

4255-5 P. 12

DEPARTMENT OF NATIONAL DEFENCE

COURTS MARTIAL - GENERAL & DISCIPLINARY

COURT MARTIAL RETURNS

FOR CROSS REFERENCES SEE INSIDE COVER

ROUTING				P.A. & B.F. ENTRIES				REGISTRY ONLY	
REFERRED	REMARKS	DATE OF PASS	INITIALS	DATE OF P.A.	INITIALS	DATE OF B.F.	CANCEL B.F.	DATE RECEIVED	INSPECTED
<i>Person</i>					<i>P.D.</i>	<i>28-2-62</i>			
<i>Person</i>	<i>WITH PAPERS CR FEB 15 1962</i>								
<i>NSee/R0</i>		<i>12/3/62</i>	<i>PD</i>	<i>23-3-62</i>	<i>62</i>			<i>MAR 26 1962</i>	<i>12</i>
<i>JAF</i>	<i>PER REQUEST CR APR 25 1962</i>			<i>30-4-62</i>	<i>2D</i>			<i>APR 30 1962</i>	<i>12</i>
<i>JAF</i>	<i>PER REQUEST CR AUG - 7 1963</i>			<i>27-7-64</i>	<i>2D</i>			<i>JUL 28 1964</i>	<i>12</i>
<i>Person</i>	<i>WITH PAPERS CR AUG 14 1964</i>			<i>17-8-64</i>	<i>2D</i>			<i>AUG 18 1964</i>	<i>12</i>
<i>JAF Capt Lewis</i>		<i>14/2/72</i>	<i>ff</i>	<i>15/2/72</i>	<i>ff</i>				
<i>CP/Rm 0</i>	<i>Letter Request</i>	<i>18/2/72</i>	<i>2D</i>						

PUBLIC ARCHIVES RECORDS CENTRE
DEPOT DES ARCHIVES PUBLIQUES

PUBLIC ARCHIVES
RECORDS CENTRE

1473
140
1473
1473

"B. F." - DO NOT HOLD THIS FILE WHEN LAPSES
IN ACTION MAY EXCEED 48 WORKING HOURS

CROSS REFERENCES

FILE NO.	SUBJECT

Vol 1 ends
15-9-61

ACTION REQUEST
FICHE DE SERVICE

FILE NO. — DOSSIER N°

TO — À

DATE

LOCATION — ENDROIT

FROM — DE

☐ ACTION
DONNER SUITE☐ P. A. ON FILE
CLASSER☐ APPROVAL
APPROBATION☐ REPLY
RÉPONSE☐ COMMENTS
COMMENTAIRES☐ SEE ME
ME VOIR☐ DRAFT REPLY
PROJET DE RÉPONSE☐ SIGNATURE☐ MAKE
FAIRE.....COPIES☐ TRANSLATION
TRADUCTION☐ NOTE AND FILE
NOTER ET CLASSER☐ YOUR REQUEST
À VOTRE DEMANDE☐ NOTE & RETURN/OR FORWARD
NOTER ET RETOURNER/OU FAIRE SUIVRE☐CAPT (N) J. P. DEWIS
Deputy Judge Advocate
General

FEB 18 1972 000422

File: C- 4255-5 Vol. 2 (DJAG)

OFFICE OF THE JUDGE ADVOCATE GENERAL,
Ottawa, Ontario K1A 0K2,
18 February, 1972.

Lieutenant John Craig, RCNR (Retired),
3079 Orillia Street,
Victoria, British Columbia.

Dear Lieutenant Craig:

I refer to your letter of 6 February addressed to the Judge Advocate General.

The practice of annually promulgating a summary of naval Courts Martial for the general information of the Fleet was discontinued in the year 1962 by Naval Headquarters. The then Judge Advocate of the Fleet continued to prepare a summary of naval Courts Martial each year for several years subsequent to 1962 but distribution was restricted to Senior Officers in Chief Command, Senior Officers in Command and Commanding Officers and it was not promulgated for the general information of the Fleet. No similar summaries of Courts Martial are now prepared or promulgated.

Having regard to the decision of Naval Headquarters in 1962 to limit the distribution of these summaries of Courts Martial, I regret I cannot comply with your request to forward a copy of any of these summaries.

Yours sincerely,

Original Signed By

J. P. DEWIS

J. P. Dewis

Captain (N)

Deputy Judge Advocate General

MAE/Fm

MINUTE SHEET

FILE NUMBER

TD

REFERENCE

DATED

REFERRED TO

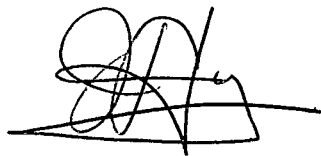
REMARKS

(To be signed in full showing Appointment, Telephone Number and Date)

Capt
Dewis

As - the oldest member of the Senior Service do you know what these "bits" are? If you agree I am going to tell him, sadly, that we cannot supply the information.

lists must be
"open old accounts" ?!
JD



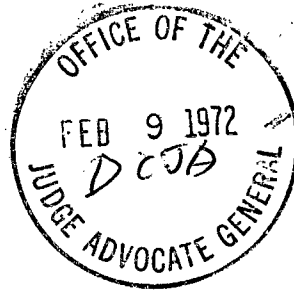
2 43 71
Joe Cardillo

will check.
CAPT (N) DEWIS
Deputy Adv. Advocate
General

FEB 09 1972

3079 Orillia St.
Victoria, B.C.
Feb 6th 1972.

The Judge Advocate General,
National Defence Headquarters,
Ottawa, Ont.



Dear Sir,

During and after the second world war, the Royal Canadian Navy published a yearly list of all, Courts Martial held by the navy since its beginning in 1910. We use to receive copies of this on the various ships.

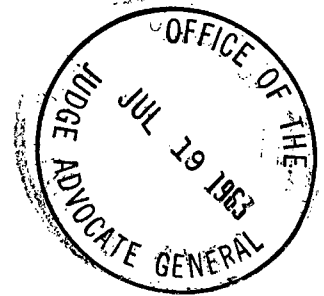
If these are still printed, is it possible to get a copy. I would appreciate having a copy, even the last printed after the war. I served on one Court Martial myself, being a skipper R.C.N.R. (warrant officer) at the time. This was in Halifax in 1941. I was demobbed as a lieutenant R.C.N.R. and placed on the retired list as such.

After the war I served as mate, and master, of naval auxiliary vessels at Esquimaux for twenty years retiring in 1966.

Please inform me if the above mentioned lists are available, and if for some sale what the prices are, and I will forward the money. Thanking you for this trouble.

Yours truly,
John Craig

- NAVAL HEADQUARTERS -



MEMORANDUM TO: JAG

(1)

NAVAL COURTS MARTIAL

I have been directed by the Judge Advocate of the Fleet to prepare a summary of all Naval Courts Martial.

2. A search of the files of this office reveals that:

- (a) a record of courts martial of officers between 30 July, 1911 and 12 August, 1952, is held;
- (b) a record of courts martial of men between 27 January, 1914 and 17 July, 1951, is held;
- (c) a record of courts martial of officers and men subsequent to 1957 is held.

3. The records referred to in sub-paragraphs (a) and (b) supra are lacking in detail. May I be advised:

- (a) if your office has records in any detail of Naval courts martial prior to 1952; and
- (b) if your office has records in any detail of Naval courts martial held between 1952 and 1957.

M. A. Bisal

(M.A. Bisal) LCDR,
Staff Legal Officer
A/CNP(A)

O T T A W A
18 July, 1963.

(2) A/CNP(A)

Ref telecon Bisal-Hollies. We have no details other than those you already have, in connection with para 3(a) of min 1. The same details are available for courts between 1952-1957. You could, of course, pull the files from CR or read the microfilms!

000426

*Hollies GLE
for JAG
19 July*

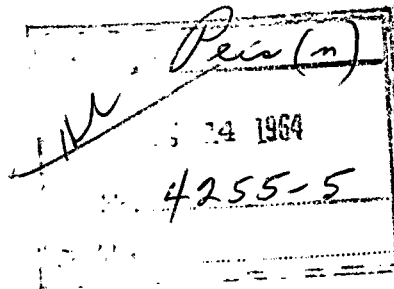


Ref. No. 321/10/127.

COMMONWEALTH OF AUSTRALIA

TELEGRAPHIC ADDRESS:
"NAVY CANBERRA"

DEPARTMENT OF THE NAVY,
CANBERRA, A.C.T.



14 The Secretary,
Canadian Naval Board,
Ottawa,
CANADA.

RETURN OF COURTS-MARTIAL HELD IN THE R.A.N.
DURING THE PERIOD FROM 1ST JANUARY 1960 TO 31ST DECEMBER 1962.

I am directed by the Australian Commonwealth Naval Board to forward herewith two copies of the abovementioned return.

G. H. Jackson
Secretary.

11 JAF
Noted
D 17/8

14 AUG 1964

ROOM

DEPARTMENT OF THE NAVY

NAVY OFFICE,
CANBERRA,

....., 1963.

RETURN OF NAVAL COURTS-MARTIAL

held during the period

FROM 1st JANUARY, 1960 TO 31st DECEMBER, 1962.

OFFICERS TRIED BY COURT-MARTIAL.

s.19(1)

OFFICERS TRIED BY

No.	Date of Trial	Name	Rank	Ship
178	19th May, 1960		Lieutenant (S.D.)	<i>VENDETTA</i>
179	4th July, 1960		Commander	<i>VAMPIRE</i>

COURT-MARTIAL

Substance of Charge Preferred

Finding and Sentence

Absence without leave.

The Court accepted the accused's plea of guilty and adjudged him to be dismissed from H.M.A.S. *Vendetta* and to be severely reprimanded.

First: Did neglect to perform the duty imposed on him as Supply Officer of H.M.A.S. *Vampire* in that he failed to produce to the Commanding Officer Form AS1053 when required to do so in accordance with Commonwealth Navy Order 526 of 1959, Section (d), Sub-Section (iv).

The Court accepted the accused's plea of guilty on all eight charges and adjudged him to be dismissed from H.M.A.S. *Vampire*.

Second, Third & Fourth: Did neglect to perform the duty imposed on him as Supply Officer of H.M.A.S. *Vampire* in that he failed to report to the Commanding Officer that there were deficiencies in Clothing Stocks in accordance with Commonwealth Navy Order 978 of 1959 Appendix C.

Fifth & Sixth: Did neglect to perform the duty imposed on him as Supply Officer of H.M.A.S. *Vampire* in that he failed to ensure compliance with Commonwealth Navy Order 637 of 1959, paragraph 50, Section (a) in that he did not cause stocktaking of loan clothing to be carried out by an Officer.

s.19(1)

OFFICERS TRIED BY

No.	Date of Trial	Name	Rank	Ship
179 <i>Cont</i>	4th July, 1960		Commander <i>VAMPIRE</i>
180	8th December, 1960		Lieutenant-Commander	<i>WOOMERA</i>

000433

COURT-MARTIAL

Substance of Charge Preferred

Finding and Sentence

Seventh & Eighth: Did neglect to perform the duty imposed on him as Supply Officer of H.M.A.S. *Vampire* in that he failed to ensure compliance with Commonwealth Navy Order 526 of 1959, paragraph 15, Section (a), Subsection (i) in that he did not cause stocktacking of provisions to be carried out by an Officer.

The Naval Board on review of the proceedings:

(i) Quashed the findings on Charges 1, 2, 3 and 4.

(ii) Commuted the sentence awarded by the Court to a severe reprimand.

First: By negligence, did allow H.M.A.S. *Woomera* to be lost.

Second: By negligence, did allow H.M.A.S. *Woomera* to be hazarded.

Third: Did negligently perform duty imposed on him in that he failed to exercise due care in the dumping of aircraft flares.

Fourth: Did negligently perform duty imposed on him in that he allowed aircraft flares to be embarked in H.M.A.S. *Woomera* in an unboxed state.

The accused was found not guilty on all four charges and acquitted accordingly.

OFFICERS TRIED BY

No.	Date of Trial	Name	Rank	Ship
181	21st December, 1960		Lieutenant	WOOMERA
182	11th December, 1961		Surgeon-Lieutenant	VOYAGER
183	11th July, 1962		Instructor Lieutenant-Commander	MELBOURNE
184	18th October, 1962		Engineer Sub-Lieutenant	MELBOURNE

COURT-MARTIAL

Substance of Charge Preferred

Finding and Sentence

First: Act to the prejudice of good order and naval discipline in that he ordered a number of ratings to go overboard without first obtaining permission of the Captain who was still onboard together with other personnel.

The accused was found not guilty on both charges and acquitted accordingly.

Second: Did improperly leave H.M.A.S. *Woomera*.

First: Did wilfully disobey the lawful command of his superior officer when ordered to make the sick bay bunks of H.M.A.S. *Voyager* available for the temporary accommodation of TRIALS OFFICERS.

The Court found the accused guilty on the first charge. The Court did not proceed further with the second charge. He was adjudged to be dismissed from H.M.A.S. *Voyager*.

Second: Did behave with contempt to his superior officer.

The Courts-Martial Appeal Tribunal allowed Surgeon Lieutenant Manion's appeal and quashed the conviction.

First: Did lose certain Service property, namely communication publications.

The Court accepted the accused's plea of guilty on both charges, and adjudged him to be severely reprimanded.

Second: Neglect to the prejudice of good order and naval discipline in failing to report immediately that communication publications were missing.

Did sleep upon his watch as Officer of the Watch of the Middle Watch.

The Court accepted the accused's plea of guilty and adjudged him to be reprimanded.

CHIEF PETTY OFFICERS, PETTY OFFICERS, AND MEN
TRIED BY COURT-MARTIAL.

CHIEF PETTY OFFICERS, PETTY OFFICERS,

Date of Trial	Name	Rating	Ship
13th January, 1960		Steward	<i>ALBATROSS</i>
21st April, 1960		Chief Petty Officer Butcher	<i>MELBOURNE</i>
7th June, 1960		Chief Radio Communication Supervisor	<i>HARMAN</i>
4th August, 1960		Petty Officer Cook (Ships)	<i>MELBOURNE</i>

AND MEN TRIED BY COURT MARTIAL

Substance of Charge Preferred

Finding and Sentence

First: Disgraceful conduct of an indecent kind.

Second: Act to the prejudice of good order and naval discipline in being naked on a bed with another male without reasonable excuse.

First: Did steal certain public or Service property.

Second: Did steal certain public or Service property.

Third: Did receive certain public or Service property knowing the same to have been stolen.

Fourth: Act to the prejudice of good order and naval discipline in landing excise free cigarettes in contravention of East Australia General Orders.

First: Negligent performance of duty imposed on him as driver of a Commonwealth Motor Vehicle.

Second: Did by negligence damage a Commonwealth Motor Vehicle.

First: Did steal certain public or Service property.

Second: Did receive certain public or Service property, knowing them to have been stolen.

Third: Act to the prejudice of good order and naval discipline in not handing over to the proper authority Service or public property which to his knowledge had come into his possession without the consent of the owner.

The Court upheld the following pleas in bar of trial:

1st Charge: Autrefois Acquit.

2nd Charge: Autrefois Convict.

The Court accepted the accused's plea of guilty on the second and fourth charges. The first and third charges were not proceeded with. He was adjudged to be dismissed from Her Majesty's Service and to suffer the consequential penalties involved.

The accused was found not guilty on both charges and acquitted accordingly.

The accused was found not guilty on all three charges and acquitted accordingly.

s.19(1)

CHIEF PETTY OFFICERS, PETTY OFFICERS,

Date of Trial	Name	Rating	Ship
20th June, 1961		Acting Leading Writer	KUTTABUL
14th December, 1961	 Sick Berth Attendant	PENGUIN

AND MEN TRIED BY COURT MARTIAL

Substance of Charge Preferred

Finding and Sentence

First: Did steal certain public property.

Second: With intent to defraud, obtained a cheque for the amount of £5.17.0.

Third & Fifth: Make an official document Form AS18 Casual Payment which was to his knowledge false in a material particular.

Fourth & Sixth: Neglect to the prejudice of good order and naval discipline in that he omitted to post casual payments in contravention of Pay Accounting System Manual of Instruction 1956, Article 0315 paragraph 2.

The Naval Board on review of the proceedings reduced the term of imprisonment to 21 days, but did not otherwise interfere with the sentence.

First & Fifth: Indecent assault.

Second: Gross indecency.

Third: Disgraceful conduct of an indecent kind.

Fourth: Did unlawfully incite the commission of an act of gross indecency.

The Naval Board on review of the proceedings quashed the finding on charge 2 and remitted the sentence in part to imprisonment for four calendar months and to be dismissed with disgrace from Her Majesty's Service and to suffer the consequential penalties involved.

The Court accepted the accused's plea of guilty on the first, fourth & sixth charges. The second, third and fifth charges were not proceeded with. He was adjudged to be imprisoned for a term of forty-two days and to be dismissed from Her Majesty's Service and suffer the consequential penalties involved.

The Court found the rating guilty of the offences charged in the second, third and fifth charges but not guilty of the first and fourth charges. He was adjudged to be dismissed with disgrace from Her Majesty's Service, to be imprisoned for the term of six calendar months and to suffer the consequential penalties involved.

DEPARTMENT OF THE NAVY

NAVY OFFICE,
CANBERRA,
....., 1963.

RETURN OF NAVAL COURTS-MARTIAL

held during the period

FROM 1st JANUARY, 1960 TO 31st DECEMBER, 1962.

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Second, Third & Fourth: Did neglect to perform the duty imposed on him as Supply Officer of H.M.A.S. *Vampire* in that he failed to report to the Commanding Officer that there were deficiencies in Clothing Stocks in accordance with Commonwealth Navy Order 978 of 1959 Appendix C.

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180	8th December, 1960	[REDACTED]	Lieutenant-Commander	<i>WOOMERA</i>

COURT-MARTIAL

Substance of Charge Preferred

Finding and Sentence

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COURT-MARTIAL

Substance of Charge Preferred

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Second: Did improperly leave H.M.A.S. *Woomera*.

First: Did wilfully disobey the lawful command of his superior officer when ordered to make the sick bay bunks of H.M.A.S. *Voyager* available for the temporary accommodation of TRIALS OFFICERS.

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Finding and Sentence

The accused was found not guilty on both charges and acquitted accordingly.

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7th June, 1960	[REDACTED]	Chief Radio Communication Supervisor	<i>HARMAN</i>
4th August, 1960	[REDACTED]	Petty Officer Cook (Ships)	<i>MELBOURNE</i>

AND MEN TRIED BY COURT MARTIAL

Substance of Charge Preferred

Finding and Sentence

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Second: Act to the prejudice of good order and naval discipline in being naked on a bed with another male without reasonable excuse.

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The accused was found not guilty on all three charges and acquitted accordingly.

s.19(1)

CHIEF PETTY OFFICERS, PETTY OFFICERS,

Date of Trial	Name	Rating	Ship
20th June, 1961	[REDACTED] Acting Leading Writer	KUTTABUL
14th December, 1961	[REDACTED] Sick Berth Attendant	PENGUIN

000453

AND MEN TRIED BY COURT MARTIAL

Substance of Charge Preferred

Finding and Sentence

First: Did steal certain public property.

Second: With intent to defraud, obtained a cheque for the amount of £5.17.0.

Third & Fifth: Make an official document Form AS18 Casual Payment which was to his knowledge false in a material particular.

Fourth & Sixth: Neglect to the prejudice of good order and naval discipline in that he omitted to post casual payments in contravention of Pay Accounting System Manual of Instruction 1956, Article 0315 paragraph 2.

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The Naval Board on review of the proceedings reduced the term of imprisonment to 21 days, but did not otherwise interfere with the sentence.

First & Fifth: Indecent assault.

Second: Gross indecency.

Third: Disgraceful conduct of an indecent kind.

Fourth: Did unlawfully incite the commission of an act of gross indecency.

The Court found the rating guilty of the offences charged in the second, third and fifth charges but not guilty of the first and fourth charges. He was adjudged to be dismissed with disgrace from Her Majesty's Service, to be imprisoned for the term of six calendar months and to suffer the consequential penalties involved.

The Naval Board on review of the proceedings quashed the finding on charge 2 and remitted the sentence in part to imprisonment for four calendar months and to be dismissed with disgrace from Her Majesty's Service and to suffer the consequential penalties involved.

NSC 4255-5

15 April, 1964


MEMORANDUM TO: A/CNP(A)

I
General Order 112.05/1 - Summary of General and
Disciplinary Courts Martial

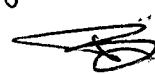
It is requested that the above General Order be
reviewed in accordance with GO 1.24/1.

If it is desired to cancel the order the reason for
cancellation is to be stated. Further necessary action will be
taken by the Regulations Office.

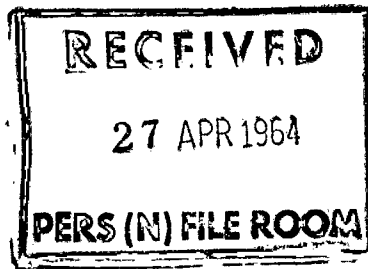
III Noted
UFD
NR0
30/4/64


~~Naval Secretary (Regulations Office)~~
Naval Regulations Office

II N.R.O.

- no change required at this
time
 510
20/4

000455



ORIGINATOR

DIRECTORATE A/CNP(R)
OFFICE Capt. P.R. HURD
ROOM No. 4002 "B"
PHONE No. 2-6325

SECURITY CLASSIFICATION

N.O.F. 25449

RC

NAVAL ORDER FILE

DRAFT NAVAL ORDER

OR

AMENDMENT TO REGULATIONS

OR

SUBMISSION TO

TREASURY BOARD OR PRIVY COUNCIL

ALL SUPPORTING INFORMATION IS TO BE PLACED ON THIS FOLDER UNTIL ACTION HAS BEEN COMPLETED

PLEASE NOTE:

1. THIS FOLDER IS USED EXCLUSIVELY FOR TRANSMITTING AMENDMENTS TO PUBLICATIONS OR SUBMISSIONS.
2. QUERIES CONCERNING THE CONTENTS SHOULD BE DIRECTED TO THE OFFICER DESIGNATED IN THE TOP LEFT-HAND CORNER.
3. FILE ROOMS SHALL RECORD NUMBER SHOWN IN TOP RIGHT-HAND CORNER IN THE SAME MANNER AS C.R. FILES

4255-5

REFERRED TO	DATE	INITIAL	REFERRED TO	DATE	INITIAL
CNP	9/1/65	Dr			
CNP	1/6/61	Ymk			
N Sec	5/3/62	JA			
N Sec (RD)	12/3/62	PO			
G.R.D.A.	25.4.62	Ex			

000457

DEPARTMENT OF NATIONAL DEFENCE

MINUTE SHEET

Referred to

REMARKS

To be signed in full showing Appointment, Telephone Number & Date

CNS

You will recall that some months ago it was approved that a summary of Count Martial be published and receive wide distribution.

FOAC objected to the principle of wide distribution of the information contained in the summaries. CNP has reconsidered and now recommends an amendment to the G.O. which will restrict distribution to Senior Officers in Chief Command, Senior Officers in Command & Commanding Officers.

~~The summary~~ The Senior Officers in Chief Command have been asked for their comments. They concur generally although FOAC suggests they be classified as "personal & confidential".

DEPARTMENT OF NATIONAL DEFENCE

MINUTE SHEET

Referred to


REMARKS

To be signed in full showing Appointment, Telephone Number & Date

Naval
Secretary

Reference your minute dated 15 January, 1962, comments of the Flag Officers have been received and are on the file attached.

2. The proposed order has been amended in accordance with suggestions made except for the classification "Personal and Confidential". I feel that such a classification is undesirable, particularly in view of the proposed distribution being only to Senior Officers in Chief Command, Senior Officers in Command, and Commanding Officers.


CNP

OTTAWA
2 March, 1962

CNP

I think this
will do it & we
don't comply with
FOIA's suggestion
that the survey be
marked "Personal
and Confidential", because
I think that would be
unnecessary & undesirable.
Otherwise we do pretty
much what he suggests.

POA
ACR POA
1/3

000460

CIRCULATION OF AMENDMENTS (WHITE)

- Instructions:**
1. Use when signature of Minister, CNS or N.Sec is required.
 2. Prepare in accordance with SECORDS article 57.512.
 3. Complete all items fully. If not applicable, insert "NA".
 4. Explain the need for the amendment. Such statements as "To promote efficiency", "To inform the fleet", "To promulgate", "To amend", are not acceptable.
 5. If space is inadequate, attach separate memorandum.

SECURITY CLASSIFICATION UNCLASSIFIED

MS C. 4255-5 Vol. 2
NOF 25449

I. MEMORANDUM TO: (List Directorates whose concurrence is required)

NAVAL BOARD MEMBER CNP

(a) The attached draft amendment to GO 112.05/1 on the subject of
SUMMARY OF GENERAL AND DISCIPLINARY COURTS MARTIAL

is referred for your concurrence. This amendment is necessary for the following reasons:

(see attached memo)

(b) This amendment will result in an increased expenditure of \$ NIL and is in accordance
with the following Committee Recommendations N/A

(Committee name, minute and date)

(c) The practice in the other services is similar/not applicable/as follows:

DATE 1 March, 1962.

PR
A/CNP (A) (ORIGINATOR)

II. TO N.SEC(RO)

I concur in the attached amendment and forward it for processing

DATE _____

Chief of Naval Personnel
(NAVAL BOARD MEMBER)

III. TO CNS/N.SEC

The attached amendment has been:

(a) Edited by _____ (for N.Sec(RO)) Date _____

(b) Approved as to security classification by _____ (for DNI) Date _____

(c) Granted legal approval by PR (for JAF) Date _____

and is concurred in. Approval is recommended.

DATE 12/3/62

PR
(NAVAL SECRETARY)

DRAFT AMENDMENT TO NAVAL GENERAL ORDER

(For the approval of the Chief of the Naval Staff)

112.05/1 - COURT MARTIAL RETURNS AND EVIDENCE OF
PREVIOUS CONVICTIONS BY COURT MARTIAL

DELETE GO 112.05/1 and SUBSTITUTE revised order as follows:

"112.05/1 - SUMMARY OF GENERAL AND DISCIPLINARY COURTS
MARTIAL

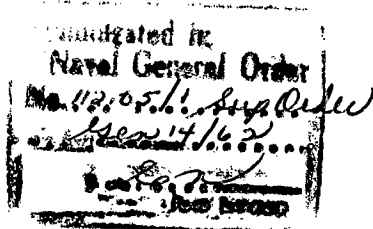
(1) Under the authority of the Chief of the Naval Staff, the Judge Advocate of the Fleet shall prepare from time to time a summary of Courts Martial for the information of Senior Officers in Chief Command, Senior Officers in Command and Commanding Officers. The summary shall contain a listing of the results of all Courts Martial convened during the period of the summary, and shall include information respecting the date, place and type of trial, the name, rank and ship of the accused, description of the charges, outline of the offence, the findings made, and the sentence awarded, if any.


(2) The summary shall be distributed to Senior Officers in Chief Command, Senior Officers in Command and Commanding Officers for information and permanent retention. Senior Officers in Chief Command and Senior Officers in Command may at their discretion, authorize Commanding Officers to promulgate extracts from the summary in ships and establishments. ~~These extracts are not to include the name or ship of the accused.~~

(3) For the purposes of QRCN Article 111.50 (c)(v), an extract from the Summary of General and Disciplinary Courts Martial certified as a true copy by the convening authority shall be considered sufficient record of previous conviction by Court Martial."

Effective Date: On promulgation NSC 4255-5 Vol. 2
NOF 25449

Approved to be promulgated as an
amendment to Naval General Order




.....
VICE ADMIRAL, RCN
CHIEF OF THE NAVAL STAFF.

12/3/62

Prepared in A/CNP(A), 28 February, 1962.

DEPARTMENT OF NATIONAL DEFENCE

MINUTE SHEET

Referred to

REMARKS

To be signed in full showing Appointment, Telephone Number & Date

CNP

- ① This has not yet been seen by CNS
- ② I note that para 3 of FOA's recommendation goes somewhat farther in restricting distribution of Cairn+Madril summaries than the redrafted G.O.

Before promulgating the amendment, would you consider obtaining comments of both Flag officers to the new draft?

DS
N/S
15/1

000463

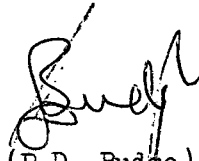
NSC: 4255-5
Pers (N) "A"

MEMORANDUM TO: Chief of the Naval Staff

SUMMARY OF COURTS MARTIAL

7 In view of the objections by CANFIAGLANT to the present distribution of the above summaries, I have reviewed the practice in the RN and RAN in dealing with this matter. I now propose to amend General Order 112.05/1 to restrict circulation to Senior Officers in Chief Command, Senior Officers in Command and Commanding Officers and withdraw the requirement for display on ships' notice boards.

2. The revised order below is submitted for your approval.



(P.D. Budge)
Rear-Admiral, RCN
Chief of Naval Personnel

O T T A W A

5 January, 1962

CIRCULATION OF AMENDMENTS (WHITE)

- Instructions:**
1. Use when signature of Minister, CNS or N.Sec is required.
 2. Prepare in accordance with SECORDS article 57.512.
 3. Complete all items fully. If not applicable, insert "NA".
 4. Explain the need for the amendment. Such statements as "To promote efficiency", "To inform the fleet", "To promulgate", "To amend", are not acceptable.
 5. If space is inadequate, attach separate memorandum.

SECURITY CLASSIFICATION UNCLASSIFIED

MS 4255-5
NOF 25/19

I. MEMORANDUM TO: (List Directorates whose concurrence is required)

NAVAL BOARD MEMBER CNP

(a) The attached draft amendment to G.O. 112.05/1 on the subject of
(GRCN, NGO, BRCH, MICN, CNP, etc.)
Summary of General and Disciplinary Courts Martial

is referred for your concurrence. This amendment is necessary for the following reasons:

see attached memo

(b) This amendment will result in an increased expenditure of \$ NIL and is in accordance
with the following Committee Recommendations N/A

(Committee memo, minute and date)

(c) The practice in the other services is similar/not applicable/as follows:

DATE _____

A/CNP(A)
(ORIGINATOR)

II. TO N.SEC(RO)

I concur in the attached amendment and forward it for processing

DATE _____

Chief of Naval Personnel.
(NAVAL BOARD MEMBER)

III. TO CNS/N.SEC

The attached amendment has been:

(a) Edited by _____ (for N.Sec(RO)) Date _____

(b) Approved as to security classification by _____ (for DNI) Date _____

(c) Granted legal approval by GRK (for JAF) Date _____

and is concurred in. Approval is recommended.

DATE _____

(NAVAL SECRETARY)

000465

DRAFT AMENDMENT TO NAVAL GENERAL ORDERS

(For the Approval of the Chief of the Naval Staff)

112.05/1 - COURT MARTIAL RETURNS AND EVIDENCE OF
PREVIOUS CONVICTIONS BY COURT MARTIAL

DELETE present G.O.

SUBSTITUTE

112.05/1 - SUMMARY OF GENERAL AND DISCIPLINARY COURTS
MARTIAL

(1) Under the authority of the Chief of the Naval Staff, the Judge Advocate of the Fleet shall prepare from time to time a summary of Courts Martial for the information of Senior Officers in Chief Command, Senior Officers in Command and Commanding Officers. The summary shall contain a listing of the results of all Courts Martial convened during the period of the summary, and shall include information respecting the date, place and type of trial, the name, rank and ship of the accused, description of the charges, outline of the offence, the findings made, and the sentence awarded, if any. The first summary shall cover the period 1 July, 1960 - 30 June, 1961.

(2) The summary shall be distributed to Senior Officers in Chief Command, Senior Officers in Command and Commanding Officers for information and permanent retention.

(3) For the purposes of QRON Article 111.50 (c)(v), an extract from the Summary of General and Disciplinary Courts Martial certified as a true copy by the convening authority shall be considered sufficient record of previous conviction by Court Martial.

Effective date: On promulgation

NOF: 25449

NS: 4255-5

Pers (N)"U"

Approved to be promulgated as
an amendment to Naval General
Orders.

.....
VICE-ADMIRAL, RCN
Chief of the Naval Staff.

Prepared by A/CNP(A)

H.Q. 1024



NAVAL SERVICE—MINUTE SHEET

FILE No.

REFERRED TO

REMARKS
(WITH SIGNATURE, POSITION AND DATE)

AcN/PA *ENP concurs.*
Would you
like to amend
the proposed
order

[Signature]
Dep. Sec.
Pers(n)

22/2

000467

DCNP

Agree with
~~FOIAC~~ FOAC's
suggestions.

Re FOAC's para. 3,
this will be done.


P. B. H.
JAF

19/✓



Acc CNP

Concur as amended
by FOAC.

 20,000468

H.Q.

NAVAL SERVICE—MINUTE SHEET

FILE No.

REFERRED TO

REMARKS
(WITH SIGNATURE, POSITION AND DATE)

AENP/A
DCAP.

Comments of SO2CCs
in reply to our
letter (5/29/62) are
attached. Have
you any comments
please.

[Signature]
Secretary C.N.P.
16/2/62

000469

PCC:4255-1



DEPARTMENT OF NATIONAL DEFENCE

ROYAL CANADIAN NAVY

Office of
The Flag Officer Pacific Coast

Referred to	Pers (n)
File No.	4255-5

FEB 13 1962

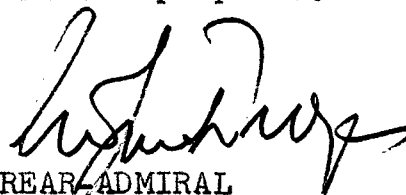
SUMMARY OF COURTS MARTIAL

Reference: (a) NSC: 4255-5 Pers (N) "T" dated 23 January, 1962.

Submitted for the consideration of Naval Headquarters in reply to reference (a) are the following comments.

2. Considering the number of Courts Martial held in the past few years the usefulness of a wide promulgation of this information in relation to being a deterrent is questionable. The proposed restricted distribution would still provide suitable dissemination of the information to those mostly concerned with the convening of Courts Martial and the administration of discipline generally. Accordingly, the proposed draft of G.O. 112.06/1 is concurred with.

3. It is recommended that a summary covering the period prior to 1 July, 1960, be provided to senior officers in chief command for record purposes.

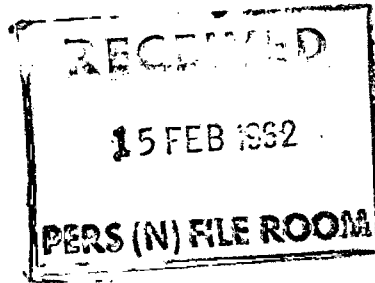

REAR ADMIRAL

The Naval Secretary.

Copy to: The Flag Officer Atlantic Coast.

The Commanding Officer Naval Divisions.

1 CND
2 JAF



12
Biko 28/2/62
for repes of
FOPC.

GRD
Acw PCA
6/2

000472



CONFIDENTIAL
DEPARTMENT OF NATIONAL DEFENCE

ROYAL CANADIAN NAVY

ACC: 4255-1 Sub. 1

Office of the Flag Officer Atlantic Coast
Fleet Mail Office
Halifax, N.S.

DAI 31 1962

SUMMARY OF COURTS MARTIAL

Reference: (a) NSC 4255-5 Pers (N) "T"
dated 23 January, 1962.

Referred to *Pers (N)*

FEB 5 1962

File No... *C. 4255-5*

The following comments on the proposals contained in reference (a) to amend G.O. 112.05/1 (Summary of General and Disciplinary Courts Martial) are submitted for the consideration of Naval Headquarters.

2. The draft General Order is generally concurred in subject to the comments contained in the following paragraphs.

Classification of the Summary

3. It is most undesirable that the complete summary should be seen by officers and men other than Senior Officers in Chief Command, Senior Officers in Command and Commanding Officers. To ensure that this does not happen it is proposed that the summary be classified "Confidential and Personal" and distributed accordingly.

Promulgation of Extracts

4. In order to achieve the aim of "bringing home to personnel of the RCN the consequences of serious offences against the National Defence Act", further promulgation of extracts from the summary will be required. In order to control the amount of information so distributed, it is proposed that the following sentence be added to para 2 of the draft General Order:

"Senior Officers in Chief Command or Senior Officers in Command (i.e. CANFLAGLANT, CANFLAGPAC, CANCOND, CANAVBRIT and CANAVUS) may, at their discretion, authorize Commanding Officers to promulgate extracts from the summary in ships and establishments. These extracts are not to include the name or ship of the accused".

Hein Power
REAR ADMIRAL

The Naval Secretary.

Copy to: Flag Officer Pacific Coast.

Commanding Officer Naval Divisions.

CONFIDENTIAL

COND: C-4255-1



DEPARTMENT OF NATIONAL DEFENCE

ROYAL CANADIAN NAVY

Commanding Officer Naval Divisions

JAN 25 1962

Referred to *Pers (N)*

JAN 26 1962

File No. *4255-5*

Chgd to

SUMMARY OF COURTS MARTIAL

Reference: (a) NSC: 4255-5 Pers (N) "T" dated
23 January, 1962

Submitted for the consideration of
Naval Headquarters in accordance with reference
(a) that the phrase "and promulgation as they see
fit" be inserted after the word "information" in
paragraph (2) of the draft amendment to G.O.
112.05/1.

[Signature]
COMMODORE

The Naval Secretary

Copy to: The Flag Officer Atlantic Coast

The Flag Officer Pacific Coast

PA.

CONFIDENTIAL

UIC: 4255-5
Form (B) "T"

- Royal Canadian Navy -

JAN 23 1962

SUMMARY OF COURTS MARTIAL

Reference: (a) C.C. 112.05/1

Enclosure: (A) Draft amendment to G.O. 112.05/1

Recommendations have been received to modify the distribution of the Summary of Courts Martial as prescribed in reference (a).

2. While the aim of the General Order is to bring home to personnel of the RCN the consequences of serious offences against the National Defence Act, and to act as a deterrent against potential offences of a similar nature, it is realized that the wide distribution proscribed by the General Order may have faults, especially in view of the time lag that must elapse between the date of the Courts Martial and the distribution of the summary.

3. Consideration is now being given to amending this order, and the attached draft is forwarded. It is requested that comments may be forwarded as soon as possible.

NAVAL SECRETARY

Flag Officer Atlantic Coast.

Flag Officer Pacific Coast.

Commanding Officer Naval Divisions.

LETTER dispatched by
PERSONNEL NAVAL
23 JAN 1962

CONFIDENTIAL

DRAFT AMENDMENT TO NAVAL GENERAL ORDERS

(for the approval of the Chief of the Naval Staff)

112.05/1 - COURT MARTIAL RETURNS AND EVIDENCE OF
PREVIOUS CONVICTIONS BY COURT MARTIAL

DELETE present G.O.

SUBSTITUTE

112.05/1 - SUMMARY OF GENERAL AND DISCIPLINARY COURTS
MARTIAL

(1) Under the authority of the Chief of the Naval Staff, the Judge Advocate of the Fleet shall prepare from time to time a summary of Courts Martial for the information of Senior Officers in Chief Command, Senior Officers in Command and Commanding Officers. The summary shall contain a listing of the results of all Courts Martial convened during the period of the summary, and shall include information respecting the date, place and type of trial, the name, rank and ship of the accused, description of the charges, outline of the offence, the findings made, and the sentence awarded, if any. The first summary shall cover the period 1 July, 1960 to 30 June, 1961.

(2) The summary shall be distributed to Senior Officers in Chief Command, Senior Officers in Command and Commanding Officers for information and permanent retention.

(3) For the purpose of RCN Article 111.50 (c)(v), an extract from the Summary of General and Disciplinary Courts Martial certified as a true copy by the convening authority shall be considered sufficient record of previous conviction by Court Martial.

Effective date: On promulgation

RCN: 25449

NS: 4255-5

Form (U)*U"

Approved to be promulgated as
an amendment to Naval General
Orders.

.....
VICE-ADMIRAL, RCN
Chief of the Naval Staff.

Prepared by A/CHP(A)

NSC: 4255-5
Pers (N) "A"

MEMORANDUM TO: Chief of the Naval Staff

SUMMARY OF COURTS MARTIAL

In view of the objections by CANFIAGLANT to the present distribution of the above summaries, I have reviewed the practice in the RN and RAN in dealing with this matter. I now propose to amend General Order 112.05/1 to restrict circulation to Senior Officers in Chief Command, Senior Officers in Command and Commanding Officers and withdraw the requirement for display on ships' notice boards.

2. The revised order below is submitted for your approval.

Original Signed By
P. D. BUDGE

(P.D. Budge)
Rear-Admiral, RCN
Chief of Naval Personnel

O T T A W A

5 January, 1962

T.D. No. 1335

DEPARTMENT OF NATIONAL DEFENCE

CONFIDENTIAL

TEMPORARY DOCKET

NAVY

五三三

T.D. No.

4255-6

MAIN FILE NUMEBR C-

[illegible]

INSTRUCTIONS

1. Temporary Dockets are to deal WITH ONE CASE ONLY.
2. T.D.'s NOT to be placed on main file UNLESS Central Registry informed by means of Form D.N.D. 710.
3. T.D. No. together with main file number to be quoted on all correspondence originated.
4. T.D.'s not to be passed from one service to another.
5. Action should be taken as soon as possible in order that main file may be kept up to date. If action cannot be taken within 48 working hrs., B.F. Docket.
6. T.D.'s to be requisitioned, passed, B.F.'d. etc., in the same manner as main files by means of Form D.N.D. 710.

CONFIDENTIAL

HSC: 4255-5
Pers (N)"T"

- Royal Canadian Navy -

MAN 2 5 1962

SUMMARY OF COURTS MARTIAL

Reference: (a) G.O. 112.05/1

Enclosure: (A) Draft amendment to G.O. 112.05/1

Recommendations have been received to modify the distribution of the Summary of Courts Martial as prescribed in reference (a).

2. While the aim of the General Order is to bring home to personnel of the RCN the consequences of serious offences against the National Defence Act, and to act as a deterrent against potential offences of a similar nature, it is realized that the wide distribution prescribed by the General Order may have faults, especially in view of the time lag that must elapse between the date of the Courts Martial and the distribution of the summary.

3. Consideration is now being given to amending this order, and the attached draft is forwarded. It is requested that comments may be forwarded as soon as possible.

Flag Officer Atlantic Coast.

Flag Officer Pacific Coast.

Commanding Officer Naval Divisions.

ORIGINAL SIGNED BY
NAVAL SECRETARY
G.S. GODES

LETTER APPROVED BY
PERSONNEL NAVAL
23 JAN 1962

CONFIDENTIAL

DRAFT AMENDMENT TO NAVAL GENERAL ORDERS

(for the approval of the Chief of the Naval Staff)

112.05/1 - COURT MARTIAL RETURNS AND EVIDENCE OF
PREVIOUS CONVICTIONS BY COURT MARTIAL

DEBATE present G.O.

SUBSTITUTE

112.05/1 - SUMMARY OF GENERAL AND DISCIPLINARY COURTS
MARTIAL

(1) Under the authority of the Chief of the Naval Staff, the Judge Advocate of the Fleet shall prepare from time to time a summary of Courts Martial for the information of Senior Officers in Chief Command, Senior Officers in Command and Commanding Officers. The summary shall contain a listing of the results of all Courts Martial convened during the period of the summary, and shall include information respecting the date, place and type of trial, the name, rank and ship of the accused, description of the charges, outline of the offence, the findings made, and the sentence awarded, if any. The first summary shall cover the period 1 July, 1960 to 30 June, 1961.

(2) The summary shall be distributed to Senior Officers in Chief Command, Senior Officers in Command and Commanding Officers for information and permanent retention.

(3) For the purpose of QRON Article 111.50 (c)(v), an extract from the Summary of General and Disciplinary Courts Martial certified as a true copy by the convening authority shall be considered sufficient record of previous conviction by Court Martial.

Effective date: On promulgation

NOF: 25449

NS: 4255-5

Pers (N)"U"

Approved to be promulgated as
an amendment to Naval General
Orders.

.....
VICE-ADMIRAL, RCN
Chief of the Naval Staff.

Prepared by A/CNP(A)

M.C. 1024

NAVAL SERVICE—MINUTE SHEET

FILE No.

REFERRED TO

REMARKS

(WITH SIGNATURE, POSITION AND DATE)

CNP

In consideration
please - and proposed
reply.

AS
N. Sec
4/14

000481

CONFIDENTIAL ACC: 4255-1 Sub. 1

1335



DEPARTMENT OF NATIONAL DEFENCE

ROYAL CANADIAN NAVY *Staff*
C4255-3
File *C4255-1*
Chc *JAC 22/11/61*

Office of the Flag Officer Atlantic Coast
Fleet Mail Office
Halifax, N.S.

NOV 29 1961

SUMMARY OF COURTS MARTIAL

Reference: (a) G.O. 112/05.1

The following proposals for the modification of the directive contained in reference (a) concerning the publication of a Courts Martial summary are submitted for the consideration of Naval Headquarters.

1-12
N Sec

2. It is appreciated that the aim of the order is to bring home to officers and men of the RCN the full consequences of serious offences against the National Defence Act and as such to act as a deterrent against potential offences of a similar nature. It is considered however that the publication of the names, ranks and ship of the offenders is both unnecessary and undesirable for the following reasons:

- (a) The omission of such details would not reduce the deterrent value of the publication.
- (b) The completion of the sentence imposed by the Court expiates the offence completely and the offender is encouraged to make a fresh clean start. The subsequent publication on a very wide basis, perhaps many months later, of the full details of his offence cannot but discourage the man concerned and increase his difficulties in obtaining the loyalty and support of his subordinates. When officers are included in the summary, the difficulties are multiplied and morale and confidence generally may well suffer.

3. It is therefore recommended that, in future, copies of the summary containing full details should be forwarded to Senior Officers in Chief Command only (for record purposes) and that copies distributed to subordinate authorities should omit the names, ranks and ship or establishment of the offenders. Furthermore, one copy only should go to each ship or establishment in order to facilitate control in the promulgation of the information and where necessary, in large establishments, additional copies can be prepared locally. Alternatively, the Senior

.../2

CONFIDENTIAL

~~CONFIDENTIAL~~
- 2 -

Officer in Chief Command could be directed to promulgate part of the information at his own discretion within his Command.

4. In the case of the summary for the period 1 July, 1960 - 30 June, 1961, which has received very wide distribution, the damage has already been done. Nevertheless it is proposed that Naval Headquarters should now order the destruction of all copies of this summary except those held by Senior Officers in Chief Command.



REAR ADMIRAL

~~CONFIDENTIAL~~

DRAFT AMENDMENT TO NAVAL GENERAL ORDERS

(For the Approval of the Chief of the Naval Staff)

112.05/1 - COURT MARTIAL RETURNS AND EVIDENCE OF
PREVIOUS CONVICTIONS BY COURT MARTIAL

DELETE present G.O.

SUBSTITUTE

112.05/1 - SUMMARY OF GENERAL AND DISCIPLINARY COURTS
MARTIAL

(1) Under the authority of the Chief of the Naval Staff, the Judge Advocate of the Fleet shall prepare from time to time a summary of Courts Martial for the information of Senior Officers in Chief Command, Senior Officers in Command and Commanding Officers. The summary shall contain a listing of the results of all Courts Martial convened during the period of the summary, and shall include information respecting the date, place and type of trial, the name, rank and ship of the accused, description of the charges, outline of the offence, the findings made, and the sentence awarded, if any. The first summary shall cover the period 1 July, 1960 - 30 June, 1961.

(2) The summary shall be distributed to Senior Officers in Chief Command, Senior Officers in Command and Commanding Officers for information and permanent retention.

(3) For the purposes of QRON Article 111.50 (c)(v), an extract from the Summary of General and Disciplinary Courts Martial certified as a true copy by the convening authority shall be considered sufficient record of previous conviction by Court Martial.

Effective date: On promulgation

NOF: 25449

NS: 4255-5

Pers (N)"U"

Approved to be promulgated as
an amendment to Naval General
Orders.

.....
VICE-ADMIRAL, RCN
Chief of the Naval Staff.

Prepared by A/CNP(A)

CNP

I believe we
could accomplish
what you wish by
marking the charges
shown in red on the
attached copy of the
new N60.

Do you wish us
to proceed?

PRH
ACN PIR

DRAFT AMENDMENT TO NAVAL GENERAL ORDERS

(For the Approval of the Chief of the Naval Staff)

112.05/1 - COURT MARTIAL RETURNS AND EVIDENCE OF PREVIOUS CONVICTIONS BY COURT MARTIAL

DELETE present GO
SUBSTITUTE

112.05/1 - SUMMARY OF GENERAL AND DISCIPLINARY COURTS MARTIAL

(1) Under the authority of the Chief of the Naval Staff, the Judge Advocate of the Fleet shall prepare from time to time a summary of Courts Martial for the general information of the Fleet. The summary shall contain a listing of the results of all Courts Martial convened during the period of the summary, and shall include information respecting the date, place and type of trial, the name, rank and ship of the accused, description of the charges, outline of the offence, the findings made, and the sentence awarded, if any. The first summary shall cover the period 1 July, 1960 - 30 June, 1961.

Senior officers in Chief Command, Senior Officers in Command, and Commanding Officers

(2) The summary shall be distributed to Senior Officers in Chief Command, Senior Officers in Command, and Commanding Officers. Upon receipt, the Commanding Officer shall cause the Summary to be displayed on the Ships Notice Board or other conspicuous location, for such time as he deems necessary to bring it to the attention of all officers and men under his command. After sufficient display, the summary shall be retained in the ship or establishment as a permanent record.

for information and permanent retention

(3) For the purposes of QRCN Article 111.50 (c)(v), an extract from the Summary of General and Disciplinary Courts Martial certified as a true copy by the convening authority shall be considered sufficient record of previous conviction ☒ Court Martial.

Effective date: On promulgation

NOF: 25265

NS: 4255-5

PERS (N) "U"

Approved to be promulgated
as an amendment to Naval
General Orders.

[Signature]
VICE-ADMIRAL, RCN
Chief of the Naval Staff.

2/9/61

Prepared by A/CNP(A)