

## **Witness Statement to the Iraq Inquiry of Michael John COLBOURNE**

***(Seconded to the FCO from March 2007 to April 2008 as the UK Chief Police Advisor)***

I applied to undertake the role of Chief Police Advisor (CPA) for the UK in Iraq during the autumn of 2006. I was selected to undertake this role as head of the UK Policing mission following a medical assessment, security clearance and interview at the FCO. Upon appointment I undertook hostile environment training, firearms training and briefings from the Iraq Unit at the FCO and the MOD and worked with representatives of the FCO, MOD and DfID in preparing to take over the mission.

I was able to speak to senior police officers who were then, or who had recently served in Iraq, in order to gauge the nature of the work that had been undertaken prior to my deployment and to begin to identify key strategic aims and deliverables from the policing mission with partners identified from the above government departments.

Whilst still a serving UK Police officer, I was seconded to the FCO for the duration of the mission, under the day to day line management of the Consul General in Basra, whilst also reporting on the progress of the mission to the HMA in Baghdad and the Iraq Unit in the FCO, London.

I was supported directly by the FCO, to undertake relevant pre-deployment training briefing and to structure the mission in line with agreed priorities and available resources. Significant assistance was given to the mission at all stages by the International Secondments Team at the FCO. The FCO was responsible for the duty of care for deployed police advisors and was

responsible for the deployment, and direction of resources within the policing mission as well as the broader civilian reconstruction efforts, which incorporated rule of law and justice development.

Whilst on secondment I was not in the direct line management of my Chief Constable, although I was able to discuss and take advice on policing matters and relevant decisions through the ACPO lead on International Policing and was in contact with the Home Office as a stakeholder in the delivery of the policing mission.

Having deployed to Basra, and having been able to visit key locations and mission staff and stakeholders in March, I was able to personally assess the progress of the UK policing mission and to finalise the strategic priorities for the mission with the Iraq Policy Unit in April 2007. These priorities took into account the capacity for the mission to deliver key development of the Iraqi Police Service (IPS) in Basra and southern Iraq, whilst also contributing to the strategic development of the Iraqi Police Services and Central Government for police reform.

The development of the IPS presented significant challenges for the effective delivery of the rule of law in Iraq. Much concern was being expressed over the delivery of considerable training and materiel to the IPS, but with limited gains being made in performance at strategic and tactical levels. It was also apparent that there was continuing corruption and militia infiltration affecting the IPS.

Five strategic priorities were agreed with defined work streams in order to support Iraqi capability to: tackle serious corruption in the Basra Police; protect the gains that had been achieved in police performance in Basra up to and beyond the delivery of Provincial Iraqi

Control for Basra (PIC); build the Leadership capabilities of the Basra Police; develop the specialist skills of the Basra Police and to pursue the strategic development of the IPS and Central Government support for Police Reform.

These objectives required work by the UK policing mission to be conducted in both Basra province and Baghdad. This plan took account of the available resources and was shared with the Coalition Police Training Team (CPATT) in order for our work to be integrated with wider Coalition policing development. Much work was undertaken by Coalition Forces to “Raise, Train and Sustain” the IPS. This overarching approach to the development of policing in Iraq mirrored, in some measure, the approach being taken to build Iraqi Army capabilities. Although the UK policing mission was relatively small in the context of the total effort to deliver effective policing across the IPS (including the National Police), the presence of key strategic advisors from the mission engaged in work both with CPATT and in direct support of MND (SE) did allow the UK to be engaged fully in strategic approaches to the development of policing across Iraq.

Policing was integrated with wider security sector reform through the development of the Rule of Law strand of the Basra Provincial Reconstruction Team (PRT). This ensured that military efforts within MND(SE), particularly in respect of the provision of equipment, was linked to key training activities of the mission as well as consideration being given to the development and protection of the judiciary and due legal process. Examples of this work included initial planning for a Rule of Law Complex in Basra, the development of effective case management through the training of Department of Internal Affairs officers and consideration of the need to risk assess judges to determine how their security could be increased. The policing mission also worked closely with the DfID programme to develop

strategic planning approaches to police officers and staff within the Ministry of the Interior, which was aimed at enabling strategic decision makers engaged in planning within the MOI to consider financial, human resources and organisational planning and development approaches to police reform.

The arrangements and responsibilities for developing the overall strategy for policing and security sector reform in Basra, were governed through the agreed approach for “Managing the UK Policing Effort in Iraq 2007-08” published through Iraq Policy Unit at the FCO. MND (SE) retained a key interest and responsibility in developing the operational capacity of the IPS in order for them the “stand up” with the Iraqi Army, as MND (SE) “stood down” at PIC. MND (SE) assets were also crucial to ensuring transport and security for mission staff deployed across Iraq.

The strategy for the development of policing in Basra needed to remain flexible as circumstances changed during this period. The relocation of staff from Basra city to the Contingency Operating base at the Airport, increasing militia activity, the timetable to PIC and the capacity of effective training to deliver essential skills to IPS staff during this period were all key issues in the development of the strategy and the prioritisation of work. For example the requirement to swiftly train and equip Emergency Battalions of IPS, effectively to carry out coordinated kinetic security operations with the Iraqi Army, necessitated a major revision in the approach to police training to stand up sufficient local IPS units capable of countering militia violence in Basra and to work with the Army as operations took place to enable more effective control of Basra ahead of PIC.

With the ending of the Danish policing mission located at the COB in Basra all coordination of policing and rule of law development effectively fell to UK and US coalition partners on the ground. The coordination of these efforts was in the main achieved through discussions at CPATT and with staff at the US Regional Embassy Office in Basra. This local coordination internationally was reported back through my (CPA) fortnightly reports from Iraq to the Iraq Policy Unit and was then circulated to other departments and stakeholders.

Coordination with MND (SE) military partners was achieved through my attendance at planning and coordinating meetings and through close liaison and joint working with the J7 (Security Sector Reform) Branch of MND (SE). Intergovernmental Organisations (UN and EU) visited Basra during this period and opportunities were taken to consider wider support for development of the rule of law in Basra, through supporting the work of EUJUSTLEX and the UN programme being developed to fund rule of law activity in Basra.

In my role I was able to meet with visiting Ministers, Parliamentary delegations and senior representatives of military and civilian organisations. During this period there was a regular presence of senior decision makers and an opportunity to brief interested parties on work in progress in Basra and Baghdad.

The coordination of military and civilian structures was essential to the ability to deliver the agreed strategy and this coordination was achieved through joint working arrangements with MND (SE) and CPATT and through the provision of mission liaison officers into the MND (SE) J7 (SSR) Branch. The development of the PRT in Basra also allowed for all civilian efforts to be joined up (especially related to criminal justice development in the wider sense) at the same time as considering military responsibilities, objectives and aims.

The UK policing mission was aimed at developing the capabilities of the IPS, most notably in Basra, in order for confidence to be built in the ability of the IPS to function effectively post PIC. It was a continuing aim of the mission to contribute fully at a strategic level to building increased capacity of the MOI to carry out effective governance of the IPS and to develop the IPS appropriately. Furthermore it was important for us to work closely with Coalition partners in respect of IPS capacity building, to ensure UK policing expertise was available to CPATT in the strategic development of policing capacity across Iraq.

The ability for us to deliver these aims was affected by a number of issues and variables. The 'non-permissive' environment, which prevailed for the majority of this period of the mission, was a key factor limiting delivery. The movement of staff and resources to sites at which the IPS worked and trained, in order for monitoring and training to be conducted was severely restricted due to insurgent activity. The duty of care that I and my staff were under (in compliance with FCO legal requirements) maximised the safety of staff in the mission but was also restrictive in respect of visits to elicit 'ground truth' and to verify actual (as opposed to self reported) performance of the IPS on the ground. The intensity and continuing indirect fire attacks on places where staff were based was a key concern. The provision of hardened accommodation took time to achieve, and was mainly situated in the COB. The movement out of hardened accommodation at Basra Palace limited access to key locations for the mission (including main operational police stations and the PJCC command and control centre at 'The Warren'). Delays in delivery of training, mentoring and monitoring were exacerbated by the need to gain access to limited resources to transport staff. As road moves became increasingly difficult due to IEDs and ambushes, I needed to weigh up the risks to staff and escorting security personnel against the importance of

achieving what were often limited gains given the speed at which hostile activity could be marshalled against staff who deployed to fixed locations within Basra and its immediate surroundings. It was also necessary to consider the effect of requesting scarce resources (such as helicopter transport) at a time in the mission when there was significant military activity taking place with such transport being at a premium for this use.

As a result of the increasing risks to mission staff, security and protection personnel and to the military (providing over watch and wider protection for our movements), I increasingly sought to develop methods to conduct 'remote sensing' of key locations and to conduct information and knowledge sharing with IPS staff via telephone communications or through meetings arranged at the COB. Whilst these arrangements were successful to an extent, (e.g. in the delivery of training for staff on forensic equipment to be installed into the PJCC) there was militia intimidation of IPS staff who sought to attend the COB and real risks that they would be targeted on travelling to or on leaving the COB.

The deteriorating security situation for the first half of the mission led to a significant review of the mission and planning to downscale the mission rapidly if required due to security concerns. The impact of a large mortar round on one of the accommodation blocks used by mission staff (without injury on that occasion), produced pressures in moving staff from that accommodation into hardened pods. The scarcity of this accommodation would restrict the ability to grow or 'surge' numbers of mission personnel to achieve strategic aims.

Financial resource was limited and the costs involved in the deployment and sustainment of policing mission staff in Iraq were considerable. Given the limits on the size of the mission

on cost grounds, was necessary to ensure that resources were targeted at areas of development which could affect organisational and potential cultural change in the IPS.

The duty of care constraints on staff precluded the ability for staff to 'embed' with IPS units during the mission. Such an approach would have given considerably more access for us to the IPS and to understand their internal issues and needs, but the risks involved given the level of militia infiltration and activity at that time were considerable.

The mission was constructed as detailed above, to deliver resources to support strategic development of the IPS in Baghdad, as well as in respect of the work being conducted in Basra Province. The constraints in communications between both main sites for the mission caused difficulties initially. The availability for secure communications between sites was vital and was achieved during this period. Whilst there had been some discussion in respect of seeing both sites as separate entities, I was able to ensure that the best outcome was achieved, in better integrating the work across the mission and ensuring communication of operational and tactical experiences in Basra was fed into strategic considerations for CPATT and the British Embassy in Baghdad. The coordination and effective flow of information in the management of multiple sites at which mission staff were located, remained an important factor in delivering desired outcomes.

An element of our mission involved the training of Internal Affairs staff of the Basra IPS at the COB. This effectively meant the housing of IPS within the secure perimeter of the COB. As the security situation diminished within Basra, this contact with IPS staff locally was important in gaining understanding of what was taking place on the ground. There were inherent problems, as whilst these staff were getting effective training and mentoring, they



were reluctant to a degree to carry out their role as they were unsure of political and tribal affiliations, their role required 'policing the police' and this brought them into conflict with militia sponsored officers and their leadership and direction was to begin with, not of an acceptable standard. Major gains were achieved in the development of this unit but only after significant investigation of the unit, representations to the MOI lead on Internal Affairs and with considerable mission effort to improve the professionalism of this unit.

The turnover of staff at all levels within the IPS was a major impediment to success. Trained officers were moved from the roles they had been prepared for without justification, staff due to be trained did not attend due to corruption arising from the funding of accommodation and transport within the IPS, and incoming leaders brought their own retinue with them, displacing other staff within the local organisation. Whilst it was accepted that some turnover was essential to ensure that militia influence was managed and that effective leadership was put in place, the continual churn of entire departments was a serious concern.

The UK policing mission for 2007-08 was financed by the provision of £21 million (of which £6.5 million was to be spent in Baghdad and £14.5 million in Basra). These funds were made up of 'peacekeeping' and GCPP (Global Conflict Prevention Pool) monies. In April 2007 there were 51 civilian police staff positions in Iraq, with 14 based in Baghdad and 37 in Basra. As the mission progressed however and PIC was achieved in Basra, these numbers were revised downwards.

Relationships between civilian and military staff were generally good. The security situation and the management of this responsibility by MND (SE) remained the core focus of military

personnel throughout the mission. Given the nature of militia activity and the location of resources at the COB, the J7 Branch was focussed strongly on Iraqi Army mentoring and development, with an approach to the IPS which was possibly best described as necessary in order to gain intelligence on militia activity although not as an organisation that could be trusted. This thinking was appropriate for the time given that the incumbent Provincial Director of Police (PDoP) was a significant barrier to progress. He was effectively powerless to confront militia influence within his ranks, was not accountable for the issue of equipment that had been given through MND (SE) to his organisation since 2004 and was effectively 'hamstrung' in respect of the leadership that he could not or did not give to the Basra IPS.

It was necessary to lobby the MOI with the support of military and diplomatic stakeholders to seek a replacement for the PDoP in order for time critical work to be conducted by the mission, in support of building sufficient capacity in the IPS to ensure effective operational performance post PIC. This approach was successful and with the appointment of General Jalil, capable of initiating and driving through change in the Basra IPS, effective challenges were commenced in respect of militia infiltration and in the delivery of a core of staff with sufficient independence/neutrality to be able to deliver increasingly ethical and credible policing.

Whilst the similarities in raising, training and sustaining army and policing units in Iraq were clear (need for accommodation, offices, vehicles, weapons, uniforms etc.) the differences were not always appropriately catered for. A problem with policing in Basra was the politicisation of the police with inappropriate influence being exercised by political, tribal and militia leaders. Far from delivering local and accountable policing, what had been

created was a patchwork quilt of loyalties, superficially contained within a host organisation which was the IPS and existing as an organisation that was not able to carry out essential functions in the prevention and detection of crime and delivering public order within a confident community. This state of affairs was no doubt relished by persons engaged in smuggling, trafficking and other organised crime. The policing organisation of Iraq at that time was also fragmented with numerous 'policing' organisations controlled by ministries in order to maintain direct control over their internal affairs. Faced with this situation the need to inject and encourage good leadership, ethical behaviour and moral and physical courage for IPS staff proud of their organisation was essential.

Policing is more than this though; it is a complex endeavour that requires consent and acceptance or those being policed if truly democratic approaches are to be taken. It was however, accepted that the concept of democratic policing in Iraq was never likely to mirror the experiences of the US or UK during this period and due account needed to be taken of basic concepts of local and ministerial control of policing and the necessary independence of the organisation to support the Iraqi legal system. The delivery of stability and security in Basra was going to be essential to ensure an environment where policing could develop from a more 'paramilitary' construct to a more community based approach. As a mission we were able to discuss and debate future states of policing in Iraq with senior leaders in the IPS, but this development would be predicated upon the removal of malign militia influence within the IPS and taking the heavy weapons and armed capability from militias on the streets.

There were times when communication between the policing mission and MND (SE) staff could have been improved. Whilst MND (SE) had military advisors and liaison officers to

work with the IPS, the most effective expertise in relation to building effective policing approaches and understanding 'the job' lay within the civilian policing mission. In my view the tensions between experts looking to develop professional and sustainable approaches to policing and military staff seeking to ensure agreed funds and materiel were disbursed and intelligence gathered, were creative. Such creativity in the face of competition for scarce access to key leaders, differing mindsets on policing within the local and regional context, whilst holding onto the basic tenets of effective and efficient policing was essential.

At this point I wish to record my heartfelt thanks to all servicemen and women who I had the pleasure to work with and amongst in Iraq. Their dedication to duty, diligence and hard work and sheer resilience and courage were major factors in supporting and securing the gains that we were able to make within the policing mission.

During this period in Iraq progress on other civilian programmes related to the development of the rule of law and a criminal justice system was difficult. The same barriers in respect of access to locations such as the Basra Prison and Courts befell my colleagues. We were however able to work alongside FCO and DfID advisors to deliver inputs and engage in discussions with Iraqi Criminal Justice Partners in Jordan and at the airport in Basra.

Whilst officers in the policing mission were armed for self protection we were able to access key locations for our work (e.g. MOI premises). Duty of care considerations for DfID advisors were more stringent in respect of such access (particularly in the wake of high profile kidnapping events). I was able to maintain some dialogue with stakeholders for DfID and the policing mission within the MOI, which was important in maintaining the visibility of to UK development and assistance as a whole.

During the mission I and my staff were called upon to assist with work which was not wholly on the agreed work plan, but was deemed so vital as to require the skills and experience of staff of the UK policing mission. Such tasks included assistance to hostage and kidnap incidents, identification, forensic examination, assessment of human rights provisions and information gathering. All of these elements of our work gave insights into the operation of the IPS and security services and supported UK interests.

My relationship with Iraqi members of the mission (Language Assistants) and members of the IPS were always cordial and our work was well received by those we were training and mentoring, and well regarded by military colleagues (e.g. training of the Territorial Support Unit, Forensic officers and the Emergency Battalions). I have utter respect for the courage shown by those Iraqis who engaged with us during periods where they were intimidated and threatened by militias and were expected to live away from their families for long periods serving the greater needs of their country. I was proud to be able to work closely with one language assistant whose life, and that of his wife and family were at risk, and to support them to improve their quality of life.

In my estimation the IPS developed and improved significantly during this period. From an initial situation where the PDoP was not able to effectively command his staff, where malign militia influence inside the IPS directed much operational activity (and indeed directed criminal activity), improvements were made. The New PDoP General Jalil, was centrally appointed without links to the Basra political and militia influences. He developed a strategic plan to turn around a failing force and lobbied hard for support and bespoke assistance to deliver this plan and ensured that through his military rank, his approach was linked closely to the work of the Iraqi Army. By concentrating on the development of units

and tactics that were going to assist Jalil to succeed, we were able to maximise the value added by the mission in delivering security and effective leadership in the IPS. The courage exhibited by Jalil, not only in the face of repeated assassination attempts and resistance from within and without his organisations, but also in confronting key community safety issues and giving a voice to the tenet, which was listened to, that “no one is above the law”. His preparedness to also take steps to confront and investigate the murders of women, who were not wearing full Islamic dress, also signalled his leadership out as compassionate and capable of challenging the worst excesses of criminal behaviour in Basra.

Initial poor practice in the vetting, equipping and training IPS officers in previous years returned to haunt the mission. The lack of credible training records or accurate identification and vetting credentials required a wholesale revisiting of persons employed in the IPS. The practices of patronage and nepotism were still effective in appointing IPS officers and the need to tighten the grip on identifying such appointed officers was essential. Likewise an inability to check that materiel issued to the police was still in the hands of the police caused a major challenge for MND (SE).

Notwithstanding the above, the development of leadership courses for officers in the IPS, the delivery of bespoke training for the Emergency Battalions and the improvement of the investigative standards of the Department for Internal Affairs were all significant improvements for the capability of Basra to be effectively policed.

The ground was set for the removal of corrupt and criminal IPS officers following “The Charge of the Knights” in Basra in April 2008 and the gains made in identifying and confronting poor performance during this period was essential in giving a chance for the IPS

to function effectively post PIC. There was no doubt in my mind as I left Iraq in April 2008 that to some extent the work had just begun, to now let the IPS now with a credible leader and some units who had acquitted themselves well in the “Charge of the Knights”, to clean out corrupt and ineffective colleagues.

I am aware that there has been criticism of the training of the police in Iraq and some unhelpful comments in respect of trying to replicate UK policing structures and standards. From my recollection this was not the case. We were seeking to be as pragmatic as the circumstances would allow in fashioning an acceptable policing service in Iraq that really knew and understood the business of policing. There were some (and probably still are) who saw the policing role in Iraq as predominantly a ‘second fiddle’ to the Iraqi Army. I believe this is more a fault of not understanding the pivotal role in communities of policing actions and accountability for the use of force and policing powers within the Iraqi legal system. I was adamant that I did not want to visit upon Iraq a paramilitary force that ‘just did public order’. The Iraqi citizens deserved more than that of us, they deserved effective police complaints investigation, trained staff and specialists to investigate and solve crimes and an understanding of how policing can improve the lives of the vulnerable, especially as effective policing had been absent from the City following the withdrawal of military units to the COB and the lack of access available for the policing mission to police stations and criminal justice partners within the City.

There are many lessons for the future that can be learned from this period of the UK policing mission. Much has changed (in respect of the development of the Stabilisation Unit and approaches taken in Afghanistan in particular) but some critical learning for me is included below:

1. The need to ensure that there is effective joining up of all Criminal Justice related mission and development programmes operating in theatre as effectively as possible. Action taken in order to develop any given area of criminal justice will inevitably affect other stakeholders and parts of the process so a strategic and agreed approach across departments and international partners is essential.
2. The need to identify and work intensively with leaders who are beneficial change agents, as it is their force of personality and leadership that will give confidence to the recipient of our services, to make the necessary and often hard choices.
3. Organisational restructure and reorganisation are long term propositions, especially where the base level of performance of the legacy organisation is very low. The cultural challenges in developing a respected and trusted IPS in Iraq given the role of the police under Saddam Hussein were important. Our endorsement of improvement is necessary to build trust and confidence in the new organisation when they have earned that trust.
4. The development of structures and processes within civil society, when there are significant and ongoing security concerns and an inability to embed advisors, requires creative approaches and the ability to work through others who can be trusted, to achieve improvements.
5. The availability of transport and security to facilitate an understanding of 'Ground Truths' in order to assess progress and whether reforms are in place is essential. Whilst an input at a strategic level is very beneficial to ensure effective thinking and



learning for Iraqi leaders, the need to prove it on the ground and to make sure that the intended change comes into effect is vital.

6. Development within one area of Iraq has to be linked to endeavours going on across the country. Whilst the local governance structures around the Emergency Security Committee and the role of the Provincial Governor were in place, there needed to be deeper involvement from national inspection bodies (MOI appointed) to assure that a common operational approach was being adopted. This ability to synchronise approaches across donor organisations and policing development bodies is also highly desirable.
7. Strategic Planning for Ministry officials and building capacity within the MOI goes hand in hand with the development of local policing and national policing services. If the MOI cannot support the IPS when donations and training cease, the objectives will not be achieved or sustained. Many of the problems of the IPS in respect of performance, which were not linked to corruption or training/competence, emanated from desperately poor financial and resource management processes.
8. It would be highly desirable to train and prepare senior leaders 'across agencies' ahead of deployments in order to build relationships, appreciate the organisational challenges that will affect each other's work plans and to seek to prioritise approaches and identify contingencies (as far as possible) in advance.



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(Signed)

**Michael Colbourne**

*14<sup>th</sup> June 2010*