(Continuation Sheet)

Sheet No	2	Case No: 83167/06
Continuation of statement of:		

To my right were I [illegible] and a Royal Engineer, whose name I do not know.

After about 20 to 30 minutes of watching my arcs in the trench, we came under contact from small arms fire (SAF) from what was my 10 O'clock. This was a compound that was surrounded by a large wall with a century tower on the North side, which was 360 m away from my location. At this point we returned fire at the compound. After about 15 minutes of getting incoming SAF, I heard information being passed down the line that a fast jet was to drop a bomb on the compound that we were firing at. I recall hearing the jet come in and I got down in to cover and covered my ears. The jet did not drop the bomb that time as there was no explosion. The jet then made a second run and I heard the warning, "Ears", meaning cover your ears. This time I saw the bomb strike the compound; after this we continued to get incoming SAF from the compound, so we continued to return fire. I then heard the jet come in for another run and again I took cover in the trench but this time the jet fired its guns along the trench from the right to left. It sounded like a ripping sound. I then closed my eyes for a split second and something hit me in the back of the leg. I initially thought I had been hit, so I checked myself for injuries, as were the others in the trench and realised I hadn't been hit.

I then looked over to where [illegible] was and saw that he was lying on his back and I realised that there was something wrong. I crawled to his position and started to check him for injuries and was also calling his name trying to get a response. Together with [illegible] and [illegible] we rolled [illegible] on to his side and saw blood on his back. [illegible] webbing, Osprey CBA and Desert C95 shirt was then cut off until he was naked from the waist up. We then rolled him onto his side and I saw a hole about 3" by 3", just above the centre left on his back. It did not look deep and it was dark in colour. I then grabbed my medical bag, which I noticed had a hole in the bottom which exited through the side in to the medical bag and exited medical bag on the front, leaving a hole approximately 2" by 2". I then opened the medical bag and used a chest seal over the injury, under the direction the [illegible] who is a medic. I was going to use Quick Clot on [illegible] injury but [illegible] instructed me not to.

By this time [illegible] had returned to his fire position. [illegible] and myself then rolled [illegible] on to his back and began CPR. I was performing chest compressions whilst [illegible] was using the Re-breather. We continued this for about 20 minutes. At this point someone called in a [illegible] to pick up [illegible], which arrived about 10 minutes later. On arrival, myself and Mne Bennett lifted [illegible] out of the trench and put him around the back of the [illegible] using it as cover. We continued CPR until another [illegible] arrived, which was to be used as an ambulance. [illegible] was loaded on to the ambulance and taken away.

I then returned to the trench and stripped down [illegible] taking any ammunition and HE that was in there. I placed all this kit into my day sack. I also checked his Osprey body armour and saw that the rear plate [illegible], which had no damage [illegible] was a frayed hole on the back, the exact location of this I cannot recall as we were still getting incoming enemy fire. His body armour including front and back plates was left behind. His webbing was also left, as it was unserviceable. We were then given the order to pull out.

Due to not being able to replace the kit that was damaged, I am unable to give the RMP my day sac, Medical pack or NVG (Night Vision Goggle) System for their investigation.

Signed:

Signed. [illegible]
LCpl
AGC (RM)

A - IV

Statement

A-V

Case Ref No: 83187/06

MOD Form 266A/B
(Introduced 12/03)

SERVICE POLICE
WITNESS STATEMENT
(CJ Act 1967, S.9;MC Act 1980, SS.5A(3a) and 5B;MC Rules 1981, r70)

Statement of	
Rank/Status:	
Age if under 18: Over 18 (if over 18 insert "over 18")	Occupation: HM Forces (RM)
This statement (consisting of 5 pages 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:	Dated the 9th day of December 2006.

I am , Z Coy, 45 Cdo RM. I am currently serving in Camp Bastion (BSN), BFPO 792, Afghanistan, and have been since the beginning of November 06. I am due to return to my parent unit, .

On Tue 5 Dec 06, my Company, Z Coy, were part of a clearance patrol. I am part of 1 Troop within the Company. About 0430 hrs that day, 1 Troop left the Harbour Area to carry out patrols of the open ground, compounds and what looked like derelict buildings.

Before we left for our patrol, we were informed that the South of our location, the direction our patrols were going to be carried out, there was a high threat of the Taliban. Before and during my patrol I was wearing my issued helmet, Osprey CBA and webbing.

About 0600 hrs that same day, 4 Troop were first to start patrolling, then 1 Troop and then 5 Troop followed on. My Troop was on the West side near to the river bank. My Troop commander was Capt and all orders were passed through him.

When we arrived at our second position, which was now about 1100 hrs, we were instructed to go firm and wait for the Company to move to our position. In our second position, we were in a trench about 5 feet in height and about 1 metre in width.

In the trench we were all facing South with 3 Section to my right, 1 Section in the middle and 2 Section to my left; I am part of 1 Section.

After about one hour, an Apache (helicopter) starting engaging a building about 350 metres South of our location, this lasted for about half an hour.

About half an hour later, we started receiving incoming fire from the South; however, this was not very effective. I then fired about 50 x 5.56 mm rounds towards the direction of the enemy. After about 15 minutes I heard people shouting, "That's coming from behind."

(Continuation Sheet)

Sheet No	2	Case No: 83187/06
Continuation of statement of:		

I soon realised that we were getting incoming fire from the North. I then turned around and started shooting towards the North direction of the enemy. When I was firing in the South direction, I also fired 5 x 40 mm rounds as I had an Underslung Grenade Launcher (UGL).

About 10 minutes later, I heard from the FS Team, who speak directly to the pilots shout, "There is an F18 coming to bomb the enemy's position" or words to that effect. I then heard the sound of the bomb whilst in the bottom of the trench. It was then passed down to everybody in the trench that that the F18 was going to engage the enemy. I heard the noise of the F18 flying over our position, however, can not recall the direction of the travel. I then saw bits of dirt flying up from the trench as the F18 was flying over our location. As the dirt was getting lofted, I put my head down into the trench, when I brought my head back up I saw tending to : they were both East of my position.

I then heard some commotion to the West of my position and saw that was being tended to by It looked like he had a wound to his left arm. I then got back into position facing the North and looked out in case of any other enemy.

About 20 minutes later, two came to our location and together with , then carried into the back r. I then saw helping towards the vehicles.

Soon after and had been taken, we were still getting the rounds being fired in our direction. We were all then instructed to start running East and to keep down in the trench. At some point the trench went another direction so we ran across about 50 metres of open ground into a compound.

I would like to add that had his Osprey, webbing and shirt taken off him whilst he was being treated within the trench and I believe his kit was left in the trench when we moved location.

I would also like to add that we were informed before going on this operation that we could we could wear our Osprey I believe that was wearing his

Signed:

Signed:

LCpl
AGC (RMP)

4 - 17

Statement

A-VIa

Case Ref No: 83187/06

UK owned

MOD Form 266A/B
(Introduced 12/03)

SERVICE POLICE
WITNESS STATEMENT
(CJ Act 1967, S.9;MC Act 1980, SS.5A(3a) and 5B;MC Rules 1981, r70)

Statement of:	
Rank/Status: Captain	
Age if under 18: Over 18 (if over 18 insert "over 18")	Occupation: HM Forces (RM)
This statement (consisting of 4 pages 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:	Dated the 10th day of December 2006.

I am

I am currently employed as a Fire Support Team Commander and Joint Tactical Air Controller. I provide Close Air Support (CAS) and Offensive Support (OS) to operations. The support can be in the form of Aircraft (Helicopter and Fast Jet), or indirect weapons (artillery etc). Whilst providing support, I am able to direct aircraft or artillery onto enemy positions using grid reference coordinates or ground features.

On Tue 5 Dec 06, I deployed to an area to the west edge of the Garmsir District Centre (GMR DC) in order to provide offensive support to a clearance operation being conducted by Z Coy 45 Cdo RM. The operation was a precursor to another operation named he purpose of which was to destroy possible enemy fire positions and rat runs, to establish QRF timings for the area and to establish enemy strength in the area.

About 0600 hrs that day, I formed up at a position known as with the rest of my team. This team consisted of me, and ..... I had with me a Toughbook laptop computer with a Falcon View mapping programme. The system works using satellite imagery of an area. The screen is touched over a particular man position using a pointer, and a ten figure grid reference is calculated by the system. I also carried a to communicate. This system can be used to talk with any coalition aircraft providing support.

Z Coy were formed up on their start line known as and began the operation between 0630 and 0700 hrs that morning.

I stayed on with the rest of my team until about 1130 hrs that morning. During that time I had called in air support and had directed air strikes against enemy forces on

A-VI a

(Continuation Sheet)

Sheet No	2	Case No: 83187/06
Continuation of statement of:	[illegible]	

and [illegible] 1 x 500lb bomb was dropped on each location by B1 bomber aircraft. Light Dragoon Scimitar callsigns, also deployed on the operation, had also engaged enemy forces.

My team moved forward to an area named Alpha 1 at [illegible] where we met with 1 Troop of Z Coy. We waited at this position for about 1hr 40min as I understood that there was a casualty at one of the other locations.

We moved forward again to another location, known as report line [illegible] at grid [illegible] At that time I was controlling two AH64 Apache attack helicopters (AH) and a GR7 Harrier jet. We came under sporadic small arms fire from a compound at [illegible] I tasked the AH to engage the enemy in the compound, following which they reported that they had killed 4 of the enemy force and that a further 2 had ran into a building. The AH then used its laser equipment to target the building, allowing the Harrier to drop a 1000lb Paveway missile on the target.

I then moved with 1 Troop to a tree line at [illegible] This tree line ran from east to west and was next to a drainage ditch. The ditch was approximately 3 foot deep by approximately 3 foot wide and I estimate it to have been 150m in length. 1 Troop took cover in the ditch, as did I.

About 1200 hrs, the Apache reported that they had to return to their base location as they were low on fuel and left the area. Enemy forces were observed at a large compound at [illegible] and at an east west tree line at [illegible] 1 Troop were also engaged by small arms fire from the west, from an east west tree line at [illegible] and sporadic small arms fire from the area of [illegible] In effect, we were receiving effective enemy fire from both small arms and rocket propelled grenades on three sides.

1 Troop were returning fire with all of their available weapons systems, however, due to the volume of incoming fire, we were having to quickly fire and take cover. I recall that there were lots of leaves falling from the trees to our front as they were being hit by rounds.

I made contact with two F18 jets operating in the area who were, I believe, using callsigns [illegible] 07 and [illegible] 08. I directed the first jet [illegible] 7 onto an enemy compound at [illegible] The pilot replied, "Happy target", which indicated to me that he had located the target. The pilot [illegible] to know the position of friendly call signs on the ground, which I gave him by providing [illegible] features and our grid reference. The pilot replied, "Happy friendlies", which indicated to me that he was aware of our position in the trench.

I requested the pilot to drop a 500lb bomb on the compound I had identified, attacking from east to west. This direction I considered to be safe, as if the bomb was dropped short, there would be no friendly forces in that area. The operation was not a danger close mission, by this I mean that we were not right next to the enemy. The enemy were no closer than 325m and no more than 470m away, the [illegible] distance for this operation. [illegible] pilot [illegible], "Wings level", which indicated that he was ready to drop his bomb. I cleared the pilot to attack. The aircraft made its pass and achieved a direct hit on the compound.

The enemy forces stopped firing for a period for about 2[illegible] seconds then began again. I requested that the [illegible] 7 callsign attack the compound again. This time he carried out a strafing attack using [illegible] stopped briefly then continued. Throughout this period, 1 Troop were returning fire.

Enemy fire continued to be received from a watch tower structure at [illegible] therefore directed [illegible] 7 to drop another 500lb bomb on that location. I do not recall if the aircraft

A-VI 9

(Continuation Sheet)

Sheet No: 3	Case No: 83187/06
Continuation of statement of:	

attacked east to west or west to east. As the aircraft attacked, it pulled up and did not drop its bomb. It circled and returned for another pass but again it did not drop. I do not know the reason for this; however, [illegible] 07 transferred me to his wingman ([illegible] 01 or 08).

I asked the new pilot if he was happy with the location that the last bomb was dropped and he acknowledged that he was. I sent him the grid reference for the tower again. The aircraft attacked east to west and dropped a 500lb bomb on the tower. Following the attack, enemy were seen to be moving in the area of a tree line at [illegible] therefore decided to have [illegible] 01/08 carry out a gun attack on that position. I asked the pilot if he could see where he had dropped the last bomb, which he confirmed. I then said, "Can you see the tree line slightly to the south of the tower which heads east west"?

The pilot replied, "Affirm".

I said, "Cleared hot", which means that the aircraft was clear to attack.

Due to the amount of incoming fire, I was unable to see the aircraft. I kept taking a quick look over the top of the ditch to see the target. The aircraft attacked, however it was our position that was strafed. I could see rounds hit the ground immediately to the north of our tree line and to the south east. I immediately instructed the pilot to ceasefire. Simultaneously I saw to my left that there was a casualty. This person was one of the Marines of 1 Troop, who was stood approximately 2m to my left. I could see that this person had an injury to his left arm however I had not seen him get hit. Further down the trench from him, I could see some people trying to give treatment to a second casualty.

I went straight to the second person who had been injured. When I got to them he was lying on his back. He looked to be in a bad way but I could see he was still alive. He had been wearing Osprey body armour, the front of which had been removed to allow access to the front of his body. One of the Marines cut or in the front of the injured Marines shirt. I checked the front of his body but I could find no obvious injuries.

The Injured Marine was then rolled over and the rear of his body armour removed. There was a hole in his T-Shirt [illegible] the size of a fifty pence piece, which had blood around it. His shirt was removed and I could [illegible] wound in the upper centre of his back, about the size of 3-4 [illegible] pence pieces. There were [illegible] people providing treatment, so I [illegible] to my [illegible] and organise [illegible] to attend to extract the injured. I [illegible] to move away from that location as I believed [illegible] in the vicinity, however, as there was still a lot of incoming fire, I did not move very far before returning.

I reported to the F18 aircraft that we had casualties, however I didn't say that I believed it was because [illegible] attack.

After a short period of time, [illegible] AFV arrived and I helped the casualties into the back of one of the vehicles. The 1 Troop commander then organised the extraction from the location. [illegible] and I were the last to leave the ditch. As we left, I came across the second casualty's kit on the floor of the ditch. I picked up the body armour and webbing, as I did so, an armour plate fell out of the rear [illegible] armour [illegible]. This plate was one of the smaller Northern Ireland type plates. The kit was [illegible] due to its [illegible] that it should be left in the ditch. [illegible] I [illegible] like a 2[illegible] projectile, which he had found next to the webbing. I can state that [illegible] one or two

A-IIIa

(Continuation Sheet)

Sheet No. 4	Case No. [illegible]
Continuation of statement of:	

other similar projectiles on the ground inside the ditch. I kept the projectile in my possession until later that day when I handed it to WO2 [illegible], 45 Cdo RM.

On Sat 9 Dec 06, [illegible] (SIB), showed to me a projectile, which was inside an exhibit bag marked as follows:

SCS/3 - 20mm Round

I have signed and dated the exhibit bag.

I can state that the projectile is similar in all respects to that which was handed to me by [illegible]

I have also provided to [illegible] with a copy of my Post Incident Report for the incident, to which he attached an exhibit label marked as follows:

AC/1 - Post Incident Report dated 8 Dec 06 by [illegible]

I have signed and dated the exhibit label.

The report is an account of the actions taken at the time of the incident.

Signed:

Signed:
[illegible]
[illegible] (SIB)

CAPT

Interview

A-VIb

Interview of Captain RM

PRES: Captain again, Captain here, U.S. Navy. I've been asked to look into all the facts and collect evidence resulting from the potential friendly fire incident that took place on 5 December 2006. Lt Gen has directed that I be the interim president of the interim combined investigation board and we want to collect evidence, so that we can then provide it to the combined investigation board that will hopefully be able to quickly sift through all the evidence and make their analysis and recommendation so that this type of incident never takes place again. Do you have any problems today if I ask you any questions today and record them?

WIT: No, sir, not at all.

PRES: Ok, terrific. What I'd like to do is ask you maybe to pinpoint your location on the battlefield around the time of the F-18s showing up and talk me through where you were at and things about the control of the F-18 until they checked off station after the last release of their ordnance.

WIT: Do you want me to point them out to you?

PRES: Sure.

WIT: Do you mind if I use this? During the time of the incident when I think it was 07 checked in, I was on the longest T-junction along with 1-Troop.

PRES: Go ahead and mark it right on there.

WIT: It was on that T-junction there with 1-Troop. call sign checked in and it was around about 1130 and 1200. The reason I know that is because GR-7 which had just dropped a 1,000 pounder in the target area had left around 1130 and the Apaches as soon as the Apaches had left, all hell broke loose and we were receiving incoming fire. We received incoming fire--do you want me to go into details?

PRES: Sure.

WIT: We received incoming fire from, there was a tower building which I perceive to be that one and received incoming fire from this tree line here and also received incoming fire from a wood line that goes out to this area and we started to receive fire from the rear from guys we missed on the sweep. came on and I talked him first of all onto, I had the actual falcon view with me in the trench and I quite literally hit from there and I gave him that grid which was central area of each compound; do you want me to spin that grid up?

PRES: Yes, please.

A-VI b

WIT: The grid for that enemy location or what I perceived as the enemy location is and that was the MPI of the target compound that they were in. Other than that we prosecute our target and we talked them onto the friendly location and I had already given them the target grid and the elevation which was on there as well. I then talked him onto friendly location which was at the T-shaped area up here and I called happy friendly and we were both happy that we knew where the target was and we knew where the friendly location was. And, due to the run ins which we needed to run if I run him north to south and he was coming in over our heads so I ran him in west to east on the first attack and requested one time a 500 pound bomb right in the center of that compound which was being used as a re-supply line for these guys to start fanning out in this wood line and then the fields to shoot in our location. We ran in west to east and have a visual, cleared him hot and dropped a 500 pound bomb over Delta-Hotel in the middle of the compound right over that position . Then I moved back up to medium level and the firing ceased for half a minute max and then it just cracked on again and it seemed to me that the enemy was still on and that we had a pinpoint on this compound and so they started to filter to the west and start this whole move out into the surrounding areas which the ground is littered with three foot and five foot ditches which provided irrigation channels for the enemy to run around in while covered.

So, at this point I requested a strafe and asked are you 'happy last target'. He responded 'A-Firm' pulled up the level, said same attack heading target and requested a one time strafe on that target. He pulled around and came around and strafed across this same compound as well. At that point, I pulled back up to medium level and I was happy with that and I then sat and tried to observe more enemy movement around. At this point the fire started to come in heavier and they didn't seem to be bothered by the munitions we were dropping and I think the reason for that when the munitions go in, they hear the jet tipping and they literally lie flat on their bellies in the irrigation ditches and the 500 pounder can probably land about 50 to 100 meters away and you would be all right. And so, the firing increased from this location here and it seemed like it was getting closer and the fire from the rear also increased in around the back area here. Pulled him back up to medium level we started to receive fire from specifically from this tower building here which I perceive to be that square building. That is a two story building with a window in the top and there was a guy there with a medium machine gun. We were suppressing with small arms fire but it didn't seem to neutralize this guy. So, as he was at medium level, I said, "Right, are you happy?" Gave him a new grid literally off the computer, tapped on as such and the grid itself was . I talked to him about the building and confirmed that we were talking about the same place, which was literally 50 meters west of the last MPI and he was happy target.

Happy friendlies again moved off to the west again, gave him the same attack heading and as you can see them attack tipped in and was off 'hot'--off dry, sorry. I can't remember if it was him that was off dry or his wingman. He was off dry and tried again and was off dry and he then handed me off to his wingman which was not 100% sure of being that is what I thought it was. Bear in mind that all hell is breaking loose around here and at this point I was literally in the bombed ditch trying to work this computer and popping up trying to keep eyes on the target. I had visual on the target but

A. VI b

not on the aircraft, talked to his wingman for a while and then the wingman came up right ready. So I sent him this target grid and told him to come in from, I think it was west to east on this one. He came up west to east cleared him hot and he dropped a 500 pounder on Delta-Hotel just to the south of that tower itself. The explosion kicked off and all fire sort of ceased from that location and all fire ceased for about 20-30 seconds and possibly even a minute, while the enemy, I think, started over to pool all along this wood line and started to hit us with quite accurate fire and shooting up into the wood line itself, into our wood line and trench system. At this point there were reports that the enemy would petrol-bomb the fields here and flushed these guys out of this building and we were still receiving fire from over there. Going back up, I said "Right, are you happy with your last weapons drop at your last MPI the target" and he said, "I am happy with that." I said ok, can you see the wood line running west out of that compound which I perceived to be that wood line here. He said "A-Firm, I am happy with that." I said I request a run in from west to east along that wood line with 20 mil cannon. He said "A-firm" he then repositioned. I didn't have visual on the aircraft and I called him hot and cleared hot the target. At that point, the next thing I knew the strafe had come, well, what I perceived to be the strafe had come across this T-junction in this field and I immediately called cease fire and he pulled back up to medium level. He then requested sort of a more talk on at this point and I was dealing with a casualty, the strafe had literally gone a meter passed me. I was cutting the shirt off of the casualty and was squaring him away. I pretty much said, and I didn't tell him it was him because I didn't want him to flap in the cockpit that we had received one P-3 and one P-1 casualty and let it lie there and he was still calling me after that but I pretty much ignored him because I had to deal with casualties. At this point we were on that tree line returning fire and dealing with casualties and calling in the Scimitar to come and get picked up, calls I just told him to pull to medium level and hold at medium level.

At that point, it was about half an hour, I reckon by the time that the casualty evac came in r call sign had gone away and refueled and came back again. I was using the call sign to neutralize this tree line which he did effectively well on that route and targets within this building, within this compound and that was the last then checked, it must have been a good 45 minutes later when I was pulling back along this open ground when the bndr call sign checked off.

PRES: Okay.

WIT: So, to summarize, in between that strafed once and dropped one 500 pounder; dropped one 500 pound bomb on the target and strafed, sort of clipped our position with the strafe, from what I perceive.

PRES: Okay, Flt Lt , over to you.

Flt Lt
Just a few questions just along the line of the phase of CAS just to fill out a few gaps that we have got from the various statements that we have collected . Were there any preplanned Air support requests?

A - VI b

WIT: 5 sorry, 4 ASRs but none were supported for support of this operation. But as soon as we crossed the start line we were under attack. We started off with signs, ther and again and then that was it.

Flt : What chain did they go through?

WIT: I went through at Brigade HQ.

Flt When you were planning the targets did you have any equipment to mark the targets?

WIT: If I could mark friendly location but that would have given the enemy my location. The LTDD was too big to carry this because I was carrying this and only had a 3-man team, plus ammunition; water, etc, etc, so no. We were marking with fire and rocket launchers etc.

Flt Lt Effectively just talk on, you and the plane and grids.

WIT: The best thing to mark them was the

Flt Lt So, all the CAS as it went through immediate air support requests?

WIT: Yea, They weren't immediate air support requests because they were under 48 hours however none of them were support but as soon as you came up with a TIC, it bypassed that chain and we started using Air pretty much constantly, sir. We had Apaches as well, sir.

Flt Lt What restrictions, ok, sorry going once the jets had checked, the 9-Lines that were passed, did you still want copies of those 9-Lines.

WIT: No, I didn't have time to write anything down.

Flt Lt Straight off the GPS----

WIT: Straight off the map. I had given the fire to FAC brief and he sent me his fight to FAC briefs to tell me his load was and then I'd send him a call sign and lined out his position.

Flt Lt Ok, during the mission, did the fighters properly read back all the mandatory items and restrictions, all the grids fine?

WIT: Yes, read all the grids fine, yes.

A-VI b

Flt Lt Did he pass any restrictions to ordnance, attack heading, that sort of thing?

WIT: During the actual control that went wrong, I said come in west-east or east to west but I don't know where he came in because I did not have a visual on him.

Flt Lt Ok, was the straight attack that we are talking about was that briefed as a Type 1 control or Type 2?

WIT: Didn't have time to brief any of that. It was a case of 'Are you happy with your last weapons drop, you had all ready dropped on your target', and got him to come in again. He was happy with the plan that we were talking about. I cleared him west to east or east to west and cleared him hot.

Flt Lt Okay, again going back to where the jets checked in to cover a few gaps again, was all the CAS assets when they pitched up were they authenticated or all secure?

WIT: All secure.

Flt Lt Were there any other attacks aborted by yourself?

WIT: No.

Flt Lt Okay and BDA was passed for each attack?

WIT: BDA was passed as in Delta Hotel but its very hard out here to get BDA because you have to close with and see the bodies of the guy's you've killed; its exceptionally hard when you are surrounded on three sides. So, I had to judge off of mine for example if the bomb lands in the right place, BDA Delta-Hotel, perceived 3 dead or just Delta, pretty much it was one control straight on to the next because we were receiving such heavy incoming.

Flt Lt Okay, I have no further questions, Colonel

Lt Col Just a few. This is Lt Col Just a few questions, lets go back to the mission planning for the mission. Were you involved with the planning or any CAS for the mission planning with the Commander?

WIT: Yes, I was involved in what CAS could do and I've had the jets up previously with a ROVER 3 Pod and looked over the different compounds that we could engage and what we'd being dealing with on the ground. I had given that information. I said what Air could we have, he said AISRs and I had put in for Apache, the Apache was the only one that was supported and the ISRs were unsupported however, that could have changed

A-VIb

throughout the day, so it was a case of--the main objective of this mission was to establish enemy strengths in the area.

Lt Col Did the commander write out orders for CAS or did he verbally tell you what his intent for close air support was?

WIT: Yes, I did the OS part on the orders though and what CAS could provide in using it. I told the ground troops that came under contact, when I shout 'get your heads down' don't watch the bomb, and all the safety measures that I could teach there for that lead Troop. To start with, I was actually positioned back at and had a little overall view of all of it but when I closed in with First Troop, I was mainly with them.

Lt Col Okay, can you briefly describe the communications plan between you and fire support for artillery and the ground commander?

WIT: Yes, I had two teams; I had myself , a marine sergeant who provided the call for air and artillery call for fire. or and his team in the center who provided artillery as well. Between the two us we had HF Comms, Comms with the other split call sign so I could coordinate air space deconfliction measures and then between myself and and I also had Comms with another part of his team that were providing CCA with the Apache, so I had two means of Comms there and to the jets as well. So, it was all linked in.

Lt Col Okay, during your brief to the fighters you said he was happy with the friendly positions; did you mark the position or pass your position to him?

WIT: I talked him onto our position and didn't mark our position for the simple reason that if I'd then the enemy would know where we were, they know what target acquisition is.

Lt Col Okay, did you pass coordinates of the friendly position?

WIT: Yeah. We were having trouble talking him onto the wood line as you can see with the air force, there are a million different lines. This was to and he called happy friendlys and I said 'are you sure'? Yeah, happy friendly. So, we double checked.

Lt Col Okay and you said on the final attack you didn't brief any type of control because he was happy with the previous target there? Did you brief any type of control on any previous attacks to bndr?

WIT: The way I did it was I gave him a bomb first, I think he dropped a 500 pound bomb and that was a full control 9-line and the second one was almost an immediate re-attack on that target, with east to west, using a strafe and when he then tried again and failed and did the re-talk on with the bndr call sign grids, elevation, gave that position again and the second one, I did pretty much a re-attack on the second one was an attack

A-VI-b

on the wood line east from the east to the west, he also had the same elevation and the same grids.

Lt Col)kay, so on the very first check in and talk-on, you gave some sort of tech control or something?

WIT: Yeah, I did.

Lt Col Which one?

WIT: Type 1. I could see him, and said you were visually cleared onto the target.

Lt Col Okay, that's all I have.

Commander Commandeer , VFA 102. How are you doing?

WIT: Not bad.

Commander Could you explain the types of control that you typically use as a JTAC and what they mean to you? How you typically use them and why they were different that day?

WIT: As in Type 1, Type 2, Type 3? Type I you can see the aircraft on the target, Type 2 you see the target and not the aircraft, and Type 3, you see neither. Now, the first one, the one I got, the Type 1 control where you see the aircraft on the target, there is no problem

Maj Just because the fire wasn't so severe yet

WIT: But once the 500 pounder and the strafe then it all kicked off and I was looking for the tree line in front of me, a tree line off to the right and so if he was coming in west to east, at hard acquisition, I had Light Dragoons off to the west and if for some reason he tipped in the wrong heading and the bomb had gone wrong, it might go long or short, so I was trying to get visual but at the same time getting shot at from the rear. So, it was a case where if I could pop up and see the target, and when he called Stores I looked up to see Stores is like giving BDA and trying to get visual, I had pretty much given up on that because it was just too difficult.

Commander Yeah, yeah, so effectively, in your mind then there was a transition of----

WIT: There was a transition from a Type 1, Type 1 and a half, yeah I got you visually clear, clear hot and then it was pretty much a Type 2, where I could just see the target.

Commander : Was that ever made explicit?

A-VI b

WIT: I didn't have time, it was a bit of a dire situation at the time and was getting fire from three points the fact that he already had a bomb on the target, I was happy that he was coming in and he watched his wingman put a bomb and a strafe on the target.

PRES: Capt here, excuse me but I need to ask a question about the bomb that just went off, what was the visual mark that was significant and how long did it stay over the target?

WIT: As in the bomb that just dropped?

PRES: Was there a lot of smoke that came from that?

WIT: I've actually got some video footage of one of them and I think this is when the A-10 dropped the 500 pound bomb but it is exactly the same, I don't know if it will be of any help to you. There is a massive plume of cloud, like a mushroom cloud and dust, very still day, no winds so it went straight up from the target and was there for a good 3-4 minutes. It almost hinders the pilot viewing the target for that amount of time.

PRES: So, your recollection is that there was not a lot of wind on the deck that would move that cloud away?

WIT: No, and if there was, it didn't become a--the bomb had gone and created a huge mushroom cloud; put it this way, I dropped a 500 pounder a couple of days ago and you could see it 16k away from the--mushroom cloud that comes up on the ridgeline that might put it in perspective.

Commander Okay, at some point, the transition assisted to Type 2? In your mind, don't know if it was made explicit to the pilot but you assume he could see where his bombs were hitting and the strafe and in your mind you were talking him into the same compound and all the runs, correct?

WIT: All the runs were pretty much a re-attack from the first target. I had given him a 9-Line and talked him onto the first target then he strafed and I talked to the wingman onto the same one because he was a new pilot and I called him in on the run in again assumption being the mother of all but he had seen the target, he had dropped a bomb on it, he had seen the tree line coming _____.

Commander And that last run the target was what? The desired target?

WIT: The tree line which is directly west of that large central compound. Do you want me to mark that one?

Commander Now you had mentioned that the guys were coming out of that compound and moving into the tree line?

WIT: Yes, this large tree line here

A-VIb

Commander Right.

WIT: I actually said to him on the net, I can remember this specifically, I said from your last target, which was the tower, can you see the tree line which is slightly south and runs west of that large compound so I mentioned the tower again which was his target and that it had run west.

Commander And he replies?

WIT: He was straight away. No messing around, A-firm.

MEM: The adjustment of adjusting a target, to apply that from his last flash is exactly that what is taught that the Joint Forward Air Control Training. We are taught to do that from your last bomb, south-west.

WIT: I could understand giving him a new grid of the target was such a massive difference, but he look on this scale on the computer, and the scale of the map is literally 30 meters west of the target from where that tree line runs and where his strafe should have gone and if I had gone through the whole 9-Line procedure of giving him a new grid, it may have just confused him even more.

Commander nd we are very used to that as well in our training.

WIT: The fact is that his wingman had dropped twice already and I perceived him to drop once and again and strafe right in.

Commander And the one last thing I want to ask you are what your thoughts are as a JTAC, and this is probably one of the toughest things you do, what is your criteria do you use to make the 'clear-hot' call.

WIT: The 'clear-hot' I am happy if he is happy. So, if he is completely happy with what the target says and his MPI is in that target and he is happy with the friendly locations, which both I had passed him previously.

MEM: Good answer.

Commander Do you assess the aircraft as well, if you can see it?

WIT: If I see the aircraft coming in at a wrong direction, I abort. But the distance between me and the target set was, in fact 470 meters worked out by a computer, therefore if he had hit on the street and if he had come over my head, and hit onto--if you can imagine an east-west tree line, if he had come in north to south and even been on target, he still wouldn't have hit us; dangerously close meters from there. I can understand length of the strafe but he should have been coming in east-west, along the tree line which is what I do to target weapons matching. Tree line

A-VI-b

goes east-west you strafe along the tree line not across it because you only hit one small section.

Commander hank you very much.

PRES: So, flight did 4 kinetic weapons passes?

WIT: From what I can remember, yeah. It was quite hazy within my head with all the different things going on, I remember it being a strafe, a 500 pounder, another 500 pounder and the last one being a strafe and after that I didn't use him again.

PRES: Were you visual on any of the runs of the aircraft up and to their weapons release?

WIT: I was visual on their first strafe which ran from east to west. I was visual on the bomb drop, the first bomb and then after that the fire was coming from the rear and I don't whether the guy got caught up in the rear or not but that is when I pop my head up and look at the target and not the jet to make suré we got the right position.

PRES: What direction of the pass was the first one that he did?

WIT: The first one from , from what I can remember was east to west.

PRES: East to west, so the first two passes were from east to west?

WIT: I am not 100% sure--east to west and west to east, that second bomb. If you can imagine, it has got trench line, I am in the trench and directly south to me, I have got large trees with bushes as well on the top, that runs down all the way on my right hand for about 150 meters the in between me and a T-junction south, there is another tree line with lots of bushes there as well, so if he is coming in low, I am struggling to see him through that without standing on the bank. A couple of times I did stand, but each time I am testing my luck a little bit to by popping up and down like a jack rabbit.

PRES: Okay. Was there ever any discussion of a crater being used as a ground reference for the last target, for tree line target?

WIT: Not unless it was a crater from his bomb that he dropped. I looked, in the past tense, at some of the Apache footage that might help and there is some footage there where a 500 pounder dropped short, just slightly short of that tower. He may have talked himself on from that last crater but I can't remember, sir.

PRES: Okay. And you mentioned that you gave the bndr flight friendly position via the coordinates pulled from----

WIT: First of all I talked him on to the location using the target and running along the wood line and up to the three compounds. I struggled to do that and I sort of lost him in

A-VI6

the tree line and there was a lot of fire coming in. I asked him, "Are you happy, copy, friendly grid, agree." He said, " I am happy, copy friendly grid, this is blah, blah, blah." He then came back and said, "Are you happy friendly grid", he said "happy friendly grid." I then asked are you happy friendly grid, he replied, "happy friendly grid." So, we were happy friendlies. It was my only way to do that to ensure that because that tree line runs east to west, that tree line runs east to west; that's a large compound, that's a large compound.

PRES: Did you ever define your position bearing in range from the target, which he was happy target?

WIT: I think it started with, I gave him the range when I said 450--470 meters northeast-northwest, I didn't get him on there, so I talked him through and still didn't get him on, I talked him onto the grid itself. I possibly could have--this building here has been completely destroyed I remember if you get the whole GR-7 video footage, I talked to GR-7 onto using that destroyed compound.

PRES: So, right now, that is the building that is destroyed, right?

WIT: That's the target building, yes, large building and that crater there. That crater there is one of the crater's that you saw on that Apache footage and I may have used that but from ground level, you cannot see that crater.

PRES: Okay, so you saw both aircraft passes on the first strafe and the first bomb and they were coming from east to west?

WIT: Yes, because if you look there, my view from those trees, you can see the shadows, the trees I can see him coming that way but however if he comes in that way or this way, then I am struggling to see him through this line, that line.

PRES: That's all I have.

Maj I just have a couple questions and going to have you put some stuff on the map so we can get a picture of it. Just for the record, what is an LTD?

WIT: A Laser Target Designator.

Maj And somebody else earlier had mentioned that it was the Commander's discretion not to wear the Kestrel Body Armor, are you aware of that?

WIT: It has got nothing to do with me.

Maj Okay.

WIT: The Commander decides what his men wear.

A - VI b

Maj I am going to ask for you to step to this map here, and get you to label some stuff that you were talking about.

Maj When the plane actually came in, did you hear the bullets, did you see them?

WIT: No, the first thing I saw was the dust going up, which was literally in a split second and then straight away started dealing with the casualty after the cease fire from the jet.

PRES: What was the sound that you heard?

WIT: You know, the A-10's sound is very audible, so a smaller sound than that. I heard that after the strafe happened. I said at the time, I am about 50-60% sure that it was the jet that hit him, but I wasn't 100% sure because his injuries didn't reflect the weapons system that fired.

Maj When you were talking about the T shaped wood line earlier on, where would that be? [*Witness marked Exhibit I with a NUMBER 1*].

You were talking about the enemy being in the middle of the compound, which compound are you talking about? [*Witness marked Exhibit II with a NUMBER 2.*]

You talked about a square building, the enemy being in a square building?

WIT: Tower, just south-east of that crater

Maj I am going to put the NUMBER 3 there [*witness marked Exhibit II with a NUMBER 3*]. And that crater is also the one that you were identifying later on saying that it is not visible from the ground?

WIT: That is not visible from the ground; I didn't comment on that there, I commented from where his last weapons drop had been because I could see where the splash and the cloud had come up from that.

Maj Building----

WIT: And I said from that tower----

A-VI b

Maj From tower number 3?

WIT: Yes. From number 3, I said go south and you will see a small wood line that runs west

Maj ınd the wood line that runs west, we will label as NUMBER 4.

WIT: Okay [*witness marked* *Exhibit II with a NUMBER 4*].

Maj And your trench system that you were speaking about earlier, that is the T junction that is labeled as NUMBER 1?

WIT: I am on the top of the T, NUMBER 1.

Maj Okay, you are on the top of the T where I am putting NUMBER 5 [*Maj marked* *Exhibit I with a NUMBER 5*].

WIT: I was literally right on top of that T junction and the guy got hit a meter to the east of that T junction.

Maj So, that is the junction that you are talking about?

WIT: Yes.

Maj Now, your forces were taking fire from which direction, do you recall?

WIT: From this building here, NUMBER 3.

Maj The tower, NUMBER 3.

WIT: They were taking it from all the way around there. They were taking it from the tree line, NUMBER 4. They were taking fire from this position over here to the south-west.

Maj South-west of your position?

WIT: The east-west tree line, I have a grid on that if you need it and they were taking fire from, do you see where this crater is?

Maj [Nonverbal yes.]

WIT: Here you have got a large cornfield here now; they were taking fire from there.

Maj So, I will label that as NUMBER 6 [*Maj marked* *Exhibit I with a NUMBER 6*].

A-VI b

WIT: Yes. So, in essence, we are taking fire from 3 sides at different angles. The enemy also, as soon as we left this trench system, was about 50 meters behind us so, we could have been literally taking fire from that close.

Maj This was after the----

WIT: After the strafing run.

Maj strafing run. And that is the bottom half of your T junction or the trench that goes south I believe?

WIT: Correct.

Maj Okay.

WIT: Also, I noted that when we were doing the extraction like 20 minutes after he strafed, the had come up to relieve us, were taking RPG hits and they are caged armor, so if you can imagine returning fire at 600 meters and they were probably firing from this field as well. Along this wall line, you can see this trench system, each field has a 4 foot ditch around them, and it provides a defensive position.

Maj : And when you said this trench system, I am going to label that as NUMBER 7 for the record [*Maj marked Exhibit I with a NUMBER 7*].

WIT: Yes.

Maj : So, trench here, trench there, trench here, it could have been in any one of them.

Maj So, all the lines that you are talking about in those fields right now with those lines around them are where NUMBER 7 is. You talked earlier about a building being destroyed?

WIT: The tower.

Maj : The tower or was it where NUMBER 5 where you were standing.

WIT: That is where I was.

Maj Okay and there is a destroyed building there?

WIT: No, there is this crater here and then this building that is how I talked to GR-7s on to start with.

Maj : Okay, there is a crater right there?

A-VIb

WIT: Yes.

PRES: You talked them on to your position using that crater?

WIT: Yes, I talked them on using this location here, I said can you see this building and the crater and there are three buildings that run also, and he was happy friendly.

Maj Paradiso: That is where NUMBER 5 is, correct?

WIT: Correct.

Maj And the GR-7 was on location?

WIT: It was before the had just dropped--the Apache had lased the target for the GR-7 call sign. The GR-7 TICed in and drop a 1,000 pounder from east to west, he was then off the station, he was then off with the Apache and as soon as that happened, all hell broke loose and I called the bndr call sign.

Maj Okay, the target you are talking about is NUMBER 5?

WIT: Nope, Number 5 is our position, NUMBER 2.

Maj And then between the GR-7 leaving and the 18s started their run, about how long was that, do you think?

WIT: About 10 to 15 minutes max, they could have even overlapped.

PRES: Commander

Commander Yes, one more question. Around about the time of the strafing, was there any smoke near your position?

WIT: No, sir. That is another thing, another aspect I looked into but it just didn't seem right, I could see the strafe coming in, I say literally a blurp but this came across me and immediately one guy with an arm wound and another guy was on the ground on his back and getting sort of dealt with___ but the rounds, I have seen them land before, a 20 mil and a 30 mil, big old explosion, well, not big it is like a small grenade going off at each location and I never saw that in those however, when I went down to deal with the casualty there was there was 20 mil rounds laying around, now the other thing to do with that is 20 mil being fired from a dive is going to embed itself in the deck, sir. So, this place as you can see where the bomb craters have been strafed continuously for about 4 months now, so I am not 100% sure

A - VI b

Maj So, in other words the rounds that were coming in at you when you were calling the airplane do you think they were exploding and causing smoke, near your position?

WIT: I cannot tell you that, it happened in a snap.

Maj Because there was smoke from the bomb that went off from hitting the compound----

WIT: There is no way the smoke from the bomb had lifted itself and drifted over to my position.

Maj Right.

WIT: One, because if there was any wind, it would have been pushing away from us and there was no wind.

Maj ɔ: How about from the incoming fire you were receiving?

WIT: The incoming fire there was a bit of splashing around; you got leaves coming off the trees.

Maj But not smoke that you are aware of?

WIT: No smoke. There was a couple RPGs that flew over and when they airburst they created smoke almost like flak guns if you could imagine.

PRES: Were the RPGs during the time of final strafe pass?

WIT: Can't tell you that, they were coming over sporadic, whoosh and blow up behind you, so.

PRES: When the ammo started hitting the deck, was it your impression that it was HEI or not HEI?

WIT: I couldn't tell you, I was looking at the target and the next thing I knew, it had come passed me.

PRES: Okay.

WIT: And it went thru and sort of came over the right and on the left hand side I was looking over casualties down, there was no massive explosion but there was definitely dust kicked up from where a set of rounds had landed.

PRES: There was a statement earlier from a Sergeant who stated that he heard the pilot talking to you or some conversation to the point where he was saying that he accidentally strafed your position?

WIT: No, at this point I had pretty much--I said listen we have taken a P-1 and P-3, I didn't want to make him--if I had said, Yes, you were to blame, you strafed our position he is going to flop as a pilot and be of no use to me. So, I literally said that we had taken a P-1 and P-3 causality, wait out, and pull up to medium level. From then on I was intermittent on the radio. When I came back on, he was calling me and I was saying, "just hold, just hold" I was CAS evacing back with this guy and sort of doing the fighting and withdrawal and then the A-10s came on as you can imagine, I didn't want to use him again [conversation drops off].

PRES: And you were----

Maj I am sorry, what did you say?

WIT: I didn't want him, you know, I didn't want him to strafe, you know, I doubted his judgment therefore I didn't want to use him again, you can imagine it could be a 500 pounder dropped on my call sign. I didn't want to tell him that, if there is an element of doubt in my mind, I won't do it; it is too big of a plane to be messing around.

PRES: You were quickly at the scene of Marine injury?

WIT: Yes.

PRES: Did you cut off the vest?

WIT: Yes, well, his tissue was open, he was still alive at this point and I was looking for a front exit wound on his chest and his stomach. I couldn't see anything. Where has he been shot, so I rolled him over cut his t-shirt off with his knife and there was a hole in his back it was just off to the right.

PRES: Okay so, how did the vest get removed from his body?

WIT: I didn't know his webbing was off; his body armor had been taken off and peeled to one side.

PRES: So, somebody else took off his body armor?

WIT: Yes, or as he rolled onto his belly his arm just came out of his body armor.

PRES: Okay, was he found on his back or was he rolled over onto his back?

WIT: When I turned around, he was on his back with 2 guys dealing with him.

A-VI b

PRES: Okay. The position of the trench though for everybody was that everybody was crouched down or laying down so that their back was exposed to the air?

WIT: Some guys, as you can imagine were in this trench system, east-west and you're looking south and you were over the trench shooting getting your head down, get back up shoot. Some of the guys----

PRES: So, they are on their belly?

WIT: Yes, some of the other guys were facing the other way because we were getting shot from the rear as well, so, was facing to the north, the other were facing south.

PRES: Okay.

WIT: I couldn't tell you where he was when he got shot, first thing that I knew when he got shot, he was on his back and people were trying to rip his clothes off and see what sort of injury.

PRES: Okay. I don't have anything else.

Maj Captain , I think you gave a statement to the SIB guys?

WIT: Yes, I did.

Maj : Would you like to adopt that as part of your testimony here today?

WIT: Yes, you can take that.

Maj : Okay, that way we don't have to go through everything. That's it, sir.

PRES: Okay. Let's shut it off.

[END OF PAGE]

A - VI.b

Statement

A-VII

Case Ref No: 83187/06

MOD Form 266A/B
(Introduced 12/03)

SERVICE POLICE
WITNESS STATEMENT
(CJ Act 1967, S.9;MC Act 1980, SS.5A(3a) and 5B;MC Rules 1981, r70)

Statement of:	
Rank/Status:	
Age if under 18: Over 18 (if over 18 insert "over 18")	Occupation: HM Forces (RM)
This statement (consisting of 11 pages 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:	Dated 8th day of December 2006

I am C

About 0400 hrs on Tue 5 Dec 06, I was part of the that was due to deploy that morning on a clearance operation of Garmsir, Helmand Province, Afghanistan. This involved my Company, C Sqn Light Dragoon Guards (LDG), a Troop from 79 Bty, 29 Cdo RA, an FST team commanded by Capt RM, and elements of the Operational Mentoring and Liaison Team (OMLT), commanded by Capt RM.

The area to the South of this line had been known to be used by Anti-Coalition Forces/Taliban, to mount attacks on the GDC, which was manned by Afghan National Army (ANA) and Afghan National Police (ANP).

Part of the Fire Support Team (FST) team, consisting of Capt and two others, whose names I do not know, also accompanied my Troop during the operation. Capt was also the Joint

A-VII

Tactical Air Controller (JTAC), who provided Close Air Support (CAS) and Offensive Support (OS) (105 mm guns), for Z Coy.

We departed the harbour area about 0430 hrs that morning and arrived in GDC about 0600 hrs that morning. My Troop crossed at approximately 0645 hrs and went firm in the vicinity of , to allow flanking callsigns (C/S) to the left to move up to their position. My C/S that day was and the Troop was The flanking C/S's were and that were moving to my East. was 4 Tp, commanded by and 5 Tp, C/S was commanded by Capt .

To ease reference I have marked all relevant positions and locations on an image map of the Garmsir area, provided by SIB RMP. I have handed this map to SSgt MHJ, RMP (SIB), to which he attached an exhibit identification label, marked as indicated below:

DWDC/1 - Image Map of Garmsir, marked by Capt , Z Coy, 45 Cdo RM, BFPO 792.

I have signed the exhibit label.

Up until this point, 1 Tp had encountered limited resistance but this had been neutralised by LDG and air assets directed the FST team. The air assets at that time consisted of Apache AH, and GR 7 (Harrier).

Between 1200hrs and 1215 hrs approx, 1 Tp came under sustained small arms fire and Rocket Propelled Grenade (RPG) fire, from a compound on the Northern edge of B3 (marked on map) at GR 136 435. B3 refers to a pre-designated clearance area, for 4 Tp. 1 Tp designated clearance areas were Alpha 1 (most Northern) and then working South through A2 and A3. Further forward of this was our Limit of Exploitation (LOE) at located about halfway between and , was a line running East – West between A2 and A3. 5 Tp had similar clearance areas designated C1, C2 and C3.

A series of air strikes, from both AH and fixed wing were called in to suppress the enemy fire, whilst 1 Tp continued to suppress enemy force (EF) activity with our organic weapons systems, rifles, GPMG's, LAW etc.

At that time 1 Tp were located in an irrigation ditch on . around 1 and 2 Sections, including the HQ, were in the ditch, whilst 3 Section were located approximately 150m to the west. Our plan was to go firm at that location and to provide fire support to allow 4 Tp to move on the left and assault the compound at B3.

During this time, EF managed to envelope the western flank and move to our North and rear, where we began to receive accurate small arms fire (SAF).

About 1300hrs (estimated) a fire mission was called by C/S T), who was with me, to hit EF in an East - West woodland at the enemy target at B3, which was approximately 400m to the South of my position. By this time the AH had gone off station and CAS was being provided by F18 fast jet. In response to the call for an air strike, an F18, possible two in pairs, dropped a bomb on the EF location at B3 and possible a 2nd bomb run, as it may have initially missed its target.

I then informed my OC, Maj , C/S that another air strike was going to be called in, before 4 Tp could move forward to assault the compound at B3. A message was then relayed by

A - VII

(Continuation Sheet)

Sheet No	3	Case No: 83187/06
Continuation of statement of:		

Capt that the next F18 would be coming in using its mounted machine guns. This was then relayed down the lines so everyone was aware, and this was done by radio as well as a verbal message.

At this time, the irrigation ditch that we were in was approximately 4 – 5 feet deep and about 4 feet wide, with light foliage on the banks and a cornfield to the South. HQ, including myself, was located on the Western edge of the ditch in the vicinity of a bombed out building in the next field. 1 and 2 Sections were in an extended line to the East in the ditch, covering a distance of about 100m. I cannot say exactly at what distance each man was separated from the next. The trench provided good protection from small arms fire from the front and rear due to its depth and was an ideal fire position.

I can recall that the F18 came in on its gun run, from a North Westerly direction ad opened fire, the main impact of its rounds falling in the location of the HQ and 1 Section, of my Tp. As the F18 came in, I took cover in a kneeling, crouched position, facing in a Westerly direction. I heard the plane approaching before it opened fire, at which point the ground in the trench was being kicked up, by the impact of the rounds.

After the initial shock of being fired upon by the F18, I heard my radio operator, M... screaming and realised he had been injured. Also at that time, I saw that some people from 1 Section were dealing with a casualty; however, I didn't know who this was at that time. and myself initially treated who at the time of the gun run by the F18 had been right next to me, and saw that he had an injury to the bicep of his left arm, which looked like an entry wound. I couldn't see anything protruding from it and therefore applied a First Aid Field Dressing (FFD) to his arm.

Within a matter of seconds I had been verbally informed that was injured. His condition was more serious and therefore I tasked to deal with him whilst assisted me in treating then got on the radio and informed , that we had two casualties that had been caused by Friendly Fire from the F18 and requested medical evacuation for them.

I continued to command the Tp, during which time I sent a NATO 9-Liner to Capt , 2 IC, Z Coy, based at iust to the rear of . During this time, Mne Wiglev was being dealt with by t, LCpl , ınd Mne LCpl and Mne , who had been near to Mne ıad been dealing with him before Mne arrival. I did not get involved directly with Mne

Over the next 20 – 30 mins we continued to receive EF and therefore continued to suppress that EF. It was around this time that a Spartan Ambulance arrived and the casualties were put on board. We eventually extracted from that location and I was the last man to leave, after ensuring that the lads took all operational equipment with them. I do recall seeing Mne Osprey CBA being in the trench, which was left behind as it was of no use. I do not recall what happened to his webbing but I was informed later that it had been stripped of kit and left in the trench.

Signed:

Signed:

RMP (SIB)

A – VII

Statement

A-VIII

Y

Case Ref No: 83187/06

MOD Form 266A/B
(Introduced 12/03)

SERVICE POLICE
WITNESS STATEMENT
(CJ Act 1967, S.9;MC Act 1980, SS.5A(3a) and 5B;MC Rules 1981, r70)

Statement of:	
Rank/Status:	
Age if under 18: Over 18 (if over 18 insert "over 18")	Occupation: HM Forces (RN)
This statement (consisting of 8 pages 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:	Dated the 11th day of December 2006.

Prior to deployment I can confirm that I completed the full OPTAG package and am current in all mandatory training objectives.

Throughout this deployment I am employed as a Se In order to fulfil this role, I was required to attend and pass the Junior Command Course at Lympstone,

As the commander of 1 Section, I have first line responsibility over the following personnel:

LCpl , Mne , Mne Mne and Mne . I know these people well and would recognise them again. I am answerable to the Tp Sgt, Sgt and above him to , the Tp Comd.

On 21 Nov 06, three Tps from my unit moved from Camp Bastion to MOG (South). I believe this stands for Mobile Operations Group. We arrived on or around 24 Nov 06, where we were involved in low level training and intelligence gathering patrols.

Prior to 5 Dec 06, we were joined in that location by the Light Dragoons and further low level training incorporating their assets was carried out.

On 4 Dec 06, in my capacity as : I received orders from the Coy Comd, relating to an operation that was to occur the following day. To my understanding, our mission was to move through an area south of Garmsir District Centre, to disrupt and destroy any enemy activity within specified boundaries and to gather intelligence for future operations. I then passed on the relevant information from that briefing to my Section in the format of a formal orders session.

A - VIII

(Continuation Sheet)

Sheet No	2	Case No: 83187/06
Continuation of statement of:		

About 0430 hrs on 5 Dec 06, the unit and attached personnel departed from the Forward Operating Base (FOB) to the start line, which was located in the vicinity of an area called . This start line was named Arbroath. Troops were dressed in full fighting order, which is combat body armour, webbing, helmet, three scales of ammunition and any associated equipment and ancillaries required by your role. As an example, the Section Commander and 2iC may carry ILAW, an anti-tank weapon system.

Riflemen within a Section will carry six full rifle magazines, with two bandoliers of extra ammunition,

For comms, we have access tr at Tp level, however experience has shown that PRR set with both a Tp channel and a second channel for general comms, is more effective in this type of operation and hence that is what we were equipped with.

At this time I would like to state that all troops have been issued with Osprey body armour, which can be fitted with either small or large plates, one each or both to the front and rear. Experience has shown that fitting the large plate to the rear is impractical as it hinders upper body movement, not through weight, but as a result of its bulk. In light of this, it is a Coy policy that a large plate is worn at the front with a small plate to the rear. However, to the best of my knowledge, the plate arrangement can be left to personal preference.

About 0600 hrs that day, we arrived at start line . 1 Tp covered the western flank and contained within were the following external assets:

A Fire Support Team (FST) located on , which provided the forward observer for the gun line utilising two 105 mm cannons and air support as and when required, 1st Tp LD covering the west bank of the River Helmand with 3rd Tp LD to follow behind our move, a sniper pair on and Sgt L providing Assault Engineer Support.

4 Tp were to move down the centre and were similarly scaled, if not identical to 1 Tp.

5 Tp covered the eastern flank and are roled as a SF Tp, but carried the General Purpose Machine Gun (GPMG) in the light role, on the day.

I remember that it was still dark when we arrived at the start point. Capt , Sgt , myself and the other Section Commanders then met with the FST, led by Capt and were given a ground brief and opportunity to gain "eyes on" the terrain we would be covering. This final brief also contained details of heat sources sighted by FST, indicating buildings that were occupied or had been recently, as well as steers to potential firing points.

Within the Tp area, it was decided that 1 Sect would cover the eastern side, 2 Sect would cover the centre and 3 Sect would cover the western side. 1 Sect were to clear the areas designated A1, A2, A3 and A4 and were to remain at reporting lines to the southern most point of A2 and A4, that were named respectively, until cleared to move on.

3 Sect moved first with 1 Sect in support. Once the first objective was cleared, 1 Sect moved through that point and onto the second objective, with 2 Sect in support. Movement continued in this manner in a southerly direction.

(Continuation Sheet)

Sheet No	3	Case No: 83187/06
Continuation of statement of:		

Having successfully cleared area A1, the Sect was cleared to move into area A2.

On the western side extending north to south there was a brick wall. 3 Sect pushed out and forward to the right flank by the River Helmand, on the western side of the wall. 1 and 2 Sects moved forward on the other side of the wall.

Movement continued and whereas area A1 had opportunity for "overwatch", area A2 was new and unknown, providing good territory for enemy action.

Between 1100 hrs and 1200 hrs that day, 1 Sect had gone firm in an irrigation ditch extending from east to west at report line Taunton. At this time the Sect received sporadic incoming fire from both small arms and mortar rounds.

From 1200 hrs that day, the incoming fire intensified. Due to the wood line and buildings to the front, it was difficult to identify target areas with only muzzle flash and barrel smoke as indicators. From the position in the ditch, 1 Sect was afforded good cover and would have been able to hold the position as long as was required.

During the exchange of fire, FST was also engaging targets, particularly a tower and buildings some 360 m south west of our position. Targets were engaged utilising Apache attack helicopters (AH) and rom LD.

AH remained on station for approaching 90 mins before leaving and being replaced by fast air (jet plane). This air callsign made a number of passes from east to west, dropping bombs on the tower and buildings before making a further attack with 20 mm cannon.

The aircraft approached from our rear (i.e. heading south) and I heard rounds landing on our position from behind. My instant thought was that enemy troops had moved behind us; however I instantly dismissed this and recognised that the air callsign was firing on our position.

Mne was approximately three foot to my left and I could see that he was lying on his back although I did not see him being hit. In my peripheral vision and to my right, I could see troops attending another casualty with HQ, although I did not know who this was at the time.

I moved towards Mne , who was already being attended by LCpl , and Mne . I could see that the clothing and equipment in the area of Mne eft shoulder was smashed and torn. Immediate first aid was carried out to establish the nature of the injury and therefore what we could do about it. I could also hear shouts of "Check Fire", at various points in the ditch.

I spoke to Mne n order to reassure him, however he was unresponsive at this time. I recall that he did regain consciousness, but only for a minute. The upper body clothing and equipment was cut away from Mne , however there was no visible wound or bleeding to the soldiers front (above the waistline). Capt arrived to assist and it was noted that Mne lips had started to go blue. Whilst supporting the head and neck, the body was turned and

The attached medical support then arrived. Although I cannot recall his surname, I know him as . An and was laid flat, again with head and neck supported.

A - VIII

(Continuation Sheet)

Sheet No	4	Case No: 83187/06
Continuation of statement of:		

At this point CPR was carried out on . I became an observer as I had to maintain the integrity of the Section. maintained obs to the rear of our position and maintained a position forward facing, armed with a "minime" machine gun.

CPR was continuing on Mne and we were still taking enemy fire. This remained constant even during the evacuation of and Mne , another soldier who had been injured, which occurred roughly 30 mins later on arrival of a Scimitar as ambulance.

At that point, I believed that Mne had sustained fatal injuries although attempts at resuscitation were continuing as he was removed from the scene.

Upon evacuation, the kit of Mne was stripped of ammunition, grenades and his minime weapon system including spare barrel. The equipment was re-distributed amongst Section members and the remnants of clothing and body armour were left at the scene. There was nothing of a restricted nature or of operational importance with i kit, once it had been stripped and therefore t to destroy the remains of his kit was not required.

Following the evacuation, orders were received to conduct a break from contact and withdraw to rendezvous with the rest of the Tp. I can confirm that this was then carried out.

Signed:

Signed:

Sgt
RMP (SIB)

A - VIII

Statement

A-IX

Case Ref No: 83187/06

MOD Form 266A/B
(Introduced 12/03)

SERVICE POLICE
WITNESS STATEMENT
(CJ Act 1967, S.9;MC Act 1980, SS.5A(3a) and 5B;MC Rules 1981, r70)

Statement of:	
Rank/Status: WO1	
Age if under 18: Over 18 (if over 18 insert "over 18")	Occupation: HM Forces (Army)
This statement (consisting of 2 pages 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: PW DUNVILLE	Dated the 9th day of December 2006

I have today been shown by (SIB), a large calibre round, which was within an exhibit bag marked as follows:

- 20mm Round.

I have signed and dated the exhibit label.

From looking at the exhibit, I can state that it appears to be a 20mm High Explosive (HE) round. There are remnants of yellow markings and the tip of the round is exposed, showing the HE filling inside.

The 20mm round is a NATO calibre and is used by coalition forces in various weapon systems.

I can state that the round is stable in its current condition.

I would add that I deployed on on 19 Nov 06 and will be due to return to my parent unit, 321 EOD Sqn RLC, Lisburn, BFPO 801 on 17 Mar 07.

Signed:

Signed:
Sgt
RMP (SIB)

A-IX

Statement

A-X

Case Ref No: 83187/06

MOD Form 266A/B
(Introduced 12/03)

SERVICE POLICE
WITNESS STATEMENT
(CJ Act 1967, S.9;MC Act 1980, SS.5A(3a) and 5B;MC Rules 1981, r70)

Statement of:	
Rank/Status: Mne	
Age if under 18: Over 18 (if over 18 insert "over 18")	Occupation: HM Forces (RM)
This statement (consisting of 4 pages 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:	Dated the 8th day of December 2006

About 22 Nov 06, I deployed to a position approximately 160 km south of Camp Bastion. The position was a 29 Cdo RA Gun Line location, in an area of desert approximately from the Garmsir District Centre. 29 Cdo RA move to various secret locations around the area of Garmsir, and it was the task of my Coy to provide protection for the gun line. During the period that Z Coy was with 29 Cdo RA, we moved to 3 different locations.

During this statement I will make reference to 1 Sect 1 Troop, Z Coy 45 Cdo RM. 1 Sect consisted of unit and myself also moved with 1 Troop, together with a JTAC team, consisting of of my , both 29 Cdo RM and a Marine, whose details I do not know. and

On Tue 5 Dec 06, my Coy were tasked to conduct a clearance operation in an area south of Garmsir, adjacent to the River Helmand. We were to cross from the west bank of the River Helmand to the east bank, , then move south clearing an area of approximately 1 ½ km.

The Coy set off from 29 Cdo RA location about 0430 hrs that morning, travelling to the area of the operation in tracked vehicles. About 0600 hrs or shortly after, we stopped short of the bridge by approximately 200m. It was 1 Troop's task to clear the area nearest to the river, then 4 Troop and 5 Troop had the areas further from the river. We crossed the river on foot then began to walk south along our designated areas, clearing the ground as we went. The ground was made up of open

A-X

areas of land and compounds with mud walls and some buildings. To our rear was a location known as , which was occupied by Forward Air Control (FAC) and snipers. Also at this location was the Coy Aid Post.

We had specific points along the route to clear; these were named Alpha 1, Alpha 2 and Alpha 3 and were compound areas. As we moved towards Alpha 1, I heard over the radio that 10, a Light Dragoons AFV on the west bank of the river, forward of our position, had sighted enemy and was requesting permission to engage. Authority was given and the engaged, as did the position, providing covering fire as 1 Troop advanced forward. A JDAM bomb was also dropped in the area by a Harrier aircraft.

1 Sect reached Alpha 1 and remained static for about an hour. During this time at least 1 Rocket Propelled Grenade (RPG) landed nearby us. We then moved forward towards Alpha 2. Alpha 2 consisted of a number of compounds and buildings. This area was cleared, following which Capt and I moved across an open area of land, adjacent to Alpha 2, towards the river, where we met with 3 Sect. The purpose of this was to check for any enemy dead, following the engagement by and the Harrier earlier. We were with 3 Sect for about 1 minute, then we returned to 1 Sect at Alpha 2.

We left the Alpha 2 position and moved across open ground to an irrigation ditch, which ran along the side of a field a short distance from Alpha 2. We moved south along the ditch to a point where it joined a second ditch at a 90 degree bend to the right. 1 Sect moved into and along this second ditch, while myself, and the JTAC team remained near the junction point. At this time, over the radio net, I heard that an Apache attack helicopter, operating overhead, had located 8 enemy in a building in the area of Bravo 3 (a 4 Troop objective close by), using its thermal imaging system. The Apache engaged the target using its cannon, then fired 2 Hellfire missiles at the building. It then reported that 6 enemy had been killed and it was possible that there were a further 2 at large. Shortly after this a Harrier dropped a JDAM bomb on the building.

We then entered the second ditch, where 1 Sect had taken up position. The ditch was approximately 60m in length and approximately 1.5m deep. JTAC and confirmed using GPS equipment that the ditch was a position named Phase Line Taunton. Forward of the ditch was an area of open ground, approximately 200 to 300m away was a long building, parallel to our ditch. The building was single storey, apart from a short section which appeared to have a second storey. I believe that this building was the start of Alpha 3. To our right, leading towards Alpha 3 from the end of the ditch was a tree line. Also at the end of the trench was an old bomb crater in the remains of a building. To the rear of the ditch was an open area of land, leading to where we had met with 3 Sect.

About 1150 hrs that morning, the Apache reported that it had tracked 5 enemy in a tree line forward of our location but had then lost sight. The Apache needed to leave the area as it was low on fuel. Capt stated that the Apache could be back in minutes; however he had made contact with two F18 Jets in the area.

When the Apache left, we started to receive incoming small arms fire from the direction of the building to our front, I recall that at one point an RPG was fired towards us, but this fell short and hit the open ground. Initially the fire was ineffective, however, after a short period, rounds started hitting the ground around us and I could hear them going through the air close by. The Sect returned fire using their weapon systems.

Capt then contacted the F18 aircraft to provide assistance. He confirmed our position on the ground with the pilot 4 or 5 times. Capt told us to get down as the aircraft was going to do an

A-X

(Continuation Sheet)

Sheet No	3	Case No: 83187/06
Continuation of statement of:		

attack run using its guns. It passed once however I believe it aborted, it then came around again for a second pass. I could not see the aircraft as I was in cover in the ditch. I heard the aircraft begin to fire its cannons, as it did so, I immediately felt a violent shake and pain to my left arm, it felt like I had received a massive hit from something. I fell to the ground and knew I had been shot. Although I had been in cover, due to the ditch wall, rounds were still striking around us. A medic and a Light Dragoon Sgt, whose details I don't know, began to give me medical attention, however, immediately I heard shouting from further down the ditch, stating that there was another casualty. The medic and Sgt left me, but the Sgt returned shortly after and continued to treat me. was talking to me during this time to try and keep me calm. The medic and Light Dragoons Sgt were already in position in the crater I have previously referred to.

shouted for an update on the other casualty. I heard that it was Mne who had been injured and that he was classified as P1, I knew from that that he had been seriously injured. I then heard over the radio net that had started to receive enemy fire from an area between there location and ours, an area which had already been cleared. We then started receiving enemy fire from behind our location. estimated this to be approximately 150m behind our ditch.

After about 25 minutes, a Light Dragoon CVRT armoured vehicle arrived. I was taken to the vehicle, however, before I got in, was brought to the vehicle and placed in the back. A Light Dragoon soldier got in then I also climbed in. The vehicle set off for the Aid Post, I could see that the Light Dragoon was trying to revive He looked very pale and his lips were blue. I was shouting at him to try and wake him. At that time, he had no body armour or helmet on, he had no top on and I could see no injuries on him.

As the vehicle was travelling to the Aid Post, we came under mortar fire. I heard the explosions outside and started shouting for the driver to get us away from the area. As I was inside the armoured vehicle, couldn't see where the mortar fire was coming from.

When we arrived at the Aid Post, I got out of the CVRT and was separated from . We were then transported to an HLS a short distance from the aid post in different CVRTs. We were both placed onto the medevac helicopter, at this point I saw that had been covered over by a sheet. On board the helicopter, a canula was put into my arm and I was given oxygen.

I was evacuated to the Medical Facility at Camp Bastion, BFPO 792, where it was found that I had sustained a gunshot wound to my upper left arm, consisting of an entry and exit wound in the fleshy part of my outer arm. The wound was cleaned and left open to aid healing. I am due to be transferred to the on or shortly after Sun 10 Dec 06.

I am aware that the Special Investigation Branch require to take photographs of my injury and I agree to allow this to take place, however, the Doctor in charge of my treatment has stated that this is not possible at present due to the risk of infection.

I would further state that I believe that it was totally coincidental that I was struck in the arm at the same time that the F18 began firing. I could not see where the jet was firing.

Signed:

Signed:

Sgt
RMP (SIB)

A-X

Interview

A-XI

Interview of RM

PRES: LBdr my name is Captain , I am with the U.S. Navy and I am here investigating the potential friendly fire incident that took place on 5 December 2006 in the area of the objective that you were operating in with your company and I am here to inquire into all the facts and evidence and try and collect that so that we can figure out what went wrong on the field that day so that we can correct it for future operations.

Do you have any questions--do you have any problems if I tape record this or do you have any problems with answering questions?

WIT: No problems, no, sir.

PRES: Okay. Terrific, can you explain to us what company you were attached to and what part of the objective you were in and arrayed on 5 December?

WIT: Okay, sir, yeah----

PRES: Could you come up here and show us on this chart?

WIT: Yeah [did as directed].

PRES: We are talking about at the time of the incident and what I would like for you to do just to familiarize yourself, this is north up here--I am sorry, this is north up here and this is probably--this is the Helmand River, right?.

WIT: Yeah, bear with me a second, sir?

PRES: This is ight here just to give you a reference, and this is south of We believe this is the target area complex that you were looking at and do you recognize this tree line here?

WIT: Yeah, that is the one in Fasture, it should be a smaller target. Small little firing point that has been destroyed here and which is probably our area.

PRES: Who were you attached with?

WIT: I was with 45 Zulu Company; I was with 1 Troop on the most western side.

PRES: Okay and who were your fellow Marines that you were with?

WIT: It was a Marine Sergeant, 3 of us in the FST, I do the artillery.

PRES: Okay.

WIT: And the Marine Sergeant helps out with the bits and bops.

A-XI

PRES: So, you do the artillery?

WIT: Yes, sir.

PRES: Will this help you out a little more, north up?

WIT: Yes, so----

PRES: Can you point out to where you were at?

WIT: Yes----

PRES: What we are going to do is put a yellow sticky right here [*President placed a Post-It note on picture close to the location of the fatality*].

WIT: I was basically--we advance across from . I was putting fire down as Zulu Company moved around and cleared through quite a few buildings, all target areas Alpha 1, 2, 4 and there were Companies Bravo and Charlie went to far areas. We came down and when we came through the buildings, we met them, up here somewhere. I believe it is this one. I think this is the far cigar shapes, which makes sense. Basically when we came down to this point, we all moved along this rut line here, which is an irrigation channel, or whatever you want to call it. We placed ourselves in a corner with at the rear, once the fighting started coming in heavy, we were putting rounds down. I moved to try and get some artillery down, I moved over to just a little bank, pretty much ground level to move over there and try and get some COMMS, some COMMS were dropping in and out from full strength 5 to having no COMMS what-so-ever.

Another Company was more to the east, basically we had eyes on the same target, so they let me bring the artillery in and then basically I was calling the air in and Captain was calling the air in. We hit the target a couple of times. I think it was hit, because I was more concerned with artillery coming in, I believe they hit it with 2-500 pounders and they had all ready strafed it once, and both planes had hit the target. He had asked them to go south of the target onto the tree line which was running off, we believe----

PRES: Could you point to that area?

WIT: Is this the tower? I believe this is the tower here, sir. It probably makes sense; the tower here must have been in this wood line.

PRES: Okay.

WIT: But here as we were looking, it looked like just a straight wall with a large tower on one side which packs were spotted in so a majority of the fire was from the GP and Gs

A - XI

and whatnot was coming into the tower but a lot of fire was coming in from the wood line because we were able to spot the packs. The Apaches spotted packs within the compound and opened up and when the F-18s come in they can talk on to the target where people were putting fire in, the remainder of the section were putting fire into the tree line. I moved across this----

PRES: I am going to put this here and you can see the tree line underneath, can you trace what the trench line looked like? Write over that, kind of just trace where the trench line is.

WIT: Basically the trench line is where the trees are, all along.

PRES: It goes all the way along up here?

WIT: Yes.

PRES: Okay, does it stop up here at all?

WIT: No, it comes up; we followed it all the way through down to this building.

PRES: Okay.

WIT: Went up to withdraw, so all of that would you like me to go over all of that?

PRES: Yes, just trace the trench line on that.

WIT: There is actually a smaller bank with a little tunnel in it. I suppose it was so that they could control the water going through, all the way around.

PRES: Okay and where were you at the time that the incident took place?

WIT: I was putting small arms down in to the direction of the building to try and pinpoint any movement, then when I would try to get COMMs, I moved over out of the way of the lads because we were a bit bundled on the corner. Moved over onto this side, there was an MA and the Sergeant from the Light Dragoons, we were on this side, there were three of us behind a bombed out little--looked like a little firing point because there was brass all around it still and link. Excuse me a second. This is a wall that is as far as we could see, there seemed to be a lot of rounds coming in from any of this direction and then it started coming from behind us as well.

PRES: Okay, now when the incident took place, where Marine lost his life and Marine took his hit to his arm, where was the fire coming from?

WIT: I will mark it with small dots, sir [witness marked *Exhibit I* with dots] and I'll basically, it was 3 packs here, which was me, the MA. the striker from the Light Dragoons, in this corner, Signaler was in the corner, was in the most

A - XI

northern corner, and the Marine Sergeant was on the corner just in front of the Signaler possibly moving up and down a couple of feet to get the fire out. I noticed he was struggling with his weapon, so he was down a lot of the time.

As the Fighter came through, basically he came straight up in front of our feet, at a matter of probably a foot, less than that away, coming in on this kind of angle, it appeared, in fact, excuse me it is a bit more of an angle going down the irrigation ditch.

PRES: Do you want to use this black pen to represent it [witness marked *Exhibit I* with incoming direction of the rounds]? Did you see what did that--did you see the aircraft?

WIT: I heard the aircraft coming in because there were trees above us. I heard the aircraft coming in I assumed it was going to strafe the target. The rounds, I noticed by the way the rounds were landing because of the dust, it just kicked up a lot of mud, gravel and dust, came straight passed us, and straight across obviously as it came, past us we realized what it was, everyone basically tried to take, well, just try to get down into a bit of cover, which he had already gone by, by that time and that is when we heard the, sorry I forgot his name, the lad with the arm injury, the Signaler, Marine heard him obviously complain about the wound to his arm. At that point I had a quick look over and pointed it out to the MA and the MA got to him and once he was dealing with his arm, the Signaler was quite calm about it, someone shouted we got another casualty down the way, which I had not gotten eyes on at that, which I believe was round about this point. So, went down this point, this area.

Like I said I never got eyes on that Marine at any point. Once that had been piped up, the Marine Sergeant offered to take up and look after that casualty as the MA moved down because he is our Team Medic as well. So, he took after him and wrapped his arm up. Once I couldn't get COMMs to the artillery, I moved my call sign to another FST, which was more east in the center checkpoint, which we drove to later on, we were both looking at this target and he was going to bring artillery onto that target so, at that point I told him that I was going to be off the radio for 10 to 20 minutes and left my radio in the corner and I pushed up this little irrigation ditch, it was covered with branches and it was more that you had to crawl through it and I am concerned about any packs coming down that way and I push up there. In 10, 15 to 20 meters, I just got eyes on down there and also while I was down there the Scimitars, the ambulance vehicles came and picked both of the casualties up and moved away.

PRES: Okay, when you saw the rounds strike the dirt around you, what did it sound like?

WIT: It was loud and sharp, obviously. Well basically loud and sharp thuds basically.

PRES: Loud and sharp and then things were just kicking up around you?

A - XI

WIT: Yes, dust and stones and everything just kicked up. It was very fast obviously as it would be and then the sound came second from the guns of the jet, as it does with an A-10, more obvious with an A-10, that came up, we heard that and then straight up----

PRES: So, things hit and then all of a sudden, you heard something after that?

WIT: The sound of the guns from the jet, it was quite recognizable.

PRES: Okay.

WIT: It did come in this way.

PRES: Did you see the F-18s? Were you looking in that direction?

WIT: No, I seen him bank out, bank off, just a quick glimpse look over----

PRES: Where, behind you or up here?

WIT: As I had come through, just a couple seconds after, I just noticed some banking off because a 'check-fire' was called.

PRES: So, you saw an aircraft that was pulling up immediately after that noise?

WIT: It was a couple of seconds after that, sir. I was like basically more concerned with who'd been hit, who the casualties were; all of this in a matter of seconds, then a 'check-fire' had been called. I just looked up and caught a glimpse, I didn't take note of which way it was going, it just automatically clicked in that it is a possibility that it was the jet, the F-18 that had----

PRES: Okay.

WIT: strafed the incorrect target.

PRES: Okay, can you describe what the airplane looked like, what color it was?

WIT: A gray, alight gray.

PRES: A light gray?

WIT: Yes.

PRES: Okay. Were you supporting any artillery fire around that time from this position?

WIT: Well, I wasn't now, sir because the COMM was difficult, I passed it on to my alternate call sign, which were in the center, an 8-wheel buff, we both confirmed that we were looking at the same target, so I was happy for him to take care of the target because

A - XI

he knew where the forward edge of the troops are, happy that we are going to be engaged by any artillery.

PRES: Okay. I don't have any questions.

Maj When you said earlier that you guys met up at a central point, at this location here, is that correct? Right here?

WIT: I believe so.

Maj So, if I label that as Number 1 [Maj marked *Exhibit I* with a NUMBER 1] that is the central location that you met up at the first point?

WIT: Yes.

Maj): And earlier you said that the target that you were looking at was, was it over here?

WIT: I believe, I believe it is this one, sir.

Maj And I am going to put a Number 2 right next to that [Maj marked *Exhibit I* with a NUMBER 2]. And then you said the tree line that was the original target where the strafing run wanted to come?

WIT: Yes, I don't believe it will be this one.

Maj And I will put a Number 3 next to that [Maj marked *Exhibit I* with a NUMBER 3]. Okay, then earlier you said that in your position you guys were receiving fire from which directions, if this is to the north?

WIT: Yup, both, from south to north.

Maj): Okay.

WIT: And north to south.

Maj Okay, from south to north and north to south.

WIT: It is obviously quite difficult to make out by just listening to the crack and zip of the rounds.

Maj Okay. And then on the drawing, you drew over the area of the chart, there are three little dots and I am going to put an 'A' next to, those three little dots are who [Maj marked *Exhibit I* with an 'A']?

A-XI

WIT: The medical assistant, the sergeant, from the, I am not of his name, the sergeant from the--he was the engineer.

Maj Okay.

WIT: And myself.

Maj Okay. And then this position here down in the trenches?

WIT: That is a rough guess of where----

Maj was?

WIT: Yes, because I actually didn't get eyes on at any time.

Maj I am going to label that as 'B' [Maj marked *Exhibit I* with a 'B']. And on your chart, you have an arrow and black lines coming through and is that the direction of the bullets came through the trench?

WIT: Yes, that is the general direction. Obviously as they were coming in I tried to get into what I call____ get down, they came across my feet.

Maj And then when you say that you pushed up the irrigation ditch, I assume the irrigation ditch that you are talking about is what I am labeling as 'C' [Maj marked *Exhibit I* with a 'C'].

WIT: Yes. These are all irrigation ditches, all long, roughly about 4 or 5 feet. This one is on top of that.

Maj : Which was did you push up on this chart?

WIT: I pushed south.

Maj Okay, so where I have 'C' is the portion of the ditch that you went southbound, is that correct?

WIT: Yes, I was there until we were extracted and I could let someone else take over.

Maj Okay, that is all I have.

Unknown Speaker: Just to clarify, the chap who they are referring to as a Light Dragoon, is a natural fact, the engineer----

WIT: yes.

Unknown Witness: Yes, Sergeant who said he had the wrong rank slide on

A-XI

PRES: I don't have any other further questions.

[END OF PAGE]:

A - XL

Statement

A-XII

Case Ref No: 83187/06

MOD Form 266A/B
(Introduced 12/03)

SERVICE POLICE
WITNESS STATEMENT
(CJ Act 1967, S.9;MC Act 1980, SS.5A(3a) and 5B;MC Rules 1981, r70)

Statement of:

Rank/Status:

Age if under 18: Over 18 (if over 18 insert "over 18") Occupation: I

This statement (consisting of 2 pages 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: Dated the 9th day of December 2006.

I am a General Duties Medical Officer and my name appears on the Principle list of the General Medical Council of Great Britain.

My relevant medical qualifications are Bachelor of Medicine, Bachelor of Surgery (MBChB), University of Leeds and ATLS (Advance Trauma Life Support) Washington United States Medical School, Bethesda in .

About 1320 hrs on Tue 5 Dec 06, at Garmsir District, Helmand I was present at the RAP (Regimental Aid Post) when both , and were brought to RAP by the CMT Samaritan Ambulance of the Light Dragoons. He was previously attended to by Marine MA

I initially attended to , and carried out a Primary Survey and assessed that

On exposure

. After completing this assessment and having knowledge of the fact that he had not been breathing and had not pulse for about 20 minutes before had, despite CPR, I pronounced him dead.

I then attended to . I immediately noticed that he had applied to noted that he was talking and was told that his breathing and circulation rate were normal. I was also told there were no other injuries to be found on exposure. I then checked his left arm and found it to be neurovascularly intact.

. There was no further treatment given.

A - XII

(Continuation Sheet)

Sheet No	2	Case No:	83187/06
Continuation of statement of:			

I then left the patient and completed Field Medical Cards for both and .

Today I have been shown exhibit IG/1.

This is the Field Medical Card for , and I can confirm that the details annotated to the form were made by me, accept for the personal details listed at the top of the form.

This exhibit I have signed and dated.

Signed:

Signed:
Sgt
RAF SIB

A-XII

Statement

A-XIIIa

Case Ref No: 83187/06

UK owned

MOD Form 266A/B
(Introduced 12/03)

SERVICE POLICE
WITNESS STATEMENT
(CJ Act 1967, S.9;MC Act 1980, SS.5A(3a) and 5B;MC Rules 1981, r70)

Statement of:	
Rank/Status: Lt Col	
Age if under 18: Over 18 (if over 18 insert "over 18")	Occupation: I
This statement (consisting of 2 pages 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:	Dated the 6th day of December 2006.

I am an accredited Consultant in Emergency Medicine. My name appears on the

My qualifications are as follows:

As the , I am responsible for the medical management of all patients within the A & E department, R2E Field Hospital, BSN

On Tue 5 Dec 06, I was on duty at the R2E Field Hospital, when the lifeless body of Z Coy, 45 Cdo RM, BSN, was brought to that location. An F/Med/826 - Field Medical Card accompanied the body, which had been completed by Surg RN, that detailed the time of death of as 1320 hrs that day.

I then conducted an examination of the body during which I observed the following:

A-XIIIa

(Continuation Sheet)

Sheet No	2	Case No:	83187/06
Continuation of statement of:	—		

Med 174 – International Death Certificate, stating the condition leading to death as a gunshot or fragment wound to Thorax (posterior). About 1530 hrs that day, I handed the certificate to the SIB RMP.

Signed:

Signed:

SSgt
RMP (SIB)

A-XIIIa

Statement

A-XIIIb

Case Ref No: 83187/06

MOD Form 266A/B
(Introduced 12/03)

SERVICE POLICE
WITNESS STATEMENT
(CJ Act 1967, S.9;MC Act 1980, SS.5A(3a) and 5B;MC Rules 1981, r70)

Statement of:	
Rank/Status:	
Age if under 18: Over 18 (if over 18 insert "over 18")	Occupation:)
This statement (consisting of 1 page 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:	Dated the 8th day of December 2006.

Further to my statement dated 6 Dec 06.

On Tue 5 Dec 06, at the R2E Field Hospital, BSN, I handed the F/Med/826 - Field Medical Card in respect of which had been completed by Surg , RN, to , RMP (SIB), to which he attached an exhibit identification label, marked as indicated below:

IG/1 - F/Med/826 – Field Medical Card in respect of , Z Coy, 45 Cdo RM, BSN, BFPO 792.

I have signed the exhibit identification label.

Signed:

Signed:
SSgt
RMP (SIB)

A - XIII 6

LT COL

Interview

A-XIIIc

Interview of Lieutenant Colonel

PRES: Colonel, good afternoon, Captain , I am with the United States Navy.

WIT: Good to meet you.

PRES: Good to meet you. I am investigating the potential friendly fire incident that we are aware of that occurred right now on 5 December 2006. I am investigating it under the authority of Lieutenant General North, who is CFAC Commander and he is doing that because General Abizaid directed him to do that. Would you mind if we asked you a few questions today?

WIT: Not at all.

PRES: Could you explain your role in the friendly fire incident and when you were on scene and what did you see----

WIT: I wasn't at scene; I am the Emergency Department Consultant.

PRES: Okay.

WIT: At Joint Forces Med Group, field hospital goal to enhance Bastion. So, I first saw Marine and the other casualty when they were brought to the ER Department.

PRES: Okay.

WIT: I then carried out a brief examination of Marine imply to provide enough information to fill in an initial official notification of cause of death.

PRES: Okay.

WIT: That is what I did.

PRES: Were you there when the photographs were taken of the body?

WIT: I was there when the photographs were taken, yes.

PRES: Okay.

WIT: And I was there again when the x-rays and the screening was carried out 2 days or 3 days later.

PRES: Okay. Have you spoken with anyone on our Board, a Captain

WIT: No, I haven't.

A - XII c

PRES: Okay. I believe he has spoken with somebody who, maybe within the Medical Department here----

WIT: He----

PRES: About some of the details.

WIT: may well have spoken to Surgeon Commander who is our clinical director.

PRES: Okay.

WIT: But who was responsible for bringing both casualties from the scene to the Hospital but he hasn't spoken to me. I did speak to one of the Admin Staff, RAF Admin Staff who warned that this was happening.

PRES: Okay, when you saw the injuries that Marine sustained, since you are a battlefield hospital staff, have you seen any injuries similar to that in your time here?

WIT: We have seen a lot of ballistic injuries, the one on Marine was unusual in many respects.

PRES: Any idea on how that could have been caused?

WIT: I think it is easy to say how it wasn't caused. It wasn't caused from a single round from a 5.56 or 7.62 round. There was a large, approximately 10x10 cm hole in Marine 's back at the junction at the upper and middle third of the thoracic spine, [demonstrating] in other words, about there immediately to the left of the spinal column and the only thing that was visible in the bottom was mascerated chewed up muscle, not at all typical of a single round. Trying to say what did cause it is very difficult because we haven't seen the body armor and obviously that would change the big picture, quite substantially also, there was no round in the body when it was x-rayed and if it had been caused by a round, first I would expect the round to still be there, but secondly, the nature of the entrance wound was very untypical of a single round.

Maj: The body armor unfortunately was left and not recovered we are not going to have that, I am afraid.

WIT:

PRES:

Maj: Hold on sir. [Brief pause] go ahead, sir.

A-XIIIc

PRES: Would it be consistent that the injury was if he was
it was on top of that wound?

WIT: If--to be honest because I wear

I can probably give you a better idea but just from memory would be very difficult for me to tell you

I might be able to qualify that if we can put it on Major perhaps when he returns.

PRES: Okay, do you want to stop it right here?

Maj : No, no, sir, we can keep talking.

PRES: Okay.

WIT:

u.

[Demonstrating] We are probably looking at this area here [*Exhibit I*].

Maj And where your hand is right now at is where you are saying the wound is?

WIT:

Maj Okay, the body armor that you are touching right now is Kestrel body armor *Exhibit II*]?

WIT: This is Kestrel

Maj : Okay.

WIT: If he was wearing the normal patrol body armor, here, then the wound was probably about there [*Exhibit II*].

PRES: Could you just describe how much of the back that that plate covers from a medical standpoint?

A-XIII c

WIT: From--this plate was designed from data from Northern Ireland and it was designed to cover the area

So, essentially what they did from the Northern Ireland data was they got

[redacted]

PRES: But from a medical description, what 'L' part of the vertebra starts at?

WIT:

PRES:

WIT:

Maj I think I can jump in as well, ZULU Company were all wearing this armor.

Maj Which is which armor?

Maj Which is the Osprey

WIT:

Maj Osprey is the next up with shoulder protection. What I think would have been the commander's direction was, that the minimum was the large front plate was to be worn because of its weight, I will let you lift it in a moment, it is very, very heavy with all of your other combat equipment but the rear plate could be the small plate from this, just to reduce the weight.

PRES: So, the small plate could fit back in the Kestrel vest?

Maj Yes.

WIT: That is what I heard as well, large front plate, small back plate and I really don't want to field that but it is.

Maj It is just because of the weight of this piece of equipment, it is just what they do, they put it in there.

PRES: So, when they put the small plate inside the large back, is there another sub-pouch in here where the small plate will go?

Maj Yes, there is one there.

A-XIIIe