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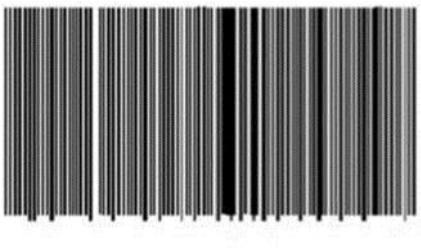

RMP-221-0007080-A

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Witness name: Robert Hunter Morris

Statement Number: R9.19(S)

Dated: 24 July 2025

Exhibits: 32

INDEPENDENT INQUIRY RELATING TO AFGHANISTAN

WITNESS STATEMENT OF COLONEL (RET'D) ROBERT HUNTER MORRIS

DATED 24 JULY 2025

A. Introduction

1. I, Colonel (Ret'd) Robert Hunter Morris, formerly of the Royal Military Police ("**RMP**"), make this statement in response to the Independent Inquiry Relating to Afghanistan's (the "**Inquiry**") Nineteenth Secret Rule 9 Request to the Royal Military Police.
2. The purpose of this statement is to explain the roles that I filled under Operation Northmoor ("**OPNM")** between March 2015 and July 2019. I explain my roles as Assistant Head of OPNM, as well as the Deputy

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Provost Marshal (Investigations) / Assistant Head (Technical) within the Army's Provost Marshal Headquarters.

3. The Inquiry may be aware that I provided a witness statement [RMP-221-0007030-A] on behalf of the Secretary of State for Defence in the Judicial Review proceedings which were stayed once the Inquiry began around the end of 2022 and early 2023. This witness statement was effectively a corporate witness statement of which I drew from own knowledge and that of my colleagues in the RMP. For the purposes of this response to the Inquiry's Rule 9 request, I limit myself to knowledge I am personally aware of.

B. Training and Experience

Prior to Op NM

4. From 1989 to 2022, I completed two periods of regular service as an Army Officer before retiring at the retirement age of 55 in February 2022.
5. From 1980 to 1985, I attended Eastbourne College. Following a gap year, I began my studies in BA Humanities at Bristol Polytechnic between 1986 and 1989. I was a member of the University Officer Training Corps between 1986 and 1989 and held a Territorial Army Commission from 1988 to 1989. In April 1989, during my studies, I attended the Regular

Commission Board assessment to determine my suitability and selection for training as an Army Officer.

6. In September 1989, having passed the Regular Commission Board process, I entered the Royal Military Academy Sandhurst. In April 1990, I was commissioned in the Gloucestershire Regiment. I was posted to the Regiment and between 1990 and October 1993 I held regimental duty posts prior to being posted as an Instructor to the Infantry Support Weapons Wing.
7. In October 1995, I was posted as a Training Major to a TA Regiment. I worked in this role until June 1996. In 1996, I left the Army because I could not convert my commission from short service to regular service. At the point in which I left the Army, I was at the rank of Captain.
8. I was not working within the Army between June 1996 and December 2000. From 1996 to 1997, I worked in a commercial firm in London. From July 1997 to July 1998, I travelled to Australasia and Southeast Asia. Between July 1998 and February 1999, whilst going through the British Transport Police selection process, I undertook temporary work in London. Between February 1999 and November 2000, I worked as an operational police constable for the British Transport Police.
9. In April 1999, I was selected from the Accelerated Promotion Scheme for Graduates following a national selection board testing process. This

guaranteed my promotion from police constable to police sergeant and then to Inspector in the future. I received mentoring from a senior police officer in the British Transport Police.

10. I subsequently decided to re-join the Army. To rejoin the Army, I had an interview with the then PM(A), Brigadier Maurice Nugent, and was then considered by the Army Commissions Board who assessed my suitability to rejoin the Army. In December 2000, I was granted a Short Service Commission and I rejoined the Army and was transferred to the RMP to serve as a Captain, the rank I had previously left the Army in. I had not previously worked with the RMP during my first stint in the Army. My understanding was that I would undertake both command and staff roles. I completed RMP officer career courses, and these would have been in respect of the management of investigation roles rather than conducting investigations.

11. In the Army, officers on average change their roles every two years to gain experience and to be considered for promotion. I was promoted in August 2003 to the rank of Major. I was then promoted to Lt Colonel in November 2010 and subsequently to Colonel in February 2015.

After commencement of OPNM

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12. From March 2015 until March 2017, I was Deputy Provost Marshal (Investigations) (DPM (Inv)) within the Army's Provost Marshal Headquarters (HQ PM(A)). The title of this role changed to Assistant Head (Tech) (AH Tech), however the duties and responsibilities remained the same. In March 2017, I was appointed as the Assistant Head OPNM (AH OPNM).
13. I occupied my final post in the Army between August 2019 and February 2022, as Provost Marshal of the North Atlantic Treaty Organization (NATO) Allied Rapid Reaction Corps (ARRC), in that role I was principal military policing and gendarmerie advisor to Commander ARRC (3* Lt General).
14. Since January 2022, I have been employed by a not-for-profit organisation.

Role as Deputy Provost Marshal (Investigations) (February 2015-March 2017)

15. The first role I held which had any relation to OPNM was the position of DPM (Inv). In July 2014, while I was still Commanding Officer (CO) 3 RMP, I was to run the Army's Number 2 Board for consideration for promotion to Colonel and appointment to the vacant DPM (Inv) post. I was assessed through the Army Selection Board process to compete with other RMP Officers for the role of DPM (Inv). From my own experience,

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the selection process involved submitting a posting preference proforma stating why I was suitable for the role. My confidential report book would then have been considered by the Army Number 2 Board and would have received a score on my performance and potential for the post.

16. I understand that as I scored higher than the other RMP candidate for the post, I was selected and at the end of my command tenure in February 2015 I was promoted to Colonel and posted in as DPM (Inv).

17. In the role of DPM (Inv), I was the lead for investigation and policing policy and doctrine and for the oversight of RMP investigations. Specifically I had responsibility for the development and maintenance of RMP strategic investigation and policing doctrine and staffing of legislative and statutory requirements. I had liaison responsibilities with key and appropriate stakeholders including and not limited to (the then) Association of Chief Police Officers (ACPO) and Home Office Police Forces, National Crime Agency (NCA), HM Inspectorate of Constabulary (HMIC), Office of Surveillance Commissioners (OSC), Interception of Communications Commissioner (IOCCO), Ministry of Defence (MOD), Permanent Joint Headquarters (PJHQ) and Army HQ Directorates and PM(N) and PM(RAF). I had oversight and surety of RMP investigations for PM(A) alongside monitoring performance through continuous assessment of military police investigations.

Signature..... RH Morris

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18. With specific regard to OPNM, I was providing the strategic level interface between OPNM, the Army HQ, the MOD, [redacted]. I was mainly involved in coordinating matters of personnel, equipment and accommodation. From March 2015, I worked within the HQ PM(A) as DPM (Inv), with OPNM related tasks taking up around 25 per cent of my working hours.

19. To my knowledge, Lieutenant Colonel John McAllister as SO1 Investigations and Policy was covering the role of DPM (Inv) from summer 2014 until February 2015, just before I took over my new post. I recall receiving a full briefing/handover on the investigation and other related matters, soon after arriving into post, being delivered by the then SIO, Capt Jason Wright. I would also have had some handover discussions with Lt Col John McAllister. In essence, this handover would have been high-level with the intention of bringing me up to speed with where OPNM was, and key upcoming issues to be actioned. Capt Jason Wright would have been across much of the issues regarding OPNM, and so he was regarded as the appropriate person to brief me.

20. In late 2015, the DPM (Inv) became AH Tech. The nature of my role did not change from DPM (Inv). In this role, I reported and received direction from PM (A), which would have been Brig Bill Warren.

Signature..... RH Morris

Role as Assistant Head OPNM (March 2017-July 2019)

21. By late 2016, it was recognised by both PM(A) and Deputy Chief of the General Staff (DCGS), during their discussions, that the work I conducted on OPNM as AH Tech had effectively become full-time and required that commitment. Over the period from my assumption of the DPM (Inv)/AH Tech role to late 2016, the investigation had ramped up in terms of scale and the amount of resources being expended to carry out the investigation.

22. I agreed that the AH Tech role needed to be split up, so as to have a dedicated Assistant Head for OPNM. A new post of Assistant Head OPNM was therefore created in March 2017. This post was an extra resource, in other words an extra full Colonel's post was being sought. The manning committee agreed to the RMP having the extra resource but it was time limited to 31 Oct 2018. At that point justification would be required for the RMP to continue to have this extra resource.

23. I participated in the competition, and secured the AH OPNM role. The selection process would have been similar to what I underwent for the DPM (Inv) role (as described above). I think I was selected for a number of reasons, including that it was clear given my involvement from March 2015 in OPNM as DPM (Inv), that I was best qualified and experienced to fill this post; and it would be sensible from a continuity perspective that

Signature..... RH Morris

I continue in this role. This was not a promotion, it was a flat move which would essentially mean I was dedicated solely to OPNM matters.

24. In relation to the role of AH OPNM, I was responsible to PM(A) for the strategic policy surrounding OPNM; liaison with MOD, PJHQ, Army HQ Directorates, other Service Police Force HQs [redacted], oversight of activity and monitoring progress and performance through a lessons identified process alongside leading the OPNM Secretariat and being the OP NM Budget Holder within the HQ PM(A) BLB.

25. From March 2017 until July 2019, I was AH OPNM. There was no requirement at this stage for a handover process for this role because I had already been conducting the substantive work since February 2015, and in any event, this was a new role that had been created so there was no predecessor. I take this opportunity to address the issue of handovers for such roles within the Army. It is common that when an individual is leaving a post, handovers to the incoming post holder would have been carried out in detail by the staff that remained in the team for that role. There would also have been a series of briefings from senior personnel. So, the new post holder would have received updates, information and assistance from the staff working for them (carried over from the previous post holder) and from their senior.

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26. In my role as AH OPNM, I was supported by an Assistant Head OPNM policy – occupied by a grade B2 Ministry of Defence civil servant; and a Staff Officer Business Manager, Martin Pollard – occupied by a grade C2 Ministry of Defence civil servant. The AH role (grade B2 civil servant) focused on policy and communications issues, and this was performed well by Miles Tooke who from my knowledge was an experienced civil servant. Martin Pollard would have been responsible for the implementation of budgetary matters.

27. During my time as AH OPNM, I reported to and received direction from PM(A). Direction was either received in e-mails or verbally. PM(A) and I discussed updates on OPNM regularly. There was no formally set regular meeting in our diaries. However, when necessary, I would have discussions with Brig Dave Neal and bring matters relevant to OPNM to his attention. I had a relationship with him which meant that I could walk into his office, and brief him on relevant matters. This could mean going into his office two or three times in one day, or once in a week – it was essentially guided by circumstance.

28. When I assumed the role of AH OPNM, I recall providing a full briefing/handover to Col Scott Meredith, who was appointed the new AH Tech. Furthermore, I conducted routine liaisons with the new AH Tech, and I attended the Crime Executive Group which was PM(A)'s fortnightly

Signature..... RH Morris

forum to be briefed on Level 2 investigations across the RMP. Some discussion at the CEG would have related to OPNM.

29. Before addressing the substance of my roles and responsibilities, I take this opportunity to outline my relevant training and qualifications obtained before and during the roles I held on OPNM. Prior to taking up the role of DPM (Inv) /AH Tech and AH OPNM, I had the following relevant training and qualifications:

(a) Initial Investigations Course 2001

(b) Management of Investigations Course 2004

(c) RIPA Authorising Officers Course 2012

(d) College of Policing Multi Agency Gold Incident Commanders Course completed from 21-23 Jan 2014. This would have been before taking over as DPM Inv/AH Tech

(e) College of Policing ACPO Authorising Officer Course completed from 5-7 Nov 2014. This would have been before taking over as DPM Inv/AH Tech

(f) Serious Crimes Investigations Course in January to February 2015. I completed this just before I assumed the D(PM) Inv and Pol/AH Tech role on the instruction of Brig Bill Warren.

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30. It is important to note that that before I assumed the role of AH NM, I would have completed a period of approximately 2 years in the role of DPM (Inv)/ AH Tech, and would have developed relevant experience during this period.

31. Prior to commencing my role on OPNM, I did not have SIB investigative experience. However, it should be equally noted that I never held, led or directed any investigative matters within OPNM. I never held any appointment as GOLD, SILVER or SIO within OPNM. Given this I am confident that my level of training, skill and experience was adequate in that it covered the necessary skills and knowledge required to effectively fulfil my roles. Since my return to the Army, I had developed experience in staff roles at Major and Lt Col level.

32. I have been asked to comment on the level of training, skill and experience of my colleagues and whether this was adequate to fulfill their roles. At the point in which I started working on OPNM as DPM (Inv), I was not aware of the experience, skills and training of those that occupied senior investigative focused roles (GOLD, SILVER or SIO). Indeed, there was no requirement for me to be aware of these specific details. Many of the individuals were already in post when I arrived, and would have been through the relevant selection and recruitment processes. It would not have been necessary as part of my day-to-day duties to question whether

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they were suitable for their respective roles unless any issue was brought to my attention which required me to do so – no such issues were brought to my attention. Consequently, I do not feel that I am in a positon to provide comment on this, as I am not aware of the specific level of training, skill and experience of colleagues who served on OPNM.

33. The post of AH OPNM had a defined time period and was due to expire on 31 October 2018. HQ PM(A) then had to submit a written justification for it to be extended. I believe that this was done in June 2018. The justification was agreed by the Army Manning Priority Committee and the post was extended to 31 March 2020.

34. I was due for posting in 2019, noting that in July 2018 I ran to the Number 2 Board in competition with another RMP officer to be considered for selection for promotion to Brigadier and take over as PM(A) in 2019 when Brig Dave Neal's tenure was due to end. I did not get selected for this promotion and subsequently ran for the PM ARRC post which was to become vacant in 2019. I was selected for that post and left the Army in February 2022 as I had reached my terms of service retirement age of 55.

35. Before I left the post, I conducted a full verbal handover for Col Scott Meredith on 4th July 2019 at RAF St Mawgan. This handover was supplemented by notes. On leaving post, the AH NM responsibilities that

Signature..... RH Morris

remained were folded back in the AH Tech post. Any remaining investigative details would have been briefed to him by Maj Matt Cox.

C. Record Keeping

36. By the time I had taken up my role as DPM (Inv), I had amassed over 20 years' worth of experience in the Army over two stints. Throughout my period in the Army, I have always known adequate record-keeping and notes of decision-making to be important requirements for any role I have occupied. This was not specific to OPNM, it was a general requirement that I adopted as a staff officer.

37. I recall that I would have undertaken training in relation to record-keeping when I completed the Serious Crimes Investigations Course in 2015, prior to commencing work on OPNM. As it has now been over 6 years since I retired from the army, I cannot specifically recall what policies and standards I was required to comply with. However, I am sure that there would have been policies that I was required to adhere to.

38. In terms of record-keeping, I understand that all documents that were relevant to my post were originally retained on MOSS and then migrated to a restricted OPNM SharePoint. This includes e-mails and other relevant OPNM documents, which have all been retained and are accessible.

Signature..... RH Morris

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39. From 2015, I compiled three physical folders of documents which were relevant to my post. These were documents which I obtained through the digital system, such as saved e-mails (including those that I was not in the chain for, but which related to my work). Furthermore, I also compiled hard-copy documents I had been provided with by hand into these folders. I used these documents for my work during my role on OPNM, and have therefore reviewed them in preparing this response to the Inquiry's Rule 9 request. The physical folders do not contain all of the documentation I came across during the relevant period I was involved in OPNM.

40. When I occupied the role of AH Tech, I had a workbook in which I recorded investigative management policy decisions and my rationale for them. Some of the entries in the workbook related to OPNM. I recall that the workbook was stored at the office. I maintained this workbook from December 2014 to March 2016. After March 2016, all of my investigative management policy decisions would have been recorded digitally in emails.

41. As far as I can recall in and around 2015/2016, I created a document named 'Op NM External Briefing Chronology' [RMP-221-0001796-A], which I used to record key dates of briefings, acting as a chronology of

Signature..... RH Morris

when individuals, and organisations external to OPNM had been briefed on the investigation for my own record.

42. With regard to Gold Group meetings from 2017 onwards, speaking notes were usually produced by myself and/or Lt Col John Harvey, and provided to PM(A) who would use the notes for the relevant meeting. The speaking notes, would usually set out aims, objectives and any other relevant issues to be discussed. From my recollection, after the meeting, a record of any decisions made would be produced by either Maj Matt Cox or Lt Col John Harvey, and recorded on HOLMES and the Sharepoint, and this would usually be done directly after the meeting or in close proximity to the meeting. Most meeting participants would attend with their personal notebooks, and I remember participants often writing in their notebooks during the meetings.

D. Terms of Reference

43. I had not yet taken up my OPNM post when the original ToR dated 17 March 2014 were drafted. Therefore, I had no involvement in the drafting of the original ToR, and cannot comment on the process by which they were drafted or arrived at. Furthermore, I cannot comment on what, if any, reliance was placed on the Murder Investigation Manual and/or MIRSAP.

Signature..... RH Morris

I did not form any view on the adequacy of the original ToR, nor was I invited to when my involvement with OPNM commenced.

44. I recall reviewing the original ToR soon after assuming the role of DPM (Inv) in March 2015, but I cannot recall, due to the lapse of time, if these were included as part of my handover – it would make sense if they had been. I would have reviewed these ToR for the purpose of forming an understanding of what OPNM was investigating.

45. As to the revised ToR of 10 November 2016, this would have been drafted by the then GOLD Lt Colonel Harvey, and I would have reviewed the revised ToR. Subsequently, GOLD would then have submitted the revised ToR to PM(A) for consideration and agreement. I think, but cannot be sure, that the revised ToR was either produced after the initial briefing to the IAG in September 2016 or at the point when Lt Col Harvey came into post as GOLD. My involvement in the process would be to ensure that any draft ToR was in line with the intention of the OPNM leadership. As I would have been present at the meeting in which the decision was taken to revise the ToR, I would have casted an eye over the revised ToR just to ensure that it was in keeping with what was discussed. I cannot recall if I questioned or raised any issues with the draft that would have been sent to me for consideration before it was sent up to PM(A).

Signature..... RH Morris

46. My recollection is that the ToR was revised because of a change in investigative strategy and a change in OPNM leadership. In terms of the change in strategy, I recall that there was a shift from covert to overt strategy. In terms of a change of leadership, Brig Dave Neal was now PM(A) and Lt Col John Harvey was now GOLD. They were not in these respective roles at the time of the drafting of the original ToR. My recollection is that the revision of the ToR was a decision that GOLD and PM(A) were in support of, and I believe would have been on the recommendation of the IAG.

47. I have explained in the 'Investigative Direction' section my understanding of why 'systemic issues' was removed from the ToR. In summary, from the beginning of OPNM, there appeared to be no consistent and clear understanding of the term 'systemic issues'. As I was not a member of OPNM at the commencement of the investigation, I cannot speak to what was understood of the term by those who were in post at the relevant time. It was clear around the time that the ToR were revised that actually reference to the term 'systemic issues' related to detention abuse issues, not EJK. Once this became clear, my recollection is that the term was removed because OPNM wasn't established to investigate if there were systemic issues in relation to detention. This was a matter for the SIWG to consider, and we submitted annual reports to the SIWG.

Signature..... RH Morris

48. I cannot recall what, if any, view I formed on the adequacy of the revised ToR. It is likely that my view on the ToR was that so long as it aligned with the intended revision, it was fine.

E. Structure

49. I have been asked questions concerning the structure of OPNM. In my witness statement for the judicial review claim, I have addressed the team and leadership structure of OPNM. However, some of this information would have been drawn from the knowledge of my then colleagues in the RMP. Therefore, I have provided my own account below.

Team Structure

50. I understand that OPNM was first created with one officer and eight investigators and increased in size in March 2014 when it became clear that the investigation's complexity and scale was to increase significantly. I became aware of this as CO 3 RMP in 2014 (prior to appointment as DPM (Inv)). I was directed that I needed to provide both posts and personnel from 3 RMP to support OPNM. Capacity was increased to 63 posts at some stage in 2015 by personnel being taken across from the RMP Brigade because OPNM was the PM(A)'s main effort at that time.

Signature..... RH Morris

51. OPNM was initially based in Bulford. In February 2016, OPNM moved to RAF St Mawgan, this being the only available location accredited [redacted] security classification requirements and Defence standards [redacted].

52. In January 2016, Initial Operational Capability (IOC) for OPNM was declared. The IOC means a unit set up in a location which may not have all personnel assigned in post or all the relevant equipment available. I cannot recall who declared this or what the criteria was for IOC at that point. The IOC would have been agreed on the initial implementation Order drafted for OPNM. I'm aware that this work was undertaken by another branch in HQ PM(A).

53. In August 2016, Full Operational Capability (FOC) was declared. FOC means a unit that is fully functioning. At FOC, OPNM had expanded to 123 posts and from then it was organised into three teams. My understanding of the overall team structure was that these three teams were designated specific work to advance OPNM.

54. I have exhibited an ORBAT of OPNM's overall command structure [RMP-221-0007030-A pages 46-49], which provides an overview of how OPNM was structured in terms of the relevant teams and command structure.

55. Team 1 dealt with unlawful killing allegations. Team 2 considered allegations of abuse arising from detention, including both criminal and non-criminal misconduct allegations; and (everything else). Team 3

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provided investigative support to Teams 1 and 2 with an Intelligence Cell, Major Incident Room (MIR), Disclosure Cell, and Information Cell.

56. During my time on OPNM, the structure of the teams did change. The key change I recall, was the drawdown of personnel in the teams. When the Leggatt Test was applied, this led to a reduction in the number of Team 2 investigations, allowing OPNM to reduce its resourcing requirements for that team and to move personnel across the investigation where required. I did not have any concerns about these changes. Ultimately, the drawdown of Team 2 cases was not happening too quickly. It meant that positions in Team 2 were being released, and we could allocate more resources and personnel to Team 1 or returned back to the wider RMP brigade.

57. I consider that the Team structures were at all times fit for purpose. Ultimately, OPNM was a very resource intensive investigation. Due to the scale of the investigation, there was a need for adequate numbers. This was only achieved in mid to late 2016. From my perspective, it appears that once OPNM had FOC, the team structure worked well. I note that the structures were not rigid and when needed, they adapted to investigative changes, for example when resources were drawn down and personnel was moved across the investigation, as explained above. I say this with

Signature..... RH Morris

the caveat that I was not involved in the investigation and so cannot speak to what, if any, impact this had on how the investigation was conducted.

Leadership Structure

58. My understanding of the leadership structure of OPNM is that overall it adopted a standard military hierarchical structure to what we were used to in the RMP. In my view, when considering the leadership structure on OPNM, there is a distinction to be drawn between strategic and operational leadership.

59. The strategic leadership is effectively concerned with advancing the strategic direction of OPNM. It requires regular engagement at a senior level with ministers, senior army officials [redacted] with the aim of managing OPNM and facilitating the progress of the investigation.

60. The operational leadership is effectively concerned with decision-making on the investigation from an operational and tactical perspective. The extent to which any individual would be involved in operational or tactical decision-making would be dictated by the requirements of their specific roles.

Signature..... RH Morris

61. Furthermore, on OPNM, alongside the military structure we adopted the Home Office policing structure of having a: GOLD, SILVER and BRONZE.

62. The change to the leadership structure that I can recall was that following the departure of Lt Col John McAllister from OPNM, there was a realisation that this role had to be a full-time focused OPNM role, as opposed to GOLD having other duties beyond OPNM. The SIOs were dependant on receiving direction from GOLD at the operational level. The scale of the work that the teams were working on was vast, and this was underscored by the sheer personnel numbers in each team once OPNM reached FOC. It was evident that the investigation would benefit from having a GOLD commander that was solely dedicated to OPNM so that operational and tactical decision-making could be progressed and the necessary oversight provided.

63. I had no concerns with this change, and I agreed that it was necessary. OPNM in terms of its scale and nature was different to the standard RMP investigation. To an extent, the creation of my role as AH NM had been borne out by a similar realisation because prior to that I was working on OPNM as part of my duties in the role of DPM (Inv) /AH Tech.

64. Overall, I did consider the leadership structure of OPNM fit for purpose. I believe at the height of the investigation, there was a clear distinction

Signature..... RH Morris

between strategic and operational leadership, and the chain of command was by and large well-understood.

65. I have been asked to provide my understanding of the roles of the following leadership positions within OPNM:

(a) PM (A) is the Chief Officer of the RMP, and has ultimate responsibility for OPNM's investigative decisions and general resourcing. PM(A) provides strategic leadership to OPNM, and would work in conjunction with AH OPNM and GOLD to provide the necessary strategic direction. Due to PM(A)'s seniority, they would often be the lead on any engagement with ministers and high ranking army officials. I recall that two officers of Brigadier rank acted as PM(A) during the active investigation; Brigadier BIll Warren from 2014 to 2016 and Brigadier Dave Neal from 2016 and 2019. I believe that both Brigadier Bill Warren and Brigadier Dave Neal performed their roles to a good standard.

(b) The AH's: I was the first AH on OPNM. I was succeeded by Col S Meredith. I have already explained the nature of my role above.

(c) GOLD: I understood that the investigation's oversight and strategic direction was to be managed by a GOLD commander. It was for GOLD commander to implement the strategic direction. I recall that two Officers of Lieutenant Colonel rank held this position; Lt Col John McAllister from 2014 to 2016

Signature..... RH Morris

and Lt Col John Harvey from 2016 to 2019. I consider, as someone who has never been an investigative GOLD that they performed their roles to a good standard, given the resources that they had and the framework within which they were required to work in.

(d) SILVER: I understood that overall tactical command was to be exercised by a SILVER commander. Their role was to supervise and manage the investigation teams. There were three officers of Major or Captain rank holding this appointment. I cannot recall who they all were. I do recall that the last SILVER was Maj Matt Cox. I do not think I had any concerns about anyone who occupied the role of SILVER. If I did, I cannot recall the concerns.

(e) OC is the Officer Commanding of the Unit. I recall that Maj Tina Stitson occupied this role, and I believe she performed well in her role. Following drawdown, I recall that Capt Peter Knight took on the role of OC. I believe that he also performed well.

(f) SIO: The role of the SIO for Team 1 was to Command Team 1, and to lead the team in its investigation of allegations of unlawful killing within the parameters of ToRs and strategic direction given by PM(A) and GOLD. The role of the SIO for Team 2 was to Command Team 2, and to lead the team in its investigation of allegations of abuse arising from detentions within the parameters of ToRs and strategic direction given by PM(A) and GOLD. The

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role of the SIO for Team 3 was to Command Team 3 by providing investigative support to Teams 1 and 2, and leading on the Intelligence Cell, Major Incident Room, Disclosure Cell, and Information Cell. I recall that Capt Jason Wright was an SIO. I cannot comment on how he performed his role, as I was not involved in the tactical conduct of the investigation.

66. I cannot comment on Bronze, OIOC, DSIO and WOIC roles, beyond mentioning that I believe Gary Ward and Moira Penman held the role of OIOC,

67. I cannot comment on the rationale behind any appointments made of personnel to the abovementioned positions. I did not make any of the relevant appointments, and cannot recall being part of the decision-making process for any of the relevant appointments.

68. Overall, I do believe that the leadership roles and responsibilities were clear and well-defined. As I have already indicated, the nature and scale of OPNM was different to what most RMP investigations consisted of. There was a need on a few occasions to provide clearer distinctions in relation to roles. For instance, the role of CO and GOLD were distinct with different responsibilities. The role of CO is a traditional military role, and any OPNM administrative issues would have been escalated to the CO. The role of GOLD, is a term from the Home Office structure, but ultimately

Signature..... RH Morris

any investigative issues would have been escalated from the teams to GOLD, either directly from the SIO or through SILVER. I believe for most individuals that interacted with OPNM, both from within the Army and externally, this distinction would have been clear. But invariably there would have been a few instances of confusion. I am confident that where confusion arose, individuals would have been directed to the appropriate officer-holder swiftly. Therefore, I do not think this was a problem on OPNM. I certainly do not recall any complaints or issues arising from this either from within RMP or [redacted].

69. In the Inquiry's Rule 9 request, I have been asked whether I had any specific concerns about named individuals. I cannot recall having any concerns about how any of the individuals named in the Rule 9 Request performed their roles. I did have concerns about Maj Gary Ward, Maj Moira Penman and Lt Col John McAllister as they were away from the investigation for certain periods of time due to personal circumstances. But this was more of a personal concern as opposed to a professional concern. I did not have any reason to believe that their work was affected prior to them leaving OPNM.

70. In relation to Brig Dave Neal, this is an appropriate section of my statement to outline an issue which arose during OPNM [RMP-221-0007055-A page 32]. An allegation had been received by an RMP

Signature..... RH Morris

personnel alleging that Brig Neal and another person had asked him to change his evidence with regard to an investigation of an allegation of unlawful killing that had occurred in Afghanistan. My workbook outlines the totality of my knowledge and understanding of what occurred and how this was dealt with by the RMP. I have nothing further to add beyond what is in my workbook. I should note that this was not a concern I had in relation to Brig Neal, however, I believe this is an appropriate opportunity in my statement to make the Inquiry aware of this.

71. I did not have any notifiable associations, and I cannot recall any others who had notifiable associations.

72. In relation to potential conflicts of interest for any of those tasked at the RMP with investigating UKSF as part of OPNM, I cannot recall any individual who would fall into this category. [redacted] Provides an example of conflicted personnel who would be ineligible to join OPNM. [redacted] To my knowledge, no such individuals joined OPNM.

73. To be specific, I was not aware of any conflicts of interest in relation to Lt Col John McAllister, Brig Bill Warren; Brig Dave Neal; Lt Col John Harvey.

Signature..... RH Morris

74. If there was a conflict of interest, due to the nature of my role as AH OPNM, I would have expected that this would have been brought to my attention, but I am unsure if I would have had any role in resolving this issue. I believe we had specific policies on conflicts of interest. However, at this time, I cannot recall the content of any policy and what it would have required of me as AH OPNM (if anything at all).

F. Resources

75. As set out above, my responsibilities on OPNM included coordination of overall resourcing. Processes for sourcing the location, drawing together the infrastructure, equipment and personnel were started before I arrived as D(PM) Inv. Responsibility for delivering these resources sat both inside and outside of HQ PM(A). I believe that I took every reasonable step available to me on OPNM, to coordinate and secure adequate resources for the investigation during my tenure as both AH (Tech) and AH OPNM, which I outline below.

76. It is important to note at the outset that OPNM never took the form of a distinct business with its own budget. OPNM operated within a resourcing framework very different to civilian policing. First, there must be an appreciation of the fact that the RMP is part of the British Army, and consequently there are limitations on RMP's autonomy and ability to

resource its own investigations. Funding is controlled internally by the Army and Ministry of Defence (MOD). Consequently, the RMP had to engage beyond HQ PM(A) and undergo certain processes to secure the required resources for OPNM. Second, there must also be an appreciation of the scale of the investigation required for OPNM, which in the early years of the investigation increased as more allegations came to light. The point which arises here is that what was required to effectively investigate the allegations in OPNM, from a personnel, facilities and accommodation perspective, was exceptional. It is correct that PM(A) had their own budget and the authority to move personnel from one post to another; however, OPNM needed significant additional resources and personnel, which required the authority of Army HQ and MOD to procure such resources. So while PM(A) is independent of the chain of command for investigative purposes, they are dependent on Army HQ and the MOD for resources.

77. These wider contextual points are relevant when it comes to considering the issues of personnel, location, the FDHC and facilities for OPNM. For instance, PM(A) did not have the ability to fill personnel roles for OPNM from other parts of the Army – we had to draw personnel from units across the RMP, which would obviously have implications for RMP's effectiveness on other operations. Statements of need and/or Business

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Cases would need to be produced, and put through the relevant processes within HQ PM(A) and then forwarded for consideration within the Army and MOD. I was not involved directly in drafting statements of need or business cases. There are others who occupied the relevant roles in HQ PM(A) at the time who are better placed to provide details of the processes. However, I can state that these processes engage numerous individuals across the army landscape and MOD. There is no single person within the RMP that could have ensured OPNM was effectively resourced – this was a cross army/government responsibility.

78. To assist the Inquiry in understanding the budgeting processes and constraints faced by RMP, I have exhibited a number of documents which relate to general OPNM resourcing matters. This is by no means an exhaustive account of all OPNM resourcing issues. Any documents dated prior to when I assumed post as DPM (Inv) in February 2015, would have seen by myself as part of my handover. Documents dated after this period I would have seen as part of my day to day responsibilities.

79. [OPNM WLCM, Years 1 – 5, RMP-221-0007076-A] Sets out the overall budget for OPNM.

80. [From PM(A) to DJEP – Hd Public Inquiries, dated 27 March 2014, RMP-221-0007051-A]. Under the heading ‘Resource’, PM(A) notes that “there is much more to do”. Technical and infrastructure recourse are noted as

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the current limitations to the investigation. Importantly, it is stated that "[t]echnical resources are being procured through existing PM(A) budget lines but as there is no clear understanding of the importance to progress this investigation, the investigation is being delayed identifying appropriate funding lines and stressing the importance of the requirement against other Army priorities. This needs drive from MOD to deliver more efficiently". Lastly, the copy list on this document is instructive as it goes as high as the office of the Assistant Chief of the General Staff.

81. [From PM(A) to DRes, dated 15 December 2014, RMP-221-0007041-A] In this document it is stated that OPNM is a "highly complex criminal investigation involving complaints by 140+ foreign nationals of ill-treatment during detention in Afghanistan", and that the numbers are likely to increase. In relation to resourcing, it is noted that PM(A) provided the initial investigative structure from within "existing resources", but as the investigation has progressed there is a need for an increase in manpower, infrastructure and technical equipment. Issues are also raised in respect of both current manpower and infrastructure being inadequate.

82. [Internal Briefing to Director General (Finance) MOD, dated May 2015, RMP-221-0007042-A] I believe this would have been drafted by SO1 Policy/Communication. This document outlines the resource implications of delivering the necessary, prompt, independent investigation required.

Signature..... RH Morris

Ref [IIA to insert]

It is noted that a dedicated, secure major incident facility and specialized IT is required to effectively carry out the investigation, at an estimated cost of £12m which will be funded within the Army Top Level Budget (TLB). It is further noted that due to the nature of police investigations, Army TLB cannot predict what resource implications may arise as a result of particular lines of enquiry.

83. [From N1836 (Army Secretary) to Name Given (Deputy Permanent Secretary to the Secretary of State), dated 26 June 2015, RMP-221-0007043-A] In this document the Army Secretary outlines the resource implications of OPNM. It is noted that manpower is being generated from within the RMP, with currently 62 personnel already permanently employed but this will rise to 145 when infrastructure becomes available. It is acknowledged that this would comprise "approximately 10% of the brigade and will significantly impact on the resources available for lower priority investigations". The document also notes that OPNM requires a dedicated facility and specialist IT [redacted] and RAF St Mawgan had been identified at the most suitable location. Importantly, it is stated that the "costs, including the procurement of the IT, will be borne by the Army TLB, and is estimated at £9.5m, but is dependent on the outcome of the procurement processes and subject to Value for Money scrutiny". The section on resource implications ends by

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noting that it cannot be predicted what additional resources, if any, Defence may have to provide during the course of the investigation due to the uncertainty resulting from lines of enquiry".

84. [From Lt Col John McAllister to myself, dated 1 June 2015, RMP-221-0007054-A]. In this document Lt Col John McAllister makes clear to me that the infrastructure indecision is directly impacting on the ability to investigate the allegations in a prompt and effective manner. Lt Col John McAllister specifically focuses on the delay to move to a location which could be used by OPNM. DIO had identified RAF St Mawgan as a suitable site in mid-March 2014, but as of 1 June 2015, the RAF CoC had failed to endorse or reject the proposal. It is noted that S SAPT had intervened to try and move the decision forward, but this had not yielded any results. Lt Col John McAllister comments on the fact that it has been in excess of 15 months since the inception of OPNM and over 2 years since some of the allegations were made to the MOD. He concludes by stating that the external groups have commented on the lack of infrastructure causing significant delay to the investigation, and states that he agrees that this is adversely affecting the promptness and effectiveness of the investigation.

85. [Various email chains in early June 2015 re RAF St Mawgan, RMP-221-0007039-A] I note that in an email from Name Given

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to SAPT, he acknowledges that much work has been conducted by numerous [redacted] stakeholders on this time sensitive issue and that well-meaning people are "trying to drive this forward". He proposes a meeting with relevant stakeholders on the issue. However, he indicates that he is "concerned that corners have been crossed and the appropriate checks and balances have not yet been completed". He concludes by indicating that "I know that within the art of the possible RAF St Mawgan is possible but please allow Air Cmd and 22 (Trg) GP to scrutinise the response with a fine HQ pen".

On 5 June 2015, I sent an email to Brig Bill Warren providing an update on accommodating OPNM at RAF St Mawgan. I note that there has been some movement on this issue, but no resolution. I indicated that Lt Col John McAllister and I, met with Brig Mckend, the Head of Infrastructure Programming at the Strategic Asset Management and Programme Team (SAPT). In that meeting Brig McKend acknowledged the pressing legal and wider departmental imperative, but indicated that he would probably need to elevate it to 3* or 4* level to get resolution.

86. [Email chain re FDHC, early March 2016, RMP-221-0007053-A]. There is an email from Maj Phillip Hacker (Spec Ops), dated 8 March 2016 regarding FDHC technical issues. Specifically, concerning storage size requirement, technology sourced, location and security classification. [redacted]

Signature..... RH Morris

[redacted] of Army HQ in an email dated 10 March 2016 confirms that "[a]nything over 5m has to go through the Cabinet Office for approval although the portfolio office can confirm preferred solution"

87. [Briefing Note; dated 29 September 2016, RMP-221-0007031-A]. This briefing document outlines the general impact of OPNM on staff capacity, and also on the ability of the specific roles of AH Tech and SO1 Inv to "deliver their role without significant individual investment".

Reflections and responses on resourcing

88. As a general point arising from the documents I have referred to above, on various resourcing issues, such as on the location and infrastructure, it was necessary for the RMP to engage widely across the Army and MOD. The fact that OPNM was the priority for the RMP during the period of OPNM, did not necessarily mean it would be a priority elsewhere in the Army and MOD. As demonstrated above, there were frustrations within the RMP very early into OPNM with the pace at which resourcing was being progressed. I do not believe that there were any [redacted] which deliberately stalled progress to adversely impact OPNM. I know that there were processes outside of the RMP structure that had to be pursued, and the swiftness of these processes were not in alignment with the pace at which we wanted to progress OPNM.

Signature..... RH Morris

89. As DPM (Inv)/AH (Tech), I understood my role in relation to the overall resourcing of OPNM to be coordinating matters of personnel, equipment and accommodation. As AH OPNM, I was the OPNM Budget Holder within the HQ PM(A) BLB, and liaised across the army and with [redacted] on resourcing.

90. As I have explained already, the responsibility to ensure that OPNM was adequately resourced was shared with HQ(PM), Army HQ and MOD. It could not have been my sole responsibility, or indeed the sole responsibility of any other person, including PM(A) to ensure OPNM was adequately resourced. This responsibility was shared, and I accept that I had a role to play in ensuring that shared responsibility was fulfilled.

91. In my role as AH OPNM, I regularly engaged across HQ PM(A), Army HQ and the MOD to secure adequate overall resourcing. I ensured that I kept myself informed about the general progress of the investigation by maintaining a strong relationship with the GOLD Commander, and being present in meetings such as GOLD Group meetings. This meant I had an understanding of what was required in relation to resources. There were matters relating to the accommodation move to RAF St Mawgan and the construction of the FDHC in which from a resource perspective, I had involvement in progressing. However, for the reasons I have outlined above, there were limitations to what I could achieve. I was always keen

Signature..... RH Morris

to ensure that we pursued all the appropriate channels to secure adequate resourcing, but the nature of the processes meant that I had no control on how quickly matters progressed.

92. It was a struggle, particularly in the early days of my involvement in OPNM to ensure that the investigation was adequately resourced with the appropriate amount of personnel and the necessary equipment for our SIOs and other officers to carry out an effective investigation. In terms of personnel, OPNM was a significant burden on the RMP. It was necessary to move appropriately qualified personnel from other RMP investigations. The responsibility for this lay elsewhere in HQ PM(A) and so I cannot speak in any particular detail, but I do recall this took a significant amount of time.

93. On the basis of the above, I know we were not able to resource OPNM as quickly as we would have liked. The resources that OPNM required in March 2014 to carry out an effective investigation drastically changed during the course of the investigation. Not only did RMP have to respond to this, so did Army HQ and MOD. Furthermore, due to the cost of technical equipment and infrastructure such as the FDHC and defence security considerations for the accommodation, it took a significant period of time before we could fulfill these resource requirements.

Signature..... RH Morris

Ref [IIA to insert]

Personnel

94. In relation to the resourcing of personnel, investigative support and specialist capabilities, in my view, in terms of numbers, we were not adequately resourced until mid-2016, when OPNM achieved FOC. I can comment on the adequacy of personnel resourcing from the point in which OPNM reached FOC. I did not play a role in setting the criteria for personnel recruited, the selection process for these individuals, and did not work in the investigative teams.

95. The manning criteria to determine which individuals should be recruited into OPNM would have been laid down before I joined OPNM by the then PM(A) in conjunction with the then GOLD and SIO. I recall that there was initial criteria in place which sought to ensure that anyone recruited into the investigative teams had not served on operations in Afghanistan. However, this was not sustainable, but I cannot recall the point at which this criteria was rescinded. From my recollection, this criteria created some difficulty as it limited who we could recruit from within what was already a limited pool.

96. Once the manning criteria was set in 2014, responsibility for drawing those resources together from across the MP Brigade would have rested with the AH MP pillar in HQ PM(A). This pillar of HQ PM(A) is responsible for personnel management across the RMP, and it is with their authority

Signature..... RH Morris

in conjunction with manning/posting processes that staff can be moved from one unit to another. This process of moving personnel from their respective units to OPNM was an ongoing process that took a number of years. My direct involvement in this process, during my time involved in OPNM would have been limited to providing information to AH MP on the current personnel situation, and unlocking issues with COs of other units to secure the necessary release of personnel in a timely manner.

97. Ultimately, in relation to resourcing of OPNM personnel, my key responsibility from February 2015 until the point we reached FOC was to contribute to the process of unlocking any issues which may have delayed the process for moving personnel to OPNM. Once we had reached FOC, it was necessary for OPNM to maintain the necessary amount of personnel to effectively investigate the allegations.

98. In relation to sourcing personnel outside of the RMP, consideration had been given to this in the early stages of OPNM. First, the use of a Full-Time Reserve Service (FTRS), however this was considered as not feasible. Furthermore, there had been consideration of the use of Army Reserves and a request for expressions of interest for people meeting the requirements for an Additional Duties Commitment role (ADC). However, there was no expressions of interest due to certain limitations related to ADC roles.

Signature..... RH Morris

99. I can see that on 11 July 2016 [RMP-221-0007032-A], I sent a letter to the Deputy Chief of the General Staff in response to a request for clarification for the rationale for the manning structure for OPNM. I outlined the current structure for OPNM and explained (as detailed above) the various steps we had taken in relation to recruitment from outside the RMP. Also, I noted that the 'minimum requirement at [that] time [was] 123 suitably qualified personnel. Lt Col John McAllister had provided me with that information when I was preparing the document.

100. On 27 July 2016 RMP-221-0001796-A, I had a meeting with DCGS 'relating to manning of OPNM and CGS' view that 25 is the number'. On 8 August 2016, a document [RMP-221-0007033-A] was produced for DCGS to set out the potential impacts of operating OPNM with just 25 personnel. Further briefings for DCGS were produced on 8 October 2016 [RMP-221-0007034-A] and 13 October 2016 [RMP-221-0007035-A]. In the latter briefing, DCGS was invited to note that 'a reduction of NM to 25 RMP personnel would produce a level of delay to the investigation process at odds with MOD's publicly stated commitment to the investigation. Advice from DJEP is that this would be politically unacceptable.' The document went on further to stress that the '[m]inimum requirement to meet national standards at this time [was] 123 personnel.' To ensure that the need for these resources was fully

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appreciated, the document set out that the UK had a 'positive duty to investigate deaths at the hands of its agents. Failure by the Service Justice System to address these allegations risk alternative outcomes, such as allegations of murder on operations being pursued in the UK civil courts and allegations of War Crimes being tried in the ICC under the Rome Statute'.

101. I note that the expert evidence following a paper review of the evidence obtained has criticised the experience of some OPNM personnel, for example Capt. Wright's level of experience as an SIO; and also the frequent turnover of staff. A key difference between the Army and civilian policing is that the career structure of the Army is such that, in the vast majority of cases, personnel move posts every two to three years. This is for career reasons to allow individuals to build up experience in a number of roles in certain ranks to allow them to be competitive for promotion to the next rank. PM(A) could, in theory, have escalated the turnover to the Deputy Chief of General Staff and request that personnel are not moved from OPNM, and then it would have been for the Military Secretary to decide whether to move the personnel or keep them within OPNM. This would not have been within the norm of the Army, especially as it is the needs of the overall Army that come before the needs of any individuals. I consider that if this was done, it is probable

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that the outcome of such an escalation would have been that the Military Secretary would say that the skillset of the personnel incoming to OPNM were the same as those exiting OPNM, leaving no reason to depart from the norm.

IT facilities/Infrastructure/FDHC

102. I will address the issues in relation to IT facilities, infrastructure and the FDHC together. In terms of IT facilities and infrastructure, at the inception of OPNM, it is clear that issues had been raised with the delay of fulfilling these requirements.

103. OPNM required a FDHC system to be able to securely store and analyse the data and materials its investigation would find. An audit report dated 4 December 2017 [RMP-221-0007037-A] outlines the key timeline of events for the procurement and delivery of the system, as well as the reasons for the delays experienced in these processes.

104. Furthermore, this audit report provides details of summary findings in relation to outstanding hardware, software and professional services, and unaccounted/accounted for figures as of 4 December 2017.

105. An undated document [RMP-221-0007038-A] that I saw as part of my handover shows that the volume of data that OPNM expected from 'one location alone' was around 6PB and noted that the overall data to be recovered could not at that point even be quantified. The document also

Signature..... RH Morris

highlighted that along with the need for a FDHC system, its effective governance would require a Senior Responsible Owner, a suitably qualified and experienced dedicated programme manager, a programme board with executive decision-making authority, formally delegated responsibilities, and budget tolerance and forecast for the project.

106. A timeline of events relating to the FDHC ('FDHC Timeline') [RMP-221-0007040-A] indicates that OPNM sought funds from the Army TLB for a FDHC system in November 2014.

107. I understand from a document sent on 15 December 2014 [RMP-221-0007041-A] to DRes it indicated that 'without timely further investment in infrastructure the investigation will neither be effective nor prompt'.

108. I understand from that Capt. Wright produced a Statement of Need (SON) for a FDHC on 22 April 2015. The technological aspects of that SON were handed to the Service Police Crime Bureau, to outline the technical requirements in writing which could then be included within a Business Case.

109. I understand that the ISDB approved the Business Case in July 2015, but with that caveat that it was re-written as it was not affordable as presented. From then, various iterations were produced until October 2015.

Signature..... RH Morris

110. The FDHC Timeline [RMP-221-0007040-A] shows that the first Business Case for a FDHC system was completed in June 2015 but that it was not until 13 October 2015 that a [redacted] confirmed that the Cabinet Office's approval was needed for this Business Case.

111. It is my recollection that individuals across the Army were having input into the Business Case, as demonstrated in this email chain in September/October 2015 [RMP-221-0007044-A]. On 30 September 2015, IIA754 stated that the Business Case still sat with them (Army HQ) and 'represents the mission critical enabler for OPNM.

112. On 8 January 2016 [RMP-221-0007045-A], the Business Case was submitted to ISDB for approval by DInfo.

113. On 18 February 2016 [RMP-221-0007046-A], the Cabinet Office Minister, Matt Hancock, expressed concerns over the costs cited, *'MCO is not currently content to sign this off. He feels that the costs for the project are extremely high. He would like to know what the total cost of this operation is and what is the plan to minister the costs*?'

114. The Chief Technology Officer would also have had an opportunity to provide input into the Business Case before signing it. I recall that the then CTO had raised questions about the Business Case which was sent to them, which caused delays to the Business Case being signed. This is

Signature..... RH Morris

confirmed in this document [RMP-221-0007038-A] which notes that on 9 March 2016, CTO Liam Maxwell raised questions over the chosen location of RAF St Mawgan, and why OPNM claimed they required 6PB storage; and suggested that OPNM's cost estimates were flawed.

115. Once a Business Case had been drafted, it would have to be sent to Army HQ for them to decide how if at all that budget would be met. For example, considerations would be needed as to whether the resources needed would have to be deducted from other parts of the Army.

116. The FDHC Timeline shows that the Cabinet Office [RMP-221-0007040-A] approved the Business Case on 30 March 2016, and that OPNM procured the project the next day on 31 March 2016. The Cabinet Office Minister approved £7.58m over two years for the FDHC project. Tables B.1 and B.2 of the timeline provide a list of key works that needed to be completed by Company Name 1 and by the MOD respectively, in order for the system to be installed and functional. These tables demonstrate the complexity of the system, and the many prerequisites to having a fully functioning system.

117. The FDHC was delivered but the location was not suitable for it at this point as the works within the building had not yet been completed, so the FDHC was not operational. The sub-contractor that was responsible for [RMP-221-0007040-A] constructing the building had gone into liquidation,

Signature..... RH Morris

which caused delays to its completion which was initially scheduled for December 2016.

118. A new sub-contractor, [redacted] [RMP-221-0007040-A], was onboarded with a meeting that took place on 26 January 2017, where it was anticipated that the infra work would not be completed before 30 April 2017. In an e-mail on 9 February 2017 [RMP-221-0007047-A], [redacted] N5620 [SO2 Ops in Army HQ IS] noted that even if the infra work was to begin imminently, it was expected that the room would not be ready until 'at least September 2017, more likely [Christmas 2017]', with a further [DC?] installation that would take Company Name 1 'a further 8 to 9 months', and a Company Name 1 representative stating that 'staff with the required KSE are in limited supply and likely to cost a significant amount'.

119. The FDHC [RMP-221-0007037-A] was not constructed and configured and APC equipment and batteries were never delivered. The audit summarises the reasons for which the FDHC project was not delivered:

> Details of the purchasing and delivery process to obtain the necessary equipment for the investigation.
>
> [redacted]

Signature..... RH Morris

[redacted]

120. The above events outline the timeframe for trying to establish the FDHC. There was an interim FDHC in HMS Collingwood, which at some stage moved to RAF St Mawgan. As outlined above, there were significant delays to establishing the FDHC. The FDHC Timeline, dated 24 January 2017 [RMP-221-0007040-A], which provides a full timeline of steps taken to establish the FDHC. In short, the decision was taken at a Gold Group meeting [RMP-221-0007048-A] not to continue with the FDHC in its current guise. RMP in conjunction with the relevant branch in Army HQ repurposed the FDHC across Defence.

121. The impact this had on the investigation can be explained by those involved in the conduct of the investigation. I have documented above the steps taken to resolve issues with the FDHC.

Holmes

122. In relation to the HOLMES system, I was not involved in the conduct of the investigation and so did not ever use it on OPNM. Furthermore, I had never used the HOLMES prior to that or received any training on it.

Signature..... RH Morris

Location

123. In my view, in relation to location/facilities, I believe that RAF St Mawgan was an appropriate location as it met the necessary security requirements. However, this move only happened in February 2016, which was delayed. As I have outlined earlier, this delay in moving to RAF St Mawgan was a matter that senior members of the leadership structure, such as Lt Col John McAllister referred to as having an impact on the investigation.

124. I was not involved in the decision-making process as to what location would be suitable for OPNM. However, I was involved at various stages in trying to encourage progress being made on this decision so that OPNM could move to an appropriate location. Consequently, I was aware of various steps that were being taken, and I have provided below a timeline of events that I was aware of.

125. From March 2014 it was clear that OPNM would require a location to accommodate all personnel and sufficient IT systems to enable work to be carried out on a secure basis and with enough capacity to receive the volume of data that was expected to be handed and stored.

126. The responsibility inside HQ PM(A) for dealing with the location for Op NM sat with AH MP who had responsibility to PM(A) for resourcing, infrastructure, organisation and development. From the period 2015 to

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2016 this was Colonel Nadine Parkes. She had a series of staff officers mainly military but also civil servants who day to day delivered these functions. I and others directly involved with Op NM would be sighted of the ongoing staff processes and in many cases copied into emails and other staff work that were dealing with determining the best location for Op NM. We would have had some input into documents relating to the seriousness of the investigation and what investigative needs were. At other times we were copied in for information and situational awareness. All the staff processes required submission to other Army HQ departments and to the Defence Infrastructure Organisation. Individuals filling those specific roles from 2014-2019 would be best placed to comment on those processes, what they entailed and timelines involved.

127. An e-mail from DIO, Name Given on 9 March 2016 [RMP-221-0007049-A] shows that by this point, OPNM's location had still not been confirmed and consideration was being given to Southwick Park, RAF St Mawgan, RAF Wyton, Fort Blockhouse and Keogh Barracks. I recall that soon after a decision was made by DIO that due to the classification it could only be RAF St Mawgan. I was made aware of this but not involved in any decision making which sat outside of HQ PM(A)

Signature..... RH Morris

Ref [IIA to insert]

128. On 5 June 2015 [RMP-221-0007039-A and RMP-221-0001796-A, I noted in an e-mail that there was 'no resolution on the issue of OPNM being housed at RAF St Mawgan'.

129. Once a suitable location was sourced and agreed in January 2016, additional significant steps were required in order to ensure that the number of RMP personnel due to be posted to RAF St Mawgan could be accommodated. This included technical accommodation and living accommodation for single and married unaccompanied RMP personnel as well as ensuring that the in place Defence Medical Heath Care could deal with an influx of military personnel. Those RMP personnel who were married and would be accompanied by their families would require Service Families Accommodation close to the base which was provided by another external agency and needed liaison with. In addition school places would be required for school age children and again required liaison with local education authorities. Dependents would require also to find local NHS GP practices and dental services. It was not my direct responsibility to organize this but I was kept up to date with any issues relating to accommodation, and if it required any action to speak to authorities and agencies to try and unlock any problems I would be in an informed position.

130. For the location to operate securely and to be capable of ensuring that the classified material would be stored and handled in line with relevant protocols and rules, the following basic requirements were required;

a. The building for OPNM's sole use.
b. Office space as a 'HQ' element.

Signature..... RH Morris

c. Rooms with appropriate security measures including lockable doors.

d. [redacted]

e.

131. For all of these facilities to be provided, funding was needed from Army HQ so that design and construction services could be procured from government-approved contractors, to ensure that RAF St Mawgan was designed and resourced appropriately, to enable personnel to move in and work to begin.

132. Based on my knowledge of Campion Lines, I was aware that it was not suitable for an influx of 123 RMP personnel. RAF St Mawgan was suitable to host OPNM, notwithstanding technical issues later highlighted in relation to the FDHC.

G. Culture/Morale

133. I carried out my post on OPNM at Andover rather than at Campion Lines or RAF St Mawgan. This meant I was not present amongst the

Signature..... RH Morris

OPNM teams. Consequently, I cannot comment on the workplace culture or morale within the various teams in OPNM. I do not recall anyone bringing to my attention issues concerning workplace culture or morale within the OPNM teams.

134. In relation to the workplace culture and morale overall on OPNM, I do not recall being made aware of any issues regarding culture and morale in OPNM. As I was not based at RAF St Mawgan, I would only be aware of any such issues if they had been reported to me. On the occasions that I attended RAF St Mawgan, I had no reason to believe that there were any issues with culture and/or morale.

135. I do recall that being posted in Cornwall (the location of RAF St Mawgan) did not suit everyone, but conversely some of those accompanied by their families did enjoy their experience there. In the army, it is not out of the ordinary for some personnel to be unhappy about the location of work. I was not informed of this being a widespread issue or of there being a negative impact on OPNM.

H. External Groups

NCA and GMP MERT

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136. I understand that from the beginning of OPNM, independent external oversight was obtained from external advisors, respectively the National Crime Agency (NCA) and the Greater Manchester Police (GMP) Major Case Review Team (MERT). I was not involved in OPNM at this point, and so my personal knowledge on their initial involvement is limited to documents which I would have seen during my handover in February 2015.

137. As a starting point, the involvement of the NCA and GMP, was a risk mitigation measure. The direction from PM(A) dated 17 March 2014 [RMP-221-0007030-A p38-40] to DPM (Inv) and CO SIB, makes clear that in order to mitigate any risk associated with potential perceived partiality, the RMP investigation into the allegations will be subject to a major case review by a civilian policing agency from the outset. PM(A) had on the same date indicated to PM (RAF) that a number of civilian policing agencies had confirmed their willingness to support.

138. On 27 March 2014 [RMP-221-0007051-A], PM(A) confirmed that the investigation was being supervised by the NCA at a strategic level and at the tactical level by GMP MERT. It was made clear that all allegations are being investigated thoroughly and no investigation is discontinued until the NCA and GMP MERT have provided their professional view on the decision. From the above, I conclude that it was

Signature..... RH Morris

the decision of then PM(A) to appoint the NCA and GMP. The ToR for GMP's involvement in OPNM indicates that the NCA has provided a PIP 4 Mentor to support the SIO, and that following consultation with the Service Prosecuting Authority, PM(A) has requested a MERT. My understanding of how they undertook this work was that the NCA was to advise GOLD/SIO on how to progress the investigation and to report on such progress, and that the GMP was to conduct periodic case reviews. Both agencies produced reports which made recommendations on how OPNM could be most effectively progressed. These reports would not have been for my attention or for me to action, but I do know that I would have received such reports for my information.

139. I note that on 6 July 2015 [RMP-221-0000719-A], I was copied into an email from Lt Col John McAllister in relation to the outcome of an OPNM meeting between himself and Director General of the NCA (DG NCA) on 2 July 2015. I was not present at this meeting, but based on the content of the email, it appears that the purpose of the meeting was to make DG NCA aware of the current main lines of enquiry as a result of developments in the investigation. It is recorded in the email that the DG NCA intended to brief the Home Secretary on NCA involvement within OPNM, and in terms of NCA support going forward, it was requested that

Signature..... RH Morris

RMP write to him formally specifying the practical support from his specialists that may be required.

140. In my view, the work of the NCA and GMP was necessary, particularly when considered through the lens of risk mitigation – which was the basis on which PM(A) brought them into the investigation. From an assurance perspective, it was important that the investigation was independent. I am not able to comment on the impact either advisor had on the investigation because I was not involved in OPNM investigations.

141. In terms of their influence over the strategic direction of the investigation, it is my view that the NCA and GMP MERT brought expertise to OPNM, which the RMP could benefit from. However, in terms of strategic direction, their role was essentially advisory. The RMP continued to lead and were the sole decision makers on any strategic decisions regarding OPNM. From my perspective, the RMP remained in control of strategic direction, and the advice of these external agencies assisted in reaching informed decisions on strategy.

142. In terms of the circumstances in which the NCA and GMP's involvement in OPNM ended, my recollection was that, as a consequence of having the IAG and IRT on board, they were now fulfilling the roles which to date had been provided by NCA and GMP. Consequently, the services provided by the NCA and GMP had become redundant and

Signature..... RH Morris

therefore there was no requirement to maintain their involvement with OPNM. On direction of PM(A), I wrote to the Deputy Director of the NCA and Assistant Chief Constable of GMP to thank them for their involvement, but to inform them that due to the investigation moving in a different direction we no longer required the services of their personnel. I am unable to comment on the impact of their departure from the investigation, as I was not involved in the conduct of the investigation.

IAG and IRT

143. In July 2016, DJEP decided to put in place additional external mentoring and quality assurance. Following my conversation with the Director of DJEP, Peter Ryan, in early to mid 2016, I understood that DJEP had commissioned further external support from Mark Ellison QC, a criminal barrister, and Sir Jon Murphy, a former Chief Constable. Together they formed the Independent Advisory Group (IAG). I understand that this was because of the complex nature of OPNM rather than because of any specific concern about the investigation. Consequently, it is my understanding that the IAG was appointed by the Secretary of State.

144. Despite the IAG's appointment in July 2016, due to processing and onboarding considerations their inaugural briefing took place on 16

Signature..... RH Morris

September 2016 in RAF St Mawgan, conducted by Capt Jason Wright (SIO). I exhibit the Terms of Reference for the IAG [RMP-221-0007030-A]. It is noted in the ToR that the IAG was approved by the Secretary of State with the consent of PM(A). In the ToR it is indicated that IAG members will provide advice as requested by PM(A) or the DSP or their authorised staff and will act as a "sounding board" using their knowledge and experience on issues raised by PM(A) or the DSP around the investigation and any consequent prosecutions. This is exactly what I understood their role to be at the time – an advisory role. The IAG would have meetings with the RMP, and provide strategic advice to PM(A).

145. Following the initial briefing to the IAG in September 2016, their initial advice to PM(A) was that an external review of the investigation should be conducted for assurance purposes. This initial advice was accepted by PM(A), and the IAG recommended the services of two retired senior detectives from Merseyside Police to deliver this external review.

146. I have exhibited the ToR for the IRT [RMP-221-0007030-A]. This outlines that the purpose of the IRT is to make recommendations to PM(A) via the GOLD Commander on the structure, working practices, priorities and resilience of OPNM. This was effectively the non-sensitive part of their role. [redacted]

[redacted]

[redacted]

147. In my view, the work of the IAG and IRT was necessary. In short, the IAG and IRT replaced the NCA and GMP MERT. Consequently, they continued to provide the risk mitigation, which I believe was essential to uphold the independence of OPNM, but also from a quality assurance perspective. I cannot comment on the impact of the IAG or IRT on the investigation, as I was not involved in the conduct of the investigation.

In terms of influence on strategic direction, in my view, the IAG and IRT were effectively advisors to the RMP on OPNM. The role they played was not dissimilar to that of the NCA and GMP. However, I would note that Sir John Murphy and Mark Ellison KC were very senior and accomplished individuals. Their level of seniority and expertise exceeded the personnel we worked with from the NCA and GMP. I only make this point to state that when the IAG provided advice, the RMP would have been aware of their level of expertise. This would have played a role in the decision-making process when deciding whether to accept any proposed recommendations from the IAG on strategy. In my view, the RMP was not overly deferential to the IAG or IRT. But any advice was accorded the necessary weight during discussions in relevant meetings.

148. I was made aware of the IRT's findings after their first review. It is important to note that as I was not involved in investigating the allegations, whether I agreed or not with the IRT's findings was in effect immaterial as it would have had no influence on the decision-making. In any event, I read and accepted the rationale as to why they determined that no crime had been committed. I understand that Silver and Gold would have had the opportunity to discuss the findings with the IRT in person, but I was not aware of any disagreements that arose. The decision to accept the findings of the IRT was made in the Gold Group meeting in February 2017. Responsibility for explaining the rationale to the wider Op NM investigations Team would have been with Silver or Gold and I'm not aware of any discussion about that being relayed to me. If any individuals investigators within the OPNM investigative teams disagreed with any aspect of the IRT's recommendations, they would have had the opportunity to raise their concerns with either SILVER or GOLD.

OOT

149. I am unable to comment on the role of the Operational Offending Team (OOT). My recollection is that the OOT provided tactical and/or operational legal advice to the investigative teams. I would not have been

party to these discussions. My interactions with OOT was limited, but I do recall that Stephen Kell was present at Gold Group meetings. The only exception to this is that I sat in on a Joint Case Review Panel meeting at some point, and OOT would have been present.

DSP/SPA

150. I'm aware that the RMP had a statutory responsibility to consult with the DSP on certain investigations and he was a member of the Gold Group. Generally, when RMP investigations indicate, with sufficient probability, that an offence has been committed, a referral is made to the tri-service Service Prosecuting Authority (SPA). The SPA is led by the Director of Service Prosecutions. During my time on OPNM, Andrew Cayley KC was the DSP. I note that on 2 May 2017, the DSP received an update on OPNM's investigations and a review of the JCRP process, this was part of a visit to St Mawgan. I cannot recall all the interaction the DSP had with OPNM across the period of the investigation. As a member of the Gold Group, Andrew Caley (DSP) would have had an opportunity to speak and make points at the meeting. I cannot speak to the impact that the DSP/SPA had on the investigation, as I was not part of the conduct of the investigation. I do not recall that I felt during my interaction

Signature..... RH Morris

with the DSP that he was seeking to influence the strategic direction of the investigation.

Dealings with particular individuals

151. I have been asked to consider my dealings with certain named individuals. The only named individuals I recall having contact with are as follows:

a. I met DSI Paul Williamson irregularly as he attended some of GG meetings;

b. I spoke to DCSI Russ Jackson on the phone but I do not believe this was in relation to any matters concerning the investigation;

c. I do not recall meeting Martin Bottomley;

d. As part of my role on OPNM, there would have been occasions where I met Philip Jones at RAF St Mawgan and I recall being present when findings of the IRT review were discussed. This was also the case for Cliff Evans (IRT).

e. I regularly met Sir Jon Murphy at GG meetings and during other meetings relating to OPNM;

f. I regularly met Mark Ellison KC at GG meetings and during other meetings relating to OPNM; and on 29 June 2017 [RMP-221-0006892-A

Signature..... RH Morris

[redacted], I requested advice from him on the appropriateness of RMP funding Leigh Day's costs for any interviews held in Afghanistan

g. I regularly met Stephen Kell at GG meetings and on my visits to St Mawgan;

h. I met N6010 at GG meetings, that he irregularly attended and on some of my visits to St Mawgan; and

i. I regularly met Andrew Cayley KC at GG meetings and during other meetings relating to OPNM.

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

I. Relationship with UKSF

153. My understanding of the nature of the relationship between those working on OPNM and UKSF during the investigation is that it was professional. From my perspective, this relationship operated at two levels: the strategic level and operational level – I was involved in the former.

154. My interactions with UKSF primarily related to G1 processes, in other words on personnel issues. Specifically, I was to ensure that RMP could maintain a constructive dialogue with UKSF and to resolve any personnel issues, such as RMP's access to witnesses. For instance, at

Signature..... RH Morris

an operational level, there may have been difficulty with RMP gaining access to a particular witness for the purposes of interviewing, and this may have been because of a range of reasons, such as the relevant UKSF personnel being involved on operations. At a strategic level, it would be part of my role to have meetings with UKSF to emphasise why it was integral for RMP to gain access to witnesses. I do not recall personally feeling that UKSF were trying to hinder our access to their witnesses.

155. I recall being present in a meeting with PM(A) and Director of Special Forces (DSF) on the general progression of the investigation. From my recollection, PM(A) deemed it important to maintain constructive dialogue with DSF. Consequently, one of the main topics of this meeting from the investigative side of OPNM would have been to convey the importance of gaining access to UKSF personnel and material to progress the investigation. We did not discuss the specific details of any allegations.

156. Routinely my interaction with DSF would have been with the individual occupying the position of Assistant Chief of Staff J1 (ACOS J1). These meetings where scheduled as and when necessary, and primarily to discuss topics such as: disclosure, interviewing of witnesses, issues arising from both sides of the investigation.

Signature..... RH Morris

157. I do not recall having any concerns that the RMP were unduly deferential to UKSF. Ultimately, it was important for us to have constructive dialogue with UKSF so that the investigation could be progressed. There were occasions when UKSF personnel were interested in the investigation, and exactly what we were doing. I would always maintain that I was not permitted to discuss any specific issues relating to the investigation or lines of enquiry, and we would move on. I always felt that when I made such points, UKSF respected the boundaries and would not press the matter any further.

158. I do not recall having any concerns about the communication of sensitive information to UKSF. I do not believe any information came to my attention, which would ultimately lead to a concern.

159. In terms of the impact that the protocol had on OPNM, I do not recall being made aware of tactical level investigative issues with the protocol. I do recall having discussions with ACOS J1 which touched on the protocol, but cannot recall any specifics of our discussions on this.

160. In relation to whether the protocol was the appropriate mechanism for liaison between RMP and UKSF, in respect of OPNM, at the time it was the only mechanism for liaison. I consider that the protocol meant that the RMP's investigation was different to those of conventional police forces. UKSF would, under the protocol, have had a period of time

Signature..... RH Morris

prior to their witness being interviewed to be on notice, and would have been permitted to have a disclosure officer present at the interview with the UKSF witness

161. I have been shown a copy of an updated version of the protocol, which I signed on 18 August 2016. I am aware that the previous version of the protocol pre-dates the commencement of OPNM. I cannot recall what necessitated the update. However, I do note that in the version of the protocol which pre-dates the commencement of OPNM it is stated that the protocol shall be reviewed annually or at any such time as is deemed appropriate.

162. I recall that at the relevant time, I understood that the role of a UKSF disclosure officer was to ensure that there was no national security information being disclosed in any interviews or statements.

163. I am not aware of the identities of the disclosure officers involved in the interviews of UKSF during OPNM.

164. I had no role in the interviews conducted, and therefore have no knowledge of any agreed parameters, beyond those stipulated in the UKSF protocol in relation to the role of disclosure officers. This would have not been within the remit of my role on OPNM.

165. I did not have any personal concerns about the presence of disclosure officers during interviews. However, I recall there being a view

Signature..... RH Morris

that the investigators' relationships with UKSF could be tense at times and that some investigators felt that their efforts were being hindered by UKSF. I cannot recall where this information came from but it is a vague memory.

166. I do not recall being made aware of a security breach about the suspect status of N1201.

J. Investigative direction

Gold Group and Silver Group Meetings

167. OPNM's internal quality assurance was maintained and monitored in particular through Gold Group (GG) meetings. GG brought together key stakeholders to consider issues of strategic importance and to enable PM(A) to make decisions. The strategy agreed at GG meetings would be delivered as investigative direction from PM(A) to GOLD. From March 2014 to September 2016 GG meetings, some of which I attended in my role at Headquarters PM(A), were held periodically and at the behest of Gold.

168. Regular attendees at GG meetings from September 2016 onwards included GOLD, PM(A), DSP, OOT, myself as the Assistant

Head OPNM, Assistant Head OPNM Policy, Director of DJEP and the IAG.

169. Following the IAG's introduction, from September 2016, GG meetings were held on a more regular basis, and I attended each one. An agenda would be produced by Lt Col Harvey for GG meetings which raised points of information or points requiring decisions. Speaking notes were also produced by both Lt Col John Harvey and myself before meetings for PM(A). Records were made by Lt Col Harvey of agendas, speaking notes and decisions.

170. I believe these meetings were held in-person.

171. In my view, there was adequate debate and discussion in respect of strategic decisions at GG meetings. I never observed any attendee being denied the opportunity to make a contribution during these meetings, or not being the afforded the chance to make an argument on a point of agreement or disagreement.

172. I was not involved in SILVER Group meetings because there was no requirement for me to be in attendance. Therefore, I cannot comment on these meetings.

173. There were also other categories of meetings which took place. A quarterly Risk Meeting was held to review and update risks to the investigation, which were recorded in the risk register. These were led by

Signature..... RH Morris

AH OPNM Policy and involved me as AH NM and Gold, Lt Col Harvey. The risk register was updated at the end of each meeting and then reviewed at the next meeting. The risk owners are listed on the register and all were made aware of their responsibilities. PM(A) was briefed after each meeting.

174. Additionally, CEG meetings took place on a fortnightly basis, as previously explained.

175. A planning group was convened by AH Op NM Policy in 2018 to identify what actions would be required at the conclusion of the investigation to draw it down in good order and to understand the timelines necessary to do that. The group comprised of AH Op NM Policy, myself in my capacity as AH NM and So2 Business Manager and GOLD. This was conducted on a project management basis and led by Miles Tooke who had project management qualifications. The group considered matters such as personnel, infrastructure, IT and the storage of investigative materials.

Strategic Direction

176. In my view, the change of strategic direction occurred in September 2016 following the first briefing to Sir Jon Murphy and Mark

Ellison KC. The purpose of this meeting was to read these individuals into OPNM. Everyone in the OPNM leadership structure from PM(A) to Capt Jason Wright (SIO), who conducted the briefing, was present. I recall that following this briefing, as outlined above, the IAG recommended that there should be a review of the investigation. One of the motivations behind conducting a review is that there had recently been a change of PM(A), and a review would allow the new PM(A) to gain an understanding of the conduct and direction of the investigation to the point he assumed his role. In particular, I recall it was the IAG's view to have a shift from a covert to an overt strategy, which was a significant change.

177. In my view, decisions in relation to strategic direction were being taken at the appropriate level in the leadership structure by PM(A) and GOLD.

Lines of Enquiry

178. I am unable to comment on any lines of enquiry as I was not involved in investigating lines of enquiry.

Interviewing/Statementing of Witnesses

179. In relation to efforts made to locate and interview witnesses to the allegations of EJK, my knowledge is somewhat limited due to my role as

Signature..... RH Morris

AH NM. I had no input in determining which investigator would interview each witness.

180. However, I do recall that due to the passage of time, there were some difficulties in locating and interviewing witnesses. Provides example of when it was difficult to locate witnesses.

181. Also, as part of my role, I would have been involved in facilitating RMP investigators being able to travel and operate to conduct lines of enquiry within ISAF bases in Afghanistan. The decision as to locating a witness was a matter for the investigative strategy of the teams. Once it became clear that they wished to an interview a witness in Afghanistan, it would then become my responsibility to facilitate this.

182. RMP had considered a range of options to enable the interview of Afghan witnesses. Ultimately, these options would have to varying degrees engaged the MOD, PJHQ, and the FCO. These options are discussed in a briefing from PM(A) to PS/SoS, dated 18 November 2015. In summary, RMP considered:

(a) Interviews in the UK: This was discounted as the witnesses were unlikely to be granted visas to visit the UK;

(b) Interviews in 3rd Country: Carrying out interviews in Turkey was considered. However, the experience of IHAT in carrying out interviews in Turkey (significant delay

Signature..... RH Morris

[redacted]) meant that this was considered as not achievable. Furthermore, this option would require significant effort by the MOD, Home Office and FCO, would cost more and require additional force protection effort for RMP personnel.

(c) VTC: This was considered as not achievable as amongst other things contact via VTC would prevent the RMP from being able to verify the identity of witnesses.

(d) Interview at British Embassy Kabul: The FCO had advised that there was no location within the Embassy compound that would be suitable or acceptable for such interviews. [redacted] Provides an example of a risk presented by conducting interviews at this location.

183. Interviewing witnesses in Afghanistan was the recommended option. It was not without its difficulties. But in comparison to the other options it was the most viable.

184. I had a meeting in MOD MB on 12 February 2016 which related to getting out RMP investigators to Afghanistan to conduct the interviews of Saifullah and Bang. This meeting was attended by personnel from MOD Ops Directorate, MOD Legal, PJHQ and RMP. Following the

Signature..... RH Morris

meeting I sent an email to GOLD Commander summarising the issues and what was discussed and next steps. It is clear from this email that what would be required to resolve the issues we faced in deploying RMP personnel to Afghanistan was beyond the RMP's power to resolve.

185. Following protracted discussions, there was agreement that RMP could deploy to the main ISAF base in Kabul. However, the practicalities as to how this would happen required the identification and subsequent deployment of an individual outside the OPNM structure to travel to Afghanistan to put the required arrangements in place. Putting to one side the practicalities that had to be addressed, there was also the need to engage with Leigh Day & Co (LDC) to obtain agreement for their witnesses to be interviewed on an ISAF base with the associated risks. This was further complicated by LDC requesting that we covered their travel and subsistence costs for travelling to Afghanistan as Saifullah had requested the presence of an LDC solicitor as a witness supporter during any interview. It was necessary to seek legal advice on this issue, and I contacted Mark Ellison KC on this very point [RMP-221-0001796-A]. Bang was too ill to travel from Kandahar to Kabul to conduct the interview. It was not feasible for RMP personnel due to the then security situation to be deployed to Kandahar. Therefore, a policy decision was taken not to interview Bang.

Signature..... RH Morris

186. I believe that the reason witness statements were not taken from UKSF on Objectives [redacted 1], [redacted 2] and Tyburn until late September 2017 onwards related to the change in investigative strategy from covert to overt. Following this change, it would have been necessary to commence the process of tracing and locating UKSF personnel, some of whom may have left UK Armed Forces by that point.

187. I do not know whether there were any investigative steps that ought to have been taken in respect of this line of enquiry – this was outside of my remit.

Media Evidence

188. I was aware of the steps that were taken in trying to secure the FMV footage that was owned by another nation. As explained in my witness statement for the judicial review proceedings at paragraph 68, in June 2018, requests for assistance were sent to [redacted the US] to conduct further searches. In September 2018, that [redacted the US] reported that it was unable to locate any FMV relating to the required timeframe but would undertake to conduct further searches of combat command systems. On 26 November 2018, OPNM received confirmation that all searches were now complete with negative return.

189. In relation to obtaining data and the relevant media evidence, these were matters for the investigate teams, and I would not have had input on these issues. This is also the case in relation to the forensic analysis of images taken of DDOs. Therefore, I cannot comment on these matters.

190. I was aware that the SIO wished to seize the server. However, I do not recall being party to seize it by agreement. But I do recall that this was the approach. I was informed about the concern that data had been deleted from the server by GOLD. I cannot recall discussions relating to whether an independent investigation should be held into the deletion. The deletion of the data on the server would have been a point of discussion with ACOS J1. I cannot recall the specifics of this discussion, but I believe it would have been along the lines of seeking to understand why it happened, and reassurance from UKSF that this was not a deliberate act.

N1201 *and* N1141

191. In relation to the declaration of N1201 and N1141 as suspects, I had no involvement in this, and it was not a matter which would have fallen within my remit. This type of decision would have been made by the SIO.

Signature..... RH Morris

192. In relation to the decision to no longer treat N1201 and N1141 as suspects, I recall that this would have happened after the IAG were introduced. I recall the formal decision to declassify was made after the IRT conducted their review and reported in 2017. I was aware of the decision as I was present in the briefings. Due to my role on OPNM, it was not my position to assess or influence investigative outcomes.

Covert Surveillance Strategy

193. In relation to the decision to no longer pursue a covert surveillance strategy, this was a decision taken by Brig Neal on the advice of Sir Jon Murphy. My understanding for the reasoning was that the evidence available did not justify any covert tactics at that point. . Again, due to my role as AH NM, I did not agree or disagree, as I was not involved in the decision-making.

Linking the Investigation

194. The phrase "linked" is not one I recall being used when considering these other investigations.

195. There was a decision to focus on Objective 1, 2 and Tyburn, which was taken following the IRT report. There was a

Signature..... RH Morris

recognition that the other 10 objectives were similar investigations. But the investigative strategy for these 10 objectives would be considered at the conclusion of Objective [redacted] 1, [redacted] 2 and Tyburn. I did not agree or disagree with this decision, as this was not within my remit.

Systemic Issues

196. I understand that the revised ToR removed a reference to the identification of "systemic issues". My understanding of the phrase systemic issues was any wider lessons that could be identified as arising from matters that OPNM had investigated for criminal or non-criminal conduct purposes (as stated in my witness statement for the judicial review proceedings at paragraph 17).

197. As I was not involved in the conduct of investigating any of the OPNM allegations, it is not within my remit, to comment on whether it was appropriate to remove "systemic issues" from the TOR.

198. Looking back, I consider that the phrase "systemic issues" was not effectively explained, clarified or contextualised on OPNM. It appears that there were differences in its interpretation. The impact of this on OPNM's work from my perspective would be from an external perspective in that it appeared that we were not investigating some criminal conduct issues. However, in my view GOLD (Lt Col Harvey) was clear that

Signature..... RH Morris

systemic issues related to matters arising from detention operations policy and delivery (detention abuse allegations).

199. I understood that any potential systemic issues were to be referred to the Systemic Issues Working Group (SIWG), which was run by the Ministry of Defence's Directorate of Judicial Engagement Policy (DJEP). I understood that SIWG was looking at systemic issues in detention processes in order to inform future training and detention operation best practices and, if there was evidence of any patterns of bad practices, then to ensure change was implemented. This was not limited to detention processes in OPNM.

200. As will be seen from the SIWG 2018 [RMP-221-0007056-A and RMP-221-0007057-A] report which covered 2016-2017, data and statistics concerning detention-related allegations were provided to the SIWG. I cannot recall what the outcomes were.

Decisions made on DDOs

201. I have already addressed above in the section relating to the linking of investigations why a decision was made to prioritise Objective [redacted], [redacted] and Tyburn above other DDOs in November 2017.

Possibility of a cover-up by UKSF

202. From my perspective, there was consideration being given to the possibility that the circumstances of any deaths in the course of DDOs being investigated were covered up by UKSF. I was aware that steps were being taken to trace and locate witnesses to interview, and that material relating to DDOs was being interrogated. It was my understanding that in order to investigate offences of Command Responsibility there had to be a proven offence committed. Until we had completed our investigation into the underlying offence, we could not move on to considering Command Responsibility.

Leggatt Test

203. I understood that the Leggatt Test derived from the ruling of Justice Leggatt in relation to the Iraq War (2003) investigations. I remember understanding that the test required four elements to be satisfied for an allegation to be investigated. I can't recall all four elements of the test without being reminded, but I do recall that the first required an individual with direct knowledge of the allegation to produce a written statement signed by them outlining what the offence was, and what had been done at the material time to bring the allegation to the attention of relevant authorities. I was made aware of the Leggatt test due to my role, and recall being involved in discussions as to how this might

be applied to the OPNM allegations (but mainly the non-criminal conduct allegations being dealt with by Team 2).

204. I consider that it was appropriate to apply this test to the matters being investigated by Team 1, especially as the allegations were historic and many of them were simply an allegation without any supporting written statements. In most cases there was very little information for an investigator to go on.

205. Although I was not involved in any substantive investigation work, I believe that the test was correctly applied by OPNM. My view on this was developed by being present at OPNM meetings where the test was being discussed and applied, such as the JCRP meeting I attended on 22 May 2017 (see below). The impact of applying the test to the matters under investigation was that Leigh Day were asked to provide additional details and any available evidence, witness statements of any complainants and/or witnesses were sought, and as a result of a lack of sufficient evidence I understand that a significant number of allegations were discontinued. This is the impact I believe it had on the investigation. This then resulted, over time, in more resources being drawn down from Team 2 investigations, and as far as I can recall either being returned to other wider RMP roles or if they had the requisite skills and experience being drawn into Team 1.

Signature..... RH Morris

Ref [IIA to insert]

Joint Case Review Panel (JCRP)

206. As a starting point, I would not have routinely attended JCRP meetings. I recall attending one JCRP meeting on 22 May 2017 [RMP-221-0007052-A]. This was during an assurance meeting conducted by PM(A) from 22-23 May 2017 at RAF St Mawgan. As noted in the minutes, the primary focus was on the JCRP process and providing direction on the outstanding T2 activity. I would have been present at this meeting simply because PM(A) was present for the visit, and as AH NM it would have been necessary for me to know what progress was being made. If PM(A) was not conducting an assurance visit, I would not have been present at this meeting.

207. My understanding of the JCRP's purpose and process is that it was designed to assess allegations and determine whether they should be taken forward to investigation and/or discontinued. I believe these meetings would have been attended by GOLD, SILVER, OOT and perhaps the leadership of investigative Teams 1 and/or 2. I understand that the JCRP met regularly, but I cannot indicate how regularly they met. The process essentially consisted of the circumstances of a particular case being discussed at the meeting, there would then be discussion on how to proceed with that case amongst everyone present, and then a decision would be made. I believe the process was essentially audited

Signature..... RH Morris

through a dip test process by PM(A) when visiting St Mawgan on 22-23 May 2017.

208. I agreed with this approach, as it appeared that this meant decisions in relation to whether take forward or discontinue a line of enquiry was subjected to proper scrutiny, with the assistance of bodies such as OOT. This could only improve decision-making.

K. Operation Cestro

209. I was not directly involved in Operation Cestro, and had no role in considering whether or not this operation fell within the ToRs. I cannot comment on the review of Operation Cestro by OPNM and whether the operation was adequately investigated by RMP and/or OPNM. This would have fallen outside of my remit. I note that on 5 February 2019 [RMP-221-0007058-A], Maj Matt Cox sent me an email with information on Op Cestro and other investigations. I believe this was for the purpose of preparing to brief Director National Security MOD. I cannot add any information beyond what is in this email.

L. Other Investigations

210. I had no direct involvement in Operation Pavo, allegations made by IIA828 and Telemeter 2. I can recall hearing about these operations,

Signature..... RH Morris

and I recall that OPNM was asked to review these other investigations. Similar to Op Cestro, I note that on 5 February 2019 [RMP-221-0007058-A], Maj Matt Cox sent me an email with information on the other investigations. I believe this was for the purpose of preparing to brief Director National Security MOD. I cannot add any information beyond what is in this email.

M. Ending the investigation

211. I recall that there was a conclusion reached that all reasonable and proportionate lines of investigation had been exhausted, and it was on this basis that OPNM concluded in August 2019. This view was agreed by consensus at a Gold Group meeting on 15 July 2019 RMP-221-0000245-A [redacted]. The decision to close OPNM could only have been taken by PM(A), and this is what happened. PM(A) had a statutory responsibility to consult with the DSP in reaching this decision.

212. I recall that I authored the Ministerial Submission following the decision to close down OPNM.

213. I was aware that there was an outstanding LOE that had not been completed prior to OPNM closing down. From recollection and without reviewing the necessary documentation, this related to conducting

Signature..... RH Morris

interviews with members of the Afghan Forces. I believe that the decision taken was that this was unlikely to materially change the course of the investigation, and so closure at this stage was still justified. I was not involved in the conduct of the investigation, and therefore was not in a place to comment on what could materially change the course of the investigation.

214. I was aware that an investigation team was deployed in Afghanistan at the time of the decision to close OPNM. Again, without reviewing the necessary documentation, I cannot recall whether they had completed their work. I cannot recall whether I was aware of the result of the ABEs obtained by the team in Afghanistan at the time of the decision to conclude OPNM.

215. The matter was discussed at the final Gold Group meeting, and I believe the issue of closure was adequately considered. Based on what was being presented, I thought it was an appropriate decision to close OPNM. But I wish to stress that even if I had taken a different view on this, while I'm sure my reservations would have been considered, I don't believe it would have swayed the decision due to the non-investigative role I had as AH NM.

216. I was aware of formal discussions between individuals working on OPNM about the ending of OPNM. In terms of formal discussion, this

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would have been at Gold Group meetings. I cannot recall being aware of any informal discussions about this issue.

217. In relation to the Executive Summary, I recall that I would have reviewed work written by Miles Tooke. This would have related to background information concerning OPNM. I also recall seeing a final draft of the document. I would not have had any involvement in drafting or reviewing content relating to the investigation. I believe this would have done by either GOLD or SILVER. I am unaware why multiple copies of the Executive Summary was drafted. I do not believe I was present on OPNM when this document was completed.

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

N. Other matters

219. I was involved in briefing/meeting/liaising with the following categories of individuals in relation to OPNM:

(a) UKSF/DSF – I had a number of meetings with UKSF for the purposes of providing a general briefing of OPNM, and to explain the role of RMP in the context of OPNM. I have referenced these meetings above. Furthermore, I was present in a meeting with DSF and PM(A) – this has also been referenced above. No minutes of these meetings were taken. However, I have made a note of these meetings in my

Signature..... RH Morris

external briefing chronology. I did appreciate that there was a risk in briefing UKSF/DSF. However, this risk was mitigated by not discussing any investigation details, and ensuring that briefings were limited to general information concerning OPNM.

(b) CGS/DCGS – I did provide briefings and have meetings with DCGS in relation to OPNM. This was often for the basis of providing an update on the progression of OPNM. DCGS was my second reporting officer, and so it was necessary on various occasions for me to provide him with OPNM briefings. On occasion, this would have been instigated by DCGS seeking clarification on issues such as manning on OPNM (as explained above). As per the external chronology, he was briefed on the investigation at RAF St Mawgan by GOLD. I was present at this meeting.. I did not consider there to be any risk with discussing/briefing DCGS on OPNM matters.

(c) MOD Officials/civil servants – I had regular dealings with MOD officials/civil servants as outlined in the OPNM external briefing chronology. I did not consider there to be any risk with having discussions with any of these individuals. . Peter Ryan (DJEP) was a member of the GOLD Group and therefore would have been aware of the details of the investigation.

Signature..... RH Morris

(d) DSP/SPA – DSP was a member of the Gold Group, Therefore, he would have been aware of investigative details. . Generally, there would have been individuals that were interested in OPNM. However, I was not aware of any external pressure being applied by third parties outside of RMP to influence the outcome.

O. Overall Impression

220. Notwithstanding, the recent criticism from the civilian policing expert, I consider that OPNM was conducted effectively within the constraints I have outlined above.

221. From what I was aware of, I believe that OPNM was a comprehensive investigation. I was present in Gold Group meetings, aware of the investigative strategy and had knowledge of lines of enquiry being undertaken.

222. In my view, as demonstrated above there is documentation which would indicate that in the early period of OPNM matters were not being progressed expeditiously. This remained the case around the period that I joined in February 2015. However, there are relevant points to consider, such as the fact that the scale of the allegations being investigated developing during the early period. From mid-2016 onwards, I believe that matters were progressed expeditiously.

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223. I consider that the RMP was the appropriate organisation to lead OPNM out of all three Service Police organisations. The RMP was the largest of the three organisations, and OPNM was a land investigation which RMP personnel would have been best equipped to deal with. Outside of RMP, there were other policing organisations that had more experience in relation to serious criminal investigations. I cannot comment on why these other policing organisations were not afforded the opportunity to take this investigation on. That said, the RMP had external advisers and review teams monitoring the investigation, and independent oversight from an IRT – which meant we could benefit from external expertise. I also note that the NCA, GMP, IAG or IRT never suggested that the RMP was not the appropriate organisation to conduct the investigation.

224. In my view, I think that the processes that HQ PM(A) had to go through in terms of manning, infrastructure and resources, meant that the role of others such as MOD and Army HQ were critical. We did eventually get adequate support but as has been discussed, it took time to procure. I do not think anybody was deliberately delaying to stop the investigation, but in short our priority at RMP was not necessarily the priority of other organisations.

Signature..... RH Morris

Ref [IIA to insert]

Statement of truth

I believe the contents of this statement to be true.

Signed: RH Morris

Date: 24 July 2025

Signature..... RH Morris