



RMP-221-0000755-A

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DOCUMENT SUMMARY					
Assurance of IRT Operation NORTHMOOR Recommendations (SECRET) dated Mon 8 th April 2019 (08/04/2019) MOD F10Z 102/15 SER. 2253, NM/23/2019 Folio 1					
FAST / URGENT ACTION REQUIRED (If YES compile ACTION precis below)		YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		RECEIVER	REGISTRATION INDEXER
				Signature Sgt Grant 17 APR 19	
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Assurance of IRT Operation NORTHMOOR Recommendations -Sensitive

1.0 **Introduction.** On Monday 8th April 2019 Phillip Jones and Cliff Evans, the IRT, commenced a further assurance visit of Operation NORTHMOOR at RAF St Mawgan of the actions raised in their previous report dated 2nd August 2018.

1.1 For purposes of clarity it is important to outline exactly what investigations constitute Operation NORTHMOOR:-

- a. Operation ISOPTIC allegations identified by the RAF.
- b. Operation ELSINORE claims raised by Lee Day and Co which led to Operation TYBURN, Objectives [REDACTED] 1 [REDACTED] and [REDACTED] 2 [REDACTED].
- c. SIB legacy investigations.
- d. Hussein Review and other similar investigations.

2.0 **Make efforts to identify and locate members of** [REDACTED] APU1 (2.3b IRT review report dated 2/08/18)

Response;- Extensive and extremely thorough enquires have been carried out in an effort to locate and interview members of this Afghan partnership group who may be able to provide evidence as to what actually took place in February 2011 at the scenes of Operations TYBURN and Objectives [REDACTED] 1 [REDACTED] and [REDACTED] 2 [REDACTED].

2.1 On 14/03/2019 a decision was taken by SIO Major COX to send troops to theatre. On 3/04/2019 troops were deployed to [REDACTED] APU1 in Afghanistan. As of Sunday 7/04/2019 [REDACTED] Name Given [REDACTED] has identified [REDACTED] NG members of [REDACTED] APU1 who are still serving, efforts to interview and obtain statements from these individuals is currently ongoing.

2.2 [REDACTED] Name Given [REDACTED] has also provided intelligence and a subsequent statement which outlines an event which merits further investigation.

3.0 **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** (2.3c IRT review report dated 2/08/18)

3.1 **Response;** - All the outstanding actions have been completed and the searches for relevant material have now been resumed. The Server Viewing Platform from HMS Collingwood was transferred to NORTHMOOR in September 2018. Efforts to retrieve relevant material are ongoing.

4.0 **The issue of SF command culpability. Interviews should be carried out at the conclusion of all outstanding enquiries** (2.3e IRT review report dated 2/08/18)

4.1 **Response:** - As things currently stand investigation referral arising from the NORTHMOOR investigation appears highly unlikely. However, recent intelligence from two separate sources one of whom is [REDACTED] Name Given [REDACTED] may suggest that command culpability issues be pended until such time that this intelligence is scoped and dealt with. Efforts to ensure improvements and understanding as to:-

- a. When it is necessary to complete SIR's
- b. When matters should be reported to the Service Police

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These issues need to be addressed with the senior management of SF at the completion of all enquiries including resolution of all aspects relative to the recent intelligence. This will prevent duplication effort and provide a coherent and comprehensive way forward.

- 5.0 **Further investigation is required to establish the actions of individuals in each of these cases ([Obj 2] and [Obj 1]) and to confirm what is stated in the SIR corresponds to the recovered photographs of each scene and their associated continuity.** (2.5a.b IRT review report dated 2/08/18)
- 5.1 **Response:** - Despite extensive enquiries and multiple interviews of [SU1A UKSF1] that attended the scenes of [Obj 1] and [Obj 2] it has not been possible to establish the necessary continuity in relation to the photographs from each scene. Consequently, the photographs do not represent viable evidence that can be used in conjunction with the SIR and crucially there is no evidence that a crime has been committed in either case (See Para 8.1. and 10.1 below).
- 6.0 **Interview [N1466] (ACOS at the time) and [N1788] SO Campaigns at the time** (2.5d IRT review report dated 2/08/18)
- 6.1 **Response:** - Interviews with [N1466] and [N1788] have established that the concerns relative to the activities of [SU1A] were without reference to EKIA v Weapons statistics of other [Sub-Units]. The lack of analysis as to how the various operations were selected for the TTP Review still remains unclear but appear to rely on the knowledge and experience of [N1788] who is unable to recall specifics.
- 7.0 **Interview [N1799] and [N1201]** (2.5e IRT review report dated 2/08/18)
- 7.1 **Response:** - A final contact was made with [N1799] on 26/10/18 when he refused to cooperate with the investigation.
- 7.2 [N1201] was interviewed on 13/03/2019 and denied all knowledge of the conversation with [N1799] when they were together on a course.
- 8.0 **The IRT and SIO consider that it would be prudent and proportionate to invite SF percipients for both [Obj 2] and [Obj 1] for interview under caution.** (2.5f IRT review report dated 2/08/18)
- 8.1 **Response:** - The SIO after taking service prosecutor advice decided that these interviews should be progressed as significant witnesses as opposed to being under caution. Most of the interviews proved to be negative in that the tempo of operations and timeframes were given as reasons for lack of recall. However, [N1161] endorsed his earlier account on Objective [1] and [N1192] provided a full account of his actions in dealing with EKIA 8 on Objective [2].
- 8.2 At the present time [Name Given] [Name Given] and [Name Given] who were present on both [Obj 1] and [Obj 2] have yet to be interviewed. The interview of [Name Given] who participated in Objective [2] alone is still outstanding.
- 9.0 **Subject to the outcome of the interviews with [N1466] and [N1788] the IRT consider there would be a valuable opportunity for correspondence to be sent to DSF requesting the completion of 'duty statements' by participants in the other 8 remaining operations identified under Operation [A] who had not been subject of interview.** (2.5g IRT review report dated 2/08/18)

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- 9.1 **Response:** - The IRT's rationale for this recommendation is contained in our previous review. As outlined throughout this report no significant intelligence/evidence indicating any wrongdoing in Operation NORTHMOOR has emerged. The IRT also recognise that the requesting of duty statements is currently outside the operational investigatory practice of the SIB. Consequently at this point in time there appears to be no merit in pursuing this line of approach.
- 10.0 **The IRT take the view that the photographs relative to Objectives [REDACTED] 2 and [REDACTED] 1 should not be subjected to expert opinion until their continuity has been established as to who took the photographs where and when.** (2.7 IRT review report dated 2/08/18)
- 10.1 **Response;** - As previously stated continuity of the photographs has not been established. The IRT are aware that some members of the NORTHMOOR investigation team believe that there would be merit by tasking an 'expert' to examine and provide an opinion on the photographs of each scene. The IRT believe that such a tasking would prove to be futile, expensive and provide no additional benefit to the enquiry, in that :-
- a. No probative value or context can be established by opinion alone.
 - b. There is simply no evidence or intelligence to append such an opinion to.
 - c. Nothing of value would emerge that would assist the reconstruction of each scene.
- 11.0 **Intelligence since the last IRT Review;**
- 11.1 The IRT have been made aware of intelligence arising from the activities of [REDACTED] SU1C during their tour between May 2010 and November 2010. A second item of intelligence has also been identified as a consequence of engagement with [REDACTED] APU1 which specifically relates to the activities of [REDACTED] SU1D during their tour between May 2011 and November 2011. Clearly both matters require scoping in an effort to determine veracity and whether an investigation follows.
- 11.2 The IRT would emphasis that neither items of intelligence fall within the TOR parameters of Operation NORTHMOOR. Should either progress to investigation they should be conducted separately and distinct from Operation NORTHMOOR.
- 11.3 It appears prudent and appropriate that the personnel tasked with carrying out the valuable work as above should also be tasked to deal with the two items of new intelligence. The IRT believe that their experience in NORTHMOOR, the accessibility of the Server Viewing Platform and accessibility of the HOLMES account make the current staff entirely appropriate to expeditiously resolve both issues.
- 11.4 The source of intelligence regarding [REDACTED] SU1C has provided third party information in the past, similar information has now been provided recently. It is a concern to the IRT that this source appears to be extremely knowledgeable and yet in control of what and when information is divulged. The IRT are concerned that this pattern of behaviour may be repeated. The IRT believe that this source may have potential to provide valuable intelligence and to date he has chosen not to. Prior to a next engagement with this source consideration should be given to expert profiling and effectively debriefing this source in a neutral location away from his home address and work place. A full risk assessment should be carried out beforehand.

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12.0 HOLMES Account and Disclosure.

12.1 The IRT are satisfied that the HOLMES account is fit for purpose, the staffing levels in all areas of expertise has been reduced commensurate with the volume of work. There are 4 Indexers, one of whom will be leaving later this month. However, this has already been factored into the likely and predictable work load ahead. The HOLMES account has been independently reviewed by Ian Vickers on 28/08/2018. The only arising issue from that assurance review is that the IRT would like the SOE (Sequence of Events) to continue, parallel to the existing investigative activity. The input does not need to be detailed and legitimately can be restricted to simply sign posting.

13.0 Conclusion.

The IRT continue to be impressed with the positive, tenacious and professional ongoing approach by the SIO and his investigation team. They continue to be open and realistic about the investigation and always adopt a thorough and comprehensive approach to all arising tasks. The IRT are of the opinion that Operation NORTHMOOR should now consider all aspects in connection with a suitable exit strategy. The IRT believe that the enquiries and extensive work carried out to date has been robust, thorough and will be able to stand scrutiny from any third party.

P.G. Jones

C.A Evans

12/04/2019

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