

UK Army doctors in Baha Mousa case 'colluded in cover-up'

By Andrew Johnson

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Doctors who examined Baha Mousa, a 24-year-old Basra hotel worker who was kicked and beaten to death in British custody in 2003, have been reported to the General Medical Council.

The move follows allegations that army doctors who treated the detainees colluded in a cover-up by misdiagnosing and failing to properly document the extent of prisoners' injuries. Doctors who examined Baha Mousa said in legal evidence that they saw no injuries on his body, except "a little dried blood" around his nostril.

However, a post-mortem found that Mr Mousa had 93 injuries. Photographs of his corpse show clearly his face, chest and upper body covered with contusions and bruising.

The details of Mr Mousa's injuries and his medical inspections are outlined in a 383-point dossier submitted to the Ministry of Defence by Phil Shiner of Public Interest Lawyers, who is acting on behalf of the former detainees.

The dossier will increase the pressure for the Ministry of Defence to hold a full public inquiry into the abuse and torture of Iraqi civilian prisoners in Basra by UK troops. Mr Shiner has listed every example of inconsistency in evidence or allegation of abuse to come out of the courts martial – which jailed one soldier and acquitted six others – into the 2003 beatings.

The former detainees, all civilians with no links to insurgency groups, are now launching a civil action against the MoD, claiming they were hooded, beaten, subjected to sleep deprivation and noise, and held in stress positions during their detention.

Further developments last week saw one of England's most senior judges order the release of evidence used during the courts martial, which the MoD had been withholding from Mr Shiner.

Mr Justice Andrews ruled that the Defence Secretary, Des Browne, must delay deciding what kind of inquiry should be held into the torture allegations until Mr Shiner has received the documents and had an opportunity to comment.

Mr Shiner's dossier includes suggestions that the doctors responsible for the detainees in Basra colluded in the cover-up following the death of Mr Mousa

When asked at the courts martial whether he noticed any bruising or injuries on Mr Mousa, the army's doctor, Captain Derek Keilloh, replied: "When I was attending to him, the only injury which is documented on my statement was there was a small trace of old dried blood around one of his nostrils, and other than that I did not see any other external injuries."

Dr Keilloh, now a GP in Northallerton, Yorkshire, said yesterday: "What I saw is what I saw. I wasn't there to conduct a forensic examination on [Mousa]. I passed him to the relevant authorities and a post mortem was carried out. That examiner saw what he saw. I can't explain any discrepancies."

Mr Shiner said: "The judge ordered that we should be allowed to see all the relevant documentation. I've already made 380-odd points about systematic abuse and systemic failings based only on the transcript of the court martial. Once we are able to understand more fully what went wrong in the light of the missing documents, the need for an inquiry becomes inevitable. I'd expect the Secretary of State to do the right thing and announce the inquiry in early October.

"The systemic failings and terrible abuse it led to will have to be faced. As for the disgraceful behaviour of the medics involved, I've now reported that to the General Medical Council."

Shami Chakrabarti, the director of Liberty, said a full public inquiry into the treatment of prisoners in Basra was now "inevitable" and a question of "when, not if".

A spokesman for the MoD said: "On July 13th, the Secretary of State agreed the relevant court martial documents in our possession that can be released would be given to Public Interest Lawyers. This pre-dates the court's instructions and demonstrates willingness to cooperate with the PIL."

Mr Shiner pointed out that this was more than a week after he lodged the application for the documents with the court and the last possible moment before the ruling.