Independent Inquiry relating to Afghanistan (IIA)

HQ PM(A) Update: July 2024

Hearings

Since the OPEN hearings in February, the Inquiry has held a large number of CLOSED hearings. The Inquiry heard the first part of "Complaints and Concerns" and received evidence from UKSF witnesses who told the Inquiry of their individual and shared concerns as to the activities of UKSF1 when conducting deliberate detention operations (DDO) in Afghanistan during the period mid-2010 to mid-2013.

Those concerns included the belief that:

- UKSF1 had taken the law into their own hands;
- that UKSF1 had committed multiple murders, and;
- that UKSF1's conduct had been deliberately covered up.

The Inquiry has already commenced the DDO evidential hearings. Prior to doing so, the Chair and members of the Inquiry Team attended a detailed, practical demonstration of the military tactics, techniques and procedures used in a DDO. The Inquiry has now completed hearings in phases 1 and 2 of three phases of the DDO "Investigative Strategy" and the Inquiry now has a clear evidential picture off all the DDOs that were conducted by UKSF over the three-year period mid-2010 to mid-2013.

In the OPEN hearing on 3rd May, the Chair expressed their displeasure about the repeated failures by the Ministry of Defence to meet the deadlines for responding to the Inquiry's Rule 9 requests. Over the past 12 months, the relevant deadlines have been met in only approximately 20% of cases.

Matters had come to a head because of a letter received from the Government Legal Department (GLD) on the 17th April revealing that the MOD now expects at least six months' delay in disclosing the documents required for DDO phase 3. Solicitor to the Inquiry, Piers Doggart, responded on the Chairs behalf, to GLD on the 25th April stating that it was quite unacceptable and seeking an explanation as to why this has come about and what immediate steps were being taken to rectify the situation. The correspondence can be found on the Inquiry website.

RMP evidence is therefore also likely to be delayed and we will get in touch regarding the provision of evidence once the timelines are clear. Please continue to be forthcoming with any information you may have because that allows us to best support the Chair in finding the truth.

> Getting to the bottom of these grave allegations should not be prolonged any more than is absolutely necessary, for the sake of the reputation of the country's Special Forces, and the Armed Forces more generally, and for the sake of all those affected, the other Core Participants, and in particular the Afghan Families.

1 - An excerpt of the transcript from 3rd May 2023. Sir Charles Haddon-Cave, Chair of the Inquiry, reiterates that the Inquiry should not be prolonged any more than is absolute necessary. You can read the full passage from Page 6, Line 15 of that transcript, found on the Inquiry website.

The Media

You may have seen the BBC Panorama article, published on the BBC News website on 2nd July 2024, regarding RMP efforts to obtain data held on the UK Special Forces server known to the Inquiry as 'ITS1'. If you would like to discuss this with a member of the RMP Inquiry team then please get in touch via the multiuser mailbox.

Several personnel have already been contacted by the media in relation to RMP legacy investigations, which is likely to continue as the Inquiry progresses. As all personnel, both serving and retired, are subject to the Official Secrets Act and it is advised that you refer any enquiries to the MOD Press Office who will engage and ensure all enquiries are handled appropriately. Their contact number is: MOD Press Office. +44207 2187 907.

If you are contacted by the media, you should inform both us (using the HQ PM(A) IIA group mailbox) and the MOD press office, using the following email address: DDC-PR-News@mod.gov.uk.

You may wish to consider the amount of career detail you post on your social media profile(s), which could be used by journalists to make contact. Further information can be found at the following link to assist you in securing your social media accounts: https://www.ncsc.gov.uk/guidance/social-media-how-to-use-it-safely

Communications

We are currently examining ways we can rapidly cascade information to you should we need to. Please keep an eye out in the next newsletter for the details on how to sign-up.

We are aware that not everyone who served on Op CESTRO and Op NORTHMOOR receive this newsletter. We would be grateful if you could pass this on to those you served with and ask them to contact us via the RMP IIA group mailbox so that we can add them to the distribution list.

All previous editions of this newsletter can be found on the Regimental Headquarters website under the 'Newsletters' section.

If you would like to receive this newsletter on a different email address then please contact SO1 Policy and Communications IIA with your amendment using the group mailbox.

Call For Evidence

During the hearing on the 20th and 21st February, the Chair of the Inquiry reinforced the point that no one will be prosecuted under the Official Secrets Act for disclosing information to the Inquiry. More can be seen below in excerpts from the transcripts from both days.

> Before I do so, I want to reiterate the call for evidence. If ever there was a time for individuals to come forward with information for the Inquiry, it is now. If anyone has any information or material which may be relevant to the Inquiry and has not already got in touch, I urge you to get in contact with the Inquiry immediately and directly.

2 - An excerpt of the transcript from 20th February 2024. Sir Charles Haddon-Cave, Chair of the Inquiry, reiterates his sincere call for evidence. You can read the full passage from Page 2, Paragraph 15 of that transcript, found on the website.

> The first is the point that has been raised just now, that I want to assure you, and indeed everybody listening in today, that I have obtained a suite of undertakings from the Attorney General and the Chief of the Defence Staff to clear the pathways for people to come and speak to me and the Inquiry, either confidentially, directly, or in a sense in the witness box in OPEN. Individuals will not be prosecuted, for instance, for having failed at the time to comply with section 113 of the Act and not reported it at the time, and they will not be prosecuted for other matters, because it's recognised that the really important public interest is getting to the truth. So people can be assured that the pathways to the Inquiry are clear.

3 - An excerpt of the transcript from the 21st February 2024. You can read the full passage from Page 63, Paragraph 7 of that days transcript, found on the website.

Disclosing Information

We continue to reach out to individuals who we require evidence from, in order to fulfil Rule 9 requests from the Inquiry. A Rule 9 evidence request is made under the Inquiries Act 2005 and is a legal notification sent to either individuals or organisations instructing them to provide relevant information or material to a Statutory Inquiry. If you are approached by the Inquiry team please speak to our IIA team at this email address: ARMYPM-IIAGroupmailbox@mod.gov.uk. This will ensure that the right support is in place and enables us to act as a single point of contact, as well as ensuring that the agreed processes and protocols in place for the Inquiry to interact with Core Participants, is adhered to.

If you have any other information that you believe is relevant to the Inquiry, you may either contact us via the HQ PM(A) IIA group mailbox ***or*** you can make direct contact with the Inquiry team using the contact details at this link: https://www.iia.independent-inquiry.uk/contact-us/. If you have any relevant material to share with the Inquiry and wish to remain anonymous, you can use the IIA SecureDrop system. Further information around can be found using the same link as above.

Please continue to monitor your inboxes to ensure that you are up to date with Inquiry related correspondence. If you wish to discuss emails from the Inquiry team, please reach out to the HQ PM(A) IIA group mailbox. If you are aware of anyone that is affected by the IIA and if they are not already on our communications distribution list, please inform us & we will add them.

Welfare

Your welfare throughout the proceedings remains of upmost importance to us and we will make ourselves available on any day of the week, or location, that suits you in order to provide you with the support you require.

We encourage you to reach out to the following individuals and organisations for support, should you need it:

Army Operational Legacy Branch (AOLB):

Maj Tracey Brooks, tracey.brooks102@mod.gov.uk

RMP Regimental Secretary:

Col Jeremy Green, regsec@rhqrmp.org

The Veterans Gateway:

http://www.veteransgateway.org.uk/

RMP Inquiry team:

ARMYPM-IIAGroupmailbox@mod.gov.uk

Inquiry Welfare page:

https://www.iia.independent-inquiry.uk/support/

Useful Links

DefNet:

https://modgovuk.sharepoint.com/sites/intranet/SitePages/An-update-on-the-Independent-Inquiry-relating-to-Afghanistan.aspx

Defence Connect:

Independent Inquiry relating to Afghanistan | Defence Connect (mod.uk)

Inquiry website:

https://www.iia.independent-inquiry.uk/

Inquiry Terms of Reference:

https://iiaweb-prod.s3.eu-west-2.amazonaws.com/2023090_Terms_Of_Reference_IIA.pdf

Feedback

We are very keen to hear your feedback regarding this newsletter. Is there something we can add that will make this process easier for you? Is there a section, not already included, that you would like to see? Would you like to see profiles of those on the IIA team so that you can get to know us? Please don't hesitate to contact SO1 Policy and Communications IIA with your suggestions using the RMP IIA group mailbox.