



RMP-221-0000751-A

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OTHER DOCUMENT	ACTION —	REG DATE 25/09/2008	D 5658
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RECEIVERS INSTRUCTIONS

DOCUMENT TITLE: ASSURANCE OF IRT OPERATION NORTHMOOR RECOMMENDATIONS (SECRET).	IRN: NORTHMOOR
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CLASS CODE BDM	TAGGING SEN / F102 / T150 / Obj 2 / Obj 1 / TYB

DOCUMENT SUMMARY

2008

FAST / URGENT ACTION REQUIRED (If YES compile ACTION precis below)	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	RECEIVER CPL DANIELS Signature	REGISTRATION INDEXER CPL DANIELS Signature
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FAST ACTIONS RAISED	URGENT ACTIONS	MIRSAP ACTIONS RAISED
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DOCUMENT READING	DOCUMENT READER	DOCUMENT INDEXER
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1.0 Introduction.

1.1 On Mon 30 Jul 2018 Phillip Jones and Cliff Evans, the IRT commenced a re-assurance visit of Operation NORTHMOOR at RAF St Mawgan of the Actions raised in their report dated 22 Nov 2017.

2.0 Action 1. Only reasonable steps should be taken to interview N50 BANG in accordance with the Istanbul Protocol and achieving the best evidence guidance. His account is already known by LDC, further interview is unlikely to add anything further of value.

2.1 **Response.** IRT are entirely content that a wide variety of options have been considered and that none are considered to be viable, primarily due to the physical location of BANG and his previously documented ill health which does not permit him to travel. The Enquiry Team are prepared to pursue this action in the future should either of these situations change.

2.2 Action 2. High Priority. The interview of the Interpreter who carried out the 'call out' in Operation TYBURN should be pursued; reference should be made to the disposition of other members of SF personnel and [REDACTED] APU1. These aspects should be addressed in an effort to reconstruct the TYBURN scene and to determine the relevance and significance of further interviews with [REDACTED] APU1.

2.3 Response.

- a. [REDACTED] The Interpreter has been traced [REDACTED] and has no recollection of his own involvement with Operation TYBURN despite having been provided with all relevant material.
- b. The SIO currently has an enquiry in an effort to identify and locate members of [REDACTED] APU1 [REDACTED] In view of the above the IRT consider that this enquiry should be pursued in an effort to interview them.
- c. All the outstanding actions in relation to Operation TYBURN have been discussed by the IRT and the SIO. It has been agreed that they should all be pursued expeditiously.
- d. The [REDACTED] SFHQ(A) Server recently removed from HMS Collingwood is now located within the NORTHMOOR Investigation. It is not online but expected to be functional in Sep 2018. This delay is not considered critical and should not interfere with the progress of the Investigation. Should additional material be identified it would simply add value to what is currently known.
- e. The issue of SF command culpability has been discussed with the SIO in regard to Operation TYBURN and the outstanding proposed activity outlined below in relation to Operations [REDACTED] 2 [REDACTED] 1 and the other remaining eight operations. The IRT and the SIO agree that when this issue is addressed it needs to be comprehensive, constructive and specifically designed to ensure improvements and understanding as to; when it is necessary to complete SIR's and specifically when matters should be reported to the Service Police. These interviews should be carried out at the conclusion of all outstanding enquiries mentioned in this report.

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2.4 **Action 3. That the scoping of the 10 similar events continues with a prioritisation towards Operations [redacted] 2 and [redacted] 1 with a view to:-**

- a. Recovery of the SINCREPS and OPSUMS
- b. Recovery of relevant SIR's
- c. Any other material that is able to contextualise each event.

Prior to affording investigative status to either of these two events ([redacted] Obj 2 and [redacted] Obj 1) a comprehensive risk assessment should be carried out upon completion of the search criteria (currently there is insufficient evidence to justify any criminal investigation). The benefits of further investigation can then be properly determined at a later date.

2.5 **Response.**

a. The photographs in both [redacted] Obj 2 and [redacted] Obj 1 at the present time remain a concern; there is no associated continuity with regards to whom, when and where they were taken. Consequently they are considered by the IRT not to be viable evidence at present. Lengthy discussion between the SIO and IRT has revealed that there is little prospect of gaining this continuity independently and in a timely fashion.

b. The IRT are still of the view that there is no evidence that a crime has been committed. However they acknowledge that further investigation is required to establish the actions of individuals in each of these cases and to confirm that what is stated in the SIR ([redacted] Obj 1) corresponds to the recovered photographs of each scene and their associated continuity.

c. Examination of the TTP recovered documentation relative to the Operation [redacted] A completed by SF senior officers clearly illustrates considerable concern about what was actually happening during the deployment of [redacted] SU1A UKSF1 in relation to EKIA versus weapons recovered and possible on the ground changes to the TTP procedure. These concerns were communicated to the DSF and as a consequence a TTP review was undertaken in an effort to rectify the situation. However, no subsequent referral was made for the Service Police to be informed.

d. Two key participants in this process were [redacted] N1466 (ACOS at the time) and [redacted] N1788 (SO1 Campaigns at the time) who were both interviewed and statements were obtained in 2015. Examination of these statements illustrates their respective roles but fails to clearly indicate the criteria which resulted in the additional ten operations being selected including Operations [redacted] 2 and [redacted] 1. The IRT and the SIO consider that both men should now be re-interviewed and shown the relevant material, photographs and the comparative statistics below in an effort to refresh their memory and establish an accurate account as to their concerns at the relevant time. Subsequent examination of the Comparison Stats [redacted] SU1C, SU1A and [redacted] SU1D UKSF1 reveals the following:-

May 2010 – Nov 2010 ([redacted] SU1C UKSF1 Operation [redacted] C)

Operations	[redacted] x
EKIA	[redacted] 2.7x
Detainees	[redacted] 2.9x

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Nov 2010 – May 2011 (SU1A UKSF1, Operation C)

Operations	x
EKIA	1.5x
Detainees	2x

May 2011 – Nov 2011 (SU1D UKSF1, Operation C)

Operations	x
EKIA	x
Detainees	2x

This appears to illustrate that although the TTP review was conducted during the deployment of SU1A it can be seen that the EKIA rate was much higher in the period of May -Nov 2010 during the deployment of SU1C UKSF1

e. An additional matter relates to the interaction between N1201 and N1799 while attending a UKSF course. N1201 has been interviewed about his participation in Operation TYBURN. However he has never been interviewed about the contents of his conversation with N1799 which at the present time appears to be the catalyst which caused N1466 to act upon his concerns. The IRT and the SIO are of the view that this aspect should be addressed expeditiously. The IRT and SIO have examined and approved the proposed interview strategy documents and outlined the desired points to prove in each interview and subsequent statements.

f. Upon completion of the above interviews the IRT and SIO consider it would be prudent and proportionate to invite SF participants in both Obj 2 and Obj 1 for interview under caution. The IRT are of the view that there is insufficient intelligence/evidence to arrest. This would allow participants in both operations the opportunity to explain their specific roles and examine the scene photographs along with their accounts and the SIR (Obj 1). Continuity in relation to the photographs could also be sought.

g. Subject to the outcome of the interviews with N1466 and N1788 the IRT consider that there would be a valuable opportunity for correspondence to be sent to DSF requesting the completion of 'duty statement's' by participants in the other 8 remaining operations identified under Operation A who have not been subject of interview. The sought product may identify particular MO and or key personnel. It also has the potential to add value to both Operation 2 and 1. These requests should simply require each SF individual to detail their specific role and what they did at the scene. The IRT are not suggesting that these duty statements/reports should be under the Provision of the CJA 1967 Sec 9 (Witness Statement) or indeed under caution. This approach removes the reliance on post operation generic reports completed by officers not at the scene. The IRT appreciates that this approach is new ground but consider it to be valuable in the proper reconstruction of the various scenes. There is merit in these requests being made to clearly illustrate the thorough approach adopted by the NORTHMOOR investigation. Views that these requests will be denied or not considered viable should not inhibit the request. Examination of the current MOU between Special Forces and the Royal Military Police dated 28/08/2013 clearly has no provision in regards to duty statements/reports. The IRT believe that such a provision would be useful to the SIB and SF as it may quickly address any misunderstanding and assist with recreating a possible scene. This process should not be allowed to compromise the anonymity of SF personnel or the sensitivity of their tactics. It would be useful if legal advice is sought so that these requests can be catered for within the earlier referred to MOU.

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h. Efforts to establish why there has been no adherence to the guidelines under the [Op B] Directive in both Operation TYBURN and [Obj 2] continue. The SIO is in the process of seeking a statement of clarity from [N2108] (Legal).

2.6 Action 4. Consequently it is the view of the IRT that the scoping be completed prior to seeking expert opinion outside this enquiry.

2.7 Response. The IRT take the view that the photographs relative to Ops [2] and [1] should not be subject to expert opinion until the continuity has been established (i.e. who took the photographs, where and when).

It is noted that the SIO has an outstanding enquiry with [a TPE] in an effort to identify key witnesses.

3.0 Summary. The IRT believe the progression of outstanding actions in relation to Operation TYBURN can comfortably progress parallel to the proposed interviews of [N1466] [N1788] [N1201] and [N1799] and the subsequent proposed interviews of [SU1A] in relation to Operation [2] and [1].

3.1 The IRT continue to be impressed with the positive ongoing approach of the SIO and his investigation team. They continue to be open and realistic about the investigation and its outcomes. They fully appreciate the need for a thorough and a continued comprehensive approach.

3.2 It has been agreed between GOLD and the IRT that a further assurance visit should take place if a positive outcome is achieved in regard to the proposed activity into Operations [2] and [1]. Conversely if no substantial progress has been made the IRT should return with a view to developing an 'exit strategy'.

Signed: PG Jones
2 Aug 18
[Signature]

Signed: C Evans
2 Aug 18
[Signature]