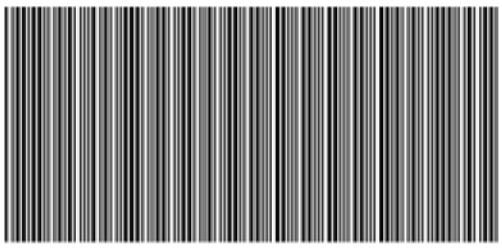
Prepared for OPEN publication in relation to the Independent Inquiry Relating to Afghanistan



RMP-221-0008769-A

Name Given **(Army PM-IIA-Paralegal 2)**

From: Martin Bottomley [Contact Details]
Sent: 11 July 2014 10:09
To: Contact details of John McAllister
Cc: Russ Jackson; Contact details of Jason Wright
Subject: Operation Northmoor - Review Team initial observations

Dear John,

I write further to the conversation you have had this week regarding strategic aspects of this investigation, with the Head of Crime for GMP, Detective Chief Superintendent Russ Jackson and also subsequent to the e-mail I sent to Captain Jason Wright on 30th June indicating the intentions of the review team going forward.

You will be aware that we have had the benefit of a strategic briefing at Bulford on 26th June and access to the SIO's policy logs and mature assessments, PM (A) direction documents, two lists of names of individuals from Operations Isoptic and Elsinore, sight of two letters of claim from Leigh Day, but nothing else of note pertinent to the investigation material itself. We are still trying to gain access to all the material you hold on the HOLMES database. This is taking some time.

I would contrast this with the material we were presented with when we commenced Operation Paxton (the 'Danny Boy' Review) when we had immediate access to over 20 'Banner' boxes of material which we were able to research, review and make recommendations in relation to.

I make this observation to illustrate the point that we have not even begun to scratch the surface of this investigation, most of which remains opaque to the review team. Consequently, I am loathe to make any formal recommendations to you without a full appreciation of context and detailed knowledge of the SIO's tactical considerations. I am also cognisant that I am obliged to adhere to our agreed Terms of Reference, which lists one of our first priorities to:

(Page 2, point a): "Review the initial investigative strategies to assess whether they are sufficiently robust to investigate the allegations made and identify any systemic issues whether individual or corporate "

That said, I appreciate that some initial observations, given the caveats rehearsed above, may be of assistance to you at this early stage of the investigation. Accordingly, I would ask you to note, without prejudice, the areas outlined below which we would seek to explore in greater depth and how we propose to take this forward.

The learning arising from the Danny Boy review cannot be underestimated. The formation of a Gold Support Group which effectively guides and **supports** the SIO is paramount. In particular, we consider there may be a risk to the prompt and effective investigation of allegations if sufficient **skilled** resources, with a tenure policy of the full length of the investigation, are not made available to the SIO, co-located with him (with the exception of those staff necessarily deployed abroad for the purposes of evidence gathering and interviewing).

The investigation parameters, as directed by PM (A) appear at first sight to be extensive and wide ranging. An initial option that we have considered would be the assignment of one SIO and supporting investigative resources to each of the two aspects (Elsinore and Isoptic) of Operation Northmoor.

This would allow for prompt and focused evidence gathering, the interviewing of witnesses and give some clarity to the definition of what appears a confusing picture in terms of what you are, or more properly perhaps **should** be dealing with, be it criminal or non criminal allegations or incidents, and whom you are dealing with, namely claimants, complainants, victims or witnesses.

An obvious advantage of this approach would be to allow for a 'compare and contrast' assessment of the results of both legs of the separate enquiries to more objectively address the overarching question of any systemic issues of concern.

Such an approach would also allow for the accomplishment of the direction given by Gold for "the prompt and effective investigation of allegations of abuse". Considering that the Leigh Day allegations arise from letters received in June and September 2013 and that the DOT complaints were also identified in 2013, it may appear to the objective observer that progress in this regard is slow. Furthermore, it is recognised that the freedom of movement to conduct

investigative activity will become increasingly difficult ahead of the withdrawal from Afghanistan during the latter half of 2014.

Another area we would like to comment formally on in greater detail at the appropriate point is the constitution of a panel, with a significant independent element, to assist the SIO(s) in de-cluttering the investigation(s) by applying a 'reasonableness' test to the scope and extent of individual elements of each investigation.

You will be aware that we assess that there is the potential for significant media interest and intrusion. It is likely that the detail of some cases will emerge one way or another. In our experience transparency is key. One tactic we have successfully employed is to hold a full 'on record' briefing at the appropriate time.

In order to progress the above observations, but more importantly to assist the SIO and fulfil our terms of reference, I would now propose that we aim to fulfil our first priority by reviewing the SIO's detailed investigation plan (if one currently exists - I do not consider SIO policy decision 22 provides necessary detail) and making appropriate recommendations. I believe that to fulfil this initial aim, it will be necessary for three of my staff to spend several days on site at Bulford and examine as much material as possible, until we have a firm grasp on the tactical aspects of Northmoor. To date, we have only been privy to strategic guidance and direction.

As a starting point, we consider the detail of plans in relation to the following considerations to be of some urgency:

- The interview of those persons still in custody in Afghanistan. (Learning from Danny Boy – interviews were not conducted until immediately prior to the transfer of detainees into Iraqi custody. Consequently they were poorly planned and executed and of little evidential benefit).
- The obtaining of detailed information from Leigh Day in relation to each claimant/complainant, leading to interview. We consider it axiomatic that there should be considerable onus on Leigh Day to assist and enable this process.
- Immediate retrieval of DOT claimant/complainant documentation, leading to interview.
- Immediate focused evidence retrieval.

To this end, I will ask my colleague David Pinder to make contact with Captain Wright in order to facilitate arrangements to initiate these proposals at the earliest opportunity.

Best Wishes,

Martin

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Not protectively marked