



MOD-83-0000397-A

Witness Name: SO37

Statement No.: 1

Exhibits: SO37 I

Dated:

**In the matter of an investigation into the death of  
Captain Abdul Hussan Taleb Hassan**

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WITNESS STATEMENT OF

SO37

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I, SO37 will say as follows:-

1. My name is SO37 and I am a Royal Marines Officer, holding the rank of Lieutenant Colonel Royal Marines. I am currently based in Virginia, United States as part of an overseas assignment.
2. I have read the statements that I made on 24 Dec 04, 14 Jan 05 and 28 Feb 05 and have no reason to doubt the accuracy of the facts contained within those documents; at the time they would have been made in a truthful manner and to the best of my knowledge and belief.
3. I am unable to recall exactly when 40 Commando assumed responsibility for 'AZP' as this would have been approximately 12 years ago. The exact date, however, will have been recorded in Multinational Division (South East) records, Unit situational reports and J3 reporting logs. Note that 40 Commando was employed as a Divisional Unit, working directly in support of Multinational Division (South East).
4. I am unable to recall whether a sub-Unit (Company) was still employed in Baghdad during Dec 04. This information will have been recorded in Multinational Division (South East) records, Unit situational reports and J3 reporting logs.
5. I am unable to recall the detailed threat to 40 Commando personnel at the time of the shooting, but that information will be contained within Multinational Division (South East) and Unit J2 threat assessment records covering the date in question. From what I do remember, there was a definite threat to life from insurgent attacks which included routine indirect fire (improvised

rocket devices) and vehicle-borne improvised explosive devices. The threat required protection which included Electronic Counter-Measures when exiting camp locations, although full details will have been recorded within Multinational Division (South East) and Unit Force Protection Measures documentation.

6. To the best of my knowledge, all personnel within 40 Commando received comprehensive instruction and training (multiple scenario and practical based activity) on the use of weapons, including the use of warning shots both before and during the deployment to Iraq. Although the letter I produced providing further guidance on the use of warning shots [SO37/1] was dated 8 Dec 04, to the best of my knowledge, comprehensive guidance and training on the use of warning shots were routinely covered within all RSOI packages, including the one held 1-2 Dec 04; this reinforced pre-deployment training on the same subject. As per my original statement, the letter I produced was disseminated with the full agreement of Multinational Division (South East); associated supporting documentation will be held within both Divisional and Unit records from the time.
  
7. I am unable to comment on Sgt SO29 referred to in the question, other than assuming to the best of my knowledge that he would have received all necessary guidance and training on the use of lethal force and warning shots, in line with all other members of the Commando that deployed to Iraq. Note that a Senior Non-Commissioned Officer would be referred to as the Troop Sergeant, Team Commander or Multiple Second-in-Command, not 'Commanding Officer.'

**Statement of Truth**

I believe the facts stated in this witness statement are true

Signed



Dated 8 Nov 2016