



RMP-221-0007147-A

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Inquiry)

Witness name: Martin Bottomley

Statement Number: 1

Dated: 28 July 2025

Exhibits:38

INDEPENDENT INQUIRY RELATING TO AFGHANISTAN

WITNESS STATEMENT OF MARTIN BOTTOMLEY

DATED 28 JULY 2025

1. I, Martin Bottomley, have been employed by Greater Manchester Police (GMP) since 1978 to the present day.
2. This statement will cover the points referred to in an 'Open' version of a Rule 9 request from the Independent Public Inquiry relating to Afghanistan sent to the Royal Military Police, and later forwarded to me by Lt Colonel Paul Mullaney, bearing the reference R9/RMP/41S.
3. I have answered the questions raised in the Rule 9 request to the best of my ability. I recognise that further documents and emails might be brought to my attention at a later date and I would, therefore, welcome the opportunity to supplement, clarify and/or to amend my evidence (if necessary) in the light of any such documents.

Training and experience

4. The following is a summary of my professional history and experience:
5. I joined GMP as a Police Constable in July 1978. Most of my police career thereafter up to September 1999 as I passed through the ranks, was spent in uniform as an operational officer, save for two periods spent at the rank of Detective Constable and

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Detective Sergeant, in the Criminal Investigation Department (CID), both within the City of Manchester area.

6. In September 1999 I was promoted to the rank of Detective Chief Inspector, and it was at this point that I was enrolled on the Senior Investigating Officer (SIO) programme, becoming a PIP 3 (Major Crime) SIO and thereafter leading on murder investigations within the Oldham area.
7. In March 2003, I was promoted to the rank of Detective Superintendent and became a founder member of the Major Incident Team (MIT), the unit set up to investigate murders and other critical incidents throughout Greater Manchester.
8. In November 2004, I attended the week-long national Management of Linked Serious Crime course. The main focus of this course was to prepare the attendee to take up the role of 'Officer in Overall Command' (OIOC) of a linked series of crimes/investigations.
9. In 2005 I became the Head of the Major Incident Team, with responsibility for over 200 Detectives within MIT and the investigation of all murders within Greater Manchester, which at this time would have been in the region of 40 per annum.
10. In anticipation of my next role, in 2006 I attended the week-long national Serious Crime Investigation Review Training Course.
11. In 2007 whilst still a Detective Superintendent I was asked to take up the role of Force Review Officer (FRO). This role still involved deploying as a SIO, but also reviewing all current undetected murders, historic undetected murders, serious and organised crime operations and undercover policing deployment operations.
12. In October 2008 whilst still the FRO I retired as a serving officer and shortly afterwards became the police staff FRO within GMP. My role remained the same as it had been as an officer, with the exception that I no longer deployed to current 'live' murder investigations but still acted as SIO on historic investigations.

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13. In April 2012 I further qualified as a PIP 4 (Professionalising Investigation Programme 4) SIO to deal with the strategic management of highly complex investigations.
14. I am the co-author of Part 3 ('Major Crime Reviews') of the National Police Chiefs' Council (NPCC) Major Crime Investigation Manual 2021.
15. Since 2005 I have been a member of the NPCC Homicide Working Group, with overall responsibility for Major Crime Review throughout that time, and as a member at various times of subgroups focusing on the Professionalising Investigation Programmes, PIP 3 and PIP 4, forensic pathology and coronial matters.
16. From 2016 to the present day, I have been the NPCC representative on two Home Office Boards, namely the Pathology Delivery Board and the FINDS (Forensic Information Databases (fingerprints and DNA)) Strategy Board.
17. During the period I have served as the FRO, aside from my duties within GMP, I have reviewed, on behalf of the Police Service of Northern Ireland, the undetected murders of alleged former Provisional IRA members.
18. Within mainland UK, I have reviewed a major terrorist investigation on behalf of Counter Terrorism Policing.
19. I have also assisted the FBI with the successful detection of the murder of two British subjects in Guatemala in 1978 and on behalf of the Royal Gibraltar Police, reviewed an undetected murder investigation within their jurisdiction.
20. I was also requested to review the murder of a Customs Officer in Antigua but declined this invitation to travel abroad as COVID was just breaking out across the world.
21. Since the start of the Undercover Policing Public Inquiry in 2015 to the present day, I have been and remain GMP's single point of contact and personally respond to all Rule 9 requests from Inquiry Solicitors.

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22. My experiences in the matters referred to in the above paragraphs inevitably included having access to material at a relevant classification.

Experience relevant to my role on Operation Northmoor

23. The following paragraphs provide some context in relation to my previous experience of the review of an investigation involving military personnel and the impact my review report had. I believe this is relevant to the present Public Inquiry.
24. On 28th August 2008 Lt Colonel L S Wassell of the RMP made a request to GMP that we review the RMP's investigation into the allegations against Army personnel which surfaced following the incident known as 'The Battle of Danny Boy' which had occurred on 14th May 2004. The proposed Terms of Reference (ToR) closed material suggested by Lt Colonel Wassell initially cited the aim of the review as:
25. 'The aim of the review is to provide Provost Marshal (Army) with a thematic examination of the investigation action taken to date in order to ensure that all the reasonable investigative actions have been, or are being, taken in order to provide the best evidence available from foreign complainants/witnesses. This evidence is crucial to inform any subsequent decision in respect of the reporting of persons subject to Service discipline'.

Source: An email I received from Lt Colonel Wassell on 10th September 2008.

26. The final ToR were agreed on 19th September 2008, the review commenced and upon completion I personally delivered five copies of the final report closed material, with appendices, to Lt Colonel Grainger on 2nd April 2009.
27. The review report made ten organisational recommendations and eleven case specific recommendations. Recommendations included the requirement for the provision of adequate skilled personnel and appropriate resources (including a Major Incident Room) to investigate an incident of this nature.

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28. Following the review Brigadier C A Findlay wrote to Sir Peter Fahy, Chief Constable of GMP on 8th April 2009. In the letter he noted:

'I am extremely grateful for the time, care and diligence [the GMP Review Team] have applied to the task ... we have been impressed by the professional approach and the transparent dedication to the task shown by your officers in this case . . . it is in the never-ending battle for resources that we believe the review team's greatest contribution will be recognised'.

29. As Lord Justice Scott Baker observed in *'The Queen (on the application of Al-Sweady and Others) and The Secretary of State for Defence'* [2009] EWHC 2387 (Admin) at paragraph 55:

'[The] shortcomings [in the RMP's investigation] were, or should have been, known and indeed obvious to Colonel Giles – not only because he is an experienced investigator as we have explained in paragraph 46 above, but also because many of the defects in the 2004/5 investigation were referred to in a Review by the Greater Manchester Police which Colonel Giles had himself commissioned in the autumn of 2008. Yet very surprisingly and regrettably, he said nothing in any written statement to correct the position nor (despite being given the opportunity) did he do so when he went into the witness box. Indeed, it was only when he was cross-examined that he was driven to accept some of the shortcomings, although seeking to discredit, or to minimise, much of the Greater Manchester Police Review, despite the obvious validity of the great majority of its criticisms. Our confidence in Colonel Giles was further undermined by the fact that he had not disclosed until he gave evidence the contents of a preliminary version of the report, which was also very critical of his investigation. No good reason was put forward to justify this.'

Operation Northmoor

Questions 1 to 24, 36 and 43 to 45

30. On 15th April 2014 Brigadier Bill Warren, Provost Marshal (Army) wrote to Assistant Chief Constable (ACC Crime, GMP) Steve Heywood, requesting the assistance of

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GMP's Review Team to 'provide support to the investigation and the necessary external assurance of independence' [RMP-221-0007065-A]. Draft ToR for a review of Operation Northmoor were received on 2nd May 2014 [RMP-221-0007066-A]. After Detective Chief Superintendent Russ Jackson and I reviewed the ToR, I returned an amended version to Lieutenant Colonel John McAllister [RMP-221-0007067-A]. Of note, I suggested a change in wording to the effect that we would be 'assessing' rather than 'assuring' the investigation, for the reasons I set out below. This was agreed and the final ToR were signed off by ACC Heywood on 27th May 2014 [RMP-221-0007068-A]. I understood the final signatory to the ToR within the RMP to be Brigadier Warren, as he was the Gold Commander. At this point I considered the ToR appropriate and adequate, given the parameters of the request made to GMP and GMP's capacity to undertake a review of this nature.

31. In drafting the ToR, reliance was placed upon guidance contained within the Murder Investigation Manual (MIM 2006- available online). In particular the 'role of the review team' to assess whether the investigation:

'Conforms to nationally approved standards. Is thorough. Is being conducted with integrity and objectivity. Has not overlooked any investigative opportunities. Ensures dissemination of effective practice and organisational learning.'

32. The above is an outline of standard requirements whilst conducting a review of an investigation, whilst the assessment at points a) to f) of the ToR are specific to the Operation Northmoor review.
33. As noted above, I co-authored the review section of the latest version of the MIM, now renamed the Major Crime Investigation Manual in 2021. The objectives of a major crime review remain the same.
34. I first learned of my proposed involvement in reviewing the investigation shortly before 15th April 2014, as I recall Messrs McAllister and Heywood had discussed it informally at a meeting of the NPCC Homicide Working Group. I have surmised that Lt Col McAllister knew about my previous review of the RMP (Operation Danny Boy) and so would have been confident that our review would be thorough and independent. I was

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not formally interviewed, I was the natural choice at GMP to lead the review, both as the Force Review Officer and through my previous experience with the RMP. This appointment was signed off by ACC Heywood. I was assisted in my role by four members of my staff. All expenses and team salaries were invoiced by GMP and paid directly to the force by the RMP. Neither I, nor any other GMP personnel received any remuneration or expenses (other than reimbursement of travel costs and meal allowances) in addition to our normal GMP salary.

35. I led the GMP Review Team throughout the course of our review. There was no predecessor and has been no successor for my role within GMP. I am aware that two civilian personnel were later brought into the investigation, namely Mr Philip Jones and Mr Clifford Evans, to form an Independent Review Team (IRT) with different ToR to ours [**RMP-221-0007069-A**]. As I understand it, they were retired police officers, and their appointments had been 'commended' by Sir Jon Murphy, who had recently retired from his role as Chief Constable of Merseyside Police. I was not requested, nor given an opportunity, to perform any handover to them. I was only made aware of their existence by the Gold Commander, Lieutenant Colonel John Harvey, in November 2016 when ToR for their review had been set and a deadline set for them to prepare an initial report by 22nd December 2016 to 'assure' that Operation Northmoor '[would] be fit for purpose and achieve the desired outcome in the future'.
36. I have a note at page 48 of my Operation Northmoor Casebook (hereon in referred to as my Casebook and Exhibited as **RMP-221-0007071-A**, dated 31st October 2016, which indicated that Sir Jon Murphy had been recruited, apparently to advise on the organisation and structure of Operation Northmoor and to carry out some form of review with a focus on training. I note however that Brigadier Neal (by then the new Provost Marshal) had issued revised ToR for the role of the Gold Commander, which at that time was Lieutenant Colonel John Harvey. These ToR indicated that the composition of the Gold Group going forward would include as 'desirable' members the Independent Advisory Group (IAG) mentor (which I understood to be Sir Jon Murphy's role), the NCA Advisor (Detective Superintendent Paul Williamson) and the GMP Review Team. I was therefore surprised to learn that three months later, the services of the GMP Review Team and (I believe) the NCA Advisor had been dispensed with.

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37. I do not know why my role came to an end in the way it did. Given that Brigadier Neal chaired the open Gold meeting on 23rd February 2017, following a closed session with Sir Jon Murphy, Peter Ryan of the Ministry of Defence's Directorate Judicial Engagement Policy (DJEP) and Mr Mark Ellison KC, I conclude that it was Brigadier Neal who decided my role should come to an end, and it was at the open meeting that this decision became apparent, albeit I cannot recall being informed formally in writing, other than by a 'thank you' letter from Colonel Rob Morris, which I received on 23rd January 2018 [**RMP-221-0007072-A**]. I was not sent the Minutes of the open Gold Meeting held on 23rd February 2017, but I have a record of this in my Casebook at page 51-52.
38. It is my understanding that Operation Northmoor began to significantly wind down during the course of 2017, following the 23rd February 2017 Gold meeting, and the investigation was finally closed down in 2019. Given the scenario of the IRT being brought in to replace both my role and that of the NCA Advisor, I am left with the impression that the IRT and/or Sir Jon Murphy advised on closing the investigation more swiftly than I would have advised, and certainly much sooner than the previous Provost Marshal, Brigadier Warren, had envisaged when he suggested at a briefing on 10th March 2015 (**RMP-221-0007073-A** and at page 70 of **RMP-221-0007113-A**, referred to later) that the investigation could last up to eight years.

Questions 22a and 108

39. I had no input in the formulation of the IRT's 2016 ToR. I had no prior warning or understanding of the reason in this instance for almost totally revising the original ToR, nor prior knowledge that the reference to identifying 'systemic issues' would be removed from the ToR. I have however seen a 'loose minute' authored by Staff Sergeant M G Butler dated 8th September 2015 [**RMP-221-0007074-A**] which considered whether possible systemic issues identified could be considered for submission to the Systemic Issues Working Group (SIWG), albeit that allegations of this nature remained under investigation within Operation Northmoor at that time. I did not provide advice on this issue.

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40. I understood the term 'systemic issues' to relate to potentially inappropriate working practices which may have become 'institutionalised' in the treatment of detainees within UK detention facilities in Afghanistan. I recall this subject had been identified in the Danny Boy Iraq review. Such practices could include, for example, sleep deprivation, inappropriate searching, meals being served at prayer time, excessive noise being created by detention staff at prayer time. Given this 'definition' of 'systemic issues', it would seem reasonable to conclude that it was not appropriate to expand the investigation of systemic issues to the allegations of unlawful killings. Aside from the 'loose minute' referred to above, I have no further knowledge as to the purpose of the SIWG, nor do I recall whether any matters were referred to it.
41. Since my role as review officer to the investigation was summarily dispensed with in February 2017 when I first became aware of the revised (IRT) ToR, I took no view at that time as to their adequacy or otherwise. Having now reacquainted myself with the IRT ToR, I would make the following observations.
42. I applaud a line in the 'Purpose' which focuses on 'priorities and resilience'. Some of my initial observations on the ToR for the GMP Review Team covered these issues. The ToR however constrained the reviewers at the outset, precluding any recommendation with regard to resourcing, specifically a substantial budget increase or the recruitment of external contractors.
43. Within the 'Deliverable' section, I am left with the impression that there was a decision to predetermine the outcome of the review requiring it to 'assure that Operation Northmoor will be fit for purpose and achieve the desired outcome in the future'. I am left wondering what the 'desired outcome' was intended to be. I would not have expected it to be the closure of Operation Northmoor before all reasonable lines of enquiry had been concluded. Having seen the oral evidence given to the Inquiry by Mr Alan Pughsley, where he offered the opinion that the IRT exerted an undue influence on the investigation and the lines of enquiry to be followed, which led to this outcome, it might be thought that the IRT's ToR were tailored to achieve closure at the expense of a thorough and robust investigation.

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44. I do not imagine that the ToR's author's 'desired outcome' was the establishment of a Public Inquiry, albeit this risk was acknowledged in Brigadier Bill Warren's email to Daren Gregg, (Army Sec-Dep-Comd-Sec) of 13th February 2015 **[RMP-221-0007075-A]**, as follows: *'if Op NORTHMOOR is not provided for, there is a significant risk to the Army's reputation, and the Army's ability to be seen to investigate allegations of unlawful killing and other significant matters resulting from operational deployments; a requirement in international law. And, in the absence of any other Force being in a position to investigate, I suspect there will be pressure for a Public Inquiry or the potential for the International Criminal Court to exert jurisdiction'*.
45. In relation to 'Stage 2 - Sensitive', the wording of 'whether Team 1 matters merit further investigation' also suggests to me a somewhat closed or predetermined mindset. Contrast this approach with the open stance advised by the guidance contained within the Murder Manual (Major Crime Investigation Manual) to 'assess whether the investigation conforms to nationally approved standards, is thorough, is being conducted with integrity and objectivity, has not overlooked any investigative opportunities...'
46. The 'Constraints' section seeks to limit transparency. Given that two reviewers with appropriate clearance, together with a highly experienced former Chief Constable could be denied access to sensitive material which would almost certainly have influenced advice or recommendations with regard to Team 1 matters is a concerning issue and one which I have previously experienced in my review of the Iraq ('Danny Boy') investigation.
47. My own review was carried out as per the agreed 2014 ToR. I understood my contribution to include providing advice on the investigation strategy, preparing reports on specific issues and in general providing strategic advice, in particular at Gold Meetings. My involvement effectively spanned the period from 26th June 2014 until the final Gold Group meeting I attended on 23rd February 2017. My role did not change within this period. I do not consider that I faced any significant challenges in undertaking my role. For the most part my interactions, in particular with Captain Wright, Major Ward, Lt Col McAllister and Brigadier Warren were positive and supportive. My impression is that these individuals faced more major challenges from

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sources outside their control which frustrated their attempts to further the investigation in a timely and effective manner.

48. By and large I consider that I was able to carry out my role unfettered by direction from or accountability to any person or organisation. In simple terms I regarded my work and that of my team as truly independent. Any correspondence, advice, recommendations or requests would generally be communicated to the RMP through Lt Col McAllister and/or Captain Wright.
49. The approach I took to my role was to follow the ToR as closely as I could. I consider I achieved this aim, save for item (f) which required me to: 'prepare a final report at the conclusion of the operation' although I did submit a number of standalone interim papers including:
- A review of 'strategic structure and management processes', dated 15 August 2015 **[RMP-221-0000712-A]** sent to Lt Col McAllister and Captain Wright on 18th August 2014.
 - A review of 'command and control' issues sent to Lt Col McAllister and Captain Wright on 8th October 2014 **[RMP-221-0007111-A]**.
 - 'Northmoor issues' sent to Lt Col McAllister on 6th July 2016 **[RMP-221-0000379-A]**.
50. On 26th June 2014, as recorded in Policy-Log of Events **[RMP-221-0007113-A]**, I attended Campion Lines to receive an initial briefing on Operation Northmoor from the Senior Investigating Officer, Captain Jason Wright. I was accompanied by GMP's Head of Crime, Detective Chief Superintendent Russ Jackson, and the following members of GMP's Review Team: Detective Inspector Debbie Conlon-Houldershaw, Mr Mark Crowley, Mr Robert Ashton and Mr David Pinder. Other military personnel were in attendance, alongside the civilian PIP 4 advisor attached to the NCA, Detective Superintendent Paul Williamson.
51. At this point in time, GMP personnel engaged on the review had a combined police experience of over 170 years, much of it investigating serious crime or reviewing serious crime investigations. As GMP's Force Review Officer, I led the Review Team and formally approved virtually all written advice or recommendations to the RMP, at

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times in consultation with Detective Chief Superintendent Russ Jackson. Members of my team carried out much of the initial research and drafting of reports and I held regular meetings with them to discuss progress on particular issues or strands within the review, but ultimately, as the lead reviewer, I had editorial control on all reports submitted to the RMP and the final say on all recommendations.

52. As with any review, the acceptance of advice or recommendations is for the appropriate decision maker within an investigation to accept, or challenge, with a recorded rationale for non-acceptance. An appendix, (exhibited at paragraph 84 in this statement) shows the status of the responses to the various recommendations I made. I had no expectation as to whether any particular advice or recommendation would be accepted or otherwise but given that the review was conducted in good faith, to assist the investigation team and in recognition of the critical importance of Operation Northmoor, my expectation was that all such advice and recommendations would be carefully considered and, in the interests of transparency and integrity, addressed by way of a clear audit trail.
53. I do consider that GMP's Review Team achieved what we set out to achieve, namely to provide guidance on specific issues and to offer high-level strategic advice. For the most part, the advice and recommendations were well received and acted upon, at least by the SIOs, OIOC and Gold (Lt Col McAllister). Any failure to fulfil the strategic aims of Operation Northmoor cannot be laid at the door of these individuals.
54. I consider that the RMP supported GMP's Review Team, (at least until late 2016, early 2017). I cannot make any firm, evidenced judgement on support provided by the wider Armed Forces or MOD, but my overriding impression was that the RMP was not adequately supported by others, particularly in resourcing, accommodation and gaining access to crucial evidence.
55. At the initial meeting with the SIO, I was provided with a briefing pack entitled Operation NORTHMOOR SIB Regt RMP **[RMP-221-0007114-A]**. Captain Wright's Policy Decision 36 makes reference to this meeting and outlines in brief the generic ToR for the review.

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56. The methodology employed in carrying out the review included undertaking the following (non-exhaustive) list of tasks:
- Reading written material supplied by email and in face-to-face meetings with the RMP, including the SIO's investigative plan and recommendations, the SIO's Policy Decision Logs, 'Gold Meeting Points' (effectively agenda items to be covered), Records of Decisions made by RMP personnel, Minutes of Gold and OIOC Management Meetings, PIP 4 reports, iterations of Terms of Reference for various roles.
 - Accessing and auditing the HOLMES account remotely on a read only basis, via a RMP supplied secure laptop. (The Holmes audit of 19th August 2014 can be seen in the GMP policy/log of events).
 - In-person attendance at Gold Meetings.
 - Regular Review Team meetings.
 - Telephone consultation, in particular with Captain Wright and Paul Williamson.
 - The review of individual complaints and where appropriate the ratification of the decision of a case review panel.
 - Providing appropriate civilian police national guidance on relevant issues (e.g. Guidance on the Role, function and Governance of Independent Advisory Groups).
 - Responding to specific additional requests, e.g. advising on a perceived conflict of interest in the appointment of a senior officer.
 - Formulating written advice and recommendations and submitting these to RMP via email and in report form.
57. During the course of my review, I acquired a substantial amount of material, in both electronic and paper format. Whilst the material was reasonably detailed where the [Classification] would be deemed 'Limited classification', I do not recall any 'higher' material being supplied for inspection or retention and in the event that 'higher' material was discussed, I do not recall at this point the level of detail supplied, save for the impression I had that in some circumstances, the information revealed to me was scant. Furthermore, I was left with the feeling that Mr Williamson was privy to more fulsome detail where 'higher' material was concerned.

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58. I will make all retained material available to the Inquiry, although having accessed some electronic folders, some files appear to be corrupted or unavailable. In these circumstances I have been able to retrieve some documents supplied to the RMP via my 'sent' email account.
59. The full remit and methodology of GMP's Review Team is effectively captured in a 78-page document, which is essentially the 'policy log' or 'record of events' [Exhibit MB16 as referred to above] covering the first 17 months of the Review Team's activity up to 10th September 2015. Up to this point, I would estimate that I had devoted approximately two days per week to supervising the work of the Review Team. Team members had been working on the review almost full time for the first few months, and thereafter as and when required, with individual members spending as little as one or two days a week on the review from late 2014 onwards. Consequently, over time the hours I spent on the review also diminished, perhaps to the equivalent of one day a week. From September 2015 onwards, my Review Team colleagues' involvement in the review process tapered off further, leaving me to carry out most of the work thereafter mainly through attendance at Gold Group meetings until 27th February 2017.
60. As noted in the Policy-Log of events, [Exhibit MB16], I personally travelled to meet Operation Northmoor personnel on 26th June 2014 (initial briefing). Further, I have recorded in my Casebook that I attended on 11th August 2014 ('Strategic planning'/Gold meeting, page 13 & 14), 29th August 2014 (Gold Meeting, pages 16-18), 18th December 2014 (Gold meeting, pages 18-22), 10th March 2015 (SIOs update meeting, pages 23-27), 8th September 2015 (Gold Meeting **RMP-221-0007115-A**), 13th October 2015 (Gold Meeting, pages 31-34 of my Casebook), 16th November 2015 (review of decisions from Case Review Panel, pages 35-38 *ibid*), 17th November 2015 (Gold meeting, pages 39-44 *ibid*), 6th June 2016 (Gold meeting, pages 44-47 *ibid*), 31st October 2016 (Gold meeting, pages 48-50 *ibid*) and 27th February 2017 (Gold meeting, pages 51-52 *ibid*).
61. An in-person meeting between Operation Northmoor personnel and members of my team to discuss discrete Holmes issues also took place on 16th and 17th July 2014.

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62. In addition, meetings with Operation Northmoor personnel took place via video conference on the following dates: 27th August 2014 (conflict of interest re Waterworth/Neal), 29th August 2014 (Review Team and SIOs update meeting), 6th November 2014 (Command/Gold meeting) and 19th June 2015 (Case Review Panel and update meeting).
63. Formal meetings with members of my Review Team were held on the following dates: 27th June 2014, 10th July 2014, 21st July 2014, 23rd July 2014, 29th July 2014, 12th August 2014, 18th September 2014. This was in addition to informal almost daily oral updates on progress with the review.
64. I also met with the Director of IHAT operations, Mr Mark Warwick on 11th March 2015. I left this meeting with the impression that IHAT had tried and tested processes and a model to investigate historic allegations within a military setting.

Questions 25-30

65. My understanding is that the team structure within Operation Northmoor evolved as the investigation progressed over time. In March 2014 the Provost Marshal Brigadier Warren recognised the critical importance of the investigation and appointed himself as Gold Commander, his Deputy as Silver Commander and the Commanding Officer of RMP as Bronze Commander. I believe this was a sound decision - the appointments were made at the appropriate level of seniority, and it would have better served the investigation had the later appointments remained at this level.
66. By 10th September 2014, the Command structure had changed, with Lt Col McAllister appointed as Gold Commander, Major Ward as OIOC/Silver Commander and a tactical Bronze Commander to be appointed by the OIOC. In his 'Command and Control' note of that date **[RMP-221-0007116-A]**, the Provost Marshal outlined in some detail the role and function of the appointees, plus that of the Commanding Officer of SIB. The role of Lt Col McAllister included chairing the 'Strategic Management Group', which I understood to be the Gold Group.

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67. I believe that Captain Jason Wright was initially the sole SIO, but as the investigation developed, responsibility for three discrete strands (the nature of which also developed over time) eventually led to the following structure:
- SIO Team 1 Captain Wright - investigating allegations of unlawful killing.
 - SIO Team 2 Warrant Officer Hayes - witness interviews and systemic issues relating to allegations of degrading treatment in UK detention facilities.
 - SIO Team 3 Captain Robbins - evidence harvesting from Afghanistan, intelligence, research and MIR.
 - OIOC Major Gary Ward (although not a full-time role, at least until September 2015). I had not offered any advice as to how this structure should be established, but rather was presented with it as a fait accompli, as noted in my email to Lt Col McAllister on 31st July 2014 **[RMP-221-0007117-A]**.
68. I wrote the email referring to 'Key Review Milestones' (Exhibit MB15) and sent it to Lt Col John McAllister (referred to at Q45 of my Rule 9 request). The email was actually sent on 7th July 2016 **[RMP-221-0007118-A]**, although the attachment which contained the 'Key Review Milestones' is dated 6th July 2016 [Exhibit MB15, referred to above]. Lt Col McAllister acknowledged receipt of the email on 7th July 2016, indicating that he was going on leave that day and had delegated a response to his Deputy, Tina Stitson.
69. The email addressed concerns Chief Superintendent Jackson and I had about GMP's ToR, the apparent lack of progress of Operation Northmoor and set out the following specific issues:
- The role of Gold and the inherent risks in this role collapsing into an OIOC or SIO decision making role;*
- Continuity of staff, particularly at Gold and OIOC level;*
- The critical role of the Team 1 SIO, (enduring continuity and appropriately experienced) leading a Cat A + plus murder with huge national security implications and organisational risk;*
- Support to Team 1 SIO (PIP 4 and/or bespoke review);*
- Regularity and structured agenda of fully minuted Gold Meetings;*

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Clearly defined terms of reference for each senior role and each strand of the overall Operation;

Decision making of Team 1 SIO in relation to declaration of suspect status and rationale for allowing 'suspect' to remain operational, apparently without full appreciation of attendant risk in not notifying appropriate higher authorities;

Potential for independent panel to assess risk attached to minor complaints (and disposal thereof); and

HOLMES set up – trained but inexperienced staff; not co-located with SIOs.

70. By 20th September 2016 I had not received a response to this email (as I noted in an email to Paul Williamson [RMP-221-0007119-A] but was aware that Lt Col McAllister was due to retire in September 2016, following a handover to Lt Col John Harvey, scheduled for some time in August 2016.
71. On 22nd November 2016, I received an email from Lt Col Harvey responding to the areas of concern [RMP-221-0007120-A]. Whilst Lt Col Harvey responded to each of the issues raised, it became apparent that the influence GMP would have on the strategic decisions being taken by Gold were lessening.
72. Thereafter, a Gold Meeting took place on 13th December 2016 [RMP-221-0007121-A]. I was unable to attend this meeting, but I received a copy of the minutes of the meeting on 12th January 2017. The minutes indicated that major changes to the Operation Northmoor SIO cadre were to take place in the near future. In terms of the ToR, Brigadier Neal decided to remove the 'systemic issues' item from the ToR at that point but ultimately signed off completely new ToR for the IRT.
73. It is possible that my original email of 7th July 2016 may have been one of the factors which influenced the events which led to Brigadier Neal appointing the IRT and my removal from the investigation.
74. Whilst allowing for differences between the military and civilian police context, I had been concerned for some time that the roles of Gold and OIOC had become blurred and confusing. I would have expected the Gold Commander, as strategic lead, to have been either the Provost Marshal (initially Brigadier Warren at the

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commencement of Operation Northmoor) or his Deputy (Colonel Cairns in March 2014) throughout. Instead, the Chair of the Gold Group, Brigadier Neal, had issued revised ToR for the Gold Commander, Lt Col Harvey, on 18th November 2016 **[RMP-221-0007122-A]**. In essence, the Gold Commander became subservient to the Provost Marshal, who chaired subsequent Gold Group meetings and Lt Col Harvey could have little or no practical influence in matters such as budget, resourcing, accommodation or other requirements of the investigation.

Questions 43, 22 and 108

75. I am asked to consider whether there was any potential for a conflict of interest which could have impacted upon the RMP's ability to investigate impartially or objectively. On 27th August 2014, Lt Col McAllister sent me two emails relating to Lt Col Waterworth and Colonel (at that time) David Neal, a married couple **[RMP-221-0007123-A]**. The advice provided to the RMP during a video conference chaired by Brigadier Warren the following day, is outlined at pages 42 to 47 of GMP's policy-log of events (Exhibit MB16). I do not disagree with the decision Brigadier Warren took in relation to this potential conflict of interest, as it seemed that appropriate mitigation was implemented throughout the course of Lt Col Waterworth's tenure as C.O. of the RMP SIB regiment.
76. However, I am unaware of any 'conflict of interest' considerations being raised or recorded as to the later appointment, in October 2016 I believe, of Brigadier (formerly Colonel) David Neal as Provost Marshal following the retirement of Brigadier Warren. Given that Brigadier Neal had been Deputy to Brigadier Warren, I can understand why this could be seen as a natural progression. However, given his role from 2012 to 2015 with responsibility for the assurance and inspection of the United Kingdom's detention facilities across the world, including in Afghanistan (which included the period Operation Northmoor was investigating) I was concerned that the potential for a perceived conflict of interest had not, as far as I am aware, been the subject of a formally recorded consideration within a policy log.
77. The potential conflict had been raised in the context of the Waterworth/Neal debate by Brigadier Warren during the initial 'conflict of interest' considerations, set out as

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follows in his email of 27th August 2014 to Andrew Caley, SCS SPA-HQ-DSP: *'I would imagine employing such mitigations as formally recusing Neal from any knowledge or conduct of the investigation'*.

78. I did not have any input on the appointment of any personnel (other than Lt Col Waterworth), nor was I asked for such input. I would not ordinarily have expected this when conducting a review within an organisation other than GMP. I recognise that in this case, senior Army and/or MOD personnel have this responsibility and accountability. Likewise, I recognise that in certain circumstances, compromise or mitigation and the lack of suitable alternatives, may lead to a proper yet 'least-worst' option being chosen.
79. My observations on this issue are proffered with the benefit of hindsight, and I mean no criticism of Brigadier Neal's experience or qualities. Furthermore, I am unaware of any potential conflict of interest relating to the most serious strand of Operation Northmoor, namely in respect of investigating **UKSF**. However, given the totality of the investigation and how it proceeded from February 2017 onwards, in particular the decision to wind down Team 2 activities by June/July 2017, and taking account of the continuing importance of the Operation Northmoor investigation to the reputation of the RMP, Army, MOD and UK Government, I remain unclear as to whether the potential for this perceived conflict of interest at such a senior level is recorded in the minutes of any meeting as was envisaged within the following Operation Northmoor policy document.
80. The Operation Northmoor 'Conflict of Interest' policy of 24th September 2015 [**RMP-221-0007125-A**], authored by the Gold Commander Lt Col McAllister begins with the opening paragraph:

'It is considered prudent to identify, define and detail the issues relating to conflict of interest within Op NORTHMOOR as there is a public expectation and a legal duty to ensure that all investigations are impartial and free from any interference; whether this is from the military chain of command or elsewhere'.
81. At paragraph 15, the policy notes how conflicts of interest would be managed:

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'On notification of assignment to or employment within Op NORTHMOOR all staff will be asked to declare any relevant interests. Upon assumption of appointment, a formal declaration of interests should again be made and recorded in the Op NORTHMOOR Register of Interests held by the OC'.

82. The 'Record of Decisions' document from the Gold Meeting of 13th December 2016 (Exhibit MB25) (which I was unable to attend) notes at item 2 that 'systemic issues' were to be removed from the Operation Northmoor ToR. This document goes onto record that Brigadier Neal 'explained the background and previous issues in that PM(A) is head of the RMP (investigating unit) and MPS (the investigated unit)'. This document is not sufficiently detailed for me to make a judgement as to whether the potential for a conflict of interest was declared at this point, as required by the Conflict of Interest policy, paragraph 15(b): *'Declarations of interest should be recorded in minutes of meetings'*.

Questions 30-37 and 47-53

83. On 11th August 2014, referred to at paragraph 60 above, I attended a strategic planning meeting with members of the RMP. At this meeting I was asked by (the then) Major Harvey, deputising for the Gold Commander, Lt Col McAllister, to undertake a review of the 'strategic structure and management processes' currently in place for Operation Northmoor (pages 13-14 of my Casebook, Exhibit MB08). I forwarded my review report to Lt Col McAllister and Captain Wright on 18th August 2014 [**RMP-221-0007126-A**]. The report focused on the following areas, outlining recommendations or information requests under each subject heading: Gold Support Group; PIP4/NCA Advisor; OIOC; Media; Resource Management; Engagement with partners, Community Impact Assessment; Independent Panel; Leigh Day/DOT complainants.
84. Whilst recognising that Operation Northmoor was still in its relative infancy, each of the recommendations sought to add value and provide guidance towards achieving a clear and accountable leadership structure. Lt Col McAllister acknowledged receipt of the email the following day, indicating that Captain Wright would provide a response to the recommendations [**RMP-221-0007127-A**]. His email implied that

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Major Ward and Captain Robbins may also have had access to my report, although this was not made clear. On 8th October 2014 Lt Col McAllister sent me an email indicating Captain Wright was acting on the recommendations and that the responses would be audited **[RMP-221-0007136-A]**. On 22nd October 2014, Major Ward sent me an email with a spreadsheet attachment, setting out the responses to the recommendations and requests for information **[RMP-221-0007128-A]**.

85. As indicated earlier in this statement, I do not believe the strategic leadership structure was pitched at the appropriate level. That is not to say Lt Col McAllister did not perform well in his role but given that from September 2014 as Gold Commander he was subordinate to the Commanding Officer of SIB and the Provost Marshal and his Deputy, I consider that his reach and influence would have been somewhat curtailed by virtue of his rank.
86. I am asked to consider whether persons occupying leadership roles performed their role to an adequate standard. This is difficult given the passage of time and the fact that the personnel occupying those roles changed at various times over the course of my attachment to Operation Northmoor. In some cases, I had very limited interaction with them to enable me to make a judgement as to their effectiveness. I would only single out Captain Wright, Lt Col McAllister and Lt Col Harvey as being competent individuals, performing their appointed roles to a good standard, especially given the sometimes challenging nature of their position. I am not in a position to provide any rationale as to the appointment of any individual to any leadership role, as I had no involvement in this process.
87. In relation to the question of leadership roles and responsibilities, I would make a number of observations. On 17th September 2014 Captain Wright sent me the document entitled Op Northmoor – Command and Control, dated 10th September 2014 **[RMP-221-0007129-A & RMP-221-0007130-A]**. This document, together with issues discussed at the Northmoor Gold meeting of 29th August 2014 (Exhibit MB08, pages 16-18) raised a number of questions for my review, which prompted the Review Team report relating to 'Command and Control' which I sent to Lt Col McAllister and Captain Wright on 8th October 2014 (Exhibit MB32 above). Within this report I sought clarification as to whether the Gold Group and the Strategic

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Management Group was the same entity. I also sought clarification as to Lt Col Waterworth's role, given that Brigadier Warren had directed that she take an active role in Northmoor including 'participation in the Strategic Management Group' (paragraph 7 of the 10th September 2014 document). Whilst the email responding to those recommendations and requests for information dated 22nd October 2014 (Exhibit MB33) addressed the majority of the points raised in my report, it did not address the 'conflict of interest' question raised with regard to Lt Col Waterworth.

88. Almost two years later, I sent an email to Lt Col McAllister on 7th July 2016, entitled 'Current Issues' [**RMP-221-0007131-A**], raising the following concerns: 'The role of Gold and the risks in this role collapsing into an OIOC or SIO decision making role'; 'Regularity and structured agenda of fully minuted Gold meetings'; 'Clearly defined terms of reference for each senior role'.
89. I have therefore concluded that whilst some roles and responsibilities were clearly defined in theory, in practice I believe the potential for blurring of roles, in part through the strict military rank structure, in particular the level of seniority at which the Gold Commander stood, hindered the progression of the investigation, (even allowing for the operating environment of Afghanistan) as evidenced by the slow progress in achieving the tactical objectives of the individual SIOs up to this point in time (July 2016).

Questions 38-43 and 46

90. I have been asked if I had any 'specific concerns' as to a number of individuals listed at question 38. I do not recognise a number of these names and in any case cannot recall having any specific concern and therefore had no necessity to raise any issue. In relation to the experience of the investigators, I did not question in any depth their experience, qualifications or training for their role. I did however advise that the success of Operation Northmoor would depend on having sufficient skilled investigators to meet the challenges of the investigation.
91. I recall that Captain Wright had attended a SIO development course, but I was not aware of his lack of experience in the role he had been assigned, namely leading a

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'Category A+' investigation, the most serious and high profile category of investigations. That said, the appointment of the NCA advisor and myself, both PIP 4 qualified experienced investigators, provided him, in my view, with the necessary mentorship and support, given the apparent absence of another suitably qualified and experienced RMP SIO.

92. I was aware that Major Ward had never previously acted as OIOC in an investigation, and that he had only had involvement in 'Category C' investigations (relatively simple investigations where the identity of a suspect is known from the outset and sufficient evidence to charge is immediately available). On the face of it, he was not qualified to perform the role of OIOC; his appointment may have been due to limited resources. Even with appropriate support, I believe he would have found this role challenging.
93. I cannot assist in assessing the experience of any other investigator and I am not aware of any other investigator having been trained either as a PIP 2, PIP 3 or PIP 4 investigator. That is not to say that the investigators had not been trained in a military setting to a similar level of competence as a civilian police investigator, as I am aware that in 2013/14 it would have been fairly unusual for military police officers to have attended a PIP course at any level. In an ideal situation, it would have been preferable to have had an experienced military PIP 4 investigator appointed to that role, with the NCA advisor and myself providing additional independent support and advice.
94. I am unaware of any potential conflict of interest for any person within the RMP tasked with investigating **UKSF**.
95. I was and remain of the view that given adequate resources, supported by experienced independent elements providing advice and mentorship, with the backing of senior personnel at the highest level within the Army and the Ministry of Defence, the RMP would have been capable of carrying out the Operation Northmoor investigation as first envisaged in March 2014. I have formed this opinion from my experiences of civilian police murder investigations, where the required support to an investigation has been forthcoming, albeit there may have been initial shortcomings in some roles.

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Questions 54-67

96. I am asked to consider where responsibility for personnel resourcing lay. In my view, it is a given that this would be the role of the Gold Commander in a civilian police investigation. In Operation Northmoor I am of the view that, once the role of Gold had been transferred from the Provost Marshal to Lt Col McAllister, the latter was unable by virtue of his lack of seniority and influence to fulfil this responsibility.
97. In terms of the adequacy of personnel I consider that as the investigation became focused and the different investigation team responsibilities and lines of enquiry developed, the provision of approximately 160 personnel was adequate to resource the investigation. That is not to say that an uplift in personnel or earlier co-location would not have been welcome. In terms of advice given to Operation Northmoor, my contribution was to recommend focusing what resources they did have on the most serious allegations, to obtain evidence promptly. As IT, facilities, more personnel and infrastructure became available, opportunities to develop lines of enquiry into less serious allegations could progress. I did not give further specific advice on these issues, other than to make representations at the appropriate level, given the inherent reputational risks.
98. Almost three years into the Operation Northmoor investigation, it can be seen from the memo of 16th November 2016 **[RMP-221-0007132-A]**, sent by Lt Col Parke-Robinson (CO SIB) to PM(A) amongst others, that recruitment of 'suitably qualified and experienced personnel is the highest priority for CO SIB' (item 1). Key appointments within Operation Northmoor are 'either gapped or filled with individuals who do not have the KSE for the role . . . exposing NM and PM(A) to significant investigative and reputational risk' (item 4). Nonetheless 'manning decisions . . . are outside the gift of CO SIB' (item 9). Lt Col Parke-Robinson's observations conclude that the responsibility for personnel resourcing lay much higher up the chain of command, a view with which I concur.
99. However, aside from any resourcing issue, in my view the fundamental concern which had the potential to undermine the investigation was not necessarily related to the number of investigators or their levels of skill and experience, but rather the obstacles

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to obtaining evidence in a timely manner, or indeed at all. In particular I would highlight the inability to secure crucial evidence from [UKSF]. I do not consider the failure to overcome such challenges to be the responsibility of the SIOs or nominated Gold Commander at the point I left the investigation.

100. In a similar vein to personnel resourcing, I consider that the responsibility for IT resourcing and the provision of a Forensic Data Handling Capability lay at least at the level of Provost Marshal. Given that I left Operation Northmoor before its conclusion and that I am unaware as to whether, how or why lines of enquiry and investigative strands were closed or concluded, I am unable to comment on how any shortcomings in this area impacted upon Operation Northmoor.
101. As previously indicated, my Review Team had remote read-only access to HOLMES on a laptop provided by the RMP. A HOLMES specialist within my team conducted a HOLMES audit on 19th August 2014, the results of which can be seen on our policy/log of events. It was noted even at that stage that *'a lack of investigative resources and the need to collate data relating to the Op Northmoor investigation has impacted on the ability of the SIO to progress many of the tactical aspects of the investigation. The number of actions raised to date is significant and gives an indication of the volume of actions likely to be generated as Op Northmoor gains momentum. The prioritisation of actions will be a key factor for the SIO to consider as the investigation progresses.'* No [material of a certain classification] could be read, and some documents had been scanned as pdfs rather than typed on, making them difficult to search.
102. Additional oral advice in relation to the use of HOLMES had been given to Captain Robbins on 16th and 17th July 2014. I am aware that those RMP staff using HOLMES were trained, but I recall being informed that there was a relative lack of experience and skill level in its use.
103. I have previously commented on the location of facilities on Operation Northmoor. I consider that a priority for the investigation should have been co-location of all personnel and the MIR at the outset, with the appropriate level of security to enable transfer and receipt of [highly sensitive material] material. The lack of

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secure facilities at Campion Lines undoubtedly allowed evidence which should have been made available to investigators to be withheld by those in possession of it during my period of attachment. This clearly had an impact upon the investigation, in particular in relation to resolving the most serious of allegations. However, given that it is my understanding that significant evidence was never made available, I suggest it would be unreasonable to attribute any blame in this regard to the SIO or OIOC. I did not visit St Mawgan and cannot comment on the adequacy of facilities at that location.

Questions 68-69

104. During my tenure attached to Operation Northmoor, I was not sufficiently embedded within the various teams to comment on the culture or morale or whether either affected the effectiveness of Operation Northmoor. The only observation I would make is that Captain Wright seemed frustrated by the barriers to progressing his investigation, although this did not affect his determination to work with enthusiasm to progress his lines of enquiry.

Questions 70-76

105. I am aware that other advisors engaged with Operation Northmoor. Detective Superintendent Paul Williamson was attached to the National Crime Agency from his own Home Office Police Force. He was a NCA Regional Advisor and PIP 4 accredited senior investigating officer assigned to support Captain Wright. He was appointed following a request by Lt Col McAllister to the Homicide Working Group on 24th March 2014. I consider this appointment was good practice and that Mr Williamson was an experienced SIO with the relevant qualifications to add value to Operation Northmoor in his appointed role. He also had access to colleagues at the NCA who were specialists in their own right, so for instance I am aware that the National Interview Advisor, Gary Shaw (amongst other subject matter experts) had input into Operation Northmoor through Mr Williamson. My understanding is that Mr Williamson's attachment to Operation Northmoor took up a great deal of his time throughout his tenure. The information contained within his Regional Advisor Reports certainly indicates that.

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106. From my dealings with Mr Williamson throughout my tenure as review officer, I considered him to be an ideal mentor and PIP 4 advisor to Captain Wright, eminently capable and sufficiently embedded within the investigation to provide reasoned and sound advice. He prepared a number of 'Regional Adviser Reports', each of which I had access to. I consider these were thorough and thoughtful documents which greatly assisted the decision making of Captain Wright. It is difficult to provide an objective assessment of the impact Mr Williamson had on the investigation, but I consider that his contributions were supportive and positive and that he worked well with Captain Wright and indeed with myself. I did not work with any other external advisor.
107. I cannot assist the Inquiry as to the rationale for the appointment of the Independent Review Team or the Operational Offending Team to Operation Northmoor. I do consider it good practice that an Independent Advisory Group was established, but I have no information as to how individual members came to be appointed. Given the purpose (*'to challenge strategic thinking'*) and the outcome of the Gold Meeting of 23rd February 2017, following the closed meeting with IAG members Sir Jon Murphy and Mark Ellison KC (alongside Brigadier Neal and Mr Peter Ryan of DJEP), the same morning, my assessment is that it is entirely reasonable to conclude the IAG members and/or the DJEP representative had some degree of influence in the decisions taken by Brigadier Neal as to the strategic direction of the investigation. I note Mr Ryan is shown on the agenda as the 'Lead' for this pre-meeting, whereas Brigadier Neal was the 'Lead' for the open meeting.
108. I consider the appointment of external advisors to have been an important prerequisite for an investigation of the scale and importance of Operation Northmoor. I believe the work of a Review Team, PIP 4 advisor and IAG can considerably enhance the robustness and integrity of an investigation of this nature, whilst promoting public confidence through objective and independent advice. In my view, transparency and audit trails are key elements when offering advice or recommendations, being mindful that any such advice or report could enter the public domain through a Freedom of Information request, coronial or criminal proceedings or in the context of a Judicial Review or Public Inquiry. Other than the detail contained

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within Mr Williamson's reports, I have no knowledge of the nature or adequacy of the work of any other external advisor, nor whether they contributed effectively to the investigation.

109. I had no meaningful interaction with any external advisor, other than Mr Williamson. Aside from Sir Jon Murphy, who I knew to be a highly respected and experienced former Chief Constable, I had no knowledge of the experience or expertise of any other external advisor, nor of the length of their tenure in their advisory role.
110. I have previously recorded my relationship and dealings with Russ Jackson and Paul Williamson. I had no direct dealings with Philip Jones, Cliff Evans, Sir Jon Murphy, Mark Ellison, Stephen Kell, Francis Davis, Andrew Cayley or Peter Ryan, aside from being present at meeting(s) alongside them. Where specific questions within my Rule 9 request relate to these individuals, I will answer the issues at hand. I cannot recall having any specific concerns about any of these individuals.
111. I am unsure of the strategic role played by the Director of Service Prosecutions (DSP) or Service Prosecuting Authority (SPA). I did not give any advice as to the role of the SPA other than that I agreed with the proposal that a member of the SPA should be appointed as a member of the Case Review Panel.
112. My only comment as to the influence the DSP/SPA may have had on the strategic direction on the investigation relates to their presence at the closed Gold pre-meeting of 23rd February 2017, which I shall address later in this statement.
113. Other than [REDACTED] details of an RMP investigation into allegations of mistreatment and/or murder not involving UKSF [REDACTED], I have not had sight of any other SPA documentation.

Questions 77-81

114. I did not have any dealings with [REDACTED] UKSF. I was not privy to the nature of the relationship between RMP and [REDACTED] UKSF, other than that I was aware of investigators' frustrations in accessing potential evidence. I am not aware of 'undue deference' being shown

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towards [UKSF]. I recollect that the issue of obtaining a warrant or a production order to obtain evidence in the event of non-cooperation was discussed, but do not believe such a proposition came to fruition. I was not aware of sensitive information being communicated by RMP or any other party to [UKSF].

Questions 81-84

115. I did not give advice on a [UKSF] protocol. I do not recall being aware of such a protocol, nor advising on dealing with [UKSF] more generally. Consequently, I cannot comment on the protocol, nor whether it was an appropriate mechanism for liaison between RMP and [UKSF].

Questions 85-93

116. The two reports I forwarded to Lt Col McAllister ('Review of strategic structure and management processes' and 'Report in relation to Command and Control issues') deal with the advice I gave in relation to the strategic direction of Operation Northmoor. In addition, my email of 7th July 2016 to Lt Col McAllister to which Lt Col Harvey responded on 22nd November 2016, recorded the concerns Russ Jackson and I had as to its direction at that time. I consider that the level of influence the two reports had was appropriate in that they were well received and acted upon accordingly. In contrast, it became clear from Lt Col Harvey's response to my 7th July 2016 email that any influence GMP would have on the strategic direction of Operation Northmoor going forward would be severely curtailed. It was from this point onwards that the strategic direction changed, leading to the decisions taken by Brigadier Neal at the Gold meeting of 23rd February 2017. I do not seek to suggest that any decision taken was not taken at the appropriate level of governance. I reiterate that in matters of strategic direction, the decision-maker should have the rank of Provost Marshal.
117. Up to the end of 2016, I believe both myself and Mr Williamson made a positive contribution to the strategic direction of the investigation. My impression is that thereafter, the direction of the investigation was influenced more by the advice and direction provided by the IRT and the IAG members. With the caveat that I have not seen a closing report or rationale for concluding each of the strands of Operation

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Northmoor, it does appear that the investigation was closed prematurely, before all lines of enquiry had been robustly pursued. That question is for this Inquiry to determine, but if my conclusion is correct, there is no doubt in my mind that the influence of the advice provided by the IRT and IAG members cannot be considered to have been appropriate, if the decisions taken by the Provost Marshal from 2017 onwards were founded purely on that advice.

118. Gold Group meetings (initially named 'Strategic Command' meetings) were held as and when deemed necessary by the Gold Commander. Whilst there were opportunities for more frequent and regular meetings, since the investigation was making slow progress, I can understand it may not have been considered necessary to have a meeting for its own sake. Given that Lt Col McAllister was Gold Commander and much closer to the investigation than the Provost Marshal or Deputy Provost Marshal, (the normal level of Gold Command for an investigation of this nature), he would have been better informed as to 'the state of play' of Operation Northmoor than would have been usual for a Gold Commander. That said, I would have expected more regular and fully minuted Gold meetings for an investigation of this scale, than actually took place.
119. The purpose of the Gold meetings was, in general terms, to deliver updates on the various strands of the investigation. On occasion, the 'purpose' was formally recorded, for instance the meeting of 6th June 2016 **[RMP-221-0007134-A]** noted eleven bullet points for consideration, including 'identifying risks, considering resource requirements, identifying learning and overseeing, advising and if necessary, directing the investigation'. I consider that these aims were fit for purpose. Subsequent to the meetings, there usually followed a 'record of decisions' paper sent out to all attendees. In effect, these were a summary of what could have been more extensive meeting minutes.
120. By contrast, the single formalised purpose of the meeting of 23rd February 2017 was 'to provide a forum for considering key operational issues and to challenge strategic thinking.'

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121. I did not usually receive information from the RMP in advance of a Gold meeting, but Mr Williamson's Regional Advisor Reports provided me with useful information as to significant developments. Aside from the meeting of 23rd February 2017, I consider that I was given sufficient opportunity to contribute to strategic decisions at Gold meetings, even if I may not have totally agreed with every decision.
122. With regard to the meeting of 23rd February 2017, it was apparent that all strategic decisions had been taken in advance of the open meeting and I do not recall there having been any opportunity for discussion or debate.
123. I have noted above my attendance at other meetings, for instance the Waterworth/Neal video conference meeting and the SIOs update meetings, the purpose of which was self-evident.
124. In relation to lines of enquiry, I can only recall in general terms what advice I gave, namely to prioritise all allegations and apply appropriate methodology according to the seriousness of the allegation. I cannot comment on whether the RMP adequately investigated all relevant lines of enquiry as I have not seen the rationale for the conclusion of the vast majority of their investigations, nor a closing report.
125. I am unclear as to the question (91b) which invites me to consider 'whether there was evidence to support any of the conclusions outlined in Operation Northmoor's TOR'. By the very nature of ToR they define what is to follow rather than make any conclusions at the outset. It would be helpful to understand which ToR are being referred to in this question and which conclusions.
126. The only advice I recall giving in relation to identifying and locating scoped witnesses was to seek the prompt assistance of Leigh Day, who did not seem to respond with any degree of urgency.
127. I did not give any specific advice in relation to locating and interviewing witnesses to the allegations of extra judicial killing. My only advice was that as these were the most serious of allegations, the investigation into them should be meticulous, transparent and robust.

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128. I have no information to assist with the question of how interviews were assigned nor any recollection of interviewers' expertise or experience. As I have noted, expert advice would have been available from NCA subject matter experts, had it been requested.

Questions 94-100

129. As my involvement in Operation Northmoor concluded in February 2017, I have no knowledge of a decision made in March 2017 to restrict interviews in Afghanistan to Saifullah and Obj 3. For the same reason, I have no knowledge of the decision not to interview Saifullah until September 2017. Similarly, I do not know why witness statements were not taken from UKSF on Obj 2, Obj 3 and Obj Tyburn until late 2017 onwards.
130. In relation to questions 97 to 100, I do not recall being made aware of a UKSF disclosure officer, their role or presence in interviews conducted by Operation Northmoor and therefore cannot comment further.

Questions 101-103

131. I consider that the obtaining of relevant data, including digital and video evidence from UKSF was essential if the most serious allegations being investigated by Captain Wright were to be successfully concluded – whatever the outcome might be. I advised that Captain Wright should make every effort to capture this evidence. As a civilian investigator, I have been frustrated in my efforts to seize evidence, as Captain Wright was in Operation Northmoor. In the context of a civilian police investigation, it is sometimes necessary for independent Counsel or a District Judge to examine sensitive material to assess its relevance to a criminal investigation, before potential release to the police. In the context of Operation Northmoor, it appeared that the main stumbling block was the unavailability within the RMP estate of secure transport and storage facilities for classified material. With the caveat that I am not used to requesting and handling classified material on a regular basis, I remain unconvinced that the resources

available to the Ministry of Defence could not have facilitated the seizure and retention of this material from UKSF, prior to handover to the RMP.

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[REDACTED]

132. Captain Wright was denied the opportunity to apply for a production order or warrant to seize this material. I can understand that it is feasible that neither would have been granted in any case. Nonetheless on the information available to me at the time, I believed

[REDACTED] that it should have been possible to implement an interim solution. I remain unaware as to what if any such

[REDACTED] material has been retained by other departments.

133. I was not asked to advise on what enquiries should be carried out in respect of forensic analysis of images in relation to allegations of dropped weapons. I am not aware of what enquiries were carried out. If I had been asked to advise, I would have consulted forensic colleagues within GMP and NABIS (National Ballistics Intelligence Service). I am unaware of what enquiries were carried out in respect of forensic analysis of images taken on DDOs (including EKIA).

Question 104

134. I did not give any advice in relation to the declaration of [REDACTED] *N1141 and N1201 as suspects. I was informed of the decisions to declare each as a suspect after they had been taken. I did not have access to any relevant material and so could not have advised as to whether suspect status was preferable to significant witness status in each case.

Question 105 (Closed)

135. I am asked about the advice I gave on the rationale to deploy covert [REDACTED] policing techniques. I was informally asked by Captain Jason Wright in the Gold meeting of 6 June 2016 for a view on covert [REDACTED] policing techniques. I do not recall if it related to specific techniques, such as [REDACTED] outlines covert policing tactics, but I think it must have been both. My advice, which was very high-level given that I did not have access to all the material, was that an application would be necessary if they wanted to go down this route.

[REDACTED] *This corrects ciphers previously included in error.

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136. I have also been asked to consider whether the decision to use covert **policing** policy came at the expense of an overt investigation policy; I was aware that covert **policing** methods were being considered by Captain Wright as part of his investigation strategy. I do not think that this would have been at the expense of overt measures being taken. Both policies can be complementary.
137. In terms of my role this, as mentioned, I did not have access to any written material. I was briefed by Captain Wright on his intentions and rationale for making an application. Other than an informal view given at a high level, as stated in my response to Question 105(a), I did not play a significant role in any decision-making in relation to this policy.
138. In response to question 105(d), I confirm I did not review any material, and I am not aware of what information or documents Captain Wright had access to and/or reviewed.
139. I would have preferred to have had sight of original material, but I was not involved in decision making. I did become aware that Captain Wright was not permitted to make an application to pursue this route and the final decision was taken out of Captain Wright's hands. I cannot say whether this was the right decision or not, as I did not have access to all the material considered by Captain Wright and/or was not privy to the thought process behind the refusal to make such an application. In the end, I was not aware of any covert **policing tactic** actually being deployed against any suspect.

Questions 106, 107, 109, 110

140. I do not recall offering any advice in relation to a decision not to investigate allegations as a linked series, nor do I recall accessing any material which might have had a bearing on that decision. Furthermore, I do not recall offering formal advice that the deaths formed part of a wider pattern of extrajudicial killings by **UKSF**, albeit that notion may have been discussed in my presence. The only advice I would have given in relation to the deaths is that they must be investigated robustly and that the cooperation of **UKSF** to access relevant evidence in this regard was essential to

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ensure the integrity of the investigation and to uphold the reputation of the Army as a whole.

141. I am asked whether consideration was given to the possibility that the circumstances of any deaths in the course of DDOs being investigated were covered up by UKSF. My recollection is that Captain Wright considered that UKSF were being obstructive in allowing the RMP access to evidence which would assist the investigation. That assessment accorded with my own thoughts at that time. I recall that Brigadier Warren had insisted at the outset of Operation Northmoor that immediate action was required and that it was imperative allegations were promptly investigated. (PM A's note, 17th March 2014) [Exhibit 17 above]. The securing of evidence was high on the list of priorities for the investigation as it was anticipated that on the withdrawal of UK forces from Afghanistan, highly relevant material was likely to be destroyed prior to re-location of personnel back to the UK.

142. I was not party to the negotiations which sought to overcome the barriers to obtaining this evidence, but I have noted from Mr Williamson's Advisor's reports (5,7 and 8) that:

'A meeting took place on 25th September 2014 at HQ DSF London. Those present included Captain Wright, Mr Williamson and a member of the Directorate of Special Forces (DSF) (report 5, page 4).'

143. By 18th July 2015 a series of 'positive meetings' had taken place to agree protocols for the securing and preserving of UKSF data (report 7, page 10).

144. A memorandum of understanding had been drawn up which would enable effective interrogation of databases and obtaining of relevant information required to progress enquiries in a diligent and expeditious manner (report 8, page 8).

145. I have noted in my Casebook that during the meeting I attended on 31st October 2016 (Exhibit MB08), at which Lt Col Harvey was present, it was recorded that this evidence had still not been obtained and was believed to lie on a server at DSF HQ. Whilst I am sensitive to the need to mitigate any risk to national security through

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avoidance of unauthorised disclosure of material, I consider that all investigative steps that Captain Wright could or was allowed to take (including consideration of obtaining a warrant or production order) were taken, yet his hands were tied in this respect. Even as of 23rd February 2107, I have also noted that Captain Wright was still seeking to recover evidence in the form of classified data.

146. As much of the sensitive material to which I was privy was relayed to me orally and I was mindful of not committing classified material to paper, I have to rely on my memory and sometimes coded notes to answer certain questions. With respect to what consideration was given to investigating offences relating to Command Responsibility, I have a note in my Casebook that I was informed on 31st October 2016 that N2108, a legal advisor to the Director of SF, had advised the DSF to refer incident(s) (allegations of unlawful killings) to the appropriate oversight or investigating authority, but he had chosen not to. My recollection now is that Captain Wright's desire to take measures to investigate this in a covert manner was overruled. I would have been supportive of Captain Wright formalising an application for this to be properly considered, but I do not believe this line of enquiry was allowed to progress.

Questions 111-112

147. I do not recall giving any advice in relation to Operation Cestro, nor whether consideration was given to Cestro being included in Operation Northmoor's ToR. I do not know how or by whom the review of Cestro was carried out and cannot comment on whether Cestro was adequately investigated.

Questions 113-115

148. I did not give any advice to, nor have any involvement in the operations referenced at question 113, namely Operations Pavo, Shiverwood and Telemeter 2. I have no knowledge of these operations, whether a review into them was carried out, whether any consideration was given to them being included in Operation Northmoor's ToR, nor whether they were adequately investigated.

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149. I have a note in my Casebook, MB08 pages 51-52, which references a discussion which took place at the Gold Meeting of 23rd February 2017 as to the winding down of Operation Northmoor. I have noted that all of the IRT's recommendations had been accepted. I do not recall having seen the IRT report referred to (item 6 on the agenda – IRT report **RMP-221-0007135-A**), but I have recorded that a decision was made to retain the staffing levels of Team 1, but that Team 2 would 'wind down and clear up' by June/July 2017. I considered this to be surprising, given the slow progress being made to acquire adequate resources, accommodation, personnel, the availability of witnesses in a foreign jurisdiction, and the obstacles being faced to secure evidence. I would have expected that if all reasonable lines of enquiry were to be progressed, Brigadier Warren's estimate of the potential longevity of Operation Northmoor was not unrealistic.

Questions 116-119 and 127

150. Question 116 invites me to recall whether I was involved in briefing, meeting or liaising with categories of individuals external to military personnel engaged on Operation Northmoor. I cannot recall any occasion on which I had any interaction with any individual in these categories, albeit I have a note that Captain Reid of the SPA attended the same Gold meeting as I did on 6th June 2016 (Exhibit MB40). I have also noted that I was told at that meeting that the MOD Permanent Secretary wanted to meet with Russ Jackson and myself. Such a meeting never took place. I do not know why this did not happen.
151. I am also aware that representative(s) from DSP/SPA may have been invited to other Gold Meetings and two such individuals from SPA attended the Gold Meeting which I was unable to attend on 13th December 2016.
152. I cannot assist the Inquiry as to whether any external pressure was applied by others outside of the RMP in an effort to influence the outcome of the investigation. I believe that Mr Peter Ryan of DJEP was responsible for Ministerial briefings relating to Operation Northmoor, whereas the Provost Marshal was responsible for briefing the Chief of General Staff. In this regard, I would make the observation from a neutral standpoint that Mr Ryan and the Director of Service Prosecutions may appear by

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virtue of the seniority of their order of listing in the agenda (above Brigadier Neal) of the closed pre-meet of 23rd February 2017 to have led discussions as to the future direction of Operation Northmoor, where decisions taken by Brigadier Neal at agenda point 8 of the open Gold meeting which followed, led to the winding down of Operation Northmoor.

Questions 120-127

Overall impression

153. It is difficult for me to provide a properly evidenced, definitive answer to the questions as to whether Operation Northmoor was comprehensive or effective as I was not attached to the investigation from inception to conclusion and am unaware of the outcome of the various strands as I have not seen the rationale for conclusion, nor a closing report. I will however outline my current thoughts and impressions.
154. I applaud the direction of Brigadier Warren at the outset in treating Operation Northmoor as a critical incident and emphasising the need for immediate action to be taken to ensure a prompt and robust investigation. His initial decision to appoint himself as Gold Commander was appropriate, but in my view a later decision to delegate this responsibility to a Lieutenant Colonel was unwise and served to undermine and hinder the investigation. As late as 31st October 2016 myself and Russ Jackson were still advising that the Provost Marshal should be the Gold Commander, although I would not have been unsympathetic to the Deputy Provost Marshal undertaking this role, as advised by Mr Williamson.
155. I have a dilemma in commenting on whether a Home Office force should have been given a wider or more leading role in the investigation. This stems from my experience in reviewing Operation Danny Boy. That investigation was flawed and led to the following observation in *Al-Sweady* (cited above) at paragraph 54:

'In our view, the RMP investigation in 2004/5 was not thorough and proficient. By way of illustration, after making full allowance for the very difficult circumstances in which it had to be carried out, the investigation relating to the allegation of murder and torture was deficient because first it did not start until some five weeks after the

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events; second it had no Major Incident Room support; third it failed to identify or interview all the relevant personnel at CAN who were involved in dealing with the detainees; fourth it failed to seize all contemporaneous records, and fifth it failed to interview the detainees as to what had happened at CAN on the night of 14 to 15 May 2004'.

156. The perceived failings and parallels with Operation Northmoor are evident. The Judicial Review was followed by the Al-Sweady Public Inquiry. The RMP is once again the centre of this Public Inquiry, in similar circumstances. Whilst my view is that some lessons were learnt, mainly by the RMP following the Danny Boy investigation, my feeling is that not all were, and the wider Army and/or Ministry of Defence failed to recognise what the RMP would need in the future to conduct a robust and expeditious investigation of similar allegations. Had all lessons been learnt, there would have been no question as to whether a Home Office force should have been given a wider role – it would not have been necessary. However, I cannot envisage a circumstance in which recommendations or advice tendered by any independent civilian external agency should always be acted upon, since the military context and constraints imposed by higher authority cannot be accounted for.
157. My view as to whether the RMP was the most appropriate organisation to conduct this investigation is finely balanced, but after weighing other options I do not think there was a realistic alternative. The overriding and most persuasive factor in the context of Operation Northmoor was the logistical challenge involved in investigating misconduct and serious criminal offences, allegedly committed by military personnel in Afghanistan, whilst witness and other crucial evidence was still available to be gathered in that country at a time when UK forces were due to withdraw. In my view these challenges would have been insurmountable for a civilian agency.
158. I recognise that it would have been challenging for a Home Office police force or the National Crime Agency to devote sufficient resources to ensure a thorough investigation, which would necessarily last at least five to eight years. I have been personally involved at various stages of reviewing several high-profile critical investigations by Home Office forces, where investigations have lasted many years and in one such case continues beyond eight years to this day. I make this point as I do believe that Home Office forces and the NCA have more experienced and skilled

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personnel, but more importantly in this context, are better equipped, better supported and in my experience more able than the RMP to overcome barriers in order to conduct complex and long running investigations - but only in the UK or in collaboration with stakeholders in stable countries.

159. In conclusion, I do believe that Operation Northmoor was 'properly' conducted, with integrity and objectivity, at least for the majority of my tenure and every effort was being made by the OIOC and SIOs to ensure the investigation was comprehensive. However, it was not progressed as expeditiously as it might have been, in my view through an inability or unwillingness at the most senior levels in the Army and/or the Ministry of Defence to provide sufficient skilled and experienced personnel, together with the necessary resources and facilities to ensure an expeditious, robust investigation and a transparent outcome. Ultimately, I have formed the impression that Operation Northmoor cannot be considered to have been comprehensive or effective. It seems it was not destined to be effective, by virtue of influences and forces outside the control of the SIO, OIOC and Gold Commander.

160. I believe the content of this statement to be true.

Martin Bottomley

Force Review Officer

Greater Manchester Police

28th July 2025