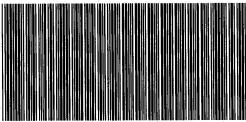
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MOD-198-0000586-A

**SECRET** 

Statement of: ES\_Surname, ES\_Forenames

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## WITNESS STATEMENT

Criminal Pr	rocedure Rules, r27.2;	Criminal	Justice Act 1967, s.9	; Magistrates' Courts Act 1980, s.5b
Statement of	N1803			
Age if under	18: (if over 18 insert 'over	18')	Occupation:	
belief and I		, if it is ter	ndered in evidence, I	ue to the best of my knowledge and shall be liable to prosecution if I have believe to be true.
Signature: N	1803			Date: 09/03/2016
Tick if witne	ss evidence is visually re	corded $\square$	(supply witness detai	ils on rear)
I am the abo	ove named person.			
	In the ea	arly 2010s		I was employed as Assistant Chief of
Staff Policy	y (ACOS Policy), in H	eadquarte	rs Directorate Specia	al Forces (HQ DSF), London
			I was responsible	for advising on matters of policy
regarding U	Inited Kingdom Speci	al Forces	(UKSF) operations.	
I was respo	onsible for ensuring that	at UKSF o	perations were in ac	cordance with Government policy,
seeking app	proval from the Secret	ary of Stat	te for Defence as req	uired. This necessitated wide liaison in the
MOD, parti	icularly with the Oper	ations Dire	ectorate (Ops Dir) ar	nd the Central Legal Service and the
Foreign and	d Commonwealth Offi	ce.		
I would eng	gage with the Chief of	Staff (CO	S), N2252 and the D	Pirector of Special Forces (DSF), N1802
on a daily basis through the routine meetings of the headquarters and on an ad hoc basis as required. I				
would also	brief the head of SF a	nd Legal I	Policy in the Ops Dir	, MOD who at the time was N2312.
In order to	have broad situational	awarenes	s of planned and ong	going UKSF operations, I would read the
reports rece	eived at HQ DSF gene	rated by U	JKSF deployed on op	perations worldwide and as required raise
any issues v	with either COS or DS	F or senio	ors in the MOD. I had	d a member of staff employed in the
Operations	Room (N2317), HQ I	OSF who a	also had access to the	routine reporting of UKSF operations.
I would reg	gularly read the Signifi	cant Incid	ent Reports (SINCR	EPS) generated by the SF Sub-Unit in
Afghanista	n. During my tenure a	s ACOS (I	Pol), I recall becomin	ng concerned about a particular Tactic
Technique	and Procedure (TTP)	which I no	oticed being used by	one of the SF units. The TTP in question
Signature: 2019	ES_Signature	Sig	gnature witnessed by:	E J ROBERTS

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**SECRET** 

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involved the SF unit taking an adult male detainee back into the compound from which he had come; I believe to assist the unit with searching the premises.

Often SINCREP's for DDO operations to detain priority targets noted that the occupants were called out of a compound by the SF unit and the men were separated from the women and children. The men were then detained. In a few SINCREPs it described how personnel from the SF unit took one or more of the males back in to the buildings, I believe to de-risk the process of searching it. I recall the detainee was described as reaching for a weapon and as he was then perceived to be a threat he was subsequently shot and killed by member(s) of the SF unit. I believe this happened more than once but I can not recall how many times.

Due to the time elapsed, I can not recall specific personnel involved in these operations or the subjects of the operations.

This TTP prompted me to ask questions because of the UK's responsibilities to detainees. I spoke with SO1 Campaigns J3, who was N1788 at the time of ACOS (Operations), who was N1466 at the time. They contacted the Sub-Unit in theatre to understand the circumstances further. From memory, I believe they provided further details and a military perspective, the exact details of which I cannot now recall. Initially, I found the response to be reasonable and plausible. However, it was my view that action should be taken to avoid similar circumstances re-occurring, so when I noticed that similar incidents had happened I had further conversations, on the phone and face to face and possibly by email with N1466 and N1788 expressing my concerns. I recall a specific conversation in N1466's office, following which I believe he spoke to N1802 regarding the incidents.

I recall that N1802 asked N1788 to go to Afghanistan to conduct a review of the TTP. I cannot say if there were terms of reference drafted before his departure. I do not recall attending any meetings in relation to the TTP review prior to N1788's departure, during the TTP review or once he had returned. I believe from memory a report was produced on his return though I did not see it. I recall that around the same time that N1788 concluded the TTP review, these incidents stopped, though I can not confirm that this was as a result of the review.

I am not aware of any other documents other than those mentioned in my statement above relating to the use of that specific TTP. I cannot recall any further details other than those I have provided above because of the time elapsed.

I was not approached by anyone to provide advice regarding the TTP mentioned above.

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Sgt ROBERTS has asked me if I recall any correspondence from a Third Party Entity with regard to the information in this statement. I do not.

I only have professional working relationships with past colleagues from HQ DSF.

Signature: ES\_Signature Signature witnessed by:

2019



E J ROBERTS