

Tuesday, 27 September 2016

1

2 (11.30 am)

3

(Proceedings delayed)

4

(11.43 am)

5

(via video link to Basra)

6

MS AL QURNAWI: Hi, Sir George.

7

THE INSPECTOR: Good morning. How are you?

8

MS AL QURNAWI: I'm good, thank you, how are you?

9

THE INSPECTOR: I am well. I am pleased that we have got

10

some contact.

11

MS AL QURNAWI: Yes, thank you.

12

THE INSPECTOR: Can I ask you, Ms Al Qurnawi, to introduce

13

me to the people you have there. I have an interpreter

14

with me, who is sitting next to me, so he will be able

15

to help, and I have, apart from our team you know so

16

well, Julia and Sarah and Ben, I have the stenographers

17

here to take a transcript.

18

MS AL QURNAWI: All right.

19

THE INSPECTOR: First of all, you introduce me to, if

20

I may -- is it Mrs Hassan?

21

MS AL QURNAWI: Yes, Mrs Basima Hassan, she is the widow,

22

and also I have here Mr Abdul Majeed, the

23

brother-in-law, and also I have here Ahmed, the son of

24

Captain Abdul Hassan, and his daughter as well, youngest

25

daughter, and my colleague Souad Nasser and myself.

1 THE INSPECTOR: Good. I will now speak so the interpreter
2 here can speak to Mrs Hassan.

3 Good morning. I'm very grateful to you for being in
4 contact.

5 (Proceedings interpreted)

6 MRS BASIMA KHAZAAL (called)

7 THE INSPECTOR: It is an important meeting for us because it
8 gives me an opportunity of explaining to you and to your
9 family what it is that I have got a job to do.

10 I believe that you have, because of the assistance
11 Ms Al Qurnawi has given to me, a good understanding of
12 what my inquiry will be doing.

13 The first thing to say to you is that I would like
14 you to confirm that you have had an opportunity of
15 looking over the witness statement which you made some
16 time ago now, and confirming to me that that witness
17 statement is what you would like me to take into
18 account.

19 Before you answer that, Ms Al Qurnawi has also sent
20 to me a supplemental witness statement, and you could
21 perhaps confirm that you want me to take account of that
22 statement as well.

23 Can you now give me an answer with the assistance of
24 Ms Al Qurnawi.

25 MS AL QURNAWI: Yes. If you don't mind, Sir George, I will

1 just summarise what you just said to Mrs Basima.

2 THE INSPECTOR: Yes.

3 (Ms Al Qurnawi summarises in Arabic)

4 A. (Interpreted). Yes, they are the same -- yes, it's the
5 same account and I can confirm.

6 THE INSPECTOR: Thank you.

7 Ms Al Qurnawi, are there any lines of inquiry which
8 you would particularly like me to have in mind?

9 MS AL QURNAWI: The points that have been covered in the
10 statements of Mrs Basima, the original and the
11 supplemental one particularly, after -- because that's
12 what she has seen the evidence of the soldier, what they
13 have said, so ...

14 THE INSPECTOR: Thank you.

15 The detail of the road at that time is difficult for
16 me to be entirely clear about. Are you familiar with
17 the road as it is now, Ms Al Qurnawi?

18 MS AL QURNAWI: This is a question to me? Yes, I mean,
19 I went a couple of times to see this road. It's
20 a bit -- I have been told it's different from what it
21 used to be. It used to be smaller, now it has been
22 widened, but it's like the structure of the road in
23 terms of the junction, the roundabout, I believe more or
24 less is the same. But there are, as I've been told --
25 like there is sort of the official roundabout and

1 sometimes people just cross through the central
2 reservation and in order to go to the Al Shaibah
3 junction. So it's quicker, but more or less it is the
4 same, but I think it's been widened now, the road. I've
5 seen it twice. I went to this place twice.

6 THE INSPECTOR: Thank you.

7 Now I have just one or two questions for Mrs Basima.

8 The first question is: in one of your statements you
9 say that you were not paying particular attention in the
10 moments before the vehicle you were in was shot at.
11 That is right, is it?

12 THE INTERPRETER: I repeat the question to her?

13 MS AL QURNAWI: Do you mind, Sir George --

14 THE INSPECTOR: Why don't you have a go, Ms Al Qurnawi.

15 MS AL QURNAWI: Exactly. Sometimes when you put things in
16 the classic Arabic, it's probably not easy for them to
17 understand it. Okay, maybe I clarify.

18 THE INSPECTOR: You have a go.

19 (Ms Al Qurnawi summarises in Arabic)

20 MS AL QURNAWI: Is that correct, to the interpreter?

21 THE INTERPRETER: She just explained to her -- yes, exactly,
22 that's right, she wasn't concentrating properly
23 before ...

24 MS AL QURNAWI: Okay, she is going to answer.

25 A. (Interpreted). I was concentrating -- I was pregnant at

1 the time, I had a daughter with me.

2 THE INSPECTOR: Yes. I am not criticising you.

3 MS AL QURNAWI: She missed the first one. Do you mind if

4 I translate what he just said, probably because you

5 missed the first part?

6 "I was concentrating" -- she said she was

7 concentrating and she was with him, with her daughter,

8 she was pregnant -- what do you mean by not

9 concentrating or -- she's asked the question back.

10 THE INSPECTOR: Good. Can you help me about what you

11 remember the traffic was doing at the time you were

12 travelling along the road?

13 A. (Interpreted). Traffic was normal. There were cars

14 before -- in front of us and behind us.

15 THE INSPECTOR: What is the first thing that you saw which

16 was unusual?

17 A. (Interpreted). I did not see anything unusual, it was

18 just immediately I could hear the shot being fired at my

19 car, my husband.

20 MS AL QURNAWI: Sorry, before the shot, she said the light.

21 If you don't hear what she said, please ask and I will

22 ask her to repeat.

23 THE INSPECTOR: What did she say before the shot?

24 MS AL QURNAWI: She is going to repeat it.

25 THE INTERPRETER: I missed the part "light". She said:

1 A. (Interpreted). There was lights coming towards us and
2 then there were shots fired at us.

3 THE INSPECTOR: Thank you. There were lights that you saw
4 and then shots were fired?

5 A. (Interpreted). The lights were towards me and fire
6 being shot -- shots being fired at him.

7 THE INSPECTOR: Your daughter, was she sitting on your knee
8 or what?

9 A. (Interpreted). Yes, my daughter was on my lap and he
10 was sitting next to me. I was pregnant with the
11 daughter, which was five months.

12 THE INSPECTOR: You saw your husband shot by a bullet and he
13 slumped, did he, in the car?

14 A. (Interpreted). No, I did not see, but I --

15 MS AL QURNAWI: Do you want me to ask her to repeat what she
16 just said? Did you get what she said?

17 THE INTERPRETER: If you want, just repeat, yes, please.

18 MS AL QURNAWI: She is going to repeat.

19 A. [Not interpreted]

20 MS AL QURNAWI: Did you hear this?

21 THE INTERPRETER: I will try to translate. If I miss
22 anything, you will know.

23 A. (Interpreted). I just could hear -- the lights were
24 coming towards me and there was very heavy fire, shots
25 being fired and noise towards him, and the car was

1 zigzagging and then finally the car stopped.

2 THE INSPECTOR: Thank you.

3 MS AL QURNAWI: Correct.

4 THE INSPECTOR: That is very clear.

5 I do not think there is anything more that I need to
6 ask you about the shooting and the car, but is there
7 anything that you want to say to me which I have not
8 asked you about?

9 A. (Interpreted). Yes. Why this -- this is very strong
10 lights towards me and this is very heavy shots being
11 fired at him, and then the car were moving around
12 zigzagging; I mean, it was out of control.

13 THE INSPECTOR: Yes. Does she want me -- is there
14 a question there, Ms Al Qurnawi, or is it just
15 a statement?

16 MS AL QURNAWI: Just a second, let me try ...

17 (Ms Al Qurnawi summarises in Arabic)

18 A. [Not interpreted]

19 THE INSPECTOR: Can we stop there because I think you have
20 probably said quite a lot.

21 A. She initially earlier mentioned about the prosecution
22 services, you know, public prosecution, and then my life
23 and my soul, and my -- I was pregnant and we did not
24 feel(fear?) of anything and then we were -- we had
25 nothing, and then I was sitting there and my daughter

1 was on my lap and I was pregnant, five months old, you
2 know, and he did not make any mistake, and it was -- we
3 did not see any other car. Immediately were lights
4 there towards us and firing -- shots being fired, heavy
5 shots, you know, at him. Why those?

6 THE INSPECTOR: Why what?

7 THE INTERPRETER: Why those things happen.

8 THE INSPECTOR: It was a terrible incident for you,
9 a terrible occasion in your life. Please understand
10 I realise that.

11 As you will have seen, the soldiers were acting,
12 they say, in the belief that on that night there was
13 a vehicle in the area which had a suicide bomb inside
14 it, namely someone who was prepared to commit suicide by
15 blowing up the vehicle.

16 As I read the soldiers' evidence, they believed that
17 your husband's vehicle, because it was approaching in
18 the way that it was, and did not appear to respond to
19 any signals, they believed that it was possibly that
20 suicide bomber. They say they fired a shot which they
21 thought was sufficient to warn your husband.

22 THE INTERPRETER: Sorry, they fired a shot to which side?

23 THE INSPECTOR: They fired a shot at her husband's vehicle
24 to warn your husband, but the vehicle they saw kept
25 coming and they opened fire from more than one gun.

1 The evidence of the soldiers is what I need to
2 consider very closely, because there is no dispute that
3 what they did resulted in the death of your husband.
4 There is no dispute as to that.

5 I know that it is difficult for you, knowing of your
6 own side of the events, to understand why your husband
7 should have been shot like that, but it seems, as I have
8 seen the evidence so far, clear to me that the soldiers
9 made a huge mistake, because they thought that the
10 vehicle you were in was putting them in danger when it
11 was no more than your husband driving you and your
12 daughter along the road in what you knew was a perfectly
13 normal way.

14 What the soldiers did, they say, was to act as they
15 thought they had to, but nobody now suggests that in
16 truth they needed to do that. But their case is that
17 they believed they needed to do it, and it is now, it
18 seems to me, a mistake that they made in reading the
19 actions of your husband as a car driver and interpreting
20 his actions, which were in truth, you say, normal, as
21 a vehicle which was threatening them.

22 Ms Al Qurnawi, could you please check with her that
23 she has understood what I have said?

24 MS AL QURNAWI: Okay.

25 She wants to say something. I asked her to slow

1 down so she can --

2 THE INSPECTOR: Yes, she wants to say something, all right.

3 MS AL QURNAWI: Please go ahead.

4 A. [Not interpreted]

5 MS AL QURNAWI: Did you hear this?

6 THE INTERPRETER: Sorry, I have heard but I could not

7 understand her what she means by [Arabic spoken].

8 MS AL QURNAWI: The warnings that the soldiers claimed that

9 they gave them is all set out in their evidence, which

10 I explained to Mrs Basima, but as I said earlier, that

11 was the first time she sees and hears what the soldiers

12 are saying. So she is saying, "Is it really correct and

13 believable that they have done all this, they gave us

14 all these warnings, and they we, I, my husband responded

15 in this way, none of us saw what they claimed or alleged

16 that they did or -- during the accident?" That's what

17 she is raising as a question.

18 THE INSPECTOR: Okay. I understand.

19 A. (Interpreted). It was just intended we were target. We

20 did not see any warnings.

21 MS AL QURNAWI: Yes, please go ahead.

22 THE INSPECTOR: I know that you saw no warnings. I do not

23 believe that Captain Hassan would have continued driving

24 if he had seen a warning from the military to slow down

25 and stop. But I have to look at the evidence from you

1 and from the soldiers and I have to decide whether or
2 not the soldiers did give a warning.

3 You will realise, I think, that it is possible they
4 gave a warning which was not seen by your husband
5 because it was difficult to see, it was dark, it would
6 be unusual and, for all those reasons, what happened
7 happened because they believed that they had given
8 a warning and then, having given the warning, saw the
9 vehicle continuing and believed that what was happening
10 was something which they had to stop by firing at the
11 vehicle.

12 That is why I began by saying that it seems to me
13 that it is likely that this was all a terrible mistake
14 on the part of the soldiers, and that is why they fired.

15 Does that help, Ms Al Qurnawi? Can you tell from
16 being there with Mrs Basima?

17 A. (Interpreted). It's impossible because he is a legal --
18 he is a police officer, he knows the law very well, and
19 he knows -- he would not do such terrible mistake, you
20 know. He wasn't given any warning, and if he had been
21 given he would have stopped, and because he knows the
22 law and he knows how to follow the procedure, he would
23 not put the life of four people in danger, you know, and
24 he knows -- and that's -- his driving was normal and
25 there was no (inaudible) at him -- in his sight.

1 THE INSPECTOR: Ms Al Qurnawi?

2 MS AL QURNAWI: Yes, Sir George.

3 THE INSPECTOR: I don't think that my explanation has come
4 across.

5 MS AL QURNAWI: Okay.

6 THE INSPECTOR: I do not believe that Mrs Basima has
7 understood the fact that there could have been a warning
8 from the soldiers which her husband did not see, for
9 reasons which one can only assume were connected with
10 the conditions, but she does not seem to see the
11 difference between a situation in which no signal was
12 given and a signal being given but which was one which
13 was not sufficient because it was not seen by her
14 husband, and that is why her husband continued to drive.
15 Do you see the point? You understand the point,
16 don't you?

17 MS AL QURNAWI: I will put it in her own language -- explain
18 it to her.

19 THE INSPECTOR: Could you endeavour to explain that to her,
20 because you, as a lawyer, can see that, and then she can
21 tell me whether she understands. I am not asking her to
22 agree, but whether she understands.

23 MS AL QURNAWI: Yes, okay.

24 (Ms Al Qurnawi summarises in Arabic)

25 MS AL QURNAWI: I translate exactly what you have just said,

1 Sir George.

2 THE INSPECTOR: Thank you.

3 A. (Interpreted). It's impossible. I mean, neither myself
4 nor him, we did not see any warning, any warning shots.
5 I mean, it was impossible. His driving was normal and
6 there was another -- there was no other warning, apart
7 from the shots being fired. I think there was no
8 warning. It's impossible because we could not see --
9 neither me nor him.

10 THE INSPECTOR: Ms Al Qurnawi?

11 MS AL QURNAWI: Yes, Sir George.

12 THE INSPECTOR: I think if I try to repeat the point,
13 I don't think the short, logical legal point can be made
14 by me again, but you've got it, haven't you?

15 MS AL QURNAWI: Yes, I've got it and I've explained --

16 THE INSPECTOR: The fact that she didn't see a signal, or
17 her husband didn't see a signal, does not mean that
18 there wasn't one. It just means that possibly there was
19 one which she didn't see. So that's the only point that
20 I am trying to get across, and it's not very helpful for
21 her, I know, but I'm trying to give her the opportunity,
22 through me and you, of seeing the other side of what may
23 have occurred. Do you understand, Ms Al Qurnawi, for
24 me?

25 MS AL QURNAWI: Yes, I understand and I explain again, yes.

1 (Ms Al Qurnawi explains in Arabic)

2 (The interpreter explains)

3 MS AL QURNAWI: Did you get her point?

4 A. (Interpreted). I mean, it's impossible, we didn't --
5 neither me -- I did not see any warning, there was no
6 warning. There was no -- either we could not see any --
7 like no -- checking any -- there was no handguns or no
8 soldier to approach us or try to stop us or to give us
9 any warning. I mean, if there were any warnings, we
10 wouldn't put our life in danger, you know.

11 MS AL QURNAWI: What she is saying, sorry, just to clarify
12 the last -- what she is saying is, "Okay, we did not
13 see" -- like what Sir George is just saying, they may
14 not have seen the -- but what about not hearing?
15 Because the soldier, they said they shot at the bonnet
16 of the car. What about hearing? "If we saw or heard,
17 we wouldn't have continued and we wouldn't have
18 sacrificed our lives." So talking about the hearing.

19 THE INSPECTOR: Of course. Had your husband or you heard or
20 seen anything, I have no doubt you would have stopped.

21 Okay?

22 MS AL QURNAWI: Yes.

23 THE INSPECTOR: One other question. You were going, were
24 you not -- put it this way: is it right that you were
25 taking your daughter to the doctor?

1 A. (Interpreted). Yes.

2 THE INSPECTOR: Was that an urgent need?

3 A. [Not interpreted]

4 MS AL QURNAWI: Let me explain, I don't think she

5 understood.

6 (Ms Al Qurnawi explains in Arabic)

7 A. (Interpreted). No, it was -- wasn't(?) necessary to be

8 taken to the hospital.

9 THE INSPECTOR: Was it an emergency?

10 A. (Interpreted). Yes. We couldn't stop -- we couldn't

11 wait for -- we had to take her in.

12 THE INSPECTOR: How ill was your daughter?

13 A. (Interpreted). She had an infection, chest infection.

14 THE INSPECTOR: Were you taking her to the hospital?

15 A. (Interpreted). Doctor.

16 THE INSPECTOR: At the hospital?

17 A. [Not interpreted]

18 MS AL QURNAWI: Private clinic. Here they go -- unless it's

19 emergency, you go to A&E, but otherwise, if like you

20 have a flu or you have a chest pain or whatever, you

21 just go -- there is a lot of private medical clinics.

22 So where they took their daughter, to these private

23 medical clinics.

24 THE INSPECTOR: Did you have an appointment?

25 A. [Not interpreted]

1 MS AL QURNAWI: Sorry, in Iraq things are different, not
2 like the UK, you call and make an appointment. Here
3 there are many of them -- many of those private
4 individual clinics, you just turn up. You don't make an
5 appointment.

6 THE INSPECTOR: Thank you.

7 A. (Interpreted). That's correct.

8 THE INSPECTOR: Is it possible your husband, Captain Hassan,
9 was very anxious about his daughter?

10 A. (Interpreted). Yes, when we took her to a clinic, and
11 then we brought her back and she was settled and that
12 was fine -- she was fine. The doctor confirmed that
13 she's fine.

14 THE INSPECTOR: I'm confused. Were you travelling to the
15 clinic when the car was shot at or were you travelling
16 from the clinic when the car was shot at?

17 A. (Interpreted). We are on our return journey.

18 MS AL QURNAWI: They were coming back, Sir George.

19 THE INSPECTOR: Thank you. Okay, I understand.

20 Now, Ms Al Qurnawi.

21 MS AL QURNAWI: Yes, Sir George.

22 THE INSPECTOR: I think I've covered that all I can cover,
23 unless you want me to cover anything else which you are
24 aware of from your discussions.

25 Does the deceased's brother wish to speak with me?

1 MS AL QURNAWI: Yes, okay, let me ask.

2 THE INSPECTOR: That's the only other thing I have in mind.

3 MS AL QURNAWI: I have no further questions from myself but

4 I ask Mr Abdul Majeed if he would like to say something

5 or add anything.

6 THE INSPECTOR: If you would, thank you.

7 MS AL QURNAWI: Here is Mr Abdul Majeed, he wants to say

8 something.

9 MR ABDUL MAJEED (called)

10 MS AL QURNAWI: Sir George, have you finished with

11 Mrs Basima? She wants to go and have a break.

12 THE INSPECTOR: Yes.

13 MS AL QURNAWI: You have done with her.

14 THE INSPECTOR: Thank you.

15 Good day.

16 A. (Interpreted). Hello, hi. Inspector --

17 THE INSPECTOR: Could you just stop now. Could you just

18 pause now. What is it he said?

19 A. Inspector, following Ms Basima's statement, I would like

20 to say the handgun she had with Mr -- with Captain

21 Hassan, after the incident, when the people helped

22 Mrs Basima to get out of the car after the incident

23 immediately, and they then got -- they brought Captain

24 Hassan out of the car and he said the handgun was in his

25 pocket and dropped down on the -- in the clay

1 (vehicle?).

2 The closest check point, they handed the handgun to
3 the Iraqi police in the nearest closest check point. So
4 they took the handgun -- they handed to the Iraqi police
5 and the Iraqi police took it to the analysis in the
6 criminal laboratory and then they checked it. When the
7 analysis came back on 26 December 2004, they found there
8 was no shots been fired from this gun.

9 THE INSPECTOR: I have seen that evidence and I shall
10 consider it, along with what you have kindly just said
11 to me.

12 A. (Interpreted). Thank you. On 26 December, and they got
13 the result of the analysis, and they got the death(?)
14 day, and they returned it, and on 27 December, the
15 following day, this investigator, UK investigator, they
16 came to the house, to Captain Hassan's house.

17 The chief investigator was like a Sergeant, and he
18 asked the judge, Iraqi judge, to hand him all the
19 clothing and the handgun and the report and everything
20 to be handed to the UK laboratory, you know.

21 THE INSPECTOR: Right.

22 A. (Interpreted). This is like a -- this is the handover
23 receipt of -- that's been -- that those materials have
24 been handed from -- it's called the lieutenant Hameed
25 Salem Nasser from Iraqi side to chief inspector or to

1 investigator, the UK side. It's called -- it's a
2 chief -- you know, Sergeant Subamli(?).

3 THE INSPECTOR: Thank you. I have seen that.

4 A. (Interpreted). If you haven't got that paper or
5 document, I will send it through --

6 THE INSPECTOR: I have, I believe, a copy. If not, we will
7 let Ms Al Qurnawi know and she can supply it to us.

8 A. (Interpreted). Thank you. Let me talk about the
9 handgun, you know. The handgun, it was taken to an
10 analysis and was checked and for all fingerprints and
11 everything and DNA, and then after -- on 10 March 2015,
12 we asked for this handgun to be returned and they say,
13 "We haven't got it, it has not been handed to us", you
14 know.

15 THE INSPECTOR: Right.

16 A. (Interpreted). This is a letter confirmed that they
17 have got -- they checked his personal handgun, and that
18 confirms all things for all the evidence and from like,
19 you know, criminal laboratory, and that's -- it's --
20 that part of the property which they have taken from
21 him.

22 THE INSPECTOR: Can I just ask: are you telling me this
23 because you want the handgun back?

24 A. (Interpreted). Yes.

25 THE INSPECTOR: Thank you. I will make enquiries.

1 A. (Interpreted). One of the conditions if you are to
2 get -- to be retired, you have to return all your
3 properties on your -- with you.

4 THE INSPECTOR: I understand and I will make enquiries about
5 where the handgun is. Okay?

6 A. (Interpreted). Okay. We have of course our pension
7 retirement, you know -- our retirement rights have been
8 not given to us because one of the --

9 MS AL QURNAWI: It's not the retirement, the pension of
10 Captain Hassan has not been given to them until today,
11 since he died. He left five children and not even
12 pension because it's all dependent on the handover of
13 the pistol.

14 THE INSPECTOR: I see. Okay, I understand, but do
15 I understand them to be saying they have handed over
16 some money now?

17 MS AL QURNAWI: Who gave them some money, sorry?

18 THE INSPECTOR: I thought you were saying that until today
19 they have now received some -- or did you mean until
20 today they have not received anything?

21 MS AL QURNAWI: They have not received -- they receive
22 pension, I never said -- he left the children -- just
23 because of the gun issue or the pistol --

24 THE INSPECTOR: Because there is no gun --

25 MS AL QURNAWI: The gun needs to be handed over to the

1 interior ministry before they close and they sign and
2 they start receiving pension.

3 THE INSPECTOR: Okay, I get it. Until the gun is
4 returned --

5 MS AL QURNAWI: Is returned, yes.

6 THE INSPECTOR: -- then the ministry are saying that they
7 will not pay the pension?

8 MS AL QURNAWI: Exactly.

9 THE INSPECTOR: Is that it?

10 MS AL QURNAWI: Because he was a civil servant at the end of
11 today, so ...

12 THE INSPECTOR: Yes, yes.

13 MS AL QURNAWI: Yes.

14 A. (Interpreted). Exactly, exactly.

15 THE INSPECTOR: I will make enquiries and do whatever I can.
16 Okay?

17 A. (Interpreted). All the family's retirement, all the
18 pension and all their rights is depending --

19 THE INSPECTOR: I will do whatever I can --

20 A. (Interpreted) -- solely on this spare pistol. Thank
21 you. That is with respect to the handgun, and now with
22 respect to the car.

23 THE INSPECTOR: The car.

24 A. (Interpreted). On the day or the night of incident,
25 it's called Al Arab (?) chain -- police station, they

1 went to the site, and because they were the closest
2 police station to the area. So the UK -- the UK
3 soldier, they did not allow Iraqi police to take the car
4 to their police station. So the UK soldiers, they took
5 the car to Al Basra International Airport and then to
6 the -- a special investigation unit with -- it's
7 a special investigation unit in the UK police.

8 So on 27 December, when they came to the house, we
9 asked them to take us to the car, to see the car. On
10 28 December 2004, they allowed us, myself and one of the
11 relatives, to go to the special investigation unit to
12 see the car.

13 So when there we met captain -- sorry, Lt Col
14 Neville, and we met there and we got his collar number,
15 and if it's required we can get it and we will supply to
16 Ms Al Qurnawi.

17 THE INSPECTOR: Can I ask, Ms Al Qurnawi?

18 MS AL QURNAWI: Sir George.

19 THE INSPECTOR: Do you know where we are going with this
20 evidence? What's the request or conclusion? Do you
21 know?

22 MS AL QURNAWI: Okay, not really, but let me ask
23 Mr Abdul Majeed.

24 (Ms Al Qurnawi speaks to witness)

25 A. (Interpreted). We told Lt Col Neville we are not

1 relying on --

2 THE INSPECTOR: Is it Lt Col Neville?

3 THE INTERPRETER: Neville, yes.

4 A. (Interpreted). We said -- we told them that we do not

5 rely on the eyewitness -- military eyewitness of the

6 soldiers, you know, we want to check the car and we want

7 the car to be taken to the laboratory -- criminal

8 laboratory, and he said we will take the clothing, or

9 his clothing and his handgun, and the car too, we will

10 take it, and to check -- to be checked for anything, and

11 bring it down(?) -- for all the evidence, you know.

12 THE INSPECTOR: But --

13 THE INTERPRETER: Then he said:

14 A. (Interpreted). In the car with the compensation that

15 then we will talk about later.

16 THE INSPECTOR: What is the reason for telling me this?

17 A. (Interpreted). It was from 17 December. The day of the

18 incident is 18 May. They kept the car for five years.

19 They kept the car for five years. Why? Why for

20 five years? Why they kept the car for almost five

21 years?

22 THE INSPECTOR: That is the question?

23 A. (Interpreted). They tried to hide the evidence, you

24 know, tried to hide the evidence.

25 MS AL QURNAWI: So this is his comments about the car. Why

1 they kept the car for five years? What was the reason?

2 THE INSPECTOR: I've got the question.

3 MS AL QURNAWI: Was it like the intention to conceal the
4 evidence or why? He wants to know.

5 THE INSPECTOR: I don't know the answer. If you say they
6 kept the car, they kept the car. If you think there is
7 evidence that has been concealed, I cannot imagine what
8 it is because I have seen evidence that an examination
9 of the car discloses that some 42 rounds of firing were
10 directed towards the car.

11 There is no dispute that the soldiers shot at the
12 car and tragically killed your brother. I do not think
13 that it helps you or your own peace with this to
14 speculate about concealing evidence because I have seen
15 the evidence that the car was shot at. There is no
16 dispute that the car was shot at, and there would be no
17 purpose served in concealing or keeping the car in order
18 to conceal evidence. But if you are saying you have
19 still not had the car back and that it is still being
20 retained, I may be able to help in connection with that.

21 Do you understand?

22 A. (Interpreted). Yes, I've got two comments, if you allow
23 me.

24 The first point, if they had returned the car after
25 their investigation, or after their laboratory --

1 criminal laboratory, you know, it would have helped us,
2 it would have helped us, you know, and it would have
3 made our lives a little bit easier, especially he hasn't
4 got -- his salary has been stopped and we haven't got
5 anyone to rely on.

6 THE INSPECTOR: I understand.

7 A. (Interpreted). The second point. After -- the second
8 point was after the police -- Iraqi police went to the
9 site and they checked and there was 11 shots in the
10 Captain's body, and there was about 11 envelopes --
11 probably that, you know, evidence envelope there on the
12 side there.

13 THE INSPECTOR: Blood?

14 THE INTERPRETER: Envelopes.

15 A. (Interpreted). The bullets, you know, ones that have
16 been fired, and then the shell --

17 MS RAMSEY: Shell cases --

18 THE INTERPRETER: Yes, the shell. Sorry, yes, they found --

19 THE INSPECTOR: Okay. Please understand that there is no
20 dispute that the troops shot your brother's car with
21 a number of shots.

22 Where is the vehicle now?

23 A. (Interpreted). So we'll see the car before they
24 withdraw, you know, the UK troops withdraw. It was on
25 30 May 2009, and now the car is with the Captain's

1 family.

2 THE INSPECTOR: Thank you. Anything more?

3 A. (Interpreted). Yes, yes. I've got a UK Consulate in
4 Basra. So there's a connection or agreement, there's
5 a major from the UK Consulate who has got like a family
6 relation officer with the family. So we've got a letter
7 from, like, this is a Lt Col Khadhim, who was --

8 THE INSPECTOR: Scott?

9 THE INTERPRETER: Sorry, Khadhim. He's Iraqi head -- chief
10 police --

11 THE INSPECTOR: How do you spell that?

12 THE INTERPRETER: K-H-A --

13 THE INSPECTOR: Oh, right, we know that name.

14 A. (Interpreted). He has a Lieutenant Colonel who had seen
15 the investigation, who went to the site and who took
16 a -- who was in charge of the investigation at the time.
17 And we had a meeting, like, you know, there was supposed
18 to be -- this is Lt Col Khadhim, and with all the
19 tribes, you know, and tribe committee, and with the head
20 of the council, to be compensated -- the family to be
21 compensated.

22 So we were waiting outside like, you know, that --
23 like the UK delegates to also go to the meeting, that
24 meeting, and but -- so the UK delegates went to the
25 captain's family's house.

1 So I've asked him, "You're supposed to be in the
2 police station and there was a -- why did you -- have
3 you come to the house?" He says, "I've come to take
4 a statement from the family, the captain's family".

5 So he took a statement and he filled the
6 compensation form. So I've got to say I've got like
7 a gift from the UK, you know, soldiers, troops, \$2,500,
8 in a envelope.

9 THE INSPECTOR: I have read this. I know all about this.

10 A. (Interpreted). I would like to just give you the
11 message: this person we are asking about, they say we
12 have not sent this one and do not know anything about
13 this person, you know, I would like you to be aware of
14 it.

15 THE INSPECTOR: I don't understand what he's saying.

16 A. (Interpreted). This person called Muhammad Al Saeed
17 Shammaree, he was supposed to be like a delegate from
18 the UK side, and he says, "I'm a delegate from the UK
19 side, I've been sent to your family to get a statement
20 and give compensation form, and he handed over \$2,500".
21 Now there is denial. They say, "We don't know anything
22 about this person".

23 THE INSPECTOR: I have seen this. But you did not take --
24 I believe, tell me, am I right -- you did not take the
25 \$2,500 because they only wanted to give it to you

1 without admitting any liability; is that right?

2 A. (Interpreted). Yes.

3 THE INSPECTOR: Thank you. Any more?

4 A. (Interpreted). I would like to thank you very much for
5 your time and sorry for taking long, but I just wanted
6 to pass this message to you, to the inspector.

7 THE INSPECTOR: You do not need to apologise for taking
8 time. It is very important that you should be able to
9 talk to me and that is why I am here with my team, and
10 we have kept a record of everything you have said.
11 Thank you.

12 A. (Interpreted). Thank you very much.

13 MS AL QURNAWI: Thank you, Sir George.

14 THE INSPECTOR: Ms Al Qurnawi, it's over to you. Anything
15 more?

16 MS AL QURNAWI: No. Not at this moment.

17 THE INSPECTOR: Thank you.

18 MS AL QURNAWI: Thank you, Sir George.

19 THE INSPECTOR: If you have any reason to have more points
20 which are thought about as a result of this, then you
21 let me know. We will have a transcript which we will
22 send to you electronically, all right?

23 MS AL QURNAWI: All right, thank you so much.

24 THE INSPECTOR: Okay.

25 MS AL QURNAWI: Thank you, Sir George. Thank you and

1 goodbye.

2 THE INSPECTOR: Thank you and goodbye.

3 A. (Interpreted). Thank you very much.

4 (1.07 pm)

5 (The interviews concluded)

6 MRS BASIMA KHAZAAL (called)2

7 MR ABDUL MAJEED (called)17

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