


## Leigh Day Lawyers Failed to Release Detainee List



**Summary:** Lawyers for [Leigh Day](#)  claim “human error” over failure to release a list of their clients’ military association in relation to the Battle of Danny Boy ambush and Al-Sweady Inquiry.

A twist in the facts has turned things around for three Leigh Day lawyers. Martyn Day, Sapna Malik and Anna Crowther, all Leigh Day lawyers, represented clients from Iraq in their allegation against British soldiers. The truth of who the clients actually are has come forward, changing the validity of the claims.

The Leigh Day lawyers represented members of a militia of the Mahdi Army, a group which ambushed British troops. The Iraqi militia members claimed that British Army soldiers murdered, tortured and mutilated the Iraqi civilians. Leigh Day failed to properly disclose who their clients were during the compensation proceedings.

The tribunal is now hearing complaints about how the allegations from the members of the Iraqi “murderous” militia have caused years of suffering for the falsely accused soldiers. Day and Malik are facing 19 charges of misconduct while Crowther faces one charge of misconduct. Had the firm not withheld the information of who their clients are, a £31m public inquiry into the claims likely would not have needed to happen.

Timothy Dutton QC, who is representing the Solicitors Regulation Authority said, “Over a period of more than seven years, Martyn Day, Sapna Malik and Leigh Day made and maintained allegations that soldiers in the British Army had murdered, tortured, and mutilated Iraqi civilians.” He further explained that the lawyers had in their possession since 2004 the Shia militia group Office of the Martyr Al-Sadr detainee list which “undermined their clients’ claims they were innocent bystanders in the Battle of Danny Boy.”

The battle in question occurred on May 14 when the British Army entered into an attack brought on up Iraqi insurgents of the Mahdi Army outside the city of Al Amara.

The tribunal received word that Leigh Day received around £9.5 million for their work on the case. The firm claims they did not commit any professional wrongdoing. They claim the lack of disclosing the detainee list was “human error” and not on purpose.

Dutton explains that if the list had been provided, legal aid would most likely not have been made available to Public Interest Lawyers and the inquiry, dubbed Al-Sweady, would not have progressed. Public Interests Lawyers submitted multiple allegations of misconduct by British soldiers. The group has since closed down and the lead lawyer, Phil Shiner, has been struck off over any misconduct.

Dutton said, “If the respondents had discharged their duties, British soldiers and their families would not have had to endure torment and years of worry arising from false accusations endorsed by solicitors and members of the profession, made not just in claims but to the world’s media.”

The findings of the Al-Sweady inquiry were that some soldiers’ actions breached the Geneva Convention. However, the claims were highly criticized from the beginning of the investigation. The same investigation found that British forces responded to the ambush with “exemplary courage, resolution and professionalism.”

Do you think the list should have been released? Tell us in the comments below.

**To learn more about Iraq cases, read these articles:**

- [Four Blackwater Guards Convicted in 2007 Shootings of 31 Unarmed Iraqi Civilians](#)
- [Violence in Iraq Hits Historic Levels](#)
- [Iraq Executing Its Citizens at High Rate, Even with Evidence Confessions Induced by Torture](#)

Photo: [telegraph.co.uk](http://telegraph.co.uk)