



MOD-198-0000245-A

ELECTRONIC TRANSMISSION	ACTION ✓	REG DATE 5/6/19	T 534		
RECEIVERS INSTRUCTIONS					
DOCUMENT TITLE: N2108 EMAIL RE A Third Party Entity "TPE" complaint AGAINST OBJ TYB (SIBNM034).			IRN: NORTHMOOR		
REGISTER TO:	N2108	PRIORITY	LOW <input checked="" type="checkbox"/> MEDIUM <input type="checkbox"/> HIGH <input type="checkbox"/>		
CLASS CODE	BDM	TAGGING	2011/SEN/FI02/TYB		
DOCUMENT SUMMARY					
<p>met with D1776 (A TPE BRIEFING NOTE) * SECRET *</p>					
FAST / URGENT ACTION REQUIRED (If YES compile ACTION precis below)		YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	RECEIVER	REGISTRATION INDEXER	
			Signature [Redacted] KNIGHT 5/6/19	Signature [Redacted] KNIGHT 5/6/19	
FAST ACTIONS RAISED	✓	URGENT ACTIONS	✓	MIRSAP ACTIONS RAISED	
DOCUMENT READING		DOCUMENT READER	DOCUMENT INDEXER		
INSTRUCTIONS:					
		FOOTNOTES READY	<input type="checkbox"/>	CHART COMPLETE	<input type="checkbox"/>
		ACTIONS IDENTIFIED	<input type="checkbox"/>	ACTIONS RAISED	<input type="checkbox"/>
		READING COMPLETE	<input type="checkbox"/>	INDEXING COMPLETE	<input type="checkbox"/>
QUALITY CONTROL		DISCLOSURE OFFICER	SIO		

TS34

From: SFHQ(UK) J1-SO1-LEGAL-S [REDACTED]
[REDACTED]
Sent: DG December 2011 11:25
To: SFHQ(UK)-COMD-MA-DSF-S
Cc: SFHQ(UK)-COMD-ACOS-OPS-S; SFHQ(UK)-COMD-ACOS-POL-S; SFHQ(UK)-J35-CAMPAIGNS-SO1-S;
SFHQ(UK)-COMD-COS-S
Subject: 201105 DG A TPE Tyburn-S

[REDACTED] (for D)

Further to the Ops Update yesterday when [REDACTED] a TPE complaint relating to the [REDACTED] SU1 DDO against Obj TYBURN was raised, I enclose a briefing note to the D regarding the background to the operation and the proposed way ahead.

I enclose a copy as well as LINK

E-Mail Link
[REDACTED]

N2108

N2108
[REDACTED]

SO1 Legal

Contact Details
[REDACTED]

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SFHQ(UK) J1Legal/11/Obj Tyburn

DG May 11

DSF

Copy to:

COS ACOS Pol ACOS Ops SO1 J3/5 Campaigns

A Third Party Entity Complaint

– OBJ TYBURN

1. **Introduction.** At the recent Ops update DSF was informed about the enquiry by a TPE in Afghanistan regarding the deliberate detention operation conducted by SU1.
2. **Background.** On 16 Feb 11 SU1 (SU1A, UKSF1) launched a DDO to detain Obj TYBURN, a member of an active IED cell in the KOBE network. He was also the 2ic to Obj TURTON who was detained by SU1 the previous day. The target location was made up of two compounds – RED and GREEN. As the SU cordoned the RED compound a male appeared who was instructed to direct all persons out of the compound. The same male was then escorted back into the house to help in the clearance: at this point the male picked up a grenade and moved to throw it. He was engaged and killed.
3. The SU then moved onto the GREEN compound. Again a male was instructed to go back into the compound to facilitate the search. As he was accompanied back into the room the male picked up an AK47 and attempted to engage the SU members. He was engaged and killed. The SU then moved on to locate another male who was spotted as the SU approached the target location. He was seen hiding under a bush and as the SU approached, the male produced a grenade and was engaged. Some time later a further male was spotted with an AK47 and was engaged. In total, there were 4 EKIA, one detainee taken off target¹ and one other male, 9 women and 5 children protected. There were 2 x AK47s and 2 x grenades recovered. Subsequent exploitation of the one detainee taken confirmed that Obj TYBURN was one of the EKIA.
4. Shortly after the operation, N2132's Security Advisor spoke to Comd RC (SW) and alleged that the four innocent civilians had been EKIA. He was briefed by about the SU's account of the events and appeared to be satisfied. On 19 Feb 11 N2132 indicated that he was going to make a press statement about the operation but was subsequently spoken to by Comd RC (SW) and was satisfied by the explanation. A First Impressions Report was raised by SFHQ(A) but no Serious Incident Report (SIR) was initiated.
5. A TPE has only informally approached TFH at this stage. It is not known whether the allegation was made by the detainee or the other male who was not detained. The allegation is that one of the men detained at the scene was handcuffed and led into a room. He was later killed, the inference being that he was shot by the SU after he had been detained. It is also alleged that the property deeds to the compound were taken off target by the SU and not returned. A TPE has seen an account of the operation from the ISAF website which confirmed that four armed men were killed each of whom 'presented a separate and immediate threat to members of the joint patrol'. The account confirmed that one detainee was taken and 2 x AK47s, ammunition and 2 x grenades were found.
6. **Next Steps.** The aspiration is to deal with the complaint informally at the lowest level without it being raised unnecessarily to the ISAF level. A TPE point of contact within TFH, SO2 Consequence Management is due to meet with a TPE on DG May 11 when SFHQ(A) will send a

¹ The detainee proved positive on an x-spray test for explosive residue on his hands.

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member of the J5 team as well the [REDACTED] UKSF Lawyer in order to provide sufficient detail to rebut the allegation. HQ DSF are liaising with [REDACTED] SFHQ(A) to provide advice as to what should be disclosed to [REDACTED] a [REDACTED] TPE. DSF will be informed as to the outcome of the meeting.

SO1 Legal

DRAFT