

### **Independent Inquiry relating to Afghanistan Chair's update**

The Chair of the Independent Inquiry relating to Afghanistan, the Right Hon Lord Justice Haddon-Cave, has today provided an update on the work the Inquiry has been undertaking this year. The Inquiry has been continuing its work to deliver against the Terms of Reference and, where able, the Chair has sought to publish as much information into the public domain as practicably possible. The Chair has [recorded a video](#) giving an update summary which can be viewed on our YouTube channel: @[Independent Inquiry relating to Afghanistan](#)

A number of workstreams have been progressing simultaneously in 2025 and a summary of those workstreams is listed below:

#### **Alan Pughsley Ruling**

In September, the Inquiry published the Chair's Ruling in response to the Ministry of Defence's Restriction Order application made in January 2025, following the oral evidence from Alan Pughsley QPM. In summary, the Chair rejected the application by the MOD to pause publication of all material until the conclusion of the Deliberate Detention Operations evidence, finding that it was "untenable" to do so. He also rejected a 'blanket' approach to redactions of witness testimony, as contended for by the MOD, but decided that these would continue to be considered on a case-by-case basis according to the circumstances of the individual and the evidence. He has directed that publication of documents and summary evidence recommences as soon as possible.

#### **Concerns and Complaints Part Two – Publication of CLOSED evidence**

The Inquiry is preparing to publish oral evidence summaries of witnesses who gave evidence during CLOSED hearings in Summer 2024. The Concerns and Complaints Part Two phase of work heard evidence from individuals who held key posts within UK Special Forces. These witnesses, contemporaneously, raised and shared concerns over the implausibility of official accounts of what took place during the conduct of Deliberate Detention Operations carried out by UK Special Forces in Afghanistan. The Inquiry heard evidence from witnesses who served in Afghanistan regarding allegations of Extra Judicial Killings, which were raised by the Afghan Partner Unit and a Third-Party Entity. This evidence will be published from the end of November.

#### **Concerns and Complaints Part Three**

As a continuation of the Concerns and Complaints phase of work, the Inquiry heard evidence in Summer 2025 from individuals who expressed concerns about the activities of UK Special Forces in Afghanistan during the time period of mid-2010 to mid-2013. Part Three also included evidence on the efficacy, purpose, and outcome, of the review into particular Techniques, Tactics and Procedures, that were used in the relevant time period. Unlike Parts One and Two, Part Three was held entirely in CLOSED hearings.

#### **DDO Phase 3A and 3B**

Last week, the Chair of the Inquiry issued a statement to Core Participants informing them that he was postponing the hearings for this phase due to some potentially significant information

which had recently become available to the Inquiry. Further updates on this phase will be given in due course.

## **Forensics**

Over the last year, work progressed on forensics under the supervision of a national senior forensic expert, who provided the Inquiry with expertise around crime scene reconstruction and investigation. The Inquiry engaged experts in ballistics, blood pattern analysis, pathology and clinical trauma to examine the available evidence (including imagery) from UKSF Deliberate Detention Operations; their important work continues.

## **ITS 1**

In December 2023, the Inquiry heard evidence in OPEN regarding allegations that an IT server used by UK Special Forces had been forensically erased as part of a cover-up to obstruct the ongoing Royal Military Police investigation, Operation Northmoor. For the purposes of the Inquiry, the IT Server is referred to by the cypher 'ITS1' The Inquiry received information as to the whereabouts of back-up drives of ITS1, previously described to the Inquiry as not existing by the MOD, and with the independent support of the Defence Serious Crime Command, seized drives containing terabytes of ITS1 data from UKSF locations. A phased, methodical and highly sophisticated approach has been taken by the Inquiry team to explore technical options and allow a secure forensic examination of the relevant data: Phase 1 – The creation of a forensically secure master copy and a working copy of a back-up drive to preserve the integrity of the material. Phase 2 – Identification of appropriate IT systems, and suitably qualified and vetted personnel to examine the material. Phase 3 – The analytical examination and review of material that is relevant to the Inquiry's Terms of Reference. Following meticulous and ground-breaking technical work to complete Phases 1 and 2; this work continues.

## **Judicial Review**

In June this year, the Chair made a ruling on the [Inquiry's approach to 'Green' Hearings](#) in which the Chair stated that, to afford the greatest protection to vulnerable witnesses, only a selected number of legal representatives and Inquiry Staff (who hold the appropriate security clearance), would be allowed to attend. That decision was legally challenged on the grounds of fairness by the Ministry of Defence witness legal team on behalf of witness IIA126 (who was excluded from the proceedings) and is currently with the High Court. The Chair wishes to repeat his commitment to the welfare and safety of witnesses who come forward to the Inquiry. A procedural decision as to how to manage the open and closed element of the claim (for example, appointing Special Advocates) has been published - A link to the judgment is here:

[Witness IIA126 -v- Chair of the Independent Inquiry Relating to Afghanistan - Courts and Tribunals Judiciary](#)

Ends