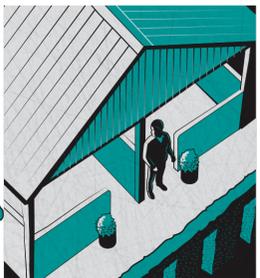


INVESTIGATION



1 Saturday, March 31, 2012, shortly before midnight. Wanjiru is seen walking out of the hotel bar with two British soldiers. The manager claims the pair enter room D1, yards from a septic tank.

2 A night guard and a hotel accountant claim they hear a woman screaming in one of the rooms. Wanjiru is never seen alive again.

3 Soldier X returns to the bar, crying and saying "Help me" and "I've killed her". Soldier Y claims. He allegedly takes several soldiers to the septic tank and shows them Wanjiru's body.

4 The RMP round up the soldiers and take them back to base. When Soldier Y arrives there he claims he tells senior officers about the body in the tank but is told to "shut up".

5 Three days later, Wanjiru's sister and three friends return to the hotel to search for her. A night guard tells them blood and a smashed mirror was found in one of the rooms.

6 Six days after the murder, the regiment returns to Britain as planned. No action is taken against Soldier X.

7 Tuesday, June 5, 2012. The body is found. A post-mortem finds she was stabbed and probably alive when put in the septic tank.

8 Kenyan police request videolink interviews with nine soldiers who had left their details at the hotel that night, and for their DNA samples to be collected.

9 November 2018. The inquest begins. The night guard has not been traced. A Kenyan police officer receives a call from the British high commission asking for a "progress report" on the case.

10 In 2019, the judge rules British soldiers were responsible for the murder, and names nine she believes may know the truth. The findings go to Kenya's directorate of criminal investigation

'He killed her and then took me to see the body. My mind just went blank'

The identity of a soldier accused of murdering a young mother in Kenya has been an open secret in the army for years – now a former comrade haunted by the death has given us his name

DAVID COLLINS AND HANNAH AL-OTHMAN



Nanyuki

For the British soldiers on hot weather training in Nanyuki, Kenya, it started as an ordinary beer-fuelled Saturday night out at the nearby Lions Court Hotel. But it ended – according to the astonishing account of one of those present – with a group of them being led to the hotel's septic tank, where they were shown the lifeless body of a prostitute one of their number had just murdered.

"She was in the tank," a soldier from the Duke of Lancaster's Regiment, who we have named Soldier Y, claims. "He took me to the tank and lifted it up, and I looked in and I just remember seeing her in there. My heart sank. My mind just went blank. The only thing I could say to him was 'I'll never forgive you for this.'"

The body of 21-year-old Agnes Wanjiru would lie undiscovered by the authorities in that septic tank for two months, while her family searched for her.

Even after an inquest in 2019 – in which a judge, Njeri Thuku, ruled that Wanjiru was "murdered by British soldiers" and ordered two criminal inquiries – no action was taken by the army.

Four soldiers from the unit have separately given us the same name for this soldier, whom we have called Soldier X. He has also been named in a WhatsApp messaging group by a fifth.

Yet the British Army has held no inquiry, and none of the soldiers present have been questioned by their superiors.

Even after an inquest in 2019 – in which a judge, Njeri Thuku, ruled that Wanjiru was "murdered by British soldiers" and ordered two criminal inquiries – no action was taken by the army.

"Everyone. All the lads, all the senior command that were there. I went to higher up hierarchy, people that should have dealt with it. I got called a liar. They basically just said, 'Shut up and get out.'"

"Everyone knows [what Soldier X did]. How can everybody know, and he [Soldier X] is still a free man?"

Soldier Y said he was ready to talk to the police. "I'll say something, if I have to. I'd speak to British, civilian police. I'd go on record and say he did it. If it was to go to court, I'll stand up and say he f***ing did it. If I had to go to jail as well, to get him there, so be it."

A new murder inquiry has been launched by the Royal Military Police (RMP) in light of the claims. Ben Wallace, the defence secretary, is said to be directly involved in speaking to the Kenyan authorities, such is his concern.

"KILLED BY BRITISH SOLDIERS" No one who attended the inquest into Wanjiru's death in 2019 could have been left in any doubt about how brutal her murder had been. On at least one occasion, proceedings had to be halted because the evidence had reduced a witness to "uncontrollable" tears.

Wanjiru – a hairdresser who loved music and dancing and had recently turned to sex work to provide for her five-month-old baby, Stacy – was last seen by witnesses on the evening of March 31, 2012. She had been walking out of the bar in the Lions Court Hotel in Nanyuki. Witnesses say she was accompanied by two British soldiers.

By the time her body was discovered behind the rooms where soldiers had been staying, it was almost unrecognisable. The fingers and toes were missing due to advanced decomposition. She had a 2cm stab wound to her lower right abdomen and a blunt force injury to her chest. Her lungs had collapsed.

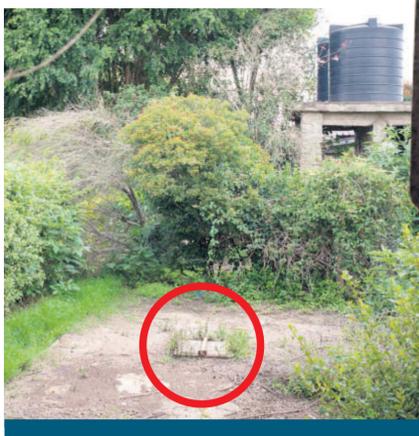
She was naked, except for a white bra with an unopened condom packet shoved down one of the bra cups. "The only way I knew it was her because of her hair braids," her sister Rose Wanjiku, who identified the body for police, said.

The pathologist, Dr Obiero Okoth, found her injuries may not have been enough to have killed her. This meant she could have still been alive when she was stuffed into the septic tank.

"SIGNS OF A COVER UP" Despite a passing of the National Coroners Service Act in 2017, there are still no coroners in Kenya. Instead a magistrate presiding over an inquest performs the same function as a coroner in the UK. Its purpose is to determine the identity of the deceased, as well as when, where, and how they died.

At the end of the inquest, Judge Njeri Thuku, principal magistrate for Nanyuki Law Court, recorded her findings in a 25-page document, which summarises the evidence of police officers, medical experts and witnesses.

"After the conclusion of the inquest, I have formed the opinion that Agnes was murdered by British soldiers," she wrote. "It may have been one or two. But what is



The septic tank area where the body was found.

certain was that it was British soldiers because they were dressed in their uniform. She went missing on March 31, 2012, and it is probable she died that night.

"In the quest to unearth truth, it is sometimes necessary to reveal all. Agnes's family have lived for more than seven years without answers on how Agnes died."

"Agnes had a child who at that time was a baby... She will grow up and be hungry for information on who her mother was with before she died."

"This opinion is written with Agnes's child in mind... although she is young now, she will one day know that the agencies empowered to seek for truth and justice, did the best they could."

"EVERYONE WAS DOING IT" The names of Soldiers X and Y, which have been given to us, do not appear in the inquest document.

This is because they did not book rooms at the hotel that night, and had access to the rooms.

In an account that paints a stark picture of British soldiers' conduct at the Nanyuki base, soldiers who were there that night say that comrades were sharing rooms at the Lions Court Hotel, and



Soldier X, above, is accused of killing Agnes Wanjiru and dumping her body in a septic tank, circled

all night. One soldier who was at the hotel the night Wanjiru disappeared said: "Everyone was having sex with prostitutes that night. The majority of soldiers had sex with multiple women, ferrying them back and forth to the rooms in the hotel. Sometimes two or more soldiers would take women back to their rooms at a time. I didn't get involved in group sex, but I think others did. When we got back to the UK, everyone had to be tested for HIV. Lots of the lads had unprotected sex in Kenya. People with wives, girlfriends. Everyone was doing it."

"[His story was that] he'd been having sex with her and he'd choked her and she'd died," Soldier Z said.

"I told enough people for someone to have done something. How can everybody know and he's still a free man?"

Soldier Y says he never learned how or why Soldier X killed Wanjiru.

But another soldier from the regiment, whom we are calling Soldier Z, claims Soldier X told colleagues he had killed her by accident in a sex game.

"[His story was that] he'd been having sex with her and he'd choked her and she'd died," Soldier Z said.

"I told enough people for someone to have done something. How can everybody know and he's still a free man?"

When asked why he thought no one had taken any action over his claims, Soldier Y was at a loss to explain.



TOBIN JONES FOR THE SUNDAY TIMES

the lodges at the hotel. "He took me to the tank and lifted it up, and I looked in and I just remember seeing her in there."

After they were shown the body, Soldier Y said he returned to the bar and told other soldiers there what he had seen.

Soon after that, he says the evening was cut short when the RMP arrived at the bar and arrested the soldiers for sneaking out of the base. "The RMP turned up and arrested us all because we weren't supposed to be there," says Soldier Y.

"And he [Soldier X] was sat next to me, he was with us in the van, so I didn't say anything then. But when we got back, I told everyone."

"The sight of the body is something that 'torments' him, he says. "It's haunted me since, even though I've done f*** all wrong. You lose sleep over it. It's ruined my life."

"SHUT UP AND GET OUT" Soldier Y claims that on returning to base, he immediately told senior officers what he had seen at the hotel.

"I went back to camp, grassed him up [to] everyone, all the lads, all the senior command that were there, everyone."

"I went to higher up, hierarchy, people that should have dealt with [it]. I told the proper people, [and] I got told to get to f***. His claims, he says, were treated as "a standing joke."

No one questioned him or others over them, he says. "Never. No one. No police, no police, military, nobody. They [the military] basically just said, 'Shut up and get out.'"

When asked why he thought no one had taken any action over his claims, Soldier Y was at a loss to explain.

"You are the first person to ever voluntarily come to me and ask me about it," he said. "The only person. No police officer, nobody, no military personnel – nobody's ever come to me and questioned me about it. I've always been the one [saying], 'Here you are mate, do you know about this?'"

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TESTIMONY OF SOLDIER Y

We were in the pub and he came in crying, saying, 'Help me, help me.' I said, 'Why, what do you mean?' [He said] 'I've killed her.'

I told everyone. I told the proper people, all the senior command that were there.

I got called a liar. They basically just said shut up and get out.

Everyone knows. How can everybody know, and he is still a free man?

Agnes Wanjiru, above right is buried in the graveyard, top, but her family do not know the exact date of her death

"We thought she choked during sex, that it was an accident. "That's completely different from stabbing someone to death and putting them in a septic tank."

For his part, Soldier Y does not recall the sex game story.

"I don't know how he did it. I don't know why he did it," Soldier Y says. "All I know is he definitely did it. A thousand per cent, it was him."

RUMOURS IN THE CAMP Six days after Wanjiru vanished, the regiment returned to their barracks in the UK. By then, stories were spreading through the ranks about a soldier who had slept with a prostitute, killed her and hidden the body, it is claimed.

By the time the regiment was deployed to Afghanistan, the name of Soldier X is said to have become common knowledge. "You ask anyone who was in Afghanistan at the time: who was it that killed that prostitute in Kenya?" said Soldier Z. "They'd tell you the person who did it."

At one point, he heard a senior officer openly referring to the alleged killer as "the one that killed the prostitute in Kenya."

The murder "appeared to get covered up from the very start", Soldier Z claimed. "You'd normally get pulled in and get a bollocking if you'd done anything, even something small."

"With this nothing happened at all, no one was questioned. It's not a massive investigation to find out who was out that night." Another soldier who spoke to us said he and his colleagues had "grown up" since that night in Kenya in 2012.

They were speaking now because they could see the seriousness of what had happened. "It's not right," he said. "They should DNA everyone that went to Kenya. Take every hair off my body."

A MURDER INQUIRY The police investigation into Wanjiru's murder began on June 5, 2012, when a maintenance worker, John Gichuki, made the discovery after being instructed by his employers at the Lions Court Hotel to clean the manholes and waste disposal pipes from the kitchen.

Staff had smelled a "foul smell" coming from the septic tank. He lifted the manhole cover and saw the body.

Later, Gichuki would tell the inquest that the tank had not been not padlocked, meaning a guest could have lifted up the manhole cover.

News about a body reached Mohammed Jerumani, a chief inspector at Nanyuki police station. He appointed Corporal Kamal Jabali as lead detective on the case. Jabali has since died.

After he had established that at least four witnesses had seen Wanjiru leave the hotel bar with a British soldier and go to the soldier's room – one also claiming



Agnes Wanjiru, above right is buried in the graveyard, top, but her family do not know the exact date of her death

to have heard a "fierce row" break out in the room between the pair – Jabali went to the British army base in Nanyuki for a meeting.

He asked for a list of soldiers who were off duty on the night of the murder, and also about the nine soldiers who paid for a room at the hotel that evening.

Each of those nine had filled out a check-in form – standard procedure at the hotel. The group were from the same regiment and arrived at the same time.

Jerumani and Jabali were told that the soldiers were no longer in Kenya. They had returned to the UK within six days of the murder.

The RMP – who were in Nanyuki on an unrelated matter – made some initial inquiries.

Jabali subsequently wrote to the RMP with a list of questions and a photo of Wanjiru, asking for the nine soldiers to be questioned and DNA samples taken.

However, DNA samples were never provided, and we have spoken to three of the nine soldiers who had been under this initial suspicion. None had been questioned about the case by the British or Kenyan authorities.

The MoD said it had never received the request dated June 20.

Jerumani said that because the suspects were foreign nationals, the Kenyan attorney general's office had to be alerted. The attorney general (AG) was in "communication" with the British high

commission about the case, according to Jerumani.

"That was the process back then," he said. "I sent the AG the file and that was it. I had no more involvement in it. Soon after, I was transferred to another police station."

It was not the first time Jerumani had dealings with the British Army. He told Wanjiru's inquest that he had previously witnessed soldiers harassing women in the town by throwing their drinks over them from the balcony of Sherlocks Bar. He said the bar brawls reported to him were never prosecuted due to diplomatic immunity.

The agreement between the UK and Kenya has since changed. Soldiers can now be prosecuted in Kenya for crimes committed there.

A DIPLOMATIC HEADACHE In the nine years since Wanjiru died, many key witnesses have not been interviewed, from the soldiers who booked rooms to security guards and cleaners employed by the hotel. The MoD claims it received no further requests for help after 2012.

Kenyan police officers have privately blamed a lack of urgency by the attorney general's office and the British authorities.

What is certain is that Wanjiru's file was passed from one department to the next, causing a series of delays, as her case was lost for years in Kenya's bloated bureaucracy.

Her body was found in June 2012, and the post-mortem examination carried out the same month. But the toxicology report was only ready a year later on April 5, 2013. The photographs of the crime scene were only developed on April 24, 2014, even though they were taken two years earlier.

Chief Inspector Mugo, who took the photographs, told the inquest the photos were developed two years later because he was told "the photos were not urgent". "It took far too long," said one Nanyuki officer. "The suspects were in the UK which caused big problems."

But her file was passed from department to department, because it was too big a headache. British soldiers killing a local girl? This would have diplomatic considerations, also.

"The file was sent to the AG's office, and was left there to rot."

In 2017, Kenya's Office of the Director of Public Prosecutions finally recommended an inquest file was opened, but it took another year for inquest witnesses to be gathered from around Kenya, where the workforce is transient, and people move great distances away from their families to find work.

Even police officers are posted at a particular station only for a few years before being moved. Jerumani is on his third posting since the murder.

The inquest began in November 2018. By then, the hotel had changed ownership, and records from the time were not available. Key witnesses among the hotel staff – such as the security guard, Waigwa, who said blood had been found in a room and a mirror smashed – could not be found by police officers.

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BLOOD AND SCREAMS IN D1 Room D1 is last in a row of ten lodges in the far corner of the hotel compound, separated from the septic tank by a low hedge. It is the room where Wanjiru is thought to have been murdered, and the second of the two new police investigations will look at the allegation that evidence of her murder – including blood in the room – was covered up.

An accountant called Ambrose Nduati who had been in another lodge close by, said he had heard a woman's screams coming from D1 on the night of the murder. The group were from the same regiment and arrived at the same time.

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