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Monday, 30 November 2015

(10.00 am)

(Proceedings delayed)

(Proceedings to be interpreted by Mr Shwan Hawrami)

(By video link to Basra)

(10.05 am)

THE INSPECTOR: Good morning, Ms Al Qurnawi.

MS AL QURNAWI: Good morning, Sir George.

THE INSPECTOR: We have some hiccups.

The first thing is that the interpreter is caught up in traffic and he estimates that he will be with us in about 15 minutes. So we have that delay.

MS AL QURNAWI: Okay.

THE INSPECTOR: SO14 is here, so when the interpreter arrives, we will be able to deal with him. Do you want to translate that for your team there?

MS AL QURNAWI: Yes, will do. I think just one thing before I translate, maybe your camera needs a bit of adjustment because we can't see -- just your camera, I think.

THE INSPECTOR: Is that better?

MS AL QURNAWI: Yes, this is much better, yes. This is fine.

THE INSPECTOR: If you want to let them know.

MS AL QURNAWI: In the meantime, I have Ahmed here and Ms Entesar, Mr Zaboon's wife, Fatima Zabun Dahesh, the

1 deceased's wife and Mr Zuboon himself, he's on his way,
2 he should be here any minute, and myself and my
3 colleague.

4 THE INSPECTOR: Thank you. I have not heard about SO13 yet.
5 I have a little concern that SO13 may not be able to get
6 here. Could we just consider that together for the
7 moment in order to use our time? If it turns out that
8 SO13 does not arrive today because of difficulties that
9 have arisen, we will have a choice.

10 The choice will be: can we fix another day when he
11 can be present.

12 If our mutual position that his attendance is that
13 important, the other option would be I have received
14 from you the questions that you had for him. I could
15 put those questions to him in writing, I would do it in
16 writing rather than interviewing him again.

17 We could put the questions to him in writing and
18 invite his signed written response. That would save us
19 the time of convening another gathering like this and
20 the question really is, from your point of view, or from
21 Mr Zuboon or Fatima's point of view, whether the written
22 responses to your questions, and any others which you
23 have prompted me to ask, will meet your clients'
24 participation. It's a matter you might like to reflect
25 on, but it may be a way out of having to have another

1 hearing convened simply for him to answer the questions
2 that you have asked, and to give a summary of his
3 evidence, as we did on Friday with the others, and it
4 may be that it's something which is capable of being
5 dealt with in that way.

6 Can you reflect on that?

7 MS AL QURNAWI: Yes, we will reflect.

8 THE INSPECTOR: Sorry? You are breaking up a bit.

9 MS AL QURNAWI: Okay. I said: do we have to tell you of our
10 position today? After the hearing in case he wants to
11 turn up or do we have --

12 THE INSPECTOR: I think it would be better to have another
13 discussion about it just in case the position changes.
14 Steps are being taken to contact him and find out
15 precisely what his whereabouts are today. But I can say
16 no more at the moment, but I will keep you abreast of
17 any changes and we can then talk about it again. All
18 right?

19 I think there's something wrong with our -- can you
20 hear me, Ms Al Qurnawi?

21 MS AL QURNAWI: That's fine.

22 THE INSPECTOR: Can you hear me? We're having bad
23 transmission.

24 MS AL QURNAWI: Yes, I can hear you very well -- just
25 a second. Can you hear me now? I think now it's

1 better.

2 THE INSPECTOR: Yes, this is much better.

3 MS AL QURNAWI: Yes, I think the problem is with --

4 THE INSPECTOR: We seem to have rectified things.

5 Can I ask you, Ms Al Qurnawi, have you any

6 instructions about that translation of Maj Routledge's

7 letter?

8 MS AL QURNAWI: Not yet, Sir George, because I have not seen

9 Mr Zuboon yet but after waiting for him, he is on his

10 way in and I will spoke to him. This morning he was in

11 court so as soon as he comes, I will ask him and come

12 back to you.

13 THE INSPECTOR: Thank you. Could I suggest that you also

14 ask Entesar Abdullah Al-Mazhem about it because it

15 was -- sorry --

16 MS AL QURNAWI: Sorry, who should I ask?

17 THE INSPECTOR: Forgive me, not Entesar. Could you ask

18 Fatima about it because it was Fatima who exhibited the

19 Arabic translation to her statement in February 2013,

20 which I believe was taken by PIL in Istanbul. I think

21 in paragraph 21 of that, do you have that there,

22 Fatima's statement?

23 MS AL QURNAWI: Yes, give me a second.

24 THE INSPECTOR: I will give you a second.

25 She says at the end of 21:

1 "I exhibit this letter as my exhibit, FCDA/2."

2 And if you look at the exhibit, if you have that
3 there, it's the letter of the 9th, and then -- sorry,
4 lost my place myself.

5 MS AL QURNAWI: But I will ask her and show it to her and
6 ask her. I have got her statement but not the exhibit.
7 Wait a second, no, I've found it.

8 THE INSPECTOR: We asked PIL about it and we got a reply
9 from PIL, which was to the effect. Which was to the
10 effect -- well, we had an email from PIL which was to
11 the effect that they had received the statement dated
12 2013, and the accompanying exhibits, including
13 a translation of Maj Routledge's letter in August or
14 September -- I think August -- of this year.

15 PIL provided us with a translation of the Arabic
16 document.

17 Ms Al Qurnawi, can I ask you, with your experience
18 and your background, could you please look at the Arabic
19 document and inform me of your own view of the status,
20 or the look of that document, in order for you to help
21 me understand what status I should accord to this
22 translation. Do you understand what I'm asking? I'm
23 sure you do.

24 MS AL QURNAWI: Yes. I'm just trying to locate the Arabic
25 letter.

1 THE INSPECTOR: Thank you. I wish I could put it up on
2 screen for you.

3 MS AL QURNAWI: Yes, I can see it. So your question is --
4 I have it now in front of me and I have the English as
5 well -- this is the same one which we referred to last
6 Friday?

7 THE INSPECTOR: Yes.

8 MS AL QURNAWI: Yes.

9 THE INSPECTOR: I don't know what the Arabic translation
10 looks like. I don't know how official or what its
11 provenance is likely to have been. Can you see what
12 I've got, which I think is the Arabic translation?

13 MS AL QURNAWI: No I can't see. I can't see the one but if
14 we are -- the one I have here -- because if I recall
15 correctly, there were two Arabic versions for this
16 letter. I think at the time the letter was translated
17 into Arabic. I've seen two Arabic translations but now
18 in front of me just that one, which doesn't have that
19 word, which is roughly, "or mistakenly believe".

20 Sorry, you're asking about the one which we referred
21 to last Friday, that Arabic one you want me to look at?

22 THE INSPECTOR: What I'm trying to understand is how it is
23 that anybody who translated Maj Routledge's letter could
24 have found it to be correct to include the word "the
25 soldier mistakenly, or wrongly", which is another

1 version, "or wrongly thought that he was in danger" when
2 the written letter from Maj Routledge simply did not say
3 that. Do you understand my query?

4 MS AL QURNAWI: The only -- yes, I understand your
5 question -- one of the explanation, I would say -- can
6 you hear me?

7 One explanation I would say from, as you said -- can
8 you hear me?

9 THE INSPECTOR: You're breaking up in a way which makes it
10 difficult for me to hear.

11 MS AL QURNAWI: I'm sorry, we are having problem here with
12 the sound. Can you hear me now?

13 THE INSPECTOR: I hear you at times very, very clearly, but
14 not at others. Have another go. What is the
15 explanation you think?

16 MS AL QURNAWI: As I said, from my experience and
17 especially, I don't know, I need to take instructions,
18 as to where and who translated this letter, but if this
19 letter wasn't translated, let's say here, in Iraq, by
20 a translator in this country, the language here, it's
21 poor.

22 I mean, I have seen official documents and contracts
23 for the government, they are appalling.

24 So one explanation is the translator could have
25 taken the context of the English one and probably

1 phrased it in Arabic and added the word "mistake", do
2 you see? That's my -- one suggestion.

3 Or it could be the other explanation maybe the
4 translator has been explained to him or to her the
5 situation and tried to reflect it in the translation,
6 that's another -- so I don't know -- once I know where
7 the translation was made, whether in Iraq or outside
8 Iraq, that probably going to help me to give you my
9 views and telling you what reason for this word
10 appearing in the Arabic translation.

11 THE INSPECTOR: Yes. Can I add this whilst we're discussing
12 the detail: you may remember, but if not I can remind
13 you, that Mr Zuboon has said, in one of his statements,
14 that when he received the letter from Maj Routledge on
15 that second visit when Maj Routledge came to see him,
16 that he said to Maj Routledge, "I want a translation",
17 and his statement says, " I sent him away to come back
18 with a translation".

19 Maj Routledge has no clear recollection of that.
20 Nor have I been able to get an answer as to how, if he
21 did obtain one, Maj Routledge obtained a translation.

22 It seems to me quite possible that Maj Routledge did
23 not obtain a translation, but that Mr Zuboon, or Fatima,
24 obtained a translation and that we need to know who gave
25 them, or one of them, that translation.

1 And may I say, as a matter of comment to you, it's
2 an odd mistake to arise by way of a translation because
3 it completely changes the effect of what Maj Routledge
4 was saying, and in a way which is very significant. You
5 realise what I mean by that, don't you?

6 MS AL QURNAWI: Yes. Sir George, I will ask -- yes, sorry.

7 THE INSPECTOR: Finally, could I say that, in a translation
8 which was obtained for me, I have this sentence, and you
9 will know from the Arabic whether this is right or not,
10 and I will now read just that sentence:

11 "The soldier wrongly thought that he was in
12 danger --

13 MS AL QURNAWI: Sorry, sir? What is the page number because
14 the English I have in front of me doesn't say that?
15 Where is the document you are reading from?

16 THE INSPECTOR: I am reading from a translation of the
17 Arabic letter which was sent to us by PIL, which
18 I obtained independently from someone in London.

19 MS AL QURNAWI: Okay.

20 THE INSPECTOR: So the translation that I have reads as
21 follows -- I will begin the previous sentence because
22 it's very similar but for the change in the critical
23 part:

24 "It is sad that while Muhammad Abdul Ridha Salim was
25 coming down the stairs, he was met by a British soldier

1 coming from the opposite direction. The soldier wrongly
2 thought that he was in danger and opened a salvo of
3 bullets at Mr Salim, hitting him in the stomach."

4 What I am trying to tell you and make clear is that
5 I have received, independently, a translation from
6 someone in London which not only has the word "wrongly
7 thought", which was in fact what your translation, or
8 one of them, contained, or one -- what PIL's translation
9 contained, but it has instead of shooting Mr Muhammad in
10 his stomach, the words:

11 "Opened a salvo of bullets at Mr Salim."

12 The significance of this is that I simply don't
13 know, obviously, what a good translation, or reliable
14 translation, of the letter in Arabic actually says.

15 I would like you, if you would, to have that in mind.

16 All right? Okay?

17 MS AL QURNAWI: All right.

18 THE INSPECTOR: I have the interpreter here now. What
19 I might be able to do, in order, while we are on this
20 topic, is I could show him what I believe is a copy of
21 one of the Arabic translations and he can tell me
22 whether I have identified the right document. So I am
23 going to ask him to do that. (Handed)

24 Could you show the interpreter that? Could you look
25 at that very carefully, the Arabic translation?

1 THE INTERPRETER: Yes, sir. (Pause).

2 Exactly what you have said earlier as translated in
3 English, it is correct, if I translate what's said.

4 THE INSPECTOR: Just wait a minute.

5 THE INTERPRETER: I will read the Arabic and in the meantime
6 translate it.

7 THE INSPECTOR: The interpreter will first of all read the
8 Arabic, Ms Al Qurnawi, of the document that I've given
9 him. All right?

10 MS AL QURNAWI: Yes, okay.

11 THE INTERPRETER: (Reads the document in Arabic)

12 MS AL QURNAWI: Okay. (Confirms in Arabic)

13 The paragraph which he just read is similar to the
14 paragraph I have here in the Arabic letter.

15 THE INSPECTOR: Thank you. I will now ask him, please, as
16 the interpreter for me today, to translate the
17 paragraph, or the sentences, which begin -- could you,
18 Mr Interpreter, identify something to the effect that:
19 "At that time Mr Salim was coming down the
20 stairs ..."

21 Could you translate it from that point?

22 THE INTERPRETER: Yes, sir.

23 THE INSPECTOR: Slowly, please.

24 THE INTERPRETER: During that time Mr Muhammad Abdul Salim
25 came down the stairs. Sadly, when Muhammad Abdul Salim

1 was coming down the stairs, he met a British soldier
2 coming from the opposite side. The soldier wrongly
3 thought that he was in danger and initiated a shooting,
4 or a salvo of shooting, at Mr Muhammad Abdul and hit him
5 in his stomach."
6 THE INSPECTOR: You probably heard that, did you,
7 Ms Al Qurnawi?
8 MS AL QURNAWI: Yes, I heard shot him with the one bullet,
9 that's what the Arabic says, exactly.
10 THE INTERPRETER: It says (Arabic spoken), that means a
11 salvo or a --
12 MS AL QURNAWI: It is like one.
13 THE INSPECTOR: The interpreter is saying a salvo of
14 bullets.
15 MS AL QURNAWI: He says what?
16 THE INTERPRETER: (Arabic spoken)
17 MS AL QURNAWI: (Confirms Arabic)
18 They are confirming here, this word is being used
19 here, it means more than one bullets.
20 THE INSPECTOR: Yes, thank you. So it is more than one
21 bullet and the word "wrongly"; it is agreed the word
22 "wrongly" appears?
23 MS AL QURNAWI: Yes.
24 THE INSPECTOR: Do you agree?
25 MS AL QURNAWI: Yes, yes, those two words, yes.

1 THE INSPECTOR: Therefore, we have a --

2 MS AL QURNAWI: If the translator -- yes?

3 THE INSPECTOR: Therefore, we seem to have a fairly clear
4 indication that the Arabic translation has two errors.
5 By way of addition, the errors being the word which
6 suggests that the soldier was wrong in his thinking or
7 belief, namely he "wrongly thought", which was not
8 present.

9 It also contains a serious error which does not
10 conform with the English, which stated, I quote from
11 Maj Routledge's letter:

12 "He fired one round at Mr Muhammad."

13 It does not say that he fired more than one round or
14 a salvo or bullets. Therefore, I am very puzzled as to
15 how anybody who translated that, who translated the rest
16 of the letter, with relative accuracy, should get so
17 wrong, by way of addition, of words which entirely
18 change the most significant part of this incident.

19 I emphasise that I am very troubled as to how
20 a document containing such an account could have been
21 created, why it was created, how it came into the
22 possession of Mr Zuboon or Fatima --

23 (Break in video link)

24 MS AL QURNAWI: Hello?

25 THE INSPECTOR: We were cut off. I don't know where you had

1 got to in my monologue.

2 MS AL QURNAWI: I think we heard most of it.

3 THE INSPECTOR: Okay. Well I will say no more for the

4 moment then, you got the gist, all right?

5 MS AL QURNAWI: Yes, we got it.

6 THE INSPECTOR: Thank you.

7 MS AL QURNAWI: We will take instruction and come back to

8 you on this, Sir George.

9 THE INSPECTOR: Of course, of course. Now SO14.

10 (Pause).

11 MS AL QURNAWI: Sir George?

12 THE INSPECTOR: Yes.

13 MS AL QURNAWI: Just in the interim, Mr Zuboon just wanted

14 to say a couple of words about this translation, what

15 you just said, he meant. Do you mind?

16 THE INSPECTOR: He want to give me an explanation?

17 MS AL QURNAWI: He wants to comment. Here he is, he will

18 speak. Can the translator hear him?

19 THE INTERPRETER: Yes.

20 MR ZUBOON: (Interpreted). We agree that one round was

21 shot. We don't have any interest in saying that it was

22 more than one round or it was a salvo of rounds and this

23 has been already publicly announced from the beginning

24 of the matter, in public, announced that it was just one

25 round.

1 That's even stated in their statement, in all their
2 interviews with the press.

3 THE INSPECTOR: Does he wish to make a comment about the
4 introduction of the word "wrongly"?

5 MR ZUBOON: (Interpreted). No comment on it. We don't have
6 any comment -- I don't have any comments with regard of
7 that word and I will leave that to the English law to
8 deal with this matter. I said I wish if you just rely
9 on the English version of the statement.

10 THE INSPECTOR: Where did the translation come from?

11 MR ZUBOON: (Interpreted). Both the English and the
12 Arabic --

13 THE INTERPRETER: I have to clarify that.

14 MS AL QURNAWI: (Interpreted). Both the English and Arabic
15 letter or text, were received by Mr Zuboon from the
16 uncle of -- both versions were received by Mr Zuboon
17 from the uncle of Khaled.

18 THE INSPECTOR: The uncle of?

19 THE INTERPRETER: Khaled?

20 THE INSPECTOR: Who is Khaled?

21 MS AL QURNAWI: Khaled Al Bedany.

22 THE INTERPRETER: The other family who had an animosity or
23 rivalry with the Zuboon family.

24 MR ZUBOON: (Interpreted) He was a subcontractor for the
25 British forces, Mr Khaled, who is a member of the other

1 family, the Al Bedany family.

2 MS AL QURNAWI: I am going to translate, maybe he is finding
3 it a bit hard to hear: he said how this happened -- this
4 wasn't given to them by the uncle of Khaled Al Bedany
5 who attacked Mr Zuboon's house. And Khaled Al Bedany
6 was a constructor with the British forces and because
7 why this happens is because there was a tribal conflict
8 as a result of what's happened between the tribe of
9 Mr Zuboon and the between the tribe of Mr Khaled Al
10 Bedany and in order to resolve the tribal dispute the
11 uncle produced this letter to say -- to put the blame,
12 he said: look, even the British themselves acknowledge
13 they mistakenly did what they did. So not our fault, it
14 is the fault of the British soldiers, that's what
15 Mr Zuboon said. Have you heard this, Sir George?

16 THE INSPECTOR: I have.

17 MS AL QURNAWI: And in addition to this, after two days, he
18 said the -- Maj Routledge at the time then he came to
19 them and gave them the English version only, gave
20 Mr Zuboon.

21 Mr Zuboon said "we have no interest whatsoever in
22 having incorrect translation." He said the first time
23 I have come across this in this hearing when he gave me
24 the question to put to Maj Routledge to ask for his
25 comments and then we discovered that translation, he

1 said that's the first time he came across this mistake,
2 when he was putting it as a question to Maj Routledge.

3 THE INSPECTOR: Thank you. I have one or two just clear,
4 short questions.

5 Is it said that Mr Zuboon received the Arabic
6 translation before he received any English version?

7 MS AL QURNAWI: He -- first time he saw the Arabic was, as
8 just said earlier, when they had that tribal meeting to
9 resolve the disputes between the two tribes, the uncle
10 Al Bedany brought both, the English and the Arabic but
11 they cannot read the English anyway so they read the
12 Arabic. So that is the first time when he came,
13 Mr Zuboon, to see both documents, the English and the
14 Arabic, but obviously he only read the Arabic because he
15 could not read the English.

16 Then the English came after -- again another copy of
17 the English came to Mr Zuboon when Maj Routledge came to
18 see him and gave him the English by hand.

19 THE INSPECTOR: So what I am understanding is that when the
20 tribal council meeting took place, the uncle of the Al
21 Bedanys had with him an Arabic translation of a letter
22 which he had received from Maj Routledge before
23 Mr Zuboon was handed a letter from Maj Routledge at
24 a later date. Am I right in understanding what has been
25 said?

1 MS AL QURNAWI: Yes, that is correct. Because the uncle, as
2 Mr Zuboon said, he used to work for a constructor with
3 the British forces and Mr Zuboon does not know how but
4 he got a copy of this letter, the English one, and he
5 brought it to the tribal council meeting, brought the
6 English and the Arabic and that's the first time
7 Mr Zuboon came to see those documents. Yes, before
8 Mr Zuboon received the letter from Maj Routledge he
9 received it from the uncle of Khaled Al Bedany.
10 According to Mr Zuboon.

11 THE INSPECTOR: When did the council meeting to which he has
12 referred take place?

13 MR ZUBOON: (Interpreted). I had initially three or four
14 months after that and there was a meeting --

15 MS AL QURNAWI: No, no. Sorry, no. Not three or four
16 months. What he's saying, saying immediately after the
17 incident happened, because if you recall, Sir George, on
18 the day that the shooting took place an elderly man from
19 the tribes of Al Bedany came but normally what --
20 according to Mr Zuboon immediately after this it then
21 happened -- there was a man goes back and forth between
22 the two tribes in order to communicate and try to calm
23 things down and to resolve the -- any problem between
24 the two. So that immediately after the shooting because
25 you know when something happens everybody knows about

1 this, especially that incident.

2 THE INSPECTOR: But I think we must be precise so far as we
3 can.

4 Mr Zuboon told me the other day, and I think he is
5 now saying the same thing, that after his house had been
6 shot at in the drive by shooting, and before the British
7 soldiers raided the house, the uncle, or someone senior
8 in the Al Bedany family, came to Mr Zuboon's house and
9 tried to put his family at rest.

10 But obviously, the letter from Maj Routledge, dated
11 9 November, must have been written three days after any
12 discussion at the house on the night of November 5th.

13 Am I to understand that there was another council
14 meeting after 5 or 6 November and some time after the
15 9 November at which the uncle of the Al Bedanys produced
16 the translation and the English letter? Could I have an
17 answer to that?

18 MR ZUBOON: (Interpreted). Can I answer?

19 THE INSPECTOR: Yes.

20 MS AL QURNAWI: Did you hear he said? Yes, okay.

21 MR ZUBOON: (Interpreted). Before the arrival of the

22 British forces earlier I received a letter --

23 MS AL QURNAWI: Shall I --

24 THE INSPECTOR: I think we are getting --

25 MS AL QURNAWI: Shall I translate? Because I can see the

1 interpreter is finding it hard to hear and I am closer
2 and at least you can as well chip in.

3 What Mr Zuboon said, on the day of the incident, as
4 you rightly just pointed out Sir George, when Al Bedany
5 did the shooting of Mr Zuboon's house, that evening an
6 elderly man came from the Al Bedany family to calm
7 Mr Zuboon and telling him to calm things down, and not
8 just like that, he said he was even blaming Khaled Al
9 Bedany -- and he was blaming them and trying to calm
10 things down. That's before, on the 5th, before the
11 British soldiers came and attacked Mr Zuboon's house.
12 Yes, he was trying to calm things down.

13 He said after the shooting and the attack by the
14 British soldier and the incident, there was a middle man
15 goes between the two tribes, so he goes to them and
16 comes to us. According to what he remembers, he said he
17 thinks around 11th maybe, of November -- 10/11, there
18 was a meeting, the tribal meeting, where the uncle
19 produced this document.

20 He said he was trying to justify it's not our son,
21 ie Khaled Al Bedany, who caused the problem, he said
22 because the first -- referred to the first paragraph,
23 the anonymous person, they said if it was our son it
24 would be mentioned. He was justifying.

25 He said the person was unknown, so -- because

1 obviously Zuboons were accusing Al Bedany of causing all
2 these problems but the uncle was saying: look what this
3 letter from the British forces say, it's an unknown
4 person.

5 And he said after they sent off the letter, by a day
6 or two, if I remember, he said Maj Routledge came and
7 gave the English version.

8 THE INSPECTOR: Right. Good. Still some more questions.

9 MS AL QURNAWI: Yes.

10 THE INSPECTOR: I understand Mr Zuboon to tell me that the
11 suggestion was made that in order to achieve
12 a settlement of the tribal dispute, the person who
13 provided the Arabic version would add in the words that
14 the soldier -- add in the words "wrongly" and add in a
15 word or words which suggested that more than one bullet
16 was shot.

17 Could Mr Zuboon confirm that I have understood him
18 and that the introduction of these words was done to
19 bring about a settlement because these words would make
20 it look more strongly that the British forces had caused
21 a wrongful death.

22 Mr Zuboon?

23 MR ZUBOON: (Interpreted). I can justify that it wasn't our
24 son's fault, it was their -- it was the first time
25 I discovered there was a mistake in the translation.

1 THE INSPECTOR: Sorry. Now, Mr Interpreter, give it to me?

2 MR ZUBOON: (Interpreted). I have just found out that there

3 is a mistake in the translation. For the first time.

4 THE INSPECTOR: Are you saying that you didn't know that the

5 translation contained the mistake, namely the word

6 "wrongly"?

7 MR ZUBOON: (Interpreted). It's the first day I see. I've

8 just been aware of this mistake by the judge.

9 THE INSPECTOR: Today?

10 MR ZUBOON: (Interpreted). Right now, during this.

11 THE INSPECTOR: But that cannot be right.

12 MS AL QURNAWI: No he said (Arabic spoken).

13 THE INTERPRETER: On Friday.

14 THE INSPECTOR: Not today. On Friday?

15 MS AL QURNAWI: Yes.

16 MR ZUBOON: (Interpreted). On Friday.

17 THE INSPECTOR: But he didn't say it was a mistake on

18 Friday.

19 MR ZUBOON: (Interpreted). I just brought it to the

20 attention of my lawyer, Ms Zainab.

21 THE INSPECTOR: I heard the suggestion put to your lawyer

22 and your lawyer understood it, as I recollect it, as an

23 instruction, or at least a request, to me that I should

24 ask Maj Routledge about that.

25 Is it right that you believe that this letter, which

1 was an Arabic translation, was part of an agreement
2 between you and the Al Bedanys to come to some
3 settlement of your tribal differences?

4 MR ZUBOON: (Interpreted). Not. Of course not. Because
5 the family of Al Bedany were adamant that Khaled was
6 innocent and it was someone unknown. Someone else
7 unknown.

8 THE INSPECTOR: He is talking about a different part of the
9 letter.

10 MS AL QURNAWI: (Interpreted). He said all I know is I have
11 just received those two copies of the letter. There was
12 not any talk about reconciliation or peace making or
13 settlement between. He said I produced these letters to
14 a judge in Lebanon and he had no objections to them.
15 And so --

16 MS AL QURNAWI: No, it's not judge.

17 THE INTERPRETER: A solicitor.

18 THE INSPECTOR: Excuse me for a moment. I want to ask for
19 the answer which was given to me earlier, please, from
20 the transcript.

21 When Mr Zuboon first answered about the council
22 meeting and receiving these letters, I believe he said
23 that they produced the translation as part of an effort
24 on their part to help to bring about a settlement --
25 these are not the exact words -- and that it was done in

1 order to quieten the differences between them.

2 It's really when Mr Zuboon first, I think, came
3 forward and suggested the circumstances in which he
4 received the letters. Could you just see what it says
5 there.

6 (Pause)

7 Could you read it to me?

8 THE STENOGRAPHER: "Khaled Al Bedany was a constructor with
9 the British forces and because why this happens is
10 because there was a tribal conflict as a result of
11 what's happened between the tribe of Mr Zuboon and the
12 between the tribe of Mr Khaled Al Bedany and in order to
13 resolve the tribal dispute the uncle produced this
14 letter to say -- to put the blame, he said: look, even
15 the British themselves acknowledge they mistakenly did
16 what they did. So not our fault, it is the fault of the
17 British soldiers, that's what Mr Zuboon said."

18 THE INSPECTOR: Thank you for that.

19 I have had an opportunity to read the answer given
20 by Mr Zuboon earlier this morning, in which he was told
21 by the council leader, uncle of the Al Bedanys, that the
22 letter from Maj Routledge accepted that the British
23 troops had acted mistakenly, and therefore they were
24 accepting responsibility for what had happened.

25 I was asking at that time not about the mistake that

1 they had made, acting on the information from the
2 informant, but about the introduction into the
3 translation of the suggestion that the soldier who shot
4 one bullet "wrongly" thought he was in danger, rather
5 than simply "thought he was in danger", and the
6 introduction of the word "salvo" or "bullets" as opposed
7 to "one bullet".

8 Was that part of the deal?

9 MR ZUBOON: (Interpreted). There was no deal. Until now we
10 don't have any deal with the Al Bedany family. Until
11 now (indicates). They just brought us the Arabic -- all
12 I know they produced these two letters for us and saying
13 that it has nothing to do with Khaled.

14 THE INTERPRETER: I asked him to break down the answer.

15 MR ZUBOON: (Interpreted). After the British forces -- we
16 accused the commander --

17 MS AL QURNAWI: Not British commander, he said Khaled.

18 THE INTERPRETER: Sorry, Khaled?

19 MS AL QURNAWI: Khaled.

20 MR ZUBOON: (Interpreted). We talked to Khaled --

21 THE INTERPRETER: Sorry, not the commander, because the word
22 of --

23 MR ZUBOON: (Interpreted). We accused Khaled. We just
24 carried on accusing him -- then around the 10th or 11th
25 or 12th November they came to us and said to us why we

1 keep accusing Khaled.

2 They said to us that you don't have any evidence
3 that it was Khaled and here is the evidence that it was
4 the British forces. The British forces are admitting
5 that the person is unknown. And they handed out both
6 the English and the Arabic version. And there was no
7 deal or peace making with them after. We are still in
8 dispute.

9 THE INSPECTOR: You were still in dispute?

10 MS AL QURNAWI: No --

11 MR ZUBOON: (Interpreted). Yes, because Khaled had fled
12 after that and they kept -- and insisted that that was
13 the truth, according to their letters. Later -- after
14 that, the hostility has continued between us, there was
15 no peacekeeping -- and during that time Khaled had fled
16 and run away.

17 We are sure that it is Khaled who done it but the
18 British forces stated that it was unknown person who did
19 it.

20 THE INSPECTOR: Yes, I understand.

21 One more question only for Mr Zuboon now: what does
22 he mean by describing his family's position with the Al
23 Bedanys as involving a tribal dispute?

24 MR ZUBOON: (Interpreted). Because I don't have any further
25 rights to blame them or put the blame on them, as I've

1 received these two letters in English and in Arabic
2 versions, and I was relying on this.

3 THE INSPECTOR: But he has said that there was a tribal
4 dispute between his family and the Al Bedanys. Is that
5 right?

6 MR ZUBOON: (Interpreted). So do you mean before the
7 incident or after the incident?

8 THE INSPECTOR: Before or after or in between, I know not,
9 but I want him to tell me.

10 MR ZUBOON: (Interpreted). In fact, there were no such
11 serious disputes before the incidents, there were just
12 a minor argument between us.

13 THE INSPECTOR: All right, thank you. Okay. Unless it's
14 essential to say something?

15 MR ZUBOON: (Interpreted). There was just a minor argument
16 before --

17 THE INSPECTOR: I understand.

18 Ms Al Qurnawi, we'll now call S014.

19 MS AL QURNAWI: Yes, please.

20 S014 (called)

21 (Evidence Interpreted)

22 THE INSPECTOR: We need to make sure that the camera is on
23 us and not on him. S014, if you sit there, the camera
24 will not be on you there, but you will be at the
25 microphone.

1 S014 has got a copy of the bundle in front of him.
2 S014, if you could go first of all to page 58 in that
3 bundle. You will see a redacted version of a statement,
4 which I would ask you to identify, dated
5 20 November 200014.

6 A. Yes.

7 THE INSPECTOR: Is it right you signed that statement? It's
8 been redacted now but if you look at the bottom of
9 page 58, you'll see where it says "S014" against the
10 word "signature".

11 A. Yes, that's right.

12 THE INSPECTOR: Is it right you signed the statement?

13 A. Yes.

14 THE INSPECTOR: Perhaps just keep your voice up a bit.

15 A. Yes, yes.

16 THE INSPECTOR: If you go to a later page in the same
17 bundle, namely page 85, there is another statement.
18 This is one you made to this investigation, which, on
19 page 88, doesn't have a signature. But is it right that
20 you have signed that statement --

21 A. Yes.

22 THE INSPECTOR: -- the other day?

23 A. Yes.

24 THE INSPECTOR: Yes?

25 A. Yes.

1 THE INSPECTOR: So far as those statements are concerned, do
2 they contain, to the best of your recollection, a true
3 and accurate record of what you saw that night?

4 A. Yes, they do.

5 THE INSPECTOR: At page 58, going back, you say, just
6 beneath your introduction:

7 "I remember the incident vividly, although I cannot
8 recall the date it happened."

9 A. Yes, that's correct.

10 THE INSPECTOR: This is of course about 11 years after the
11 event.

12 A. Yes.

13 THE INSPECTOR: Is there any particular reason why you think
14 you remember or you know you remember it vividly or do
15 you just have a very vivid memory?

16 A. I remember it because I suffered with PTSD and I had
17 vivid dreams of Mr Salim talking to me.

18 THE INSPECTOR: Let me explain. PTSD stands for
19 post-traumatic stress disorder. It may be,
20 Ms Al Qurnawi, you're familiar with that condition?

21 MS AL QURNAWI: Yes.

22 THE INSPECTOR: Thank you.

23 MS AL QURNAWI: Okay, I explained it.

24 THE INSPECTOR: Are you satisfied that your recollection is
25 nevertheless accurate?

1 A. It's accurate to as well as I can remember, yes.

2 THE INSPECTOR: You have described how you went to the house
3 in question.

4 A. Yes.

5 THE INSPECTOR: Various people have attempted to put an
6 estimate on the distance between Camp Cherokee and
7 Mr Zuboon's house.

8 A. Yes.

9 THE INSPECTOR: You didn't walk it at any stage, did you?

10 A. No, we went in Land Rovers.

11 THE INSPECTOR: How many times did you make that journey in
12 a Land Rover?

13 A. Just the once.

14 THE INSPECTOR: Would any estimate of the distance simply be
15 really your best recollection of how long it took the
16 Land Rover to get there?

17 A. Yes it would, yes. I would estimate probably no more
18 than two/two and a half kilometres, maybe even less than
19 that.

20 THE INSPECTOR: I understand from your account that you've
21 given that there was an ambulance, you called it "your
22 ambulance", but you mean an ambulance which was at
23 Camp Cherokee. Is that right?

24 A. Yes, that was my designated vehicle but I very rarely
25 used it because it was very battle damaged and had

1 limited equipment.

2 THE INSPECTOR: Did it occur to you when you were at
3 Camp Cherokee and before you left that it would be
4 worthwhile taking your battered ambulance?

5 A. No. My normal role was to go in the OC's headquarters
6 group which meant I regularly provided top cover in a
7 normal Land Rover and just carried my medical pack with
8 me. We never really took the ambulance with us except
9 on very few occasions.

10 THE INSPECTOR: Thank you.

11 When you arrived at the property, which you
12 remember --

13 A. Yes.

14 THE INSPECTOR: -- as I understand it, you were a little bit
15 back from the platoon, led by SO11 -- there's a cipher
16 in front of you -- which was the platoon which entered
17 the courtyard and then the house?

18 A. Yes.

19 THE INSPECTOR: Did you see a vehicle push its way through
20 the gates to the courtyard from the street?

21 A. No, I didn't. If you were -- if I was to be standing at
22 the house from the front, I was located around the side
23 on the left-hand side and I was taking cover behind
24 a civilian vehicle at that time.

25 THE INSPECTOR: Was there a need for you to take cover

1 particularly at that time or was it simply the normal
2 advisory course, that you should take cover?

3 A. It was standing operating procedure to adopt a prone
4 position or a position of cover due to increased
5 activity in the area over the weeks prior to this
6 incident.

7 THE INSPECTOR: I take it that from your position you were
8 not able to see the platoon enter the courtyard and then
9 break down the front door and enter the house? Is that
10 right?

11 A. That's correct, yes. I wasn't able to see. I basically
12 was looking over to the left-hand side across the road.

13 THE INSPECTOR: Did you hear any particular noise, for
14 example from the gates?

15 A. Not that I recall, no.

16 THE INSPECTOR: Did you hear anything which could have been
17 the noise of the front door being broken down?

18 A. No, I don't recall that. I was -- at the time I was in
19 conversation with another soldier that was with me. So
20 we probably weren't paying particular attention to what
21 was going on around the corner or looking towards the
22 front of where we were.

23 THE INSPECTOR: Did you hear any gunfire?

24 A. Yes. I heard an exchange of automatic weapons, which
25 obviously alerted me to the fact there was an incident

1 taking place.

2 THE INSPECTOR: Where did you believe that automatic gunfire
3 was taking place?

4 A. It was definitely coming from the area of the operation,
5 so from the house.

6 THE INSPECTOR: Are you able to distinguish between the
7 gunfire from different rifles?

8 A. Yes, I am. Very much so.

9 THE INSPECTOR: Where did you gain your experience to be
10 able to do that?

11 A. From Bosnia, from the battles we witnessed there, and
12 then, obviously, from other incidents within Iraq.

13 THE INSPECTOR: Did you hear automatic fire from one type of
14 rifle or from more than one rifle on this occasion?

15 A. There was automatic fire from one rifle and then there
16 were separate shots from another rifle.

17 THE INSPECTOR: Which automatic fire did you hear first of
18 all, as you recollect?

19 A. It would have been an AK-47.

20 THE INSPECTOR: One Kalashnikov?

21 A. Yes.

22 THE INSPECTOR: Don't put a figure on it if you can't, but
23 burst of fire or how many rounds were fired, do you
24 think?

25 A. Probably two to three rounds; it was a very short burst.

1 THE INSPECTOR: Any other rifle type did you hear a shot or
2 shots from? A shot or shots?

3 A. Yes, from an SA80.

4 THE INSPECTOR: From an SA80?

5 A. Yes, which is a British Army rifle.

6 THE INSPECTOR: How many shots -- was it a shot or shots --
7 from an army rifle?

8 A. It was one or two. It certainly wasn't an automatic
9 burst, it was single shots and from my recollection
10 there was probably no more than one or two, possibly
11 three maximum.

12 THE INSPECTOR: Is it right that you then heard a call for
13 the medic?

14 A. Yes, I did. The word "medic" was shouted and then
15 I reacted and ran round to the front of the house.

16 THE INSPECTOR: Is it right that the system of calling is
17 known as the use of link men to make the call?

18 A. Yes, that's exactly -- yes it is. We -- you just pass
19 the word down the line so it would have gone from the
20 scene of the incident and then been shouted around until
21 it came to us.

22 THE INSPECTOR: When you ran round into the courtyard, do
23 you remember anybody you saw in the vicinity of the
24 courtyard?

25 A. Yes. Maj Routledge was stood outside the door of the

1 property.

2 THE INSPECTOR: Was there any conversation between you or
3 did you just go into the house?

4 A. I was asking who had been hit. I didn't get an answer
5 back from Maj Routledge, he just looked at me and was
6 shaking his head.

7 THE INSPECTOR: We do have photographs of the inside of the
8 house.

9 A. Mm-hmm.

10 THE INSPECTOR: I don't want you to look at them if they're
11 going to cause you trouble or distress.

12 A. No, that's fine, I'm happy to look.

13 THE INSPECTOR: Could you look at page 92. And then perhaps
14 page 93. Then 94. And you can look and see the bottom
15 of the stairs and then a corridor running to what looks
16 like a shaft of light coming through from the right by
17 the door. Then a view from part of the way up the
18 stairs, page 95. Can you just ...

19 Does that bring the scene back to you?

20 A. Yes. But the house looks like it's obviously been on
21 fire since.

22 THE INSPECTOR: Sorry?

23 A. The house looks like it's been on fire since.

24 THE INSPECTOR: It has indeed.

25 There is also in the bundle, at page 36, a sketch

1 map.

2 A. Yes.

3 THE INSPECTOR: You can see the main gate and courtyard,
4 bottom left.

5 A. Yes.

6 THE INSPECTOR: Then, if you turn right, you come into an
7 area which is marked as "the hall". Then you are going
8 to the next area, which is just marked as "room", and if
9 you follow the arrow you can see that there's "room 2"
10 and then an access way or doorway which takes you
11 towards the bottom of the stairs.

12 A. Yes.

13 THE INSPECTOR: Obviously when you enter the hall from the
14 courtyard you have an option, when you're in the hall,
15 of going to the right --

16 A. Yes.

17 THE INSPECTOR: -- or going straight on. If you went
18 straight on, you would -- if you couldn't see the
19 stairs, you would arrive at the stairs in a straight
20 line.

21 A. Yes.

22 THE INSPECTOR: Or if you go to the right and then follow
23 the route that that arrow with the red mark on shows,
24 you come to the bottom of the stairs by that route.

25 A. Yes.

1 THE INSPECTOR: It may be very difficult for you now but can
2 you remember which route you took?

3 A. Straight through room 3.

4 THE INSPECTOR: You went straight through room 3?

5 A. Yes.

6 THE INSPECTOR: That, going back to page 94, would be coming
7 from where the shaft of light is, towards the stairs?
8 Correct?

9 A. Yes, yes.

10 THE INSPECTOR: Can you remember now whether there was
11 anybody -- I don't want identities at the moment -- just
12 whether there was anybody in room 3 as you went into it?

13 A. I think there may have been another soldier stood in
14 that room.

15 THE INSPECTOR: A platoon dismount?

16 A. Yes, yes.

17 THE INSPECTOR: Did you have any conversation that you
18 remember, did you say anything to him?

19 A. No. I mean if anything I would have just said -- I do
20 recall as I was going through the house I was just
21 shouting "where's the casualty?"

22 THE INSPECTOR: Of the photographs that we have at 92, 93,
23 94 in particular, do any of those enable you now to say
24 where in relation to the stairs you found the casualty?

25 A. Yes. He was on the bottom of the two stairs. He would

1 have been laying on the bottom two.

2 THE INSPECTOR: In 92, Mr Zuboon is standing on the second

3 stair.

4 A. Yes.

5 THE INSPECTOR: It is on that stair, is it, or maybe the one

6 above, I don't know, that you're saying the casualty was

7 sitting?

8 A. The casualty was laying, so he would have been up two or

9 three of the stairs. He was sort of -- legs were on to

10 the floor and then his torso was laying back on to the

11 steps.

12 THE INSPECTOR: I see.

13 Do you remember seeing SO11 in the vicinity of the

14 stairs or the injured person?

15 A. SO11 would have been, looking at the pictures, just off

16 to the right-hand side where the archway is.

17 THE INSPECTOR: That's the archway in 92?

18 A. Yes.

19 THE INSPECTOR: In photograph 92?

20 A. Photograph 92, yes.

21 THE INSPECTOR: Do you remember what he was doing?

22 A. My recollection is he was unloading the rifle, unloading

23 an AK-47, Kalashnikov.

24 THE INSPECTOR: Did you see any other occupant of the house

25 at this time -- you may have seen somebody later but I'm

1 interested at this time -- in the vicinity of the
2 stairs?

3 A. I just remember a lady who was quite hysterical.

4 THE INSPECTOR: Can you, by reference to photograph 92, give
5 us some idea as to where you remember she was?

6 A. I'm looking directly at the stairs, she would have been
7 over on the left-hand side.

8 THE INSPECTOR: I take it that your attention was
9 immediately given to the injured person?

10 A. Yes it was, yes.

11 THE INSPECTOR: I don't think it's necessary for me to go
12 through what you found.

13 A. (Nods).

14 THE INSPECTOR: And I don't believe that the widow in Basra
15 wants to hear the detail either. But did you call for
16 an ambulance?

17 A. I asked for an ambulance to be called, yes.

18 THE INSPECTOR: Did you do that via the link of men or by
19 any form of radio communication?

20 A. It would have been by the link of men. I asked for the
21 medical team at the regimental aid post with the doctor
22 to be sent to us.

23 THE INSPECTOR: Could you help me: where do you mean you
24 were asking for the ambulance to come from? From
25 Camp Cherokee or from --

1 A. No, from the Shatt-Al-Arab hotel which was the King's
2 Regiment headquarters.

3 THE INSPECTOR: Can you now say how long you would expect an
4 ambulance to take from the Shatt-Al-Arab hotel to where
5 you were, assuming normal conditions?

6 A. Normal process was that ambulances, because they were
7 soft skinned, had to be escorted by an armoured vehicle.
8 I would have expected if the QRF had been --

9 THE INSPECTOR: What's the QRF?

10 A. It is the quick reaction force. If they had been tasked
11 I would have expected no more than 25 minutes.

12 THE INSPECTOR: So the departure of the ambulance from the
13 hospital would be dependent upon the speed at which the
14 quick reaction force could be got together?

15 A. Yes. The quick reaction force would always be on
16 standby. It was a normal operating procedure to have
17 one, and also there would have been duty medics and an
18 ambulance on standby as well.

19 THE INSPECTOR: In your statement, you say you repeatedly
20 asked for an ambulance.

21 A. Yes I did because I wasn't getting a definite answer on
22 where an ambulance was coming from or if I was going to
23 get the doctor.

24 THE INSPECTOR: Was that in the course of the expected
25 25 minutes or after the 25 minutes?

1 A. It was during the whole process because at least if I'd
2 had confirmation via radio that there was something
3 en route then I could have obviously relaxed and not
4 kept asking, but I never had that.

5 THE INSPECTOR: Do I understand you to be saying that you
6 were really very anxious about the condition of the
7 injured man?

8 A. Due to the nature of the injury, yes, I was.

9 THE INSPECTOR: Was he moved from the stairs?

10 A. Yes, I moved him and laid him on the floor.

11 THE INSPECTOR: Does photograph 92 help or?

12 A. Yes, literally just to the left-hand side at the bottom
13 of the stairs, as I recall there was also a sofa to the
14 left-hand side as well where I placed my helmet and my
15 rifle.

16 THE INSPECTOR: Were you so concerned about the injured
17 person that you didn't take much notice of what else was
18 going on, or can you help me, from your recollection, as
19 to what else was going on while you waited for the
20 ambulance?

21 A. I still recall, obviously, who I now know to be the
22 widow, obviously in hysterics. I do recall seeing other
23 people in rooms off to the left-hand side and there were
24 soldiers, obviously, trying to calm the lady down.

25 THE INSPECTOR: Do you remember seeing any other Arab men,

1 or occupants, in the house whilst you were there with
2 Mr Salim?

3 A. There may have been but I can't remember. My focus was
4 on the casualty.

5 THE INSPECTOR: You have mentioned SO11 handling an AK-47.

6 A. Yes.

7 THE INSPECTOR: Unloading it, I think you said?

8 A. Yes.

9 THE INSPECTOR: Did you see any other weapon in the house
10 other than, obviously, SA80s?

11 A. Not that I recall, no.

12 THE INSPECTOR: I don't want you to give identities at the
13 moment, but can you actually identify, if I was to ask
14 you, any platoon members who were in the house, in
15 particular in the house, when you first went in?

16 A. Probably not 100 per cent. I know there was other
17 soldiers there. Most of them I knew by face but not by
18 name.

19 THE INSPECTOR: There are two soldiers, platoon members, who
20 have given evidence to me, who cannot recollect that
21 they were there. One is named. He is Ryan Jones. Did
22 you know a Kingsman called Ryan Jones?

23 A. No, I knew another Jones but his first name wasn't Ryan.

24 THE INSPECTOR: You knew Trevor Jones?

25 A. Yes.

1 THE INSPECTOR: As I understand it, he was outside with you?

2 A. Trevor Jones? Yes, Trevor Jones, we normally went on
3 most patrols together because he was part of the OC's
4 TAC group.

5 THE INSPECTOR: As I understand your evidence, when the
6 shots were fired, he was outside with you?

7 A. He wasn't the guy directly with me, no. I cannot
8 remember the name of the soldier with me, it was one of
9 the infanteer privates but it wasn't Trevor Jones.

10 Trevor Jones was normally a driver, so odds on he
11 was probably still with one of the vehicles.

12 THE INSPECTOR: The other Kingsman who has given evidence to
13 me is called Kgn Morris. Was he known to you at the
14 time?

15 A. The name rings a bell but because of the time ago,
16 I would probably need to see a picture of him to sort of
17 place the two together because, again, most of the guys
18 I didn't spend too much time with because I was mainly
19 with the OC's group.

20 THE INSPECTOR: I take it that you can't say whether he was
21 in the house or not. But if you can, help me.

22 A. No, again, without seeing a picture of him, I couldn't
23 be 100 per cent, no.

24 THE INSPECTOR: Coming back to your wait for the ambulance.

25 A. Yes.

1 THE INSPECTOR: It seemed that you felt you were waiting
2 a long time. Is that right?

3 A. Yes, a very long time.

4 THE INSPECTOR: A very long time?

5 A. Yes, and I was still having no confirmation of who or
6 what was coming.

7 THE INSPECTOR: Would you have felt better had you had
8 confirmation, even if the ambulance hadn't arrived?

9 A. Absolutely, yes, because that way you can prepare the
10 casualty for moving.

11 THE INSPECTOR: Did you get any confirmation before the
12 arrival of the ambulance or did it just arrive?

13 A. It just arrived and it wasn't what I'd asked for.

14 THE INSPECTOR: It wasn't the right ambulance in what
15 respect?

16 A. It was mine from Camp and it had taken so long because
17 they had had to try and -- they had gone to look for
18 someone, got someone out of bed who had the correct
19 licence to drive it.

20 THE INSPECTOR: How long, doing the best you can, do you
21 estimate you did wait for the ambulance?

22 A. Anywhere between 40 minutes to an hour.

23 THE INSPECTOR: Could it have been hours as opposed to one
24 hour?

25 A. Possibly. I mean, it was a significant amount of time.

1 So my experience from incidents like this is time seems
2 to fly past so you have no concept of time, so to speak,
3 it's -- everything seems to go very, very quickly.

4 THE INSPECTOR: Equally, if you're very anxious waiting for
5 something, it can appear that you are waiting a longer
6 time than in fact you are?

7 A. Absolutely, yes.

8 THE INSPECTOR: There is quite a difference between one hour
9 and two hours.

10 A. Yes.

11 THE INSPECTOR: I just want you to be as clear as you can.
12 Are you saying it could have been two hours that you
13 waited?

14 A. I wouldn't have thought it was that long. I still would
15 go with my estimate of about 40 minutes to an hour.

16 THE INSPECTOR: Do you remember the platoon dismounts
17 completing the search and securing the property? Do you
18 remember that point in time coming?

19 A. I don't recall it, no, I know they would have obviously
20 carried on with their operating procedures and done that
21 and obviously put in a cordon outside but, again, my
22 focus was with the casualty.

23 THE INSPECTOR: But do I take it your recollection of events
24 does not enable you to say whether, by the time the
25 ambulance had arrived, the search and securing of the

1 premises was done or not?

2 A. I wouldn't be able to say because that wasn't within my
3 job spec, to be notified if that had been done.

4 THE INSPECTOR: Were you party to any conversation with any
5 occupant of the house in the company with any other
6 officer or soldier, or not?

7 A. Not that I recall. The only person in the house I do
8 recall speaking with was Mr Salim.

9 THE INSPECTOR: Would I be right in believing that when
10 a platoon of British soldiers on an armed operation to
11 search and secure a house, it's likely that there would
12 be a great deal of shouting?

13 A. Yes, yes.

14 THE INSPECTOR: And conduct which would frighten persons?

15 A. Oh absolutely, yes. It can be quite an aggressive
16 procedure.

17 THE INSPECTOR: I take it you didn't see any occupant of the
18 house in plasticuffs?

19 A. Not on this operation, not that I recall, no.

20 THE INSPECTOR: But isn't it likely that in those operations
21 persons are arrested and put in plasticuffs or am I not
22 right?

23 A. During those early days of the campaign you could pretty
24 much assume that any operation we did, if there was any
25 fighting age males, they would all be plasticuffed until

1 we could prove otherwise.

2 THE INSPECTOR: Would you have expected that some record
3 would have been kept, if so where, as to what time the
4 ambulance departed and at what time it arrived and so
5 forth?

6 A. Absolutely. It would have been a basic procedure and
7 one that had to be carried out to book vehicles in and
8 out of Camp.

9 THE INSPECTOR: So you would expect a record to be at
10 Camp Cherokee?

11 A. I would have expected one, but then there's nothing to
12 say that, because of the perceived urgency of the
13 situation that they may just have waved them out of Camp
14 and sent them up the road to us. But normal SOP would
15 have been to book them in and out.

16 THE INSPECTOR: Do you remember now whether you actually
17 asked for the quick response force to be tasked on that
18 night or said anything about the quick response force?

19 A. I never asked for the quick response force by name, but
20 I did ask for an ambulance with a doctor to come from
21 the Shatt-Al-Arab hotel.

22 THE INSPECTOR: Thank you.

23 Ms Al Qurnawi, I have asked all the questions that
24 I believe you have suggested I should ask, bar one or
25 two, and I have covered the statement. Is there

1 anything that comes to your mind now that you wish me to
2 ask him? Or is there anything Mr Zuboon would like to
3 indicate to you he wants me to ask? Can we deal with
4 that now?

5 MS AL QURNAWI: Thank you, Sir George. Yes, let me have
6 a word.

7 (Pause)

8 Mr Zuboon, he would like, Sir George, if you agree,
9 SO14's comment on paragraph 23 of his statement. Sorry,
10 Mr Zuboon referred me to the Arabic statement.
11 Paragraph 23.

12 THE INSPECTOR: Yes. That's on page 89.

13 MS AL QURNAWI: Yes. He just wants his comment on what does
14 he mean by this.

15 THE INSPECTOR: I don't know what the question is. I think
16 I will read the paragraph into the record:

17 "I delivered a live patient to the Czech hospital.
18 My thoughts afterwards centred on the frustration at no
19 doctor being called and that no decision was made by the
20 officer commanding to take the casualty to Shaibah. My
21 belief is that a doctor could easily have been called
22 from the RAP, as it had on other occasions, or I could
23 have taken the casualty to Shaibah in a snatch with
24 a Warrior escort."

25 I think, is there any way that you could explain

1 what it is that caused you to write that in your
2 statement? What is the short point that you are making
3 there?

4 A. That the wound, if treated within the sort of golden
5 hour, was a survivable wound. And if the casualty
6 evacuation procedures were in place, that we used in
7 more recent campaigns, then I don't believe the patient
8 would have died.

9 THE INSPECTOR: By "more recent campaigns" you mean?

10 A. Afghanistan.

11 THE INSPECTOR: You mean Afghanistan?

12 A. Yes. The casualty procedure wasn't fantastic, or the
13 casualty evacuation procedure wasn't fantastic in those
14 early days of the Iraq campaign, everything was still
15 very muddled.

16 THE INSPECTOR: And the nature of the muddle at that time?

17 A. I think it was lack of communication, lack of vehicles.
18 There was certainly no helicopter assets. And also
19 I wasn't aware at the time that there was a Czech field
20 hospital within our location. That was something that
21 we went to look for further -- later on that evening.

22 THE INSPECTOR: Right, thank you very much.

23 Okay, Ms Al Qurnawi?

24 MS AL QURNAWI: Okay, thank you.

25 THE INSPECTOR: Then I can release you and thank you for

1 coming.

2 A. All right, you're welcome.

3 (The witness withdrew)

4 THE INSPECTOR: Ms Al Qurnawi.

5 MS AL QURNAWI: Yes, Sir George.

6 THE INSPECTOR: We have had no news from SO13. Whatever we

7 do at the moment, I think we should proceed with any

8 questions that I have, or anything that your witnesses

9 may want to say and we can at least get on with that,

10 which might not take too long. Then see where we get

11 to. All right?

12 MS AL QURNAWI: Okay. Yes, we have here Mrs Entesar and we

13 have Ahmed. So we may start with Entesar? Do you have

14 any more questions for Mr Zuboon?

15 THE INSPECTOR: I see. Mr Zuboon would like to go,

16 I suppose? Is that it?

17 MS AL QURNAWI: No, he doesn't want to go. He's staying but

18 you just meant that you had ...

19 THE INSPECTOR: I have got a question or two for Mr Zuboon.

20 Let's go to --

21 MS AL QURNAWI: Shall we start with Mrs Entesar and then

22 Ahmed?

23 THE INSPECTOR: Sorry, start with Zuboon?

24 MS AL QURNAWI: You said you had a question for Mr Zuboon so

25 shall we start with him and then Mrs Entesar and then --

1 THE INSPECTOR: And then Ahmed, okay, all right.

2 MS AL QURNAWI: Yes, Ahmed.

3 THE INSPECTOR: Then my question to --

4 MS AL QURNAWI: Sorry, let me swap with Mr Zuboon because

5 the sound here is better from my chair.

6 MR MAHMOOD ZUBOON (called)

7 (Evidence Interpreted)

8 THE INSPECTOR: Ms Al Qurnawi, I'm going to refer to the

9 report made to the judge on 6 November, or to the police

10 on 6 November, by Mr Zuboon and a later statement to him

11 which you have probably got in the Arabic original

12 version so far as it was supplied by the police. Do you

13 have that with you?

14 MS AL QURNAWI: Do you mean the PIL bundle?

15 THE INSPECTOR: It's in the PIL bundle, as we have called

16 it.

17 MS AL QURNAWI: Sorry, the what?

18 THE INSPECTOR: What we have called the PIL bundle.

19 MS AL QURNAWI: Yes, I have the PIL bundle here. What page?

20 THE INSPECTOR: I haven't got it paginated but you

21 remember -- and of course I've got it all in translation

22 so we need to work together.

23 MS AL QURNAWI: I have got -- the PIL bundle is paginated

24 here, 1 to 39, is that the same bundle we are talking

25 about? This is the only one I received from your team.

1 THE INSPECTOR: Just so I can explain while we're waiting,
2 I'm talking about a clutch of documents which were sent
3 by Mr Zuboon to PIL, which included the record taken at
4 the police station on 6 November by a police officer and
5 led to witness statements being put before the police
6 and the investigative court and then a decision from the
7 president of the Supreme Judicial Council, who made an
8 order.

9 You will have those no doubt in Arabic. Do you have
10 those?

11 MS AL QURNAWI: Yes, I have them here -- yes, they are pages
12 1 to 12 of the PIL bundle, 1 to 12.

13 THE INSPECTOR: Okay.

14 MS AL QURNAWI: I have the Arabic documents.

15 THE INSPECTOR: I wanted to ask Mr Zuboon about parts of
16 that record. I have a document which begins at the top
17 saying "Proceeding", and then in the English "This
18 morning the informer lawyer Mahmood Zuboon came to this
19 station."

20 Do you have that page?

21 MS AL QURNAWI: So you are referring to the English so just
22 let me look at this document and find the corresponding
23 Arabic.

24 THE INSPECTOR: It's called "The informer's statement" in
25 English.

1 MS AL QURNAWI: What is the first, Sir George, again?

2 THE INSPECTOR: It says:

3 "This morning, the informer lawyer came to this
4 station."

5 And it's signed by the investigative officer and it
6 records a report from Mr Zuboon in which he then
7 requested that proceedings be prepared. There is then
8 the informer's statement as taken, and probably signed,
9 in which an account is given of the event.

10 Then there's a statement which goes before the --
11 which is to the president of the tribunal signed by
12 Mr Zuboon, I think. And it contains a request stating:

13 "I want to file a complaint against the person who
14 gave false information to the authorities and against
15 the elements of the section which broke into my house
16 and destroyed the exterior door in addition to some
17 other damages."

18 That statement I think was made on 12 November.

19 MS AL QURNAWI: I think probably --

20 THE INSPECTOR: I'll put the question in a very general way
21 so that --

22 MS AL QURNAWI: I think we have all the documents here as
23 part of the Arabic one, yes.

24 THE INSPECTOR: Let me just put the question in a very
25 general way.

1 Mr Zuboon, I can see nothing in what you reported to
2 the police and to the judge to suggest that, on the
3 night in question, you had had an attack from the
4 Al Bedanys, and that you knew, or believed, that Khaled
5 was the informer.

6 Why did you not mention that to the police and to
7 the judge?

8 A. In fact I gave two information -- informed twice.

9 MS AL QURNAWI: Two complaints.

10 A. The first complaint -- the first one -- the first
11 complaint regarding the attack on my house, the first
12 complaint -- it was the night of the 5th.

13 MS AL QURNAWI: Do you mind, Sir George, if I translate?

14 THE INSPECTOR: Ms Al Qurnawi --

15 MS AL QURNAWI: Do you mind --

16 THE INSPECTOR: I am going to --

17 MS AL QURNAWI: Do you mind if I translate, it's probably
18 easier --

19 THE INSPECTOR: I think we are going off target. It's my
20 fault I'm sure.

21 I simply want an answer as to why the documents
22 I have got do not contain a reference to any comment
23 being made to the police or to the judge that the
24 Al Bedanys had attacked the house or that the person who
25 had given the information to the British was an

1 Al Bedany.

2 I know that Mr Zuboon says that on a different
3 occasion he did make a complaint about the Al Bedanys,
4 but we have not got those documents. It may be that the
5 way to save time is for you, Ms Al Qurnawi, simply to
6 note my question and, when you have the leisure of being
7 able to look at the Arab documents to provide me with an
8 answer from Mr Zuboon by email.

9 All right?

10 MS AL QURNAWI: All right, Sir George.

11 (Pause).

12 Sir George, because -- I am going to provide you
13 with a written answer but just a quick answer from
14 Mr Zuboon now. He stated because he lodged, as you
15 correctly just said, a separate complaint, so he limited
16 in this complaint, the first one against Al Bedany, what
17 happened with them, and limited the second one to the
18 British forces. But I will explore it further with
19 Mr Zuboon and send you an email about it.

20 THE INSPECTOR: Thank you.

21 MS AL QURNAWI: Okay.

22 THE INSPECTOR: Then could I ask, please, just a question or
23 two from Entesar.

24 MS AL QURNAWI: Yes.

25 (The witness withdrew)

1 MS ENTESAR ABDULLAH AL-MAZHEM (called)

2 (Evidence Interpreted)

3 THE INSPECTOR: Good afternoon. I am going to refer to the
4 English translation of her statement, dated
5 18 February 2013, Ms Al Qurnawi.

6 MS AL QURNAWI: Okay.

7 THE INSPECTOR: Can we pick it up at paragraph 6 under the
8 date, 5 November 2003.

9 MS AL QURNAWI: Yes, it's here.

10 THE INSPECTOR: Can I call you Entesar? Is that acceptable?

11 A. (Not interpreted) Okay, no problem.

12 THE INSPECTOR: In this statement, Entesar, in particular
13 when you deal with the account of the 5th November, you
14 make no mention that the reason that Muhammad had come
15 to your house was because of a conversation between your
16 husband and Muhammad in which he had agreed to come to
17 provide some protection for the family against an attack
18 from the Al Bedanys.

19 Why did you not mention that that was the reason why
20 Mr Muhammad had come to the house?

21 MS AL QURNAWI: Do you mind if I just explain it again,
22 translate it?

23 (Pause)

24 Did you hear that?

25 A. Nobody asked me. When I gave the statement, nobody

1 asked me this question.

2 THE INSPECTOR: Unless you told them --

3 MS AL QURNAWI: About the reason for --

4 THE INSPECTOR: -- nobody would know that that was the

5 reason he came to the house.

6 You were being asked about what happened on the

7 night.

8 A. We were in Lebanon and there was an interpreter who was

9 interpreting the questions and I was answering according

10 to the questions.

11 THE INSPECTOR: Who was asking the questions?

12 A. I don't know. There was a British subject and a lawyer.

13 THE INSPECTOR: Do you know of the lawyers in England

14 called -- we call them for short PIL? Do you know of

15 that firm?

16 A. I don't know, I don't know what it was, this name or

17 other one.

18 THE INSPECTOR: Do you know how an English firm of

19 solicitors came to know about your case?

20 A. Yes. Yes but I don't know their name exactly.

21 THE INSPECTOR: How did the English solicitors come to know

22 about your case?

23 A. I don't know. There was someone by the name of Abu

24 Jamal who was the inbetweener between the Iraqis and the

25 British.

1 THE INSPECTOR: When did you immediate Abu Jamal?

2 A. During our trip -- that was during our trip or visit to
3 Lebanon, he met us at the airport and then he later took
4 us to the hotel.

5 THE INSPECTOR: But you had been --

6 MS AL QURNAWI: Sorry, she met them at the airport.

7 THE INSPECTOR: Yes, I heard that.

8 MS AL QURNAWI: And she said --

9 THE INSPECTOR: A new question. But you had been in contact
10 with that firm of solicitors long before you went to the
11 Lebanon, do you know that?

12 A. No. No, who are the contacts? We were surprised by
13 that request from us to go to --

14 THE INSPECTOR: Sorry?

15 A. Who made a contact? We were surprised by that request
16 suddenly of us to go to Lebanon to meet.

17 THE INSPECTOR: I am not talking about 2013. I'm talking
18 about 2004 and 2005. Because proceedings were started
19 in England in connection with this case in which the
20 facts were put before the English court, way back in
21 2004 and 2005. Who instructed PIL in those years?

22 A. I don't know, I have no knowledge of that law firm you
23 are mentioning. Probably this was through the press or
24 British press. Or maybe through the wife of the
25 deceased.

1 THE INSPECTOR: Indeed. You knew, did you not, that the
2 wife of the deceased, Fatima, had been in touch with
3 English lawyers? That is right, isn't it?

4 A. All I know that members of the British press had visited
5 her and mentioned it.

6 THE INSPECTOR: Members of the British press?

7 THE INTERPRETER: Magazines, newspapers, et cetera.

8 THE INSPECTOR: Had visited Fatima?

9 A. Yes, the British -- and the British channel, TV -- and
10 also British channels, TV channels came to talk about
11 the incident.

12 THE INSPECTOR: I will need to ask Fatima about these
13 matters.

14 A. (Not interpreted) Okay.

15 THE INSPECTOR: In your statement, you have said that when
16 you were sitting at the table eating, and there was the
17 large --

18 A. It was on the floor, it wasn't on a table.

19 THE INSPECTOR: You were on the floor, sorry, I understand,
20 sorry.

21 A. (Not interpreted) No problem.

22 THE INSPECTOR: That Muhammad got up and went up the stairs
23 to go to the balcony and see what had happened. Did
24 Ahmed also go up the stairs?

25 A. Shall I answer?

1 THE INSPECTOR: Yes. Did Ahmed go up the stairs as well?

2 A. When we hear the --

3 MS AL QURNAWI: Did you hear the story --

4 A. When we hear the explosion and the noise after the

5 smashing of the gate -- it was a loud explosion. Ahmed

6 Ibrahim at that time as he was still a younger, more

7 energetic, he was the first to go up to the upstairs.

8 THE INSPECTOR: Are you sure of that?

9 A. Follow him -- yes. Then Muhammad followed him.

10 THE INSPECTOR: Would you look at paragraph 7, or could you

11 show her paragraph 7, Ms Al Qurnawi.

12 MS AL QURNAWI: We need to translate because she does not

13 have the Arabic statement.

14 Shall I translate for her paragraph 7 or, sorry,

15 it's not Arabic, the statement.

16 THE INSPECTOR: There's no Arabic, sorry.

17 MS AL QURNAWI: Never seen Arabic statement.

18 THE INSPECTOR: Then I will have to read it:

19 "We were all sitting in the hall eating and talking

20 and the explosion took us all by surprise. Muhammad got

21 up and began to climb the stairs so that he could go to

22 the balcony and see what had happened."

23 That's paragraph 7. In paragraph 9, it says:

24 "As the British entered, Muhammad came down the

25 stairs. He stopped on or about the second or third step

1 of the staircase. He was shot immediately."

2 At no time in that statement did you state that
3 Ahmed went up the stairs or that he was the first one to
4 go up the stairs. Why did you not mention that?

5 A. Ahmed was there because as the British came in they were
6 both of them on the stairs up. Can I explain that?

7 THE INSPECTOR: Right. So when the British came in, they
8 both went up the stairs?

9 A. One minute, while we were sitting and having meal, we
10 hear the loud explosion. So we hear the explosion and
11 they said okay let's go upstairs through the balcony to
12 see what was going on.

13 THE INSPECTOR: Did both of them go up the stairs?

14 A. Yes. Yes, but because Ahmed is younger and he's more
15 energetic, so he was the first to go upstairs. And
16 Muhammad, due to his age and being overweight, he was
17 slower in going up. But there was just a matter of
18 seconds between them.

19 THE INSPECTOR: Did you see Ahmed pick up an AK-47?

20 A. No, no. No.

21 THE INSPECTOR: Do you know whether there was a Kalashnikov
22 upstairs or anywhere else?

23 A. Yes, yes, we have a weapon, we keep it on the second
24 floor.

25 THE INSPECTOR: You mean you always keep it on the second

1 floor or just that night?

2 A. No, no, not always, but because earlier after breakfast
3 we were subjected to an attack, we've been attacked
4 earlier by the Al Bedany family, they shot more than 30
5 rounds at us.

6 THE INSPECTOR: Yes. And what?

7 A. And for extra security we kept a weapon on the second
8 floor.

9 THE INSPECTOR: So the weapon which was loaded was on the
10 first floor?

11 A. Yes.

12 THE INSPECTOR: There was another AK-47 downstairs. Is that
13 right?

14 A. Yes, there was -- we had another one downstairs but it
15 wasn't loaded.

16 THE INSPECTOR: Why was it not loaded?

17 A. We just requested that piece of weapon later, after the
18 attack, when Mahmood asked that we were in need of
19 a weapon, a piece of -- an extra piece.

20 THE INSPECTOR: Is that the weapon which Ahmed brought to
21 the house?

22 A. No, no, not Ahmed. No, I mean my brother-in-law.

23 THE INSPECTOR: Your brother-in-law brought it.

24 A. My husband's brother. Can I continue?

25 THE INSPECTOR: Mm-hmm.

1 A. They haven't reached still the upstairs level. The gate
2 has got a few locks, heavy locks. The stairs is also
3 not a straight stair, there are flights, a couple of
4 flights before getting to the first floor.

5 THE INSPECTOR: Where was the unloaded AK-47?

6 A. Upstairs.

7 THE INSPECTOR: The unloaded AK-47?

8 THE INTERPRETER: The unloaded, sorry.

9 A. Under the stairs. The unloaded one was under the
10 stairs.

11 THE INSPECTOR: Would you look at the photograph, say 92 --

12 MS AL QURNAWI: Sir George, we don't have photographs.

13 THE INSPECTOR: Ah. Sorry, these we took from -- Zainab,
14 these are your photographs.

15 MS AL QURNAWI: Yes I know and we have them on the phone,
16 sorry, we can --

17 THE INSPECTOR: Which part of the stairs do you say the
18 AK-47 was placed?

19 A. On the ground under the stairs.

20 THE INSPECTOR: Was it in sight?

21 A. Yes, if you lean you'll be able to see it.

22 THE INSPECTOR: Why was it under the stairs?

23 A. Because unusable, it was empty.

24 THE INSPECTOR: It would have been of some use if somebody
25 had come into the house. You could at least point it at

1 somebody, couldn't you?

2 A. No, no, that's different.

3 MS AL QURNAWI: Did you hear this? Did you hear what she

4 said last?

5 THE INSPECTOR: Sorry?

6 A. I said no, no. It was very clearly -- the weapon was

7 unloaded without any rounds in it.

8 THE INSPECTOR: Did you hear the shot from the soldier which

9 struck Muhammad?

10 A. No, personally I didn't. Personally I didn't hear it

11 because I was in that time in a state of panic and fear.

12 Because they were shouting.

13 THE INSPECTOR: Did you suggest to someone that a silencer

14 had been used?

15 A. No. I mean as I had been in a quite panicking and

16 fearful state I was unable to hear the sound of the

17 round. It sounded like there was a silencer used.

18 THE INSPECTOR: I don't understand. If you don't hear

19 anything -- what is it that she assumed she didn't hear

20 anything because a silencer was used or that she didn't

21 hear anything because there was too much noise.

22 THE INTERPRETER: There was too much noise and she

23 over-panicked and in that state she didn't feel -- she

24 felt like -- it felt like a silencer was used. A

25 feeling of like.

1 THE INSPECTOR: Who did you say that to?

2 A. That was in Lebanon when the statement was taken.

3 THE INSPECTOR: Forgive me a moment, I am just reading.

4 MS AL QURNAWI: Okay.

5 (Pause)

6 THE INSPECTOR: I don't believe you did say that in the
7 Lebanon. I believe that you said it, or at least Fatima
8 believes that you said it to her.

9 A. It all happened in the same time, simultaneously almost,
10 when both of them, Ahmed and Muhammad, came downstairs
11 while the British were coming inside the house and all,
12 it happened in that.

13 THE INSPECTOR: All right. Thank you very much, Entesar.

14 A. (Not interpreted) Thank you for you.

15 (The witness withdrew)

16 THE INSPECTOR: Who is next? Are we going to take a break?
17 It might help if we took a break. Is that all right by
18 you, Ms Al Qurnawi?

19 MS AL QURNAWI: Yes. I didn't hear it. Yes, please, we
20 need a break.

21 THE INSPECTOR: I agree.

22 MS AL QURNAWI: Yes, thank you.

23 THE INSPECTOR: Shall we say -- is half an hour all right or
24 do you want a little longer?

25 MS AL QURNAWI: Yes, half an hour is fine.

1 THE INSPECTOR: Ms Al Qurnawi, I shall have to come back to
2 the time when instructions were given to PIL for these
3 proceedings, which started in England in 2004, to the
4 best of my recollection I'm right.

5 MS AL QURNAWI: Mrs Fatima is here, if you would like to ask
6 her questions anyway.

7 THE INSPECTOR: I would like perhaps -- we need to be ready,
8 perhaps if you could be ready, so that I could tie down
9 when instructions were given to PIL, how instructions
10 were given to PIL and how the matter came to be in the
11 English courts, in the Administrative Court by way of an
12 application for judicial review. Because that's where
13 it started and of course as we know it went then to the
14 House of Lords and then from the House of Lords it went
15 to the European Court. So that progress took place, all
16 in the course of time, before the Lebanon statements,
17 which were in 2013.

18 I need to know, and have a clear idea, how
19 instructions were given to PIL and how the statements
20 which were made were put in to PIL's possession by whom.
21 Perhaps it would be very helpful if you concentrate
22 questions on around whether Mr Abu Jamal met either
23 Mr Zuboon, Fatima or Entesar or who. Okay? Thank you.

24 MS AL QURNAWI: Okay. Just one quick one because for my own
25 questions, Sir George, just one question before we

1 depart because I am not aware of this background. So
2 are you saying there are no other statements in respect
3 of all this court action you just mentioned, up to the
4 High Court, the European Court, before the Lebanon
5 statement? From Mr Zuboon or Entesar or any of the
6 Iraqi witnesses in this case?

7 THE INSPECTOR: Only that one statement in 2004 which came
8 from Fatima.

9 MS AL QURNAWI: Only that one? Okay.

10 THE INSPECTOR: So that's why I know that PIL must have been
11 instructed by 2004. Okay?

12 MS AL QURNAWI: Okay, understood.

13 THE INSPECTOR: Okay, half an hour, thank you.

14 MS AL QURNAWI: Sir George, just one quick point because
15 here the manager of the hotel, because he only got one
16 conference room and they have another client who would
17 like to use this room tomorrow do you think you would
18 finish everything tonight because we have to confirm to
19 him now. He has been kind enough waiting all day.

20 THE INSPECTOR: I am sure we will finish what we have
21 available for today today. Namely I have no more than
22 questions to ask of your Arab witnesses. As far as I am
23 concerned I have no more this end because S013 has not
24 been contacted -- well I have not had any response from
25 him. I mean there have been efforts to contact him. So

1 MRS FATIMA ZABUN DAHESH (called)

2 (Evidence interpreted)

3 THE INSPECTOR: Good afternoon. I'm sorry you have had to
4 wait but I have just a few questions for you.

5 You went to the Lebanon in 2013 and you made
6 a statement. Who was it who asked you to go to the
7 Lebanon to make the statement?

8 A. Through Abu Jamal.

9 MS AL QURNAWI: Very sorry, Sir George, she said -- maybe
10 the interpreter did not hear. She said Abu Jamal with
11 other families, maybe you didn't hear the whole
12 sentence.

13 THE INSPECTOR: Sorry, Abu Jamal?

14 THE INTERPRETER: And other members of the family or her
15 family.

16 THE INSPECTOR: And other who?

17 MS AL QURNAWI: Abu Jamal and with other families, other
18 families -- I mean victims -- she means. Other families
19 who were ... yes.

20 THE INSPECTOR: Who did you understand Abu Jamal to be?

21 MS AL QURNAWI: Sorry, I have to tell her again, repeat.
22 She could not hear.

23 A. Abu Jamal runs an office and he deals with these
24 matters.

25 THE INSPECTOR: What, he has an office in Basra?

1 A. Yes.

2 THE INSPECTOR: You went to his office?

3 A. No, it was through telephone conversations and
4 information.

5 THE INSPECTOR: How did you come to meet Abu Jamal?

6 A. He came to visit me in my house in 2004.

7 THE INSPECTOR: He came to visit you in your house in 2004?

8 A. Yes. That was a few months following the death.

9 THE INSPECTOR: Did he make an arrangement to come and see
10 you at your house?

11 A. Apparently, he overheard of the issue through the press
12 and newspapers and TV and then he contacted me and then
13 when he turned up -- it was sudden for me -- he said
14 that he deals with these matters, representing issues
15 like these.

16 THE INSPECTOR: Did he suggest that he represented people or
17 that someone else represented people?

18 A. Honestly I don't remember exactly because that was just
19 a few months following the death of my late husband and
20 I was in a severe grieving state. But I remember what
21 he said. It was that.

22 THE INSPECTOR: What did he offer to do for you?

23 A. He said that he was dealing with these kind of matters
24 or complaints against the British. At that time I was
25 grieving and in a desperate state for help and support

1 so that's why I accepted his offer.

2 THE INSPECTOR: Did he ask you any questions about what had
3 happened?

4 A. Yes, he asked me. Yes, but -- yes, we had
5 a conversation, he asked me questions but I don't
6 remember maybe everything.

7 THE INSPECTOR: Did he ask you to write a statement?

8 A. No, no, no. No, it was just a visit.

9 THE INSPECTOR: Did he take a note of what you said to him
10 as you remember?

11 A. By God honestly I don't remember, I remember just
12 a visit.

13 THE INSPECTOR: When he left what did you believe you had
14 agreed or what was going to happen?

15 A. It was quite a painful visit.

16 MS AL QURNAWI: She said the first visit.

17 THE INSPECTOR: Sorry, Ms Al Qurnawi, what was it? It was
18 a painful visit, is that it?

19 MS AL QURNAWI: She said the first visit was very painful
20 and she was crying and she really didn't concentrate so
21 on the first visit really nothing substantially happened
22 with the legal side.

23 THE INSPECTOR: I understand. I just want to get the basic
24 facts. I don't want to upset her any more than is
25 necessary.

1 After this meeting with Abu Jamal, when did you next
2 hear from Abu Jamal?

3 A. After a while, I can't --

4 THE INSPECTOR: How long, months, years or what?

5 A. Months.

6 THE INSPECTOR: Months. What did you hear then, months
7 afterwards?

8 A. Saying things like the matter is being dealt with and
9 followed by a firm of solicitors abroad.

10 THE INSPECTOR: Did he tell you what the firm of solicitors
11 abroad were doing?

12 A. He brought me some newspapers and told me about
13 a procedure going on, documentation prepared, et cetera,
14 to do with court.

15 THE INSPECTOR: He brought you some newspapers? What did
16 the newspapers contain?

17 A. Yes, papers containing pictures of the deceased and
18 other victims and apparently articles containing
19 suffering of people in that manner -- on the hands of
20 the British.

21 THE INSPECTOR: So he brought you details of your case,
22 namely your husband's death, as well as other cases?

23 A. It was the newspaper which was containing kind of
24 articles, a small brief of the life of the deceased and
25 other victims.

1 THE INSPECTOR: Were they English newspapers or were they
2 Arab newspapers?

3 A. English.

4 THE INSPECTOR: English newspapers. Did he translate them
5 for you?

6 A. I had the original newspaper which contained pictures of
7 the victims, including my husband, late husband, and how
8 they became victims as a result of the recklessness of
9 the British. But this one, meaning the newspaper, was
10 as I understood it, a photocopy.

11 THE INSPECTOR: Yes, I understand that. But how did she
12 understand what the newspaper said?

13 A. He talked to me about it and I had some basic
14 understanding from reading the headlines.

15 THE INSPECTOR: You have a little understanding of English,
16 I would guess, from one or two things you have said
17 today?

18 MS AL QURNAWI: No, sorry, Sir George meant she speaks very
19 little English, is that what you meant, Sir George?

20 THE INSPECTOR: I thought from one or two things she had
21 said, or understood, that she knew some English?

22 A. It was a headline about the victims of British in Iraq.

23 THE INSPECTOR: Did you put anything in writing then to
24 Mr Jamal?

25 A. No. Not before the 13th -- I mean 2013.

1 THE INSPECTOR: So you put nothing in writing until
2 13 February 2013? Is that correct? Is that right?

3 A. He was bringing me papers, or documentation, to agree to
4 continue being represented.

5 THE INSPECTOR: After 2004?

6 A. Yes, yes. Yes, after 2004, further 2010, 11 et cetera.

7 THE INSPECTOR: So you were signing, or at least he was
8 bringing you papers, to get your agreement for the
9 proceedings in your name to continue?

10 A. Yes. Yes, according to him he was explaining it to me
11 as, in order for the matters to be followed up properly,
12 he has to sign a consent on her behalf.

13 THE INSPECTOR: Okay. What did you think you were
14 consenting to have done on your behalf?

15 A. Why should I not follow that? I lost my husband as
16 a result of that --

17 THE INSPECTOR: I'm not criticising you. I just want to try
18 and understand what it was that you understood to be
19 being done, that's all. I just want to know what your
20 understanding was. Not to criticise you, but to know
21 how these things have progressed.

22 Okay?

23 A. All I know that I lost my husband. He fell victim as
24 a result of actions of the British. I lost my husband
25 who was the only support of my family and my children.

1 THE INSPECTOR: I have an English unsigned statement,
2 Ms Al Qurnawi.

3 MS AL QURNAWI: Yes.

4 THE INSPECTOR: I think you have seen it. Which is dated
5 23 February 2004.

6 MS AL QURNAWI: 2004 ... do you know what, sorry, the page
7 numbers of the PIL documents bundle?

8 THE INSPECTOR: This is in what we have, I think, been
9 calling the PIL documents.

10 MS AL QURNAWI: Page 37, I've found it. Is it at page 37 to
11 39? The unsigned?

12 THE INSPECTOR: Unsigned, it's filed on behalf of the
13 claimant on 23rd --

14 MS AL QURNAWI: I have found it. 23 February, yes.

15 THE INSPECTOR: In the case of Al-Skeini. All right?

16 MS AL QURNAWI: Yes.

17 THE INSPECTOR: Is there an Arabic version there?

18 MS AL QURNAWI: No Arabic version, Sir George.

19 THE INSPECTOR: Then I'm dependent just on you,
20 Ms Al Qurnawi, just for the moment. If you go to
21 paragraph 3, Ms Al Qurnawi, there is a short statement
22 about the events which occurred on 5 November. Right?

23 MS AL QURNAWI: Yes.

24 THE INSPECTOR: Did Mr Abu Jamal at any time ask you who was
25 present at the scene on the night of 5 November?

1 MS AL QURNAWI: Sir George, do you want me to translate for
2 her, the third paragraph, because --

3 THE INSPECTOR: No, I just wanted you, so that you can
4 understand my position, I just want you to have that in
5 mind. It's obvious that Fatima was not present.

6 MS AL QURNAWI: Okay.

7 THE INSPECTOR: And nobody has ever suggested that she was.
8 Okay?

9 Now as I understand it, Mr Abu Jamal never asked
10 her, knowing that she was not present, never asked her
11 who was present. Correct?

12 A. We didn't talk about the details, that was months after
13 what happened.

14 THE INSPECTOR: If Mr Jamal --

15 MS AL QURNAWI: She doesn't remember.

16 THE INSPECTOR: My point is not a difficult one and I'll put
17 it again.

18 Mr Jamal never asked you who was present at the
19 scene. Isn't that correct?

20 MS AL QURNAWI: Do you mind, Sir George, if I ask her the
21 question because I don't think' she's understood the
22 question from the interpretation. Do you mind if
23 I explain to her your question.

24 THE INSPECTOR: Please. Do so.

25 MS AL QURNAWI: She said she doesn't remember, and I am just

1 translating her words, she says she doesn't remember and
2 "I did not witness the incident in order for him to ask
3 me such a question."

4 THE INSPECTOR: Ms Al Qurnawi, could you ask -- I do not
5 understand the fact that she says she did not witness it
6 and therefore he did not ask the question.

7 I say that as she must have known that if anybody
8 wanted to know about what happened, they had to talk to
9 whoever was present. That's what I'm suggesting.

10 Perhaps you could emphasise that to her.

11 MS AL QURNAWI: She said "yes of course I spoke with the
12 people who were present at the incident, scene, in order
13 to understand what happened."

14 THE INSPECTOR: Had Mr Abu Jamal asked you who was present
15 you could have told him?

16 A. Don't know, don't know.

17 MS AL QURNAWI: She can't -- she says she cannot comment
18 because she really can't remember what she said or what
19 she discussed with Abu Jamal. I'm just translating
20 letting her words.

21 THE INSPECTOR: I will try once more and then I will move
22 on. It is very important that she just listens to the
23 question because it is a very simple question.

24 Had Mr Abu Jamal asked you a question about who was
25 present on the night, you would have been able to tell

1 him the identity of the people who were present. That
2 is right, isn't it? You could have told him.

3 A. Yes, I was able to say.

4 THE INSPECTOR: But he didn't ask?

5 MS AL QURNAWI: She said she can't remember, Sir George.

6 THE INSPECTOR: You cannot remember whether he asked you or
7 not?

8 A. I don't remember.

9 THE INSPECTOR: Ms Al Qurnawi, we will now go to the
10 statement which -- sorry, I should have asked: did
11 Fatima ever sign an Arabic version of the statement
12 which we were just looking at, which is in English?

13 MS AL QURNAWI: Is that the second statement, Sir George, or
14 the first one?

15 THE INSPECTOR: Sorry, I was thinking about trying to move
16 on. I should have asked: I have this form of statement,
17 which I know you have in English, dated
18 23 February 2004. Correct? You have that there?

19 MS AL QURNAWI: Yes.

20 THE INSPECTOR: My English statement is not signed.

21 MS AL QURNAWI: Yes.

22 THE INSPECTOR: As I understand it, Fatima never made
23 a written statement and Abu Jamal simply went away, not
24 having made a note and at some stage it seems
25 a statement in English was drawn up, but you never made

1 an Arabic statement upon which this English statement is
2 based? Correct?

3 MS AL QURNAWI: She said she's not signed.

4 A. I haven't signed any statement.

5 THE INSPECTOR: Thank you.

6 Now back to the 2013 statement. Let's go just
7 straight to paragraph 6, Ms Al Qurnawi, in the English
8 version.

9 MS AL QURNAWI: Sorry, page number?

10 THE INSPECTOR: Page 3 of the document, paragraph 6, under
11 a heading in English which says, "The shooting of
12 Muhammad".

13 MS AL QURNAWI: Are you referring to the second statement
14 or -- the second statement?

15 THE INSPECTOR: It must be the second statement of
16 18 February 2013, and it was taken in the Lebanon.

17 MS AL QURNAWI: Okay, I have it here.

18 THE INSPECTOR: When, again, Abu Jamal was present, as
19 I understand it, yes?

20 A. Yes.

21 THE INSPECTOR: As well as an English lawyer. Yes?

22 A. Yes.

23 THE INSPECTOR: In paragraph 6 now, Ms Al Qurnawi, to let
24 you know what I'm going to ask the interpreter to
25 translate, I'm going to ask him to translate from the

1 sentence -- so it's four lines from the bottom:

2 "My brother Mahmood lived a few streets ..."

3 Could you translate?

4 "My brother Mahmood lived a few streets away from
5 us. Muhammad had left our house around 7 or 8 pm to eat
6 with the family as it was Ramadan. He had asked me if
7 I wanted to join him but I had declined as I wanted to
8 stay at home and help the children with their homework."

9 Did you know that the reason Muhammad had left your
10 house and gone round to your brother's house was because
11 he'd been asked to do so in order to help your brother
12 protect his house against a possible attack from the
13 Al Bedanys?

14 A. I don't know, only after breakfast, Ramadan's breakfast,
15 he told me that he was going around to Mahmood's house
16 and that's quite normal between us.

17 THE INSPECTOR: Are you saying that you did not know that
18 the reason your husband had gone to the house was to
19 assist your brother against a possible attack from the
20 Al Bedanys?

21 A. No, he didn't tell me.

22 THE INSPECTOR: Did you know that at 5.30 on that evening,
23 the Al Bedanys had driven by and sprayed the front of
24 your brother's house with bullets?

25 A. No, he didn't tell me that. No, he just told me that he

1 was going on his own.

2 THE INSPECTOR: So you didn't --

3 MS AL QURNAWI: He didn't translate every word she said.

4 Sorry, I don't think -- there was a --

5 A. No, he didn't tell me, he just told me whether I wanted

6 to go with him but if I had a knowledge of that, I would

7 have been quite distressed and disturbed and worried

8 about it.

9 THE INSPECTOR: I hear your answer --

10 MS AL QURNAWI: Because she said exactly --

11 THE INSPECTOR: Yes, I hear your answer about what Muhammad

12 may have said to you, or not said to you. When did you

13 learn that there had been an attack on the house of your

14 brother by the Al Bedanys?

15 A. I didn't know about the attack. All I knew about is the

16 attack of the British forces on the house.

17 THE INSPECTOR: When did you learn that there had been an

18 attack by the Al Bedanys?

19 A. Later on, after the incident.

20 THE INSPECTOR: When?

21 A. After the incidents, I found out that later --

22 THE INSPECTOR: When? How many days? Next day, hours,

23 weeks? When?

24 A. Which incidents?

25 THE INSPECTOR: When -- I am sorry, let me take --

1 A. I know I mean during the incidents, during that time,
2 the conversation was going on.

3 THE INSPECTOR: I don't understand what you're saying. I do
4 not understand.

5 MS AL QURNAWI: She was saying after the incident --

6 THE INSPECTOR: I know she's saying that it was after the
7 British shot her husband, but I want to know when after
8 she knew the British had shot her husband that she knew
9 about the Al Bedanys.

10 MS AL QURNAWI: She said next day.

11 A. The following -- the following morning I went to visit
12 my brother's house where I learned that he has been
13 shot.

14 MS AL QURNAWI: And the Bedanys.

15 THE INSPECTOR: And?

16 MS AL QURNAWI: (Interpreted). "I learned of everything
17 only on the following morning when I went to visit my
18 brother's house".

19 THE INSPECTOR: Did you then know that your husband had gone
20 round to protect Mr Zuboon's family from the Al Bedanys?

21 A. He didn't tell me. He didn't tell me, even when I tried
22 to call my family, nobody answered the phone.

23 THE INSPECTOR: When is she talking about?

24 MS AL QURNAWI: (Interpreted) I tried --

25 MS AL QURNAWI: Sorry, I'm just recapping.

1 THE INSPECTOR: Can I just try and catch up before we go
2 much further. I'm not complaining, it's life, doing
3 this, but there's an awful lot being said by different
4 people in a language which I do not understand and
5 I need to at least follow what's going on.

6 So can I start perhaps with the interpreter here and
7 he can tell me where he thinks we are and then I'll come
8 back to you in Basra and see whether you can tell me any
9 more about where we are.

10 So, Mr Interpreter, where are we better.

11 THE INTERPRETER: She said she tried to call the house a few
12 times but nobody answered and if her brother knew
13 that -- if -- her brother didn't want to get her in
14 anxiety or fear and worry about the situation, if he
15 wanted to tell -- he didn't want to tell her that he's
16 going to protect the family of her brother.

17 THE INSPECTOR: I'm afraid often the question I ask,
18 Ms Al Qurnawi, is not answered and this is because of
19 translation and understanding difficulties, but the
20 question I haven't asked is answered and it's not
21 a question to which I need an answer because I know it.

22 I know that what the witness has said to me is that
23 she was not told, on the night, that her husband was
24 tragically shot, that he went there in order to protect
25 her brother. I know she says that. I understand that.

1 a technician here.

2 THE INSPECTOR: We lost contact.

3 MS AL QURNAWI: Yes, sorry.

4 THE INSPECTOR: It's all right. This is, I know, very
5 painful for Fatima, I know that this is a difficult
6 exercise for her. I don't want to prolong it any longer
7 than is necessary.

8 A. If I can say something?

9 THE INSPECTOR: Yes, of course.

10 A. It's quite easy and simple for you asking all these
11 questions about the issue, but the main thing is I lost
12 my husband and it ruined my family.

13 THE INTERPRETER: That's the sense of it.

14 THE INSPECTOR: I know.

15 A. When I went to -- I am just answering according to the
16 question and in Lebanon no one asked me about it.

17 THE INSPECTOR: Is the short answer, if this saves time,
18 that I see nothing from you about the Al Bedanys because
19 nobody ever asked you? Is that the answer?

20 MS AL QURNAWI: Sorry, Sir George, I have to -- because
21 I think the question has been misunderstood.

22 A. No.

23 MS AL QURNAWI: I am just trying to explain it to her
24 because otherwise we are getting away from the point.

25 A. They just asked me personal questions.

1 THE INSPECTOR: Whoever just asked personal questions? Yes,
2 okay, all right --

3 A. My condition, this condition of my family, my children
4 is --

5 THE INSPECTOR: Then, Ms Al Qurnawi, you can please just let
6 Fatima know that I have no more questions for her.
7 I thank you very much -- to her -- I know it's
8 a difficult exercise and I'm very sorry to have had to
9 put her through it. Could you say that to her,
10 Ms Al Qurnawi?

11 MS AL QURNAWI: Okay.

12 THE INSPECTOR: Thank you.

13 MS AL QURNAWI: Okay, I translated this.

14 (The witness withdrew)

15 MS AL QURNAWI: Shall I call Ahmed, Sir George?

16 THE INSPECTOR: If you would, please.

17 Mr Ahmed Ibrahim Sanouh (called)

18 Good afternoon, good evening. Can I call you Ahmed?
19 Is that agreeable? Yes?

20 A. Yes.

21 THE INSPECTOR: Ahmed, when you first made a statement to
22 the police, you referred to this night of 5 to
23 6 November and you wrote, according to the statement
24 which you made to the police, you stated -- have you got
25 that now, Ms Al Qurnawi, in the English?

1 MS AL QURNAWI: Sorry, you mean the statement back in 2003
2 or the current statement --

3 THE INSPECTOR: The one he made to the police. It's stamped
4 by the president. I think this statement was in fact --
5 could have been made later, a few days later, I think
6 the date is --

7 MS AL QURNAWI: This is the 12th number 2003.

8 THE INSPECTOR: I think in the translation it says 2007 but
9 it's 25 November 2003, I think. Do you have the one?

10 MS AL QURNAWI: The statement I have here is 2003 made by
11 Ahmed before a (inaudible) at the police station.

12 THE INSPECTOR: Does it begin:

13 "The night of the incident, I was at the house of my
14 relative lawyer Mahmood Zuboon, visiting ..."

15 MS AL QURNAWI: Yes, this is correct but I'm just trying to
16 find the Arabic version to check the date because
17 I think the date is wrong.

18 THE INSPECTOR: Okay, we have another translation
19 difficulty.

20 Could you see what you have --

21 MS AL QURNAWI: Yes it is -- yes, I have got the Arabic here
22 and it is dated 12th -- sorry, wait a second. (Pause)

23 Sir George, the only Arabic statement I can see now
24 in the bundle by Ahmed is the one dated
25 12 November 2003. But it does say in the start in

1 Arabic with this sentence, "the night of the incident".

2 THE INSPECTOR: I think we have the same statement then and

3 you have the Arabic version there.

4 MS AL QURNAWI: Yes. Yes, the Arabic version,

5 12 November 2003, not 25 November 2007.

6 THE INSPECTOR: Exactly. If necessary, could he have a copy

7 of the Arabic?

8 MS AL QURNAWI: Yes, it's here.

9 THE INSPECTOR: I wanted to draw his attention to what in

10 the English --

11 MS AL QURNAWI: Sorry, Sir George, I've found another

12 statement here that again looks quite similar. This one

13 dated 25 November 2007. Yes, I found another one.

14 THE INSPECTOR: Yes, that's the trouble. I think all

15 statements are vaguely the same anyway, but can we just

16 draw his attention, please, to a part of that statement,

17 which begins in my version, Ms Al Qurnawi, if it

18 assists, the third sentence in, and it begins:

19 "One of the British soldiers fired ..."

20 Do you see that to show to him?

21 MS AL QURNAWI: I am looking at the Arabic sentence because

22 Ahmed was -- yes, I found the sentence in the Arabic

23 document.

24 THE INSPECTOR: Right. Reading my translation, it says:

25 "One of the British soldiers fired randomly inside

1 the house."

2 I don't know what the Arabic says by way of

3 translation, Ms Al Qurnawi?

4 MS AL QURNAWI: Yes, that's the same. It says the same.

5 THE INSPECTOR: What did you mean, Ahmed, in saying that the

6 British soldier "fired randomly"?

7 MS AL QURNAWI: Do you mind if I explain the question to

8 him?

9 THE INSPECTOR: Of course, of course.

10 MS AL QURNAWI: The question, because I do not think it is

11 clarified.

12 Can you hear him?

13 THE INSPECTOR: What did he say?

14 MS AL QURNAWI: Hello, interpreter, can you hear?

15 A. I just want to say we were sitting around having

16 a meeting and they came inside and fired, fired a round.

17 THE INSPECTOR: Fired around or a round? A shot or a round?

18 A. Yes, one round.

19 THE INSPECTOR: One shot. In this statement, in Arabic,

20 which Ms Al Qurnawi has for you, you say, "hitting the

21 victim", are you following this in the Arabic,

22 Ms Al Qurnawi:

23 "Hitting the victim, Muhammad, who was sitting

24 eating."

25 That's not right, is it, he was not sitting eating?

1 A. No, we were all sitting together having --

2 THE INSPECTOR: When he was shot, he was not sitting eating.

3 MS AL QURNAWI: Sorry, Sir George, I can't see them being

4 sitting eating, if you could just give us a second to

5 read this document, please.

6 (Pause)

7 Okay we have found the sentence, sorry, Sir George.

8 Did you hear what he said?

9 A. I said we were upstairs having a meal then we hear the

10 noise, came down and I saw the deceased being shot.

11 THE INTERPRETER: I have to ...

12 THE INSPECTOR: I thought that the eating was taken place

13 downstairs?

14 MS AL QURNAWI: Shall I ask him to repeat? No he did not

15 say upstairs we were eating, I think there is an

16 inaccuracy in the translation. I will ask Ahmed to

17 repeat. You will repeat and try to break up his

18 sentence so to give a chance for the interpreter to

19 translate.

20 A. I went upstairs ahead of the deceased. I was slim at

21 that time, not like now, overweight. I managed to get

22 up fast. Then I hear him when I was upstairs, I heard

23 him saying to me "Ahmed come down, the British are

24 here".

25 THE INSPECTOR: He was then on the stairs?

1 A. As he was coming down the stairs they shot him
2 immediately.

3 THE INSPECTOR: In the statement we are looking at,
4 Ms Al Qurnawi, made in November 2003.

5 MS AL QURNAWI: Okay.

6 THE INSPECTOR: Please help with this because nobody ever
7 answers the question that I actually ask and it just
8 takes hours. I say that to you, you know that they're
9 not answering my question.

10 My question is: in this statement, the words in
11 English are:

12 "We were having dinner and the victim was sitting
13 with us."

14 Alternatively, the words are:

15 "The British soldier fired randomly inside the
16 house, hitting the victim, Muhammad, who was sat [in my
17 translation, meaning sitting] eating."

18 Ms Al Qurnawi, the distinction I am drawing is
19 between where it is said Muhammad was when he was shot.

20 In the statements which were made in November 2003,
21 it appears to me that in the statement that Ahmed made,
22 he was stating that Muhammad was sitting eating at the
23 time he was shot.

24 Now, is it right or is it wrong that that is what he
25 said in the Arabic version of the statement in 2003?

1 You can tell me whether or not that is what the Arabic
2 statement says. Could you just tell me: am I right or
3 am I wrong?

4 MS AL QURNAWI: The Arabic statement does say that, exactly
5 what you are saying, and if you don't mind, let me
6 translate to him what you have just said so we can hear
7 his answer. The Arabic statement does say what you have
8 just said.

9 THE INSPECTOR: Thank you.

10 MS AL QURNAWI: I think even me I'm not getting it.

11 I think -- because there are some confusing things.

12 What he is saying, I am just going to translate what
13 he just said, and if the translator hears it then he can
14 substantiate, he said: when I left him, ie I believe
15 when he left him and they heard the noise and they go
16 upstairs, he was eating, okay. That's one. But I'm
17 trying to ask him exactly what you said, when the
18 shooting happened was he eating or was he on the stair.

19 THE INSPECTOR: And what does he say?

20 MS AL QURNAWI: Let me ask.

21 He says he was on the stairs when he was shot.

22 THE INSPECTOR: Right. Next question, different topic.

23 It's right, isn't it, you knew that evening, whilst you
24 were there eating, that there was a risk that the home
25 of Mr Zuboon would be attacked by the Al Bedanys.

1 Correct? You knew that?

2 MS AL QURNAWI: Do you mind if I again -- because I do not
3 think he really understands the questions.

4 A. Yes, yes, I was aware, yes.

5 THE INSPECTOR: Yes, thank you, good. When you got up and
6 ran for the stairs, you ran for the stairs knowing that
7 there was an AK-47 upstairs.

8 A. No, I didn't know.

9 MS AL QURNAWI: He said he didn't know there was one
10 upstairs but he saw it when he went upstairs.

11 Did you hear this?

12 A. I went upstairs, I saw the British and I heard that they
13 were the British, I saw the piece of weapon when I came
14 downstairs.

15 THE INSPECTOR: That doesn't accord with what you have
16 told --

17 MS AL QURNAWI: No, sorry, there's an inaccuracy. I will
18 translate if you don't mind.

19 THE INSPECTOR: Yes, I think it's much better.

20 MS AL QURNAWI: It's much better. He went upstairs -- I am
21 going to translate. He went upstairs in order to see
22 that sound of the bomb, or what they thought was the
23 bomb. The door was closed, the door which leads to the
24 roof. The door was closed and he returned and in that
25 hall or room there was, the gun is there, he picked it

1 up. And then he heard the deceased saying "these are
2 the British", he dropped it and then down.

3 THE INSPECTOR: And you picked up the AK-47 in order to
4 protect the people against what you thought was the
5 Al Bedanys?

6 A. Yes, yes.

7 THE INSPECTOR: And the gun which you picked up, the rifle,
8 was loaded?

9 MS AL QURNAWI: Yes, he says.

10 THE INSPECTOR: As you began to come down the stairs,
11 Muhammad was on the stairs and he called out --

12 A. He shouted at me --

13 MS AL QURNAWI: Sorry, Sir George, carry on.

14 A. He shouted at me --

15 THE INSPECTOR: Muhammad was on the stairs and he shouted to
16 you --

17 A. He wasn't seeing me, he was saying "Ahmed, the British
18 are here."

19 THE INSPECTOR: I'm not suggesting he saw you. I'm saying
20 you were at the top of the stairs, holding the AK-47,
21 and you were coming down the stairs, Muhammad was lower
22 down the stairs and he called out to you, "It's the
23 British", or words to that effect. Correct? Have
24 I understood you?

25 A. Yes, yes.

1 THE INSPECTOR: Good. What did you then hear or see?

2 A. I saw the deceased receiving the gunshot and falling,
3 I put my arms up and I came down.

4 THE INSPECTOR: What did you do with the AK-47 you were
5 holding?

6 A. I just dropped it to the floor.

7 THE INSPECTOR: On the stairs?

8 A. On the stairs. At the flight of the stairs, the stairs
9 is bending, at the flight of the stairs -- when I heard
10 the deceased calling me, saying that it's the British.
11 I dropped it before he received the gunshot.

12 THE INSPECTOR: Your account is he called out to you, "It's
13 the British!"

14 A. Yes, yes, he told me -- yes, yes, I heard him saying
15 that it was the British, the British, and when I heard
16 that I dropped the weapon.

17 THE INSPECTOR: And he was then shot?

18 A. Yes, I dropped it, I came down and then he got the shot
19 here.

20 THE INSPECTOR: Had you dropped your gun, your rifle, before
21 he was shot?

22 A. Yes, before he gets the shot, I dropped the weapon.

23 THE INSPECTOR: "Before he was shot I dropped the weapon".
24 Yes, all right.

25 A. Because I haven't seen him, he was downstairs, he was

1 shouting at me. He was just calling, saying, "It's the
2 British!"

3 MS AL QURNAWI: I do not think the bullet --

4 THE INTERPRETER: She says I didn't say that he said that he
5 didn't see him, I will repeat it. He said "I didn't see
6 him while I was upstairs, he was shouting at me 'The
7 British! The British!' Then I dropped the weapon."

8 A. You can see it in the picture there's a bend in the
9 stairs on the flight.

10 THE INSPECTOR: Yes. You were on the flat bend, were you?

11 A. Yes, yes. As the door of the room was locked, I stayed
12 on that flight. When I heard him saying "The British,
13 the British", I dropped it.

14 THE INSPECTOR: And you came down?

15 A. Yes. Yes, I dropped the weapon, I came down and they
16 shot the deceased.

17 THE INSPECTOR: Do you know whether Muhammad was holding an
18 AK-47 or not?

19 A. There was a weapon on the stairs, unloaded. What
20 weapon?

21 THE INSPECTOR: Does he know whether Muhammad was holding
22 a gun or not?

23 A. No, no, he wasn't carrying.

24 THE INSPECTOR: How do you know he was not carrying a gun?

25 A. Because as I came down the stairs with that, he received

1 the gunshot. Then the British soldiers started shouting
2 at me to come -- I was still upstairs when he received
3 the gunshot and I heard the shouts of the British
4 soldiers at me to come down so I came downstairs.

5 THE INSPECTOR: Okay. Another topic.

6 MS AL QURNAWI: He brought -- sorry.

7 Sorry, Sir George, because I could see the
8 (inaudible) translation and the (inaudible) is
9 translated as the witness said.

10 THE INTERPRETER: It's the quality of ...

11 THE INSPECTOR: I didn't hear the English, Ms Al Qurnawi,
12 I'm very happy to take it from you. What is the English
13 you want to say to me?

14 MS AL QURNAWI: Okay. I'm just -- what he's saying, he's
15 saying he was upstairs and then the soldier brought him
16 down, beating him up and putting him next to Muhammad.
17 That's what he just said.

18 THE INSPECTOR: Oh, okay.

19 MS AL QURNAWI: Sorry, Sir George, I think you were saying
20 something? I did not hear what you just said, the line
21 just disappeared, the sound.

22 THE INSPECTOR: Yes. I'm thinking. I'm thinking,
23 Ms Al Qurnawi, because it's much easier if I can explain
24 to you in English and I rely on you and you know I have
25 complete confidence in you following what I'm trying to

1 do.

2 I am thinking, because I didn't intend to get an
3 answer to any question which involved Ahmed being taken
4 down the stairs from a position where he was on the
5 stairs by any of the soldiers, or one soldier; that
6 wasn't something which I have had in my mind. It hasn't
7 been something which has, as a matter of detail, if ever
8 present, it hasn't been present in my mind.

9 I don't wish, though, detail which I'm not really
10 very interested in because it doesn't directly concern
11 how Muhammad was killed. I don't want detail blurring
12 the clarity of what I thought was the evidence.
13 I thought the clarity of the case was, and please if you
14 could just think about it in stages, that Ahmed was
15 saying:

16 He went up to the top floor, that he found the doors
17 locked, or closed;

18 That he made to come down the stairs from the top;

19 That he found an AK-47 on the floor at the top;

20 That he picked up the AK-47 and started to come down
21 the stairs from the top;

22 That he was in the vicinity of the flat landing that
23 we know is on the stairs when Muhammad, who was in front
24 of him, shouted back at him, "It's the British!";

25 That he dropped the AK-47 on the stairs when he

1 heard that;

2 That it was after that that Muhammad was shot.

3 That is the account that I have got clearly in my
4 mind as the account that he has given me. I don't for
5 the moment want to blur that by entering down a line of
6 enquiry as to where he was on the stairs when some
7 soldier dragged him downstairs. For the moment that's
8 not what I'm after. I just want to stay with the clear
9 picture that I have gathered.

10 Now, you have heard it, Ms Al Qurnawi, you heard it
11 in English from me and you have heard it in Arabic from
12 the witnesses. I believe that I have understood what
13 Ahmed has told me and he has said in Arabic, and
14 I believe what I have tried to say is accurate. Is that
15 right?

16 MS AL QURNAWI: Most of this is right. Only two points,
17 because I spoke to Ahmed in Arabic and most of what you
18 have just said is right, according to what I understand
19 and heard from Ahmed.

20 A couple of points I must clarify with him. Where
21 he was, whether he was in that bend of the stairs, the
22 facility you have just mentioned, or he was upstairs in
23 that open area, the hall, which comes at the end of the
24 stair. I think we need to clarify this with him.

25 THE INSPECTOR: You don't have a photograph? You don't have

1 the photographs, do you?

2 MS AL QURNAWI: Yes I have them here on the phone.

3 THE INSPECTOR: All right. Can we take the one which has

4 not got Mr Zuboon standing on the second stair up, but

5 take the other one, which is a photograph of three or

6 four stairs up, to a low landing, or a middle landing,

7 where there's a window. Do you have that one?

8 MS AL QURNAWI: Just a second, Sir George.

9 I have one of the pictures here, which I'm showing

10 to Ahmed. I am just showing him the pictures.

11 THE INSPECTOR: Ben is holding the photograph up to the

12 camera. Can you see?

13 MS AL QURNAWI: He was not here. I have the same picture

14 exactly here. He was not in this bend, the one, he was

15 the one upstairs, the hall. Have you seen it?

16 THE INSPECTOR: Out of sight --

17 MS AL QURNAWI: If you take the second stair --

18 THE INSPECTOR: You mean he was out of sight of the camera

19 in that one?

20 MS AL QURNAWI: Yes, exactly. Up, where --

21 THE INSPECTOR: There's another one, which is taken from

22 a higher position and it's got a lady in it wearing

23 a head scarf.

24 MS AL QURNAWI: Yes.

25 THE INSPECTOR: We're looking down now, as I understand it,

1 to the landing we were looking at, the middle landing
2 and then the run down to the bottom with the lady
3 standing at the bottom.

4 Now, is he saying that he was on the stairs which
5 I can see in that photograph?

6 MS AL QURNAWI: Okay, he was -- this is stairs and then
7 there is a bend and then there is another stair and then
8 there is like an open area, like a -- which has windows
9 looking over -- should be the roof. So he was there,
10 that other open area, not on this one in the pictures.

11 If you want to make things -- we're happy to go and
12 take pictures to where he was exactly and send it to
13 you. If that helps but I cannot see on this picture --
14 because I have seen the place -- I cannot see the place
15 where he's saying he was.

16 THE INSPECTOR: No. I'm beginning to understand that he's
17 saying he was not on the stairs at all.

18 MS AL QURNAWI: He says he's at the very end of that
19 stairs -- in that vicinity there. I can't see it here,
20 according to him, not on any of these pictures.

21 A. The top.

22 THE INSPECTOR: Thus I am beginning to believe that he's
23 saying --

24 MS AL QURNAWI: That picture, I don't know whether you have
25 this picture, but it's here, that one.

1 THE INSPECTOR: You see, I -- let's move away from the
2 photographs, which are helpful but not clarifying what's
3 in my mind, Ms Al Qurnawi.

4 MS AL QURNAWI: Okay.

5 THE INSPECTOR: I have taken the statement, of which I have
6 a translation, which was taken from him, and it's dated
7 20 November of this year, namely the other day. Can you
8 find that?

9 MS AL QURNAWI: Yes, he has the Arabic version in front of
10 him.

11 THE INSPECTOR: It's paragraph 6 of that, if he can see the
12 Arabic paragraph.

13 MS AL QURNAWI: Okay.

14 THE INSPECTOR: Then, if he could follow in the Arabic:

15 "And in order to see what was going on I ascended
16 the upper flight of stairs, and being light of weight
17 and agile at the time, I was the first to reach the
18 upper flight, followed by Muhammad. On the flight of
19 stairs I found a rifle, which I picked up. Seconds
20 later, and upon hearing shouting and screaming from
21 downstairs, Muhammad ran down, crying to me, 'Ahmed,
22 they are British soldiers'. At that stage I dropped the
23 rifle on the flight of stairs in fear and confusion.
24 Then I heard a round fired and saw Muhammad lying on the
25 stairs, even though Muhammad was not carrying any weapon

1 in his hands."

2 MS AL QURNAWI: Yes.

3 THE INSPECTOR: I have therefore, in my preparation for the
4 evidence today, had it in my mind, without any
5 qualification, confusion or anything else, that what
6 took place in the account which he's there giving, took
7 place on the stairs and not on any landing or floor at
8 the top of the stairs. Do you understand what I'm
9 saying?

10 MS AL QURNAWI: Yes.

11 THE INSPECTOR: What I want to know is whether that is still
12 the account which I should take as his evidence or
13 whether he wishes to change the account and to suggest
14 that when he heard the call is "The British!" he was not
15 on the stairs but upstairs on the next floor and that he
16 had picked up the gun there, and as soon as he heard the
17 call and before he began to come down the stairs, he had
18 put the gun down.

19 That's the difference. I want to know whether
20 that's what he is telling me today or whether it is the
21 account in paragraph 6 of that statement which I should
22 take as accurate.

23 Now, could you pick that up with him and make sure
24 that I know where I am.

25 MS AL QURNAWI: Yes.

1 I am going to invite Ahmed because I think probably
2 there is -- either he -- as you said either we need to
3 confirm which one is right, which version, or there is
4 miscommunication here, so the best thing is I will
5 explain to him what you have just said and I will read
6 for him paragraph 6, word by word, and then he will see
7 to confirm which version is correct. That what you have
8 just said or there is any differences or anything
9 unclear.

10 (Pause)

11 He is saying what he has just explained verbally is
12 the correct version and he believes what he just
13 explained -- I don't know whether it is similar to what
14 is written in this statement, that's what he said just
15 then.

16 THE INSPECTOR: So he doesn't see a conflict between what he
17 has just said and what he wrote, what's in the
18 statement? Is that right? He thinks they're the same?

19 MS AL QURNAWI: What he just said and trying to explain to
20 us is similar to what is said in paragraph 6.

21 THE INSPECTOR: I think then I've taken this far enough,
22 I can't do any more, all right.

23 Ahmed, I have got evidence here, in a statement made
24 by Fatima, that Entesar told her that it was Muhammad
25 who ran up the stairs where there was a small window

1 overlooking the street to see what was going on. That
2 soldiers barged through the doors and that Muhammad must
3 have heard Entesar and Mahmood yelling as he immediately
4 returned downstairs and that Muhammad was coming down
5 the stairs when one of the British soldiers shot him in
6 the stomach.

7 Now, that is evidence that I have from Fatima, which
8 is the account she says she received from Entesar. The
9 important point I want to draw to your attention is that
10 her account, and Entesar's, it follows, account, was
11 that it was Muhammad who had run up the stairs to see
12 what was happening and not you.

13 Do you agree or disagree?

14 A. No, no, no, I stick to my -- what I said. What I have
15 said is correct.

16 THE INSPECTOR: Thank you. Ms Al Qurnawi, you know I have
17 to put these things in order to clear up ambiguities?

18 MS AL QURNAWI: Yes.

19 THE INSPECTOR: This is my last line of questions, and it
20 can be taken shortly.

21 Have you ever given an account of this incident to
22 Abu Jamal?

23 MS AL QURNAWI: Is this a question to Ahmed?

24 A. No I didn't give anything to Abu Jamal.

25 THE INSPECTOR: Have you ever met Abu Jamal?

1 A. No, I haven't seen him even.

2 THE INSPECTOR: He's never met him?

3 A. No, I haven't met him.

4 THE INSPECTOR: Thank you. Thank you very much. Thank you
5 very much, Ahmed.

6 (The witness withdrew)

7 I don't know whether Mr Zuboon has been able to
8 stay? Has he been able to stay?

9 MS AL QURNAWI: Yes, he is here.

10 THE INSPECTOR: I can see him at the end. Could he just
11 come forward next to you?

12 MR MAHMOOD ZUBOON (recalled)

13 (Evidence interpreted)

14 THE INSPECTOR: Mr Zuboon, I just want to ask you about Abu
15 Jamal. Have you ever met?

16 A. I met him before travelling to Beirut.

17 THE INSPECTOR: But not before then, not before the Beirut
18 travel?

19 A. No, no, no. All I know that Fatima told me about Abu
20 Jamal because I know Abu Jamal's father is a solicitor
21 and I know Abu Jamal because his father is a solicitor.

22 MS AL QURNAWI: No, what he said, he said he knew about Abu
23 Jamal because his brother is a lawyer in Basra.

24 THE INTERPRETER: I am sorry. Father, brother, sorry, it
25 sounds a bit similar.

1 His brother, sorry, sir, his brother.

2 MS AL QURNAWI: He knew of Abu Jamal.

3 A. Can I say something?

4 THE INSPECTOR: Yes, of course.

5 A. In the beginning of 2013 Fatima called me and said that
6 she's been requested to go to Beirut. As she's
7 a female, I accompanied her together with my wife.
8 We've been invited only on this basis.

9 THE INSPECTOR: On what basis?

10 THE INTERPRETER: Accompanying.

11 A. But over there we told them, in Beirut, so over there in
12 Beirut I told Abu Jamal to tell the British solicitor,
13 or the English solicitors, that we are already there and
14 probably it's a chance to give our statement about our
15 damages.

16 THE INSPECTOR: How did the person who asked you the
17 questions, which became your statement, know what you
18 could say about the incident?

19 A. It was just I told Abu Jamal in Beirut, because he was
20 on a good relationship with English solicitor, who told
21 him that as we were there so it's a chance to give our
22 statement.

23 THE INSPECTOR: Yes, but what statement did you say you
24 could give?

25 A. On the basis that we also sustained damage, or suffered,

1 as a result of the incidents and we wanted to give our
2 statement.

3 THE INSPECTOR: How could Jamal or anybody else know that
4 you could give an account about the shooting?

5 A. He was, he was aware of the incidents. That the
6 incident had taken place in my house and through his
7 contact with Entesar.

8 THE INSPECTOR: His contact with? Entesar?

9 A. He learned about the details of this through Fatima.

10 THE INSPECTOR: But Fatima wasn't there. She was in the
11 Lebanon but she wasn't in the house.

12 A. No, we were together, we travel a lot together --

13 THE INSPECTOR: I knew there would be confusion. I didn't
14 mean wasn't in the Lebanon, I meant Fatima was not in
15 the house in question.

16 A. Yes.

17 THE INSPECTOR: Only you could give an account. Only you
18 could give the account.

19 A. Yes, myself and Entesar.

20 THE INSPECTOR: And Ahmed.

21 A. Yes.

22 THE INSPECTOR: All of you could give an account.

23 A. Yes.

24 THE INSPECTOR: In the statement that you did make, in the
25 Lebanon, you made no mention of a drive by shooting

1 having taken place that evening. Correct?

2 A. We just handed in the police papers, documentation to

3 the --

4 THE INSPECTOR: You just handed the police papers to Abu

5 Jamal? Is that it?

6 A. Before travelling I met up with Jamal and I handed the

7 papers to him and I told him about this incident and

8 that we were part of it, subjected to the -- and I gave

9 him the papers.

10 THE INSPECTOR: Okay. I am not interested in you giving him

11 the papers. I'm interested in what, if anything, you

12 said to Abu Jamal in the Lebanon and did you say

13 anything to him or did you just give him the papers?

14 A. I told them, I told them that my house was attacked by

15 a British --

16 THE INSPECTOR: Did he ask you questions or did you just

17 tell him?

18 A. He was quite knowledgeable and aware of everything, of

19 the story, and he -- so he told everything to the

20 solicitor, the British solicitor.

21 THE INSPECTOR: He knew without speaking to Mr Zuboon?

22 A. We met -- yes, I met him about a couple of days before

23 travelling to Beirut. He bought the air tickets for us

24 and I met him during that time and we talked about it.

25 THE INSPECTOR: What did you talk about?

1 A. Just we talked about the incidents and then that Fatima,
2 if she needs to travel, she cannot travel on her own,
3 she needs to be accompanied --

4 THE INSPECTOR: Did you tell Abu Jamal that you had been
5 subject to a drive by attack at 5.30 that evening from
6 the Al Bedanys?

7 A. Yes, of course. Yes, yes, yes I told --

8 THE INSPECTOR: You told Mr Jamal that? Yes?

9 A. I don't remember exactly what kind of conversation took
10 place.

11 THE INSPECTOR: Well you either told him or you didn't. Did
12 you tell him about the Al Bedanys?

13 THE INTERPRETER: I missed that.

14 A. Certainly I've told him, certainly, although I don't --

15 THE INSPECTOR: About the Al Bedanys?

16 A. Sure, sure I've told him because the events are
17 interconnected.

18 THE INSPECTOR: Yes, indeed. Indeed they are
19 interconnected. But in your statement, they're
20 completely disconnected. That's why I want to know what
21 you said. Did you tell Mr Jamal that in order to
22 protect your house you had a loaded AK-47?

23 A. Yes. Shall I answer?

24 THE INSPECTOR: Did you or did you not tell him, yes or no?

25 A. I don't remember whether -- I don't remember telling him

1 whether that I had or not. And that probably I just had
2 a benign conversation if I have said that.

3 THE INSPECTOR: Sorry?

4 A. I don't recall telling him whether I had a weapon or
5 not, a loaded weapon or not, but that could be a simply
6 benign conversation, if it had happened.

7 THE INSPECTOR: A simply benign conversation.

8 THE INTERPRETER: A simple conversation.

9 THE INSPECTOR: Did you tell Mr Jamal that you were in the
10 house with your brother-in-law, Muhammad, and your
11 nephew, Ahmed, because you had asked them to come round
12 to provide you with some protection against the
13 Al Bedanys?

14 A. No, I don't remember because he's just simply a quite
15 simple down to earth person. He runs an office and
16 I just went into this conversation with him.

17 THE INSPECTOR: I thought you were telling me about
18 a conversation you had with Mr Jamal about what you
19 remembered of the night in question, before you went to
20 the Lebanon to give a statement, or if not before when
21 you were in the Lebanon, to give a statement, and that
22 you gave him an account of that night. Your statement,
23 made in the Lebanon, contains nothing about the
24 Al Bedanys, nothing about a drive by shooting, nothing
25 about an AK-47 or AK-47s being in your house, nothing

1 about Muhammad and Ahmed being there to protect the
2 house and you.

3 Do you realise that your statement contains none of
4 those details? Am I to believe that you told Mr Jamal
5 that somehow it didn't get into your statement or that
6 you never told Mr Jamal about any of these things?

7 It must be one or the other. Which is it?

8 A. If you let me. I don't know. As far as I know there
9 were investigators, they looked like professional
10 investigators, and also there were some interpreters
11 from -- acting as interpreters or helping with the
12 language. But that was my impression that they were
13 professional investigators and I was answering according
14 to the questions.

15 THE INSPECTOR: But did you tell them or is the point that
16 you didn't tell them?

17 A. Sure, certainly I have told him because they are
18 interconnected events.

19 THE INSPECTOR: Exactly. That's why I'm interested in them.
20 I cannot understand that you didn't tell Abu Jamal about
21 these things because you are somebody who knows of the
22 connection, and therefore I am left with a statement
23 from you which simply does not reflect the relevant part
24 of the case which you had given.

25 Now, I am not blaming you, I'm not blaming you, I am

1 trying to understand why it is that, years after the
2 event, and only when I am looking at it in 2015, we have
3 been able to uncover, with your assistance, an account
4 of the matter which is obviously relevant but has never
5 been put before anybody before. You now know,
6 Mr Zuboon, why I'm asking the questions. Okay?

7 A. If you let me.

8 THE INSPECTOR: What is he saying?

9 THE INTERPRETER: It's very interrupted.

10 A. Their investigation wasn't in details --

11 THE INSPECTOR: Sorry?

12 THE INTERPRETER: "The Investigation wasn't in details, only
13 on a basic, simple level".

14 THE INSPECTOR: No, right.

15 A. We finished in two days. We were 13 families over there
16 and the whole matter of meetings lasted two days.

17 THE INSPECTOR: The statement made 18 February 2013 by you
18 in the Lebanon was signed by you. You signed to this
19 effect:

20 "I confirm that immediately prior to signing this
21 statement, it was read out to me in Arabic by an
22 interpreter and that I have understood and agreed the
23 contents of this statement."

24 When you signed that, it must follow that you knew
25 that this statement did not contain material evidence,

1 relevant evidence, which you as a lawyer would know was
2 relevant evidence, in connection with this sorrowful
3 incident.

4 Why did you sign the statement when it did not
5 contain everything which was relevant? Can you answer,
6 please?

7 A. I didn't have the impression that the investigator was
8 qualified or professional and because of the shortage of
9 time we had only two days and there were 13 families and
10 there was some pressure. And adding to that, I think
11 there was some misinterpretation also took place during
12 that time.

13 It could be due to a misinterpretation of some of
14 the questions at that time.

15 THE INSPECTOR: Did you sign an Arabic version?

16 A. No. No, to my -- no I don't remember signing an Arabic
17 version, it was only English.

18 THE INSPECTOR: Who asked the questions, or who composed
19 this statement?

20 A. I think it was the investigator.

21 THE INSPECTOR: Who is the investigator by name?

22 A. I don't know. It was a solicitor with an interpreter.

23 THE INSPECTOR: So it was the solicitor, you believe, who
24 compiled the statement?

25 A. That was in cooperation with me through answering his

1 questions.

2 THE INSPECTOR: Who did the interpreting? Who acted as
3 interpreter?

4 A. She was a student, a female, a young female, about
5 20 years old.

6 THE INSPECTOR: Who spoke, obviously, English and Arabic?
7 Where did she come from? Did she come from London or
8 was she --

9 A. Lebanese.

10 THE INSPECTOR: Lebanese. Thank you. Thank you, Mr Zuboon.
11 I am sorry that it's taken so long.

12 A. Thank you, sir.

13 THE INSPECTOR: We have finished for today.

14 A. I, as a solicitor myself, I appreciate and am thankful
15 and grateful for your support and understanding of this
16 matter.

17 THE INSPECTOR: Thank you.

18 A. This is regardless of any thoughts of compensation or
19 not.

20 THE INSPECTOR: Thank you.

21 A. Now I have learned a good experience from you, although
22 I've been a solicitor for 45 years.

23 THE INSPECTOR: Thank you, Mr Zuboon.

24 Finally then, Ms Al Qurnawi, my view on SO13, who's
25 not here today, and on his evidence and your questions,

1 is that, subject to any particular application that you
2 would like to make, that we should have him present in
3 order to ask him, one, to confirm the statement he's
4 already signed and, two, to answer your questions, or
5 such of your questions as I rephrase, then expedition
6 and convenience would probably be best served if what
7 I was to do was to put your questions, so far as
8 I reformulate them, to S013, for him to reply, in
9 writing, that we supply you with his written answers and
10 that we endeavour to follow through any lines of enquiry
11 with him that you or Mr Zuboon or anybody else might
12 have, without an occasion such as we have had on the
13 last two days.

14 That's the way I should like to proceed. Of course
15 subject to any thoughts that you might have on the
16 matter.

17 MS AL QURNAWI: Yes, I think -- I agree with most of this.

18 Let's, as you said, let's do it in writing, and let's
19 see the answers and if there is any ambiguity or
20 anything that needs probably further investigation then
21 we will reconsider it at the time and may need an oral
22 hearing for this but let's do it as you propose for the
23 time being.

24 THE INSPECTOR: Thank you. Anything else or shall we
25 just --

1 MS AL QURNAWI: Also, Sir George, if we may we would like as
2 well time because this time we would like to make
3 a submission so we are looking for an extension of time,
4 let's say the month of December, once we have the chance
5 to demonstrate, and all the other evidence, you know
6 some of them arrived last minute and we make a written
7 submission.

8 THE INSPECTOR: Of course. It's certainly open to you to
9 let me have written submissions and please, if you could
10 get them to me, can I say in the first week of January?
11 Is that --

12 MS AL QURNAWI: That sounds good.

13 THE INSPECTOR: Is that more time than you need, I don't
14 want to be overgenerous but I don't want to put
15 pressure.

16 MS AL QURNAWI: No, that's about right. I was looking for
17 the whole of December so you're right, taking the
18 Christmas and holidays, first week in January is about
19 right.

20 THE INSPECTOR: You will remember from your time in England
21 that not much happens here for probably two weeks,
22 into January.

23 MS AL QURNAWI: Yes.

24 THE INSPECTOR: Yes, okay.

25 MS AL QURNAWI: Merry Christmas in advance.

1 THE INSPECTOR: And I look forward to that and in the
2 meantime we will get SO13 answering questions and I will
3 say, for today, goodbye to everybody. Goodbye and thank
4 you.

5 MS AL QURNAWI: Thanks.

6 THE INSPECTOR: Okay?

7 MS AL QURNAWI: Okay, just a side point.

8 THE INSPECTOR: Okay, thank you. We'll disconnect.

9 MS AL QURNAWI: Thank you, Sir George, thank you.

10 THE INSPECTOR: We will disconnect now.

11 MS AL QURNAWI: Yes, thank you.

12 (4.25 pm)

13 (The hearing adjourned)

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