



MOD-83-0000362-A

**STAFF – INVESTIGATION
OFFICER ONLY**



MOD Form 266A/B
(Introduced 12/03)
Case No: 64872/04

**SERVICE POLICE
WITNESS STATEMENT**

(CJ Act 1967, S.9; MC Act 1980, ss5A (3a) and MC Rules 1981, r70)

Statement of: SO35 [REDACTED]

Rank/Status: Mne

Age if under 18: Over 18 (if over 18 insert 'over 18')

Occupation: HM Forces (RM)

This statement (consisting of 6 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Signature: SO35 [REDACTED]

Dated 18th December 2004

I am [REDACTED] Mne SO35 [REDACTED], and my parent unit is 40 RM Cdo, Norton Manor Camp, Taunton, Somerset.

On 21 Aug 04, I deployed on Op TELIC, which is an operational tour of Iraq. Whilst in Iraq I have been serving with my unit at Az Zubayr Port, AZP, BFPO 643.

In response to questions asked by Sgt Vinton S, RMP (SIB), I can state that about 1700 hrs, 17 Dec 04, I deployed on a tasking to convey a BFBS DJ to Shaibah Log Base (SLB) and then to return to AZP.

When we left, I was driving a Wolf Land Rover VRN: PE 20 AA, which was commanded by Cpl SO30 [REDACTED]. Our top cover was provided by Mne's SO33 [REDACTED] and SO31 [REDACTED].

Our vehicle was the second vehicle of a 2 vehicle callsign (C/S). The lead vehicle was a Pinzgauer driven by Mne SO34 [REDACTED] and commanded by Sgt SO29 [REDACTED]. The top cover was provided by Mne's SO32 [REDACTED] and SO28 [REDACTED].

All of these men are members of my unit, whom I have known for at least one month and can easily recognize again.

Prior to leaving AZP, I attended a briefing held within my unit Ops Room, AZP, which was conducted by Sgt SO29 [REDACTED] and my unit's Ops Officer. I do not know the Ops Officer's name, however, I do know that he is a Capt from my unit.

My whole C/S attended the briefing, which covered a number of areas including instructions not to let vehicles close on the C/S because they may be hostile.

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MOD Form 266E (Continuation Sheet)

Sheet No: 2

Case No: 64872/04

Continuation of statement of: SO35 [REDACTED]

When we left AZP, the BFBS DJ was in the rear of my vehicle. Neither vehicle had any other passengers.

We left AZP and turned onto Route MAUI towards Az Zubayr, where we turned onto Route TOPEKA.

We continued in TOPEKA for about 5km before doing a U turn across the central reservation and then travelling south bound on Topeka. This was to enable us to turn right on another route towards SLB.

As we were completing the U turn, I saw a pair of headlights, which I presumed to be a car, speeding towards the C/S, overtaking other cars.

The vehicle was over 100m and the area is completely unlit, except by natural starlight and moonlight.

We completed the U turn and I lost sight of the vehicle.

About 100m later, the lead vehicle started to turn right. I then heard both Mne SO33 and Mne SO31 shouting for a vehicle to stop. I cannot recall exactly what was said. I then heard a single shot, which I presumed to be a warning shot, fired by either Mne SO33 or Mne SO31.

I could still hear Mnes SO33 and SO31 shouting for a vehicle to stop.

I could not see a vehicle in my rear view mirrors, but this may be because I was concentrating on the road in front of me, relying on Mnes SO33 and SO31 to sort out problems to the rear of the vehicle.

The time was about 1800 hrs. I then heard a further 2 or 3 single shots followed immediately by 2 or 3 short bursts of automatic fire. By short, I mean about 2 seconds long, each.

By this time, I was turning right. As I turned right, I saw a white 4 door saloon car, pass my vehicle on the left spin out of control into the central reservation where it came to a halt.

Throughout this whole incident, which took less than twenty seconds, I heard a further 2 or 3 short bursts of automatic fire.

Both vehicles then accelerated and we drove straight to SLB without stopping. I would like to add that I do not know who fired and am unsure if the other vehicle fired or not, however as I saw the other vehicle pass me on my left, I do recall seeing 2 bright flashes, which I believed were muzzle flashes.

These originated from the window area of the front left (driver's), door window of the car and coincided with 2 loud bangs, I believed were single gunshots.

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MOD Form 266E (Continuation Sheet)

Sheet No: 3

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Continuation of statement of: SO35

At no time did I see how many people were in the car, nor can I describe the occupants.

My callsign (C/S), which I do not know, returned to the scene between 1900 hrs and 1930 hrs, having left our passenger at SLB.

Once back at the scene, I could see an ambulance near the car. I was tasked to carry out traffic control and got no closer than about 50m to the car, which was now stationary in the central reservation.

I did not recognize the ambulance as being from the British Military, so I presumed it to be an Iraqi ambulance. I did not see them treat or collect anyone.

I did not see what else went on regarding the car, because I concentrated on my traffic control duties.

In response to specific questions asked by Sgt Vinton, I can state that I did not fire any rounds whatsoever, nor did I see anyone else fire any rounds.

I would like to re-iterate that I was concentrating on the road in front of me and did not see what was occurring behind me.

I do not know the exact location of where the incident occurred, however, I do know that it is where the road from SLB meets Route TOPEKA.

Signed: SO35

Signed: S VINTON
Sgt
RMP (SIB)