



MOD-198-0002869-A

SECRET

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WITNESS STATEMENT

Criminal Procedure Rules, r27.2; Criminal Justice Act 1967, s.9; Magistrates' Courts Act 1980, s.5b

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Age if under 18: (if over 18 insert 'over 18')

Occupation:

This statement (consisting of 13 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature: N2444

Date: 21/11/2018

Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am N2444; I have been allocated this nominal in order to protect my anonymity. I understand that I will be referred to using this nominal during the course of this investigation. I have signed a witness nominal matrix, containing details of my true identity. This document is held by NORTHMOOR Team.

I have today been asked by SSgt TAYLOR A P, RMP (SIB) and LCpl DAKIN A S, AGC (RMP), both of NORTHMOOR Team, SIB Regiment, RAF St Mawgan, Newquay, Cornwall, TR8 4HP, to provide details relating to email correspondence and a review of SU1's techniques, tactics and procedures (TTP's), which occurred whilst I held the position of SO2 Operations (A). I held this position between around March 09 and June 11 (01/03/2009 - 30/06/2011). Prior to taking up this role, my military experience/career path was as follows:

N2444 Joined UKAF in the late 1990s and joined UKSF in mid 2000s

Details of N2444's operational deployments including a tour of Afghanistan following which he attended a career course

This brought me to Mar 09 (01/03/2009 -31/03/2009), when I became S02 Operations (A). During my tenure in this role, I was based at HQ DSF, London. My role included reporting and checking on how things were going with our Sub-Units who were deployed. This included visiting

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Afghanistan on several occasions. My role meant that I had regular access to Sitreps following operations. During Op [REDACTED] C [REDACTED], I started to notice that there appeared to be an increase in enemy fatality within operations conducted by [REDACTED] SU1A [REDACTED]. This appeared unusual to me; however there are many variables which could influence the fatality rate, such as the insurgency fighting season and background political situation, meaning that some deployments may be more, or indeed less eventful than others.

I was sufficiently intrigued to raise this matter with N1788, who was S01 Operations. I believe this would have been in the form of a conversation, but cannot recall exactly how I brought the matter to his attention. I knew N1788 well and we worked together closely. I knew him well enough to raise the matter up the chain of command appropriately. I believe that the Director of Special Forces (DSF), N1802, became aware of the issue. I do not recall speaking or corresponding with him directly about the matter, however I briefed him on many occasions, so may have spoken about this at some point.

I was subsequently tasked by N1788 to look at recent operations conducted by [REDACTED] SU1A [REDACTED] and see if there appeared to be any anomalies, such as enemy being killed following a compound being secured, whether weapons were recovered when this type of incident had occurred and whether there was an abnormal ratio of Enemy Killed In Action (EKIA) to weapons recovered. I wasn't given any set date parameters to look at, but I do not recall looking at operations by any other [REDACTED] Sub-Unit [REDACTED]. I produced a spreadsheet, which summarised between 10 and 15 operations which appeared to fall into the categories of anomalies which I have mentioned that I was looking for. The information included on this spreadsheet was based on seeing Sitreps and post operational reports following operations. I would have seen the same reports, as part of my role, from previous [REDACTED] Sub-Units [REDACTED] who had deployed. I cannot recall ever being concerned about the rate of enemy fatalities in relation to other [REDACTED] Sub-Units [REDACTED].

I do not recall compiling any other documentation or briefing further on this matter. As far as I was aware, any work relating to this matter was then conducted by N1788 himself. I believe this was due to it being deemed to require the attention of SO1 level, [REDACTED]
[REDACTED]. I had no further dealings with this matter, and do not know what the outcome of any subsequent investigation or review was.

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About 1420 hrs, 21 Nov 18 (21/11/2018), within Location Given

LCpl DAKIN showed to me the following document, which had an exhibit label attached and was marked as follows:

CCB/18 - Email correspondence of N2382 (SECRET)

I signed and dated the exhibit label.

Exhibit CCB/18 is an email chain relating to the task from SO1 Operations (N1788) which I have already discussed. I can confirm that I recall sending this email from the email address listed (SFHQ (UK)-J35-CAMPAIGNS-SO2-A-S). I was listed as J35 Campaigns (A) as I believe that the title of my job changed at some point, however my actual roles and responsibilities did not alter.

This email was sent after I had been tasked by N1788 to look into recent operations. LCpl DAKIN has provided me with sufficient time to review the email chain. Having reviewed the document, I can say that I cannot recall any of the operation names and cannot recall specifics of any of the operations listed. All that I can recall is that they would have met the criteria which I discussed earlier.

I am unable to recall why I stated that Objective 9 “in my personal opinion does not read well”.

Furthermore, I do not recognise the objective names TYBURN, Obj 2, Obj 1, or Obj QA

I do not know whether all of the objectives that I identified were subsequently looked into, and so I cannot comment on that.

I have today been asked by SSgt TAYLOR if I know why Obj QA was not included in the review of TTP's which was conducted after I had identified the operations listed. To this, I can state that I was not privy to any subsequent review and so do not know why it wasn't included.

The comments within the email chain (exhibit CCB/18) where I referenced a 'B' (Fighting aged male) “reaching for an AK47 behind a blanket” and subsequently being killed by a soldier meant that I had identified the operations or particular operation because in my mind, this version of events stretched credibility. In isolation something like this may have occurred, however when you look at the bigger picture, and see that unusual or unexpected events are occurring on a more than average occasion, it raises questions.

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Within the email, I refer to the 'Afghan conscience'. I was referring to the fact that I was surprised that APU (Afghan partnering Units) had refused to go out on operations with SU1A on more than one occasion. From my experience of working with them on previous deployments, I considered them to be brothers in arms. They were often a good gauge of whether a target was a genuine target, due to their cultural knowledge. If they were refusing to go out on operations, I would suggest that they would be doing so because they had legitimate concerns about an operation or how operations were being conducted.

Within exhibit CCB/18, I refer to a SFHQ(A) Incident tracker, from my recollection, this refers to SU wide tracker, and is not related to the spreadsheet that I compiled. I cannot say anything about this incident tracker, other than it contained details of incidents within SFHQ(A).

I made the comment that "there is therefore not an easy comparison to be made to steady jogging". By this I meant that it is hard to compare incidents or the amount of incidents to previous timescales or deployments as there are so many variables when it comes to the situation on the ground and the overall picture.

Within CCB/18, I discuss the use of the TTP of sending a 'B' back into a building to assist with clearing. I believe that this method was adopted due to Soldiers being killed or injured following compounds being booby trapped or similar when they went to clear the compound. By taking a 'B' in with them, Soldiers were, in theory, less likely to be caught out by booby traps. In my opinion, this TTP was not flawed. If carried out correctly by professional, well trained Soldiers it is a good method. It was my suspicion that the TTP was being abused for Soldiers own purposes. There was a frustration with the fact that often those who were detained would be released shortly after, despite strong indications that they were Taliban and so i was concerned that Soldiers would rather set up a scenario that would allow them to kill rather than detain. I have already stated that individually these outcomes are believable, and that on occasion a 'B' may try to engage the SU during the building clearance phase due to a variety of reasons such as being high on opiates, being scared or angry. However, the fact that this or similar incidents occurred multiple times within a relatively short period of time is harder to believe. In my opinion, it is very unlikely that a soldier would have lost control of a 'B', giving them time to arm themselves. Especially so in the case of them grabbing a grenade, removing the pin and going to throw it. There just would not be the opportunity for a 'B' to realistically do this. I would like to state that this is my opinion based on my experience of operations. I was not on the ground at the time of these incidents.

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About 1515 hrs within [Location Given], LCpl DAKIN showed to me the following document, which had an exhibit label attached and was marked as follows:

NWS/14A - EXSUMS PERTAINING TO 11 DDO'S – SECRET

I signed and dated the exhibit label.

Within this document I was shown exsum's, along with images, relating to the following operations: Obj 9, Obj 1, and Obj 2.

In relation to Obj 9, having now read the exsum, I can recall that there may have been a weapon missing following this objective, however I can not be sure and I can not recall anything else about this operation. From reading the exsum I cannot state that anything contained within it stands out as unusual or unlawful.

In terms of objective 1, nothing jumps out at me as being unusual, other than the higher EKIA to weapons recovered ratio. It is important to note however, that there may be occasions where this occurs, such as if the operation interrupted a Taliban meeting. In this case, they may not have all had weapons as they would want to keep a low profile. I cannot say that this occurred on this operation, however it is one explanation. Having viewed the images of the EKIA in operation Obj 1, I noted that there appear to be enemy dead as a result of gunshot wounds to the head. I would like to state that headshots would not be unusual as special force soldiers were well trained marksmen.

Finally, having viewed the exsum and images in relation to objective 2, I can state that there appears to be more going on than in a usual operation. It was likely to be an operation that was memorable at the time. Having said that, it appears to have been fairly routine in its execution. The only part of it that stands out, is the fact that a 'B' was sent back in and was able to come back out with a weapon. In my opinion, it was unlikely, as already mentioned, that he would have the opportunity to do this if he was properly supervised.

I cannot recall the operation, and these comments, as previously stated, are as a result of reading documentation and not being on the ground during the operations.

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I would like to reiterate that when looked at individually, these operations do not stand out, it is when they are viewed collectively that patterns can be seen and my suspicions that the TTP was being abused comes to light.

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