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“FILE ON 4”

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CLARKE: These are what I’ve got left of David’s possessions really, and that’s a cap badge that David would have worn on his beret, David’s medals, his peacekeeping medal from Kosovo and the medal that they’ve awarded him now for serving in Iraq.

O’HALLORAN: The mother of a soldier killed in Iraq – not by enemy action, but by a terrible mistake, when one British tank fired on another. More than eighteen months after his death she’s still waiting for a coherent explanation from the Ministry of Defence.

CLARKE: At the beginning I had faith in the MOD. I really thought that they were there to help us and to find out what happened. I don’t think that they have been honest with us. My gut instinct, something happened that they didn’t tell us about and they want to cover it up.

O’HALLORAN: More deaths of British troops in Iraq have been in accidents than in fighting the enemy. All such casualties – including serious injuries – are investigated by the armed forces. But File on 4 has found a rising groundswell of discontent among the families of the dead and injured about those internal inquiries.

CRAW: Yes. Yes, and the bullet was engaged inside the gun and it fired. They say that Andrew had his hand over the nozzle of the gun and the bullet had went through his hand and went into the side of his temple.

O'HALLORAN: At first sight a quite tragic but straightforward accident. But James Crow soon heard worrying accounts from other soldiers. He was told that Andrew, though shot in the head, did not die at once, but continued to breathe for some time. However, the men had no radio contact with their base and couldn't get through on a satellite phone. It was well over an hour before a helicopter could be summoned. James Crow also learned that, beyond bandages, there was little first aid kit at the ranges.

CRAW: The medical equipment was not on the range that day and I don't think my son got a chance to live with no medical pack there at the range.

O'HALLORAN: What was done to get help?

CRAW: What I have been told by other soldiers on that range is the soldier that was working on Andrew couldn't get evacuated because there was no communications so ...

O'HALLORAN: You mean he couldn't get an evacuation going; he couldn't get a helicopter in?

CRAW: Yes, yes. Because there were no communications. So two soldiers went in a Land Rover and drove for an hour and twenty minutes to get a helicopter to come back and pick up Andrew. They airlifted Andrew to take him to hospital and he was pronounced dead on arrival.

O'HALLORAN: The family were equally shocked by discovering that Andrew and the other men had been sent to the ranges in appalling weather, and in a state of exhaustion. They'd reached their base in Iraq only in the early hours of that day after travelling for much of the previous two days from their base in Britain.

CRAW: Andrew got to bed about 3 o'clock, half past three in the morning. He was back up at 7 o'clock for breakfast and then told he would be going to a firing range after breakfast. I believe the time in bed was crucial for these soldiers over in Iraq, they should have got 24 hours before they even went near a firing range.

O'HALLORAN: So you're saying they had, what, only three hours or so in bed?

CRAW: Yes. And when they got to the destination, as far as I'm led to believe, the conditions of the weather was atrocious. The way we were explained it to us was the rain was coming down, hitting the sand and bouncing back up 18 inches off the sand. What was the big rush that day? How could it not have been postponed to the next day or till the weather conditions was better?

O'HALLORAN: The army held an internal Board of Inquiry, which took evidence from witnesses to establish the facts, and to make recommendations which might help to prevent similar accidents in the future. File on 4 has now had access to the board's report. If anything, it's even more withering in its criticisms than is Andrew's father. It confirms what he says about lack of medical kit and communications and goes on:

READER IN STUDIO: The range Action and Safety Plan failed in a number of areas. There was a general perception that the organisation of the day's events lacked forethought. Planning for the range day bordered on the cavalier.

O'HALLORAN: It also reveals the men had gone not just one, but two nights without proper sleep and that firing exercises were being aborted because so many guns were jamming. It says there wasn't enough oil to clean and maintain the weapons to prevent them seizing up. Despite all that, it seems to throw responsibility back on the shattered young NCO Andrew Craw, implying that his kicking the gun was an isolated instance of recklessness.

READER IN STUDIO: It is difficult to understand what caused Lance Corporal Crow's "unthinking moment", other than a lapse in concentration which led to him carrying out such a bizarre and unauthorised weapons clearance drill.

O'HALLORAN: However, the Crow family's solicitor, Jocelyn Cockburn, of the London firm Hodge Jones and Allen, says Lance Corporal Crow may well have been copying methods he saw used by a more senior NCO. Information, she says, which came from one of the army's own health and safety units.

COCKBURN: The family have met with an investigator from the land accident investigation team, which is another army investigation, and he raised an incident where a sergeant on the range attempted to clear a gun by hitting it with a brick, and it is possible that this did have an impact in causing Lance Corporal Crow to do what he did.

O'HALLORAN: So what you are suggesting is there's a possibility at least that he saw something unorthodox being done, thought that kind of thing was all right and did something else of his own on that basis?

COCKBURN: The family thinks that that must be the implication, although strangely enough that incident is not raised in the Board of Inquiry's findings at all.

O'HALLORAN: Does that surprise you?

COCKBURN: I find it surprising, yes. What is horrifying is that there were so many mistakes made on this occasion. Just how many of the regulations set out by the army are being flouted on a day-to-day basis? This takes the incident outside the realm of individual failings and it takes it into the realm of a systemic failing of the army to properly conduct these very very dangerous exercises.

O'HALLORAN: The Board of Inquiry did cast some light on the rush and confusion. It said the Argylls had been sent to Iraq two months earlier than they expected. That, it seems, was one reason why they had never encountered the new Minimi light machine guns back in Britain. The other reason was that the MOD had purposely

LISTER: Yes. They should have been attended to very promptly, those problems, so that the safety catch could be used once again. I also discovered there was a history of electrical faults on these vehicles, which could lead to short circuits to the power supply to the chain gun and so make the chain gun rotate, even though no man had touched any trigger or switch.

O'HALLORAN: And when you say it could make the chain gun rotate, does that mean it could make the gun fire without anyone firing it?

LISTER: Yes it could, because they were not allowed to put the safety catch at safe.

O'HALLORAN: When - in June this year - this evidence was put before an appeal hearing in Aldershot, Sergeant Henderson's conviction was quashed. But it had taken more than a year to erase the stain on the Black Watch soldier's record. However Warren Lister is still not satisfied. He wants to know why the army claimed, wrongly, at the first hearing, that spontaneous or so-called undemanded firings by the chain gun were totally impossible.

LISTER: The technical evidence given by a senior officer who purported to know all about chain guns was that not only had undemanded firings of the chain gun never happened, but they couldn't happen. And his evidence, in fact, was the key evidence that convicted Warrant Officer Henderson.

O'HALLORAN: So this officer was saying nothing like this had happened before with the chain gun?

LISTER: That is what he was saying, but on investigation it was found that there was several un-demanded firings of the chain gun. He should have put all those before the court and said that these things had happened before. There should have been a detailed technical investigation by the army during the course of 2003.

O'HALLORAN: So what is your assessment of the army's own investigation of this incident?

LISTER: My cynical view is that Warrant Officer Henderson was made a specific scapegoat in very difficult circumstances, in a war, where it would be much more convenient for him to be isolated and convicted than to admit there was a fault with the weapons in the field.

O'HALLORAN: The MOD refused to be interviewed, but they did issue a statement:

READER IN STUDIO: There is absolutely no question of Henderson being made a scapegoat. Warrant Officer Henderson was dealt with at a summary hearing. Evidence strongly supported the conclusion the chain gun was working normally and had not fired undemanded. Clearly it would have been helpful if judgement could have been informed by knowledge of previous undemanded firings.

O'HALLORAN: It seems the basic faults on the Warrior vehicles and chain guns have yet to be put right. The MOD says:

READER IN STUDIO: A small number of undemanded firings have been subject to investigation by a safety panel. The possibility of a technical solution is being pursued. The chain gun remains safe to use.

O'HALLORAN: Another court martial – this time of a Territorial Army soldier – dealt with an incident in which a weapon he had been carrying had gone off, killing another man. By the end of the case it seemed the accused was carrying the can for widespread and systematic breaches of the Army's previous weapons standards. The incident happened fifteen months ago at the Shaiba Logistic base in Southern Iraq. Lance Corporal Ian Blaymire had been asked early one morning to return a friend's rifle to the armoury. Because it was closed, he still had the gun after breakfast as he chatted in the troop office with a third man, Sergeant John Nightingale. But Corporal Blaymire didn't know that the gun had a live round loaded. Part of his statement reads:

READER IN STUDIO: I had Lance Corporal Sherratt's weapon over my shoulder, with the muzzle facing to the floor. John Nightingale was talking to me about his R&R, and what he was going to do, and then, out of the blue, he grabbed the cocking

O'HALLORAN: And Corporal Blaymire was by no means alone. Records produced at the court led the judge to calculate that over two thousand soldiers had been sent to Iraq without meeting the weapons standard hitherto required for any conflict zone, or even for doing guard duty with live ammunition. In the summer of 2003, after Lance Corporal Blaymire had passed through Chilwell, a new senior instructor arrived at the base, Sergeant Major Drain. He rapidly became alarmed at the situation, says barrister Simon Reeve.

REEVELL: In the course of his evidence, it became apparent that Sergeant Major Drain had expressed his deep frustration with the system of training at Chilwell. He had been to see senior officers in person, he had sent emails and he'd drafted a document called an immobilisation risk report, so that those who passed through Chilwell would actually have a document setting out the extent to which they were safe as far as weapon handling was concerned.

O'HALLORAN: So each soldier was to take that risk report with them out to Iraq, were they?

REEVELL: Yes. And he was concerned that someone would be regarded as skilled and deployed, who in fact represented a real danger to colleagues when given a weapon and live ammunition.

O'HALLORAN: So this report that he instituted on each person who was going out to Iraq, it graded them, did it, in terms of their risk to their fellow soldiers?

REEVELL: Yes - high, medium and low risk. And a number who were deployed, whose weapons handling test results suggested were skilled, in fact were also graded as being a high risk.

O'HALLORAN: So are you saying soldiers were arriving in Iraq, carrying with them a message about their own performance which told the officers there they were a high risk to their fellow soldiers?

REEVELL: That was the specific purpose of the mobilisation risk report.

O'HALLORAN: Corporal Blaymire was cleared of manslaughter but convicted of failing to conduct safety procedures. He was fined and dismissed from the TA. But there'd been long delays in the court obtaining key documents and reports say the judge accused the army of trying to "cover up and lie". He suggested that higher echelons in the army should bear much of the blame. And he told Corporal Blaymire,

READER IN STUDIO: Your training was deficient. You should not have been deployed without further training, as you had not passed your weapons handling test. The situation in Iraq was very slack in weapons handling terms. You have been let down by the army.

O'HALLORAN: Opposition Defence Spokesman Keith Simpson - himself a former instructor at the Royal Military Academy, Sandhurst - believes corners were cut to ensure that enough men were available for the conflict.

SIMPSON: What I suspect has happened is that the Army was under two enormous pressures. Firstly, because the fact that the lead-in time to the war was getting shorter and shorter and they were rightly getting concerned that they would not have time to train the reservists. And secondly, I think once the army was deployed into Iraq, the units themselves were wanting reservists to be speeded up and sent out there as quickly as possible. There was a serious gap here.

O'HALLORAN: So what actually happened then to the operational shooting policy, which stipulates that each man or woman must pass each section of the test?

SIMPSON: Well, what the Ministry of Defence has said in reply to my questions is that the two areas which they regard as the least important were effectively allowed to be put on one side.

O'HALLORAN: So your conclusion is what? That in order to get enough soldiers out to Iraq, these territorials and reservists, they had to lower the standard?

SIMPSON: I think that this, at the end of the day, is probably what happened, yes.

O'HALLORAN: And of how much concern is that to you?

SIMPSON: I think it is a concern. The Ministry of Defence will say that at the end of the day the overwhelming majority of reservists performed well. And the fact is though, that on an area like this, it is a concern not least to the military units at the receiving end if they were then and are in the future to receive military personnel who do not meet the full trained requirements, then they will have to do it themselves, or they may ultimately have to accept the fact that there will be accidents.

O'HALLORAN: The Ministry of Defence confirms that during the run-up for the Iraq war, it was decided at Chilwell that in two parts of the weapons handling test, a level of 'average' rather than 'skilled' would be accepted, unlike in the past. But it makes clear the old higher standards were restored in early October this year, around the time there had become a major issue at the Blaymire court marshal. The MOD continues:

READER IN STUDIO: You suggest there has been a tendency to blame the front line for these incidents. This is not so. Each case has been thoroughly investigated, and where appropriate disciplinary action has been taken. An individual's position in the chain of command is irrelevant to this process.

O'HALLORAN: Other incidents proving to be a headache for the Ministry of Defence are closer to, or on, the field of combat, but still involve deaths which all sides agree should never have happened. There are signs here too of families starting to challenge the MOD's version of events. Last June, after the main Iraq fighting was over, six military policemen were killed in the town of Al Majarr Al Kabir, after they became trapped by a well-armed mob of local people. They had gone to the town lightly armed to meet Iraqi police. Their presence was unknown to better armed Parachute Regiment troops

CLARKE: On the day of David's death, we were told that David had been killed in crossfire against the Iraqis. That's what we thought had happened to David. The following morning I actually went round to the local paper shop to get a newspaper and I learnt that morning that my son had been killed by friendly fire. All the way through, right from the beginning, there has been discrepancies. They said it was bad weather. David's colleagues out of his regiment have said that there wasn't any bad weather. We got told the investigation report inquiry was going to start. It stopped, it was cancelled. Told again it's starting. I just feel as if we are in limbo. We have got no answers.

O'HALLORAN: Can you think of any possible reasons why the Ministry of Defence may have been slow to give you the facts?

CLARKE: My own personal feelings is something has happened that they want to cover up.

O'HALLORAN: A strong charge to make.

CLARKE: Very strong, but it's my gut instinct, something happened that they didn't tell us about and they want to cover it up.

O'HALLORAN: A Board of Inquiry was begun in May this year. But Bev Clarke has been told the findings won't be out till next year. Her loss of confidence in the MOD is shared by the widow of the other soldier who was killed - Corporal Stephen Allbutt. Debi Allbutt says she's done all she can to understand what happened, but that the delays and the inconsistencies she's found have led her to doubt whether she'll ever get the full truth.

ALLBUTT: As far as I'm concerned, there's like a blanket that's been put over the whole incident, and I only know the black and white story that Steve was basically shot from another Challenger tank.

O'HALLORAN: What are your concerns and fears really about all this?

ALLBUTT: I'm concerned that there's going to be a cover-up. I'm concerned that it's the military investigating the military, the MOD investigating the MOD. The longer things go on, you just lose faith in them. At the beginning of the war I trusted the MOD 100% and I don't trust them now, because of, you know, the discrepancies that they're giving me. The inability for somebody to come up to me and just tell me what happened.

O'HALLORAN: The MOD says an exhaustive Board of Inquiry into this friendly fire incident is still going on. It says it's important to establish all the facts carefully. The families will then be informed fully when the inquiry has concluded.

READER IN STUDIO: We strive hard to provide a proper support for all our bereaved families. In the case of the Clarke and Allbutt families, we believe the support has been of a high standard.

O'HALLORAN: Of course, in warfare, people do get killed and mistakes do happen. But behind some of these tragic cases there seems to be a saga of faulty equipment, inadequate training, sometimes sloppy organisation, shortage of manpower and overworked regiments. Much of this, say defence experts, can be traced back to funding shortages. Paul Beaver, an advisor to the Commons Select Committee on Defence, says that, on top of those problems, he now sees a further disturbing trend.

BEAVER: What I think is really worrying about all the cases that have come out of the Iraq war is there is this fundamental breakdown of trust between the families and the Ministry of Defence, and almost between regiments and the Ministry of Defence, where there is this on one side a blame culture, where the families want somebody to be responsible, and from the Ministry of Defence side there seems to be an eagerness to grasp at anything which allows them to say, 'Well, it wasn't our fault'. There is now an almost institutional need to ensure that none of the mud that's thrown comes back and sticks on the wall of the main building of the Ministry of Defence, the headquarters, that there's a need to find individuals that are responsible. The first thing they do, it seems to me, is to make sure that there isn't going to be any brickbats coming towards individual politicians. And that worries me, because I don't think it's good for the army, it's not good for defence, and at the end of the day it's not good for the country.

SIGNATURE TUNE