



**RMP-221-0006698-A**

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**Witness name:** Philippa McLean-Inglis

**Statement Number:** 1

**Dated:** 8 May 2025

**Exhibits:** [6]

## INDEPENDENT INQUIRY RELATING TO AFGHANISTAN

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### WITNESS STATEMENT OF PHILIPPA MCLEAN-INGLIS DATED 8 MAY 2025

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1. I, Philippa McLean-Inglis, am making this statement in response to a Rule 9 Request dated 12 December 2024.
2. I am currently serving as the Royal Military Police Brunei Detachment Commander, a role I have held since 5 July 2021.

### Training and Experience

3. I joined the Army in July 2000 as a Direct Entrant into the Royal Military Police. I worked in 101 Provost Company (Pro Coy), Joint Headquarters (JHQ) in Germany; Central Criminal Records and Intelligence Office (CCRIO), Chichester; Cyprus Joint Police Unit (CJPU); and 114 Pro Coy, Gütersloh, Germany.

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4. In 2008, I transferred to the Special Investigation Branch (SIB), serving in 74 Sect SIB (G), Sennelager; Specialist Crime Team (SCT) / 4 Investigation Coy and then Op Northmoor ('Op NM'), in Bulford/Newquay/Portsmouth. In May 2018, I was posted to Defence School of Policing and Guarding (DSPG), Portsmouth as an instructor.
5. In 2021, I was assigned to RMP Detachment Brunei as Detachment Commander.
6. My relevant deployments are as follows: In October 2001, I was deployed to Oman. In 2010, I did an Op HERRICK, Afghanistan tour with 62 Sect SIB.
7. In April 2014, I was at the rank of Staff Sergeant (SSgt), assigned to work on Op NM (Op Elsinore/Isoptic) from its inception in Bulford. The team I worked within was small. The Senior Investigating Officer (SIO) was Capt Jason Wright and the Deputy SIO was [N73]. There were approximately 4 others in the team. I received direction from Capt Wright and [N73], and reported directly back to them.
8. My Initial duties included identifying the complainants as provided by Leigh Day & Co, retrieving detention files, liaising with relevant departments and personnel for information (such as DJEP, Historic Branch, PJHQ, [UKSF]). I was also involved in identifying [REDACTED].
9. As the investigation progressed, the Op NM team expanded and split into 3 teams. I was allocated to Team 1, responsible for the investigation of the alleged extrajudicial killing ('EJK'). My duties included liaising with the departments mentioned above at paragraph 6, witnesses, recovery of evidence, and interrogation of the [HQ DSF] Server. I was also, at one stage, the Tactical Interview Manager and liaised with allocated NCA advisors.

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10. In February 2016, the Op NM team moved to RAF St Mawgan in Newquay. I stayed with Team 1 and was still under the direction of Capt Wright and N73 [REDACTED]

11. Around May 2016, I moved from Newquay to HMS Collingwood to work on the temporary Forensic Data Handling Capability (FDHC). I was in charge of a small team responsible for the interrogation of material at the FDHC. This team initially had three members (including myself). The maximum number of people in the team was five. Moving location to HMS Collingwood meant that even though I was still a member of Team 1, I was no longer aware of the day-to-day happenings on the investigation. I was still briefed and made aware of significant developments on the investigation, but my focus was now on leading my small team at HMS Collingwood. I was still working under the direction of Capt Wright and N73 [REDACTED]. In the summer of 2016, N73 [REDACTED] retired and was replaced by WO2 Mark Dempster, who in April 2017 was replaced by WO2 Delme Williams. I believe Capt Wright left around July 2017, and Maj Matt Cox (Silver), took over the lead of the investigations. I do not recall exactly when these changes occurred, but I would have received direction and reported to all these individuals, as and when they were in position.

12. I would sometimes pass information directly to Capt Wright or Maj Cox. At other times, in accordance with the chain of command, I would have passed information to the relevant WO1/WO2.

13. As I was the first person to occupy my role on Op NM, I had no predecessor.

14. When I left HMS Collingwood in May 2018, the FDHC servers were moved to RAF St Mawgan. As the server room was not complete at RAF St Mawgan, there was no way for personnel to view the work completed to date. Consequently, no formal handover was given on the work completed. However,

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everything I did was documented in my workbooks. Therefore, anyone who would succeed me would be able to know the work I carried out from my workbooks.

15. I did not go through a selection or recruitment process. I was already in 4 Company and was moved to the Op NM investigation team.

16. I undertook the following relevant training prior to commencing my role:

- a. Level 3 Investigators Course (L3IC) – 2007 (SIB Course)
- b. Advanced Interviewer Course (Victim/Suspect) – Date not known

17. Prior to Op NM I conducted the following roles:

- a. SIB Investigator 2008-2011 in Germany, I investigated all serious crime, including Alleged Murder/manslaughter, Alleged Attempted Murder.
- b. 2010 – Op Herrick 12 Afghanistan, investigated Detainee Abuse Allegations, Alleged Murder, KIA
- c. 2011-14 – Investigator with Serious Crime Team (SCT)/4 Inv Coy, worked on Afghanistan investigations including detainee abuse/mistreatment, war crimes.

18. I undertook the following relevant training during my role:

- a. Tactical Interview Managers Course, WINTEC Training, May 2015
- b. Achieving Best Evidence (ABE) Course, Avon & Somerset Constabulary, December 2015

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19. We also had in-house training on the FDHC – on how the system worked, on how we could conduct a search and on how results would come back. I cannot recall any further relevant training I undertook.
20. I did consider my level of training, skill and experience as being adequate to fulfil my role on Op NM. I had experience of working on serious crime and on Afghanistan investigations, including those with Special Forces. Please see above for an outline of my relevant training and experience.
21. In relation to the adequacy of my colleagues' level of training, skill and experience, at the beginning, the extent of the investigation was unknown. We received the Leigh Day complaints in three tranches. It was only when we began sifting through the complaints that we could see the extent of the work ahead. We realised quite quickly that the size of the team was not sufficient and more personnel was required. In my view, the steps taken to assign more personnel to Op NM may have led to individuals with insufficient skills and/or training joining Op NM. Therefore, the experience of the team may not have been adequate (in hindsight). However, as the investigation progressed, the team did too. More senior members of the team effectively mentored more junior members of the team who did not have the experience or skills. Generally, I do not believe there was anyone within the SIB who was more experienced or more suitable to conduct the investigations aspect of Op NM.
22. I was confident at the beginning that the team I worked in, which was Team 1, was competent. As indicated above, as time went on it was necessary to recruit junior members into the team. I was aware this was happening at RAF St Mawgan – but at this stage I was now operating from HMS Collingwood. They would have little to no experience of deployments or the level of investigations we were talking about. Some of these junior members of the team were corporals – and so they were not SIB trained. However, there would have been sergeants and staff sergeants there to mentor the corporals.

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23. I left Op NM in May 2018 as it was the end of my assignment.

24. I am still with the RMP.

## Record Keeping

25. I was responsible for recording my actions and decisions, either in my Investigators Workbook (Blue Book)/Service Police notebook (SPNB) and/or in accordance with Major Incident Room Standardised Administrative Procedures (MIRSAP) with the use of Action Forms/Officer's report. MIRSAP is the manual on how you run a Major Incident Room – it was a good tool to inform you on what lines of enquiry (LOE) to take – not just for murders.

26. Also, it was necessary for me to have reference to the Murder Investigation Manual, which is now known as the Major Crime Investigation Manual ('MCIM'). Neither MIRSAP nor MIM/MCIM are unique to service policing, both are Home Office Police Force (HOPF) documents (ACPO – Association of Chief Police Officers or NPCC – National Police Chiefs Council).

27. All e-mails were kept and at the end of my time on Op NM these were disclosed to the MIR. We had to adhere to our investigative responsibilities as per Disclosure rules and the Criminal Procedure and Investigations Act (CPIA) to record and retain material.

28. I cannot recall if we had training for Operational Record Keeping for deployment. I had further training with regards to protectively marked material (PMM).

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29. I believe most records of any decisions I made were kept within investigators blue books, and these were maintained throughout my time on Op NM. I believe these records were kept adequately.

### **Op NM Terms Of Reference (TORs)**

30. I had no involvement in the drafting of the Op NM TORs dated 17 March 2014. I do not recall seeing the TORs dated 17 March 2014, and I do not recall forming a view on whether the TORs were adequate.

31. I had no involvement in the drafting of the Op NM TORs dated 10 November 2016. I do not recall seeing the revised TORs dated 10 November 2016, and I do not recall forming a view on whether the revised TORs were adequate.

### **Structure**

#### *Team Structure*

32. My understanding of the team structure was that it started off with one small team (approximately 7 or 8 people) which consisted of SIO/DSIO/Investigators. It then expanded to three teams (Team 1, 2 and 3), and an MIR utilising the Home Office Large Major Enquiry System (HOLMES 2) computer system, when we became an Action based team – like a Major Incident Team. The Command Structure changed as per MIRSAP – with the introduction of GOLD, SILVER and BRONZE Command. BRONZE is normally the SIO. SILVER sits above BRONZE. GOLD sits above the whole command. It was the same GOLD and SILVER for all teams.

33. I am unsure when restructuring took place. Once at RAF St Mawgan, Op NM moved to fall under Spec Ops Regt, and the unit then also gained a typical Head Quarters (HQ) element (J1-7), which consisted of roles such as Officer Commanding (OC), Regimental Sergeant Major (RSM), Ops, Motor Transport

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(MT), Stores, Personnel (J1 etc). Those who held these roles were not involved in the investigation. They were in charge of the personnel on the investigation, not the actual investigation. Op NM later moved back to SIB Regt.

34. My understanding of the roles of each of the teams within Op NM is as follows:

- a. Team 1; Responsible for the investigation of the EJK.
- b. Team 2; Initially responsible for investigating the other cases relating to abuse and ill-treatment allegations. They continued with other investigations that didn't fall within the scope of Team 1.
- c. Team 3; Initially responsible for the retrieving of the detainee files. They were the team responsible for searching through the files to find out why detainees were detained. I do not recall if they took on any investigations. Once at RAF St Mawgan, Team 3 became the disclosure team/MIR. They were also responsible for building the general intelligence picture for Op NM.
- d. The MIR; Responsible for the running of HOLMES 2 system. They received, reviewed, inputted material, generated actions and scanned files relating to the investigation.
- e. Service Police Crime Bureau (SPCB)/3C (in relation to Op NM); This is the cyber team, specialists in the recovery of digital forensics. They were responsible for assisting in the recovery of the ITS server, the USAF full motion video (FMV) footage, and the building/setting up of the FDHC.

35. There was some change to the team structure of Op NM. Op NM started off with one small team, which consisted of SIO/DSIO/Investigators. Once the scale of the reports was established Op NM expanded to three teams, and an MIR. This expansion to three teams happened at some point in 2014. Due to the lack of space at Bulford, we also had juniors working from RAF Northolt. The juniors were not SIB – all SIB personnel were based in Bulford. We did not

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have an MIR solely dedicated to Op NM when we were based at Bulford. When Op NM moved to RAF St Mawgan, we did have an MIR dedicated to us.

36. I am aware that when Op NM moved to RAF St Mawgan, Team 1 had what I would refer to as a brick system – in terms of the organisation of the team. They had two bricks, each operating under a SSgt. In effect, this meant there were two mini teams within Team 1. I recall SSgt Matt Buttler headed one mini-team, and SSgt John Chilcott headed another mini-team. I was effectively heading a third mini team from HMS Collingwood. I answered directly to <sup>N73</sup> [REDACTED] and Capt Wright. I believe the team structure may have changed again, but I am not aware of the changes as I was based at HMS Collingwood. I had no concerns with the structure as staffing was required to ensure all tasks were completed. When I moved to HMS Collingwood, I was still responsible and accountable to Team 1. The searches I conducted on the FDHC related to EJK. I was in a separate team based in a separate location due to the secrecy of that system and the sensitive material held on that system.

37. Also, because I was no longer at RAF St Mawgan (as I had moved to HMS Collingwood), I would not have been aware of any day-to-day issues at RAF St Mawgan.

38. I did not see any issues with the Team structure of the investigation. Separation of cases between teams made it easier to deal with the workload, and allowed continuity when dealing with agencies and departments.

39. In relation to my role at HMS Collingwood, I was essentially leading a team running search terms against the copy of the <sup>HQ</sup><sub>DSF</sub> server. I had been involved in this work during our time at Bulford. I believe I was given the responsibility of heading this team at HMS Collingwood because I had the experience of doing this work at Bulford. The FDHC at HMS Collingwood was only supposed to be a temporary measure until the facilities were set up in RAF St Mawgan. We

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were in such a small room at HMS Collingwood that we could only have a group of 5. That was not suitable for what we were trying to achieve. I went with a small team to HMS Collingwood in 2016. By the time I left Op NM in 2018 we had still not looked through all of the data on the copy of the **HQ DSF** server we were interrogating. We did not get to complete the job we were assigned to do at HMS Collingwood because we did not have sufficient staffing or the required facilities. The position was that we would have sufficient facilities at RAF St Mawgan when the permanent FDHC was completed – but this never happened.

### *Leadership Structure*

40. Initially Op NM had one SIO/DSIO. This then expanded so each team had their own SIO and DSIO. Op NM then adopted a MIRSAP structure with GOLD, SILVER and BRONZE. I cannot recall exactly but believe the team I was in (Team 1) had a GOLD, and a Major which operated between GOLD and BRONZE. However, I am unsure if the Major was called a SILVER. We also had Capt Wright, who was the BRONZE/SIO. I believe GOLD was feeding into PM(A), who in turn was briefing at MoD/Cabinet level.
41. During my time on Op NM GOLD was initially Lt Col John McAllister. He was replaced at some point during my time on Op NM by Lt Col John Harvey.
42. During my time on Op NM in Bulford the Majors were Maj Moira Penman and Maj Gary Ward. After them I do not believe we had a Major/SILVER until Maj Cox arrived in 2017.
43. During my time on Op NM, SIOs were considered as BRONZE. Up until the point he left Op NM, Capt Wright was effectively BRONZE.
44. At RAF St Mawgan, there was a separate J1-9 Command. They were not involved with the investigations.

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45. During my time on the investigation, the leadership structure changed a few times, as mentioned previously. I understood why this was necessary with the growth of the investigation. It was not clear why Maj Cox was brought in as SILVER Command. We had a Captain (Capt Wright) leave and then a Major (Maj Cox) come in. Maj Cox was a SILVER, but really he was Capt Jason Wright's replacement.
46. I had concerns prior to and around the point in which Capt Wright left Op NM and Maj Cox joined Op NM. This was because of the rumours that had started to surface prior to Capt Wright leaving Op NM, that PM(A) Brig Dave Neal or individuals higher up wanted the investigation to stop. From the point at which Maj Cox commenced his role, until the point I left Op NM, I did feel as though some of the concerns I had prior to him starting. Whilst these concerns were not borne out, I did notice a change in direction after Maj Cox joined Op NM, which I have addressed at paragraph 111.
47. As I worked mainly in HMS Collingwood, I only returned to RAF St Mawgan occasionally for briefings. In the two years I was at HMS Collingwood, I attended RAF St Mawgan once or twice a year. On the occasions I attended, it felt as if the scope of Team 1's work had reduced. I cannot provide any explanation as to why the scope of the work had reduced as I was not based at RAF St Mawgan. However, the scope of work was reduced from what I recall it was when based at Bulford.
48. I did not consider the leadership structure to be fit for purpose. There appeared to be too many individuals in charge. It was difficult to know where the ultimate direction was coming from. As a team, we considered the relevant material we were provided with, such as detainee files and other documents which would come to light in the course of the investigation. These documents may provide us with names of relevant individuals or other pieces of relevant information we

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could use to progress the investigation. We would then discuss this in our relevant teams, and decide what may be appropriate LOE. Ultimately, as Capt Wright was the SIO, he would have the ultimate decision on whether a particular line of enquiry would be progressed. This was logical because Capt Wright was the SIO and in charge of the day-to-day progress of Op NM. However, it was obvious that whatever discussions or decisions we had, there were also further discussions and decisions being made further up the chain of command beyond Capt Wright. At times it felt as if our view on how the investigation should be progressed was not agreed with by those higher up in the chain of command. I cannot comment on the reasoning and decisions taken at that senior level. But the consequence of this was that as a member of the team you were not sure where the ultimate direction for the investigation was coming from.

49. We would get direction from Capt Wright, and days or weeks later he would change direction. He would tell us if this direction was coming from higher above. I recall that as soon as we got to RAF St Mawgan, I started to notice the differing directions. I do not recall this being the case in Bulford.

50. I have outlined below my understanding of the roles of various leadership positions within Op NM; the persons who occupied those roles; and whether or not those persons performed those roles to an adequate standard:

- a. PM(A); The head of the Military Police (Army). The occupier of this role would be briefed on the progress of Op NM, and was responsible for briefing into MoD. Initially, this was Brig Robert Warren. I do not recall much involvement by him and so I cannot comment meaningfully on him. He was replaced by Brig Dave Neal who seemed more involved in Op NM. Specifically, it appeared that direction came from him, but I did not have much involvement with him. Therefore, I cannot comment on whether he performed his role to an adequate standard.

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- b. The Assistant Head (AH); The occupier of this role briefed PM(A). I recall this role was held by Col Rob Morris. I cannot comment on his performance in the role, as I am not sure what his actual involvement was.
- c. GOLD; The occupier of this role had overall command of the investigation, briefed up to PM(A). I recall this role was initially held by Lt Col McAllister. He was later replaced by Lt Col John Harvey. Lt Col McAllister started off well in the role. He appeared to understand why we had suspicions regarding [UKSF] based on what we received from witnesses and the material we were interrogating. But it also felt like he was getting push back from higher above. We would make requests to Capt Wright which would need to go up the chain of command. However, the way in which responses came back, it often felt like the decision did not come from him. We mainly got the impression through Capt Wright that Lt Col McAllister was supportive. Lt Col McAllister's demeanour did not seem the same coming to the end of his time on Op NM. He seemed more frustrated with Op NM. He would never say anything to us, but his body language seemed as though he was frustrated. He effectively then just disappeared. We were given no explanations as to why he had left. I do not recall having much involvement with Lt Col John Harvey and therefore I cannot comment on how he performed his role.
- d. SILVER; The only individual I recall who held this role was Maj Matt Cox. I am unsure if any individual held this role prior to Maj Matt Cox. He joined Op NM after we moved to RAF St Mawgan. He took over the running of the investigation. There was a belief that he was brought in to shut down the investigation. I cannot comment on his work as he came in when I was at HMS Collingwood, and he operated from RAF St Mawgan.

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- e. BRONZE; I am unsure if the BRONZE title was given to Capt Wright. However, he ran the main investigation element of Op NM. I thought Capt Wright was very clear and meticulous with what he wanted done on Op NM and how he wanted it done. I thought he performed well on Op NM.
- f. OC; This role was introduced once Op NM moved to RAF St Mawgan. During my time on Op NM, this role was occupied by Maj Tina Stitson. She was in the HQ, and responsible for running of the company. She was not involved in the investigation. I cannot comment on how she performed in her role, as she was based in HQ.
- g. OIOC; I do not remember anyone having this role title.
- h. SIO; This role was occupied by Capt Wright for Team 1. Please see above for my views on how Capt Wright performed. Capt Robbins was also an SIO for Team 2 or 3. I never worked with Capt Robbins, and so I cannot comment on his performance.
- i. DSIO; This role was occupied by <sup>N73</sup> [REDACTED] in Team 1. He was giving direction to the team that would have come from Capt Wright, and he would report back to Capt Wright. He was very good and experienced. He worked very well with Capt Wright. When he left, WO2 Mark Dempster took over this role in Team 1. He was a direct replacement to <sup>N73</sup> [REDACTED]. I am unsure if he lacked the confidence or experience for the role – but there was certainly something missing in how he performed the role. WO2 Delme Williams replaced WO2 Mark Dempster in Team 1. At this point I was based in HMS

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Collingwood. I cannot comment in any detail on WO2 Delme as I wasn't based in RAF St Mawgan. WO1 Debbie Hayes held this role in Team 3. I cannot comment on her performance as she was in a different team. N79 [REDACTED] was in Team 1 and possibly also Team 2. I had no issues with N79 [REDACTED]. From what I recall, he was competent. I also recall WO2 Zoe Duce, however I cannot comment on her performance as I never worked with her.

- j. WOIC; I am unsure who occupied this role. I cannot recall if this title was actually used.

51. I was not aware of the rationale behind any appointments made of personnel to the above positions. These decisions were made above me.

52. In my view, leadership roles and responsibilities were definitely blurred. As I have indicated above, it was not clear where decisions or direction were coming from at times. I reiterate what I have said already at paragraph 48 above.

53. For instance, when Maj Cox joined Op NM, there would be occasions when I would be directed to completely bring to an end something I was working on or asked to move on to something else. This may have meant that we did not completely finish interrogating data that we were looking at in relation to particular search terms. We were not given justifications for this or any explanation as to where this direction was coming from.

54. I did have concerns about the following individuals:

- a. Brig Dave Neal; I believe he wanted the investigation to close. My reason for believing this is because we would agree courses of action as a team, and it would travel up the chain of command and receive resistance.

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Such as the need to travel out to Afghanistan to interview witnesses. As Brig Dave Neal was PM(A), the suspicion was that he was not supportive of certain steps we wanted to pursue.

b. Lt Col John McAllister; I do not think those higher up liked his decisions, and I think that consequently they got him to leave. It felt as if Lt Col McAllister understood why we had suspicions of EJK. But it also felt like he could not get the PM(A) to understand this.

c. Maj Matt Cox; I believe that he was brought in to close the investigation. I was not told this, but there were rumours to this effect within the team.

55. The concerns above were discussed within the team but not raised as formal concerns, as the decisions at the heart of these concerns had been made higher than any of us. For instance, in relation to our concerns regarding PM(A) – who do you take this to? Also, we were not sure if PM(A) was actually acting under orders.

56. I did not have concerns about any other individuals beyond those mentioned above.

57. We had Team 1 meetings, and we could have frank discussions on these issues. The most senior person I would have raised any concerns with informally is the SIO. It would have been good for the team if we were provided with explanations on why direction was being changed.

58. To my knowledge, there were no notifiable associations.

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59. I did not consider, that there was any potential conflict of interest for anyone at the RMP tasked with the investigation of **UKSF** as part of Op NM that may have hindered their ability to investigate impartially or objectively.

## Resources

60. I had no involvement in the overall resourcing of Op NM. However, in relation to the team based at HMS Collingwood running search terms, I needed to make sure that we had enough personnel to complete this work

61. It was not my responsibility to ensure that Op NM had adequate overall resourcing for Op NM. I did not take any actions to ensure that Op NM had adequate overall resourcing as this did not fall within my role.

62. Generally, I believe that I was provided with the necessary resources to carry out my work at HMS Collingwood. If a staff member left my team, there may have been small delays in securing a replacement as they required training and the right clearance to commence work.

63. We started off with just three people in my team at HMS Collingwood. Once I had an idea of the extent of information on the servers, I made Op NM aware. We were limited by the resources we had at HMS Collingwood as we were effectively operating from one small room. We only had the capacity to accommodate four or five people in the room.

64. In terms of personnel numbers, I did consider Op NM to be adequately resourced. Once we had approximately 120 people on Op NM, I think we were fully resourced. However, I felt during the latter period of my time on Op NM, the investigation experience and the necessary skill was lacking. We struggled to recruit personnel as nobody wanted to come to Op NM. Because more numbers were required on Op NM, when there was recruitment, this tended to be very junior individuals and/or individuals not trained to investigate serious

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crime. Other people within SIB did not want to work on Op NM. In my view, the steps that ought to have been taken to improve personnel resourcing was to ensure that individuals recruited had the requisite experience and adequate skillset. I considered that responsibility for this lay with GOLD, SILVER and BRONZE/SIO. It was for the SIOs to say what they needed, and then up to GOLD/SILVER to ensure this was actioned.

65. I do not believe that those who held responsibility for personnel resourcing fulfilled their obligations. The team needed numbers, so they assigned in anyone who would come, and brought in personnel who didn't want to come as well. It is not uncommon in the military for personnel to be assigned to work which they are not interested in. However, this felt quite prevalent across Op NM. I had no specific responsibilities in my role in relation to personnel resourcing. If I needed replacement staff, I would feed this up to DSIO, who would in turn make the SIO aware. I believe in relation to the resourcing of my team at HMS Collingwood, I did fulfil my role. I always ensured that I made my DSIO aware in good time if there was due to be a departure within my team.

66. I do believe that the lack of personnel resourcing undermined the investigation as a whole. Specifically, in relation to the scale of the investigation, this was a huge task. When we were at Bulford, and we became aware of the scale of the work, it became apparent that more numbers were required. The recruitment across Op NM was gradual. However, as I have indicated above, even when we started recruiting, it became clear to me that the necessary experience and skillset was lacking. Consequently, even when we reached the necessary personnel numbers, it was questionable whether we had the right personnel.

67. I did not think that Op NM was adequately resourced in terms of IT facilities and infrastructure. Bulford was not suitable for the task, due to the limited size and security. RAF St Mawgan was a suitable location, but initially didn't have the required IT, specifically for the use of the FDHC. We used HMS Collingwood

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as the location had space, but limited access and no ability to print from the server. Any request for documents were sent to HQ  
DSF who then found and sent them through a \* terminal to RAF St Mawgan.

68. In relation to additional resources, what we required was server capabilities to investigate and interrogate FDHC. We finished at HMS Collingwood in May 2018. The server had been taken to HMS Collingwood but the actual system in RAF St Mawgan never materialised. I was aware that they wanted this server capability at RAF St Mawgan, and I was aware that resources had been made available for this. However, I am unaware why this was delayed and was never completed. The other steps which ought to have been taken to improve IT resourcing is that the FDHC server should have been set up quicker.

69. I considered the responsibility for IT resourcing lay with GOLD. It would have been passed up to him. I do not feel that those who held responsibility for IT resourcing fulfilled their obligations as the server capability was never completed. I am not sure if this was because of financial constraints or other resource reasons.

70. I had no responsibilities in my role in relation to IT resourcing.

71. I do believe that the inadequate resourcing undermined the investigation as a whole. The inability to quickly interrogate the FDHC had an effect on the whole investigation. The FDHC that we were using in HMS Collingwood was time and resource intensive. The search terms had to be manually inputted, and then you had to go through each one. I was under the impression that the new system could effectively run that search for you automatically, which would have saved much time. Also, we recovered the FMV from the air assets. We were aware that they were potentially held out in the USA, and so we went out there (LG in USA) to recover the server. Quick searches were done at the time because we had limited access due to the nature of their work

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as operations were still ongoing. Once that server returned to the UK, it was sent to my team at HMS Collingwood. A computer system was meant to be built so that we could access the FMV. As far as I am aware that never happened. Therefore, the LOE to retrieve the footage of these operations did not occur save for the quick searches I conducted while I was in the USA. This does not mean the footage was never on there, it was just never fully investigated.

72. In relation to the proposed FDHC, I do not know why it was not established during the course of the investigation. The failure to establish the proposed FDHC greatly impacted the Op NM investigation. My understanding was that the proposed FDHC was effectively an upgrade to the temporary FDHC we were using at HMS Collingwood. The problem we encountered was that from a practical perspective, as the temporary FDHC was based in HMS Collingwood, and the rest of the Op NM team was still based on RAF St Mawgan, we couldn't physically show the team data we had found. Furthermore, the temporary FDHC had no print facility. Therefore, if we came across any relevant data on the temporary FDHC, we would need to make contact with the team based at RAF St Mawgan via Appropriately Classified email or Appropriately Classified telephone to inform them of this. They would in turn make contact with HQ DSF to inform them that we had come across relevant data and make a request for documents or information relating to this data. Op NM would be dependant on HQ DSF showing us any relevant information or documents following a request.

73. My understanding of the proposed FDHC at RAF St Mawgan is that it would have a print facility. Therefore, we wouldn't be dependent on HQ DSF showing us relevant information or documents – we would be able to print this off ourselves.

74. Consequently, the impact on the investigation of the proposed FDHC not being established was:

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- a. we were dependant on HQ DSF allowing us to see relevant information or documents when we made requests because of the limitations of the temporary FDHC, and;
- b. the team interrogating data from the FDHC were not in close proximity to the rest of the OP NM investigatory team.

75. In terms of steps taken to resolve the issues with the FDHC, SPCB were responsible for setting up the FDHC in RAF St Mawgan. I was not involved in any of the meetings in relation to this, therefore I cannot comment. I was just aware that the SPCB were trying to set up the FDHC.

76. In relation to the HOLMES, I was not trained to use the HOLMES. I do not think that the HOLMES was an effective way of managing the investigation. It did not allow for forward thinking. I felt as if HOLMES could be a good system in the right hands. However, many of the individuals who were using HOLMES were quite junior and inexperienced. There were actions which would arise, however if a LOE was identified we could just go ahead then raise the action after. It would require someone with experience to identify the LOE. The team running HOLMES were inexperienced. I think the HOLMES system may work better in the civilian policing context, as they would have dedicated MIRs with experience in managing serious crime.

77. I do not know if there were issues and difficulties with HOLMES, and the impact this had on the investigation. I did not use HOLMES.

78. In relation to the locations and facilities, I did not consider what was allocated to Op NM to be adequate. Campion Lines (Bulford) was not adequate due to the size, infrastructure and facilities for Op NM. As the team grew, which was necessary due to the scale of work, it became evident that the location was not adequate. Consequently, Team 3 had to operate out of RAF Northolt, due to the lack of space at Campion Lines.

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79. We needed bigger space and protectively marked material storage/viewing (i.e. the FDHC). The steps that were taken to improve and change the facilities is that as soon as it became clear (in mid to latter 2014) that the location was not adequate, there was a shift of attention to look for an alternative location with better facilities. Some of the alternative locations that were considered were not appropriate. For instance, I am aware that consideration was given to a location in Portsmouth – but I understand from a security perspective this location was not appropriate. It is possible that there were other reasons why alternative locations were not considered appropriate. These considerations were happening above me, and so I cannot comment in detail beyond what I was made aware of. The only location that was deemed suitable was RAF St Mawgan. We eventually moved to St Mawgan in 2016, which gave us more space, but facilities were not in place to support the investigation.

80. I considered the responsibility for the adequacy of the facilities/locations lay with SIO, GOLD, AH and probably PM(A). I felt that they fulfilled their obligations to an extent, as it was clear that consideration was being given to alternative locations. Although, it took approximately 2 years for us to move to RAF St Mawgan, which meant there was a considerable period of time that we were operating in an inadequate location with inadequate facilities, it is not clear to me whether the move could have been made quicker.

81. I had no responsibilities in my role in relation to location and facilities. I do believe, for the reasons outlined above, that the inadequate location and facilities undermined the investigation as a whole.

## Culture / Morale

82. The workplace culture within the various teams in Op NM, and Op NM overall was initially very good. We had a small team which worked closely together. As I have indicated above, as the scale of the work became clear, it was necessary

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for the team to grow. This led to the creation of Teams 1, 2 and 3. I noticed later on in my time on Op NM that there was some resentment between teams and also between RMP and SIB personnel. There was very much a 'them and us' culture between RMP and SIB personnel.

83. With information being sensitive, it was not shared amongst teams, which may have caused animosity. As Team 1 was concerned with EJK, the information that we were privy to in Team 1 was obviously sensitive and could not be shared beyond our team. It felt as if this created a divide between the teams. I do not believe the culture impacted Team 1 initially – I believe we initially had a good culture. When I returned to RAF St Mawgan, I felt there was even a divide within Team 1 – I am unsure why there was a divide. My team in HMS Collingwood, was a small team and were more relaxed. Personnel from across different teams in Op NM, requested to come and work within my team, some to get away from the culture in RAF St Mawgan.

84. The culture within Team 1 was initially good, and whilst in Bulford was generally good. Morale changed in RAF St Mawgan, you either loved or hated the area. I recall that there were quite a few people who had reported sick with potentially mental health issues – we were aware that this was related to the work and accommodation. These matters were not discussed openly. The accommodation was disgusting at RAF St Mawgan – the worst I've ever stayed in. [The building] at RAF St Mawgan was depressing [redacted]. In winter you went to work it was dark, and when you left it was dark. The location was not close to town and nothing was in close proximity. CO Specs Ops upset the Station Commander and most seniors were not allowed to reside in the mess. Personnel were treated like children, and this did not go down well for those in the SIB. SIB and General Police Duties (GPD) treat personnel differently – all HQ were GPD. Personnel were made to stay later on Friday, even though HQ knew they were travelling hours to get home, they did not care.

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85. The main reasons behind the morale was the quality of accommodation, the location and treatment of personnel. I cannot comment on whether the morale had an effect on the Op NM investigation once I moved to HMS Collingwood, as I was no longer based at RAF St Mawgan, and therefore could not see how the various teams operated. However, before I moved to HMS Collingwood, as a member of Team 1, I do not think the morale impacted upon the effectiveness of the investigation. In my view, no steps were taken to improve morale whilst at RAF St Mawgan.

### External Groups

86. The only external group I can comment on in any detail is the NCA. I cannot comment on GMP MERT, IAG, and the OOT. I cannot comment on the IRT in any detail, but with reference to my workbooks I can see that I attended a meeting with the IRT [RMP-221-0006694-A]. I cannot remember any details from this meeting with the IRT.

87. I am not sure how the NCA came to be part of the investigation, I was not involved in this process and do not know who made the decision to involve the NCA in the investigation. Paul Williamson was brought in to advise on Team 1 activity, as he was an experienced police officer. My understanding was that Paul Williamson was just read into the activity and offered advice. I recall Paul's involvement from when Op NM was operating from Bulford. Generally, Paul Williamson would have been dealing with Capt Wright, and providing any advice through Capt Wright. This advice was relayed back to the team, and often related to whether he agreed with our course of action and how we were planning to progress the investigation. They then brought in others like Tactical Interview Adviser (Bob Cooper from NCA) and other individuals such as Gary Shaw and Kev Smith. I am unsure which organisations they came from. They were brought in to advise us on interview strategies – on issues such as where you were going to have an interview and who would conduct the interview. I do

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not know who made the decision to appoint them. I recall their involvement from when we operated at RAF St Mawgan. I did not have much contact with these individuals. Due to the scale of the investigation, it was good to have external advisors. These advisors were experienced with dealing with serious crime. It provided confidence that the investigation was correct and on the right lines. I am unsure what influence they had over the strategic direction.

88. To my knowledge, there was no concern about any of these external agencies, the individuals associated with them and/or their role within the investigation.

89. I have been asked about any dealings with the following individuals:

- a. DSI Paul Williamson (NCA); I did have dealings with DSI Paul Williamson as explained above. He was briefed on Team 1 activity and the evidence held. He advised us on our approach.
- b. Martin Bottomley (GMP MERT); Nil
- c. DCSI Russ Jackson (GMP MERT); Nil
- d. Philip Jones (IRT); Nil
- e. Cliff Evans (IRT); Nil
- f. Sir Jon Murphy (IAG); Nil
- g. Mark Ellison KS (IAG); Nil Stephen Kell (OOT); Nil
- h. Francis Davis (OOT); Nil
- i. Andrew Cayley KC (SPA); Nil
- j. Peter Ryan (DJEP); Nil

90. I did not have any specific concerns about any of the above individuals.

91. I am unaware of the circumstances in which NCA and GMP MERT involvement in Op NM ended and the impact of their departure on the investigation.

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92. I note that at paragraph 7 of the SILVER minutes from 27 September 2017 [RMP-221-0000165-A], it outlines that Op NM was stepping away from Greater Manchester Police and NCA, in regards to review and oversight, as SILVER believed that no more support was needed at present from either agency. This in my view represented a change of direction in how we were conducting the investigation as both of these agencies were advising us on our approach and whether they agreed with our courses of action – which I think was helpful. Decisions such as this were made, but we were never informed of the justification by Maj Cox.

93. I have no knowledge on the IAG. From my workbook, I can see that I attended a meeting with the IRT. However, I cannot recall what this meeting related to.

94. I am unaware of the role played by DSP or SPA in respect of Op NM.

## Relationship with UKSF

95. The initial engagement between those working on NM investigation and UKSF was between SIO Wright/DSIO N73 and UKSF. The purpose of this engagement was to try and obtain evidence and recover the server. We identified early in the investigation that some operations fell within our remit, and that other operations did not as they were not undertaken by UKSF. We approached UKSF for information on the operations that fell within our remit. Once information was found, access was provided at UKSF for investigators to view material. UKSF had told us that they had information on their systems at HQ DSF, which we could review and interrogate while we were waiting for the server. Soon after I joined Op NM, I knew that attempts were being made to recover the server from HQ DSF. I was aware that there was push-back from HQ DSF as to why we could not have the server. One of the main justifications for

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this was because of the risk to ongoing operations. We discussed this issue within Team 1. A major discussion point was whether we should use police powers to seize the server. A decision was made not to do this. However, I do not know the reason for this decision.

96. HQ DSF effectively told us what we could see. We were not satisfied with this. However, even with the limited information, we were able to interrogate anything we came across against what the complainants alleged. The relationship with HQ DSF was strained. They were aware of what the allegations were, and it felt as if they were mindful about our roles investigating the allegations. It was uncomfortable that we were to a large extent dependant on the information provided to us by HQ DSF, but at the same time had our suspicions of HQ DSF. However, at the beginning, it felt as if we had to conduct the relationship in this way otherwise we would have no information. The only other approach would have been to seize the server at an early stage of the investigation – but as I have indicated, a decision was made not to seize the server.

97. I do think that RMP showed UKSF undue deference during the investigation. RMP should have seized the server at the start. If this was a suspect accused of a crime, we would seize any relevant material. Therefore, the question which arises in the context of UKSF is: why did we not seize the server?

98. I did have concerns about the communication of sensitive information to UKSF. Leigh Day passed on the complainants to us. Once we had identified complaints, we were able to link them to which units had detained them or been on that operation. We could then approach HQ DSF with requests for information on particular operations and dates these operations took place. In addition, once we had disclosed which Objectives (Objs) we were investigating, this then gave HQ DSF the opportunity to gather any information and either delete, retract

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or speak to witnesses and suspects. This was something we considered at the time.

99. I have no knowledge and had no involvement in any security breach in relation to the suspect status of [REDACTED] N1201 [REDACTED].

100. There were initially constant discussions between RMP and [REDACTED] HQ DSF Legal and the [REDACTED] Disclosure Staff in relation to the protocol. These discussions took place between SIO Wright/DSIO [REDACTED] N73 [REDACTED], and [REDACTED] Name Given of [REDACTED] HQ DSF Legal and [REDACTED] [REDACTED] N96, a disclosure staff member [REDACTED].

101. The impact of the protocol on the investigation is that it stopped us from doing our job effectively and timely. The protocol was not appropriate for us, however it benefited [REDACTED] HQ DSF [REDACTED] because of the delays it caused.

102. I did not consider the protocol to be an appropriate mechanism for liaison between the RMP and [REDACTED] HQ DSF in respect of Op NM. It gave [REDACTED] HQ DSF an excuse not to provide information when requested. For instance, if we requested a particular document relating to an operation, [REDACTED] HQ DSF would use the protocol to delay or avoid providing the requested document.

103. The role of the [REDACTED] HQ DSF disclosure officer in relation to Op NM was that they got us access to [REDACTED] HQ DSF and to view the parts of their server that they allowed us access to. They were responsible for sending documents. I recall that [REDACTED] [REDACTED] N96 [REDACTED] was the disclosure officer.

104. I do not know who the disclosure officers involved in the interviews of [REDACTED] UKSF [REDACTED] during Op NM were. I was not involved in these interviews and so cannot comment. For the witness interviews I conducted (or was involved in) we had [REDACTED] Name Given [REDACTED] present.

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105. I do not know what the agreed parameters were of the roles of the disclosure officers in relation to interviews conducted by Op NM.

106. In general, I did have concerns about the presence of disclosure officers during interviews as, in general, they briefed personnel prior to interviews. I had these concerns from having worked with LEGAD on other investigations in the past and I continued to have these concerns during my time on Op NM. Also, in my general experience, when taking statements in the presence of LEGAD, they would say what could or could not go in statements. From my perspective this was a problem because it felt as though they were overstepping their boundaries. This was a statement from the relevant UKSF personnel and not the organisation.

107. All my concerns about the disclosure officers during the investigation are outlined above.

### Investigative Direction

108. I have no information to provide in relation to GOLD Group meetings.

109. I have seen documents which suggest that I attended two SILVER Group meetings. The first meeting was on 27 September 2017. The second meeting was on 24 November 2017. I attended both meetings remotely. They were hybrid meetings some attended in person and some attended remotely. In relation to the discussions at the two SILVER Group meetings I attended, beyond what is in the minutes I cannot recall any discussions during the meetings.[RMP-221-0000167-A]

110. In relation to other meetings, there were regular Team 1 meetings to discuss the investigation, LOE and evidence recovered. These meetings were held generally on a weekly basis, and all members of Team 1 attended. These

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were in-person meetings. I am unsure whether minutes were being taken during these meetings. We would discuss any progress made during the week, the thoughts of Team 1 members on how the investigation was progressing and further actions which were required in the coming week. If there was a significant development, we may have had an extra meeting. In my view, having weekly meetings was sufficient and provided an opportunity for all team members to be aware of any updates on progress being made in the investigation. These meeting was headed by Capt Wright. Overall, I thought these meetings were helpful.

111. There was significant changes in the strategic direction of the investigation when Maj Cox was brought in, but I am not aware of what they were and the reasons behind these changes. There was a perceived feeling in the team that certain LOE were being stopped, and there was no justification being provided for this or indication of who was directing this change in LOE. I do not know whether decisions in relation to strategic direction of the investigation were made at the appropriate level within the leadership structure.

112. In relation to LOE, I was involved in gathering material and documents held by HQ  
DSF, and the team involved in interviewing Afghan witnesses. In some form or other, I was involved in investigating all eleven objectives. This work would have ranged from identifying relevant individuals involved in the operations, recovering material from HQ DSF and devising a strategy for how and where relevant individuals would be interviewed. I was a member of the team that travelled to Afghanistan to investigate Saifullah (Obj Tyburn). This was the only interview conducted in Afghanistan that I was directly involved in. I was also involved in the investigation in relation to Saifullah prior to travelling out to Afghanistan to conduct the interview. Furthermore, I recall being a member of the team that conducted interviews with NG witnesses,   in the UK.

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113. I believe I did find evidential basis to support some of the conclusions outlined in the Op NM TORs. These were found on the HQ DSF server. I do not think I had ever seen the Op NM TORs, but I would have been aware that there were TORs. I just surmised that the TORs would have included something to the effect that we were investigating whether the allegations of EJK against UKSF were true.

114. We were not able to follow all relevant LOE whilst carrying out our duties. Specifically, we wanted to speak to all witnesses in Afghanistan who had provided information. However, we were not allowed to speak with these witnesses due to their location. For instance, in relation to Saifullah, we were allowed to interview him in Hamid Karzai International Airport. We were not allowed to conduct interviews in the general public for security reasons – it had to be in a secure location. The locations where these Ops took place, were difficult places to get to for security reasons. The very fact that an Obj took place in these communities meant that they could still be quite hostile – if they saw uniform we were all the same. So from a security perspective, getting us to locations was quite difficult. Another LOE, was visiting the scenes. Again, we were not allowed to do this because of security implications.

115. In relation to finding and interviewing/statementing of witnesses, efforts were made through Leigh Day and Co (LDC) to locate and interview witnesses to the allegations of EJK. I think through LDC, we located Saifullah in Afghanistan. Mohammed Bang was too old and frail to travel. Also, I do not believe he was allowed clearance to enter Kabul Base. A group from Team 1 were assigned to interview Saifullah. I was the interview manager for Saifullah. The other individuals in the interview team were: Nick Smith, Stephen Cook (they were both Sgt); and N2462. As Interview manager, I appointed the interviewer and decided how the interview should be conducted. The other roles in the interview team were: interpreter, psychologist.

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116. The difficulties in locating and interviewing witnesses was contacting them and getting them to suitable location – we used LDC for this.
117. I believe the reason why a decision was made in March 2017 to restrict interviews in Afghanistan to Saifullah and Obj 3 was because that was the Obj we had more information on. I recall that we had recovered documents from the copy of the HQ DSE server on this Obj. I did not know that a decision was made in March 2017 to restrict interviews in Afghanistan to Saifullah and Obj 3. I am unsure who made this decision or the rationale behind it.
118. I believe the reason Saifullah was not interviewed by investigators until September 2017 was because arranging the interview, finding location, and getting them access to the location (the Kabul base) was difficult. I recall that we had planned earlier in 2017 to interview Saifullah, and the team was prepared for this. But we were told that it had not been agreed yet, and so there was a delay. I think there was a lot of work required to get agreement for Saifullah to be interviewed at Kabul base, as this was a NATO base.
119. I am unsure why witness statements were not taken from UKSF on Obj 2, Obj 3 and Obj TYBURN until late 2017 onwards. These would have been decisions taken above me.
120. For this Obj (Tyburn), the investigative steps that ought to have been taken in respect of this LOE, but were not was to interview Bang and also N2132, which we wanted to do. We were not allowed clearance/security to go anywhere other than Hamid Karzai International Airport. We were informed of this by Capt Wright.
121. In relation to the obtaining of data and relevant media evidence, Capt Wright and N73 wanted to recover the server. A decision was made not to recover the server, as it was critical to the conduct of operations in

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Afghanistan. I am not sure who made this decision, but to an extent we understood the reasoning behind this due to ongoing operations. There were alternatives actively being considered by Capt Wright, [REDACTED] N73 and our cybercrime team in conjunction with [REDACTED] HQ DSF such as copying the server. This was eventually the course of action adopted.

122. Before we obtained a copy of the server, [REDACTED] HQ DSF gave access to limited information from material on their server based on the Obj we were interested in. We would give [REDACTED] HQ DSF certain search terms and dates. We would then attend [REDACTED] HQ DSF, and [REDACTED] they would allow us to see material that had been returned from the search terms we provided. I cannot confirm that that we viewed all relevant information or material because we were essentially dependent on [REDACTED] HQ DSF allowing us to view the material. Those of us who had the [REDACTED] Appropriate Clearance attended – I was one of the individuals. Eventually we obtained a copy of the server. I cannot recall when we obtained this copy. At the temporary FDHC (at HMS Collingwood), which was set up in HMS Collingwood, we interrogated the material on the copy.

123. It was identified (I do not recall how) that video footage may have been held [REDACTED] in a US Base. In September 2016, Sgt Cook and I went out to recover the server with two technicians and a cyber-expert from SPCB. I believe we only had two days to access the facility where we would view the material. We viewed certain dates as provided by Chain of Command (Capt Wright/WO2 Dempster), to see if footage existed for those dates. We did not find anything for those dates. The original FMV server was recovered back to HMS Collingwood, although it was never viewed as we needed special equipment. I do not recall what special equipment this was. This was still the position at the point I left Op NM.

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124. We also did work with Army Historic Branch (based in Whitehall) regarding any information they had on operational record keeping (ORK). I do not recall finding much with ORK.
125. The difficulties in obtaining relevant media evidence was locating it, recovery and viewing of material. We had the difficulties obtaining the original server, and it took us a significant amount of time to obtain the copy. It also took us a significant amount of time to identify that potential footage was held out in the US base, and then it also took a while to identify the technicians that would come out with us. The setting up of the FDHC at RAF St Mawgan was integral to viewing the material – this never happened during my time on Op NM.
126. The investigative steps that ought to have been taken in respect of this LOE but were not is that footage should have been viewed, but we needed special equipment to do this. I am unsure if the special equipment was ever obtained.
127. I am unsure what enquiries were carried out in respect of imagery analysis in relation to dropped weapons.
128. In relation to the extent of FMV viewed and the records kept, I recall viewing FMV on the HQ DSF server. I cannot recall what it related to. This would have been when I was based at HMS Collingwood. Also, I recall viewing FMV in the US Base. I led a team from Team 1, which included Sgt Stephen Cook, two technicians who were not members of Op NM but were there to help with recovery of the server and a Cpl from SPCB who attended for technical purposes. In the US Base, we were running search terms against the FMV, looking for the footage from the operations from the objectives. I cannot recall what was viewed.

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129. I do not recognise the acronym 'ITS4', it is possible I may have known this by another name but I cannot recall.

130. I have no specific information to provide about:

- i. Attacker – Nil
- ii. DAS – Nil
- iii. ITS2 – I have viewed my workbook which relates specifically to ITS2. Beyond what is contained in this workbook, I have no further information to provide [RMP-221-0006695-A]
- iv. DI – Nil

131. I do not know if forensic analysis of the photographs/images was taken during the DDO's undertaken.

132. In relation to ITS 1, the reason this server was important to the investigation is that it should have contained all information on all Ops. ITS1 were Special Forces systems. I believe one was the Afghan server, and the other was the server in the UK. In my view, the appropriate course of action in relation to obtaining this server is that it should have been seized straight away. I do not know why this server was not seized under the policing powers of Op NM. I believe this is because of ongoing operations, and the point was made that by taking the server we were potentially placing military personnel at risk in Afghanistan.

133. I am directly unaware of any alleged deletion of material from the server. However, I recall that we travelled to Location Given and took a statement from a N2198. I recall him saying that he want out to Afghanistan to either move servers or reduce the amount that was on the server. As part of his statement, he mentioned to us that everyone's computers were going to get copied and put onto a server, and they were being told to delete the information on the

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computer that they did not want and only relevant information would be uploaded on to the server. This would have been in [N2198's] witness statement, which I do not have access to.

134. I do not recall being provided with rationale from Lt Col Harvey (GOLD) in relation to ordering an independent investigation into the deletion or obtaining the server by agreement.

135. I recall that the NRA was used on the [ITS1] servers [RMP-221-0006696-A]. My recollection of how the NRA was used was that you would put relevant terms, such as dates, times or objective names in the NRA and it would bring up results.

136. The way in which search terms in relation to the NRA were collated is that as the investigation progressed, there were terms which we knew were relevant and may have produced results when put through the NRA. Also, we knew that for each operation, there were certain documents which should have been produced, for example storyboards. So when we put terms like 'storyboard' alongside an Obj name, we would expect results to come back.

137. I do not recall the declaration of [N1201] and [N1141] as suspects, nor how or who made this decision. I was not aware of any decision to use a covert surveillance policy. I cannot comment further on this point as I was not involved in that decision-making.

138. I do not recall the decision to no longer treat [N1201] and [N1141] as suspects. I do not know who made this decision or their rationale. I cannot recall being made aware that [N1201] and [N1141] were no longer to be treated as suspects. For this reason, I cannot comment on whether I agreed or disagreed with this decision as I was not involved.

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139. Covert Policing Tactic

140. I do not have any information relating to the decision not to link the investigations. Therefore, I do not know of the rationale and cannot comment on whether I agree or disagree with this decision. I assumed that the investigations were linked to the allegations of EJK. I am not aware of advice received from external advisers in respect of linking the investigations. There was consideration from the beginning of Op NM to the possibility that the deaths that were being investigated formed part of a wider pattern of EJK by UKSF. We looked at those 11 Objs reported to us, but searched for terms like EJK on server.

141. I have no recollection of the Systemic Issues Working Group.

142. I am unsure why a decision was made to prioritise Obj 2, 3 and TYBURN above other DDO's in November 2017. I do not have any recollection of this. At this point I was based at HMS Collingwood, and so it is possible that decisions were made at RAF St Mawgan that I was not aware of.

143. I have no information in relation to the decision in November 2018 which deemed the other 8 DDO's as low priority, as I had left Op NM by this point.

144. There was definitely consideration given to the possibility that the circumstances of any deaths in the course of DDOs being investigated were covered up by UKSF. I think I had these concerns from the point that the witness came forward to say that he had raised concerns about the Objs, and was concerned about a cover up. This happened quite early on in my time on Op NM. The witness was worried about the reputational impact on UKSF because of the actions of one unit. The witness had told us that he sent emails in relation to his suspicions. I cannot recall the name of the witness. However, I do recall

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that the witness was concerned about their safety. I travelled to [SBS Location] with [N73] [N73] to retrieve documents that the witness had kept in relation to his suspicions. This was the full extent of my involvement with this witness. I am unaware if further actions from this LOE were followed.

145. In relation to investigating offences relating to Command Responsibility, we definitely considered this, as material was found that showed they were aware of allegations by others, but only requested a review of the Tactics Techniques and Procedures (TTPs). The steps we took to investigate this possibility was we searched server for emails in relation to this. I am not sure what other investigative steps we ought to have taken in respect of this LOE.

## Op CESTRO

146. I cannot recall if I was directly involved in Op Cestro. I possibly was at some point.

147. I do not know whether it was considered that Op CESTRO may fall within the Op NM TORs.

148. I do not know how the review of Op CESTRO by Op NM was carried out and who carried out the review.

149. I do not know the outcome of the review of Op Cestro.

150. I have no view on whether Op CESTRO was adequately investigated by the RMP and/or Op NM.

151. I have nothing further to add about Op Cestro.

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### Other Investigations

152. Regarding Operation Pavo, Operation Shiverwood, an allegation by IIA828, and Telemeter 2, I do not recall the work I carried out on these investigations. However, the names of these investigations do sound familiar. I can see that I did work on an allegation by IIA828. I am not sure if any of these operations were considered to fall within the Op NM TORs. I cannot comment further on these investigations.

### Ending the Investigation

153. I am not aware of the reasons for ending Op NM in Aug 2019, as I had left Op NM by then.

154. I am not aware of any outstanding LOE that had not been followed and/or adequately pursued by Aug 2019, as I had left Op NM by then.

155. I was not aware that an investigation team was deployed in Afghanistan at the time the decision was made to conclude Op NM, as I had left Op NM by then.

156. I am not aware of any discussion and/or debate between those working on Op NM, about ending Op NM, both formally and informally, as I had left Op NM by then.

157. I cannot comment on the appropriateness of ending Op NM at that time; or what the driving factors were in bringing the investigation to an end. I had left Op NM by this time.

158. I had no involvement in the drafting of an Executive Summary in relation to Op NM.

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159. I do not know why a detailed closing report was not produced.

### Other Matters

160. The extent of my involvement in briefing/meeting/liaising with categories of individuals in relation to Op NM is as follows:

- a. HQ DSF/Director; HQ DSE – I met and liaised with the Disclosure Staff and HQ DSE Legal
- b. CGS/DCGS/Other senior members of the Armed Forces; Nil
- c. DSP/SPA; Nil
- d. MOD Officials / Civil Servants; I met with civil servants who work with Army Historic Branch (based in Whitehall – MOD) regarding any information they had on operational record keeping (ORK).
- e. Govt. Ministers; Nil
- f. MP's; Nil

161. I have explained the nature of those briefings/meeting/liaisons in relevant parts of this witness statement. The purpose of these briefings/meeting/liaisons was to obtain information and recover evidence relevant to Op NM. In relation to the civil servants at Army Historic Branch, they helped us look for information – they were aware which Objs we were looking into and were aware of the unit under investigation. I cannot recall the individuals involved at Army Historic Branch. I do recall that we dealt with Name Given of HQ DSF Legal and N96 who was a member of disclosure staff. There are no associated minutes for my liaison with these categories of individuals as they were not formal meetings.

162. I was of the view that there was a risk in briefing the individuals associated with UKSF, as they knew what information we were looking for. Specifically, as noted earlier in this statement, there was a risk of information being deleted and a direct risk to witnesses who came forward with information. I did not think there was a risk to liaison with civil servants at Army Historic

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Branch. They knew what unit we were looking into but would not have known what it involved until it was leaked.

163. I was not directly aware of any external pressure being applied by third parties outside of the RMP in an effort to influence the outcome or any other aspect of Op NM. However, as I have stated above, there was a belief that individuals higher up (possibly as high up as Government) were putting pressure for the investigation to end. This belief was fuelled by people being bought on to Op NM, and the perceived change of direction. We knew within the team that there were external conversations taking place outside the RMP with seniors in RMP. We knew that the allegations we were investigating could have had an impact on national security.

### Overall Impression

164. I did initially think that Op NM was properly conducted. In the beginning we worked well at identifying what we were investigating and the allegations we were looking into. In my view, once we understood the extent of our work in Team 1 and the 11 DDOs we were investigating, we started to see the obstacles. For instance, not being able to get to obtain the servers and the lack of access we had to witnesses. We received resistance from those higher up, and this hindered progress being made with the investigation. Also, UKSF was quite resistant on which witnesses we spoke to, and when we could speak to them.

165. In my view, I do not think Op NM was comprehensive. However, my view on this is somewhat limited as I left before Op NM was concluded. Focusing on my time on Op NM, my view was that as LOE were either not conducted in a timely fashion or not conducted at all, this had a negative impact on the comprehensiveness of Op NM. If the allegations we were investigating in Op NM happened in the UK, the necessary steps would have been taken more quickly and with less resistance.

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166. I did not consider Op NM to be effective as it was ended when there was evidence to suggest EJK occurred. The lack of comprehensiveness led to it not being as effective as it could have been.
167. I did not consider Op NM to have progressed expeditiously. There was much consideration given to the operational effect on our service persons. Consequently, material was not gathered when it should have been. HQ DSF exercised significant control over who was spoken to and when they were spoken to. Obtaining the material from UKSF was particularly difficult. Even when it was obtained, there still remained the question of whether it was the full extent of the material available. The process was not swift – we had to go through the Disclosure Staff which delayed matters. As I have noted earlier, the protocol was a hindrance to the investigation.
168. I did consider that RMP was the right organisation to conduct the investigation. In my view, I cannot think of another organisation that could conduct the investigation. In hindsight, a shortcoming on the part of RMP was that we should have used our police powers to a greater extent. But I still think that any other organisation would have faced similar difficulties and obstacles. For instance, it was a struggle to get us out to Afghanistan to obtain the relevant information and material. Any other organisation would have faced this problem, and perhaps to a greater extent than we did.
169. I do not think that Op NM received adequate support from others. It appeared that those higher up did not like that Special Forces were being accused of such crimes, and as such wanted the investigation to stop. It felt as if instinctively people wanted to protect the military as these are the men and women out there protecting the country – to a lot of people they can do no wrong. So we received much resistance, but we were just looking into the allegations that have been made.

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170. I do not believe I have any further information that would assist the Inquiry, but remain prepared to assist it as best I can.

Statement of truth

I believe the contents of this statement to be true.

Signed: *Pip McLean – Inglis* (signed electronically)

Dated: 8 May 2025

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