

STAFF IN CONFIDENCE

STATEMENT BY [REDACTED] TPR Person 10
REF INCIDENT 15 JULY 2012

1. During the period of the 14th and 15th July 2012 G2 and G3 conducted an SR patrol within the Chora valley.
2. On the morning of 15th July at approximately 0330 G2, G3 and attachments stopped and performed an LUP to gain communications with 2O and to change groups on my MBITR in preparation of the assault force. A battery change was also done. The LUP also served as an FSP. CPL Ben Roberts-Smith (G21) changed my group and battery on my MBITR while I was attending to the 117G changing TEKs and gaining communications with 2O. It was during this battery change that my MBITR dropped its fill. I attempted to refill the MBITR utilising the RASCL however due to the approach of first light the patrol had to move to identify a suitable blocking position before light and this was not achieved.
3. G2 moved forward towards the target compound and a recce was performed for a suitable blocking position by G21, TPR Person 11 (G24) and TPR Person 22 (G25) while myself (G23), CP Person 4 (G22), a Zulu call sign and the interpreter found a defensible position while the recce was out. It was during this time that G22, G23, Zulu and Interpreter moved South down the wadi to the East of the Hilton to look for a suitable blocking position to aid the recce team as light was approaching. On the movement south of the wadi, G3 showed their position with an IR flash. At this time I signalled back with an IR flash also taking note of their position to the south of the wadi behind a mud wall lined with trees. After identifying their position we moved north up the wadi to behind a small mud wall to wait for the recce team to call us into position. At this stage LNs began moving to the target compound we observed them remaining undetected.
4. We then collapsed that position moving further North and hand railing the wadi to RV with the recce team of G21, G24 and G25 who were holding a position to the North East of the COI. On the move there a number of elderly LN males were moving out and around the COI on the East side going about their daily routine. We then collapsed the position because the patrol was exposed around the blocking position and moved into an empty stand alone building to conceal the patrol before moving into a blocking position as the assault force inserted.
5. Once we occupied the empty building we kept watch through the windows and observed the movement of LNs. I observed a FAM wearing black clothing move near our position and check the wadi numerous times between our position and that of G3 blocking position to the South. I observed that his movement was suspicious as he was walking briskly and checked the wadi no less than 4 times before he continued his way South to a East-West running wall South of the wadi where G3 were behind. He looked over the wall and then continued over it in which I lost visual due to the vegetation.

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6. G2 rotated responsibility keeping watch until the assault force could be heard and confirmation given that they were on the ground. It was at this stage that G2 moved from of the out house leaving the Zulu and the interpreter inside for their safety. My area of responsibility was to the East of the outhouse and to provide rear security for the remainder of G2 as they fanned out to the North up an aquaduct. I noted LNs 300m to the East move around and then into their compounds.
7. Shots were fired from the South West of our position. I turned towards the West knowing that G25 had taken up a fire position on the North Western corner. I saw the splash of rounds against the building as he moved behind it for cover. He indicated that the rounds came from the South. At this stage I thought we were in contact. I didn't have ptl communications so I had no way of knowing otherwise.
8. G21 moved to our position as G22 and G24 stayed in a blocking position. I maintained rear security to the East until G21 and G25 pushed up to my position and we started to manoeuvre clearing the open ground up to a 4ft North-South orientated wall before moving South. I pushed up to G25 position with G21 leading and took cover behind a small ditch with the bipod out on the suppressed minimi to cover G21 and G25's movement South across the open ground. I checked their position in preparation to push up to them when I noticed what I thought to be two FAMs manoeuvring keeping a low profile and holding what I thought to be a weapon. They moved into the wadi to our West from where we had received fire. I immediately opened fire as G21 and G25 were in relatively open ground and the FAMs direction of movement indicated to me that they were going to set up a fire position from the wadi. I fired two bursts of 2-3 rounds from the lying prone position in an attempt to suppress and fix them.
9. Through my sight picture I could see compound C4684B behind the engagement area and a South-West running aquaduct to the north of the compound. After firing I had a stoppage so I went through the IA and attempted to refire resulting in another stoppage. At this stage I heard G21 yell out for a target indication which I yelled back West, 100m bridge two enemy. I put a new belt of link on as I was sure the link had tangled on the last belt and fired two more bursts into the wadi. He asked what I was shooting at and what they were wearing he also said that there were friendly callsigns in a blocking formation to the South which I had previously ID. I told him I was shooting at two Insurgents in the wadi, and at that point a woman wearing a yellow burkah and holding a bird cage and her son came out of the wadi moving East. I hadn't seen them previously, it was the first time I'd seen them. I didn't know where they had come from.
10. I then moved to G21 and G25s position. G22 had moved up to our position in support and asked what I had engaged. I said that I had seen two heads in the wadi. During this time G3 had deployed blue smoke 10-15m East of their position. G21 moved up to our position, then G2 complete moved North to the

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original blocking position and provided security as the target compound was being cleared.

11. I honestly believed I was engaging FAMs. At no stage did I engage friendly call-signs as I was aware of their position relative to the engagement area. Post engagement, it occurred to me that I may have fired at LN's mistaking them for enemy. However I thought given the open ground and exposure of G21 and G25 I would initiate. I now understand that I should have gained PID first and I admit my error.
12. On RTU I was counselled by Capt **Person 58** SGT **Person 26** and CPL Roberts-Smith and told that further action will be taken.

TPR **Person 10**
E13
TF66 FE-A

30 JULY 2012