

Annex A: 'Land Accident Prevention and Investigation Team Report'



ARMY

STAFF - INVESTIGATION

LAND ACCIDENT PREVENTION AND INVESTIGATION TEAM HEADQUARTERS LAND COMMAND

[REDACTED]
[REDACTED]

Telephone: Netheravon Military [REDACTED]

Civil: [REDACTED]

Facsimile: Netheravon Military [REDACTED]

Civil: [REDACTED]

Our Reference: D /ATS/DB1545

See Distribution

Date 30 March 2007

LAND ACCIDENT PREVENTION AND INVESTIGATION TEAM REPORT DB1545 DEATH OF MR ROBERT SWARA SEUREI, A KENYAN CIVILIAN, AS A RESULT OF AN EXPLOSION IN HIS HOUSE IN NDAIGA ON SATURDAY 17 MARCH 2007

Reference:

A. LAND/TS/2/1/2 dated 5 November 2003 (LAIT Terms of Reference).

1. The Land Accident Prevention and Investigation Team (LAIT), under Lieutenant Colonel [REDACTED] deployed to Kenya on Tuesday 20 March 2007 to investigate and report on the death of Mr Robert Swara Seurei as a result of an explosion in his house on Saturday 17 March 2007.

2. The enclosed report by LAIT is forwarded for your information and action as necessary. In accordance with Reference A, action addressees are requested to report what action has been taken to implement the recommendations by 21 September 2007.

3. This report is an immediate response to an accident in order to make recommendations to prevent recurrence. It does not apportion blame hence Legal advice should be sought before using it in any judicial proceedings.

4. This is a privileged document and as such may not be supplied to civilian organizations without authorization from DG Info-Access Pol 6, MOD Main Building, 06 Zone E, Whitehall, London, SW1A 2HB.

5. Please acknowledge receipt of the enclosed report by signing and returning the attached MOD F 24.

[REDACTED]

CH LAIT
for Chmn SCOTS(A)

STAFF - INVESTIGATION

STAFF - INVESTIGATION

Enclosure:

1. Report by Lieutenant Colonel [REDACTED]

Distribution:

External:

Action:

LWC-SO2 Lt Forces
RSME-BEW-AI Explosives
BATUK-CO
IBS-CO

Information:

BHC Nairobi-DA (2 copies)
DS&C (KC)
DGM IPT-M&E
Sch of Inf-COS

Internal:

Information:

MA to COS
CESO (A)

STAFF - INVESTIGATION

STAFF – INVESTIGATION

Our Ref: D/ATS/DB1545

LAIT



30 March 2007

Ch LAIT

**LAND ACCIDENT PREVENTION AND INVESTIGATION TEAM REPORT
DB1545 DEATH OF MR ROBERT SWARA SEUREI, A KENYAN CIVILIAN, AS
A RESULT OF AN EXPLOSION IN HIS HOUSE AT NDAIGA ON SATURDAY 17
MARCH 2007**

References:

- A. IBS HQ/G7/05/06/03/06 dated 23 January 2007.
- B. Joint Service Publication 375, Health and Safety Handbook, Volume 2, Leaflet 11.
- C. Military Engineering, Volume II, Field Engineering, Pamphlet, 4A, All Arms Battle Noise Simulation 1999 with 3 amendments.
- D. Kenya Training Areas, 1:50,000, Series GSGS 5206, Sheet Dol Dol and Ole Naishu, Edition 2.
- E. Army General Administrative Instructions, Volume II, Chapter 51, Instructions for Army Employment and Specialist Qualifications Assessment, Testing and Classification.

PERSONS INVOLVED

1. Details of the Subject Matter Experts and key personnel filling appointments directly related to the incident under investigation are attached at Annex A to this report.

BACKGROUND

2. The Platoon Commanders' Battle Course (PCBC) from the Infantry Battle School (IBS), Brecon, began deploying to Kenya on Tuesday 27 February 2007 to conduct their battle camp. The aim of the battle camp was

STAFF – INVESTIGATION

to assess Infantry Officers in command and administration in light role, high intensity expeditionary operations.

3. The main body deployed to Kenya on a night flight leaving Heathrow on the evening of Tuesday 6 March. On arrival in Nairobi PCBC moved to the Nanyuki Showground (NSG) where they spent the night of Wednesday 7 March before deploying onto the Ole Naishu Dry Training Area on Thursday 8 March where Phases 1 to 12, all dry training, were conducted in accordance with the Main Events List (MEL) set out at Annex H to Reference A. The final phases of the battle camp, Live Fire Tactical Training (LFTT), were conducted at Archers Post.

4. To assist with the construction of enemy positions and range clearance a number of Locally Employed Kenyan Civilians (LEC) were hired¹. Because different LECs were employed at various times a daily brief was conducted by a SNCO from the staff before being permitted to conduct range clearance, which was always under his supervision.

5. The Battle Noise Simulation Safety Supervisor (BSS), assisted by a small team, had been setting up, and initiating, simulated mortar and artillery fire charges throughout the exercise. During the recovery phase of Phase 6 the BSS noticed that several charges on the rings he had set up had been whipped around and had failed to detonate. These he collected and returned to base camp where he disposed of them.

6. On Thursday 15 March the BSS set up a series of bangs areas in preparation for Phase 8, a Company night withdrawal in the area of Grid Squares 0128, 0027 and 0107 on Reference D. 3 of these areas were adjacent to an airstrip and were marked by posts, mine tape and Cyalumes.

7. After last light on Thursday 15 March the BSS joined the Directing Staff (DS). He carried a Battlefield Inoculation Remote Initiation System (BIRIS)² with him with which to initiate the battle simulation on the orders of the DS.

8. As soon as the 3 bangs areas adjacent to the airstrip had been initiated the BSS withdrew to a fall back position where he had set up a further bangs area.

¹ Mr Robert Swara Seurei was hired for 2 days, Friday 16 and Saturday 17 March.

² BIRIS is designed to command detonate explosives thus saving the laying of large lengths of cable. It has a range of several kilometres.

STAFF – INVESTIGATION

9. Once the bangs for the withdrawal phase had been completed the BSS and his team cleared the fall back bangs area using head torches and the lights from their vehicle. Having checked the area they removed the marker posts, mine tape and cyalumes before moving back to the area of the airstrip. Here they repeated the process of checking the area before removing the marker posts, mine tape and cyalumes. During this search 5 ½ sticks of PE4 and 2 rings, which had not initiated, were found.

10. During the morning of Friday 16 March the LECs, and their supervisor, were tasked to conduct a range clearance of the withdrawal route, including the positions adjacent to the airstrip. When the BSS and his team arrived at the airstrip the LECs were gathering wire which had been laid around the position.

11. The BSS conducted a full search of the 3 bangs areas adjacent to the airstrip during which he found a ½ stick of PE4 complete with a detonator and a short piece of safety fuse. Having completed the daylight clearance of all the bangs areas he returned to base camp.

WHAT HAPPENED

12. Since nobody saw Mr Robert Swara Seurei remove anything from the area this section is based on the evidence provided by his Mother and Grandmother.

13. Following the range clearance on Friday 16 and Saturday 17 March he returned to his house in the village of Ndaiga. He placed an object, which he reportedly described as a candle, on a shelf.

14. On the evening of Saturday 17 March he took the object from the shelf and indicated that he was going to light it as it would provide light. Both his Mother and Grandmother were unhappy with his plan and suggested that he lit it elsewhere. He moved to another part of the house and as he lit the fuse it detonated. He sustained massive injuries from the detonation and died instantly. A set of photographs of the damage to his house are attached at Annex B to this report.

SUBSEQUENT ACTIONS

15. On the morning of Sunday 18 March the SO2 Plans/Trg was made aware of the incident and, accompanied by the Kenyan Army Liaison Officer and the Ole Naishu Ranch Manager, went to Umande Police Station where

STAFF – INVESTIGATION

the Mother of Mr Robert Swara Seurei positively identified a stick of PE4 as the object her son had ignited.

16. As soon as the SO2 Plans/Trg returned to the Base Camp he briefed the staff and directed the BSS, his team and the Ammunition Technician (AT) to check all the bangs areas used on the training area during the exercise.

17. During this search several misfired prepared ½ sticks of PE4 were found. A search of the sand bags used by the LECs during the range clearance revealed further misfired prepared ½ sticks of PE4.

THE SAFE SYSTEM

18. To understand why this incident occurred one must analyse the evidence against the safe system under which the Army operates. The Safe System consists of 4 separate elements where hazards have been assessed and the consequent controls have been integrated into formal procedures in order to reduce the risks within the constraints posed by the operational imperative. The 4 elements of the **Safe System**, set out in Reference B, are:

- a. **Safe Persons.** Personnel who have received the appropriate information, instruction, training and supervision in order to carry out a specific task are regarded as safe persons. A competent person with the Safe System is deemed competent by virtue of his qualifications, currency, experience and maturity.
- b. **Safe Equipment.** Defined as equipment that has been brought into service following a safety case, with appropriate documentation defining its safe operation and maintenance of the equipment under Service conditions.
- c. **Safe Practice.** Defined as the conduct of the drills and instructions in accordance with those laid down in the relevant publications. Safe Practice also includes the following of correct procedures, the presence of an adequate training and supervision and the provision of warnings.
- d. **Safe Place.** A location in which the control measures have been identified by a site specific risk assessment and directed through appropriate standing orders and operating procedures.

STAFF – INVESTIGATION

ANALYSIS OF THE EVIDENCE OF THE SAFE SYSTEM

19. **Safe Persons 1.** The BSS attended the All Arms Battle Noise Safety Supervisors course conducted at RSME in May 2006. The current rules, laid down in Chapter 4 of Reference C require a BSS to be the minimum rank of SNCO to ensure appropriate Maturity and Experience E in C, as the Competent Army Authority (CAA) for explosives, authorised qualified JNCOs within the LWC and BATUS³ to act as BSS. For ease of reference a copy of the latest letter on this subject is attached at Annex C to this report and a copy of the current requirements for a BSS, laid down in Reference C, is attached at Annex D to this report. Since the JNCO, acting as the BSS, did not meet the requirements of the letter at Annex C he should not have been permitted to conduct Battle Noise Simulation.

20. **Safe Persons 2.** Mr Robert Swara Seurei was briefed by a Ghurkha SNCO; as a result a person who did not have English as a first language was briefing a Kenyan, who did not have English as his first language. Despite the briefing and any supervision during the range clearance Mr Robert Swara Seurei was able to remove the explosives from the area.

21. It is therefore likely Mr Robert Swara Seurei did not understand the dangers of removing the explosives from the range, nor was he able to identify them from the briefing he was given. His supervision would appear to have been inadequate, in particular the declaration and clearance of LECs after they had completed their range tasks.

22. **Safe Equipment.** Sadly the detonator, safety fuse and PE4 taken from the range by Mr Robert Swara Seurei performed as designed. The reason for the charges not to have initiated is not known but in discussions with DGM IPT, Mines and Explosives, it would appear the Safety Fuse had been incorrectly fitted to the Igniter Safety Fuse Electric (ISFE) which had caused it to separate during the initiation process. For ease of reference a set of photographs of the detonator, with safety fuse attached, and a ½ stick of PE4 recovered from the area are attached at Annex E to this report.

23. **Safe Practice 1.** The rings had been set up in accordance with the procedures laid out in Chapter 3 of Reference C except the detonator was placed directly into the PE4. When small quantities of PE4 are used this is a recognised safe practice.

³ But not IBS or other ARTD units

STAFF – INVESTIGATION

24. **Safe Practice 2.** Though not a factor in the incident it was noted that some of the failed charges were moved by the BSS and his team. They should have been disposed of in situ.
25. **Safe Practice 3.** When multiple charges are set off the BSS should count the number of bangs in order to assess whether there had been any failures. This system gives the BSS an early indication whether he is looking for failed charges in the area and how many.
26. **Safe Place.** Marker posts, mine tape and, for night operations, Cyalumes, were used to mark the bangs areas and prevented inadvertent movement through the areas. The clearance of the bangs areas by night was a quick check of the area. The removal of the markings prior to a full daylight check places the other range users at risk since they might not be aware that explosives had been used in the area. A photograph of the area where it is believed Mr Robert Swara Seurei removed the explosives from is attached at Annex F to this report.

WHY IT HAPPENED

27. It is the opinion of the Investigating Officer that there are 5 contributing factors in this incident. They are:
- a. Mr Robert Swara Seurei, a LEC, had not understood the briefing and, despite a level of supervision, removed the explosive from the range which he later attempted to ignite with catastrophic results. Had he understood the dangers associated with PE4 then it is unlikely he would have removed it from the range.
 - b. The level of supervision, declaration and clearance procedures were inadequate. Had a rigorous system been in place then it is possible the explosives would have been found in his possession.
 - c. The premature removal of the marker posts and mine tape delineating the bangs area, before a thorough daylight check of the area had taken place, contributed to the incident since if the markers had remained in place those supervising the LECs would have instructed them not to enter the area.
 - d. The incorrect fitting of the safety fuse into the ISFE which caused a significant number of misfires thereby placing ½ sticks of PE4,

STAFF – INVESTIGATION

complete with detonators and safety fuse, around the area in unmarked locations.

- e. The use on a qualified BSS below the rank laid down by the CAA for explosives and the level of supervision given to him.

RECOMMENDATIONS TO PREVENT RECURRENCE

28. It is recommended that:

- a. HQ LWC: Include in all mounting instructions a paragraph on the requirement to conduct a full safety brief for all LEC personnel employed on ranges. If there is a potential of a language barrier then an Interpreter must be used to deliver the briefing. Where possible the briefing should include a practical demonstration by the Ammunition Technician or suitably qualified Royal Engineer personnel and each nature must be shown to the LECs to ensure they have a clear picture of what is potentially dangerous.

- b. BATUK: Amend Range Standing Orders to include the requirement set out in paragraph 28a above and add the requirement for declarations and post range clearance procedures to be adopted prior to the release of the LECs from their tasks.

- c. RSME:

- (1) Amend Reference C to require a daylight clearance of a bangs area which has been initiated by night and the requirement for the area to be marked until the daylight clearance has been completed.

- (2) Clarify the minimum rank required for a BSS and amend Reference C accordingly.

- d. IBS: If in the opinion of the CO the BSS acted below the qualification held by him invoke paragraph 51.013f of Reference E, which for ease of reference is attached at Annex G to this report.

SO1 (A)
LAIT

STAFF – INVESTIGATION

Annexes:

- A. Details of the Subject Matter Experts and key personnel filling appointments directly relating to the incident.
- B. A set of photographs of the damage to the house.
- C. A copy of the latest policy letter on JNCO acting as BSS.
- D. An extract from Reference C describing the rank of the BSS.
- E. A set of photographs of the detonator, with safety fuse attached, and the ½ stick of PE4.
- F. A photograph of the area where the bangs were laid out adjacent to the airstrip.
- G. An extract from Reference E.

STAFF-INVESTIGATION

ANNEX A TO
D/ATS/DB1545
DATED 30 MAR 07

DETAILS OF THE SUBJECT MATTER EXPERTS AND KEY PERSONNEL FILLING APPOINTMENTS DIRECTLY RELATED TO THE INCIDENT

1. Details of personnel filling appointments mentioned in this report or whose advice was otherwise taken:

a.	██████ Maj ██████	SO2 Plans/Trg IBS
b.	██████ Sgt ██████	Range clearance briefer
c.	██████ Cpl ██████	BSS
d.	██████ Pte ██████	Batsim party
e.	██████ Pte ██████	Batsim Party

2. Details of the independent Subject Matter Experts:

a.	██████ SSgt ██████	Ammunition Technician
----	--------------------	-----------------------

STAFF-INVESTIGATION

ANNEX B TO
D/ATS/DB1545
DATED 30 MAR 07

STAFF-INVESTIGATION

STAFF-INVESTIGATION

A PHOTOGRAPH OF THE DAMAGE TO THE ROOF OF THE HOUSE



STAFF-INVESTIGATION

STAFF-INVESTIGATION

A PHOTOGRAPH OF THE DAMAGED ROOF-FRONT VIEW



STAFF-INVESTIGATION

STAFF-INVESTIGATION

A PHOTOGRAPH OF THE DAMAGED ROOF-INSIDE LOOKING OUT



STAFF-INVESTIGATION

STAFF-INVESTIGATION

A PHOTOGRAPH OF THE DAMAGED FRONT WALL



STAFF-INVESTIGATION

STAFF-INVESTIGATION

A PHOTOGRAPH OF THE DAMAGE INSIDE THE HOUSE



STAFF-INVESTIGATION

STAFF-INVESTIGATION

A PHOTOGRAPH OF THE DAMAGE INSIDE THE HOUSE



STAFF-INVESTIGATION

STAFF-INVESTIGATION

ANNEX C TO
D/ATS/DB1545
DATED 30 MAR 07

STAFF-INVESTIGATION



Headquarters Engineer in Chief (Army)

Telephone: [REDACTED]
Fax: [REDACTED]
E-Mail: [REDACTED]

Military Network: [REDACTED]
Fax: [REDACTED]



See Distribution

Reference: EinC(A)/43/5/1

Date: 27 Feb 07

BATTLENOISE SAFETY SUPERVISOR (BSS) – REVISION TO REQUALIFICATION REQUIREMENTS FOR SPECIFIED JNCO POSTS

References:

- A. Military Engineering Volume 2 Field Engineering Pamphlet No 4 Demolitions dated 1999.
- B. Military Engineering Volume 2 Field Engineering Pamphlet No 4a all Arms Battle Noise Simulation dated 1999.
- C. BSS 3A/1803 Course Training plan, Edition A, dated Jan 03.
- D. BEW 1803 dated 12 Feb 07.

BACKGROUND

1. References A and B state that in order to attend the All Arms BSS course an individual must be at least a SNCO in rank. The exception, given by the dispensation at Reference C, is for JNCOs employed as range staff at either LWC or BATUS.
2. Reference D highlighted the disparity between the re-assessment requirements for these JNCOs and all other attendees on the All Arms BSS course. At present for SNCOs and above the qualification is valid for 3 years, whereas the JNCOs must be re-assessed annually, despite having attended the same training course and met the same testing standards.
3. This system has been reviewed and is considered to be both unnecessary and inefficient.

AMENDMENT TO POLICY

4. **Authority.** This document supersedes Reference C regarding the need for JNCO BSS to be annually reassessed and is to be taken as authority for RSME to cease this process with immediate effect.
5. **Qualifications.** As previously, only those JNCOs selected for employment at authorised training establishments will be able to attend the BSS course. Qualifications awarded will be subject to the same validity and requalification requirements used for all other students with the exception that RSME are to annotate JNCO course reports as follows:

"This qualification is only valid for the period of employment at [establishment name] or until the 3 year qualification period has elapsed, whichever is the shorter".

6. **Promotion.** If a JNCO is selected for promotion to substantive SNCO whilst in an authorised BSS post, the qualification may be retained and renewed on return to his next appointment.
7. **Publications.** References A (para 1015) and B (para 0415) will be amended at the next re-write to read as follows

a. A Battle Noise Safety Supervisor is an officer, Warrant Officer, Senior NCO or JNCO (See note) who has qualified on the following course:

- (1) All Arms Battle Noise Safety Supervisors course conducted at RSME.*



Note: JNCOs may only attend the course when employed in authorised training establishments. Their qualifications are only valid for the period of employment at that establishment or until the 3 year qualification period has elapsed, whichever is the shorter.

8. **Authorised JNCO BSS Posts.** RSME will maintain the list of establishments authorised to have BSS qualified JNCOs. Currently these are LWC and BATUS.

a. **JNCOs Currently in Post.** The detail at paras 5 and 6 above applies with immediate effect to JNCO BSS currently in post.

b. **Additional Establishments.** Authority to include additional establishments lies with HQ EinC(A).

(Signed on CASH)

[Redacted Signature]

Maj
SO2 Trg Pol

Distribution:

8 Force Engr Bde
HQ RE 1 Div
HQ RE 3 Div
HQ EinC(A) for SO1 Pubs
HQ RSME
BATUS
LWC

Copy to:

HQ EinC(A)	-	SO1 Trg
BEW	-	CI
	-	SI CMob

STAFF-INVESTIGATION

ANNEX D TO
D/ATS/DB1545
DATED 30 MAR 07

STAFF-INVESTIGATION

D/DGD&D/18/27/170

Army Code No: 71685

Military Engineering Volume II Field Engineering

Pamphlet No 4A

All Arms Battle
Noise Simulation
Incorporating Amendments 1 to 3

1999

SECTION 4.2 RULES AND PROCEDURES WHEN USING EXPLOSIVES

0411. **Introduction.** The rules and procedures in this section must be followed whenever live explosives, simulators or accessories are used. Further precautions to be taken when charges are to be initiated electrically are contained in Section 4.3.
0412. **Command and Control.** A qualified officer or senior NCO must be nominated to plan, conduct and supervise all practices and training involving live explosives, simulators or accessories. He is referred to as the Demolitions Conducting Officer (DCO). He must be present throughout the practice or training involving live explosives, simulators or accessories to ensure the strict observance of all safety precautions. He should either be a Demolitions Safety Officer (DSO) or a Battle Noise Safety Supervisor (BSS). On no account may a Commanding Officer authorise non-qualified personnel to plan, conduct or supervise any practice or training involving live explosives, simulators or accessories.
0413. **Appointments and Qualifications.** The appointments, qualifications required and authority of personnel concerned with the use of live explosives, simulators and accessories are detailed in Paragraphs 0414 to 0416.
0414. **Demolitions Safety Officer (DSO).**
- a. A Demolitions Safety Officer is an officer, warrant officer, RE SNCO or fully qualified Assault Pioneer substantive Colour Sergeant filling the post of Assault Pioneer Platoon Commander, who has qualified in demolitions on one of the following courses:
 - (1) The RE Troop Commanders Course.
 - (2) The RE Field Sergeants Course.
 - (3) All Arms Demolitions Safety Officer Course conducted by the Royal School of Military Engineering (RSME).
 - b. The size of charge that may be prepared and initiated from any firing point under the supervision of a DSO is restricted only by the limits specified in local range standing orders.
 - c. The DSO qualification is valid for 3 years from the date of passing the course examinations or on re-qualification. To remain current as a DSO, a re-qualification test supplied by the Training Standards Section of the Combat Engineer School must be taken and passed. The test must be taken before the expiry of the 3-year period. No re-qualification test is issued after the 3-year expiry date and the DSO course must be attended to requalify.
-

0415. **Battle Noise Safety Supervisor (BSS).**

- a. A Battle Noise Safety Supervisor is an officer, warrant officer or senior NCO who has qualified on the following course:
 - (1) All Arms Battle Noise Safety Supervisors course conducted at the RSME.
- b. A BSS may carry out the duties of the DCO of all battle noise simulation practices, but the total weight of explosives that can be initiated on a single firing cable from a firing point under their supervision is not to exceed 2.5 kg. BSS are not trained or qualified to apply explosive charges to targets.
- c. The BSS qualification is valid for 3 years from the date of passing the course examinations or on re-qualification. To remain current as a BSS, a re-qualification test supplied by the Training Standards Section of the Combat Engineer School must be taken and passed. The test must be taken before the expiry of the 3-year period. No re-qualification test is issued after the 3-year expiry date and the BSS course must be attended to requalify.

0416. **Other Qualifications.** Other training whereby certain military personnel qualify in the use of explosives is listed below:

- a. *EOD Personnel.* EOD personnel who are required to plan and conduct a demolition range must be DSO qualified as per Paragraph 0414.
- b. *Royal Marines Assault Engineers.* Headquarters Royal Marines (RM) is the authority for qualifications for Assault Engineers. Details are:
 - (1) *Demolitions Safety Officer.* An officer, warrant officer or Colour Sergeant who has qualified in demolitions on one of the following courses:
 - (a) Assault Engineer Class 1 Course. Colour Sergeants must also be designated as Commando Assault Engineer Troop Colour Sergeant or Commando Training Centre RM (CTCRM) Assault Engineer Troop Chief Instructor.
 - (b) RE Troop Commanders Course.
 - (c) Swimmer Canoeist Class 1 Course.

- (d) RE Field Sergeants Course.
- (e) All Arms Demolition Safety Officers Course conducted at the RSME.

The size of charges that may be prepared and initiated under his supervision is restricted only by the limits specified in local range orders, but he must supervise the initiation of all charges.

- (2) *Battle Noise Simulation Safety Supervisor (BSS)*. An officer, warrant officer or senior NCO who has qualified on either of the following courses:

- (a) Assault Engineer Class 2 Course.
- (b) All Arms Battle Noise Simulation Safety Supervisor Course conducted at the RSME.

The BSS is qualified to carry out the duties of officer-in-charge of all battle noise simulation and inoculation practices, but the total weight of explosives that may be initiated from a firing point under his supervision is not to exceed 2.5 kg.

- (3) *Range Conducting Officer*. A warrant officer, senior NCO or Corporal who has qualified as follows:

- (a) *Non-electrically Initiated Charges*. To supervise the preparation and initiation of non-electrically initiated charges, a range conducting officer must have qualified, as a minimum, on one of the following courses:
 - i. Assault Engineer Class 2 Course (which includes electrical initiation).
 - ii. Swimmer Canoeist Class 2 Course.
 - iii. Platoon Weapons Instructor Class 1 Course (for explosive digging and blinds only).
 - iv. Heavy Weapons Class 1 Course (for explosive digging and blinds only).
 - (b) *Electrically Initiated Charges*. To supervise the preparation and initiation of electrically initiated charges, a range
-

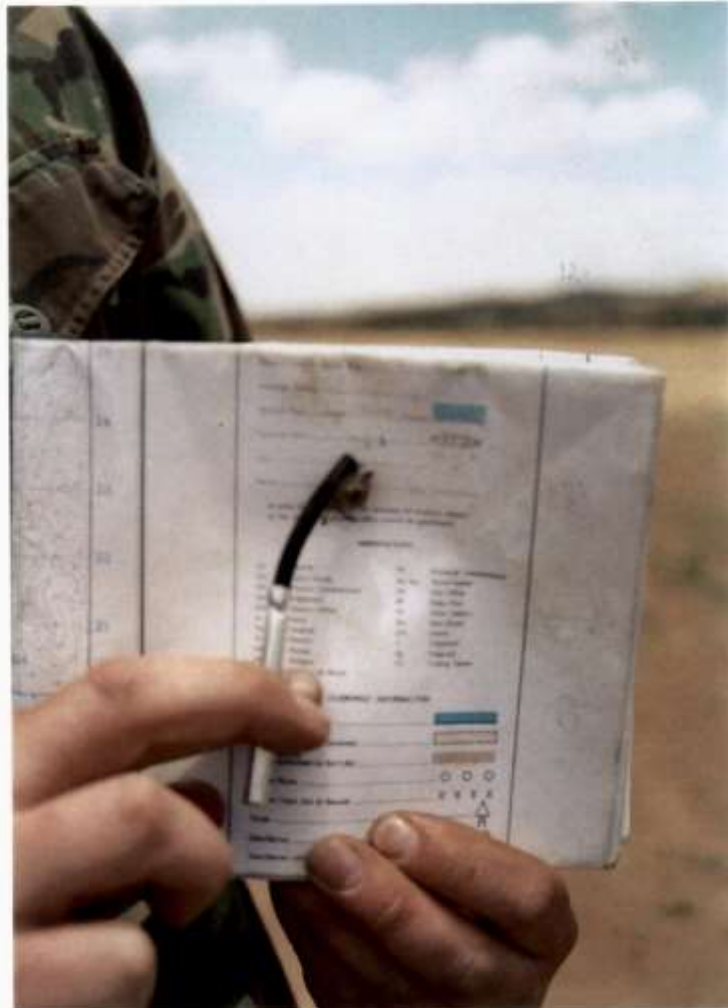
STAFF-INVESTIGATION

ANNEX E TO
D/ATS/DB1545
DATED 30 MAR 07

STAFF-INVESTIGATION

STAFF-INVESTIGATION

A PHOTOGRAPH OF A MISFIRED DETONATOR



STAFF-INVESTIGATION

STAFF-INVESTIGATION

A PHOTOGRAPH OF A MISFIRED HALF STICK OF PE4



STAFF-INVESTIGATION

STAFF-INVESTIGATION

ANNEX F TO
D/ATS/DB1545
DATED 30 MAR 07

STAFF-INVESTIGATION

STAFF-INVESTIGATION

A PHOTOGRAPH OF THE BATSIM AREA



STAFF-INVESTIGATION

STAFF-INVESTIGATION

ANNEX G TO
D/ATS/DB1545
DATED 30 MAR 07

STAFF-INVESTIGATION

[...Prev](#)

- a. *Training Review.* This review is continuous and takes place at the interface between the Training Standards Authorities/ Arms and Service Directors and the Training Agencies. It aims to reduce training duplication and gaps and omissions, and is supported by the SAT and SOTR processes. Change proposals are staffed through the Quarterly Individual Training Tribunal (QITT) and the LAND Individual Training Board (LITB).
- b. *Trade Review.* Arms and Service Directors are to apply to ACGS for a 'licence' to undertake any review of career or trade structures and APRC endorsement is required prior to implementation of any proposed changes.
- c. *High-Level HR Review.* High-level review will be initiated by HQ AG in response to developments that impact across all policy areas and require strategic direction. This higher review process would be triggered by change such as defence reviews, global technological change, major demographic change, legal requirements and external market forces.

51.012. Reserved.

Responsibilities of Commanders

51.013. All commanders and commanding officers are responsible to the TSA for ensuring that:

- a. Soldiers under their command are given proper opportunities and encouragement to improve their skills.
- b. Soldiers are put forward for assessment or testing and are assessed or tested as soon as practicable after they have reached the necessary standards.
- c. Assessments and tests are correctly carried out in accordance with these Instructions, and regulations issued by the TSA, so that uniform standards are maintained.
- d. Soldiers are correctly classified according to the results of their assessment or test.
- e. There are no unnecessary delays in completing action, from assessment or testing to the publication of classifications. Delays in publishing classifications may affect soldiers pay.
- f. Soldiers who, in their opinion, have not maintained the standards on which their classifications were based, are re-tested and reassessed accordingly.
- g. Upgrading is not backdated for any reason other than as outlined in paras **51.057**, **51.062**, and **51.065**.

51.014 - 51.020. Reserved.

Employment and Specialist Qualification Testing

Training Standards Authorities

51.021. To ensure a uniform standard of assessment, testing and marking, and to enable quality control to be exercised, a TSA has been nominated for all areas of employment and specialist training. Details are at **Annex A to Chapter 56** to this Volume.

51.022. The control and supervision of all assessment and testing is vested in the TSA. This will be exercised through properly authorised testing boards, which are to be established as follows:

- a. Standing testing boards at all Arms schools, colleges and training establishments where employment and/or specialist qualification training is conducted.
- b. Delegated testing boards in those units that are required to test soldiers frequently.
- c. Temporary testing boards convened from time to time by commanders or commanding officers under powers delegated to them by the appropriate TSA.

Responsibilities for Testing

Annex B: 'Record of Proceedings for a Board of Inquiry Investigating the Circumstances Leading to the Death of Mr Robert Swara Seurei'

IBS/HQ/G1/08/02

30 May 07

See Distribution:

RECORD OF PROCEEDINGS FOR A BOARD OF INQUIRY INVESTIGATING THE CIRCUMSTANCES LEADING TO THE DEATH OF MR ROBERT SWARA SEUREI

1. Please see the attached Record of Proceedings for the Board of Inquiry investigating the circumstances leading to the death of Mr Swara Seurei a Kenyan civilian, in his house at Ndaiga on Sat 17 Mar 07.

[SIGNED ON TAFMIS]

Maj
Chief Instructor
INFBS-HQ-CI

Attachments:

1. Record of Proceedings for the Board of Inquiry investigating the circumstances leading to the death of Mr Swara Seurei.

Distribution:

LAIT	-	Ch LAIT
HQ BATUK	-	Comd Offr
SCHINF	-	DCOS
RSME BEW	-	AI Explosives
Inf Battle Sch	-	SO2 Plans
	-	OC PCD
	-	ATO
	-	Asslt Pnr WO

Copy to:

SCHINF	-	Ch G7
HQ Inf	-	SO1 Trg Pol
160 (Wales) Bde	-	DCOS
SO2 G7 Lt Forces	-	HQ LWC
Inf Battle Sch	-	Comd Offr
	-	Adjt

RECORD OF PROCEEDINGS FOR A BOARD OF INQUIRY INVESTIGATING THE CIRCUMSTANCES LEADING TO THE DEATH OF MR ROBERT SWARA SEUREI

References:

- A. Board of Inquiry (Army) Rules 1956.
- B. MML S 135(4) and S 137(3) AA 1955.
- C. QR (Army) 1795 Annex A to Chap 5.
- D. LAIT Report DB1545.
- E. Infantry Battle School Learning Account into the Death of Mr Seurei, dated 26 April 07.

INTRODUCTION

- 1. A Board of Inquiry assembled at HQ Infantry Battle School at 1430 hrs on Thu 10 May 07 by the order of [REDACTED]
- 2. The Board investigated the circumstances leading to the death of Mr Robert Swara Seurei, a Kenyan civilian, in his house at Ndaiga on Sat 17 Mar 07.
- 3. President:

[REDACTED]

Members:

[REDACTED]

- 4. The following military witnesses were ordered to attend:

[REDACTED]

DIRECTION

- 5. The Board was ordered to report on the following matters:
 - a. The course of events leading to the death of Mr Robert Swara Seurei.
 - b. The procedures for using Locally Employed Civilians (LECs) for the clearance of dry and live firing areas on OTX.
 - c. The procedures and supervision of battlefield noise simulation.
- 6. The Board was ordered to express an opinion on:
 - a. The procedures for the use of LECs for range clearance during dry and live training.
 - b. The cause of the incident.

7. The Board was ordered to make recommendations stating what actions could be taken to prevent or minimize a reoccurrence.

FINDINGS

8. **Background.** The Platoon Commanders' Battle Course (PCBC) from the Infantry Battle School (Inf Battle Sch), Brecon was conducting the final phase of its tactics course, in Kenya, throughout March 2007. The aim of the exercise was to assess Infantry Officers in command and administration of a light role infantry platoon on high intensity expeditionary operations. The Dry Training phase took place on the Ole Naishu Ranch from 8-19 March 2007. The ammunition used consisted of blank small arms and pyrotechnics. It also used plastic explosive No4 (PE4), electric and non-electric detonators, safety fuze and igniters safety fuse electric (ISFE) to simulate artillery and mortar fire. The Battle Noise Simulation (BATSIM) is used as battle inoculation and to enhance the realism of training.

9. **BATSIM.** The BATSIM team, consisting of [REDACTED] arrived in country on 9 Mar and were in a position to start work on 10 Mar. Prior to the start of the [REDACTED] was tasked with the preparation of the ring mains, attaching the safety fuze to the ISFE. This is a relatively mundane task but one that has to be completed correctly, too much pressure applied inserting the safety fuze will close the gas hole on the ISFE and subsequently eject the safety fuze causing a misfire. Due to time constraints, [REDACTED] prepared over 550 ISFE joins in one day.

a. **Conduct During the Ex.** The BATSIM areas were set up and controlled by [REDACTED] the Battle Noise Safety Supervisor (BSS), under the direction of OC PCD, [REDACTED] BATSIMs were used on the Ex to support the following serials; an attack on 12 Mar; a defensive battle 12 – 15 Mar; withdrawal from the defensive position overnight of 15 Mar and a subsequent attack on 16 Mar. On completion of each phase [REDACTED] conducted a visual clearance of the BATSIM areas. At the end of the defensive and withdrawal phases this clearance was carried out at night using torches and car headlights. Due to the fast pace of the Ex the BSS was under time pressure to clear the old BATSIM areas, set up new ones and reuse limited resources. As the Ex moved on to the next phase the Gurkha Liaison (GLO) Sgts moved in and using LECs controlled and coordinated the clear up of the area.

b. **Qualification.** As stated in Ref D at the time of the incident the BSS, [REDACTED] was not authorised. This came about due to a lapse in a temporary dispensation for JNCOs at the Inf Battle Sch to hold the BSS qualification. The dispensation was issued to the Inf Battle Sch in 2005 however due to a handover of personnel subsequent reapplication was not sought. [REDACTED] had however completed the training and was in date.¹

10. **LECs.** To assist with clearance of the training area, a number of LECs were hired. The LECs were collected and given a verbal brief by the GLOs at the start of the day with reminders throughout the day that no item should be removed from the ranch as it could be dangerous. There was no laid down script for this brief in either BATUK Standing Orders or Exercise Instructions. Mr Robert Swara Seurei was employed as an LEC on 16 and 17 Mar and the brief was given by [REDACTED]. The brief was conducted in English and was witnessed by his driver [REDACTED] who is an employee of [REDACTED]. The LECs were told to

¹ Permanent dispensation has now been given to the Battle Sch with the caveat that on overseas exercises the BSS must be a SNCO.

collect all items that were left by the British Army and place them into the sand bags provided. The items included empty brass cases, ammunition packaging, and other rubbish dropped by the soldiers. The LECs were briefed that if they were in any doubt of the safety of a piece of rubbish they were to seek clarification from the GLO. [REDACTED] was the supervising NCO in charge of the LECs throughout the clearance task.

11. **Incident.** Following the training area clearance on the evening of 17 Mar, Mr Swara Seurei returned to his house in the village of Ndaiga. His mother and Grandmother said he placed an object, which he reportedly described as a candle, on a shelf. That evening he took the object to light it with the intention of providing light. His mother and Grandmother were unhappy with his plan and suggested he lit it elsewhere. He moved to another part of the house, and as he lit the fuze it detonated. He sustained massive injuries from the detonation and died instantly. This evidence was provided to the LAIT investigation team as recorded in Ref D.

12. **Post Incident.** On the morning of 18 Mar the Ex controller, [REDACTED] was informed that an incident had taken place at the home of one of the LECs that had resulted in an explosion and a subsequent fatality. At the same time a search of the material collected by the LECs over the previous days was conducted by the ATO. [REDACTED] five half sticks of PE 4 were found. A subsequent search of the BATSIM areas on the ranch was conducted and a further three half sticks of PE 4 were found. After the incident all briefings to LECs were accompanied with a "show and tell" demo of what not to pick up conducted by [REDACTED]

CONCLUSIONS

13. **Exercise Paperwork.** Whilst there was an extensive Exercise Instruction for the Battle Camp there was no specific Exercise Action Safety Plan (EASP) for the dry training phase. Had there been an EASP it would have been the logical place in which to write a formal and detailed safety brief for the LECs. This may have reduced any possible confusion of a verbal brief given to non native English speakers.

14. **Procedures for the Use of LECs.** The initial briefing given to the LECs could have been more extensive and included a visual display of ammunition types. Whilst a brief was given at the end of the day the lack of a formal declaration may have diluted its impact. [REDACTED] English is adequate however there was scope for confusion as he was not briefing in his native language to a group of LECs whose first language was also not English.

15. **BATSIM.** The BATSIM team was placed under considerable pressure to deliver complicated support to the exercise, producing both BATSIM and Asslt Pnr advice. This pressure manifested itself in two lapses; reduced time available for preparation resulting in the incorrect setting up of the ISFE, thereby increasing the number of misfires, and an insufficient search of the BATSIM areas². Due to the fact that the BSS was a JNCO he did not feel that he could bring this to anyone's attention and merely "got on with the job". This was clearly too much responsibility for a JNCO.

16. **Cause of the Incident.** It is the opinion of the Board that Mr Swara Seurei either misunderstood the briefings that had been given to him by the GLO or deliberately chose to ignore them and remove the PE4 from the training area for his personal use, not believing it to be dangerous.

² Given the ground conditions in Africa the search of the BATSIM areas was an extremely difficult task, irrespective of the light conditions.

RECOMMENDATIONS

17. **Exercise Paperwork.** An EASP is to be produced for all Battle camps. This is to include a full Safety Brief, copied in the native language, for the LECs. Briefs should be given by a native English speaker and translated where necessary. The Ex Main Events List should include serials detailing the LEC brief and range clearance. In order to ensure that an accurate record of all ammunition natures used a Range Log 906 should be kept, and if possible completed daily.

18. **BATUK SOPs.** BATUK SOPs should reflect the need to conduct a brief to LECs and should provide the translation in the appropriate native language.

19. **LEC Brief.** The LEC safety brief should include a visual display of all ammunition natures and there dangers. At the end of each days work a formal declaration should be taken from the LECs and then be reported to EXCON.

20. **Free From Explosive (FFE).** Every bag of rubbish that is removed from the area in which training has taken place must be FFE. There should also be a process of isolating the rubbish until it has been FFE. This should take place either on the range or in a separate safe location in order to remove the possibility of cross contamination and reduce the scope for dangerous items being brought back into EXCON and subsequently locally disposed of.

21. **BATSIM.** In line with new regulations the BSS will be a SNCO for all future overseas Battle Camps. The BATSIM team must be given sufficient time to prepare check their equipment and clear up the BATSIM areas. Specifically more time should be allocated to the preparation of the ISFE – fuze joins, this should also be a shared task. The BATSIM teams should also be given sufficient equipment so they do not have to remove BATSIM areas in haste to support other Ex serials. In addition tally cards, staking down the safety fuze and placing the PE4 on sandbags will all aid the accounting of the explosives.

Dated the 30 day of May 2007

 President

[Original Signed]

 Member

[Original Signed]

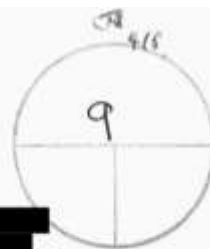
 Member

[Original Signed]

Annex C: 'Learning Account Resulting from the Death of an LEC Employed during Battle Camp 0603 26 Feb – 20 Mar 07



Headquarters
Infantry Battle School



DFTS: Brecon Military [REDACTED]
BT: Direct Line [REDACTED]
Fax: Brecon Military [REDACTED]
Direct Line [REDACTED]

Internet: [REDACTED]
Intranet: INFBS-HQ-SO2PLANS

Reference HQ/G7/05/06/03/06

See Distribution

Date: 26 Apr 07

LEARNING ACCOUNT RESULTING FROM THE DEATH OF AN LEC EMPLOYED DURING BATTLE CAMP 0603 26 FEB – 30 MAR 07

References:

- A. Inf Battle Sch HQ/G7/05/06/03/06 Battle camp 0603 Instruction dated 23 Jan 07
- B. LAIT D/ATS/DB1545 dated 30 Mar 07
- C. Pamphlet No 4A All Arms Battle Noise Simulation incorporating Amdts 1 - 3 1999
- D. EinC(A)/43/5/1 dated 11 Apr 07
- E. EinC(A)/43/5/1 dated 10 Apr 07

BACKGROUND

1. Inf Battle Sch deployed to Kenya over the period 26 Feb – 30 Mar 07 to conduct Battle camp 0603 which enabled the final exercise of the Platoon Commanders' Battle Course. The exercise was conducted in accordance with Reference A and involved a dry training phase at Ole Naishu and live firing at Archers Post.
2. During the dry training phase a Battle Noise Simulation Safety Supervisor (BSS) set up and initiated simulated indirect fire charges in support of the MEL.
3. LECs were employed to assist with range construction and clear up. When exercise serials were complete a rolling clean up programme utilising LECs was coordinated by EXCON and PCD. The LECs were provided by one of the contractor in consultation with Ole Naishu ranch manager. The LECs would be dropped off at EXCON in the morning where they were collected by the senior GLO, briefed and transported to the day's work location.
4. On Sun 18 Mar 07 the Ex Controller was made aware of an incident the previous evening. An LEC had been killed at home after lighting something he had reportedly taken from the training area.

AIM

5. The aim of this report is to provide a chronology of events and measures put in place immediately following the incident. It will also serve as HQ Inf Battle Sch's response to Reference B and detail changes to Battle camp SOPs for the use of BATSIMs.

CHRONOLOGY

6. The events leading to the incident were as follows:
- a. Fri 16 Mar 07 – PCD conduct withdrawal in contact from def posn. BSS initiates simulated indirect fire in support of MEL. BSS conducts search of BATSIM areas by torch and collapses BATSIM areas.
 - b. Fri 16 & Sat 17 Mar 07 – LECs employed to clean up def posn and BATSIM areas.
 - c. Sun 18 Mar 07
 - (1) 0855hrs - Ex controller informed of incident. Search of rubbish collected from def posn initiated; PE4 and dets found in rubbish.
 - (2) 1030hrs – Ex controller visited local police station with Ole Naishu ranch manager. Mother of deceased identified ½ stick of PE4 with safety fuze as the item the deceased had lit.
 - (3) 1230hrs – ATO and BSS move to check all BATSIM areas for further PE4.
 - (4) 1330hrs – All LECs working with Inf Battle Sch re-briefed on the danger of taking items from the training area. At the end of the day they are searched and signed declarations that they had taken nothing from the training area.
 - (5) 1600hrs – ATO and BSS complete search of BATSIM areas and find 3 further ½ sticks of PE4 with detonators and safety fuze still in place.
 - d. Mon 19 Mar 07 – Battle camp transition from Ole Naishu (dry training) to Archers Post (live firing).
 - e. Tue 20 – 22 Mar 07 – LAIT investigation.
 - f. Fri 23 Mar 07 – ATO brief to Ole Naishu ranch staff on ammunition natures used during training on Ole Naishu. This included showing them a ½ stick of PE4 and detonator.

LESSONS IDENTIFIED

7. **Clearance of BATSIM areas.** The clearance of BATSIM areas carried out by the BSS was conducted at night by torch light. It was insufficient to ensure all charges had been accounted for. The BATSIM areas should not have been collapsed until a day light search had been undertaken. Subsequent clearances of BATSIM areas were conducted in day light. The practice of clearing BATSIM areas used at night the next day is not currently specified in Reference C. Reference D recommends that Pam 4A is updated to include clearing of BATSIM areas used at night in daylight.
8. **Accounting for PE4.** All PE4 should have been accounted for. This could have been achieved by recording the number of charges set up in each BATSIM area and then counting the number of bangs; ensuring charges either detonated or were subsequently destroyed in situ, if electrical detonation had failed.
9. **Pioneer support to Battle camp.** The Battle camp is an OTX which requires an experienced BSS who can operate independently and provide timely and accurate information to the Ex controller. Inf Battle Sch was provided with temporary dispensation for the BSS to be a JNCO; at the time of the incident this had expired. There is a requirement for this dispensation to

be permanent. Reference E provides permanent dispensation for Inf Battle Sch JNCOs to attend the BSS course. However, there is a requirement for them to be supervised by a SNCO when conducting BSS tasks and they can only be used in the home location of their parent unit, i.e. the UK. The BSS deploying in support of future Battle camps will be a SNCO.

10. **Employment of LECs.** The employment of LECs was essential to the success of the exercise. Procedures were in place to brief LECs about the potential dangers of the work being undertaken. However these need to be improved and the recommendations made in Reference B are acknowledged. Measures were put in place immediately after the incident to re-brief and show all LECs potentially dangerous items which they could encounter on the training area. In addition all LECs were searched at the end of the day and signed a translated declaration that they had not removed anything from the training area. These procedures were employed at Archers Post and will be used for future exercises. LECs will not be used to clear BATSIM areas and the BSS will be solely responsible for clearing BATSIM areas.

RECOMMENDATIONS

11. As a result of this incident the following recommendations will become SOPs for the use of BATSIMs in support of overseas Battle camp:

- a. BSS to be a SNCO.
- b. All PE4 to be accounted for by using a combination of counting bangs, tally chart and destroying in situ charges which have not detonated.
- c. BATSIM areas used at night to remain marked until clearance completed during day light.
- d. LECs to be briefed on dangers of handling items on the training area and shown the ammunition natures being used and the potential dangers of each nature.
- e. All briefs to be translated into the LECs' native language and given by a native English speaker.
- f. Closer supervision of LECs.
- f. LECs to be searched at the end of the day.
- g. LECs to sign a translated declaration they have not removed anything from the training area.

CONCLUSION

12. The measures implemented following the incident will reduce the risk of it recurring. Increased checks on BATSIM areas, increased supervision and briefing of LECs demonstrates the Inf Battle Sch's acceptance of the Safe System. The Inf Battle Sch has adapted its SOPs for the use of BATSIMs in support of Battle camp in line with recommendations made by LAIT and EinC(A).

[REDACTED]

[REDACTED]

Maj
for CO

Distribution:

External:

Information:

SCHINF	- Ch G7
	- DCOS
160 (Wales) Bde	- COS
BATUK	- CO/2IC
Ch LAIT(A)	
EinC(A)	- SO2 Trg Pol

Internal:

Action:

OC PCD
2IC PCD
PCD DSM
QMSI RE

Information:

CO
CI
OC SD
OC JD
OC IWD
QM(T)
RSM
SMI
RQMS(T)
File