

## IN THE BAHA MOUSA PUBLIC INQUIRY

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### FURTHER SUBMISSIONS ON BEHALF OF DARREN FALLON

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1. Darren Fallon was a very junior private soldier when he deployed to Iraq with 1QLR in July 2003. Throughout his involvement with service police investigations, being on trial for war crimes and being acquitted and throughout his involvement with the Inquiry and the evidence he has provided orally and in writing and submissions made on his behalf; he has attempted to be open, honest and forthcoming in trying to assist. He remains committed to that in these further submissions.
2. Fallon has explained the extent of his involvement with the detainees during his guard shift with Crowcroft and that they had been briefed on what to do by Payne at the beginning of the duty. He has also said that he does not remember any officers visiting the TDF during his shift on the Sunday; he is sure that he was replaced by G10A at around sundown. He is unable to assist to either corroborate or contradict the evidence of Lt Crosbie. Fallon certainly does not recall any officer attending the TDF on the Sunday until Lt Rodgers arrived with G10A.
3. Fallon certainly accepts that he was told by Payne, and he will accept that he did so, to “man handle” the detainees but he did not participate in “the choir” and had no idea what the choir was until papers were prepared for the court

martial. He did not on any occasion show anyone "the choir". He will accept that the detainees might well have been wet and grubby as it will be remembered that they were given water by lifting their hoods to pour it into their mouths as instructed to do so by Payne and they were in the TDF from around 11am that Sunday morning. Fallon does accept that in "man handling" he tapped the detainees with his foot on their feet to move them into the required and instructed position as ordered by Payne, but not on their backs. He will say these taps were not forceful and did, on occasion, produce a groan but that this was never deemed to be "the choir", and were not done sequentially across the detainees as they and others have since described.

4. As Fallon does not recall the appearance of any officers that day until the arrival of Rodgers and G10A he is unable to comment further upon Crosbie's evidence. He stands by his oral and written evidence to the Inquiry.

2<sup>nd</sup> June 2011

Fiona Edington