example of this was
11 [redacted] attended the daily G2 meeting I had to leave
12 the office.

13 3. As the security clearance was not forthcoming,
14 I moved to G3, where I was responsible for the brigade's
15 Anti-Oil Smuggling Unit, whose job was to issue driving
16 permits and transport routes for local oil distribution.
17 When the units stopped illegal oil shipments, they were
18 confiscated and sent off to one of the British camps.
19 My unit had these vehicles registered and emptied a few.

20 4. This work stopped in the last month of my turn
21 of duty, because they wanted to entice the oil smugglers
22 out again, as a major American-led operation was planned
23 to stop the backers behind this illegal trade.

24 5. My stay with the British unit was generally
25 good. I was well received and had many British officers

1 as good friends, many of whom I still see today. In
2 terms of work, the turn of duty was not productive,
3 because I did not feel I made any significant
4 contribution to the operation or the - often unknown -
5 goals they were working towards.

6 6. I did not know while I was out-stationed of the
7 SOP on detaining Iraqi civilians or any other
8 information on such subjects. Nor did I hear before
9 this interview was held of the episode involving
10 Mr. Baha Mousa.

11 Statement of Truth

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

14 Signed: Lars Bo Holm Pedersen.

15 Dated: Copenhagen 10 September 2009.

16 Summary of witness statement of KARL BROOKS

17 MR HALLIDAY: The second witness is Sergeant Karl Brooks.

18 During Op Telic 2 he was the chief clerk of the brigade
19 G2 intelligence cell, reporting to the SO2 G2. That's
20 Major Robinson. He tells the Inquiry that his duties
21 were essentially clerical and administrative in
22 character. He says that during his tour he never saw
23 any detainees or prisoners detained by British forces
24 and never saw or heard of the use of hoods, stress
25 positions or any of the other five prohibited

1 techniques.

2 He says that during his tour he was not aware of any
3 order which prohibited hooding. Similarly he states
4 that he had no knowledge at the time of the tactical
5 questioning process or of the individuals involved in
6 that process.

7 Witness statement of KARL BROOKS

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Witness Name: Karl Brooks

11

Statement No: 1

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Exhibits: None

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Dated: 3 December 2009

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THE BAHA MOUSA PUBLIC INQUIRY

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Witness Statement of Karl Brooks

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1 I, Karl Brooks, will say as follows:

2 1. I make this statement in response to the
3 Inquiry's Rule 9 Request dated 18 September 2009.
4 I have read this Request, and I seek here to cover
5 everything that it raises to the best of my ability and
6 recollection.

7 Career

8 2. I joined the Army in July 1991 and completed my
9 basic training at Kettering, after which I joined the
10 1st Battalion Green Howards (1GH). In 1992 I was posted
11 to Northern Ireland for 12 months, before joining the
12 Chief of General Staff Branch, then Chief of Defence
13 Staff, in London for a total of 5 years.

14 3. In 1998 I was posted to Osnabruck in Germany
15 with the Light Aide Detachment 1GH, where I fulfilled
16 the role of Chief Clerk. On my return to the UK in
17 around 2000 I was the G1/G4 Chief Clerk with the
18 19 Mech Brigade based at Catterick for the following
19 3 years, until my deployment on Op TELIC 2.

20 4. I am currently the Financial Systems
21 Administrator for 2CS Battalion Royal Electrical and
22 Mechanical Engineers (REME), based in Fallingbostal,
23 Germany.

24 Rank and day-to-day role as at 14 September 2003,
25 and Chain of Command.

1 5. I was deployed on Op TELIC 2 in around June 2003
2 and left theatre in October 2003. Throughout my tour
3 and as at 14 September 2003 my rank was Sergeant.

4 6. My position during Op TELIC 2 was Chief Clerk of
5 the Brigade G2 Intelligence Cell. My day-to-day duties
6 were essentially administrative and clerical, including
7 receiving and distributing intelligence reports from the
8 Battlegroups, answering phones, receiving post and
9 messages, receiving requests for information and
10 directing them around the office where appropriate.

11 7. In terms of my position as Chief Clerk within
12 the Chain of Command, I reported directly to the officer
13 in charge of G2, the SO2 G2 Major Robinson.
14 Major Robinson was, in effect, the Intelligence Officer
15 for Brigade. My understanding is that he reported up to
16 the Brigadier, possibly via the Chief of Staff. I had
17 no command responsibilities of any kind in my position,
18 and no one reported to me.

19 Training, guidance, orders or instructions in
20 relation to the detention and treatment of prisoners.

21 Training

22 8. I do not recall receiving any training, guidance
23 or orders in relation to prisoner or detainee handling
24 during my basic training at Kettering. Following basic
25 training I undertook regular training courses which were

1 initially known as ITDs but are now known as MATTs, and
2 I recall that this training included a module on the Law
3 of Armed Conflict (LOAC). I am confident that this
4 module included, and still includes, information about
5 how to treat prisoners of war, and some general guidance
6 about what you can and can't do to them. For example,
7 you are instructed that you cannot threaten them, or
8 search female prisoners, and that you have to provide
9 first aid if required. I recall that this training is
10 presented in the form of a power-point based lecture and
11 presentation by an officer in charge. However, this
12 LOAC training has changed and been updated since
13 I completed my basic training in 1991 and,
14 unfortunately, I cannot now say whether the instructions
15 about how to treat prisoners that I have just mentioned
16 have always been included in this training, or whether
17 this has only been included in more recent years. In
18 other words, I cannot now say exactly when I obtained my
19 knowledge about the LOAC, which is really a culmination
20 of nearly 20 years of military service. Nor can I now
21 recall the identities of any of the instructors or
22 officers who have provided me with this training.

23 9. Immediately prior to Op TELIC 2 I believe that
24 its likely that we would have had some training on
25 prisoner handling as part of our pre-deployment

1 training, however I cannot now recall whether this is
2 the case or, if so, where the training was provided, who
3 conducted it or anything about its content.

4 10. Aside from the ITDs and MATTs training that
5 I have mentioned above (and discuss further below), I do
6 not recall ever receiving prisoner handling at any point
7 during my military career, either before or since Op
8 TELIC 2. I have also never received any training,
9 orders or guidance in relation to the 'shock of capture'
10 or 'conditioning' of prisoners.

11 11. I received a lecture on conduct after capture
12 issues in around 2004 when I was posted to work in an
13 embassy in Albania in 2004. This was only a brief
14 lecture covering the sorts of risks that staff might
15 face if kidnapped, along the lines of what has happened
16 to British nationals captured by terrorist
17 organisations, such as being put on the internet and in
18 videos and so forth.

19 12. Prior to Op TELIC 2, I do not recall ever
20 receiving any training, orders or guidance of any kind
21 about the use of hoods or blacked out goggles on
22 prisoners, plasticuffs, stress positions, white or loud
23 noise, use of force or deprivation of food, water or
24 sleep.

25 During Op TELIC 2

1 13. During Op TELIC 2, I never saw or heard of the
2 use of hoods, blacked out goggles, plasticuffs, stress
3 positions, white or loud noise, or the deprivation of
4 food, water or sleep on prisoners or detainees. Indeed,
5 during Op TELIC 2 I did not actually ever see any
6 detainees or prisoners detained by British soldiers at
7 all. I recall that I received an aide memoire during Op
8 TELIC 2 on the LOAC, which was a small card (I believe
9 it was white) which summarised the LOAC, although I
10 cannot now recall the precise content.

11 14. I do not recall receiving any orders or
12 guidance in relation to prisoner handling or detainee
13 matters during Op TELIC 2, and I certainly did not give
14 any orders or guidance on these matters myself. Nor do
15 I have any specific recollection of being aware of
16 discussions regarding prisoner handling issues within
17 the Intelligence Cell at any stage of Op TELIC 2, such
18 as during meetings or briefings, or in the course of my
19 normal duties as Chief Clerk, such as by passing on
20 telephone messages or taking notes.

21 Training since Op TELIC 2

22 15. Since Op TELIC 2, in my experience more detail
23 has been provided in MATTs training about prisoner
24 handling. For example, we are told that hooding with
25 sandbags is not permitted, although I am not sure

1 whether blindfolding with blacked-out goggles is allowed
2 in certain security-sensitive situations. I think that
3 the use of stress positions, loud noise, food and water
4 deprivation and sleep deprivation are now also
5 specifically mentioned in training and that it is
6 confirmed that they are strictly prohibited. I cannot
7 recall if the use of plasticuffs is mentioned.

8 16. As stated, I do not recall ever receiving
9 orders or guidance on issues of prisoner handling during
10 Op TELIC 2, and was not privy to, or aware of, the
11 Battlegroup policies, practices or guidelines in this
12 respect. As such, I am similarly unaware of whether,
13 and if so how, these policies, practices and guidelines
14 changed after the death of Baha Mousa.

15 FRAGO 152 and other orders/advice regarding prisoner
16 handling.

17 17. I have been asked by the Inquiry whether I was
18 aware of FRAGO 152 (MOD017061) or any other order which
19 prohibited the hooding of prisoners. Having been
20 referred to this FRAGO by my solicitor, I note that it
21 was issued prior to my arrival on Op TELIC 2, but in any
22 event I can confirm that I have no recollection of being
23 aware of such an order or any other order relating to
24 hooding of prisoners before now.

25 18. As stated above, I have no recollection of

1 receiving or being aware of any orders, guidance or
2 other advice from any person or party relating to any
3 aspects of prisoner handling, which includes the use of
4 hoods and/or blindfolds, stress positions, loud noise or
5 the deprivation of food, water and/or sleep.

6 Tactical questioning

7 19. I have never received training in tactical
8 questioning and do not have any understanding of what it
9 involves. I understand that prisoners were probably
10 questioned by questioners, interrogators or intelligence
11 personnel during Op TELIC 2 in order to obtain
12 information and intelligence, however I did not know
13 anything about the specifics or practicalities of this
14 process, nor of who was actually involved. In terms of
15 the Chain of Command, I imagine Major Robinson may have
16 had some command responsibility for this process in his
17 role as SO2 G2, given that I would have thought that
18 tactical questioning would fall under the responsibility
19 of the Intelligence Branch; however I do not know this
20 for certain. I have no idea about the availability of
21 tactical questioners as a resource.

22 14-hour period

23 20. Until advised by my solicitor for the purpose
24 of preparing this statement, I was unaware that there
25 was a 14-hour rule in relation to the transfer of

1 prisoners detained by the Battlegroups, and am equally
2 unaware of whether this rule was generally complied with
3 during Op TELIC 2.

4 Baha Mousa

5 21. I had no knowledge of the intelligence
6 background to Operation Salerno, which I am informed was
7 the operation on which Baha Mousa and the other
8 detainees were arrested. I was generally not privy to
9 intelligence information or discussions about specific
10 operations within the G2 Cell.

11 22. I do not know a Major Peebles or a Sgt Smulski,
12 and do not believe I had any interaction with them, or
13 anyone else who may have been involved in the arrest,
14 questioning or guarding of Baha Mousa and the other
15 detainees. I believe that SSgt Davies was part of our
16 team in the G2 Cell and so I possibly had some
17 interaction with him at the time because we worked in
18 the same branch. However I cannot remember any
19 particular interaction and certainly do not remember any
20 discussion with him relating to Baha Mousa or the other
21 detainees. Again, I confirm that I was generally not
22 privy to any discussions about specific operations.

23 23. I have no knowledge about how Baha Mousa and
24 the other detainees were handled or treated during the
25 period 14 - 16 September 2003, other than what I have

1 subsequently learned from the press and media.

2 24. I believe that I heard about Baha Mousa's death
3 from the Ops Room. I recall hearing that a prisoner had
4 died, although I do not believe any name was mentioned
5 at that point. I am not sure exactly when this was, but
6 I believe it was quite shortly after the death, such as
7 a matter of hours. I have no recollection of who told
8 me. From the Ops Room I recall that I returned to the
9 G2 Cell and recall that the Brigadier appeared and
10 wanted to speak to Major Robinson. I am not sure
11 whether they subsequently spoke or, if so, what was
12 discussed, as I was not involved.

13 25. As stated above, I have no understanding of
14 what procedures and/or responsibilities in relation to
15 prisoner handling, if any, were changed following the
16 death of Baha Mousa.

17 Press

18 26. I have not ever given an account of these
19 matters to the press or other media.

20 Statement of Truth

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

23 Signed: Karl Brooks.

24 Dated: 3 December 2009.

25 Summary of witness statement of SHANTHA DICKINSON

1 MR HALLIDAY: The third witness is Shantha Dickinson.

2 At the time of the relevant events Lieutenant Dickinson
3 was the officer commanding the 21 military intelligence
4 section within 19 Mechanised Brigade. She had
5 responsibility for the production of daily intelligence
6 summaries, analysis plans and intelligence briefs. Her
7 role was predominantly one of collating and analysing
8 evidence gathered by others. She was the officer
9 commanding Staff Sergeant Mark Davies, however she did
10 not have any responsibility for delegating tactical
11 questioning tasks to him. She states that during
12 Op Telic 2 she did not give or receive orders or advice
13 in relation to prisoner-handling, nor did she give
14 advice about or become aware of the use of hooding,
15 stress positions or the other techniques.

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Witness statement of SHANTHA DICKINSON

Witness Name: Shantha
Catherina Dickinson

Statement No: 1
Exhibits: None

Dated: 29 July 2009

THE BAHA MOUSA PUBLIC INQUIRY

Witness Statement of Shantha Catherina Dickinson

1 I, Shantha Catherina Dickinson will say as follows:-

2 1. I make this statement in response to the
3 Inquiry's Rule 9 Request dated 22 May 2009. I have read
4 this Request, and I seek here to cover everything it
5 raises to the best of my ability and recollection.
6 I have also been shown and considered a copy of FRAGO
7 152 (MOD017061) as well as a copy of a statement made by
8 me on 10 May 2005 (MOD000283) and the transcript of the
9 oral evidence given by me in the Court Martial (Day 42,
10 15 November 2006).

11 Career History

12 2. I joined the Army on 28 January 2001. Initially
13 I was on a course known as Rowallan Company which lasted
14 until spring 2001. This was a Pre-Commissioning
15 Personal Development course. It was subsequently
16 renamed the Sandhurst Development course but it no
17 longer exists. I then commenced the commissioning
18 course at Sandhurst in May 2001 and was commissioned
19 into the Intelligence Corps on 13 April 2002 as a Second
20 Lieutenant.

21 3. I joined 19 Mechanised Brigade as the Officer
22 Commanding 21 Military Intelligence ('MI') Section in
23 June 2002 and was based at Catterick. In August 2002
24 I commenced Phase 2 training in intelligence, which is
25 a specialist intelligence course. This course lasted

1 approximately three and a half months, ending at
2 Christmas 2002. Whilst with 19 Brigade I went on
3 a short tour of Sierra Leone for some three to four
4 weeks during February and March 2003. During this tour
5 I was a Section Commander of 21 MI Intelligence Section.

6 4. During the period June to October / November
7 2003 I went on a tour to Iraq as part of Op TELIC 2,
8 where I once again performed the function of commanding
9 21 MI Intelligence Section.

10 5. In January 2004 I was appointed as the Officer
11 Commanding 34 Security Section of 2 MI battalion based
12 in Bulford, where I remained until December 2004. In
13 January 2005 I commenced working with the Defence
14 Debriefing Team ('DDT') based at Chicksands,
15 Bedfordshire. Whilst at DDT I went on one tour to
16 Kabul, Afghanistan during February and March 2006.
17 I also went on an additional tour to Iraq in April 2006
18 for approximately three weeks. During this tour
19 I worked in Shaibah as part of a Rapid Reaction Small
20 Interrogation Team. I remained at Chicksands until
21 July 2006.

22 6. In July 2006 I commenced working in a new
23 position based in London as an Adjutant for 3 MI
24 Battalion (V). The "V" denotes volunteer. I remained
25 in this position until my first period of maternity

1 leave, which lasted from December 2007 to August 2008.
2 In September 2008 I returned to Bulford to work for 4 MI
3 Battalion. I am currently the 2iC of 41 MI Company.

4 Rank and role in September 2003

5 7. During September 2003 I was a Lieutenant Officer
6 commanding the 21 MI Intelligence Section based at Basra
7 Palace.

8 8. I was responsible for producing daily
9 intelligence summaries, intelligence collation plans,
10 analysis plans and formal and informal intelligence
11 briefs. My role involved the collation and analysis of
12 information received from soldiers who obtained
13 information from a variety of sources (such as
14 Battlegroup patrol reports, Battlegroup operations and
15 intelligence collection platforms). I was also
16 responsible for supporting the Brigade planning process
17 in relation to planning operations. I was, on a number
18 of occasions, asked to write various papers, for example
19 on certain tribes in the area. I was also in charge of
20 looking after the welfare of the personnel in
21 my section, making sure that their equipment was cared
22 for, etc. and carrying out their performance appraisal.

23 9. I was Officer Commanding in 21 MI Section. We
24 worked for Brigade Headquarters and were entirely
25 separate from the Battlegroups. However, the

1 Battlegroups would feed information to us on a daily
2 basis.

3 The Command Structure

4 10. 21 MI Section was headed by Major Mark
5 Robinson, who was the S02 G2 Staff Officer responsible
6 for intelligence. He reported to the Chief of Staff,
7 Major Hugh Eaton, in the reporting structure. Major
8 Hugh Easton, as the most senior staff officer, managed
9 all of the staff officers. He in turn reported to the
10 Brigade Commander, Brigadier Bill Moore.

11 11. A number of personnel reported to me. These
12 included WO2 Rhod Patterson, Staff Sergeant Mark Davies,
13 Sergeant Andy French and several junior NCOs including
14 Corporal Humphries, Corporal Desvorgas-Poths and Lance
15 Corporal Steve Horsley.

16 12. The way in which the command structure worked
17 was that Major Robinson would task me to produce an
18 intelligence product, such as an analytical paper or
19 report, or to prepare a specific paper on a "target
20 pack". A "target pack" is a pack of information used by
21 people carrying out an operation which contains
22 information such as where the target lives and the
23 manner in which the arrest will be conducted. It would
24 then be my job, working together with my team, to ensure
25 that the necessary intelligence was produced. I then

1 reported back to Major Robinson with the intelligence
2 product. He was based in the same office as me so
3 communication with him was easy. The orders that
4 Major Robinson received would invariably come from the
5 Brigade Commander, Brigadier Moore.

6 13. WO2 Patterson had many years of experience and
7 would, from an operational point of view, be involved in
8 making sure that things that needed to happen did
9 happen. He checked intelligence assessments and, in
10 effect, mentored me (although he reported to me). He
11 was also the Security Officer responsible for our high
12 level IT system and effectively supported me in
13 everything I did.

14 14. The function and role of Staff Sergeant Davies
15 was not well defined. Notionally he was the Office
16 Manager. However, he did not have much involvement in
17 the day-to-day functioning of the office. Although he
18 was called the Office Manager, I do not recall him
19 reporting to me in respect of the day-to-day functions
20 of the office. Staff Sergeant Davies has a background
21 in human intelligence and is also a trained Tactical
22 Questioner. I do not know whether he was a trained
23 interrogator.

24 15. Tactical Questioners were in short supply and
25 therefore in great demand in Iraq at the time. As

1 a result, Staff Sergeant Davies would go out sometimes
2 for one or two days at a time to places where operations
3 were being conducted. He would then be present when
4 certain targeted Iraqis were taken into custody.
5 Although I was aware that he was carrying out tactical
6 questioning away from the Basra Palace, Davies did not
7 formally report back to me with regard to the detail of
8 his activities. I did not receive any briefs / reports
9 on his TQing and nor did I ask him to report back to me
10 but I cannot remember now why this was.

11 16. Major Robinson may have had a greater awareness
12 of what Staff Sergeant Davies was doing. I was not
13 party to those discussions and do not know what they
14 discussed.

15 17. The Junior NCOs, such as the Corporals and
16 Lance Corporals, were desk analysts responsible for
17 collecting information. Each of these desk analysts
18 would be allocated a specific battlegroup from whom they
19 would receive intelligence information which they would
20 summarise. They would forward their summaries to me and
21 I would edit and include them in the Intelligence
22 Summaries ('INTSUM'), which were issued on a daily
23 basis.

24 18. Sergeant Smulski was a Territorial Army
25 Reservist and was not part of my section. He was part

1 of the Field Security Section and reported to Calvin
2 Lee.

3 19. The Inquiry has asked me whether the reporting
4 arrangements in the command structure were different
5 when members of the Brigade G2 staff were carrying out
6 tactical questioning duties. The only person that I was
7 aware was carrying out tactical questioning duties was
8 Staff Sergeant Davies. I do not know who gave him
9 instructions to conduct tactical questioning.

10 Training

11 20. After joining the Army in January 2001,
12 I commenced basic training at Sandhurst as an Officer
13 Cadet. None of this training involved any scenarios
14 relating to the capture of prisoners. The training was
15 focussed on infantry tactics.

16 21. In addition, each Officer has to do mandatory
17 annual training every year, which is now known as
18 Mandatory Annual Training Tests ('MATTs') but used to be
19 known as Individual Training Directives (ITDs). One of
20 the courses that is conducted in the Mandatory Annual
21 Training Tests is a course on the Law of Armed Conflict,
22 which deals with the principles of the Geneva
23 Convention. This course teaches, amongst other things,
24 the definition of a combatant and non-combatant. I do
25 not recall any specific content on prisoner handling.

1 22. The training in respect of the Law of Armed
2 Conflict ('LOAC'), which I received in Sandhurst between
3 2001 and 2002, took place in a lecture hall and was
4 attended by approximately 300 soldiers. The Instructor
5 would ordinarily be a Commissioned Officer who would
6 give a presentation on LOAC. I specifically recall that
7 we were shown a videoclip relating to an incident in
8 Rwanda. The video did not have any relevance to
9 prisoner handling. It was footage of one Rwandan
10 attacking another and presented in the wider context of
11 the LOAC.

12 23. In addition to undergoing training as an
13 Officer at Sandhurst, I went to Chicksands in the period
14 August to December 2002 where I undertook a Junior
15 Officers Course. This course is given at the behest of
16 the Head of the Intelligence Corps to his Officers as
17 a form of foundation training. During this training we
18 visited major intelligence agencies to get an awareness
19 of the national intelligence structure, how to run an
20 intelligence cell, etc. I also did a week-long Defence
21 Debriefing course. Defence debrief training involves
22 interviewing and eliciting information from a willing
23 subject, as opposed to tactical questioning which
24 involves interviewing and eliciting information from an
25 unwilling subject. The Defence Debriefing Training did

1 not involve any training at all on prisoner handling.

2 24. I underwent pre-deployment training prior to my
3 deployment to Iraq in 2003. This training was
4 rudimentary in nature, such as, for example, training on
5 the basics of mine clearance and how to zero a rifle
6 (which means adjusting a rifle so it is in line with you
7 and your body to assist you in aiming accurately when
8 you pull the trigger). I do not recall whether we had
9 any presentation during the pre-deployment training on
10 prisoner handling. As far as I can recall, the
11 pre-deployment training took place over a number of
12 days, perhaps two or three days, in Catterick. I also
13 cannot recall whether the LOAC video was shown again.

14 25. In December 2005 I underwent training at
15 Chicksands as a Tactical Questioner and Interrogator.
16 This training lasted for two weeks. The first week
17 consisted of training in tactical questioning and the
18 second week consisted of training in interrogation and
19 is more advanced. It is only possible to complete the
20 interrogation part of the course if you have completed
21 the initial tactical questioning week, and if you were
22 not good enough at this initial stage, you were unable
23 to progress to the more advanced second week. The
24 interrogation part of the course is mainly completed by
25 Intelligence Corps personnel as other soldiers are less

1 likely to need to interrogate. As a member of the
2 Intelligence Corps, I was automatically enrolled on to
3 the interrogation part of the course. I successfully
4 completed the course, and therefore became a qualified
5 Interrogator, and also a trained Tactical Questioner (as
6 it is necessary for Interrogators to pass the Tactical
7 Questioning course in order to become Interrogators,
8 they are automatically qualified as Tactical
9 Questioners). Interrogation is more sophisticated than
10 tactical questioning and the questioning normally takes
11 place over a longer period of time. As far as I'm
12 aware, my training as an Interrogator and Tactical
13 Questioner may now have expired or lapsed. I assume
14 this simply because I have not completed any refresher
15 training since but I do not know the policy in the Army
16 on this. The training was provided by Repton Wing,
17 which is part of the Defence College of Intelligence and
18 is provided by officers who hold the rank of Senior NCO
19 or above, the majority of which work in the Intelligence
20 Corps. At that time, General Everson was in overall
21 charge at Chicksands.

22 26. There is a very distinct physical "firewall"
23 between those Army personnel who are trained to
24 interrogate and those who give training in resistance to
25 interrogation. These two aspects are trained by

1 different people to ensure that there is no
2 contamination between these areas. I have learned this
3 from the 2005 course and have been told this by Army
4 legal advisers. Certain personnel who are vulnerable to
5 arrest, such as pilots, undergo very specific training
6 to enable them to prepare for resistance to
7 interrogation if they are captured.

8 Hooding

9 27. I became aware that hooding has been banned
10 since the 1970s in 2005 whilst on the TQ and
11 Interrogation training course. I did not receive any
12 formal training on what was or was not allowed prior to
13 2005 and did not therefore have any knowledge about
14 hooding when I was in Iraq in 2003. From the training
15 I received in 2005, I understood hooding to be banned
16 for all purposes on an absolute basis. I am aware that
17 hooding has been carried out in the past because I have
18 seen photographs of it having been done, although
19 I cannot remember any of the detail in respect of these
20 photos; nor do I recall the circumstances in which
21 I came to see them. I only remember thinking that it
22 was wrong to use hoods. However, I never saw any
23 detainees with hoods in Iraq. In fact, I had no
24 dealings whatsoever with any detainees whilst I was in
25 Iraq in 2003. In those circumstances, I did not discuss

1 with anybody the purpose of hooding or why it was being
2 carried out or any other matters relating to hooding.
3 As stated above, at that point in time I did not have
4 any knowledge in relation to hooding in any event.

5 28. The only time I received any training on
6 hooding was in 2005: during my tactical questioning and
7 interrogation training the illegality of hooding for any
8 purpose was made very clear to me.

9 Blindfolds and Goggles

10 29. Prior to the tactical questioning and
11 interrogation training that I undertook in 2005, I had
12 no knowledge of the use of either blindfolds or
13 blacked-out goggles. During my training in 2005 I was
14 taught that the use of blacked-out goggles was
15 acceptable to deprive a detainee of his or her vision
16 for security purposes so that they would not be aware of
17 their surroundings whilst they are in transit or going
18 past somewhere such as an office. The use of
19 blacked-out goggles might also have the effect of
20 dislocating and disorientating the detainee. However,
21 any disorientation was only ever incidental to the use
22 of goggles for the purpose of restricting a detainee's
23 vision for security reasons.

24 30. Under no circumstances would goggles be worn as
25 part of the tactical questioning process. They would

1 never be used as part of the tactical questioning
2 interview itself. The use of the goggles will maintain
3 the shock that the detainee has experienced of being out
4 of his or her environment. However, this was
5 consequential to its fundamental security-related
6 purpose.

7 31. During my tour to Iraq in 2006, I was involved
8 in the tactical questioning of detainees. The normal
9 procedure was that after arrest prisoners would be
10 brought to the prison at Shaibah. Part of the prisoner
11 handling process would, in addition to security reasons,
12 be that their vision would be blocked by means of
13 blacked-out goggles so that they could not talk to each
14 other. The prisoners would then be brought to me for
15 tactical questioning with goggles on, but the first
16 thing I would do was to request, through the
17 interpreter, that the goggles be removed. I would not
18 be involved in any aspects of their detention nor in
19 taking them from their place of detention to the place
20 where the tactical questioning was undertaken or
21 returning them. I therefore saw goggles being used in
22 Iraq in 2006 but not in 2003.

23 32. I am aware however, from my training in 2005 in
24 Chicksands that there is a complete prohibition on
25 covering of the face of a detainee.

1 Stress Positions

2 33. I did not receive any training on stress
3 positions. As far as I am aware, they are completely
4 illegal. I gained this knowledge during my training in
5 2005 as a Tactical Questioner and Interrogator. Prior
6 to that, I did not know whether they were allowed.
7 I surmise that a stress position is a position which
8 a detainee is required to adopt which if maintained over
9 a period of time, will cause pain and discomfort.
10 I have never witnessed anybody being placed in a stress
11 position. I am aware, however, that those army
12 personnel who are particularly vulnerable to arrest
13 (such as pilots) have received training for resistance
14 to capture and have had to stand, for example, on one
15 foot for a long period of time or in similar stress
16 positions. This is to teach them about what to expect
17 after capture. I have learned this as part of my
18 general military experience from years of being in the
19 Armed forces. I have not been specifically taught this,
20 and as I myself have not received training for
21 resistance to capture I do not know exactly what it
22 involves.

23 White Noise

24 34. The guidance that I received during my training
25 in 2005 was that noise cannot be used to cause

1 discomfort to a detainee. It may, for example, be
2 acceptable for a detainee to be interviewed in
3 circumstances where there is background noise, such as
4 a generator nearby. However, this would be an
5 unavoidable situation in theatre, for example where the
6 detainee was being interviewed in the desert as
7 unfortunately, we do not always have a choice over where
8 the tactical questioning process takes place.

9 35. Prior to 2005, I did not receive any training
10 on white noise.

11 Food and Water

12 36. I have never received training on the provision
13 of food and water. As far as I am aware a detainee may
14 never be deprived of food and water, nor may it be used
15 as a reward. I say this based on what I learned about
16 the Geneva Convention as part of the annual training.

17 Sleep Deprivation

18 37. During my Tactical Questioning and
19 Interrogation training in 2005 I was taught that it was
20 acceptable to use sleep as an advantage in tactical
21 questioning, but its use was governed by strict
22 guidelines. I seem to recall that the guidelines
23 stipulated that, for example, a detainee must be
24 permitted to obtain eight hours sleep in each
25 twenty-four hour period. However, the length of period

1 of sleep on any one occasion could be restricted save
2 for the fact that there had to be a minimum of one four
3 hour continuous sleeping block and then the remaining
4 four hour blocks could be separated.

5 38. However, as mentioned above, I was never
6 involved in monitoring the sleeping patterns of
7 detainees as I was not involved in taking detainees to
8 and from the interview rooms. This was done by an
9 Infantry Platoon who were trained specifically in
10 prisoner handling for the deployment to Iraq in 2006.
11 The detention facility in 2006 in Shaibah in Iraq was
12 run by the Military Provost services who are trained in
13 all aspects of prisoner handling.

14 The Use of Force

15 39. I am aware that it is not permitted to raise
16 a hand or fist against any detainee or, for example, to
17 throw things at them. At Sandhurst I receive training
18 on arrest and restraint techniques. This training,
19 however, was not taught in the context of interrogation;
20 it was aimed at enabling soldiers such as myself to
21 effectively carry out an arrest where a detainee was
22 resisting arrest or where a detainee may lash out at me.

23 Plasti-Cuffs

24 40. I cannot recall ever receiving any training or
25 giving any training in respect of the use of

1 plasti-cuffs. I do recall, however, being taught
2 a technique whereby a detainee was asked to hold his or
3 her hands in front them with their palms together and
4 their thumbs together. The detainee can then be held by
5 the thumbs, which is an effective means of guiding the
6 detainee, especially if blacked out goggles are used.

7 41. I am unable to remember any more than this on
8 the use of plasticuffs.

9 Shock of Capture

10 42. I understand this terminology to describe the
11 state of disorientation that follows a person's
12 detention. I was taught this as part of my training in
13 2005. It is not deliberately induced, but instead is
14 the natural consequence of a detainee being removed from
15 their familiar surroundings, but it can be used to the
16 advantage of a Tactical Questioner. Once arrested the
17 detainee is taken out of his or her comfort zone. They
18 do not know why they are in a certain place, and this
19 gives the Tactical Questioner an upper hand. However,
20 the detainee must be permitted to sleep, as I have
21 described, and we were also told on the course in 2005
22 that they may not be insulted. I seem to recall that
23 the shock of capture was an element of the training in
24 2005. In my experience maintaining the shock of capture
25 is extremely difficult. It does not take long for

1 a prisoner to start becoming comfortable when he is
2 being fed, permitted to sleep etc. Accordingly the
3 shock of capture must be exploited at the initial stages
4 after arrest when the detainee is hearing unfamiliar
5 voices and languages. Another technique that can be
6 used when a group of prisoners have been arrested is to
7 commence questioning one of them for a period whilst
8 leaving the others to wonder what is going on.

9 Conditioning

10 43. It is my understanding that conditioning means
11 the Tactical Questioner maintaining control. I think
12 this may have been taught in the training in 2005 but
13 I cannot remember any details. Conditioning is achieved
14 by using control over the detainee's surroundings, such
15 as deciding when they are to sleep and when they are to
16 be questioned.

17 Conduct after Capture

18 44. I have not received detailed training on
19 conduct after capture. As part of the annual training
20 in ITDs and MATTS, we are provided with Survival Evasion
21 Resistance Escape (SERE) training, which involves
22 watching a DVD in which we are told broadly the
23 principles of conduct after capture and of the stress
24 one is under and the circumstances and treatment one is
25 subjected to if captured. However, from general talk in

1 the Military I am aware of aspects of what this
2 involves. As I mentioned above, there is a very
3 distinct firewall between instructors who give conduct
4 after capture training and the Tactical Questioners.

5 Training from the Intelligence Corps

6 45. The only technical training that I received
7 from the Intelligence Corps was the tactical questioning
8 and interrogation training in 2005. I also undertook
9 the Junior Officers Course in Chicksands in 2002,
10 although this was more of an education foundation
11 course.

12 Training in Theatre and Prisoner Handling

13 46. I did not receive any training in theatre in
14 Iraq in 2003. I did not receive any training prior to
15 16 September 2003 in tactical questioning or
16 interrogation. I also did not give or receive any
17 orders on Op TELIC 2 in respect of the handling and
18 treatment of prisoners of any category, including their
19 tactical questioning.

20 47. I did not give any advice to Battlegroups,
21 including 1QLR, regarding prisoner handling, such as
22 hooding, blindfolding, the use of stress positions, etc.
23 Nor am I aware of anyone at 19 Mechanised Brigade being
24 given such advice. I also have no knowledge of whether
25 such techniques were being used by the 19 Mechanised

1 Brigade Battlegroups.

2 48. Although I was aware in general terms that
3 Staff Sergeant Davies was undertaking tactical
4 questioning, he never spoke to me about any of the
5 techniques that he used.

6 FRAGO 152

7 49. I was not aware of FRAGO 152 or any other order
8 that prohibited the hooding of prisoners. It is not
9 surprising that I was not shown it because I was not
10 involved in dealing with prisoners at all. Now that
11 I read this FRAGO some of the detail sounds familiar
12 because it is line with what I was subsequently taught
13 in 2005.

14 The Handover Process

15 50. I received a handover from, my predecessor,
16 Carsten Duke of 7 Armrd Brigade. The handover involved
17 shadowing Carsten in the office for a few days. He
18 showed me the systems and the daily routine of Brigade
19 Headquarters. I don't recall ever signing anything to
20 indicate that the handover had occurred. I became aware
21 that Carsten Duke had done a very good job and was well
22 respected. I have little doubt that he told me
23 everything that he knew. He did not talk to me about
24 any aspect of prisoner handling. That said, this is not
25 surprising as he had not been involved in prisoner

1 handling and similarly I was not involved in prisoner
2 handling.

3 The Purpose of Tactical Questioning

4 51. The purpose of tactical questioning is to
5 elicit information from an unwilling subject. It is
6 termed "tactical" because it is done for a short period
7 of time after the arrest of an individual following up
8 on an operation and is designed to gain a tactical
9 advantage. Ultimately it would be the Commanding
10 Officer of the relevant Battlegroup who is responsible
11 for the activities of the Tactical Questioners carrying
12 out tactical questioning for their particular Unit.

13 52. I seem to recall that Mike Peebles coordinated
14 the Tactical Questioning Teams within 1 QLR. In that
15 role he would have been responsible for checking that no
16 abuse by Tactical Questioners took place. I know this
17 from my training in 2005. I recall that in Iraq in 2003
18 Peebles would quite regularly come to the Brigade and
19 have dealings with Mark Robinson. I do not know the
20 details of those dealings.

21 53. I am not aware of the Tactical Questioners
22 having any responsibility for issuing orders or giving
23 instructions in respect of the handling of detainees.

24 The Fourteen Hour Period

25 54. I have no experience of compliance with the

1 fourteen hour period in which detainees were apparently
2 required to be transferred to the TIF. In fact I am not
3 even aware that this time period existed. I have been
4 asked whether I knew of any FRAGOs dealing with this
5 provision and confirm that I am not. I only saw my
6 first FRAGO about a year ago.

7 The Arrest and Detention of Baha Mousa and those
8 detained with him

9 55. During my period of time in Iraq in 2003, many
10 operations took place during which Staff Sergeant Davies
11 helped out with tactical questioning. I do not have any
12 knowledge as to whether he was involved in the
13 interrogation of Baha Mousa or the other detainees
14 detained with him.

15 56. I arrived in Iraq on 24 June 2003 and left in
16 late October or early November. However during this
17 period I left Iraq on two occasions. I went back to the
18 UK for rest and recuperation leave for 6 or 7 days in
19 July. In addition, in September, I went back to the UK
20 and to Germany to assist 20 Brigade with training. I am
21 sure that I was not in Iraq in the period 14 to
22 16 September 2003 as I was in the UK and/or Germany
23 involved in training with the 20 Brigade.

24 57. In the circumstances I have no knowledge of
25 Baha Mousa or the other detainees arrested with him or

1 the circumstances and conditions of their arrest and
2 detention. I also have no knowledge of whether they
3 were suspected of involvement in the death of Captain
4 Jones. The name "Operation Salerno" sounds familiar but
5 I cannot say why. A number of different RMPs were shot
6 at various times, so I do not know which shooting
7 related to Operation Salerno, if at all.

8 58. I cannot recall at all how I came to learn of
9 Baha Mousa's death.

10 59. I am unable to comment on changes made to the
11 procedures or responsibilities to prisoner handling as
12 I did not have any prisoner handling training prior to
13 his death and therefore cannot draw any comparisons.

14 Press/Media

15 60. I have never given an account of matters
16 relevant to the Inquiry's terms of reference to the
17 press or media.

18 Statement of Truth

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

21 Signed: Shantha Catherina Dickinson.

22 Dated: 29 July 2009.

23

24

25

1 THE CHAIRMAN: Two questions, if I may ask you this:
2 Sergeant Carl Brooks, Brigade G2, was that
3 19 Mech Brigade?
4 MR HALLIDAY: It was, Sir, yes.
5 THE CHAIRMAN: I see, because it is in Op Telic 2.
6 Lieutenant Dickinson, is she sometimes referred to as
7 "Lieutenant Trowell"? Do I get her name right?
8 MR HALLIDAY: It is the same individual, Sir.
9 THE CHAIRMAN: She is the same individual. Yes. Thank you.
10 MR HALLIDAY: Sir, tomorrow we shall be calling
11 Messrs Steptoe, King and Radbourne, in that order.
12 THE CHAIRMAN: Steptoe, King and Radbourne. Thank you very
13 much.
14 Very well, an early day. 10 o'clock tomorrow
15 morning, please.
16 (12.44 pm)
17 (The Inquiry adjourned until 10.00 am, Thursday,
18 1 April 2010)
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