

INVESTIGATION

# Crying with laughter over a mother's death: soldiers joked about 'murder' on Facebook

Several years after the death of Agnes Wanjiru in Kenya, British soldiers — including the squaddie named as the alleged killer — used emojis to make light of the tragedy

Hannah Al-Othman and Larisa Brown

Several years after the battered body of a Kenyan woman was discovered in a septic tank near where she was last seen entering a hotel room with a British soldier, a post appeared on Facebook.

A member of the Duke of Lancaster's Regiment — some of whose soldiers were in the Lions Court Hotel bar that night, but who had left the country by the time the corpse was discovered — posted two pictures from outside the venue where 21-year-old Agnes Wanjiru was last seen alive and where her body was found.

They were accompanied by the caption "if you know, you know" and the soldier "tagged" a number of other squaddies to notify them. Several soldiers, at least one of whom is still with the regiment, responded. One posted a picture of a ghost emoji, to which another added the words "septic tank".

In response, Soldier X — widely alleged in the regiment to have been responsible for the murder — got involved, posting an emoji of an angel, often used to assert innocence. This prompted other soldiers to post "crying with laughter" emojis, followed by a cartoon image of a baby crying at a funeral, from the TV show *Family Guy*. Wanjiru was a single mother and left behind a five-month-old daughter, Stacy.

Soldier X was then asked if he "gets all choked up thinking about that place" — an apparent reference to the account he is said to have given members of the regiment, that he accidentally choked and killed Wanjiru during sex. He replied: "Come to think of it I have had a sore throat today."

Another soldier responded to his comment with a laughter emoji, while the soldier who had asked him the question responded: "Wow wow we wow."

Nine soldiers were involved in the Facebook conversation, adding weight to previous claims made by others in the regiment that Wanjiru's death, and the name of the man said to be responsible, was an "open secret".

The messages also appear to undermine claims by Soldier X that he was a victim of bullying in the regiment. One soldier from the regiment said Soldier X had not been bullied. "Listen, if anyone was bullied in that regiment it wasn't [Soldier X]," he said. "No, definitely not. That's a lie. He wasn't bullied."

One of those involved in the Facebook messages said that when he took part in the exchange he had not believed the rumours that Soldier X had murdered a prostitute that night were true.

"If I was laughing, I was probably laughing at the night, because it was a bit of a crazy night," he said. "There was loads of women."

When asked whether he had knowingly joined in with the jokes about Wanjiru's murder, he said: "I don't think I was laughing at that [a murder]."

"The rumour I heard is that somebody had sex with a prostitute, and the sex went wrong. To be honest I didn't even believe it." He added that he only thought the rumours might be true after seeing recent news reports.

When presented with the Facebook posts last week, Soldier X declined to comment. He had previously told *The Sunday Times* he was "not surprised" that others in the regiment believed he

was responsible for the murder, saying: "There was a rumour going around for a long time, which actually was borderline bullying. But there's nothing you can do when you're in the military, and people say stuff like that, but honestly, it's full of lies." Referring to his army colleagues, he said: "There's a lot of idiots, but there's no real truth in it."

When asked whether he could remember being at the Lions Court Hotel, he said: "I'm not, obviously not, going to talk about it. I would want a lawyer with me to talk about anything." He had previously described those he served with as "lads off a council estate" and denied keeping in touch with them.

The *Sunday Times* revealed last week that Soldier Y, a fellow squaddie, claimed that Soldier X had rushed into the bar where members of the regiment were drinking on the night of March 31, 2012, and confessed to having killed a sex worker. Soldier Y said Soldier X had led them to the body in the septic tank. He said he reported the incident at the time to senior officers who were in Kenya, and accused the regiment of "covering up" the murder. 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.

Army bosses have still not questioned any of the soldiers about the murder or about the alleged cover-up. This is despite the head of the army, General Sir Mark Carleton-Smith, writing a letter to the chain of command saying he was "appalled" by the claim and was "determined we support the appropriate authorities to establish the facts of the issue as quickly as possible".

The MoD has gone back on suggestions that it was mounting its own investigation into Wanjiru's death, with military sources admitting the policy was "confused". They insisted the responsibility for finding out what had happened rested with the Kenyan authorities, who they said were approaching the case with "lethargy". Kenya has not submitted a formal mutual legal assistance (MLA) request for help in obtaining evidence. However, the MoD said it had now been asked for the DNA of soldiers, which was being provided.

When questioned by the Commons defence select committee last week over the alleged cover-up, the defence secretary, Ben Wallace, said the investigation was being led by Kenyan police, adding: "If they require any more support, it will be forthcoming."

However, a Kenyan diplomatic source in Nairobi said the government there wanted to "suppress" an investigation because strong relations between Britain and Kenya were so crucial for security.

The source said Kenya "couldn't afford" to risk damaging that relationship, which was

The body of Agnes Wanjiru, 21, was found in a septic tank after 'Soldier X', bottom, allegedly killed her during a night out



vital in the fight against al-Shabaab, the Islamist terrorist group, adding that without UK intelligence and defence support Kenya would be "ungovernable".

Wallace recently opened a £70 million facility for the British Army Training Unit Kenya, which provided 400 jobs, and which he said "cemented our partnership for decades to come".

It emerged this week that a second criminal allegation had been made against a UK serviceman in Kenya. It is understood that the man, named as Colour Sergeant Barlow, lifted the skirt of a woman whom he knew in a shopping mall in Nanyuki while intoxicated. He pleaded guilty to sexual assault and was dismissed and ordered to pay £500 compensation.

Newspapers and TV stations in Kenya have cast doubt on whether Britain's growing presence in the country is a force for good, dragging up historic "atrocities" allegedly committed by UK troops, and human rights groups accusing soldiers of acting with impunity.

In July, Britain and Kenya signed a five-year defence co-operation agreement in which they pledged to enhance co-ordination to improve regional security in east Africa. The agreement is said to have implications for Kenya's ability to hold British soldiers to account, even if the government wanted to. A military source in Kenya said that the agreement specified that British troops could not be charged there with offences such as murder.

Wallace said: "The Ministry of Defence is fully supporting, and has always supported, the Kenyan police with their ongoing investigation into this historic offence."

He claimed that soldiers' DNA had been formally requested in relation to the Wanjiru case by the Kenyans only last week "which of course we are responding to". A request for the DNA of soldiers involved was made by Kenyan detectives on June 20, 2012, shortly after her body had been found, in an official letter seen by *The Sunday Times*. The MoD said it had never received the request.

Wallace added: "The Royal Military Police are in daily contact with their Kenyan counterparts and are assisting with lines of inquiry within the UK. Because the Kenyan police retain jurisdiction and primacy in this investigation, under the Armed Forces Act 2006, the MoD has not been able to launch a parallel investigation while the Kenyan one is ongoing. This has not prevented us assisting them; for example, in 2012 we provided a list of names to Kenyan authorities and offered to support them with a mutual legal assistance request."

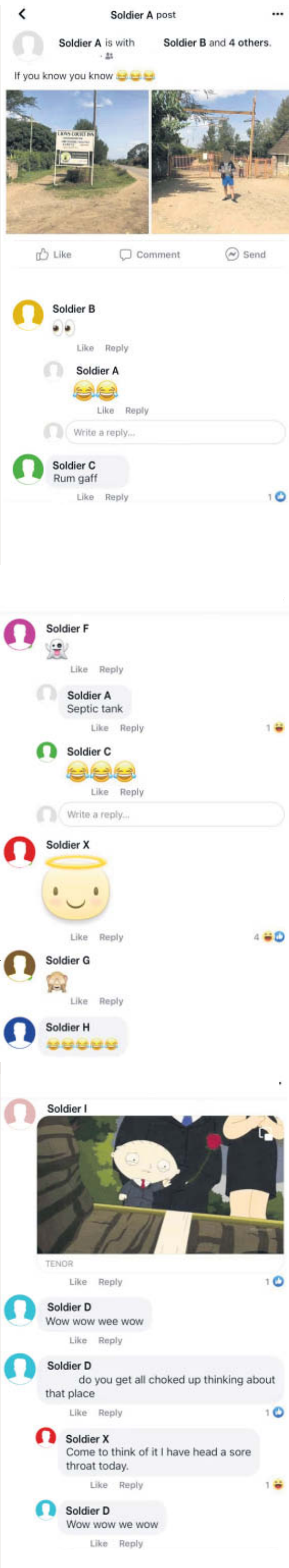
A defence source said the Facebook posts were being looked at and would be "dealt with appropriately".

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## HOW THE POSTS ON FACEBOOK UNFOLDED

A soldier from the Duke of Lancaster's Regiment poses outside the Lions Court Hotel in Nanyuki, where Agnes Wanjiru's body was found



Others from the regiment respond with the eyes emoji, often used to denote tension or drama, and a crying with laughter emoji

A squaddie responds saying "rum gaff", slang meaning "dodgy place"

Another soldier posts an emoji of a ghost, to which the first soldier replies "septic tank" — a reference to where Wanjiru's body was found, while a third replies with several crying with laughter emojis

Soldier X — the man allegedly responsible for the murder — replies with an angel with a halo emoji, often used in a tongue-in-cheek way to suggest innocence

A soldier posts a "see no evil" emoji of a monkey covering its eyes, while another posts more crying with laughter emojis

A squaddie posts a meme of a baby crying at a funeral from the cartoon *Family Guy*. Wanjiru left behind a five-month-old daughter

Another soldier responds by saying "wow" and then asks Soldier X directly whether he gets "choked up" thinking about the hotel — an apparent reference to the rumour that Wanjiru was strangled during sex

Soldier X replies saying he "had a sore throat", in another apparent reference to the rumour about how Wanjiru died

# Female troops told me they were raped and top brass looked the other way



It would be nice to think, more than 30 years after I joined the army, that it had put an end to the macho swagger I witnessed too often as a young female officer, and that the standards of honour and decency to which the service publicly subscribes would be actively enforced.

Reading the horrific story of alleged British military involvement in the death of a young woman in Kenya, I was reminded of my arrival in Germany fresh from Sandhurst in the mid-1980s. I quickly became aware of the disturbing welcome that lay in wait for a certain type of younger male soldier.

If it was learnt they were virgins, they would be taken down to the local red light

district to be blooded as "real men". The other soldiers would club together to pay for a brothel expedition for their new mate.

Today our armed forces are paying for a lingering misogynistic culture that is damaging the careers and health of women in and out of uniform and blemishing the military's reputation abroad.

A Commons defence select committee report in July found military systems for responding to "unacceptable behaviour" — including rape, bullying, sexual harassment and assault — were "failing our service personnel, both male and female".

In my view, the Ministry of Defence has failed to respond to this report for the same reason the Kenya tragedy was allegedly suppressed: to a group of misogynists at the top of the defence establishment, women's issues are not important. It really hurts but doesn't surprise me to hear claims

that the Kenya allegations were brushed under the carpet. That is what the MoD is doing with allegations of sexual assault of its own women soldiers as well.

I gave evidence to the defence committee of the many women soldiers who have told me of rape, harassment and bullying by their male colleagues — and in some cases, their instructors.

I have been sent powerful stories of women whose drinks were spiked and who feared they were raped while unconscious; of military police ignoring their claims or delaying investigations and losing evidence; of women being told they will be "made to fail", and of finding their rooms trashed.

"I was raped when on overseas operations," one young soldier wrote to me. "The investigation was a farce. I was actually cross-examined by my attacker." Another added: "I was raped during training — for the rest

of my career I was the 'slag who cried rape'."

What struck me most forcibly from more than 200 stories in all was a common experience of many victims. If they reported what happened to them, the army bullied them into keeping quiet. They were all told something like: "Don't speak up or we'll pretty much guarantee you'll lose your career."

There is a toxic cohort at the top of the military who are actively turning a blind eye to serious sexual offences. A junior officer might have good intentions, but his superior will warn him his career will be damaged if he makes a fuss about a young woman soldier who says she has been raped.

It's not only the men. When I was still serving I went to see a very senior female officer with my own concerns. She pretty much said: "I'm not going to help you here because I'm up for

promotion soon." I was aghast.

I want to emphasise that most of the men I met in the services are open-minded and really great to be around. For the most part I loved military life, and am still part of it now as a civilian defence contractor. I can still remember the thrill I felt when I joined the army as an 18-year-old in search of excitement and adventure. At Sandhurst, where I was among the first women to train as officers, plenty of men had no experience of working with women or how to behave around them, but they were willing to learn.

A smaller group didn't want women there and did everything they could to undermine us. It seems to me the army has been unable to erase that ugly streak of aggression from a small but hostile minority.

The harassment I experienced was fortunately low grade. Women cadets were often asked to clean the room after a meeting, while the men were allowed to go. There were also moments of sabotage, like the times the parade ground loudspeakers played a bump-and-grind stripper tune rather than military music.

As an officer, some units would give you a fair chance, but others were openly hostile. The soldiers in armoured and infantry units found it difficult to accept any kind of leadership from women. When I took a team to the Falklands a few years ago, we encountered an infantry unit I can describe only as feral. The women and some of the men in our group were afraid to walk the barrack corridors at night.

Towards the end of my career I was meeting targets and getting results but my male colleagues were the ones promoted. I became

increasingly disillusioned. That was why I retired last year as a lieutenant colonel; why I wrote a book, *Forewarned: a Woman at War ... with the Military System*, on the need for cultural change in the services; and why the reaction from other women soldiers, officers and veterans persuaded me to contact Sarah Atherton MP, on the defence committee. I no longer believed the MoD had the will to modernise.

The culture won't change without civilian and parliamentary pressure. That's why I want changes through the Armed Forces Bill. All serious criminal assaults such as rape should be moved to civilian courts, not tried by courts martial.

An independent defence authority should hold the top of the services to account. If senior officers won't change their corrupted system, they should be mandated to do it.

As told to Tony Allen-Mills