

4755-S PTL

CROSS REFERENCES

FILE NO.	SUBJECT



RETURNED

CLOSED

7530-21-562-7061

RETURNED

[illegible]

7530-21-562-7061

FILE NUMBER: **C. 4255-5** **VOL. 1**


CLOSED VOLUME

VOLUME 2 FOLLOWS

NO FURTHER CORRESPONDENCE TO BE PLACED ON THIS FILE

NAVAL SERVICE—MINUTE SHEET

FILE No.

REFERRED TO	REMARKS (WITH SIGNATURE, POSITION AND DATE)
ACMP(A)	<p>In view of the requirements, I am now prepared to suggest to CMS, that we circulate these returns in a similar manner to the RN, i.e. to Senior officers in Command, and Commanding officers only. without any change in the format, what changes will be required in the G.O.</p> <p></p>

000007

ORIGINAL FOR

DIRECTORATE A/CNP(R)

OFFICER LCOR RF BARNES

ROOM No. 4004 B

PHONE No. 6-6325

SECURITY CLASSIFICATION

N.O.F. ^{Sen} 25265

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
JAF	15/9	JK			
N Sec (RO)	19/9	JK			
Dep Sec (Admin)	22/9/61	JBT			
N Sec	22/9/61	ABS			
N Sec RO	23/9/61	ABS			
GR PA	27.10.61	ER			
					000008

H.Q. 1024

NAVAL SERVICE—MINUTE SHEET

FILE No. 25265

REFERRED TO	REMARKS (WITH SIGNATURE, POSITION AND DATE)
<p><u>Dep N Sec (Admin)</u></p> <p>TBS 22/9</p>	<p>For approval please. I spoke with Capt. Hurcomb and know what is required for the Summary. No problem from a printing viewpoint. If required a verbal explanation is better than a written one.</p> <p><i>J. E. Tidman</i> N. Sec (RO) 22/9/61</p>
<p>N Sec</p>	<p>Mr. Tidman would like to explain orally how the printing will be done. 000009 TBS 22/9</p>

H.Q. 1024

NATURAL SERVICE—MINUTE SHEET

FILE No.

REFERRED TO	REMARKS (WITH SIGNATURE, POSITION AND DATE)
<p>CNP Pr JRF Ague 1/59</p>	<p>a draft of the first "summary" is on file.</p> <p>It would be produced by N. Sec as it appears & CO's could open the sheet out and post it.</p> <p>I see no need for a special notice board issue - N. Sec para memo on main file of 6 Sept (Para. 4) refers.</p> <p>Note that these instructions will apply to CO's of divisions as well - i.e. that the summaries will be posted in reserve divisions. I assume this is desired.</p> <p>13/9 Ann. (A)</p> <p>000010</p>

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

NS 4255-5
NOF 25265

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

DGNP *[Signature]*
CNP

NAVAL BOARD MEMBER CNP

(a) The attached draft amendment to GO 112.05/1 on the subject of
(QRCN, NGO, BRCN, MICN, CHP, etc.)
Summary of General and Disciplinary Courts Martial

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

The Chief of the Naval Staff has approved a Summary of Courts Martial for distribution to the Fleet. This proposed General Order cancels the present order relating to Court Martial Returns, indicates the content of the new summary, and how it will be used.

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

(Committee name, minute, and date)

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

DATE _____

[Signature]
A/CNP(A) (ORIGINATOR)

II. TO N.SEC(RO)

I concur in the attached amendment and forward it for processing

DATE 15 Sep 61

[Signature]
(NAVAL BOARD MEMBER)

III. TO CNS/N.SEC

The attached amendment has been:

(a) Edited by *[Signature]* (for N.Sec(RO))

Date 21/9/61

(b) Approved as to security classification by *[Signature]* (for DNI)

Date _____

(c) Granted legal approval by *[Signature]* (for JAF)

Date 19/9/61

and is concurred in. Approval is recommended.

DATE 22 Sep 61

[Signature]
(NAVAL SECRETARY)

000011

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.

(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.

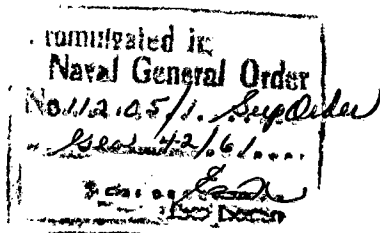
(3) For the purposes of QRCN Article 111.50 (c)(v), an extract from the Summary of General and Disciplinary Courts Martial certified as a true copy by the convening authority shall be considered sufficient record of previous conviction by Court Martial.

Effective date: On promulgation

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.

25/9/61

Prepared by A/CNP(A)

s.19(1)

ROYAL CANADIAN NAVY

SUMMARY OF GENERAL AND DISCIPLINARY COURTS MARTIAL

1 JULY, 1960 - 30 JUNE, 1961.

DATE AND PLACE	TYPE	ACCUSED	CHARGES	OUTLINE OF OFFENCE	FINDING	SENTENCE
27 July, 1960, STADACONA	DCM	C2WU4 [REDACTED] 4740-H, HMCS CAP DE LA MADELEINE	1 Charge under Section 88 NDA (Drunkenness on duty)	While the 2nd OOD aboard HMCS CAP DE LA MADELEINE in harbour was drunk	Guilty	Severe reprimand. Fine of \$300. Deprivation of 3 Good Conduct Badges.
7 November, 1960 STADACONA	GCM	Lieutenant Commander [REDACTED] [REDACTED] CD, RCN 0-28485 HMCS STADACONA	1 Charge under Section 81 NDA (Absented himself without leave)	Absented himself without authority from HMCS STADACONA for approximately 49 hours.	Plea of guilty accepted by Court	Fine of \$200.
28 November, 1960 STADACONA	DCM	Sub-Lieutenant [REDACTED] [REDACTED] RCN, 0-50364, HMCS STADACONA	1 Charge under Section 81 NDA (Absented himself without leave)	Absented himself without authority from HMCS STADACONA for approximately 35 hours.	Plea of guilty accepted by Court	Reprimand. Fine of \$150.
27, 28 February, 6, 7, 8 & 9 March, 1961 STADACONA	DCM	P1PW3 [REDACTED] 51638-H. HMCS STADACONA	15 charges under Section 107 (f) NDA. (An act of a fraudulent nature not particularly specified).	Accused pay writer alleged to have altered 15 forms CNS 2040 to reflect payment of higher amounts after having paid claimants lower amounts.	Not guilty of first 14 charges. Guilty of 15th charge.	Reduction in rank to Petty Officer Second Class. Deprivation of 3 Good Conduct Badges.
4, 5, 6, 7 April, 1961 SHEARWATER	GCM	Lieutenant Commander [REDACTED] [REDACTED] CD, RCN, 0-79296, HMCS VICTORIAVILLE	1 charge under Section 95 NDA. (Negligently stranded one of Her Majesty's Canadian ships).	While CO of HMCS VICTORIAVILLE did negligently cause his ship to be stranded in Grassy Bay, Bermuda.	Guilty.	Reprimand.
23 May, 1961 STADACONA	DCM	OSSWS [REDACTED] 45386-H, HMCS KOOTENAY.	1 charge under Section 119 NDA. (Offence against other Canadian Law).	An act of gross indecency with another person contrary to Section 149 Criminal Code.	Guilty.	Dismissal from Her Majesty's Service.
25 May, 1961 STADACONA	DCM	ABSW1 [REDACTED] 39803-H, HMCS KOOTENAY	1 charge under Section 119 NDA. (Offence against other Canadian Law).	An act of gross indecency with another person contrary to Section 149 Criminal Code.	Guilty	Dismissal from Her Majesty's Service.
28 June, 1961 STADACONA	DCM	P1BN4 [REDACTED] 25549-H, HMCS LAUZON.	3 charges under Section 74 NDA. (Disobeyed lawful command of a superior officer). 1 charge under Section 76 NDA. (Use threatening language to a superior officer).	Disobeyed lawful command of a superior officer. Used threatening language to a superior officer.	Not guilty of charges 1, 2 or 3. Guilty of charge 4 (Special finding).	Forfeiture of one year's seniority. Deprivation of two Good Conduct Badges.

(Summary 1/61)



ROYAL CANADIAN NAVY

SUMMARY OF GENERAL AND DISCIPLINARY COURTS MARTIAL

1 July, 1960 - 30 June, 1961

NOTE: In accordance with the provision of GO 112.05/1, Commanding Officers shall cause this Summary to be displayed on the Ships Notice Board or other conspicuous location for such time as is deemed necessary to bring it to the attention of all officers and men under their command. After sufficient display, the summary shall be retained in the ship or establishment as a permanent record.

ISSUED ON AUTHORITY OF THE CHIEF OF THE NAVAL STAFF

-ROYAL CANADIAN NAVY -

NSC:4255-5,(NSec)

MEMORANDUM TO: JAF

SUMMARY OF COURTS MARTIAL

CNS agrees generally with the form and content of the draft summary of courts martial attached to your memorandum of 29 August, 1961.

2. He does consider, however, that the outline of the offence need not go into such great detail. For example, the offence shown for LCDR [REDACTED] could have been "While CO of VICTORIAVILLE did negligently cause his ship to be stranded in "Grassy Bay, Bermuda". In the case of PO [REDACTED] the charge would need no further expansion.

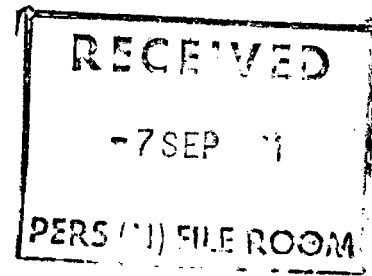
3. There need not be a section for "Action after trial." If, in any particular case, a finding or sentence is disallowed or reduced, a suitable notation could be made under the headings of "Finding" and "Sentence."

4. Is it intended that the return be published in booklet form and as a single sheet for notice board issue? CNS does not agree that the return be left on notice boards until the next semi-annual return. The Captain should have the authority to remove it from the notice board when he sees fit.

s.19(1)


NAVAL SECRETARY

6 September, 1961



NSC 4255-5 (JAF)

- NAVAL HEADQUARTERS -

MEMORANDUM TO: Chief of Naval Personnel
Chief of the Naval Staff

Concur JAF
29.8

Re: Summary of Courts Martial

The draft summary of General and Disciplinary Courts Martial at flag "A" has been prepared following CNS decision of 20 June, 1961.

2. If the form and contents meet your approval, I will arrange with the Naval Secretary to have the summary published in a suitable manner for distribution.

3. I would also propose that a notice be printed on the front of the form directing that:-

- (a) the form be posted on notice boards until superseded by the next semi-annual return;
- (b) all superseded forms be retained permanently by addressee for reference.

R. B. Duncan

JUDGE ADVOCATE OF THE FLEET

OTTAWA
29 August, 1961.

ACN

Attn: LCDR RF Barnes

Sir: I have been directed by G/C Hollies, the Chief Judge Advocate, to compare my records with the statistics provided by you hereunder. Your statistics jibe completely with ours and our records have been compared with the original proceedings for accuracy.

25 Aug 61.

[Signature]
1c Ct Martial Review
JAG/000018

(✓) CHECK OFF
SERVICE & ACTION

NAVY _____

ARMY _____

AIR FORCE _____

D.R.B. _____

ADMIN'V _____

PASS _____

REQUEST _____

B.F. _____

CANCEL B.F. _____

T.D. PLACED
on MAIN FILE _____

MAIL
(CR Action) _____

FILE No.

Document disclosed under the Access to Information Act -
Document divulgué en vertu de la Loi sur l'accès à l'information

21

VOL. No.

Current

T.D. Number

Closed

BRANCH

(Requesting,
B.F.'ing or
Passed To)

DATE

(Use Future Date for B.F.)

A SEPARATE FORM IS REQUIRED FOR EACH FILE or T.D.

Signature _____

Branch _____

(Indicate also when used 000019 _____)

DEPARTMENT OF NATIONAL DEFENCE

MINUTE SHEET

Referred to

REMARKS

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

JAG
(Courts)

Summary of RCM Goals - Partial

The summary underlying has been compiled from information available in Naval Headquarters.

It would be appreciated if the summary could be compared with your records, to ensure its accuracy.

18 Aug 61

[Signature]
C.E.D.R.
B.P./C.N.P.(A)



MINISTER OF DEFENCE
DEPARTMENT OF NATIONAL DEFENCE

000021

SUMMARY OF GENERAL AND DISCIPLINARY COURTS MARTIAL

1 JULY, 1960 - 30 JUNE, 1961.

DATE AND PLACE	TYPE	ACCUSED	CHARGES	OUTLINE OF OFFENCE	FINDING	SENTENCE
27 July, 1960, STADACONA	DCM	C2WU4 [REDACTED] 4740-H, HMCS CAP DE LA MADELEINE	1 charge under Section 88 NDA (Drunkenness on duty).	While the 2nd OOD aboard HMCS CAP DE LA MADELEINE in harbour was drunk.	Guilty	Severe reprimand of \$300. Depriv 3 Good Conduct
7 November, 1960 STADACONA	GCM	Lieutenant Commander [REDACTED] [REDACTED] CD, RCN, 0-28485. HMCS STADACONA.	1 charge under Section 81 NDA (Absented himself without leave).	Absented himself without authority from HMCS STADACONA for approxi- mately 49 hours.	Plea of guilty accepted by Court.	Fine of \$200.
28 November, 1960. STADACONA.	DCM	Sub-Lieutenant [REDACTED] [REDACTED] RCN, 0-50364, HMCS STADACONA.	1 charge under Section 81 NDA (Absented himself without leave).	Absented himself without authority from HMCS STADACONA for approxi- mately 35 hours.	Plea of guilty accepted by Court.	Reprimand. Fir
27, 28 February, 6, 7, 8 & 9 March, 1961. STADACONA	DCM	P1PW3 [REDACTED] 51638-H. HMCS STADACONA.	15 charges under Section 107 (f) NDA. (An act of a fraudulent nature not particularly specified).	Accused pay writer alleged to have altered 15 forms CNS 2040 to reflect payment of higher amounts after having paid claimants lower amounts.	Not guilty of first 14 charges. Guilty of 15th charge.	Reduction in ran Petty Officer Se Class. Deprivat Good Conduct Ba
4, 5, 6, 7 April, 1961. SHEARWATER	GCM	Lieutenant Commander [REDACTED] [REDACTED] CD, RCN, 0-79296, HMCS VICTORIAVILLE.	1 charge under Section 95 NDA. (Negligently stranded one of Her Majesty's Canadian ships.)	While CO of HMCS VICTORIAVILLE did negligently discharge his responsi- bility so as to cause his ship to be stranded on a small reef in Grassy Bay, Bermuda.	Guilty.	Reprimand.
23 May, 1961 STADACONA	DCM	OSSWS [REDACTED] 45386-H, HMCS KOOTENAY.	1 charge under Section 119 NDA. (Offence against other Canadian Law).	An act of gross indecency with another person contrary to Section 149 Criminal Code.	Guilty	Dismissal from Majesty's Servic

ARY OF GENERAL AND DISCIPLINARY COURTS MARTIAL

1 JULY, 1960 - 30 JUNE, 1961.

	CHARGES	OUTLINE OF OFFENCE	FINDING	SENTENCE	ACTION AFTER TRIAL
DE LA	1 charge under Section 88 NDA (Drunkenness on duty).	While the 2nd OOD aboard HMCS CAP DE LA MADELEINE in harbour was drunk.	Guilty	Severe reprimand. Fine of \$300. Deprivation of 3 Good Conduct Badges.	Appeal against severity of sentence disallowed by the Chief of the Naval Staff, 7 November, 1960.
, RCN,	1 charge under Section 81 NDA (Absented himself without leave).	Absented himself without authority from HMCS STADACONA for approximately 49 hours.	Plea of guilty accepted by Court.	Fine of \$200.	No alteration of finding or sentence on review.
0364,	1 charge under Section 81 NDA (Absented himself without leave).	Absented himself without authority from HMCS STADACONA for approximately 35 hours.	Plea of guilty accepted by Court.	Reprimand. Fine of \$150.	No alteration of finding or sentence on review.
DACONA.	15 charges under Section 107 (f) NDA. (An act of a fraudulent nature not particularly specified).	Accused pay writer alleged to have altered 15 forms CNS 2040 to reflect payment of higher amounts after having paid claimants lower amounts.	Not guilty of first 14 charges. Guilty of 15th charge.	Reduction in rank to Petty Officer Second Class. Deprivation of 3 Good Conduct Badges.	No alteration of finding or sentence on review.
N, 0-79296, E.	1 charge under Section 95 NDA. (Negligently stranded one of Her Majesty's Canadian ships.)	While CO of HMCS VICTORIAVILLE did negligently discharge his responsibility so as to cause his ship to be stranded on a small reef in Grassy Bay, Bermuda.	Guilty.	Reprimand.	Appeal to Court Martial Appeal Court on legality of finding entered and pending.
45386-H,	1 charge under Section 119 NDA. (Offence against other Canadian Law).	An act of gross indecency with another person contrary to Section 149 Criminal Code.	Guilty	Dismissal from Her Majesty's Service.	Sentence approved by the Chief of the Naval Staff, 30 June, 1961.

- 2 -

DATE AND PLACE	TYPE	ACCUSED	CHARGES	OUTLINE OF OFFENCE	FINDING	SENTENCE
25 May, 1961. STADACONA	DCM	ABSW1 [REDACTED] 39803-H, HMCS KOOTENAY.	1 charge under Section 119 NDA. (Offence against other Canadian Law).	An act of gross indecency with another person contrary to Section 149 Criminal Code.	Guilty	Dismissal from Her Majesty's Service.
28 June, 1961. STADACONA.	DCM	P1BN4 [REDACTED] 25549-H, HMCS LAUZON.	3 charges under Section 74 NDA. (Disobeyed lawful command of a superior officer.) 1 charge under Section 76 NDA. (Used threatening language to a superior officer.)	Disobeyed command of Sub- Lieutenant to stand at attention, keep silence and proceed to his mess. Stated "if you touch me again I will flatten you".	Not guilty of charges 1, 2 or 3. Guilty of charge 4 (Special finding) - words used <i>were "I am liable to flatten you".</i>	Forfeiture of one ye seniority. Deprivat of two Good Conduct Badges.

s.19(1)

- 2 -

	CHARGES	OUTLINE OF OFFENCE	FINDING	SENTENCE	ACTION AFTER TRIAL
9803-H,	1 charge under Section 119 NDA. (Offence against other Canadian Law).	An act of gross indecency with another person contrary to Section 149 Criminal Code.	Guilty	Dismissal from Her Majesty's Service.	Sentence approved by the Chief of the Naval Staff, 30 June, 1961.
N.	3 charges under Section 74 NDA. (Disobeyed lawful command of a superior officer.) 1 charge under Section 76 NDA. (Used threatening language to a superior officer.)	Disobeyed command of Sub-Lieutenant to stand at attention, keep silence and proceed to his mess. Stated "if you touch me again I will flatten you".	Not guilty of charges 1, 2 or 3. Guilty of charge 4 (Special finding) - words used were "I am liable to flatten you"	Forfeiture of one year's seniority. Deprivation of two Good Conduct Badges.	No alteration of finding or sentence on review.

DEPARTMENT OF NATIONAL DEFENCE

MINUTE SHEET

Referred to

REMARKS

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

CNS

① R N publishes Court Martial returns quarterly.

② Capt. Hurcomb informed me that:

(a) figure of 2 years as a proposed publication period is not based on anything in particular.

(b) there would be better results by changing proposed publication period to 6 months, as information would be available that much sooner.


2/6

000026

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

MEMORANDUM TO: Chief of the Naval Staff

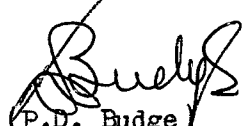
COURTS MARTIAL RETURNS

*Concern but
consider publication
every 6 months
would be better -
UTL
20/6*

I request your approval to reverse the decision given by CNS on August 9th, 1951, concerning the publication of Courts Martial Returns, as I consider that the reasons given then are no longer valid. I believe that it is in the interests of the service to give a wide knowledge of such offences and the sentences awarded. My reasons are as follows:

- (a) An officer or man having been court martialled and acquitted, is publicly cleared.
- (b) The proper charges and the sentences awarded are officially published avoiding distorted versions being passed verbally by others distant from the scene, or not directly involved with the proceedings.
- (c) A new uniform standard of punishment would, in time, be approached in cases of a similar nature.
- (d) This in time may bring the punishments in the RCN in line with those of other Navies. I have the impression that the standard of punishment in the RCN, in comparison with those of other Navies, is low. This is partly gained by personal experience, and reading other courts martial returns.
- (e) The original decision to do away with these returns was based on a single case; and as the officer concerned did in fact establish himself, the argument was weak.
- (f) Civilian cases are reported in the papers and given far wider publicity than any courts martial return could produce.
- (g) I consider that the publishing of these returns would act as a deterrent, a factor which was overlooked in the submission mentioned above.

2. I therefore recommend that courts martial returns be published every two years, copies being forwarded to the Commanding Officers of Ships and Establishments and to Headquarters Directorates only.


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

O T T A W A

16 June, 1961

000027

DEPARTMENT OF NATIONAL DEFENCE

MINUTE SHEET

Referred to

REMARKS

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

~~D/CNP.~~

CNP mentioned this to
you

[Signature]

~~C/NP.~~

Suggest that if you wish a
deterrent the COM return will have to
be a Notice Board Issue if it is to
have any effect on the Fleet at all. This
would apply to (b) as well.

So far as (d) is concerned we
cannot and indeed should not try and
equate our punishments to other navies.
The RAN for instance is essentially anarchic
and probably requires great severity of
punishment. The present emphasis on
leadership in the USN could be conceived
of as an indictment of their whole disciplinary
set-up. Ought not our style and scope of
punishment to reflect the country's - while
meeting service requirements?

000028

[Signature] 27.6

NSC 4255-5 Pers (N) "U"

- NAVAL HEADQUARTERS -

MEMORANDUM TO: Chief of Naval Personnel

COURTS MARTIAL RETURNS

I must say that I am impressed by the views expressed in your memorandum. The fact that you propose to limit promulgation of the returns to Commanding Officers of Ships and Establishments^{and} within Headquarters meets my original objections to some extent. Previously the returns were very widely promulgated, i.e., to other Navies, etc.

2. Referring now to specific points in your memorandum, I now consider that points (a), (b) and (c) are well taken. I would, however, like to make the following comments in connection with the remaining points:-

- (d) in my opinion we should not be influenced by standards of punishment in other Navies. For example, in the U.S. Navy, they have evidently found it necessary to impose very heavy sentences. I recall during the Mainguy Commission's visit to the U.S. Navy that we were shocked by the ferocity of some of their punishments. I have never seen the need for increased severity in the RCN, although I do not pretend to have had extensive practical experience in this field. My own view is that we do not need heavier punishments, because the Canadian is by and large a reasonable (our critics would perhaps say a "docile") human being with a real sense of responsibility. A stiffening of standards of punishment at this stage of the Navy's existence would amount, in my opinion, to an admission of failure of leadership. In any event, as far as officers are concerned, we really cannot do very much by way of severe punishments, short of dismissal. In their case, perhaps I am unduly sentimental but I genuinely feel that severity of sentence is not the primary factor. The fact of being tried at all is the important thing. On the question of severity, however, everything hinges on the real effect of sentences of "reprimand", loss of seniority, dismissal from ship, etc. If these have a true impact upon promotion (as to which I am not in a position to know) then indeed although they appear to be gentle on the surface, they have a very real degree of severity;
- (e) the original decision was not based on a single case but on two cases of officers dismissed in disgraceful circumstances. The fact that one of these two did in fact succeed in re-establishing himself does not in my opinion indicate that "the argument was weak". On the contrary, it could be argued

.....2

- 2 -

that the fact that he was able to re-establish himself was due in part to the degree of secrecy in handling the case and the resultant fact that it did not become generally known outside the Service, as it might have done under the system in effect before 1951,

- (f) the run-of-the-mill civilian case is reported locally only;
- (g) this is perhaps the crucial point. If publication of courts martial returns is apt to be a real deterrent then by all means we should publish the returns. I myself have my doubts about this.

3. To sum up, I am still not convinced that publication of court martial returns would serve a useful purpose. However, I confess my limitations, and if experienced senior officers like yourself are certain that they would serve a useful purpose from the standpoint of your points (a), (b), (c) and (g), I have no objection.

PRH

(P. R. Hurcomb)
Captain, RCN
Assistant Chief of Naval Personnel
(Administration)

O T T A W A
21 June, 1961.

*P.S. In reading this over, I
feel the tone is somewhat
lofty, i.e. somewhat
out-of-place from AICND(A)
to CNP. However, I know
you wished me to speak
frankly! *PRH**



DEPARTMENT OF NATIONAL DEFENCE

MINUTE SHEET

Referred to

REMARKS

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

A/c NP(A)

NP would like your
comments on his proposed
memo below

[Signature] C.E.P.
5/19/6/61

DEPARTMENT OF NATIONAL DEFENCE

MINUTE SHEET

GO 12/1.

Referred to

REMARKS

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

CNP

The folio flagged shows the background of the decision to discontinue promulgation of court martial returns.

One could very well take issue with the first sentence of para. 4 of JAF's memo, and contend that there is another and perhaps a more important purpose - i.e. the deterrent factor. On this point, I agree with the views of R.A. Firth-Hoyes, in his minute immediately above the flagged folio.

I still ^{held} the view expressed in my memo of 7 Aug. 1951 !!

PRH
ACNP/A
13/6

000032

H.Q. 1024

NA SERVICE—MINUTE SHEET

FILE No.

REFERRED TO

REMARKS
(WITH SIGNATURE, POSITION AND DATE)

~~VCMS~~

Please note memo of
7 Aug. 1951 (with large
blue flag). This will
answer your recent
query about Count
Martial returns.

~~DS~~
M. G. S.
4/5

PA

seen by
VCMS 4 Aug
/ W. H.
see VCMS

000033

s.19(1)

SUMMARY OF NAVY COURTS MARTIAL REGISTERED IN THE

OFFICE OF THE JUDGE ADVOCATE GENERAL

OFFICERS - 1 9 5 7

<u>DATE OF TRIAL</u>	<u>NAME</u>	<u>RANK</u>	<u>OFFICIAL NUMBER</u>	<u>SHIP</u>	<u>CHARGES (NDA)</u>	<u>FINDINGS</u>	<u>SENTENCE</u>	<u>GCM or DCM</u>	<u>ACTION AFTER TRIAL</u>	<u>PLACE OF TRIAL</u>
16, 25, 26 APR		LtCdr	0-16860	PORTAGE	95 118	Guilty Not Guilty	Dismissal from HMCS "PORTAGE" and to be reprimanded.	GCM	NONE	PORTAGE
18, 20 SEP		LtCdr	0-6574	SHEARWATER	99 118 118(Alt)	Not Guilty on all charges	N/A	GCM	NONE	STADACONA

s.19(1)

SUMMARY OF NAVY COURTS MARTIAL REGISTERED IN THE

OFFICE OF THE JUDGE ADVOCATE GENERAL

M E N - 1 9 5 7

CONFIDENTIAL

PAGE I

<u>DATE OF TRIAL</u>	<u>NAME</u>	<u>RANK</u>	<u>OFFICIAL NUMBER</u>	<u>SHIP</u>	<u>CHARGES (NDA)</u>	<u>FINDINGS</u>	<u>SENTENCE</u>	<u>GCM or DCM</u>	<u>ACTION AFTER TRIAL</u>	<u>PLACE OF TRIAL</u>
1,2,4 FEB		ABIMI	33740	STADACONA	104 104 104	Guilty on all charges	Five(5) months detn & dismissal from HMS	DCM	Appeal on severity disallowed	STADACONA
4 FEB		ABIMI	24537	STADACONA	104	Guilty	90 days detention	DCM	NONE	STADACONA
7 FEB		ABIMI	12871	STADACONA	104 104 104	Guilty on all charges	60 days detn & dismissal from HMS	DCM	NONE	STADACONA
27 FEB		P2QM3	5735	STADACONA	81 118 118	Guilty on all charges	To be fined \$400.00	DCM	NONE	STADACONA
11 MAR		OSEMS	31945	STADACONA	85 118 74 81 81	Withdrawn Guilty(Plea) Guilty(Plea) Guilty(Plea) Guilty(Plea)	Six(6) months detn & a fine of \$150.00	DCM	Mitigated to 4 months & a fine of \$50.00	STADACONA
27 MAR		OSEMS	36126	STADACONA	79	Guilty	Four(4) months detn	DCM	Appeal on severity disallowed	STADACONA

000035

CONFIDENTIAL

PAGE 2

<u>DATE OF TRIAL</u>	<u>NAME</u>	<u>RANK</u>	<u>OFFICIAL NUMBER</u>	<u>SHIP</u>	<u>CHARGES (NDA)</u>	<u>FINDINGS</u>	<u>SENTENCE</u>	<u>GCM or DCM</u>	<u>ACTION AFTER TRIAL</u>	<u>PLACE OF TRIAL</u>
2, 3 OCT		ABTDI	28269	BUCKINGHAM	104 118(Alt) 104 118(Alt) 118 78	Withdrawn Guilty(Plea) Withdrawn Guilty(Plea) Guilty Guilty(Plea)	60 days detn	DCM	NONE	STADACONA
24 OCT		ABCKI	35960	STADACONA	74 75 75 118	Guilty(Plea) Guilty(Plea) Guilty(Plea) Guilty(Plea)	6 months detn & to be dismissed from HMS	DCM	CNS remitted sentence as of 16.12.57	STADACONA
12 NOV		OSEMS	31945	STADACONA	79	Not Guilty of desertion but guilty of AWL	Six(6) months detn, to be dismissed from HMS	DCM	CNS remitted the unexpired portion of the sentence of detn as of 2 Jan 58	STADACONA
12,14 DEC		P2QM3	5735	STADACONA	104 104 78 78 118	Guilty Guilty Guilty Guilty(AWL) Guilty	Nine(9) months detn & to be dismissed from HMS	DCM	NONE	STADACONA

CONFIDENTIAL

s.19(1)

SUMMARY OF NAVY COURTS MARTIAL REGISTERED IN THE

OFFICE OF THE JUDGE ADVOCATE GENERAL

OFFICERS - 1956

<u>DATE OF TRIAL</u>	<u>NAME</u>	<u>RANK</u>	<u>OFFICIAL NUMBER</u>	<u>SHIP</u>	<u>CHARGES (NDA)</u>	<u>FINDINGS</u>	<u>SENTENCE</u>	<u>GCM OR DCM</u>	<u>ACTION AFTER TRIAL</u>	<u>PLACE OF TRIAL</u>
19, 20 JUL		Cd. WO	0-19067	STADACONA	118	Guilty(SF)	Forfeiture of 30 months seniority & a sev. rep.	DCM	1st charge charge quashed by CNS, 29.9.56. No alteration in sentence	STADACONA
29 JUL		Lt(L)	0-6707	NADEN	88(Alt to 2 ch.) 118(Alt to 1 ch.) 118	Withdrawn Guilty(P) Guilty(P)	Reprimand & a fine of \$75.00	DCM	NONE	NADEN
30 JUL		Lt	0-13110	NADEN	115	Guilty(P)	Reprimand	DCM	NONE	NADEN
13 NOV		LtCdr	0-22695	NADEN	84 118	Guilty Guilty	Rep. & a fine of \$100.00	GCM	NONE	STADACONA
28, 30 NOV		LtCdr	0-67871	NADEN	95 118	N.G. N.G.	N/A	GCM	NONE	NADEN
28 NOV		Lt(N)	0-9193	NADEN	95 95 114	Withdrawn) Withdrawn) Withdrawn)	By order of the Convening Authority	GCM	NONE	NADEN

000037

CONFIDENTIAL

s.19(1)

SUMMARY OF NAVY COURTS MARTIAL REGISTERED IN THE

OFFICE OF THE JUDGE ADVOCATE GENERAL

M E N - 1 9 5 6

PAGE 1

<u>DATE OF TRIAL</u>	<u>NAME</u>	<u>RANK</u>	<u>OFFICIAL NUMBER</u>	<u>SHIP</u>	<u>CHARGES (NDA)</u>	<u>FINDINGS</u>	<u>SENTENCE</u>	<u>GCM OR DCM</u>	<u>ACTION AFTER TRIAL</u>	<u>PLACE OF TRIAL</u>
10, 11 FEB		P2EM3	22190	BUCKINGHAM	118 118	Guilty N.G.	Reduced to LSEM	DCM	Appeal on severity disallowed	Buckingham
15 FEB		OSSWS	16862	STADACONA	79	G(P)	10 months detn	DCM	Sentence reduced to 6 months by FOAC.	STADACONA
17 FEB		OSLRS	24584	STADACONA	79	Guilty	5 months & 15 days detn.	DCM	Reduced to 4 months by FOAC.	STADACONA
20 FEB		OSEMS	7432	VENTURE	79	G(P)	6 months detn	DCM	Sentence reduced to 4 months by FOAC	NADEN
16 MAR		ABARI	12551	SHEARWATER	79	Guilty	6 months & dismissal	DCM	Appeal on severity disapproved	SHEARWATER
8 JUN		P2AM2	76584	STADACONA	118	N.G.	No prima facie case	DCM	N/A	STADACONA
12, 13 JUN		OSEMS	46448	STADACONA	118 118	N.G. N.G.	No prima facie case	DCM	N/A	STADACONA
20, 21 SEP		PLSH4	16529	SHEARWATER	118 118 118	Guilty N.G. Guilty	Fined \$100.00	DCM	NONE	SHEARWATER

000038

CONFIDENTIAL

PAGE 2

s.19(1)

<u>DATE OF TRIAL</u>	<u>NAME</u>	<u>RANK</u>	<u>OFFICIAL NUMBER</u>	<u>SHIP</u>	<u>CHARGES (NDA)</u>	<u>FINDINGS</u>	<u>SENTENCE</u>	<u>GCM OR DCM</u>	<u>ACTION AFTER TRIAL</u>	<u>PLACE OF TRIAL</u>
11 DEC		P.O.	18315	NEW LISKEARD	119 104 118 118	WITHDRAWN Guilty(P) Guilty(P) Guilty(P)	12 months detn & dismissal	DCM	Mitigated to 9 months & remitted the unexpired detention, eff. 3.4.57	STADACONA
13 DEC		P2QM3	18673	NEW LISKEARD	104 118 118 118	WITHDRAWN Guilty(P) Guilty(P) Guilty(P)	Reduced to Able Seaman & a fine of \$200.00	DCM	NONE	STADACONA

000039

No. 4011/28/52.



TELEPHONE:
M 9
NAVY OFFICE, CANBERRA, A.C.T.
TELEGRAPHIC ADDRESS:
"NAVY," CANBERRA

COMMONWEALTH OF AUSTRALIA

DEPARTMENT OF THE NAVY
NAVY OFFICE,
ADMINISTRATIVE BUILDING,
CANBERRA, A.C.T.

Referred to *Staff*
MAY 26 1961
File No. *7255-1*
Chgd to.....

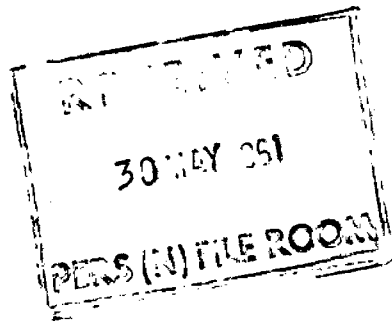
23 MAY 1961

30-5
N See
The Secretary,
Naval Board,
Ottawa,
CANADA.

RETURN OF COURTS-MARTIAL HELD IN THE R.A.N. DURING THE PERIOD
FROM 1ST JANUARY, 1957 TO 31ST DECEMBER, 1959.

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

Ge Jensen
Secretary.



20 MAY 1951
PERS (N) TILE ROOM

20 MAY 1951
PERS (N) TILE ROOM

20 MAY 1951
PERS (N) TILE ROOM

DEPARTMENT OF THE NAVY

NAVY OFFICE
CANBERRA, A.C.T.

..... 1960

TO BE KEPT LOCKED UP WHEN NOT IN USE

RETURN OF NAVAL COURTS-MARTIAL

held during the period

From 1st JANUARY, 1957, to 31st DECEMBER, 1959

By Authority: A. C. BROOKS, Government Printer, Melbourne.

C.9575/60.

000042

OFFICERS TRIED BY COURT-MARTIAL

OFFICERS TRIED BY

No.	Date of Trial	Name	Rank	Ship
169	4th April, 1957 ..	.. ..	Lieutenant	<i>Warrego</i> ..
170	28th June, 1957	..	Lieutenant-Commander	<i>Penguin</i> ..
171	2nd July, 1957 ..	..	Lieutenant-Commander	<i>Penguin</i> ..

COURT-MARTIAL

Substance of Charge Preferred

Finding and Sentence

First.—Wilfully disobey the lawful command of his superior officer.

Second.—Did act to the prejudice of good order and Naval discipline in contravening R.A.N. Motor Transport Instructions Article 6

Accused pleaded guilty. Found guilty
Adjudged to be reprimanded.

The Naval Board on review of the proceedings were pleased to quash the finding on the first charge but did not interfere with the sentence

Fraudulent conduct, in that—

(a) He did steal certain property belonging to the Commonwealth;

(b) Did fraudulently misappropriate property belonging to the Commonwealth to wit—

(i) one $\frac{1}{4}$ -in. 240-volt electric drilling machine;

(ii) 45 sq. ft. of $\frac{1}{4}$ -in. silvered plate glass;

(c) Did in contravention of Q.R. and A.I. land into the Commonwealth from H.M.A.S. *Woomera*, bottles of beer upon which excise duty had not been paid;

(d) Did cause Able Seaman [REDACTED] Able Seaman [REDACTED] and Able Seaman [REDACTED] to perform work in premises situated at 18 Hudson-parade, Clareville Beach in the State of New South Wales, his private residence at a time when such Able Seamen were assigned for duty in H.M.A.S. *Woomera*

Guilty. To be dismissed with disgrace from Her Majesty's Service and to suffer the consequential penalties involved

First.—Fraudulent conduct.

(a) He did steal property belonging to the Commonwealth;

(b) He did in contravention of Queen's Regulations and Admiralty Instructions, land into the Commonwealth a quantity of beer and spirits upon which excise duty had not been paid

Second.—Neglect to the prejudice of good order and Naval discipline in that, in contravention of Q.R. and A.I. he did fail to investigate the landing into the Commonwealth from H.M.A.S. *Woomera* by Lieutenant [REDACTED] R.A.N.V.R., of 120 bottles of beer upon which excise duty had not been paid

Found guilty on first and third charges, not guilty on second charge. Adjudged to be dismissed with disgrace from Her Majesty's Service and to suffer consequential penalties involved

s.19(1)

OFFICERS TRIED BY

No.	Date of Trial	Name	Rank	Ship
171 (cont.)				..
172	*5th September, 1957	..	Acting Sub-Lieutenant (S.D.) (TAS.)	<i>Victory</i> ..
173	24th December, 1957	..	Wardmaster Sub-Lieutenant (Acting)	<i>Cerberus</i> ..
174	22nd January, 1958	..	Supply Sub-Lieutenant (Acting)	<i>Kuttabul</i> ..
175	30th January, 1959	..	Lieutenant-Commander (E), R.N.	<i>Anzac</i> ..

* Court-Martial held in Royal Navy.

000046

COURT-MARTIAL

s.19(1)

Substance of Charge Preferred

Finding and Sentence

Third.—Neglect to the prejudice of good order and Naval discipline in that, in contravention of Confidential Commonwealth Navy Order Number 27 of 1954, he did fail to report to the appropriate authority the arrest and trial of Able Seaman [REDACTED] of H.M.A.S. *Woomera*

First.—Drunk on board

Second.—Conduct unbecoming the character of an officer in using threatening and insulting language to a rating

Third.—Act to the prejudice of good order and Naval discipline in using threatening and insulting language to a rating

Act to the prejudice of good order and Naval discipline in that he did order Sick Berth Petty Officer [REDACTED] to assist him in throwing the personal kit of Sick Berth Attendant II. [REDACTED] on to the pathway outside "B" Ward, Flinders Naval Hospital

First.—Did fraudulently convert to his own use £160 the property belonging to the Commonwealth.

Second.—Did act to the prejudice of good order and Naval discipline in that he did fraudulently omit to account for £160, being portion of the public moneys of H.M.A.S. *Kuttabul* received by him whilst acting as Deputy Supply Officer, H.M.A.S. *Kuttabul*

Third.—Neglect to the prejudice of good order and Naval discipline in that he omitted to ensure that portion of the public money entrusted to his keeping was stowed in the money chest provided on board H.M.A.S. *Kuttabul* thereby contravening Naval Account Regulations and Instructions

Fourth.—Did remain absent without leave

Absent without leave

Accused pleaded guilty to the first and third charges. The court did not proceed further with the second. Adjudged to forfeit six months' seniority, to be dismissed from his ship and to be severely reprimanded

Found guilty. Adjudged to be reprimanded

Found guilty on first and second charges. Accused pleaded guilty to third and fourth charges. Charges proved. Adjudged to be dismissed from Her Majesty's Service and to suffer the consequential penalties involved.

Found guilty. Adjudged to be severely reprimanded

s.19(1)

OFFICERS TRIED BY

No.	Date of Trial	Name	Rank	Ship
176	2nd June, 1959..	..	Supply Sub-Lieutenant (Acting)	<i>Albatross</i> ..
177	8th October, 1959	..	Lieutenant-Commander	<i>Lonsdale</i> ..

COURT MARTIAL

Substance of Charge Preferred

Finding and Sentence

First.—Theft of public property

Second.—Did act to the prejudice of good order and Naval discipline in not handing over to the proper authority certain public property which to his knowledge had come into his possession without the consent of the owner in contravention of station standing order

Third.—Did act to the prejudice of good order and Naval discipline in carrying service provisions in his private motor vehicle, in contravention of station standing order

Fourth.—Did act to the prejudice of good order and Naval discipline in parking his private motor vehicle in an improper place in contravention of the Commander's Memo, Instructions for Parking of Vehicles R.A.N.A.S. Nowra

Fifth.—Did act to the prejudice of good order and Naval discipline in not handing over to the proper authority public property which to his knowledge had come into his possession without the consent of the owner in contravention of station standing order

First.—Lost certain service property

Second.—Neglect to the prejudice of good order and Naval discipline in failing to keep copy of a Confidential Book under secure lock and key, in contravention of instructions contained in Article 21 of B.R. Form U2D

The accused pleaded guilty to the third charge. Found guilty on all charges. Adjudged to be dismissed from Her Majesty's Service and to suffer the consequential penalties involved

Found guilty. Adjudged 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
7th May, 1957 ..	<div>O/N R29535</div>	C.P.O. Writer	<i>Penguin</i> ..
6th June, 1957 ..	<div>O/N R40127</div>	C.P.O. Cook (S) ..	<i>Albatross</i> ..
30th August, 1957 ..	<div>O/N R51085</div>	Albe Seaman	<i>Junee</i> ..
s.19(1)			

AND MEN TRIED BY COURT-MARTIAL

Substance of Charge Preferred

Finding and Sentence

First.—Did steal £30 property belonging to Trustees of the Royal Australian Navy Relief Trust Fund

Second.—Did act to the prejudice of good order and Naval discipline while having custody of cash being part of a non-public fund, namely, the Royal Australian Navy Relief Trust Fund, in that he did use the said cash, namely Thirty Pounds (£30) for his own purpose in contravention of Queen's Regulations and Admiralty Instructions

First.—Stealing service property

Second.—Did act to the prejudice of good order and Naval discipline in that he had in his possession certain service property reasonably suspected of having been stolen

Third.—Neglect to the prejudice of good order and Naval discipline in that he omitted to declare to the officer of the Watch certain service property in his possession when returning on board, in contravention of station standing order

First.—Act to the prejudice of good order and Naval discipline in having in his possession a quantity of beer on board H.M.A.S. *June*

Second.—Was drunk on board

Third.—Act to the prejudice of good order and Naval discipline in consuming alcoholic liquor in an improper place

Fourth.—Did strike superior officer

Fifth.—Did attempt to strike his superior officer

Sixth.—Did use threatening and insulting language

Seventh.—Did wilfully disobey the lawful command of his superior officer

Eighth.—Act to the prejudice of good order and Naval discipline in that he did wilfully damage the telephone wires leading from Fremantle wharf to H.M.A.S. *June*

Ninth.—Did use threatening and insulting language to his superior officer

Tenth.—Did attempt to use violence against his superior officer

Accused pleaded guilty to second charge.

Found not guilty of first charge, guilty of second charge. Adjudged to be dismissed from Her Majesty's Service and to suffer the consequential penalties involved

The accused pleaded guilty to the first charge, the Court accepted the plea and found him guilty of that charge. The prosecution having offered no evidence in support of the second and third charges the Court decided not to proceed further with these charges. Adjudged to be deprived of three good conduct badges, to be disgraced to Cook (S) and to be dismissed from Her Majesty's Service and suffer the consequential penalties involved

Accused pleaded guilty to second charge.

Charge proved. Found guilty on fourth charge. Found not guilty on first, third, and fifth to tenth charges. Adjudged to be kept in detention for the term of three calendar months

CHIEF PETTY OFFICERS, PETTY OFFICERS,

Date of Trial	Name	Rating	Ship
14th November, 1957	[REDACTED]	Telegraphist	<i>Penguin</i> ..
	O/N R50274		
	[REDACTED] O/N R50610	Telegraphist	<i>Penguin</i> ..
	[REDACTED]	Telegraphist	<i>Penguin</i> ..
20th May, 1959	O/N R50551		
	[REDACTED]	Leading Cook (O) ..	<i>Vendetta</i> ..
	O/N R40048		
	[REDACTED]	Assistant Cook (O) ..	<i>Vendetta</i> ..
25th November, 1959	[REDACTED]		
	O/N R30082	Radio Communication Operator	<i>Kuttabal</i> ..

AND MEN TRIED BY COURT-MARTIAL

Substance of Charge Preferred	Finding and Sentence
<p><i>First.</i>—Did act to the prejudice of good order an Naval discipline in that they did engage in indecent behaviour</p> <p><i>Second.</i>—They were drunk on board</p> <p><i>Third.</i>—(Telegraphist R. A. Foale and Telegraphist L. G. Berry) —Did act to the prejudice of good order and Naval discipline in that they were without reasonable excuse in cottage 74 of H.M.A.S. <i>Harman</i></p>	<p>Found not guilty on first and second charges. Found not guilty on third charge</p>
<p><i>First.</i>—Did steal money the property of Royal Naval House Proprietary Limited</p> <p><i>Second.</i>—Did act to the prejudice of good order and Naval discipline in not handing over to the proper authority money the property of Royal Naval House Proprietary Limited which had come into their possession without the consent of the owner</p> <p><i>Third.</i>—Did steal money the property of Royal Naval House Proprietary Limited knowing the same to have been stolen</p>	<p>The Court decided there was no case to answer on any of the three charges and discharged the accused</p>
<p>(<i>Assistant Cook Peppinck</i>)—</p> <p><i>First.</i>—Did steal money the property of Royal Naval House Proprietary Limited</p> <p><i>Second.</i>—Did act to the prejudice of good order and Naval discipline in not handing over to the proper authority money the property of Royal Naval House Proprietary Limited which had come into his possession without the consent of the owner</p>	<p>Not guilty</p>
<p><i>First.</i>—Did indecently assault a male person</p> <p><i>Second.</i>—Disgraceful conduct of an indecent kind</p>	<p>Found guilty on first and second charges. Adjudged to be imprisoned for a term of three calendar months and to be dismissed from Her Majesty's Service and to suffer the consequential penalties involved.</p>

H.Q. 1024

NATIONAL SERVICE—MINUTE SHEET

FILE No.

REFERRED TO	REMARKS (WITH SIGNATURE, POSITION AND DATE)
<p>JTAC (COURTS)</p>	<p>In the past the yearly Summary of Naval Courts Martial registered in the office of the Judge Advocate General has been prepared for NHQ for promulgation to the governing Authorities.</p> <p>It is noted that the Summary has been promulgated for the years 1956 and 1957 and it would be appreciated if the Summary in the form of May 19 might be made available.</p> <p>J. P. Henderson (NS) 12 L JTAC 27.2.58</p>

000055



IN REPLY
QUOTE

NO. 4011/28/42.

8043

TELEPHONES :
MXY 550
NAVY OFFICE, VICTORIA BARRACKS,
ST. KILDA ROAD

MXY 130
NAVAL BRANCHES,
ALBERT PARK BARRACKS.

TELEGRAPHIC ADDRESS :
"NAVY, MELBOURNE."

COMMONWEALTH OF AUSTRALIA

DEPARTMENT OF THE NAVY

NAVY OFFICE, MELBOURNE, S.C.1.

647 -8 JAN 58

The Secretary,
Naval Board,
CANADA.

RETURN OF COURTS-MARTIAL HELD IN THE R.A.N. DURING THE
PERIOD FROM 1ST JANUARY, 1954, TO 31ST DECEMBER, 1957.

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

Ref Sec Kewish
Secretary.

Referred to *Pers (n)*

FEB 11 1958

File No. *4255-5*

Chgd to *Inf 3-10-58*

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12 FEB 1968
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26 FEB 1968
PERS (N) FILE ROOM

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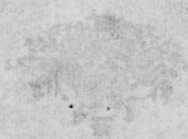
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DEPARTMENT OF THE NAVY

COMMONWEALTH OF AUSTRALIA

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DEPARTMENT OF THE NAVY

NAVY OFFICE,
MELBOURNE,
DECEMBER, 1957

TO BE KEPT LOCKED UP WHEN NOT IN USE

RETURN OF NAVAL COURTS-MARTIAL

held during the period

From 1st JANUARY, 1954, to 31st DECEMBER, 1956

OFFICERS TRIED BY COURT-MARTIAL

s.19(1)

OFFICERS TRIED BY

No.	Date of Trial.	Name.	Rank.	Ship.
157	18th March, 1954	..	Lieutenant (S), R.A.N.	<i>Penguin</i>
158	28th April, 1954	..	Acting Senior Commis- sioned Boatswain, R.A.N.	<i>Albatross</i>
159	28th June, 1954	..	Lieutenant, R.A.N.	<i>Cerberus</i>
160	11th March, 1955	..	Midshipman, R.A.N.	<i>Bulwark</i>
161	15th July, 1955	..	Lieutenant (S), R.A.N.	<i>Penguin</i>
162	6th December, 1955	.. ..	Lieutenant-Commander, D.S.C., R.A.N.	<i>Shoalhaven</i>

COURT-MARTIAL

Substance of Charge Preferred.	Finding and Sentence.
<p>Six charges of negligent performance of duty</p> <p><i>First.</i>—Negligently or by default strand H.M.A. G.P.V. 953 <i>Second.</i>—Negligently or by default suffer H.M.A. G.P.V. 953 to be stranded <i>Third, Fourth, and Fifth.</i>—Negligently perform the duty imposed on him as Executive Officer acting as Commanding Officer of H.M.A. G.P.V. 953</p>	<p>Accused pleaded not guilty. Fourth charge withdrawn. Second charge not proved and he was acquitted of the same accordingly. First, third, fifth, and sixth charges proved. Adjudged to be reprimanded</p> <p>Charges not proved Accused acquitted</p>
<p>Wilful disobedience of the lawful command of his superior officer</p> <p><i>First and Second.</i>—Indecent assault <i>Third.</i>—Conduct unbecoming the character of an officer <i>Fourth.</i>—Drunk on board</p> <p><i>First and Second.</i>—Absence without leave <i>Third and Fourth.</i>—Neglect to the prejudice of good order and Naval discipline <i>Fifth.</i>—Wilful disobedience <i>Sixth.</i>—Act to the prejudice of good order and Naval discipline</p>	<p>Found guilty. Adjudged to be reprimanded</p> <p>Accused pleaded guilty to fourth charge. Found not guilty on first and second charges. Guilty on third and fourth charges. Adjudged to be dismissed from Her Majesty's Service and to suffer the consequential penalties involved</p> <p>Accused pleaded guilty to first, fifth, and sixth charges. The Prosecution having offered no evidence in support of the second, third, and fourth charges, the Court-Martial did not proceed with these charges. Found guilty of first, fifth, and sixth charges. Adjudged to forfeit one year's seniority as a Lieutenant (S) to be dismissed from H.M.A.S. <i>Penguin</i> and to be severely reprimanded</p>
<p>Negligently or by default hazard H.M.A.S. <i>Shoalhaven</i> ..</p>	<p>Not guilty</p>

s.19(1)

OFFICERS TRIED BY

No.	Date of Trial.	Name.	Rank.	Ship.
163	4th January, 1956	..	Lieutenant (S), R.A.N.	<i>Rushcutter</i>
164	3rd February, 1956	..	Commissioned Writer Officer, R.A.N.	<i>Leeuwin</i>
165	1st August, 1956	..	Lieutenant-Commander (L), R.A.N.	<i>Cerberus</i>
166	23rd October, 1956	..	Lieutenant (S.P.), R.A.N.V.R.	<i>Cerberus</i>
167	13th November, 1956	..	Lieutenant (S), R.A.N.	<i>Leeuwin</i>


COURT-MARTIAL

Substance of Charge Preferred.	Finding and Sentence.
<p><i>First.</i>—Fraudulent conduct <i>Second and Third.</i>—Did knowingly sign a false official document</p>	<p>Found guilty on first charge. Not guilty on second and third charges. Adjudged to be dismissed with disgrace from Her Majesty's Service and to suffer the consequential penalties involved, and to be imprisoned for the term of six calendar months</p>
<p><i>First.</i>—Stealing <i>Second.</i>—Fraudulent conversion <i>Third.</i>—Neglect to the prejudice of good order and Naval discipline</p>	<p>Guilty. Adjudged to be imprisoned for the term of six calendar months and to be dismissed from Her Majesty's Service</p>
<p><i>First and Second.</i>—Act to the prejudice of good order and Naval discipline</p>	<p>Accused pleaded guilty. Found guilty on both charges. Adjudged to be dismissed from H.M.A.S. <i>Cerberus</i> and to be severely reprimanded</p>
<p><i>First, Fourth, Seventh, Tenth, Thirteenth, Sixteenth, Nineteenth.</i>—Stealing <i>Second, Fifth, Eighth, Eleventh, Fourteenth, Seventeenth, Twentieth.</i>—Receiving <i>Third, Sixth, Ninth, Twelfth, Fifteenth, Eighteenth, Twenty-first.</i>—Neglect to the prejudice of good order and Naval discipline <i>Twenty-second, Twenty-third.</i>—Act to the prejudice of good order and naval discipline <i>Twenty-fourth.</i>—Improperly leaving</p>	<p>Guilty on third, fifth, eleventh, fourteenth, seventeenth, eighteenth, twentieth, twenty-first, twenty-second, twenty-third, and twenty-fourth charges. Not guilty on first, second, fourth, sixth, seventh, eighth, ninth, tenth, twelfth, thirteenth, fifteenth, sixteenth, nineteenth. Adjudged to be dismissed with disgrace from Her Majesty's Service.</p>
<p><i>First and Second.</i>—Fraudulent misappropriation <i>Third and Fourth.</i>—Negligent performance of duty <i>Fifth.</i>—Neglect to the prejudice of good order and Naval discipline</p>	<p>Not guilty of first charge. Guilty of second, third, fourth, and fifth charges. Adjudged to be imprisoned for the term of one year and to be dismissed from Her Majesty's Service and the sum of £1,200 to be charged against his pay account</p>

The Naval Board on review of the proceedings were pleased to remit the portion of the sentence ordering the charge of £1,200 against the officer's pay account, but did not otherwise interfere with the sentence

s.19(1)

OFFICERS TRIED BY

No.	Date of Trial.	Name.	Rank.	Ship.
168	15th to 17th November, 1956		Lieutenant-Commander (S), R.A.N.V.R.	<i>Penguin</i>

000064

COURT-MARTIAL

Substance of Charge Preferred.	Finding and Sentence.
<p><i>First, Third, and Fifth.</i>—Fraudulent conversion <i>Second, Fourth, Sixth, Eighth, and Tenth.</i>—Acts to the prejudice of good order and Naval discipline <i>Seventh.</i>—Neglect to the prejudice of good order and Naval discipline <i>Ninth.</i>—Fraudulent disposal</p>	<p>Guilty of second, fourth, sixth, eighth, and tenth charges. Not guilty of first, third, fifth, seventh, and ninth charges. Adjudged to forfeit all seniority as Lieutenant-Commander (S), R.A.N.V.R., in Her Majesty's Australian Fleet, and to be dismissed from H.M.A.S. <i>Penguin</i></p>

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

CHIEF PETTY OFFICERS, PETTY OFFICERS

Date of Trial.	Name.	Rating.	Ship.
5th April, 1954 ..	[REDACTED] A-40377	Observer, 1st Class ..	<i>Sydney</i>
12th and 15th October, 1954	[REDACTED] 40309	Acting Chief Bandmaster (Provisional)	<i>Cerberus</i>
17th December, 1954	[REDACTED] 34655	Engine Room Artificer, II.	<i>Leeuwin</i>
17th January, 1955..	[REDACTED] 21137	Acting Petty Officer Stoker Mechanic	<i>Melville</i>
17th January, 1955 {	[REDACTED] 45709 ..	Telegraphist	<i>Melville</i>
	[REDACTED] 46004 ..	Radio Electrician's Mate..	<i>Melville</i>
18th January, 1955..	[REDACTED] 29357 ..	Acting Radio Electrician (Provisional)	<i>Melville</i>
22nd and 23rd February, 1955	[REDACTED] 22431 ..	Chief Petty Officer ..	<i>Penguin</i>
22nd April, 1955 ..	[REDACTED] 26732	Petty Officer Engineering Mechanic	<i>Arunta</i>
30th June, 1955 ..	[REDACTED] 36779	Acting Leading Engineering Mechanic	<i>Murchison</i>

AND MEN TRIED BY COURT-MARTIAL

Substance of Charge Preferred	Finding and Sentence.
Seventeen charges of fraudulent conversion	Accused pleaded guilty to all charges. Third charge not proved and he was acquitted of the same accordingly. First, second, and fourth to seventeenth charges proved. Adjudged to be kept in detention for the term of nine calendar months and to suffer the consequential penalties involved
The Naval Board on review of the proceedings were pleased to quash the sentence on legal grounds as the evidence did not prove the offences charged	
Eight charges of fraudulent conversion	Not guilty on all charges
<i>First.</i> —Behaving with contempt towards his superior officer <i>Second.</i> —Wilful disobedience of the lawful command of his superior officer	Accused found guilty on the first charge and not guilty on second charge. Adjudged to be disrated to Engine Room Artificer, 4th Class
Negligent performance of duty	Guilty. Adjudged to forfeit sixty day's leave
Did commit an act of gross indecency, one with the other ..	Not guilty
Negligent performance of duty	Guilty. Adjudged to be admonished
<i>First.</i> —Stealing	Not guilty on all charges
<i>Second.</i> —Receiving property knowing the same to have been stolen	
<i>Third.</i> —Act to the prejudice of good order and Naval discipline in not handing over property to the proper authority	
<i>First, Second, Third, and Fourth.</i> —Wilful disobedience	Not guilty
<i>Fifth.</i> —Behaving with contempt	
<i>First and Second.</i> —Behaving with contempt	
<i>Third.</i> —Drunk on board	Guilty on first, second, fourth, fifth and sixth charges. Not guilty on third charge. Adjudged to be imprisoned for the term of six calendar months and to suffer the consequential penalties involved; to be dismissed from Her Majesty's Service and to suffer the consequential penalties involved; to be disrated to Engineering Mechanic; and to be deprived of one Good Conduct Badge
<i>Fourth.</i> —Stealing	
<i>Fifth.</i> —Neglect to the prejudice of good order and Naval discipline	
<i>Sixth.</i> —Act to the prejudice of good order and Naval discipline	

CHIEF PETTY OFFICERS, PETTY OFFICERS,

Date of Trial.	Name.	Rating.	Ship.
27th March, 1956 ..	[REDACTED] R-39607	Electrical Mechanic 1st Class	<i>Harman</i>
29th May, 1956 ..	[REDACTED] R-23433	Chief Engineering Mechanic	<i>Kuttabal</i> (for Reserve Training Establish- ment, Rushcutter)
16th August, 1956 ..	[REDACTED] R-36854	Chief Airman Fitter (A)	<i>Albatross</i>
6th December, 1956	[REDACTED] P-KX-914956	Engineering Mechanic 1st Class	<i>Penguin</i>
19th December, 1956	[REDACTED] R-33348	Petty Officer Steward ..	<i>Penguin</i>

s.19(1)

000069

AND MEN TRIED BY COURT-MARTIAL

Substance of Charge Preferred.	Finding and Sentence.
<p>Attempting wilfully and unlawfully to damage Commonwealth property</p> <p><i>First, Second, Third, and Fourth.</i>—Act to the prejudice of good order and Naval discipline <i>Fifth.</i>—Improperly leaving H.M.A.S. <i>Rushcutter</i></p> <p>Act to the prejudice of good order and Naval discipline ..</p>	<p>Not guilty</p> <p>Accused pleaded guilty to third and fifth charges. First, second, and fourth; the Prosecution having offered no evidence in support of these charges, the Court did not proceed with them. Third and fifth guilty. Adjudged to be deprived of Long Service and Good Conduct Medal, to be deprived of three Good Conduct Badges, to forfeit one day's pay and one day's leave</p> <p>Found guilty. Adjudged to be disrated to Petty Officer Airman Fitter (A) and to be deprived of one Good Conduct Badge</p>
<p>The Naval Board on review of the proceedings dissented from the finding and ordered the conviction to be quashed</p> <p><i>First and Second.</i>—Striking his superior officer</p> <p><i>First, Second, and Third.</i>—Neglect to the prejudice of good order and naval discipline</p>	<p>Found guilty. Adjudged to be imprisoned for nine calendar months, and to suffer the consequential penalties involved. To be dismissed from Her Majesty's Service</p> <p>Guilty of first and second charges. Not guilty of third charge. Adjudged to be disrated to Steward and to be deprived of three Good Conduct Badges</p>

NSC 4255-1 Vol. 4
Pers(N) "T"

CONFIDENTIAL

11 July 1956.

COURT MARTIAL RETURN

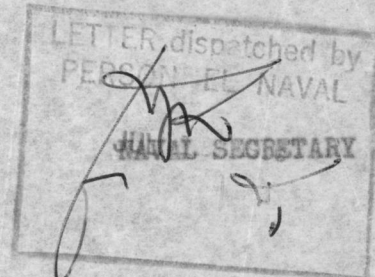
Reference: (a) GO 112.05/1

Enclosed are three copies of a confidential memorandum containing a summary of all Court Martials held during 1955.

Flag Officer Atlantic Coast.

Flag Officer Pacific Coast.

Flag Officer Naval Divisions.



CONFIDENTIAL

000071

s.19(1)

SUMMARY OF NAVY COURTS MARTIAL REGISTERED IN THE

OFFICE OF THE JUDGE ADVOCATE GENERAL

OFFICERS - 1 9 5 5

DATE OF TRIAL	NAME	RANK	OFFICIAL NUMBER	SHIP	CHARGES	FINDINGS	SENTENCE	GCM or DCM	ACTION AFTER TRIAL	PLACE OF TRIAL
20 Jul		Cmd Wtr Off	0-19067	CORNWALLIS	104 118 118	Withdrawn Guilty(Plea) Guilty(Plea)	Forfeiture 2 years seniority & severe reprimand	DCM	NONE	CORNWALLIS
26 Apr		S/Lt	0-35032	STADACONA	86 88	Guilty Guilty	Forfeiture six(6) months seniority & severe reprimand	DCM	NONE	STADACONA
25 Feb		Lt(C)	0-44273	DIGBY	88	Guilty(Plea)	Severe reprimand	DCM	NONE	NADEN
25 Nov		S/Lt	0-50205	MAGNIFICENT	118 118	Not Guilty Guilty	Reprimand & fine of \$50.00	DCM	NONE	MAGNIFICENT

000072

CONFIDENTIAL

SUMMARY OF NAVY COURTS MARTIAL REGISTERED IN THE
OFFICE OF THE JUDGE ADVOCATE GENERAL

PAGE 1

M E N - 1 9 5 5

DATE OF TRIAL	NAME	RANK	OFFICIAL NUMBER	SHIP	CHARGES	FINDINGS	SENTENCE	GCM or DCM	ACTION AFTER TRIAL	PLACE OF TRIAL
29 Mar		OSS	14141-E	NADEN	79	Guilty	Six(6) months det. & dismissal from HMS.	DCM	Mitigated to 3 months det.	STADACONA
16 May		ABCK2	50681-H	MAGNIFICENT	79	Guilty(Plea)	Six(6) months det. & dismissal from HMS.	DCM	Appeal on severity dis-allowed.	STADACONA
6 Oct		P2CK2	50675-H	STADACONA	119	Not Guilty		GCM	NONE	STADACONA
17 Jan		ABCK1	17657-H	STADACONA	79	Guilty(Special Finding)	Dismissal from HMS & 4 months det.	DCM	Dismissal approved by CNS	STADACONA
23 Feb		LSEML	9662-E	NADEN	4 charges under NDA 107	Pleaded Guilty to all charges	3 months imprisonment & fined \$200.00	DCM	Mitigated to 3 months by FOPC	NADEN
27 May		OSS	15982-H	STADACONA	79	Guilty(Plea)	Six(6) months det. & dismissal from HMS	DCM	Appeal on severity dis-allowed	STADACONA
25-26 Apr		ABEM1	9139-H	QUEBEC	119	Guilty	90 days det. & dismissal from HMS.	DCM	Dismissal approved by CNS	QUEBEC
28 Jun		OS	18715-E	STADACONA	79	Guilty	4 months det. & dismissal from HMS.	DCM	Dismissal approved by CNS	STADACONA
2 Sep		OSEMS	19106-H	STADACONA	79 92	Guilty(Plea) Guilty	6 months det. & dismissal from HMS	DCM	Dismissal approved by A/CNP	STADACONA

000073

CONFIDENTIALSUMMARY OF NAVY COURTS MARTIAL REGISTERED IN THEPAGE 2OFFICE OF THE JUDGE ADVOCATE GENERALMEN - 1955 (Cont'd)

DATE OF TRIAL	NAME	RANK	OFFICIAL NUMBER	SHIP	CHARGES	FINDINGS	SENTENCE	GCM or DCM	ACTION AFTER TRIAL	PLACE OF TRIAL
16 Feb		LSEM2	12547-E	VENTURE	107 107	Guilty(Plea) Guilty(Plea)	90 days det & fined \$250.00	DCM	Sentence mitigated to 40 days by FOPC	NADEN
3 Mar		PIEM2	21952-E	MAGNIFICENT	118 118 118	Guilty(Plea) Not Guilty (Plea in bar)	Reduced to PO2nd Class	GCM	NONE	STADACONA
25,26 & 28 Jan		ABNSI	16770-H	MAGNIFICENT	104 118(Alt.) 118 118	Not Guilty Guilty Guilty Guilty	Imprisonment two yrs less one day & to be dismissed from HMS.	GCM	Mitigated to one yr.impr. by FOAC & dismissal approved	STADACONA
7-9 Sep		AB	28572-E	FORT CHURCHILL	119	Guilty	Imprisonment for one year & dismissal from HMS.	DCM	New trial ordered by CMAB 26-4-56 dispensed with by order of the Minister and man re-instated in Navy.	FORT CHURCHILL
15-18 Feb		LSEM2	9985-E	VENTURE	107	Guilty(Plea)	Reduced to ABS & fined \$150.00	DCM	Mitigated to a fine of \$150 & sev. rep.	NADEN
5 Nov		ABEMS	14347-H	STADACONA	79	Guilty(Plea)	8 months det.& to be dismissed from HMS.	DCM	FOAC mitigated sentence to 6 months, dismissal approved by CNS	STADACONA

000074

CONFIDENTIAL

s.19(1)

SUMMARY OF NAVY COURTS MARTIAL REGISTERED IN THE

PAGE 3

OFFICE OF THE JUDGE ADVOCATE GENERAL

MEN - 1955 (Cont'd)

DATE OF TRIAL	NAME	RANK	OFFICIAL NUMBER	SHIP	CHARGES	FINDINGS	SENTENCE	GCM or DCM	ACTION AFTER TRIAL	PLACE OF TRIAL
9 Mar		ABPWI	16057-H	STAR	115 119 104	Guilty Guilty Guilty	\$200 fine	DCM	CNS quashed the 3 findings of guilty 1-12-55	STAR
10 May		ABSWI	15336-H	SHEARWATER	7 charges under NDA 104	Guilty of all charges	6 months det. & dismissal from HMS	DCM	Dismissal approved	SHEARWATER
10 Mar		ABAAI	16449-H	MAGNIFICENT	118 118 118	Guilty Not Guilty Guilty	12 months det.	GCM	Mitigated to six(6) months det. by FOAC	STADACONA
17 Feb		LSEMI	10039-E	VENTURE	107	Guilty(Plea) Guilty(Plea)	42 days det. & fined \$450.	DCM	NONE	NADEN
29 Apr		ABAFI	17527-E	STADACONA	79	Guilty	4 months det.	DCM	Appeal dismissed by A/CNP(A) 8-9-55	STADACONA

000075

QUOTE NO.

MEMORANDUM

OFFICE OF THE JUDGE ADVOCATE GENERAL

To:

OTTAWA, 10 JUL

Assistant Naval Secretary,
Pers. (N),
Room 4010,
"B" Building.

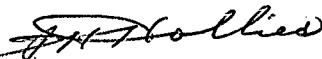
(Attn: Mr. Kealey)

SUMMARY OF NAVY COURTS - 1955

1. As requested please find attached, in triplicate, a summary of naval courts martial held during the year of 1955 for officers and men.

2. I trust this will meet your requirements.

JHH/2-4923/cad


(J.H. HOLLIES) W/C,
for Judge Advocate General.

SUMMARY OF NAVY COURTS MARTIAL REGISTERED IN THE

PAGE 1

OFFICE OF THE JUDGE ADVOCATE GENERAL

M E N - 1 9 5 5

<u>DATE OF TRIAL</u>	<u>NAME</u>	<u>RANK</u>	<u>OFFICIAL NUMBER</u>	<u>SHIP</u>	<u>CHARGES</u>	<u>FINDINGS</u>	<u>SENTENCE</u>	<u>GCM or DCM</u>	<u>ACTION AFTER TRIAL</u>	<u>PLACE OF TRIAL</u>
29 MAR		OSS	14141-E	NADEN	79	Guilty	Six(6) months det. & dismissal from HMS.	DCM	Mitigated to 3 months det.	Stadacona
16 MAY		ABCK2	50681-H	Magnificent	79	Guilty(Plea)	Six(6) months det. & dismissal from HMS.	DCM	Appeal on severity disallowed	Stadacona
6 OCT		P2CK2	50675-H	Stadacona	119	Not Guilty		GCM	NONE	Stadacona
17 JAN		ABCK1	17657-H	Stadacona	79	Guilty(Special Finding)	Dismissal from HMS & 4 months det.	DCM	Dismissal approved by CNS	Stadacona
23 FEB		LSEMI	9662-E	Naden	4 charges under NDA 107	Pleaded Guilty of all charges to	3 months imprisonment & fined \$200.00	DCM	Mitigated to 3 months by FOPC	Naden
27 MAY		OSS	15982-H	Stadacona	79	Guilty(Plea)	Six(6) months det. & dismissal from HMS.	DCM	Appeal on severity disallowed	Stadacona
25-26 APR		ABEM1	9139-H	Quebec	119	Guilty	90 days det. & dismissal from HMS.	DCM	Dismissal approved by CNS	Quebec
28 JUN		OS	18715-E	Stadacona	79	Guilty	4 months det.& dismissal from HMS.	DCM	Dismissal approved by CNS	Stadacona

000077

CONFIDENTIALPAGE 2SUMMARY OF NAVY COURTS MARTIAL REGISTERED IN THEOFFICE OF THE JUDGE ADVOCATE GENERALMEN - 1955 (Continued)

<u>DATE OF TRIAL</u>	<u>NAME</u>	<u>RANK</u>	<u>OFFICIAL NUMBER</u>	<u>SHIP</u>	<u>CHARGES</u>	<u>FINDINGS</u>	<u>SENTENCE</u>	<u>GCM or DCM</u>	<u>ACTION AFTER TRIAL</u>	<u>PLACE OF TRIAL</u>
2 SEP		OSEMS	19106-H	STADACONA	79 92	Guilty(Plea) Guilty	6 months det & dismissal from HMS.	DCM	Dismissal approved by A/CNP	STADACONA
16 FEB		LSEM2	12547-E	VENTURE	107 107	Guilty(Plea) Guilty(Plea)	90 days det & fined \$250.00	DCM	Sentence mitigated to 40 days by FOPC	NADEN
3 MAR		PIEM2	21952-E	MAGNIFICENT	118 118 118	Guilty(Plea) Not Guilty Guilty (Plea in bar)	Reduced to PO2nd Class	GCM	NONE	STADACONA
25,26 & 28 JAN		ABNSI	16770-H	Magnificent	104 118(Alt.) 118 118	Not Guilty Guilty Guilty Guilty	Imprisonment two yrs less one day & to be dismissed from HMS.	GCM	Mitigated to one yr impr. by FOAC & dismissal approved.	STADACONA
7-9 SEP		AB.	28572-E	Fort Churchill	119	Guilty	Imprisonment for one year & dismissal from HMS.	DCM	New trial ordered by CMAB. 26.4.56	FORT CHURCHILL
15-18 FEB		LSEM2	9985-E	Venture	107	Guilty(Plea)	Reduced to ABS & fined \$150.00	DCM	Mitigated to a fine of \$150. & sev. rep.	NADEN
15 NOV		ABEMS	14347-H	Stadacona	79	Guilty(Plea)	8 months det. & to be dismissed from HMS.	DCM	FOAC mitigated sentence to 6 months. Dismissal approved by CNS	STADACONA

000078

CONFIDENTIAL

PAGE 3

s.19(1)

SUMMARY OF NAVY COURTS MARTIAL REGISTERED IN THE

OFFICE OF THE JUDGE ADVOCATE GENERAL

MEN - 1955 (Continued)

<u>DATE OF TRIAL</u>	<u>NAME</u>	<u>RANK</u>	<u>OFFICIAL NUMBER</u>	<u>SHIP</u>	<u>CHARGES</u>	<u>FINDINGS</u>	<u>SENTENCE</u>	<u>GCM or DCM</u>	<u>ACTION AFTER TRIAL</u>	<u>PLACE OF TRIAL</u>
9 MAR		ABPWI	16057-H	STAR	115 119 104	Guilty Guilty Guilty	\$200.00 fine	DCM	CNS quashed the 3 findings of guilty. 1.12.55	"Star" Hamilton, Ont.
10 MAY		ABSWI	15336-H	SHEARWATER	7 charges under NDA 104	Guilty of all charges	6 months det & dismissal from HMS	DCM	Dismissal approved	SHEARWATER
10 MAR		ABAAI	16449-H	MAGNIFICENT	118 118 118	Guilty Not Guilty Guilty	12 months det.	GCM	Mitigated to six(6) months det. by FOAC	STADACONA
17 FEB		LSEMI	10039-E	VENTURE	107 107	Guilty(Plea) Guilty(Plea)	42 days det & fined \$450.00	DCM	NONE	NADEN
29 APR		ABAFI	17527-E	STADACONA	79	Guilty	4 months det.	DCM	Appeal dismissed by A/CNP(A) 8.9.55	STADACONA

000079

CONFIDENTIAL

SUMMARY OF NAVY COURTS MARTIAL REGISTERED IN THE

OFFICE OF THE JUDGE ADVOCATE GENERAL

s.19(1)

OFFICERS - 1 9 5 5

<u>DATE OF TRIAL</u>	<u>NAME</u>	<u>RANK</u>	<u>OFFICIAL NUMBER</u>	<u>SHIP</u>	<u>CHARGES</u>	<u>FINDINGS</u>	<u>SENTENCE</u>	<u>GCM or DCM</u>	<u>ACTION AFTER TRIAL</u>	<u>PLACE OF TRIAL</u>
20 JUL		Cmd Wtr Offr	0-19067	Cornwallis	104 118 118	Withdrawn Guilty(Plea) Guilty(Plea)	Forfeiture 2 years seniority & severe reprimand	DCM	NONE	Cornwallis
26 APR		S/Lt.	0-35032	Stadacona	86 88	Guilty Guilty	Forfeiture six (6) months seniority & severe reprimand	DCM	NONE	Stadacona
25 FEB		Lt(C)	0-44273	Digby	88	Guilty(Plea)	Severe reprimand	DCM	NONE	Naden
25 NOV		S/Lt	0-50205	Magnificent	118 118	Not Guilty Guilty	Reprimand & a fine of \$50.00	DCM	NONE	Magnificent

000080

NATIONAL SERVICE—MINUTE SHEET

FILE No. _____

REFERRED TO

REMARKS
(WITH SIGNATURE, POSITION AND DATE)

AN.
Sec.
(Mr.
Kealy)

would you
please prepare
a summary in
the form of the
attached for
1955 -

Sergeant
Desclambault (?)
2-4/14

Sgt. Desclambault
requested to
provide 1955
information
D JAG's office
will provide the
info.

Then the summary
is sent to all
concerning authorities
as last year.

Asst. N. Sec.
Pers (a)
29/6

PRH

000081

IN REPLY
QUOTE

No 4011/126/14.

TELEPHONES :

MXV 550

NAVY OFFICE, VICTORIA BARRACKS,
ST. KILDA ROAD

MXV 130

NAVAL BRANCHES,
ALBERT PARK BARRACKS

TELEGRAPHIC ADDRESS :

"NAVY, MELBOURNE"

COMMONWEALTH OF AUSTRALIA

1955 JUN 14 AM 11 09

DEPARTMENT OF THE NAVY,

NAVY OFFICE, MELBOURNE, S.C.1.

REFERRED

FILE

CHGD TO

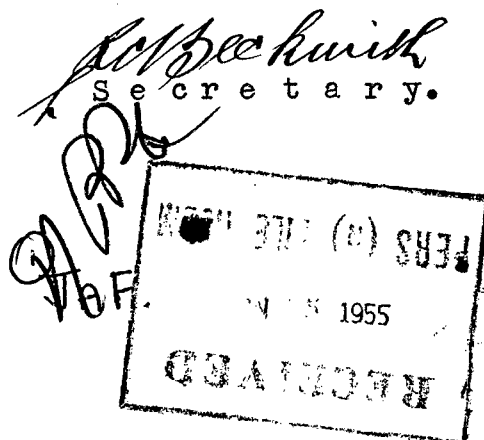
05709 -9 JUN 55

The Secretary,
Naval Board,
CANADA.

RETURN OF COURTS-MARTIAL HELD IN THE R.A.N. DURING THE
PERIOD FROM 1ST JANUARY, 1950 TO 31ST
DECEMBER, 1953.

I am directed by the Australian
Commonwealth Naval Board to forward, herewith,
two copies of the above-mentioned return.

Referred to *Person*
JUN 14 1955
File No. *4255-1*
Chgd to



DEPARTMENT OF THE NAVY

NAVY OFFICE,
MELBOURNE,
DECEMBER, 1954

TO BE KEPT LOCKED UP WHEN NOT IN USE

RETURN OF NAVAL COURTS-MARTIAL

held during the period

From 1st JANUARY, 1950, to 31st DECEMBER, 1953

OFFICERS TRIED BY COURT-MARTIAL

s.19(1)

OFFICERS TRIED BY

No.	Date of Trial.	Name.	Rank.	Ship.
143	21st March, 1950	..	Lieutenant, D.S.C., R.A.N.	<i>Hobart</i>
144	30th March, 1950	..	Lieutenant - Commander, R.A.N.	<i>Hobart</i>
145	30th May, 1950	..	Lieutenant (S), R.A.N.	<i>Australia</i>
146	21st September, 1950	..	Surgeon Lieutenant, R.A.N.	<i>Rushcutter</i>
147	22nd January, 1951	..	Lieutenant, R.A.N.	<i>Tobruk</i>
148	11th October, 1951	..	Commissioned Electrical Officer (Radar), R.A.N.	<i>Australia</i>
149	14th November, 1951	..	Sub-Lieutenant, R.A.N.	<i>Albatross</i>
150	28th December, 1951	..	Acting Commissioned Boatswain (P-R), R.A.N.	<i>Penguin</i>

000085

COURT MARTIAL

Substance of Charge Preferred.	Finding and Sentence.
Negligent performance of the duties imposed upon him when acting as Commanding Officer of H.M.A.S. <i>Tarakon</i>	Court considered that there was no prima facie case against the accused. Accused acquitted
<i>First and Second.</i> —Negligent performance of duty in H.M.A.S. <i>Tarakon</i>	Charges not proved. Accused acquitted
<i>First, Second, and Third.</i> —Negligent performance of duty ..	First charge proved. Second and third charges not proved. Adjudged to be reprimanded
<i>First.</i> —Act to the prejudice of good order and Naval discipline in making an excessive noise on board in early hours	Accused pleaded guilty. Charges proved. Adjudged to be severely reprimanded
<i>Second.</i> —Act to the prejudice of good order and Naval discipline in throwing a beer bottle on verandah of cabin block	
Negligent performance of duty	Accused pleaded guilty. Charges proved. Adjudged to be reprimanded
Desertion	Found guilty. Adjudged to be imprisoned for the term of six calendar months and to be dismissed from His Majesty's Service and to suffer the consequential penalties involved
The Naval Board were pleased to reduce the sentence to one of three months' imprisonment and dismissal from His Majesty's Service and to suffer the consequential penalties involved	
<i>First.</i> —Act to the prejudice of good order and Naval discipline in contravening Article 135 of Instructions for Naval Aviation	Found guilty on both charges. Adjudged to be severely reprimanded
<i>Second.</i> —Act to the prejudice of good order and Naval discipline in flying in such a manner as to cause damage to an aircraft	
Desertion	Found guilty. Adjudged to be imprisoned for six calendar months, to be dismissed from His Majesty's Service and to suffer the consequential penalties involved
The Naval Board were pleased to reduce the sentence to dismissal from His Majesty's Service and to suffer the consequential penalties involved	

OFFICERS TRIED BY

No.	Date of Trial.	Name.	Rank.	Ship.
151	17th January, 1952	..	Lieutenant, R.N. ..	<i>Albatross</i>
152	11th March, 1952	..	Commander, R.A.N. ..	<i>Bataan</i>
153	12th March, 1952	..	Lieutenant, R.A.N. ..	<i>Bataan</i>
154	11th November 1952	..	Lieutenant - Commander, R.N.	<i>Cerberus</i>
155	16th and 17th December, 1952	..	Acting Lieutenant (L), R.A.N.	<i>Anzac</i>

COURT-MARTIAL

Substance of Charge Preferred.	Finding and Sentence.
<p><i>First.</i>—Act to the prejudice of good order and Naval discipline in contravening the Royal Australian Navy Motor Transport Instructions Article 6 in using a naval motor vehicle for a private purpose, namely to travel from the Wardroom Mess to the Married Quarters of H.M.A.S. <i>Albatross</i> at 0200</p> <p><i>Second.</i>—Act to the prejudice of good order and Naval discipline in contravening the Royal Australian Navy Motor Transport Instructions Article 6 in using a Naval motor vehicle for a private purpose, namely to travel from the Married Quarters to the Wardroom Mess of H.M.A.S. <i>Albatross</i> at 0620</p> <p><i>Third.</i>—Act to the prejudice of good order and Naval discipline in driving a Naval motor vehicle in such a manner as to cause damage at 0620 to the vehicle and to the cinema building in H.M.A.S. <i>Albatross</i></p> <p><i>Fourth.</i>—Act to the prejudice of good order and Naval discipline in contravening Article 9A of the Royal Australian Navy Motor Transport Instructions in consuming alcoholic liquor while acting as driver and in charge of a Naval Motor Vehicle</p>	<p>Accused pleaded guilty to fourth charge. Charge proved. First, second, and third charges proved. Adjudged to be reprimanded</p>
<p>On review of the proceedings, the Naval Board dissented from the finding on the third charge, on the grounds that it alleged no offence, but they decided not to interfere with the sentence</p>	
<p>Negligent performance of duty</p>	<p>Charge not proved. Accused acquitted</p>
<p><i>First, Second, Third, and Fourth.</i>—Negligent performance of duty</p>	<p>Found guilty of first charge and not guilty of the second, third, and fourth charges. Adjudged to be reprimanded</p>
<p>The Naval Board dissented from the finding on the first charge and were pleased to annul the sentence</p>	
<p><i>First.</i>—Act to the prejudice of good order and Naval discipline in having a Naval rating alone with him in his cabin without reasonable excuse</p> <p><i>Second.</i>—Act to the prejudice of good order and Naval discipline in embracing a Naval rating</p>	<p>Charges not proved, and he was acquitted of the same accordingly</p>
<p><i>One charge</i> of gross indecency</p> <p><i>Five charges</i> of indecent assault</p> <p><i>Four charges</i> of conduct unbecoming an officer</p>	<p>Accused found not guilty on all charges and was acquitted of the same accordingly</p>

OFFICERS TRIED BY

No.	Date of Trial.	Name.	Rank.	Ship.
156	12th, 13th, and 14th October, 1953		Lieutenant, R.N.	Cerberus

COURT-MARTIAL

Substance of Charge Preferred.	Finding and Sentence.
<p><i>First to Fourteenth.</i>—(Inclusive). Wilfully and with intent to defraud making a false entry in a book</p> <p><i>Fifteenth to Nineteenth.</i>—(Inclusive.) Fraudulent conversion</p> <p><i>Twentieth and Twenty-first.</i>—With intent to defraud obtaining goods by false pretences</p> <p><i>Twenty-second.</i>—Wilfully and with intent to defraud omitting an entry from a book</p> <p><i>Twenty-third and Twenty-fourth.</i>—Wilfully making a false statement</p>	<p>Accused found not guilty on twentieth, twenty-first, and twenty-second charges but guilty on all other charges. Adjudged to be imprisoned for the term of twelve calendar months and to be dismissed from Her Majesty's Service, and to suffer the consequential penalties involved</p>

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

CHIEF PETTY OFFICERS, PETTY OFFICERS,

Date of Trial.	Name.	Rank.	Ship.
1st February, 1950..	[REDACTED] 35779 ..	Ordinary Seaman ..	<i>Australia</i>
19th February, 1951	[REDACTED] 37402 ..	Ordinary Seaman ..	<i>Australia</i>
17th August, 1951..	[REDACTED] A-40470 ..	Naval Airman, 1st Class (SAM) (A)	<i>Penguin</i>
17th August, 1951..	[REDACTED] 35095	Ordinary Seaman ..	<i>Penguin</i>
20th March, 1952 ..	[REDACTED] 35033 ..	Acting Leading Steward (Provisional)	<i>Albatross</i>
23rd April, 1952 ..	[REDACTED] A33011	Radio Electrician (Air) ..	<i>Albatross</i>

AND MEN TRIED BY COURT-MARTIAL

Substance of Charge Preferred.	Finding and Sentence.
<i>First.</i> —Desertion <i>Second.</i> —Striking his superior officer	Accused pleaded guilty. Charges proved. Adjudged to be kept in detention for six calendar months and to suffer the consequential penalties involved
Desertion	Accused pleaded guilty. Charge proved. Adjudged to be imprisoned for the term of one year, to be dismissed from His Majesty's Service and to suffer the consequential penalties involved
The Naval Board were pleased to reduce the term of imprisonment to six months, but not otherwise to interfere with the sentence	
<i>First.</i> —Improperly leaving his ship <i>Second.</i> —Desertion	<i>First Charge.</i> —Found not guilty of improperly leaving his ship but guilty of remaining absent without leave for 7 days
Desertion	<i>Second Charge.</i> —Found not guilty of desertion but guilty of remaining absent without leave for 237 days Adjudged to be kept in detention for the term of 42 days and to suffer the consequential penalties involved and to forfeit 244 days pay
	Found not guilty of desertion but guilty of improperly leaving his ship Adjudged to be imprisoned for six calendar months, to forfeit 60 days' pay and to suffer the consequential penalties involved
<i>First.</i> —Did commit an act of gross indecency with another male person <i>Second.</i> —Did attempt to commit an act of gross indecency with another male person	The court being not satisfied that a prima facie case had been made out acquitted the accused, without calling upon him for his defence
<i>First.</i> —Drunk on duty <i>Second.</i> —Act to the prejudice of good order and Naval discipline in consuming intoxicating liquor while on duty as Petty Officer in Charge of Canteen Patrol	Found guilty on the first charge and not guilty on the second charge Adjudged to be disgraced to Leading Radio Electrician's Mate (Air), to forfeit one day's pay and to suffer the consequential penalties involved

000093

CHIEF PETTY OFFICERS, PETTY OFFICERS,

Date of Trial.	Name.	Rank.	Ship.
12th March, 1953 ..	[REDACTED] 40935	Petty Officer	<i>Australia</i>
15th April, 1953 ..	[REDACTED] A-40219	Electrical Artificer (Air), 3rd Class (Provisional)	<i>Albatross</i>
4th June, 1953 ..	[REDACTED] 40174	Petty Officer Steward ..	<i>Australia</i>
30th November, and 1st December, 1953	[REDACTED] 13753 .. s.19(1)	Chief Petty Officer ..	<i>Cerberus</i>

AND MEN TRIED BY COURT-MARTIAL

Substance of Charge Preferred.	Finding and Sentence.
<i>First and Second.</i> —Stealing <i>Third and Fourth.</i> —Act to the prejudice of good order and Naval discipline in not handing over to the proper authority, property which to his knowledge had come into his possession without the consent of the owner	Accused found not guilty of all charges and acquitted of same accordingly
<i>First and Second.</i> —Knowingly sign a false official document	Accused pleaded guilty. Found guilty Adjudged to be kept in detention for the term of three calendar months and to suffer the consequential penalties involved and to be disgraced to Electrical Artificer (Air) Fourth Class
<i>First.</i> —Theft <i>Second.</i> —Guilty of an act to the prejudice of good order and Naval discipline in having in his possession a quantity of wines and spirits on board H.M.A.S. <i>Australia</i>	The court being not satisfied that a prima facie case had been made out acquitted the accused on both charges
<i>First, Second, Fourth, Sixth, Eighth, and Eleventh.</i> —Stealing .. <i>Third, Fifth, Seventh, Ninth, and Twelfth.</i> —Improper possession <i>Tenth.</i> —Act to the prejudice of good order and Naval discipline in having in his possession clothing not marked with the Declared Clothing Stamp <i>Thirteenth.</i> —Receiving property knowing the same to have been stolen	First, Second, Fourth, Eighth, and Eleventh charges not proved, not guilty of the thirteenth charge, and he was acquitted of the same accordingly. Guilty of the Third, Fifth, Ninth, Tenth, and Twelfth charges. Guilty in part of the Sixth and Seventh charges. Adjudged to be dismissed from Her Majesty's Service

H.Q. 1024

NAVY SERVICE — MINUTE SHEET

FILE No.

REFERRED TO

REMARKS
(WITH SIGNATURE, POSITION AND DATE)

Commodore Rayner:

The background
of the NGO's I spoke to
you about this
morning is at flagged
folio.

On the whole, I think
the convening authority's
decision to have a legally
qualified officer as
prosecutor was sound
in this case.

PRH

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M
J. A. B.

Noted - Thank you.

WCH.

28/2000096

ESC 4255-1 V.4 (JAF)

CONFIDENTIAL

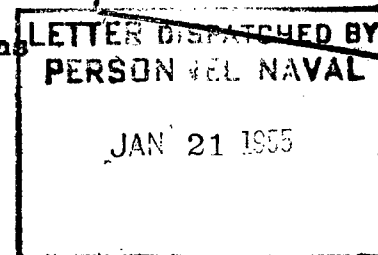
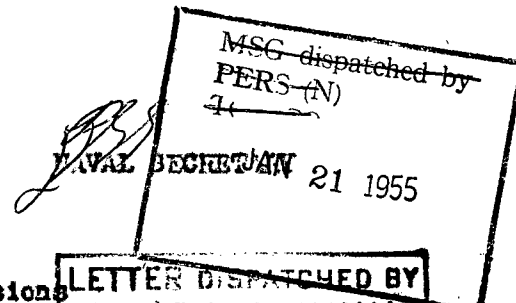
, 19 January, 1955.

COURT MARTIAL RETURNS

References: (a) GO 112.05/1
(b) AGC: 4255-1 dated 5 Jan 55 NOTAL

Enclosed are three copies of a Confidential memorandum containing a summary of all Court Martials held during the years 1952, 1953 and 1954.

The Flag Officer Atlantic Coast
The Flag Officer Pacific Coast
The Commanding Officer Naval Divisions



000097
JAF

s.19(1)

SUMMARY OF NAVY COURT MARTIALS REGISTERED IN THE
OFFICE OF THE JUDGE ADVOCATE GENERAL

CONFIDENTIAL

OFFICERS - 1952

<u>DATE OF TRIAL</u>	<u>NAME</u>	<u>RANK</u>	<u>OFFICIAL NUMBER</u>	<u>SHIP</u>	<u>CHARGES</u>	<u>FINDINGS</u>	<u>SENTENCE</u>	<u>GCM or DCM</u>	<u>ACTION AFTER TRIAL</u>	<u>PLACE OF TRIAL</u>
11,12, 13 Aug		Lt. (A)	0-17930	NADEN	NDA 88 NDA 118	Guilty Guilty	Forfeits 1 yr. seniority and a severe reprimand	DCM	Nil	HMCS NADEN
6 Oct		Lt. (P)	0-62456	SHEARWATER	NDA 97 NDA 97(Alt.)	Guilty	Reprimand	DCM	Nil	HMCS SHEARWATER
22 Dec		Lt. (O)	0-63508	NIOBE	NDA 88	Guilty	3 mos. forfeiture of seniority & severe reprimand	GCM	Nil	HMCS STADACONA

SUMMARY OF NAVY COURT MARTIALS REGISTERED IN THE
OFFICE OF THE JUDGE ADVOCATE GENERAL

CONFIDENTIAL

M 1 N - 1 9 5 2

<u>DATE OF TRIAL</u>	<u>NAME</u>	<u>RANK</u>	<u>OFFICIAL NUMBER</u>	<u>SHIP</u>	<u>CHARGES</u>	<u>FINDINGS</u>	<u>SENTENCE</u>	<u>GCM or DCM</u>	<u>ACTION AFTER TRIAL</u>	<u>PLACE OF TRIAL</u>
26 Jun		OS	16366-H	STADACONA	NDA 79	Guilty (Special Finding)	6 months Det.	DCM	Nil	HMCS STADACONA
13,14,15 Jun		AB	11732-H	NOOTKA	NDA 119 NDA 119	Not Guilty Guilty of robbery	18 mos. Det.	GCM	Sentence mitigated to 9 mos. Det.	Hiro, Japan
10,11 Jul		AB	12087-H	NOOTKA	NDA 119	Guilty	Fined \$25.	DCM	Nil	Hiro, Japan
25 Sep		OS	15942-H	NADEN	NDA 74 NDA 118	Guilty "	90 days Det.	DCM	Nil	HMCS NADEN
24,26 Sep		AB	10070-E	NADEN	NDA 74	Guilty "	12 mos. Det.	DCM	Findings of guilty on 1st charge quashed by CNS 1 Dec 52 Reduced to 6 mos. Det. by CNS 1 Dec 52	HMCS NADEN
13 Jun		AB	9321-E	ONTARIO	NDA 104 NDA 109	Guilty. Plea in bar of trial allowed on 2nd charge	9 mos. Det.	DCM	Nil	HMCS ONTARIO
12 Jun		OS	15873-H	ONTARIO	NDA 104	Guilty	Dismissal from Her Majesty's Service and 6 mos. Det.	DCM	Punishment of dismissal remitted by CNS 11 Sep 52	HMCS ONTARIO
17,19 Jun		AB	11753-H	NOOTKA	NDA 119 NDA 119	Guilty Withdrawn	Imprisonment for 3 yrs. 6 mos.	GCM	Nil	Hiro, Japan
14 Nov		AB	9922-H	STADACONA	NDA 81	Guilty (Special Finding)	Dismissal from Her Majesty's Service	DCM	Dismissal approved by CNS	HMCS STADACONA

SUMMARY OF NAVY COURT MARTIALS REGISTERED IN THE
OFFICE OF THE JUDGE ADVOCATE GENERALCONFIDENTIALM E N - 1 9 5 2 (Continued)

<u>DATE OF TRIAL</u>	<u>NAME</u>	<u>RANK</u>	<u>OFFICIAL NUMBER</u>	<u>SHIP</u>	<u>CHARGES</u>	<u>FINDINGS</u>	<u>SENTENCE</u>	<u>GCM or DCM</u>	<u>ACTION AFTER TRIAL</u>	<u>PLACE OF TRIAL</u>
18 Jan		ABCK1	11195-E	NADEN	NDA 81	Guilty (Special Finding)	6 mos. Det.	DCM	Nil	HMCS NADEN
					NDA 81	Guilty (Special Finding)				
26 Jun		OS	16364-H	STADACONA	NDA 79	Guilty (Special Finding)	6 mos. Det.	DCM	Nil	HMCS STADACONA
14,15 Nov		OS	18213-H	STADACONA	NDA 79	Guilty (Special Finding) of absence	Dismissal from Her Majesty's Service	DCM	Dismissal approved by CNS 30 Dec 52	HMCS STADACONA
21 Jul		OS	18573-H	STADACONA	NDA 81 NDA 81 NDA 92 NDA 79	Guilty Guilty Guilty Guilty	6 mos. Det.	DCM	Nil	HMCS STADACONA
29 Feb		OS	16341-H	ONTARIO	NDA 84 NDA 118 (Alt.)	Guilty Not guilty	90 days Det.	DCM	Nil	HMCS ONTARIO

SUMMARY OF NAVY COURT MARTIALS REGISTERED IN THE
OFFICE OF THE JUDGE ADVOCATE GENERALCONFIDENTIALOFFICERS - 1 9 5 3

<u>DATE OF TRIAL</u>	<u>NAME</u>	<u>RANK</u>	<u>OFFICIAL NUMBER</u>	<u>SHIP</u>	<u>CHARGES</u>	<u>FINDINGS</u>	<u>SENTENCE</u>	<u>GCM or DCM</u>	<u>ACTION AFTER TRIAL</u>	<u>PLACE OF TRIAL</u>
20 Aug		Cdr.	0-13420	HURON	NDA 95 NDA 118 NDA 118	Guilty Guilty Guilty	Severe Reprimand	GCM	CMAB allowed appeal as to legality of findings & ordered New Trial 7 Jun 54 No further proceedings	HMCS QUEBEC
22 Aug		Lt.	0-22372	HURON	NDA 95 NDA 118 NDA 118	Not Guilty Guilty No Prima Facie Case	Severe Reprimand	GCM	Finding of guilty quashed by CNS 28 Oct 54. Finding & sentence annulled	HMCS STADACONA
4 Dec		Lt. (S)	0-68060	STADACONA	NDA 81 NDA 88	Guilty Guilty	Dismissal from DCM HMCS STADACONA Fine \$200.		Nil	HMCS STADACONA
21,22 Aug		Lt- Cdr.	0-72695	HURON	NDA 95 NDA 118 NDA 118 NDA 118	Guilty Guilty Guilty No Prima Facie Case	Severe Reprimand	GCM	CMAB allowed appeal as to legality on 8 Jun 54	HMCS STADACONA
4 Jun		Lt- Cdr. (P)	0-76436	SHEAR- WATER	NDA 97 NDA 97	Guilty Guilty	Reprimand	GCM	Nil	HMCS SHEARWATER
7 Sep		Sub- Lt.	0-78927	MAGNIFI- CENT	NDA 88	Guilty	Dismissal from DCM HMCS MAGNIFICENT		Nil	HMCS MAGNIFICENT
7 Mar		A/Sub- Lt (S) RCN(R)	0-80322	MALAHAT	NDA 118 NDA 118 NDA 118	Guilty Guilty Guilty	Severe Reprimand	GCM	Nil	HMCS NADEN

SUMMARY OF NAVY COURT MARTIALS REGISTERED IN THE
OFFICE OF THE JUDGE ADVOCATE GENERALCONFIDENTIALM E N - 1 9 5 3

<u>DATE OF TRIAL</u>	<u>NAME</u>	<u>RANK</u>	<u>OFFICIAL NUMBER</u>	<u>SHIP</u>	<u>CHARGES</u>	<u>FINDINGS</u>	<u>SENTENCE</u>	<u>GCM or DCM</u>	<u>ACTION AFTER TRIAL</u>	<u>PLACE OF TRIAL</u>
10 Nov.		AB	16316-H	STADACONA	NDA 79	Guilty	90 days Det.	DCM	Nil	HMCS STADACONA
14 Oct		PLSW3	50933-H	CORNWALLIS	NDA 104 NDA 118 (Alt)	Not Guilty Guilty	Dismissal from DCM Her Majesty's Service		Dismissal approved by CNS 25 Jan 54	HMCS CORNWALLIS
2 Nov		AB	12315-H	STADACONA	NDA 79	Guilty	Dismissal from DCM Her Majesty's Service - 6 mos. Det.		Dismissal approved by CNS 17 Mar 54	HMCS STADACONA
15 Oct		PLAT4	23130-H	SHEAR-WATER	NDA 104 NDA 118 (Alt)	Guilty Not Guilty	Reduced to AB	DCM	Sentence substituted to reduction to the rank of P2AT4 by CANFLAGLANT 1 Dec 53	HMCS SHEARWATER
3 Nov		P2PW2	50304-E	NADEN	NDA 118 NDA 114 NDA 118 NDA 114 NDA 118 NDA 107	Guilty Not guilty Guilty Not guilty Not guilty Not guilty	Dismissal from DCM Her Majesty's Service		Appeal entered	HMCS NADEN
27,28 Oct		OSCK1	51401-H	STADACONA	NDA 79	Guilty	Dismissal from DCM Her Majesty's Service - 12 mos. Det.		Appeal entered	HMCS STADACONA
20 Nov.		ABEMS	8918-H	CAPE BRETON	NDA 79	Not Guilty but Guilty of Absence	Dismissal from DCM Her Majesty's Service - 6 mos. Det.		Dismissal approved by CNS 29 Jan 54 Mitigation of Det. from 6 to 4 mos. by CANFLAGLANT Nov 53	HMCS STADACONA
21 Dec		AB	15277-H	STADACONA	NDA 79	Guilty	6 mos. Det.	DCM	Nil	HMCS STADACONA

s.19(1)

SUMMARY OF NAVY COURT MARTIALS REGISTERED IN THE
OFFICE OF THE JUDGE ADVOCATE GENERAL

CONFIDENTIAL

M E N - 1 9 5 3 (Continued)

<u>DATE OF TRIAL</u>	<u>NAME</u>	<u>RANK</u>	<u>OFFICIAL NUMBER</u>	<u>SHIP</u>	<u>CHARGES</u>	<u>FINDINGS</u>	<u>SENTENCE</u>	<u>GCM or DCM</u>	<u>ACTION AFTER TRIAL</u>	<u>PLACE OF TRIAL</u>
24 Nov		ABEMS	11755-H	STADACONA	NDA 79	Guilty	Dismissal from Her Majesty's Service - 9 mos.Det.	DCM	Dismissal approved by CNS 31 Mar 54	HMCS STADACONA
22 Dec		OSS	13300-H	STADACONA	NDA 79	Guilty	Dismissal from Her Majesty's Service - 5 mos.Det.	DCM	Dismissal approved by CNS - Det. remit- ted by CANFLAGLANT 8 Jan 54	HMCS STADACONA
4 Mar		ABRPS	12260-H	CRESCENT	NDA 72 NDA 118(Alt)	Not Guilty Guilty	Dismissal from Her Majesty's Service	DCM	Dismissal approved by CNS 9 Jun 53	HMCS NADEN
11 Feb		OSSMS	8511-E	NADEN	NDA 79	Guilty	Dismissal from Her Majesty's Service - 12 mos. Det.	DCM	Dismissal approved by CNS 21 Aug 53 Released from Det. 25 Aug 53 due to Coronation remission.	HMCS NADEN

s.19(1)

SUMMARY OF NAVY COURT MARTIALS REGISTERED IN THE
OFFICE OF THE JUDGE ADVOCATE GENERAL

CONFIDENTIAL

OFFICERS - 1954

<u>DATE OF TRIAL</u>	<u>NAME</u>	<u>RANK</u>	<u>OFFICIAL NUMBER</u>	<u>SHIP</u>	<u>CHARGES</u>	<u>FINDINGS</u>	<u>SENTENCE</u>	<u>GCM or DCM</u>	<u>ACTION AFTER TRIAL</u>	<u>PLACE OF TRIAL</u>
13 Jan		Sub-Lt. (O)	0-9505	SHEARWATER	NDA 88 NDA 88	Guilty Not Guilty	Severe Reprimand Fine - \$200.	DCM	Nil	HMCS SHEARWATER
24,25 Jun		Lt. (S)	0-22805	PRESTONIAN	NDA 88 NDA 118 NDA 118 NDA 118 NDA 118(Alt)	Not Guilty Guilty Guilty Not Guilty Not Guilty	Forfeiture of 1 yr. seniority and dismissal from HMCS PRESTONIAN	GCM	Nil	HMCS STADACONA
26,27 Jan		Lt-Cdr.	0-33680	STADACONA	NDA 104 NDA 115	Guilty Not Guilty	Forfeiture of 2 yrs. seniority - Fine \$300.	GCM	Nil	HMCS STADACONA

SUMMARY OF NAVY COURT MARTIALS REGISTERED IN
OFFICE OF THE JUDGE ADVOCATE GENERAL

CONFIDENTIAL

M E N - 1 9 5 4

DATE OF TRIAL	NAME	RANK	OFFICIAL NUMBER	SHIP	CHARGES	FINDINGS	SENTENCE	GCM or DCM	ACTION AFTER TRIAL	PLACE OF TRIAL
26 Mar		LSPW1	10441-H	STADACONA	NDA 79	Guilty	Dismissal from Her Majesty's Service - Reduced to AB - 6 mos. Det.	DCM	Sentence of detention remitted by CANFLAGLANT 1 Apr 54	HMCS STADACONA
7 Sep.		ABEM1	9085-H	MAGNIFICENT	NDA 79	Pleaded Guilty of Absence	4 mos. Det.	DCM	Nil	HMCS MAGNIFICENT
19 Oct		C1VI4	2946-E	VENTURE	NDA 74	Guilty	Reduced to P1	DCM	Nil	HMCS NADEN
2 Feb		AB	7648-E	STADACONA	NDA 79	Guilty (Special Finding)	Dismissal from Her Majesty's Service - 9 mos. Det.	DCM	Dismissal remitted by CANFLAGLANT 3 Mar 54	HMCS STADACONA
22 Jun		OSS	13717-H	STADACONA	NDA 79	Guilty	Dismissal from Her Majesty's Service - 4 mos. Det.	DCM	Dismissal approved by CNS 8 Nov 54	HMCS STADACONA
21 Oct		OSAMS	26633-H	STADACONA	NDA 79	Guilty	6 mos. Det.	DCM	Nil	HMCS STADACONA
27 Oct		P1PR2	4809-E	CORNWALLIS	NDA 103 NDA 118	Guilty Guilty	Fine - \$300.	DCM	Nil	HMCS CORNWALLIS
9 Sep		ABQMS	16032-H	STADACONA	NDA 79	Guilty of Absence	5 mos. Det.	DCM	Nil	HMCS STADACONA
19 May		OSS	23311-H	STADACONA	NDA 81	Guilty	5 mos. Det.	DCM	Nil	HMCS STADACONA
16 Feb		ABAAS	15244-H	STADACONA	NDA 81	Guilty	4 mos. Det.	DCM	Nil	HMCS STADACONA
2 Apr		ABEM1	13558-H	STADACONA	NDA 75	Guilty	6 mos. Det.	DCM	Sentence reduced to 4 mos by CANFLAGLANT	HMCS STADACONA

SUMMARY OF NAVY COURT MARTIALS REGISTERED IN THE
OFFICE OF THE JUDGE ADVOCATE GENERALCONFIDENTIALM E N - 1 9 5 4 (Continued)

<u>DATE OF TRIAL</u>	<u>NAME</u>	<u>RANK</u>	<u>OFFICIAL NUMBER</u>	<u>SHIP</u>	<u>CHARGES</u>	<u>FINDINGS</u>	<u>SENTENCE</u>	<u>GCM or DCM</u>	<u>ACTION AFTER TRIAL</u>	<u>PLACE OF TRIAL</u>
20 Sep		ABEM1	9178-H	MAGNIFI-CENT	NDA 79	Not Guilty of Desertion but Guilty of AWL	90 days Det.	DCM	Nil	HMCS MAGNIFICENT
5 Nov		OSS	18533-H	STADACONA	NDA 79	Not Guilty but Guilty of Absence	6 mos. Det.	DCM	Nil	HMCS STADACONA
23 Apr		OS	16398-H	SHEARWATER	NDA 79	Guilty of AWL	6 mos. Det.	DCM	Nil	HMCS SHEARWATER
27 Aug		OSCKS	18745-H	NADEN	NDA 79	Guilty	Dismissal from Her Majesty's Service - 5 mos. Det. Punishment reduced to 90 days Det. by Convening Authority	DCM	Dismissal approved by CNS 25 Oct 54	HMCS STADACONA
14 Oct		ABNQ	7067-H	CAPE BRETON	NDA 79	Guilty	5 mos. Det.	DCM	Nil	HMCS CAPE BRETON
11 Feb		ABIRS	14587-H	STADACONA	NDA 81	Guilty	5 mos. Det.	DCM	Nil	HMCS STADACONA
15 Apr		OSS	26802-H	STADACONA	NDA 79	Guilty of AWL	4 mos. Det.	DCM	Nil	HMCS STADACONA
24,25 Jan		OSCSS	14883-E	CORNWALLIS	NDA 119	Not Guilty Indecent Assault on female	Not Guilty	DCM	Nil	HMCS CORNWALLIS
1 Oct		P2VS2	7077-H	SHEARWATER	NDA 105	Receiving	Not Guilty	DCM	Nil	HMCS SHEARWATER
7 Oct		ClQ14	3070-E	CORNWALLIS	NDA 118 NDA 118 NDA 118 NDA 118 NDA 118 NDA 118 NDA 118	Accused Pleaded Guilty to all charges and court accepted pleas	Reprimanded Fined \$250.	DCM	Nil	HMCS CORNWALLIS

s.19(1)

SUMMARY OF NAVY COURT MARTIALS REGISTERED IN THE
OFFICE OF THE JUDGE ADVOCATE GENERAL

CONFIDENTIAL

M E N - 1 9 5 4 (Continued)

DATE OF TRIAL	NAME	RANK	OFFICIAL NUMBER	SHIP	CHARGES	FINDINGS	SENTENCE	GCM or DCM	ACTION AFTER TRIAL	PLACE OF TRIAL
8 Mar		P2QR3	12386-H	PRESTONIAN	NDA 118 NDA 81 NDA 88	Not Guilty Guilty Not Guilty	Fine of \$150. No remission or commutation	DCM	Nil	HMCS PRESTONIAN
27 May		OSCKS	24970-H	STADACONA	NDA 81	Guilty	4 mos. Det.	DCM	Nil	HMCS STADACONA
28 May		ABPW1	13438-H	STADACONA	NDA 79 NDA 92 NDA 81	Guilty Guilty Guilty	Dismissal from Her Majesty's Service - 6 mos. Det.	DCM	Detention remitted by CANFLAGLANT - Dismissal approved 29 Jul 54	HMCS STADACONA
10 Mar		OS	15150-E	NADEN	NDA 81	Guilty	9 mos. Det.	DCM	4 mos. Det. reduced by CANFLAGPAC 16 Jun 54	HMCS NADEN
19 Jul		ABEMS	15713-H	MAGNIFI- CENT	NDA 79	Guilty	6 mos. Det.	DCM	Nil	HMCS MAGNIFICENT



Department of National Defence
Royal Canadian Navy

IN REPLY PLEASE QUOTE

No. ACC: 4255-1

FLAG OFFICER, ATLANTIC COAST

Halifax, Nova Scotia

5 January, 1955

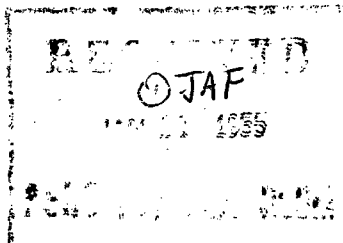
COURT MARTIAL RETURN

Reference (a) G.O. 112.05/1

Submitted for the consideration of Naval
Headquarters whether the confidential memoranda referred
to in reference (a) can now be promulgated.

Admiral
REAR ADMIRAL

The Naval Secretary.



Referred to..... *Person*
JAN 11 1955
File No..... *Q 4255-1*
Chgd to..... *N/Sec/R0 6-1-55*

000108

71566

Office of Flag Officer Atlantic Coast,
H.M.C. Dockyard, Halifax, Nova Scotia.

28th January, 1954.
1954 FEB 5 AM 8:30

AC: 4255-1

REFERRED TO *Pers*
FILE *C 4255-1-1-01*
CHGD TO *Pers* COURTS MARTIAL

Enclosure: (1) Summary of Courts Martial held in the
Atlantic Command during 1953.

Enclosure (1) is forwarded for information.

W.B. Bidwell

REAR ADMIRAL

The Commodore, R.C.N. Barracks, Halifax, N.S.
The Superintendent, H.M.C. Dockyard, Halifax, N.S.
The Commanding Officer, R.C.N. Air Station, Dartmouth, N.S.
The Commanding Officer, H.M.C.S. "CORNWALLIS".
The Commanding Officer, H.M.C.S. "D'IBERVILLE".
The Commanding Officer, H.M.C.S. "CAPE BRETON".
The Canadian Naval Commander, Newfoundland.
The Commanding Officer, H.M.C.S. "MAGNIFICENT".
The Commanding Officer, H.M.C.S. "QUEBEC".
The Commanding Officer, H.M.C.S. "HAIDA".
The Commanding Officer, H.M.C.S. "HURON".
The Commanding Officer, H.M.C.S. "IROQUOIS".
The Commanding Officer, H.M.C.S. "MICMAC".
The Commanding Officer, H.M.C.S. "ALGONQUIN".
The Commanding Officer, H.M.C.S. "PRESTONIAN".
The Commanding Officer, H.M.C.S. "TORONTO".
The Commanding Officer, H.M.C.S. "LAUZON".
The Commanding Officer, H.M.C.S. "WALLACEBURG".
The Commanding Officer, H.M.C.S. "NEW LISKEARD".
The Commanding Officer, H.M.C.S. "PORTAGE".
The Commanding Officer, H.M.C.S. "GRANBY".
The Commanding Officer, H.M.C.S. "GASPE".
The Commanding Officer, H.M.C.S. "COWICHAN".
The Commanding Officer, H.M.C.S. "THUNDER".
The Commanding Officer, H.M.C.S. "CHIGNECTO".
The Commanding Officer, H.M.C.S. "WHITETHROAT".
The Commanding Officer, H.M.C.S. "DIGBY".

COPY: The Naval Secretary, Naval Headquarters.
The Flag Officer, Pacific Coast.
The Commanding Officer, Naval Divisions.

W.B. Bidwell

Return to Mr. Day.

SUMMARY OF COURTS MARTIAL HELD IN THE ATLANTIC COMMAND DURING 1953(RESTRICTED)

<u>DATE OF TRIAL</u>	<u>WHERE HELD</u>	<u>NAME OF ACCUSED</u>	<u>PROPER SHIP</u>	<u>SECTION OF NDA AND STATEMENT OF OFFENCE</u>	<u>VERDICT</u>	<u>PUNISHMENT</u>	<u>REMARKS</u>
22 April 1953	SHEARWATER	PIPC3 [REDACTED] 51430-E	SHEARWATER	1. Sec. 97 - By Neglect of instructions omitted to do something which omission was likely to result in damage to Her Majesty's aircraft. 2. Sec. 98 - Signed an inaccurate certificate in relation to an aircraft without having taken reasonable steps to ensure that it was accurate.	Not Guilty	N/A	No prima facie case
4 June 1953	SHEARWATER	LCDR(P) [REDACTED] R.C.N. 0-76436	SHEARWATER	1. Sec. 97 - Negligently did an act which resulted in destruction of Her Majesty's aircraft. 2. Sec. 97 - Negligently did an act which act was likely to result in destruction of Her Majesty's aircraft.	Guilty	Reprimanded -----	
18 June 1953	STADACONA	PIER4 [REDACTED] 8843-H	NEW LISKEARD	1. Sec. 88 - Drunkenness	Not Guilty	N/A	-----
21 & 22 Aug '53	QUEBEC	Commander [REDACTED] R.C.N. 0-13420	HURON	1. Sec. 95 - By Default suffered to be stranded one of H.M.C. Ships. 2. Sec. 118 - Neglect to the prejudice of good order and discipline. 3. Sec. 118 - Neglect to the prejudice of good order and discipline.	Guilty	Severely Reprimanded -----	

- 2 -

DATE OF TRIAL	WHERE HELD	NAME OF ACCUSED	PROPER SHIP	SECTION OF NDA AND STATEMENT OF OFFENCE	VERDICT	PUNISHMENT	REMARKS
21 & 22 Aug '53	STADACONA	LT [REDACTED] R.C.N. 0-22372	HURON	1. Sec. 95 - Negligently Stranded one of Her Majesty's Canadian Ships.	Not Guilty	N/A	
				2. Sec. 118 - Neglect to the prejudice of good order and discipline.	Guilty	Severely Reprimanded -----	
				3. Sec. 118 - Neglect to the prejudice of good order and discipline.	No prima facie case	N/A	
21 & 22 Aug '53	STADACONA	LCDR [REDACTED] R.C.N. 0-72895	HURON	1. Sec. 95 Negligently stranded one of Her Majesty's Canadian Ships.	Guilty		
				2. Sec. 118 - Neglect to the prejudice of good order and discipline.	Guilty	Severely Reprimanded -----	
				3. Sec. 118 - Neglect to the prejudice of good order and discipline.	Guilty		
7 Sept '53	MAGNIFICENT	SUBLT [REDACTED] R.C.N. 0-78927	MAGNIFICENT	1. Sec. 88 - Drunkenness	Guilty	Dismissal from HMCS MAGNIFICENT -----	
15 Oct '53	SHEARWATER	PLAT 3 [REDACTED] 23130-H	SHEARWATER	1. Sec. 104 - Stealing	Guilty	Reduction in rank to Able Seaman	In accordance with QRCA 114.25(2) (c), New sentence of red- uction to P2 sub- stituted by FOAC
				2. Sec. 118 - Conduct to the prejudice of of good order and discipline	Not Guilty	N/A	

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<u>DATE OF TRIAL</u>	<u>WHERE HELD</u>	<u>NAME OF ACCUSED</u>	<u>PROPER SHIP</u>	<u>SECTION OF NDA AND STATEMENT OF OFFENCE</u>	<u>VERDICT</u>	<u>PUNISHMENT</u>	<u>REMARKS</u>
14 Oct '53	CORNWALLIS	PLSW3 [REDACTED] 50933-H	CORNWALLIS	1. Sec. 104 - Stealing when entrusted by reason of his employment, with the custody, control or distribution of the things stolen	Not Guilty	) ) ) N/A))	
				2. Sec. 118 - Neglect to the prejudice of good order and discipline.	Guilty	) Dismissal) from Her) Majesty's) Service.	-----
27 & 28 Oct '53	STADACONA	OSCK1 [REDACTED] 51401-H	STADACONA	1. Sec. 79 - Deserted	Guilty	) Dismissal) from Her) Majesty's) Service &) 12 months) detention.	Under provisions of QRCM 114.27 FOAC mitigated sentence of detention to 9 months.
2 Nov. 1953	STADACONA	AB(NQ)S [REDACTED] 12315-H	HAIDA	1. Sec. 79 - Deserted	Guilty	) Dismissal) from Her) Majesty's) Service and) 6 months) detention	-----
10 Nov. 1953	STADACONA	AB(NQ)S [REDACTED] 16316-H	ALGONQUIN	1. Sec. 79 - Deserted	Guilty	) 90 days) detention.	-----
20 Nov. 1953	STADACONA	ABEMS [REDACTED] 8918-H	CAPE BRETON	1. Sec. 79 - Deserted	Not Guilty of Desertion Found guilty of Absence without leave under Section 81.)	) Dismissal) from Her) Majesty's) Service.) 6 months) detention.	Sentence of detention reduced to 4 months by FOAC.

s.19(1)

- 4 -

<u>DATE OF TRIAL</u>	<u>WHERE HELD</u>	<u>NAME OF ACCUSED</u>	<u>PROPER SHIP</u>	<u>SECTION OF NDA AND STATEMENT OF OFFENCE</u>	<u>VERDICT</u>	<u>PUNISHMENT</u>	<u>REMARKS</u>
24 Nov. 1953	STADACONA	ABEMS [REDACTED] 11755-H	STADACONA	1.Sec.79-Deserted	Guilty	) Dismissal) from Her) Majesty's) Service.) 9 months) detention.	-----
4 Dec. 1953	STADACONA	LT(S) [REDACTED] R.C.N. 0-68060	STADACONA	1.Sec.81-Absented him- self without leave.	Guilty	) Dismissal) from HMCS) STADACONA.	-----
				2.Sec.88-Drunkenness on duty.	Guilty	) Fined) \$200.00	
21 Dec. 1953	STADACONA	AB(NQ)S [REDACTED] 15277-H	STADACONA	1.Sec.79-Deserted	Guilty	) 6 months) detention	-----
22 Dec. 1953	STADACONA	OSS [REDACTED] 13300-H	STADACONA	1.Sec.79-Deserted	Guilty	) Dismissal) from Her) Majesty's) Service.) 5 months) detention.	Sentence of detention remitted by FOAC.

NSC 4255-1 V.3(JAF)

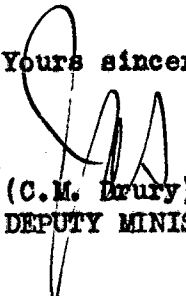
, 14 May, 1952.

Dear Sir:

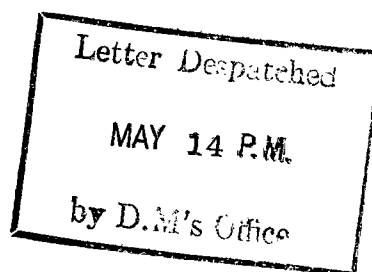
Reference is made to your letter of 5 May, 1952, to the Judge Advocate General requesting Court Martial returns for the Royal Canadian Navy from 1900 to 1950.

Court Martial returns are classified as confidential and intended for use by the Service authorities only. It is regretted therefore that your request cannot be granted.

Yours sincerely,


(C.M. Drury)
DEPUTY MINISTER.

J.A. Coates, Esq.,
Research Assistant,
Provincial Archives,
VICTORIA, B.C.




AS
JAF
4/15

CR pa



PROVINCIAL ARCHIVES
VICTORIA, B.C.

1952 MAY 7 PM 2:15

REFERRED TO *la G.*
FILE *C-4255-1*
CHG'D. TO *JAG 12-4*
May 5, 1952.

Judge Advocate General,
Department of National Defence,
Ottawa, Ont.

Dear Sir:

I am anxious to compare Court Martial returns for the Royal Canadian Navy for the half century from 1900 to 1950. If you could advise me how I may obtain a record of courts martial during that period, particularly from 1940 to 1950, I would be most obliged.

Yours faithfully,

J. A. Coates
J. A. Coates,
Research Assistant.

II
D/CNP
Passed for your
attention and reply, pls.
RCN court martials recorded
were not kept by this office
for the period in question.

W. M. W. Shaw
(W. M. W. Shaw)
Col.
DJAG

MAY -9 1952

Dep Sec Gen (N)
for N/A
W. M. W. Shaw

CM returns are
classified as conf. - for
use in connection by
service authorities only.
It is therefore requested

Pras
SAC

NSC 4255-1 (JAF)

CONFIDENTIAL

, 25 March, 1952.

c 4255-1

RETURN OF COURTS MARTIAL

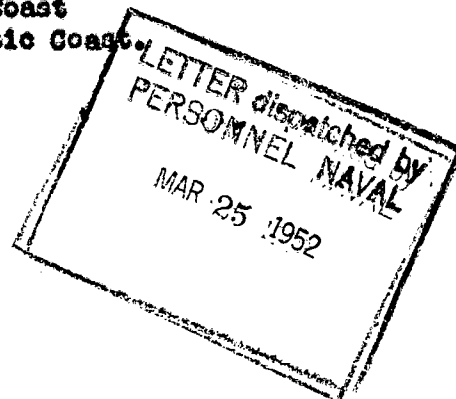
Enclosed is a Return of Courts Martial for the years 1949, 1950 and 1951 prepared pursuant to Naval General Order 112.05/1. The last regular return of courts martial was in respect of the year 1948.

2. In future, the Return will be issued annually. Convening authorities may find it convenient to prepare and keep up to date a nominal index.

RS

NAVAL SECRETARY.

The Flag Officer Pacific Coast
The Flag Officer Atlantic Coast



PORA
JAF

s.19(1)

CONFIDENTIAL

RETURN OF COURTS MARTIAL FOR YEARS 1949, 1950 AND 1951,
PREPARED PURSUANT TO NAVAL CHITRAL ORDER 112.05/1.

(Items marked "(DCL)" are Disciplinary Courts Martial)

PART I - Officers

DATE	NAME	RANK	SHIP	CHARGES	FINDING AND SENTENCE
23-25 April, 1949		Surgeon Lt.-Cdr(P) O-1540	"LACONIFICENT"	1, 2, 3 - Indecent assault 4,5,6,7 - Acts to the prejudice of good order and naval discipline	First, Second, Fourth, Fifth, Sixth and Seventh Charges not proved. Third charge proved. Adjudged to be dismissed from HMC Naval Service.
8-9 June, 1949		Lieutenant O-61190	"STADACOLA"	1 - Indecent assault 2 - Conduct unbecoming in lying down beside a rating 3 to 7 - Acts to the prejudice of good order and naval discipline	First and Sixth Charges not proved. Third and Fourth charges withdrawn. Second, Fifth and Seventh Charges proved. Adjudged to be dismissed from HMC Naval Service.
The Minister dissented from the Findings in respect of the Fifth and Seventh Charges, directing that a Finding of "Not proved" be registered in the case of those charges. No alteration in sentence.					
28 June, 1949		Commodore O-51550	"LACONIFICENT"	1 - Stranding ship 2 - Hazarding ship 3 - Suffering ship to be stranded 4 - Suffering ship to be hazarded	First and Second Charges not proved. Third and Fourth charges proved. Adjudged to be dismissed from his ship and to be reprimanded.
29 June, 1949		Lt.-Cdr. O-37090	"LACONIFICENT"	1 - Stranding ship 2 - Hazarding ship 3 - Suffering ship to be stranded 4 - Suffering ship to be hazarded	First, Third and Fourth charges not proved. Second charge proved. Adjudged to be reprimanded.

- 2 -

<u>DATE-</u>	<u>NAME</u>	<u>RANK</u>	<u>SHIP</u>	<u>CHARGES</u>	<u>FINDING AND SENTENCE</u>
22 December, 1949		Lieutenant (P) O-54214	"STADACONA"	Acts to the prejudice of good order and naval discipline in:- 1 - not ensuring that a passenger in his aircraft was provided with safety equipment 2,3,4 - Contravening Flying Orders	Fourth charge withdrawn. Acquitted of First, Second and Third charges on the grounds that no prima facie case had been established.
1950 23,24 & 25 June,		Lieutenant (S) O-54130	"OUELARIO"	1 - Neglect of duty in failing to maintain proper accounts for canteen 2 - Neglect of duty in failing to supervise operation of canteen 3 - Neglect of duty in failing to keep accurate record of sale value of canteen stock 4 - Making false document 5,6,7,8 - Fraudulently omitting to account for funds.	Fourth and eighth charges not proved. First, Second, Third Fifth, Sixth and Seventh charges proved. Adjudged to forfeit two years seniority and to be severely reprimanded.
The Minister dissented from the Findings in respect of the Fifth, Sixth and Seventh Charges and directed that a Finding of "Not Proved" be registered in the case of those charges. No alteration in sentence.					
8 & 9 November,		Lieutenant (S) RCN(R) O-20570	"STADACONA"	1 - Drunk on shore 2,3 - Conduct unbecoming character of an officer 4 - Overpayment to himself 5 - Neglect of duty in leaving funds in insecure place 6 - Failing to enter pay receipts in pay list	Third, Fifth and Sixth charges not proved. First, Second and Fourth charges proved. Adjudged to be dismissed from RMC Naval Service.

s.19(1)

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- 3 -

<u>DATE</u>	<u>NAME</u>	<u>RANK</u>	<u>SHIP</u>	<u>CHARGES</u>	<u>FINDING AND SENTENCE</u>
24 January, 1951		Lieutenant (P) 0-23163	"SHEARWATER"	1 - Drunk on board 2,3 - Wilful disobedience of lawful command of his superior officer	Pleaded guilty to First charge. Second and Third charges not proved. Adjudged to be severely reprimanded.
21 June, 1951		V.Cd. Stores Officer 0-43656	"HADDUP"	1 - Struck his superior officer 2 - Attempted to strike his superior officer 3 - Act to the prejudice of good order and naval discipline in: attempting to strike a Petty Officer	All charges proved. Adjudged to forfeit 6 months seniority as an A/Cd. Stores Officer, to be dismissed from his ship, and to be severely reprimanded.
(The Chief of the Naval Staff annulled the punishment of forfeiture of seniority on the grounds that this punishment cannot legally be imposed upon an Acting Commissioned Officer.)					
5 October, 1951		Lieutenant 0-57265	"NEW LISHEARD"	1 - Negligent performance of duty as C.B. officer in destroying C.B.'s in the absence of the officer who counter-signed the certificate of destruction 2 - Negligent performance of duty as C.B. officer in submitting a certificate of muster counter- signed by an officer who had not witnessed the muster. 3 - Neglect to prejudice in signing certificate of muster of C.B.'s, knowing that the muster was not conducted in accordance with regulations.	Pleaded guilty to all charges. Adjudged to be dismissed his ship and to be severely reprimanded.

..4

- 4 -

<u>DATE</u>	<u>NAME</u>	<u>RANK</u>	<u>SHIP</u>	<u>CHARGES</u>	<u>FINDING AND SENTENCE</u>
6 October, 1951		Cd. Engineer 0-75634	"NEW LISKEARD"	Acts to the prejudice of good order and naval discipline in: 1 - signing a certificate of muster of C.B.'s which muster he had himself not witnessed 2 - signing a certificate of destruction of C.B.'s which destruction he had not himself witnessed.	Pleaded guilty to both charges. Adjudged to forfeit one year's seniority and to be severely reprimanded.
26 September, 1951		Commander 0-7320	"ONTARIO"	1 - Behaved in a scandalous manner unbecoming an officer 2 - Conduct to the prejudice of good order and naval discipline in being in an improper place.	Pleaded guilty to both charges. Adjudged to be dismissed from HM Service.
(DCN) 25 September, 1951		Lieutenant 0-1238	"EURON"	1 - Absented himself without leave 2 - Conduct to the prejudice of good order and discipline in arriving on board late.	Pleaded guilty to First charge. Acquitted on Second charge on the grounds that no prima facie case had been established. Adjudged to be reprimanded.

s.19(1)

RETURN OF COURTS MARTIAL FOR YEARS 1949, 1950 AND 1951.
PREPARED PURSUANT TO NAVAL GENERAL ORDER 112.05/1.

PART II - ITN

<u>DATE</u>	<u>NAME</u>	<u>RANK</u>	<u>SHIP</u>	<u>CHARGES</u>	<u>FINDING AND SENTENCE</u>
4-6 April, 1950		Chief Potty Officer, 2nd Class 2161-H	"SEADACONA"	1 - Fraudulent omission to account for funds 2, 3 - neglect of duty 4, 5 - fraudulently concurred with making false entries in books 6, 7 - uttered forged documents	Third and Fifth charges not proved. First, Second, Fourth, Sixth and Seventh charges proved. Adjudged to be imprisoned for one year and dismissed from HM Naval Service.
11-12 July, 1951		Potty Officer 2nd Class 51637-H	"SHEARWATER"	1, 3 - Theft of public stores 2,4,5,6 - Acts to the prejudice in being in improper possession of public stores	The Prosecution having failed to establish a prima facie case, the accused was acquitted of all charges.

H.Q. 1024

NAVAL SERVICE - MINUTE SHEET

FILE NO. -

REFERRED TO

REMARKS (With Signature, Position & Date)

~~Col P.~~

Agree with A/CNP (A)'s opinion
to this subject.

So long as Consenting
authorities are kept in
picture, a confidential
return is all req'd.

2. For the rest you it is
rather like reading a
scandal sheet and if
placed in wrong hands could
do harm. Sufficient
publicity is declined be
given to a COT at the time
for the lesson to him in if
accused is convicted.

ledh
JCNP
7 Aug

Concur
JCNP
8/8

16 13/8

Dep Sec Pers (14)
P.A.

Pers (N) File Room

000122

A/CNP (A) PR

NSC 4255-1

- NAVAL HEADQUARTERS -

MEMORANDUM

TO: DCNP

CNP

&

CNS

W. H. C. N. P. 8.8.51
Recommend approval Para 5

PUBLICATION OF COURTS MARTIAL RETURNS

The practice in the past has been for JAF to prepare, every two years, a return of courts martial. This shows the persons tried by court martial, whether convicted or acquitted, the nature of the charges and the finding and the sentence, if any. This return is promulgated fairly generally, and copies go to designated authorities and bodies outside the RCN.

2. There is nothing in regulations requiring that this be done; it is simply a practice that has been followed in the RN for many years and carried over into our service.

3. It is my opinion that in the light of modern conditions, the practice of promulgating this information generally should be discontinued, on the grounds that it may cause injustice. As an example, in 1949 a medical officer was convicted of an unnatural offence. He was sentenced to dismissal from the Service, which, of course, was the appropriate sentence. As a result, this physician experienced considerable difficulty in settling into civilian practice, although he finally succeeded in doing so. He was recently married. The modern tendency is to regard an offence of this kind as indicative of an inherent tendency which frequently is not the fault of the offender. Although we must deal firmly with such cases, as a deterrent to "borderline" cases who are capable of keeping the tendency under control, under the fear of punishment, our main interest is in getting them out of the Service. When this has been done, nothing more is required and we should, in my opinion, avoid taking measures that will result in carrying consequences of the offence into civilian life. Knowing the circumstances of this case fully, and aware that the offender has now, as a result of medical attention and other measures, settled into a normal way of life, I am most unwilling to publish details in a court martial return which is almost bound to come to the attention of the public.

4. The sole purpose of a return of courts martial is to ensure that authorities who convene courts martial will know whether the accused has previously been convicted by court martial of another offence. This can be accomplished simply by promulgating a confidential return to those who are empowered to convene courts martial, namely the Flag Officers.

5. I would, therefore, like to have your approval to discontinue the formal promulgation of courts martial returns and to limit action to providing convening authorities with the necessary information on a confidential basis.

APPROVED
[Signature]
C.N.S.
9-8 9/8

[Signature]
JUDGE ADVOCATE OF THE FLEET.

OTTAWA,
7 August, 1951.

000123

IN REPLY PLEASE QUOTE NO. NUK: 4255-1

Department of National Defence
NAVAL SERVICE

CANADA

CONFIDENTIAL

19th September, 1951

FROM: Naval Member Canadian Joint Staff (London),
66, Ennismore Gardens,
LONDON, S.W. 7

TO: The Naval Secretary,
Naval Headquarters,
OTTAWA,
CANADA

Referred to

SEP 24 1951

File No.

Chgd to

25951
Pers (N) File Room

Three copies of the Return of Officers tried by Court-Martial and three copies of the Return of Petty Officers, Seamen and Royal Marines during the quarter ended 31st March, 1951, are submitted.

(O.C.S. Robertson)
CAPTAIN, RCN.

Enclosures



NAVAL SERVICE

22nd June, 1951

Referred to.....

JUN 29 1951

File No. 64255-1

SAF 477 - Ciga to

(O.C.S. Robertson)
CAPTAIN, RCN.

Enclosures

[Crown Copyright Reserved]

TO BE KEPT LOCKED UP WHEN NOT IN USE

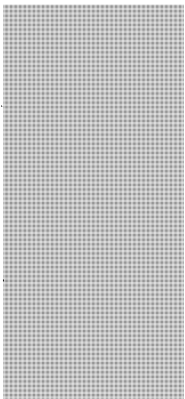
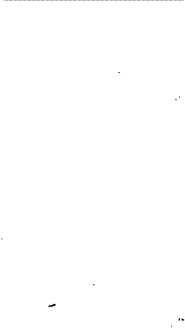

ADMIRALTY

RETURN OF

OFFICERS TRIED BY COURT MARTIAL

DURING THE

QUARTER ENDED THE 31ST MARCH, 1951

No.	Date of Trial	Name	Rank	Name of Ship
7003	10th January, 1951		Lieutenant, R.N.	SEAHAWK
7004	22nd January, 1951		Lieutenant, R.N.	H.M.M.M.S. 1061
7005	26th January, 1951		Lieutenant Commander, R.N.	H.M.M.M.S. 1061

Substance of Charge preferred

Finding and Sentence

First and Second. Negligent performance of duty.

Third. Negligently or by default suffering a certain aircraft to be lost.

First. Act to the prejudice of good order and naval discipline in that, whilst acting in the capacity of Honorary Treasurer of the Canteen Fund of H.M. M.M.S. 1061, he did use for his own purpose the sum of ninety eight pounds, five shillings and sixpence belonging to the Canteen Fund of the ship, thereby contravening K.R. and A.I. Article 635, paragraph 4.

Second and Third. Negligent performance of duty.

Fourth. Knowingly signing a false official document.

First, Second and Third. Negligent performance of duty.

Fourth. Knowingly making a false official document.

Fifth. Negligent performance of duty.

First charge proved
Second and Third charges not proved and he was acquitted of the same accordingly. Adjudged to be reprimanded.



Charges proved. Adjudged to be dismissed from His Majesty's Service.

Charges proved. Adjudged to forfeit all seniority as a Lieutenant Commander in His Majesty's Fleet, to be dismissed from His Majesty's Ship COCHRANE for His Majesty's Ship LOCHINVAR and to be severely reprimanded.

No.	Date of Trial	Name	Rank	Name Ship
7006	30th January, 1951		Lieutenant R.N.	R. A. F. STATION, SYERSTON
* General Court Martial				
7007	2nd February, 1951		Commander, O.B.E. D.S.C., R.N.	COCHRANE
7008	9th and 10th February, 1951		Lieutenant, R.N.	DRAKE (BARBASTEL)
7009	22nd February, 1951		Lieutenant, M.B.E., R.N.	SISKIN
7010	23rd February, 1951		Commissioned Gunner R.N.	JAMAICA

Substance of Charge preferred	Finding and Sentence
<p>Neglect to the prejudice of good order and Air Force discipline in that he gave a cheque without having ensured that his bank account was in funds to meet it.</p>	<p>Charge proved. Adjudged to lose six months seniority and to be severely reprimanded.</p>
<p><u>First, Second, Third, Fourth and Fifth.</u> Act to the prejudice of good order and naval discipline in failing to settle his mess accounts with the Wardroom Mess of H.M.S. COCHRANE thereby contravening K.R. and A.I. Article 621, paragraph 2. <u>Sixth.</u> Negligent performance of duty.</p>	<p>Charges proved. Adjudged to be severely reprimanded.</p>
<p><u>First, Second and Third.</u> Negligent performance of duty.</p>	<p>Charges proved. Adjudged to be reprimanded.</p>
<p>The Lords Commissioners of the Admiralty dissented from the finding on the second charge but did not interfere with the sentence.</p>	
<p><u>First.</u> Act to the prejudice of good order and naval discipline in drinking intoxicating liquor to such excess as to produce illness by which he was unfitted for the discharge of his duty. <u>Second.</u> Act to the prejudice of good order and naval discipline in being outside the Royal Naval Air Station, Gosport, improperly dressed at 0345. <u>Third.</u> Drunk on board.</p>	<p>Charges proved. Adjudged to be dismissed from His Majesty's Ship SISKIN and to be severely reprimanded.</p>
<p><u>First.</u> Drunk on board being at that time on duty as the Officer of the Watch. <u>Second.</u> Sleeping on duty as Officer of the Watch.</p>	
	<p>Accused pleaded guilty to second charge. First and second charges proved. Adjudged to forfeit one years seniority as a Commissioned Gunner in His Majesty's Fleet, to be dismissed from His Majesty's Ship JAMAICA and to be severely reprimanded.</p>

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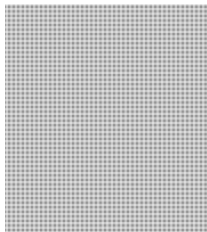


No.	Date of Trial	Name	Rank	Name Ship
7011	8th March, 1951		Lieutenant, R.N.	ORION (RAME HEAD)
7012	19th March, 1951		Lieutenant, R.N.	PEMBROKE

● Substance of Charge preferred	Finding and Sentence
<u>First.</u> Fraudulent conversion. <u>Second.</u> Negligent performance of duty.	Second charge proved. First charge not proved and he was acquitted of the same accordingly. Adjudged to be severely reprimanded.
<u>First, Second and Third.</u> Fraudulent conversion. <u>Fourth.</u> Uttering a forged receipt with intent to defraud.	Charges proved. Adjudged to be imprisoned for the term of nine calendar months, to be dismissed from His Majesty's Service and to suffer the consequential penalties involved.
The Lords Commissioners of the Admiralty were pleased to reduce the sentence of imprisonment to a term of $4\frac{1}{2}$ calendar months but did not otherwise interfere with the sentence.	

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ADMIRALTY

RETURN OF
PETTY OFFICERS, SEAMEN AND ROYAL MARINES
TRIED BY COURT MARTIAL
DURING THE
QUARTER ENDED THE 31ST MARCH, 1951



Date of Trial	Name	Rank	Name of Ship
4th January, 1951		Steward D/LX.846124	ORION (RAME HEAD)
15th January, 1951		Chief Petty Officer P/JX.128158	ZODIAC
26th and 27th January, 1951		Leading Stoker Mechanic C/KX.96476	BELFAST

Substance of Charge preferred	Finding and Sentence
Stealing	<p>Charge proved. Adjudged to be imprisoned for the term of twelve calendar months, and to be dismissed from His Majesty's Service and to suffer the consequential penalties involved.</p> <p>Charges not proved and the accused was acquitted of the same accordingly.</p>
<p><u>First.</u> Stealing.</p> <p><u>Second.</u> Receiving.</p> <p><u>Third.</u> Stealing.</p> <p><u>Fourth.</u> Receiving.</p> <p><u>Fifth.</u> Act to the prejudice of good order and naval discipline in contravening K.R. and A.I, Article 919, Clause (3) in landing a quantity of provisions and tobacco, for which Customs Duty had not been paid nor a Customs Landing Pass obtained.</p> <p><u>Sixth.</u> Act to the prejudice of good order and naval discipline in contravening paragraph 16 of Admiralty Fleet Order 1603/49 in landing a quantity of food from H.M.S. ZODIAC.</p> <p><u>Seventh.</u> Stealing.</p> <p><u>Eighth.</u> Act to the prejudice of good order and naval discipline in making use of one green suitcase without the consent of the owner.</p> <p><u>Ninth.</u> Stealing.</p> <p><u>Tenth.</u> Act to the prejudice of good order and naval discipline in making use of one green suitcase without the consent of the owner.</p> <p>Act to the prejudice of good order and naval discipline in wilfully causing damage to No. 4 Diesel dynamo, by removing a cotter pin from the connecting gear linking the governor and fuel pump, thereby causing the diesel dynamo to overspeed and consequent damage to the Diesel Dynamo.</p>	<p>Charge proved. Adjudged to be deprived of two Good Conduct Badges, to be disgraced to Stoker Mechanic, to be imprisoned for the term of two years, to be dismissed from His Majesty's Service and to suffer the consequential penalties involved.</p>
<p>The Lords Commissioners of the Admiralty quashed the conviction and annulled the sentence.</p>	

Date of Trial	Name	Rank	Name of Ship
30th January, 1951		Stoker Mechanic P/SKY. 880266	STARLING
1st and 2nd February, 1951		Petty Officer D/JX. 145560 Ordinary Seaman D/JX. 843960	NIGERIA

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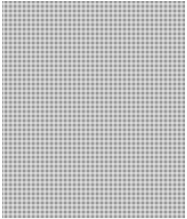
Substance of Charge preferred	Finding and Sentence
<p><u>First.</u> Improperly leaving H.M.S. STARLING.</p> <p><u>Second.</u> Wilful disobedience.</p>	<p>Charges proved.</p> <p>Adjudged to be imprisoned for the term of eighteen calendar months and to be dismissed from His Majesty's Service and to suffer the consequential penalties involved.</p>
<p><u>First.</u> Committing buggery the one with the other.</p> <p><u>Second.</u> Committing an act of gross indecency the one with the other, both being male persons.</p> <p><u>Third.</u> Act to the prejudice of good order and naval discipline in being in an improper place without reasonable excuse.</p>	<p>First and Third charges proved.</p> <p>Second charge not proved and they were acquitted of the same accordingly. First accused (Whelan) adjudged to be imprisoned for the term of two years and to be dismissed with disgrace from His Majesty's Service and to suffer the consequential penalties involved.</p> <p>Second accused (Pacey) adjudged to be imprisoned for the term of eighteen calendar months and to be dismissed from His Majesty's Service, and to suffer the consequential penalties involved.</p> <p>000137</p>

Date of Trial	Name	Rank	Name of Sh
12th February, 1951		Acting Petty Officer Stoker Mechanic C/KX.96704	LOCH ARKAIG
14th February, 1951		Writer C/SMX.834790	AFRIKANDER
s.19(1)			

Substance of Charge preferred	Finding and Sentence
<p><u>First.</u> Attempting to strike his superior officer.</p> <p><u>Second.</u> Using threatening language to his superior officer.</p> <p><u>Third.</u> Using insulting language to his superior officer.</p> <p><u>Fourth.</u> Act to the prejudice of good order and naval discipline in inviting junior ratings into the Petty Officer Stoker Mechanic's Mess for the purpose of entertainment.</p> <p><u>Fifth.</u> Assault.</p>	<p>First, second, third and fifth charges proved. Fourth charge not proved and he was acquitted of the same accordingly. Adjudged to be disgraced to Stoker Mechanic and to be deprived of two Good Conduct Badges.</p>
<p>The Lords Commissioners of the Admiralty dissented from the findings on the first, second and fifth charges and were pleased to reduce the sentence to deprivation of two Good Conduct badges.</p>	
<p><u>First and Second.</u> Obtaining money by false pretences with intent to defraud.</p> <p><u>Third.</u> Fraudulent conversion.</p> <p><u>Fourth.</u> Act to the prejudice of good order and naval discipline in not paying his bill having been paid the sum of £12.10.0.</p> <p><u>Fifth and Sixth.</u> Knowingly making a false official document.</p> <p><u>Seventh.</u> Act to the prejudice of good order and naval discipline in making a false letter offering civilian employment purporting to be signed by the Captain-in-Charge, Simonstown.</p> <p><u>Eighth.</u> Knowingly making a false official document.</p> <p><u>Ninth.</u> Act to the prejudice of good order and naval discipline in making a false certificate of his character, efficiency and reliability purporting to be signed by the Captain-in-Charge, Simonstown.</p> <p><u>Tenth.</u> Act to the prejudice of good order and naval discipline in contravening Article 608, clause 3, of K.R. and A.I., in altering the period and type of his engagement on his Service Certificate, Form S.459 without the proper authority.</p> <p><u>Eleventh.</u> Stealing.</p> <p><u>Twelfth.</u> Act to the prejudice of good order and naval discipline in not handing over to the proper authority the sum of approximately eight pounds and four silver plated drinking cups in a leather case which had come into his possession without the consent of the owner.</p> <p><u>Thirteenth.</u> Desertion.</p>	<p>First, second, third, fifth, sixth, seventh, eighth, ninth, tenth, eleventh and thirteenth charges proved. Fourth and twelfth charges not proved and he was acquitted of the same accordingly. Adjudged to be imprisoned for the term of fifteen calendar months, to be dismissed from His Majesty's Service, and to suffer the consequential penalties involved.</p>

Date of Trial	Name	Rank	Name of Ship
15th February, 1951		Ordinary Seaman P/JX. 874280	VICTORY
15th March, 1951		Acting Petty Officer Steward (Local) C/LX. 22855	JUTLAND and AISNE (NEPTUNE)
20th March, 1951		Late Stoker Mechanic P/SKX. 880266	VICTORY

Substance of Charge preferred	Finding and Sentence
<p>Striking his superior officer.</p>	<p>Charge proved. Adjudged to be imprisoned for the term of eighteen calendar months and to be dismissed from His Majesty's Service and to suffer the consequential penalties involved.</p>
<p><u>First.</u> Fraudulent Conversion. <u>Second, Third, Fourth, Fifth, Sixth and Seventh.</u> Uttering a forged receipt, with intent to defraud. <u>Eighth.</u> Improperly leaving his ship.</p>	<p>Charges proved. Adjudged to be imprisoned for the term of twelve calendar months and to suffer the consequential penalties involved, to be dismissed from His Majesty's Service, and to forfeit four days' pay.</p>
<p>Striking his superior officer.</p> <p>The Lords Commissioners of the Admiralty were pleased to reduce the term of imprisonment from one year to nine calendar months.</p>	<p>Charge proved. Adjudged to be imprisoned for the term of one year such sentence to commence at the expiration of his present sentence.</p>

Date of Trial	Name	Rank	Name of Ship
28th March, 1951		Stoker Mechanic C/SKX. 860359 Stoker C/SKX. 891791	BELFAST

Substance of Charge preferred	Finding and Sentence
<p><u>First.</u> Absence without leave.</p> <p><u>Second.</u> Improperly leaving H.M.S. KENYA.</p> <p><u>Third.</u> Act to the prejudice of good order and naval discipline in improperly taking away from H.M.S. KENYA a motor cutter.</p> <p><u>Fourth.</u> Absence without leave.</p> <p><u>Fifth.</u> Improperly leaving H.M.S. BELFAST.</p> <p><u>Sixth.</u> Act to the prejudice of good order and naval discipline in improperly taking away from H.M.S. BELFAST, a pinnacle.</p> <p><u>Seventh.</u> Desertion.</p> <p><u>Eighth.</u> (Against the second accused only) Return on board ship drunk.</p>	<p>First, second, third, fourth, fifth and sixth charges proved against both accused. Eighth charge proved against [REDACTED] only. Seventh charge not proved but they remained absent without leave 3 days and 21 hours. First accused [REDACTED] adjudged to be imprisoned for the term of twelve calendar months, to be dismissed from His Majesty's Service, to suffer the consequential penalties involved, and to be deprived of 12 days pay. Second accused Low adjudged to be imprisoned for the term of twelve calendar months, to be dismissed from His Majesty's Service, to suffer the consequential penalties involved, and to be deprived of 13 days' pay.</p>

The Lords Commissioners of the Admiralty dissented from the finding on the fourth and seventh charges but did not interfere with the sentence.

ROYAL NEW ZEALAND NAVY

RETURN OF MEN TRIED BY

COURT MARTIAL

Date of Trial	Name	Rank	Name of Ship
8th March, 1951		Able Seaman N.Z. 10696	PHILOMEL
13th March, 1951		Leading Cook (S) N.Z. 13312	PHILOMEL
19th March, 1951		Petty Officer Stoker Mechanic N.Z. 12315	PHILOMEL

Substance of Charge preferred	Finding and Sentence
<u>First.</u> Buggery. <u>Second.</u> Act of gross indecency. <u>Third.</u> Being in an enclosed space with another rating.	Charges not proved.
<u>First.</u> Buggery. <u>Second.</u> Committing an act of gross indecency. <u>Third.</u> Conduct to the prejudice of good order and naval discipline. <u>Fourth.</u> Absence without leave.	First, second and third charges not proved. Fourth charge proved. Sentenced to forfeiture of 17 days pay and leave.
Committing an indecent assault on another rating.	Charge proved. Sentenced to six calendar months imprisonment dismissal from His Majesty's Service forfeiture of Campaign and Commemorative medals and to suffer the consequential penalties involved.

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ADMIRALTY

RETURN OF

OFFICERS TRIED BY COURT-MARTIAL

DURING THE

QUARTER ENDED THE 31ST DECEMBER, 1950

No.	Date of Trial	Name	Rank	Name of Ship
6993	31st October, 1950		Lieutenant, R.N.	SEAHAWK
6994	2nd November, 1950		Commander, O.B.E., R.N.	DAEDALUS
6995	9th November, 1950		Lieutenant, R.N.	FORTH

Substance of Charge preferred	Finding and Sentence
<p><u>First.</u> Negligent performance of duty. <u>Second.</u> Negligently or by default suffering a certain aircraft to be lost.</p> <p>The Lords Commissioners of the Admiralty dissented from the finding on the second charge but did not otherwise interfere with the findings or sentence.</p>	<p>Charges proved. Adjudged to be severely reprimanded.</p>
<p><u>First.</u> Wilful disobedience. <u>Second.</u> Act to the prejudice of good order and naval discipline in contravening Admiralty Fleet Order 4216/48, paragraph 1 in driving a Service motor car, he not being in possession of an Admiralty Driving Permit.</p> <p>The Lords Commissioners of the Admiralty dissented from the finding on the first charge and reduced the sentence to a severe reprimand, remitting the forfeiture of one year's seniority and the dismissal from H.M.S. DAEDALUS.</p>	<p>Charges proved. Adjudged to forfeit one year's seniority as a Commander in His Majesty's Fleet, to be dismissed from His Majesty's Ship DAEDALUS and to be severely reprimanded.</p>
<p><u>First.</u> Committing an act of gross indecency with another male person. <u>Second.</u> Inciting a rating to commit buggery with him. <u>Third.</u> Act to the prejudice of good order and naval discipline in having a rating in his cabin without reasonable cause. <u>Fourth.</u> Act to the prejudice of good order and naval discipline in giving a rating intoxicating liquor in his cabin.</p>	<p>Third and fourth charges proved. First and Second charges not proved and he was acquitted of the same accordingly. Adjudged to be dismissed from H.M.S. FORTH and to be severely reprimanded.</p>

No.	Date of Trial	Name	Rank	Name of Ship
7000	30th November, 1950		Commissioned Engineer, R.N.	MAIDSTONE
7001	18th December, 1950		Lieutenant, R.N.	JUPITER (MULL OF GALLOWAY)
7002	19th December, 1950		Commissioned Cookery Officer, R.N.	DEADALUS

Substance of Charge preferred

Finding and Sentence

First. Act to the prejudice of good order and naval discipline in drinking intoxicating liquors to such excess as to produce illness, by which he was unfitted for the discharge of his duty between the 5th November, 1950, and 12th November, 1950, inclusive.

Second. Drunk on shore.

Drunk on duty.

First. With intent to defraud, obtaining a receipt for a sum of money, by falsely pretending that a cheque was good and valid.

Second. Act to the prejudice of good order and naval discipline in drawing a cheque for the sum of sixteen pounds not having any reasonable grounds for believing that it would be met on presentation.

Third. Desertion.

Charges proved.
Adjudged to be severely reprimanded.

Charge proved.
Adjudged to be dismissed from His Majesty's Ship JUPITER (MULL OF GALLOWAY) and to be reprimanded.

First charge not proved and he was acquitted of the same accordingly.
Second charge proved.
Third charge not proved but found that the accused improperly left his ship.
Adjudged to forfeit three years seniority as a Commissioned Cookery Officer in His Majesty's Fleet, to be dismissed from H.M.S. DAEDALUS and to be severely reprimanded.

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ADMIRALTY

RETURN OF
PETTY OFFICERS, SEAMEN AND ROYAL MARINES
TRIED BY COURT-MARTIAL
DURING THE
QUARTER ENDED THE 31ST DECEMBER, 1950

Date of Trial	Name	Rank	Name of Ship
9th October, 1950		Ordinary Seaman C/SSX.820398	PEMBROKE
25th October, 1950		Stoker Mechanic P/KX.879113	MYNDS
1st November, 1950		Sick Berth Attendant C/SMX.870631	PEMBROKE

Substance of Charge preferred

Finding and Sentence

First. Committing an act of gross indecency with another male person.
Second. Act to the prejudice of good order and naval discipline in permitting another rating to undress in his cabin and to remain there without reasonable excuse.

First charge not proved and he was acquitted of the same accordingly.
Second charge proved. Adjudged to be kept in detention for the period of forty two days.

Unlawfully setting fire to a sack of rags in the Engine Room of H.M.S. MYNGS.

Charge proved. Adjudged to be kept in detention for the term of nine calendar months and to suffer the consequential penalties involved.

First. Uncleaness.
Second. Act to the prejudice of good order and naval discipline in urinating in an improper place.
Third. Act to the prejudice of good order and naval discipline in being in an improper place without reasonable excuse.

Charges proved. Adjudged to be imprisoned for the term of nine calendar months and to be dismissed from His Majesty's Service and to suffer the consequential penalties involved.

S.19(1)

Date of Trial	Name	Rank	Name of Ship
22nd November, 1950	[REDACTED]	Able Seaman C/SSX.852264	JASEUR
24th November, 1950	[REDACTED]	Acting Sick Berth Chief Petty Officer (Local) P/MX.57808	TERROR

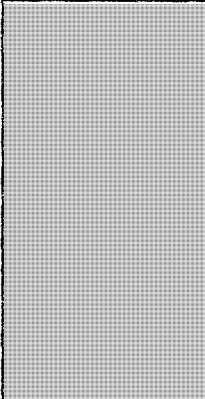
Substance of Charge preferred	Finding and Sentence
<p><u>First.</u> Committing buggery with another male person.</p> <p><u>Second.</u> Uncleaness.</p>	<p>First charge not proved and he was acquitted of the same accordingly. Second charge proved. Adjudged to be imprisoned for the term of three calendar months and to be dismissed from His Majesty's Service and to suffer the consequential penalties involved.</p>
<p><u>First.</u> Committing an indecent assault with another male person.</p> <p><u>Second.</u> Committing an act of gross indecency with another male person.</p> <p><u>Third.</u> Committing an indecent assault with another male person.</p> <p><u>Fourth.</u> Committing an act of gross indecency with another male person.</p> <p><u>Fifth.</u> Committing an indecent assault with another male person.</p> <p><u>Sixth.</u> Committing an act of gross indecency with another male person.</p>	<p>Charges not proved and the accused was acquitted of the same accordingly.</p>

Date of Trial	Name	Rank	Name of Ship
29th November, 1950		Leading Stores Assistant (S) P/MX.515509	PHOENICIA
29th November, 1950		Petty Officer C/JX.844923	JASEUR
1st December, 1950		Able Seaman P/JX.851261	LIVERPOOL

Substance of Charge preferred	Finding and Sentence
<p><u>First, Second, Third and Fourth.</u> With intent to defraud omitting from the Naval Store Ledger of H.M.S. PLUCKY a material particular.</p> <p><u>Fifth, Sixth and Seventh.</u> Stealing.</p> <p><u>Eighth and Ninth.</u> Knowingly making a false official document.</p>	<p>First, second, third, fourth and ninth charges proved.</p> <p>Fifth, sixth, seventh and eighth charges are not proved and he was acquitted of the same accordingly.</p> <p>Adjudged to be disgraced to Stores Assistant (S) and to be deprived of one Good Conduct Badge.</p>
<p><u>First.</u> Committing buggery.</p> <p><u>Second.</u> Committing an act of gross indecency with another male person.</p>	<p>Charges not proved and he was acquitted of the same accordingly.</p>
<p><u>First.</u> Stealing.</p> <p><u>Second.</u> Being an accessory after the fact.</p> <p><u>Third.</u> Stealing.</p> <p><u>Fourth.</u> Being an accessory after the fact.</p> <p><u>Fifth.</u> Stealing.</p> <p><u>Sixth.</u> Being an accessory after the fact.</p> <p><u>Seventh and Eighth.</u> Stealing.</p> <p><u>Ninth.</u> Being an accessory after the fact.</p> <p><u>Tenth.</u> Stealing.</p> <p><u>Eleventh.</u> Being an accessory after the fact.</p> <p><u>Twelfth.</u> Stealing.</p>	<p>Second, third, fifth, eighth and tenth charges proved.</p> <p>First, fourth, sixth, seventh, ninth, eleventh and twelfth charges not proved and he was acquitted of the same accordingly.</p> <p>Adjudged to be kept in detention for the term of six calendar months and to suffer the consequential penalties involved.</p>

Date of Trial	Name	Rank	Name of
14th December, 1950		Able Seaman D/SSX.831521	PADSTOW BAY
14th December, 1950		Leading Stores Assistant (Victualling) P/MX.56685	VAAGSO
20th December, 1950		Petty Officer C/JX.161613	PEMBROKE

Substance of Charge preferred	Finding and Sentence
<p><u>First.</u> Striking his superior officer.</p> <p><u>Second.</u> Behaving with contempt to his superior officer.</p>	<p>Charges proved</p> <p>Adjudged to be kept in detention for the term of nine calendar months, and to suffer the consequential penalties involved.</p>
<p><u>First.</u> Fraudulent conversion.</p> <p><u>Second.</u> Act to the prejudice of good order and naval discipline in contravening Article 1837, Clause 13 of K.R. and A.I. in failing to hand over to the Supply Officer of H.M.S. RANPURA the sum of eleven pounds, fifteen shillings and ten pence, received by him from the sale of cash clothing.</p> <p><u>Third and Fourth.</u> Negligent performance of duty.</p>	<p>First charge not proved and he was acquitted of the same accordingly.</p> <p>Second, third and fourth charges proved. Adjudged to be disgraced to Stores Assistant (Victualling) and to be deprived of two Good Conduct Badges.</p>
<p><u>First, Second, Third and Fourth.</u> Fraudulent Conversion.</p> <p><u>Fifth, Sixth, Seventh and Eighth.</u> Neglect to the prejudice of good order and naval discipline in failing to hand over to the Supply Officer, H.M.S. PEMBROKE II certain sums of money which he had received from the sale of soap and tobacco in H.M.S. BARNEATH.</p> <p><u>Ninth.</u> Negligent performance of duty.</p>	<p>Third and fourth charges proved.</p> <p>First, second, fifth, sixth, seventh, eighth and ninth charges not proved and he was acquitted of the same accordingly.</p> <p>Adjudged to be disgraced to Able Seaman and to be deprived of two Good Conduct Badges.</p>

Date of Trial	Name	Rank	Name of Ship
21st December, 1950		Petty Officer Cook(S) C/MX.57271 Stoker Mechanic C/SKX.790249 Stoker Mechanic C/SKX.867473	SUPERB

s.19(1)

Substance of Charge preferred	Finding and Sentence
<p><u>First.</u> Act to the prejudice of good order and naval discipline in that they were together in a confined space without reasonable excuse.</p> <p><u>Second.</u> (Against the first and second accused only.) Committing an act of gross indecency, the one with the other.</p> <p><u>Third.</u> (Against the third accused only.) Being a party to the commission of an act of gross indecency between first and second accused, being male persons.</p> <p>The Lords Commissioners of the Admiralty were pleased to reduce the sentence awarded to England to deprivation of one Good Conduct Badge but did not otherwise interfere with the sentences awarded to Ward and Trousdale.</p>	<p>First charge against the three accused is proved, but the second and third charges are not proved and they were therefore acquitted of the same accordingly.</p> <p>First accused adjudged to be deprived of two Good Conduct Badges and to have thirty days leave stopped.</p> <p>Second accused adjudged to be confined in a cell for fourteen days and to have thirty days leave stopped.</p> <p>Third accused adjudged to undergo fourteen days number eleven punishment, and to have thirty days leave stopped.</p>



CANADA

Department of National Defence

Naval Service

AIR MAIL

IN REPLY PLEASE QUOTE

No NUK: 4255-1

CONFIDENTIAL

24th April, 1951 194

FROM: Naval Member Canadian Joint Staff (London),
66, Ennismore Gardens,
LONDON, S.W. 7

TO: The Naval Secretary,
Naval Headquarters,
OTTAWA, CANADA

Referred to *[Signature]*

APR 30 1951

File No *4255-1*

Pers (N) File Room

Three copies of the Return of Officers tried by Court-Martial, and three copies of the Return of Petty Officers, Seamen and Royal Marines, during the quarter ended 30 September, 1950, are submitted.

JAF

[Signature]
(O.C.S. Robertson)
CAPTAIN, RCN.

Enclosures

000163

CONFIDENTIAL

South
Kensington
5625

THE NAVAL SECRETARY,

NAVAL HEADQUARTERS,

OTTAWA, CANADA

NUK: 4255-1
24.4.51



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ADMIRALTY

RETURN OF

PETTY OFFICERS, SEAMEN AND ROYAL MARINES



TRIED BY COURT MARTIAL

DURING THE

QUARTER ENDED THE 30TH SEPTEMBER, 1950

Date of Trial	Name	Rank	Name of Ship
3rd July, 1950		Acting Stoker Mechanic P/KX.857840	HIGHFLYER
17th July, 1950		Leading Stores Assistant (Victualling) D/MX.856220	NEPAL

Substance of Charge preferred	Finding and Sentence
<p><u>First and Second.</u> Indecent assault.</p> <p><u>Third.</u> Soliciting and inciting another male person to commit an act of gross indecency with him.</p> <p><u>Fourth.</u> Act to the prejudice of good order and naval discipline in being in the Royal Air Force band without reasonable excuse.</p>	<p>Charges proved.</p> <p>Adjudged to be imprisoned for the term of three calendar months and to be dismissed from His Majesty's Service and to suffer the consequential penalties involved.</p>
<p><u>First and Second.</u> Negligent performance of duty.</p> <p><u>Third.</u> Fraudulent conversion.</p> <p><u>Fourth.</u> Negligent performance of duty.</p> <p><u>Fifth.</u> Desertion.</p> <p><u>Sixth.</u> Improperly leaving H.M.S. NEPAL.</p>	<p>Second and fourth charges not proved and he was acquitted of the same accordingly.</p> <p>Sixth charge not proved but the Court found that he remained absent without leave.</p>
<p>The Lords Commissioners of the Admiralty were pleased to reduce the sentence of imprisonment to 6 months but not otherwise to interfere with the sentence.</p>	<p>First and third charges proved.</p> <p>Adjudged to forfeit forty-eight days' pay, to be disgraced to Stores Assistant (Victualling), to be kept in Imprisonment for the term of nine calendar months and to suffer the consequential penalties involved and to be dismissed from His Majesty's Service.</p>

Date of Trial	Name	Rank	Name of Ship
20th July, 1950		Stores Petty Officer. P/MX. 56914	MONTCLARE
21st July, 1950		Petty Officer C/JX. 159576	HORNBILL

Substance of Charge preferred	Finding and Sentence
<p><u>First.</u> Fraudulent conversion.</p> <p><u>Second and Third.</u> Negligent performance of duty.</p> <p><u>Fourth.</u> Knowingly making a false official document.</p> <p><u>Fifth.</u> Negligent performance of duty.</p> <p><u>Sixth and Seventh.</u> Knowingly making a false official document.</p>	<p>First, second, third and fifth charges not proved and he was acquitted of the same accordingly.</p> <p>Fourth, sixth and seventh charges proved. Adjudged to be deprived of two Good Conduct Badges, to be disgraced to Stores Assistant (Victualling) and to be dismissed from His Majesty's Service.</p>
<p><u>First.</u> Improperly leaving his place of duty.</p> <p><u>Second.</u> Act to the prejudice of good order and naval discipline in contravening Temporary Memorandum No. 75 issued by the Commander, Royal Naval Air Station, Culham in that he did go away in a motor boat, H.M.S. HORNBILL, improperly dressed, namely by wearing a white pullover, and blue trousers.</p> <p><u>Third.</u> Did not use his utmost endeavours to detect, apprehend, and bring to punishment ratings who had committed offences against the Naval Discipline Act.</p>	<p>First and third charges proved. Second charge not proved and he was acquitted of the same accordingly.</p> <p>Adjudged to be deprived of one Good Conduct Badge and to forfeit one day's pay.</p>
<p>The Lords Commissioners of the Admiralty dissented from the finding on the third charge and annulled the conviction but they did not otherwise interfere with the sentence.</p>	

Date of Trial	Name	Rank	Name of Ship
25th July, 1950		Shipwright 3rd Class P/MX. 79513	BEN LOMOND (MULL OF GALLOWAY)
27th July, 1950		Ordinary Sea- man D/SSX. 867994	CHILDERS
28th July, 1950		Stores Chief Petty Officer D/MX. 47491	PRESIDENT (CAROLINE)

Substance of Charge preferred	Finding and Sentence
<p><u>First.</u> Stealing.</p> <p><u>Second.</u> Act to the prejudice of good order and naval discipline in contravening K.R. and A.1, Article 919, in smuggling two bottles of whisky ashore.</p> <p><u>Third.</u> Stealing.</p>	<p>Charges proved. .</p> <p>Adjudged to be deprived of two Good Conduct Badges, to be disgraced to Shipwright Fourth Class, to be kept in detention for the term of three calendar months and to be dismissed from His Majesty's Service.</p>
<p><u>First, second and third.</u> Stealing.</p>	<p>Charges proved.</p> <p>Adjudged to be kept in detention for the term of Thirty days.</p>
<p><u>First and Second.</u> Negligent performance of duty.</p> <p><u>Third.</u> Knowingly making a false official document.</p> <p><u>Fourth, Fifth, Sixth and Seventh.</u> Fraudulent conversion.</p>	<p>Third charge not proved and he was acquitted of the same accordingly.</p>
<p>The Lords Commissioners of the Admiralty dissented from the findings on three charges of fraudulent conversion but did not interfere with the sentence.</p>	<p>First, second, fourth, fifth, sixth and seventh charges proved.</p> <p>Adjudged to be deprived of three Good Conduct badges and to forfeit his Long Service and Good Conduct Medal.</p>

Date of Trial	Name	Rank	Name of Ship
31st July, 1950	[REDACTED]	Able Seaman C/SSX.795553	DAMSAY
12th September, 1950	[REDACTED]	Chief Petty Officer Writer D/MX.47554	DRAKE
14th September, 1950	[REDACTED]	Leading Seaman P/JX 150142	RECLAIM

Substance of Charge preferred	Finding and Sentence
<p><u>First, Second, Third, Fourth, Fifth and Sixth.</u> Maliciously damaging H.M.S. DAMSAY.</p> <p><u>Seventh.</u> Act to the prejudice of good order and naval discipline in wilfully causing damage to the steam steering engine of H.M.S. DAMSAY.</p> <p><u>Eighth.</u> Act to the prejudice of good order and naval discipline in, without lawful authority removing the snifting valve spindle of the forward main bilge pump in the engine room of H.M.S. DAMSAY.</p>	<p>Charges proved.</p> <p>Adjudged to be imprisoned for the term of two years and to be dismissed from His Majesty's Service.</p>
<p>Wilfully, and with intent to defraud, altering a material particular in a paper.</p>	<p>Charge proved.</p> <p>Adjudged to be kept in detention for the term of one calendar month and to suffer the consequential penalties involved.</p>
<p><u>First.</u> Act to the prejudice of good order and naval discipline in smuggling one pound and fifteen ounces of Service Cigarette Tobacco and 640 duty free cigarettes contrary to K.R. and A.I Article 919.</p> <p><u>Second.</u> Having in his possession one pound and fifteen ounces of Service duty free tobacco and 640 duty free cigarettes which he had accumulated on shore contrary to K.R. and A.I Article 919, paragraph 6.</p>	<p>Second charge proved.</p> <p>First charge not proved and accused was acquitted of the same.</p> <p>Adjudged to be reprimanded.</p>

Date of Trial	Name	Rank	Name of Ship
21st September, 1950		Chief Petty Officer D/JX. 148545	SAINT JAMES
29th September, 1950		Able Seaman P/JX. 801064	RICASOLI
29th September, 1950		Chief Petty Officer Airman Fitter (Engines) L/FX. 77016	GLORY

Substance of Charge preferred	Finding and Sentence
<p><u>First.</u> Indecent Assault. <u>Second.</u> Act to the prejudice of good order and naval discipline in striking another rating. <u>Third.</u> Drunk on board.</p>	<p>Third charge proved. First and Second charges not proved and accused acquitted of same. Adjudged to be deprived of one good conduct badge and to forfeit one day's pay.</p>
<p><u>First and Second.</u> Stealing in a dwelling house.</p> <p>The Lords Commissioners of the Admiralty were pleased to reduce the term of imprisonment to three months, but did not otherwise interfere with the sentence.</p>	<p>Charges proved. Adjudged to be imprisoned for the term of six calendar months, to be dismissed from His Majesty's Service and to suffer the consequential penalties involved.</p>
<p>Negligent performance of duty.</p>	<p>Charge proved. Adjudged to be disgraced to Petty Officer Airman Fitter (Engines).</p>


ROYAL NEW ZEALAND NAVY

RETURN OF MEN TRIED BY

COURT MARTIAL

Date of Trial	Name	Rank	Name of Ship
21st March, 1949		Sailmaker's Mate N.Z. 10141	PHILOMEL
18th July, 1949		Able Seaman N.Z. 11028	BELLONA
1st August, 1949		Ordinary Seamen N.Z. 11237	BELLONA
14th June, 1950		Stoker Mecha- nic N.Z. 11488	PHILOMEL

Substance of Charge preferred	Finding and Sentence
<p><u>First, Second, Third, Fourth and Fifth.</u> Negligent performance of duty. <u>Sixth.</u> Asleep on watch. <u>Seventh.</u> Desertion. <u>Eighth and Tenth.</u> Improper absence. <u>Ninth and Eleventh.</u> Absence without leave.</p>	<p>Fourth, sixth, eighth and tenth charges proved. First, second, third, fifth, seventh, ninth and eleventh charges not proved. Sentenced to Sixty days' detention with consequential penalties. Thirty-seven days' pay forfeited.</p>
<p><u>First, Second and Third.</u> Wilfully damaging property of His Majesty. <u>Fourth and Fifth.</u> Wilfully expending certain fittings and equipment. <u>Sixth.</u> Being in an improper place.</p>	<p>First, second, third, fifth and sixth charges proved. Fourth charge not proved. Sentenced to eighteen months' imprisonment and to be dismissed from His Majesty's Service.</p>
<p>Desertion.</p>	<p>Accused pleaded guilty. Sentenced to twelve months' imprisonment and to be dismissed from His Majesty's Service.</p>
<p><u>First.</u> Wilfully disobeying the lawful command of his superior officer. <u>Second.</u> Striking his superior officer. <u>Third.</u> Using violence against his superior officer. <u>Fourth.</u> Attempting to strike his superior officer.</p>	<p>First charge not proved. Second, third and fourth charges proved. Sentenced to six calendar months' imprisonment and to suffer the consequential penalties involved.</p>

Date of Trial	Name	Rank	Name of Ship
14th October, 1950		Ordinary Seaman N.Z. 12904	BELLONA

Substance of Charge preferred	Finding and Sentence
<p><u>First, Second and Third.</u> Wilfully disobeying the lawful command of his superior officer.</p> <p>The Navy Board were pleased to reduce the sentence of imprisonment to six months but not otherwise to interfere with the sentence.</p>	<p>Charges proved.</p> <p>Sentenced to twelve calendar months' imprisonment and dismissed from His Majesty's Service and to suffer the consequential penalties involved.</p>

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ADMIRALTY

RETURN OF

OFFICERS TRIED BY COURT MARTIAL

DURING THE

QUARTER ENDED THE 30TH SEPTEMBER, 1950

No.	Date of Trial	Name	Rank	Name of Ship
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The following amendment should be made to the list of officers tried by Court Martial during the quarter ended 30th June, 1950.

No. 7001 Lieutenant (E) [REDACTED] R.N. add:-

"The Lords Commissioners of the Admiralty were pleased to reduce the sentence to one of forfeiture of three months' seniority and a severe reprimand."

7004	4th July, 1950	[REDACTED]	Lieutenant Commander, R.N.	TAMAR
7005	4th August, 1950	[REDACTED]	Lieutenant, R.N.	DEFLIANCE (MINER V)

Substance of Charge preferred

Finding and Sentence

First. Act to the prejudice of good order and naval discipline in striking an Army Officer on board
H.M.T. EMPIRE ORWELL.

Second. Drunk on board.

Third. Act to the prejudice of good order and naval discipline in creating a disturbance on board H.M.T. EMPIRE ORWELL.

First. Knowingly making a false official document.

Second. Negligent performance of duty.

Third. Fraudulent conversion.

Fourth. Wilfully, and with intent to defraud, making a false entry in an account.

Fifth. Wilfully, and with intent to defraud, altering a material particular in a paper.

Sixth. Wilfully and with intent to defraud, making a false entry in an account.

Seventh. Wilfully, and with intent to defraud, altering a material particular in a paper.

First and third charges proved.

Second charge not proved and was acquitted of the same accordingly.

Adjudged to be dismissed from His Majesty's Ship TAMAR and to be reprimanded.

Accused pleaded guilty to all charges.

Charges proved.

Adjudged to be imprisoned for the term of two years; to be dismissed from

His Majesty's Service, and to suffer the consequential penalties involved.

No.	Date of Trial	Name	Rank	Name of Ship
7005 (Contd.)	4th August, 1950		Lieutenant, R.N.	DEFIANCE (MINER V)
7006	9th August, 1950		Commissioned Gunner, R.N.	SAINTES
7007	8th September, 1950		Commissioned Gunner, R.N.	BERMUDA

Substance of Charge preferred	Finding and Sentence
<p><u>Eighth.</u> Wilfully and with intent to defraud, making a false entry in an account.</p> <p><u>Ninth.</u> Wilfully and with intent to defraud, altering a material particular in a paper.</p> <p><u>Tenth.</u> Wilfully and with intent to defraud making a false entry in an account.</p> <p><u>Eleventh.</u> Neglect to the prejudice of good order and naval discipline in failing to exhibit in H.M.S. "MINER V", for the month of June, 1950, a monthly statement of victualling monies, as required by paragraph 6 of Admiralty Fleet Order 6946/45.</p>	
<p>The Lords Commissioners of the Admiralty were pleased to reduce the term of imprisonment to one year but did not otherwise interfere with the sentence.</p> <p><u>First.</u> Inciting a Boy First Class, to commit an act of gross indecency with another male person.</p> <p><u>Second.</u> Act to the prejudice of good order and naval discipline in ordering a Boy First Class to report to his cabin without reasonable excuse.</p> <p><u>Third.</u> Inciting a Boy First Class to commit an act of gross indecency with another male person.</p> <p>Drunk on board.</p>	<p>Charges not proved and the accused was acquitted of the same accordingly.</p> <p>Charge not proved and he was acquitted of the same accordingly.</p>

ROYAL NEW ZEALAND NAVY

RETURN OF OFFICERS TRIED BY
COURT MARTIAL

s.19(1)

Date of Trial	Name	Rank	Name of Ship
13th October, 1948		Acting Warrant Communications Officer R.N.Z.N.	TAMAKI
26th January, 1949		Lieutenant, R.N.Z.N.	PHILOMEL

Substance of Charge preferred	Finding and Sentence
<p><u>First and Third.</u> Fraudulent conversion. <u>Second and Fourth.</u> Negligent performance of duty. <u>Fifth.</u> Act to the prejudice in borrowing money from a rating.</p>	<p>Accused pleaded guilty to second, fourth and fifth charges. Prosecutor offered no evidence on the first and third charges and accused was acquitted on these charges. Sentenced to be dismissed from H.M.N.Z.S. TAMAKI and to be reprimanded.</p>
<p><u>First.</u> Drunk on board. <u>Second.</u> Being in an improper place. <u>Third and Fourth.</u> Not taking immediate disciplinary action against an absentee.</p>	<p>First charge proved. Second, third and fourth charges not proved. Sentenced to forfeit six months' seniority as Lieutenant.</p>

TELEPHONES:

MXV 550

NAVY OFFICE, VICTORIA BARRACKS,
ST. KILDA ROAD,

MXV 130

NAVAL BRANCHES,
ALBERT PARK BARRACKS,

TELEGRAPHIC ADDRESS:

"NAVY, MELBOURNE"

COMMONWEALTH OF AUSTRALIA

DEPARTMENT OF THE NAVY

NAVY OFFICE, MELBOURNE

3422 30 JAN 51

The Secretary,
Naval Board,
CANADA.

RETURN OF COURTS-MARTIAL AND DISCIPLINARY COURTS
HELD IN THE R.A.N. DURING THE YEARS 1948 AND 1949.

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

Handwritten signature

Secretary.
Naval Board.

Enc.

JAF

Referred to	<i>File</i>
FEB 5 1951	
File No	<i>42</i>
Cd'd to	

DEPARTMENT OF THE NAVY

NAVY OFFICE,
MELBOURNE,
JULY, 1950

RETURN OF NAVAL COURTS-MARTIAL AND DISCIPLINARY COURTS

held during the period

From 1st JANUARY, 1948, to 31st DECEMBER, 1949

J. J. GOURLEY, Government Printer, Melbourne.

1949/50.

000191

OFFICERS TRIED BY COURT-MARTIAL

OFFICERS TRIED BY





No.	Date of Trial.	Name.	Rank.	Ship.
134	15th January, 1948	..	Lieutenant, R.A.N.R. ..	H.M.A. G.P.V. 956
135	16th January, 1948	..	Acting Lieutenant, R.A.N.	H.M.A. G.P.V. 957
136	13th April, 1948	..	Commissioned Gunner, T.A.S. (T), R.A.N.	H.M.A.S. <i>Rushcutter</i>
137	12th May, 1948	..	Temporary Lieutenant (Acting Temporary Lieutenant - Com- mander), D.S.C., R.A.N.R.(S)	H.M.A.S. <i>Reserve</i>
138	8th June, 1948 ..	..	Lieutenant - Commander, D.S.C., R.A.N.	H.M.A.S. <i>Barcoo</i>
139	9th November, 1948	..	Acting Commissioned Writer Officer, R.A.N.	H.M.A.S. <i>Penguin</i>
140	4th February, 1949	..	Lieutenant, R.A.N. ..	H.M.A.S. <i>Hobart</i>
141	21st December, 1949	..	Acting Temporary Senior Commissioned Boat- swain, R.N.	H.M.A.S. <i>Koala</i>
142	22nd December, 1949	..	Lieutenant, R.A.N. ..	H.M.A.S. <i>Koala</i>

COURT-MARTIAL.

Substance of Charge Preferred.	Finding and Sentence.
<i>First.</i> —Negligently or by default hazard H.M.A. G.P.V. 956 <i>Second, Third, and Fourth.</i> —Negligent performance of duty when acting as Commanding Officer, H.M.A. G.P.V. 956	Accused declined to plead. First, second, and third charges proved. Fourth charge not proved. Adjudged to be dismissed his ship and severely reprimanded
Negligent performance of duty when acting as Senior Officer, General Purpose Vessels	Accused pleaded not guilty. Charge proved. Adjudged to be reprimanded
<i>First.</i> —Act to the prejudice of good order and Naval discipline in having a female guest on board from 0120 until approximately 0945 <i>Second.</i> —Conduct unbecoming the character of an officer <i>Third.</i> —Act to the prejudice of good order and Naval discipline in telling a lie at an official investigation	Accused pleaded guilty to the first and third charges and not guilty to the second charge. Second charge not proved. Adjudged to be dismissed his ship and to be reprimanded
Negligently or by default hazard H.M.A.S. <i>Reserve</i>	Accused pleaded not guilty. Charge proved. Adjudged to be severely reprimanded
<i>First.</i> —Negligently or by default hazard H.M.A.S. <i>Barcoo</i> .. <i>Second.</i> —Negligently or by default strand H.M.A.S. <i>Barcoo</i>	Charges not proved. Accused acquitted
Neglect to the prejudice of good order and Naval discipline in failing to take necessary precautions to safeguard public money entrusted to his care	Accused pleaded guilty. Adjudged to be severely reprimanded
<i>First, Second, Third, Fourth, Fifth, Sixth, Seventh, and Ninth.</i> —Knowingly make a false official document <i>Eighth.</i> —Act to the prejudice of good order and Naval discipline in ordering an alteration of an official document with intent to deceive <i>Tenth.</i> —Knowingly make a false statement	Court found no prima facie case had been made out on first, second, third, fourth, fifth, sixth, seventh ninth, and tenth charges. Eighth charge not proved. Accused acquitted
<i>First.</i> —Negligently or by default hazard H.M.A.S. <i>Koala</i> .. <i>Second.</i> —Negligently or by default strand H.M.A.S. <i>Koala</i>	Accused pleaded not guilty. Charges proved. Adjudged to be reprimanded
<i>First.</i> —Negligently or by default hazard H.M.A.S. <i>Koala</i> .. <i>Second.</i> —Negligently or by default strand H.M.A.S. <i>Koala</i> <i>Third.</i> —Negligently or by default suffer H.M.A.S. <i>Koala</i> to be strangled	Accused pleaded not guilty. First charge proved. Adjudged 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.
22nd March, 1948..	 28564	Stoker-Mechanic ..	H.M.A.S. <i>Australia</i>
22nd March, 1948..	 29606 ..	Ordinary Seaman ..	H.M.A.S. <i>Australia</i>
2nd June, 1948 ..	 21990 ..	Petty Officer Writer ..	H.M.A.S. <i>Kanimbla</i>
29th September, 1949	 27604	Petty Officer Writer (Temporary)	H.M.A.S. <i>Albatross</i>

AND MEN TRIED BY COURT-MARTIAL.

Substance of Charge Preferred.	Finding and Sentence.
<p><i>First.</i>—Desertion</p> <p><i>Second.</i>—Behaving with contempt</p>	<p>Accused pleaded guilty. Adjudged to be imprisoned and kept to hard labour for the term of one year and to be dismissed from His Majesty's Service and to suffer the consequential penalties involved</p>
<p>Desertion</p>	<p>Accused pleaded guilty. Adjudged to be imprisoned and kept to hard labour for the term of one year and to be dismissed from His Majesty's Service and to suffer the consequential penalties involved</p>
<p><i>First.</i>—Act to the prejudice of good order and Naval discipline in contravening Article 919 of King's Regulations and Admiralty Instructions in selling duty free cigarettes to a person not authorized to receive them</p> <p><i>Second.</i>—Act to the prejudice of good order and Naval discipline in contravening paragraph 2 (a) of Australian Squadron Temporary Memorandum No. 49 in having 50,000 duty free cigarettes in his possession on board ship</p>	<p>Accused pleaded not guilty. Court found that second charge as framed did not constitute an offence and acquitted the accused of the second charge. Court also found that the fair trial of the accused had been prejudiced and acquitted the accused of the first charge</p>
<p>Fraudulent conversion</p>	<p>Accused pleaded guilty. Adjudged to be imprisoned for one year and to suffer the consequential penalties, to be disgraced to Writer, to be deprived of one good conduct badge and to be dismissed from His Majesty's Service</p>

DEPARTMENT OF THE NAVY

NAVY OFFICE,
MELBOURNE,
JULY, 1950

RETURN OF NAVAL COURTS-MARTIAL
AND DISCIPLINARY COURTS

held during the period

From 1st JANUARY, 1948, to 31st DECEMBER, 1949

J. J. GOURLEY, Government Printer, Melbourne.

C.8798/50.

000198

OFFICERS TRIED BY COURT-MARTIAL

OFFICERS TRIED BY





No.	Date of Trial.	Name.	Rank.	Ship.
134	15th January, 1948	..	Lieutenant, R.A.N.R. ..	H.M.A. G.P.V. 956
135	16th January, 1948	..	Acting Lieutenant, R.A.N.	H.M.A. G.P.V. 957
136	13th April, 1948	..	Commissioned Gunner, T.A.S. (T), R.A.N.	H.M.A.S. <i>Rushcutter</i>
137	12th May, 1948	..	Temporary Lieutenant (Acting Temporary Lieutenant - Com- mander), D.S.C., R.A.N.R.(S)	H.M.A.S. <i>Reserve</i>
138	8th June, 1948 ..	..	Lieutenant - Commander, D.S.C., R.A.N.	H.M.A.S. <i>Barcoo</i>
139	9th November, 1948	..	Acting Commissioned Writer Officer, R.A.N.	H.M.A.S. <i>Penguin</i>
140	4th February, 1949	..	Lieutenant, R.A.N. ..	H.M.A.S. <i>Hobart</i>
141	21st December, 1949	..	Acting Temporary Senior Commissioned Boat- swain, R.N.	H.M.A.S. <i>Koala</i>
142	22nd December, 1949	..	Lieutenant, R.A.N. ..	H.M.A.S. <i>Koala</i>
		s.19(1)		

COURT-MARTIAL.

Substance of Charge Preferred.	Finding and Sentence.
<i>First.</i> —Negligently or by default hazard H.M.A. G.P.V. 956 <i>Second, Third, and Fourth.</i> —Negligent performance of duty when acting as Commanding Officer, H.M.A. G.P.V. 956	Accused declined to plead. First, second, and third charges proved. Fourth charge not proved. Adjudged to be dismissed his ship and severely reprimanded
Negligent performance of duty when acting as Senior Officer, General Purpose Vessels	Accused pleaded not guilty. Charge proved. Adjudged to be reprimanded
<i>First.</i> —Act to the prejudice of good order and Naval discipline in having a female guest on board from 0120 until approximately 0945 <i>Second.</i> —Conduct unbecoming the character of an officer <i>Third.</i> —Act to the prejudice of good order and Naval discipline in telling a lie at an official investigation	Accused pleaded guilty to the first and third charges and not guilty to the second charge. Second charge not proved. Adjudged to be dismissed his ship and to be reprimanded
Negligently or by default hazard H.M.A.S. Reserve ..	Accused pleaded not guilty. Charge proved. Adjudged to be severely reprimanded
<i>First.</i> —Negligently or by default hazard H.M.A.S. Barcoo .. <i>Second.</i> —Negligently or by default strand H.M.A.S. Barcoo	Charges not proved. Accused acquitted
Neglect to the prejudice of good order and Naval discipline in failing to take necessary precautions to safeguard public money entrusted to his care	Accused pleaded guilty. Adjudged to be severely reprimanded
<i>First, Second, Third, Fourth, Fifth, Sixth, Seventh, and Ninth.</i> —Knowingly make a false official document <i>Eighth.</i> —Act to the prejudice of good order and Naval discipline in ordering an alteration of an official document with intent to deceive <i>Tenth.</i> —Knowingly make a false statement	Court found no prima facie case had been made out on first, second, third, fourth, fifth, sixth, seventh, ninth, and tenth charges. Eighth charge not proved. Accused acquitted
<i>First.</i> —Negligently or by default hazard H.M.A.S. Koala .. <i>Second.</i> —Negligently or by default strand H.M.A.S. Koala	Accused pleaded not guilty. Charges proved. Adjudged to be reprimanded
<i>First.</i> —Negligently or by default hazard H.M.A.S. Koala .. <i>Second.</i> —Negligently or by default strand H.M.A.S. Koala <i>Third.</i> —Negligently or by default suffer H.M.A.S. Koala to be .. Adjudged	Accused pleaded not guilty. First charge proved. Adjudged 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.
22nd March, 1948..	 28564	Stoker-Mechanic ..	H.M.A.S. <i>Australia</i>
22nd March, 1948..	 29606 ..	Ordinary Seaman ..	H.M.A.S. <i>Australia</i>
2nd June, 1948 ..	 21990 ..	Petty Officer Writer ..	H.M.A.S. <i>Kanimbla</i>
29th September, 1949	 27604	Petty Officer Writer (Temporary)	H.M.A.S. <i>Albatross</i>

AND MEN TRIED BY COURT-MARTIAL.

Substance of Charge Preferred.	Finding and Sentence.
<p><i>First.</i>—Desertion</p> <p><i>Second.</i>—Behaving with contempt</p>	<p>Accused pleaded guilty. Adjudged to be imprisoned and kept to hard labour for the term of one year and to be dismissed from His Majesty's Service and to suffer the consequential penalties involved</p>
<p>Desertion</p>	<p>Accused pleaded guilty. Adjudged to be imprisoned and kept to hard labour for the term of one year and to be dismissed from His Majesty's Service and to suffer the consequential penalties involved</p>
<p><i>First.</i>—Act to the prejudice of good order and Naval discipline in contravening Article 919 of King's Regulations and Admiralty Instructions in selling duty free cigarettes to a person not authorized to receive them</p> <p><i>Second.</i>—Act to the prejudice of good order and Naval discipline in contravening paragraph 2 (a) of Australian Squadron Temporary Memorandum No. 49 in having 50,000 duty free cigarettes in his possession on board ship</p>	<p>Accused pleaded not guilty. Court found that second charge as framed did not constitute an offence and acquitted the accused of the second charge. Court also found that the fair trial of the accused had been prejudiced and acquitted the accused of the first charge</p>
<p>Fraudulent conversion</p>	<p>Accused pleaded guilty. Adjudged to be imprisoned for one year and to suffer the consequential penalties, to be disgraced to Writer, to be deprived of one good conduct badge and to be dismissed from His Majesty's Service</p>

P. Form 52 No. 608

N.S. 4255-1

Date 27th March, 1950

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And man
RETURN OF *100* - 34
And man
OFFICERS TRIED BY COURT-MARTIAL - 138

~~AND~~
~~DISCIPLINARY COURT~~

DURING THE - 36
PERIOD ¹⁹⁴⁷ 1st January, 1945, to ¹⁹⁴⁸ 31st December, 1946 - 133

COURTS-MARTIAL

Date of Trial	Name	Rank	Name Ship
17th January, 1945		Acting Lieutenant Commander, R.C.N.V.R. (T), O-20620	"JOLIETTE"
18th January, 1945		Lieutenant (N) R.C.N.V.R. (T), O-25590	"JOLIETTE"
25th January, 1945		Lieutenant R.C.N.R. (T), O-62660	"AVALON"
1st March, 1945		Lieutenant (T) R.C.N., O-48440	"QU'APPELLE"
	s.19(1)		

Substance of Charge Preferred	Finding and Sentence
<p>First - Negligently or by default hazard his ship.</p> <p>Second - Negligently or by default strand his ship.</p>	<p>Charges proved. Adjudged to be dismissed from H.M. C.S. "JOLIETTE" and severely reprimanded.</p>
<p>First - Negligently or by default hazard his ship.</p> <p>Second - Negligently or by default strand his ship.</p>	<p>Charges proved. Adjudged to be dismissed from H.M. C.S. "JOLIETTE" and severely reprimanded.</p>
<p>First - Theft.</p> <p>Second - Act to the prejudice of good order and Naval discipline in failing to turn stores over to proper authorities.</p> <p>Third - Act to the prejudice of good order and Naval discipline in making improper use of Naval transport.</p> <p>Fourth - Act to the prejudice of good order and Naval discipline in making improper use of Naval labour.</p>	<p>First, second and third charges proved. Fourth charge not proved. Adjudged to forfeit one year's seniority and to be severely reprimanded.</p>
<p>First, Second and Third - Neglect of duty.</p> <p>Fourth - Act to the prejudice of good order and Naval discipline in permitting the Officer of the Day to attend a party given by himself on shore.</p> <p>Fifth - Act to the prejudice of good order and Naval discipline in permitting the Officer of the Day to conduct personal business on his behalf on shore.</p>	<p>First and second charges proved. Third, fourth and fifth charges not proved. Adjudged to be reprimanded.</p>

COURTS-MARTIAL

s.19(1)

Date of Trial	Name	Rank	Name of Ship
19th March, 1945		Lieutenant R. C. N. V. R. (T), 0-57090	"ORKNEY"
20th March, 1945		Acting Commander R. C. N. V. R. (T), 0-9800	"ORKNEY"
17th April, 1945		Sub Lieutenant R. C. N. V. R. (T), 0-69952	"CORNWALLIS"
20th April, 1945		Lieutenant Commander R. C. N. R. (T), 0-25140	"ST. CATHERINES"

Substance of Charge Preferred	Finding and Sentence
<p>Negligently or by default hazard his ship.</p> <p>NOTE: - The Honourable the Minister reduced the sentence to forfeiture of six months seniority.</p> <p>Negligently or by default hazard his ship.</p> <p>NOTE: - The Honourable the Minister reduced the sentence to reprimand.</p>	<p>Charge proved. Adjudged to forfeit twelve months seniority.</p> <p>Charge proved. Adjudged to be severely reprimanded.</p>
<p>First - Conduct unbecoming the character of an officer in creating a disturbance on shore.</p> <p>Second - Using to a civilian reproachful speeches tending to make a quarrel.</p> <p>Third - Behaving with contempt to his Superior Officer.</p> <p>Fourth - Using to a Probationary Sub-Lieutenant provoking speeches tending to make a quarrel.</p>	<p>First and third charges proved. Second and fourth charges not proved. Adjudged to be dismissed from His Majesty's Canadian Service.</p>
<p>First - Negligently or by default hazard H.M.C.S. "FORT ERIE".</p> <p>Second - Negligently or by default suffer his ship to be stranded.</p> <p>Third - Negligently or by default strand his ship.</p>	<p>Charges not proved. Accused acquitted.</p>

COURTS-MARTIAL





Date of Trial	Name	Rank	Name of Ship
23rd April, 1945		Acting Boatswain R. C.N., 0-3017	"CORNWALLIS"
26th April, 1945		Acting Lieutenant R. C.N. V.R. (T), 0-32110	"GODERICH"
7th May, 1945		Lieutenant R. C.N. V.R. (T), 0-50570	"NIOBE"
8th May, 1945		Sub Lieutenant R. C.N. V.R. (T), 0-13306	"LONGUEUIL"
10th May, 1945		Lieutenant (S) R. C.N. V.R. (T) 0-43920	"AVALON"

s.19(1)

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Substance of Charge Preferred	Finding and Sentence
<p>First, Second, Third, Fifth and Seventh - Conduct unbecoming the character of an Officer in talking to ratings in an indecent manner.</p> <p>Fourth and Sixth - Inciting a rating to commit an act of gross indecency.</p>	<p>First, second, third, fourth, fifth and sixth charges not proved. Seventh charge proved. Adjudged to be dismissed from His Majesty's Canadian Service.</p>
<p>First - Act to the prejudice of good order and Naval discipline in giving intoxicating liquor to ratings.</p> <p>Second - Indecent assault on a rating.</p> <p>Third - Act of gross indecency with a rating.</p>	<p>First charge proved. Second and third charges not proved. Adjudged to be dismissed from His Majesty's Canadian Service.</p>
<p>First - Fraudulent conversion.</p> <p>Second - Embezzlement.</p>	<p>Charges proved. Adjudged to be imprisoned for six months and dismissed from His Majesty's Canadian Service.</p>
<p>First - Act of gross indecency with a rating.</p> <p>Second - Act to the prejudice of good order and Naval discipline in being with a rating in a state of undress in a cabin in H.M.C.S. "LONGUEUIL" with the lights out and the door closed.</p>	<p>Charges proved. Adjudged to be dismissed from His Majesty's Canadian Service.</p>
<p>First - Embezzlement of canteen funds.</p> <p>Second - Fraudulent conversion of canteen funds.</p> <p>Third, Fourth and Fifth - Negligent performance of duty.</p>	<p>Accused pleaded guilty. Adjudged to be dismissed from His Majesty's Canadian Service.</p>





COURTS-MARTIAL

Date of Trial	Name	Rank	Name of Ship
26th July, 1945		Lieutenant R. C. N. V. R. (T), 0-32960	"ST. BONIFACE"
4th August, 1945		Lieutenant R. C. N. V. R. (T), 0-64570	"NIOBE"
15th November, 1945		Lieutenant (S) R. C. N. V. R. (T), 0-14920	"CHARLOTTETOWN"
14th December, 1945		Lieutenant (T) R. C. N., 0-60390	"ONTARIO"

Substance of Charges Preferred	Finding and Sentence
<p>First - Theft of ship's wheel.</p> <p>Second - Act to the prejudice of good order and Naval discipline in ordering a rating to remove a ship's wheel from R. C. A. F. Jetty.</p> <p>Third - Act to the prejudice of good order and Naval discipline in assuming false name when asked to identify himself.</p> <p>Fourth - Act to the prejudice of good order and Naval discipline in advising ratings under his command to assume false names when asked to identify themselves.</p>	<p>First charge not proved. Second, third and fourth charges proved. Adjudged to forfeit six months' seniority, to be dismissed from H. M. C. S. "ST. BONIFACE" and to be severely reprimanded.</p>
<p>First, Second, Third and Fourth - Act to the prejudice of good order and Naval discipline in making improper payments to self and issuing two worthless cheques.</p>	<p>Charges proved. Adjudged to forfeit eighteen months seniority and to be dismissed from H. M. C. S. "NIOBE".</p>
<p>First - Fraudulently omitted to account for \$3,275.71.</p> <p>Second, Third and Fourth - Negligent performance of duty.</p> <p>Fifth - Knowingly signed a false official document.</p>	<p>First and fifth charges not proved. Second, third and fourth charges proved. Adjudged to be dismissed from H. M. C. S. "CHARLOTTETOWN" and to be severely reprimanded.</p>
<p>First - Drunk on board.</p> <p>Second - Negligent performance of duty.</p>	<p>Accused pleaded guilty. Adjudged to forfeit three months seniority to be dismissed from H. M. C. S. "ONTARIO" and to be severely reprimanded.</p>


NOTE: - The Honourable the Minister was pleased to reduce the sentence to dismissal from ship and severe reprimand.

COURTS-MARTIAL

Date of Trial	Name	Rank	Name of Ship
15th March, 1946		Skipper Lieutenant R. C.N. (R) (T) 0-3150	"GIVENCHY"
12th August, 1946		Acting Lieutenant Commander R. C.N. 0-2440	"NEW LISKEARD"
17th September, 1946		Lieutenant R. C.N. 0-68700	"NADEN"
19th December, 1946		Lieutenant R. C.N. (R)(T), 0-23770	"SCOTIAN"

Substance of Charge Preferred	Finding and Sentence
<p>First - Drunkenness. Second - Act to the prejudice of good order and Naval discipline in failing to keep a proper record of spirits received on board H.M.C.S. "UNIVERSE".</p> <p>First and Third - Negligently or by default strand/suffer to be stranded his ship. Second and Fourth - Negligently or by default hazard/suffer to be hazarded his ship.</p>	<p>First charge not proved. Second charge proved. Adjudged to be reprimanded.</p> <p>Charges proved. Adjudged to be severely reprimanded.</p>
<p>First - Drunk on duty. Second - Act to the prejudice of good order and Naval discipline in being in possession of fire-arm without permission. Third - Act to the prejudice of good order and Naval discipline in handling a fire-arm in a manner dangerous to the public. Fourth - Act to the prejudice of good order and Naval discipline in turning out part of the Duty Watch unnecessarily.</p>	<p>First, third and fourth charges proved. Second charge not proved. Adjudged to forfeit six months seniority and to be dismissed from H.M.C.S. "NADEN".</p>
<p>First and Third - Negligently or by default strand/suffer to be stranded his ship. Second and Fourth - Negligently or by default hazard/suffer to be hazarded his ship.</p>	<p>Charges proved. Adjudged to forfeit one year's seniority, to be dismissed from H.M.C.S. "SCOTIAN" and to be severely reprimanded.</p>

COURTS-MARTIAL

Date of Trial	Name	Rank	Name of Ship
20th December, 1946		Lieutenant R. C. N. 0-28820	"SCOTIAN"

COURTS-MARTIAL

Substance of Charge Preferred	Finding and Sentence
<p>First and Third - Negligently or by default strand/suffer to be stranded his ship.</p> <p>Second and Fourth - Negligently or by default hazard/suffer to be hazarded his ship.</p>	<p>Charges not proved. Accused acquitted.</p>

DISCIPLINARY COURTS

Date of Trial	Name	Rank	Name of Ship
10th January, 1945		Lieutenant (E) R. C. N. V. R. (T) 0-37350	"GIVENCHY"
9th January, 1945		Acting Lieutenant R. C. N. V. R. (T) 0-39300	"STADACONA"
11th January, 1945		Acting Lieutenant R. C. N. V. R. (T), 0-6130	"LUNENBURG"
15th January, 1945		Warrant Officer (S.B.) R. C. N. V. R. (T) 0-76520	"PROTECTOR"
	s.19(1)		

DISCIPLINARY COURTS

Substance of Charge Preferred

Finding and Sentence

First and Second - Absent without leave.
Third - Drunk on board.
Fourth - Act to the prejudice of good order
and Naval discipline in drinking intoxicating
liquor to such excess as to produce
illness.

First and Second - Fighting with civilians.
Third - Act to the prejudice of good order
and Naval discipline in creating a disturbance
on shore.
Fourth - Act to the prejudice of good order
and Naval discipline in violently resisting
Naval Shore patrol escort.

First and Second - Neglect of duty.

First - Drunk on shore.
Second - Disorderly conduct on shore.




Accused pleaded guilty. Adjudged
to forfeit eighteen months seniority,
to be dismissed from H.M.C.S. "GIVENCHY"
and to be severely reprimanded.

First, second and third charges
proved. Fourth charge not proved.
Adjudged to forfeit one year's
seniority.

Charges not proved. Accused
acquitted.

Accused pleaded guilty. Adjudged
to be dismissed from H.M.C.S.
"PROTECTOR" and to be
severely reprimanded.




DISCIPLINARY COURTS

Date of Trial	Name	Rank	Name of Ship
16th January, 1945		Acting Warrant Engineer, R. C. N. R. (T), 0-7970	"OWEN SOUND"
25th January, 1945		Acting Lieutenant R. C. N. V. R. (T), 0-71550	"CORNWALLIS"
15th February, 1945		Lieutenant R. C. N. V. R. (T) 0-70590	"RULER"

DISCIPLINARY COURTS

Substance of Charge Preferred	Finding and Sentence
<p>First - Act to the prejudice of good order and Naval discipline in having supper in Petty Officers' mess.</p> <p>Second - Drunk on board.</p> <p>Third - Wilful disobedience of command.</p> <p>Fourth - Act to the prejudice of good order and Naval discipline in drawing a bottle of spirit from Wardroom contrary to Regulations.</p> <p>Fifth - Act to the prejudice of good order and Naval discipline in entertaining ratings in his cabin.</p>	<p>Accused pleaded guilty. Adjudge to be dismissed from His Majesty's Canadian Service.</p>
<p>NOTE: - The Honourable the Minister was pleased to direct that the sentence be reduced to dismissal from H.M.C.S. "OWEN SOUND" and severe reprimand.</p>	
<p>First - Neglect of duty.</p> <p>Second - Improperly leaving ship.</p> <p>Third - Wilful disobedience of command.</p>	<p>First and Third charges proved. Second charge not proved. Adjudged to be dismissed from H.M.C.S. "CORNWALLIS" and to be severely reprimanded.</p>
<p>NOTE: - The Honourable the Minister dissented from the Finding on the first charge and was pleased to reduce the sentence to a reprimand.</p>	
<p>Drunkenness.</p>	<p>Charge not proved. Accused acquitted.</p>

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Date of Trial	Name	Rank	Name of Ship
19th February, 1945		Skipper Lieutenant R. C. N. R. 0-52860	"REVELSTOKE"
24th February, 1945		Sub Lieutenant R. C. N. V. R. (T), 0-35654	"QU'APPELLE"
27th February, 1945	 s.19(1)	Lieutenant R. C. N. V. R. (T), 0-75880	"AVALON"





DISCIPLINARY COURTS

Substance of Charge Preferred	Finding and Sentence
<p>First - Neglect of duty.</p> <p>Second - Act to the prejudice of good order and Naval discipline in permitting two officers under his command to proceed on shore contrary to local orders.</p>	<p>Charge proved. Adjudged to forfeit three months seniority and to be dismissed from H.M.C.S. "REVELSTOKE".</p>
<p>NOTE: - The Honourable the Minister dissented from the Finding on the second charge and was pleased to reduce the sentence to dismissal from H.M.C.S. "REVELSTOKE".</p>	
<p>First - Act to the prejudice of good order and Naval discipline in smuggling spirituous liquor into H.M.C.S. "QU'APPELLE"</p> <p>Second and Third - Act to the prejudice of good order and Naval discipline in serving spirituous liquor to a Leading rating in H.M.C.S. "QU'APPELLE".</p> <p>Fourth - Drunk on board H.M.C.S. "QU'APPELLE".</p>	<p>Accused pleaded guilty to second and third charges. Fourth charge proved, first charge not proved. Adjudged to be dismissed from H.M.C.S. "QU'APPELLE" and to be severely reprimanded.</p>
<p>First - Act to the prejudice of good order and Naval discipline in being in an improper place.</p> <p>Second - Act to the prejudice of good order and Naval discipline in attempting to force his way into the W.R.C.N.S. Officer's Block.</p> <p>Third - Drunk on board.</p> <p>Fourth - Act to the prejudice of good order and Naval discipline in interfering with a sentry in the execution of his duty.</p>	<p>Accused pleaded guilty. Adjudged to forfeit three months seniority, dismissed from H.M.C.S. "AVALON" and to be severely reprimanded.</p>

DISCIPLINARY COURTS

s.19(1)





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Date of Trial	Name	Rank	Name of Ship
12th March, 1945		Lieutenant R. C. N. V. R. (T), 0-26680	"CHIGNECTO"
12th April, 1945		Lieutenant R. C. N. V. R. (T), 0-67040	"CORNWALLIS"
2nd May, 1945		Lieutenant R. C. N. V. R. (T), 0-73930	"LACHINE"
4th May, 1945		Acting Lieutenant R. C. N. V. R. (T), 0-30610	"BELLEVILLE"

DISCIPLINARY COURTS

Substance of Charge Preferred	Finding and Sentence
<p>First - Improperly leaving his ship. Second - Wilful disobedience. Third - Act to the prejudice of good order and Naval discipline in having his apparel in a state of disarray. Fourth - Drunk on shore.</p>	<p>First and second charges not proved Third and fourth charges proved. Adjudged to forfeit all his seniority and to be dismissed from H.M.C.S. "CHIGNECTO".</p>
<p>First - Behaving with contempt to a Superior Officer. Second - Using provoking speeches tending to make a quarrel. Third - Using provoking speeches tending to make a disturbance.</p>	<p>First and third charges proved. Adjudged to forfeit three months seniority and to be dismissed from H.M.C.S. "CORNWALLIS".</p>
<p>First - Act to the prejudice of good order and Naval discipline in remaining ashore all night without permission, and in contravention of H.M.C.S. "SOMERS ISLES" Orders for Working-up ships.</p>	<p>The Court found that a prima facie case had not been made out against the accused and therefore acquitted him.</p>
<p>First and Second - Drunk on board.</p>	<p>First charge proved. Second charge not proved. Adjudged to be dismissed from H.M.C.S. "BELL-EVILLE" and to be severely reprimanded.</p>



DISCIPLINARY COURTS

Date of Trial	Name	Rank	Name of Ship
14th June, 1945		Warrant Engineer R. C. N. V. R. (T), O-31778	"BATTLEFORD"
20th June 1945		Lieutenant R. C. N. V. R. (T), O-46560	"CHALEUR II"
13th July, 1945		Lieutenant R. C. N. V. R. (T), O-53750	"STADACONA"
23rd July, 1945		Lieutenant R. C. N. V. R. (T), O-65590	"STADACONA"

DISCIPLINARY COURTS

Substance of Charge Preferred	Finding and Sentence
<p>First - Drunk on shore. Second and Third - Act to the prejudice of good order and Naval discipline in striking a rating.</p>	<p>Charges proved. Adjudged to forfeit six months seniority and to be reprimanded.</p>
<p>First - Act to the prejudice of good order and Naval discipline in improperly leaving the area of Rimouski Naval Station Second - Absence without leave.</p>	<p>Charges not proved. Accused acquitted.</p>
<p>Acts to the prejudice of good order and Naval discipline in attempting to smuggle out of H.M.C. Dockyard, Halifax: First Charge - Liquor upon which Customs Duty had not been paid. Second Charge - cigarettes upon which excise tax had not been paid. Third Charge - twenty pounds of sugar.</p>	<p>Accused pleaded guilty. Adjudged to be severely reprimanded.</p>
<p>Acts to the prejudice of good order and Naval discipline in attempting to smuggle out of H.M.C. Dockyard, Halifax:- First and second charges - liquor upon which Customs Duty had not been paid. Third charge - cigarettes upon which excise tax had not been paid.</p>	<p>Accused pleaded guilty. Adjudged to be severely reprimanded.</p>

DISCIPLINARY COURTS

Date of Trial	Name	Rank	Name of Ship
25th July, 1945		Skipper Lieutenant R. C. N. R. (T), 0-59740	"AVALON"
13th July, 1945		Lieutenant (S) R. C. N. V. R. (T), 0-21830	"ALGONQUIN"

DISCIPLINARY COURTS

Substance of Charge Preferred	Finding and Sentence
<p>First - Neglect of duty. Second - Wilful disobedience. Third - Drunk on duty on board. Fourth - Improperly leaving Royal Canadian Naval Barracks.</p>	<p>First and second charges not proved. Third and fourth charges proved. Adjudged to forfeit eighteen months seniority, to be dis- missed from H.M.C.S. "AVALON" and to be reprimanded.</p>
<p>Drunk on shore.</p>	<p>Charge not proved. Accused acquitted</p>

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RETURN OF
OFFICERS AND MEN TRIED BY COURT MARTIAL

DURING THE
PERIOD 1st January, 1947, to 31st December, 1948.

s.19(1)

RETURN OF OFFICERS AND MEN TRIED BY COURT MARTIAL
1st January, 1947, to 31st December, 1948

Date of Trial	Name	Rank	Name of Ship	Substance of Charge Preferred	Finding and Sentence
17th January, 1947.		Leading Seaman, R.C.N., 4647-H	"MICMAC"	First and Second - Act to the prejudice of good order and Naval discipline in endeavouring to seduce a man from his duty or allegiance to His Majesty. Third - Act to the prejudice of good order and Naval discipline in unlawfully attempting to stir up a disturbance in relation to a complaint.	Charges proved. Adjudged to be kept in detention for twelve months, to be disgraced to Able Seaman and to be deprived of one good conduct badge.
NOTE: - The Honourable the Minister modified the sentence by reducing the term of detention to three months.					
25th March, 1947.		Boatswain (Star) R.C.N. 0-36938	"NADEN"	Drunk in the Royal Canadian Naval Barracks, Esquimalt, B.C.	Charge not proved. Accused acquitted.
26th June, 1947.		Warrant Officer (L) R.C.N. 0-78893	"WARRIOR"	First - Act to the prejudice of good order and Naval discipline in drinking intoxicating liquors to such excess as to produce illness. Second - Act to the prejudice of good order and Naval discipline in smuggling spirits into H.M.C.S. "WARRIOR". Third - Act to the prejudice of good order and Naval discipline in having spirits in his possession contrary to K.R.C.N. Article 12.18.	Second charge not proved. First and third charges proved. Adjudged to forfeit six months seniority, to be dismissed from H.M.C.S. "WARRIOR" and to be severely reprimanded.

s.19(1)

- 2 -

Date of Trial	Name	Rank	Name of Ship	Substance of Charge Preferred	Finding and Sentence
12th & 14th July, 1947.		Lieutenant (P) R.C.N. O-22695	"STADACONA"	Second - Act to the prejudice of good order and Naval discipline in omitting, as pilot of aircraft, to check weather before take-off. Third - Act to the prejudice of good order and Naval discipline not being in possession of a map of the area over which he was flying. First, Fourth, Fifth and Sixth - Negligent performance of duty.	Charges not proved. No Prima Facie case made out. Accused acquitted.
19th September, 1947.		Lieutenant (P) R.C.N. O-50639	"STADACONA"	Third - Act to the prejudice of good order and Naval discipline in omitting to check weather before take-off. Fourth - Act to the prejudice of good order and Naval discipline not being in possession of a map of the area over which he was flying. First, Second, Fifth, Sixth, Seventh and Eighth - Negligent performance of duty.	First and Third charges not proved. Second, Fourth, Fifth, Sixth, Seventh and Eighth charges proved. Adjudged to be dismissed from His Majesty's Canadian Service.
NOTE: - The Honourable the Minister, on the recommendation of the Chief of Naval Staff, dissented from the Findings with respect to the Second, Fourth and Eighth Charges and reduced the sentence to forfeiture of twelve months seniority.					
<u>1948</u>					
26th & 27th January 1948.		Commander R.C.N. O-42340	"STADACONA"	First - Negligently or by default hazard/suffer to be hazarded his ship. Second and Third - Acts to the prejudice of good order and Naval discipline in omitting to sound his siren in (i) a fog or (ii) mist. Fourth and Fifth - Acts to the prejudice of good order and Naval discipline in omitting to go at moderate speed in (i) a fog or (ii) mist.	Second and Third Charges not proved. First Charge proved, and Fourth and Fifth charges, being alternative to First Charge, dismissed. Adjudged to be dismissed from his ship and to be severely reprimanded.

s.19(1)

- 3 -

Date of Trial	Name	Rank	Name of Ship	Substance of Charge Preferred	Finding and Sentence
4th September, 1948.		Lieutenant R.C.N. O-68710	"NADEN"	First - Drunk on board Second - Act to the prejudice of good order and Naval discipline in possessing spirits in his cabin, contrary to K.R.C.N. Article 12.18.	Pleaded guilty to both charges. Adjudged to forfeit nine months seniority as a Lieutenant, to be dismissed from his ship and to be reprimanded.
8th September, 1948.		Commissioned "NADEN" Stores Officer R.C.N. O-23180		First - Theft of provisions. Second - Act to the prejudice of good order and Naval discipline in being in improper possession of stores. Third - Act to the prejudice of good order and Naval discipline in giving an improper order to subordinate. Fourth - Act to the prejudice of good order and Naval discipline in failing to pass demand notes to proper authority.	Fourth charge not proved. First, Second and Third charges proved. Adjudged to forfeit three years and two months seniority, to be dismissed from his ship and to be severely reprimanded.
9th December, 1948.		Lieutenant (S) R.C.N. O-44013	"STADACONA"	First - Obtained \$104.40 by false pretenses. Second - Knowingly signed a false official document. Third - Negligent performance of duty. Fourth - Act to the prejudice of good order and Naval discipline in counselling a rating to tell a lie. Fifth - Act to the prejudice of good order and Naval discipline in obtaining an advance of travelling expenses in excess of expected total of claim contrary to K.R.C.N. Article 71.08, Clause (2).	First, Second and Fifth charges not proved. Third and Fourth charges proved. Adjudged to forfeit twenty-four months seniority, to be dismissed from his ship, and to be severely reprimanded.

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RETURN OF
OFFICERS AND MEN TRIED BY COURT MARTIAL

DURING THE

PERIOD 1st January, 1947, to 31st December, 1948.

RETURN OF OFFICERS AND MEN TRIED BY COURT MARTIAL
1st January, 1947, to 31st December, 1948

Date of Trial	Name	Rank	Name of Ship	Substance of Charge Preferred	Finding and Sentence
17th January, 1947.		Leading Seaman, R.C.N., 4647-H	"MICMAC"	First and Second. - Act to the prejudice of good order and Naval discipline in endeavouring to seduce a man from his duty or allegiance to His Majesty. Third - Act to the prejudice of good order and Naval discipline in unlawfully attempting to stir up a disturbance in relation to a complaint.	Charges proved. Adjudged to be kept in detention for twelve months, to be disgraced to Able Seaman and to be deprived of one good conduct badge.
NOTE: - The Honourable the Minister modified the sentence by reducing the term of detention to three months.					
25th March, 1947.		Boatswain (Star) R.C.N. 0-36938	"NADEN"	Drunk in the Royal Canadian Naval Barracks, Esquimalt, B.C.	Charge not proved. Accused acquitted.
26th June, 1947.		Warrant Officer (L) R.C.N. 0-78893	"WARRIOR"	First - Act to the prejudice of good order and Naval discipline in drinking intoxicating liquors to such excess as to produce illness. Second - Act to the prejudice of good order and Naval discipline in smuggling spirits into H.M.C.S. "WARRIOR". Third - Act to the prejudice of good order and Naval discipline in having spirits in his possession contrary to K.R.C.N. Article 12.18.	Second charge not proved. First and third charges proved. Adjudged to forfeit six months seniority, to be dismissed from H.M.C.S. "WARRIOR" and to be severely reprimanded.

s.19(1)

- 2 -

Date of Trial	Name	Rank	Name of Ship	Substance of Charge Preferred	Finding and Sentence
12th & 14th July, 1947.		Lieutenant (P) R.C.N. 0-22695	"STADACONA"	Second - Act to the prejudice of good order and Naval discipline in omitting, as pilot of aircraft, to check weather before take-off. Third - Act to the prejudice of good order and Naval discipline not being in possession of a map of the area over which he was flying. First, Fourth, Fifth and Sixth - Negligent performance of duty.	Charges not proved. No Prima Facie case made out. Accused acquitted.
19th September, 1947.		Lieutenant (P) R.C.N. 0-50639	"STADACONA"	Third - Act to the prejudice of good order and Naval discipline in omitting to check weather before take-off. Fourth - Act to the prejudice of good order and Naval discipline not being in possession of a map of the area over which he was flying. First, Second, Fifth, Sixth, Seventh and Eighth - Negligent performance of duty.	First and Third charges not proved. Second, Fourth, Fifth, Sixth, Seventh and Eighth charges proved. Adjudged to be dismissed from His Majesty's Canadian Service.
NOTE: - The Honourable the Minister, on the recommendation of the Chief of Naval Staff, dissented from the Findings with respect to the Second, Fourth and Eighth Charges and reduced the sentence to forfeiture of twelve months seniority.					
1948					
26th & 27th January, 1948.		Commander R.C.N. 0-42340	"STADACONA"	First - Negligently or by default hazard/suffer to be hazarded his ship. Second and Third - Acts to the prejudice of good order and Naval discipline in omitting to sound his siren in (i) a fog or (ii) mist. Fourth and Fifth - Acts to the prejudice of good order and Naval discipline in omitting to go at moderate speed in (i) a fog or (ii) mist.	Second and Third Charges not proved. First Charge proved, and Fourth and Fifth charges, being alternative to First Charge, dismissed. Adjudged to be dismissed from his ship and to be severely reprimanded.

000244

- 3 -

Date of Trial	Name	Rank	Name of Ship	Substance of Charge Preferred	Finding and Sentence
4th September, 1948.		Lieutenant R.C.N. 0-68710	"NADIEN"	First - Drunk on board Second - Act to the prejudice of good order and Naval discipline in possessing spirits in his cabin, contrary to K.R.C.N. Article 12.18.	Pleaded guilty to both charges. Adjudged to forfeit nine months seniority as a Lieutenant, to be dismissed from his ship and to be reprimanded.
8th September, 1948.		Commissioned Stores Officer R.C.N. 0-23180	"NADIEN"	First - Theft of provisions. Second - Act to the prejudice of good order and Naval discipline in being in improper possession of stores. Third - Act to the prejudice of good order and Naval discipline in giving an improper order to subordinate. Fourth - Act to the prejudice of good order and Naval discipline in failing to pass demand notes to proper authority.	Fourth charge not proved. First, Second and Third charges proved. Adjudged to forfeit three years and two months seniority, to be dismissed from his ship and to be severely reprimanded.
9th December, 1948.		Lieutenant (S) R.C.N. 0-44013	"STADACONA"	First - Obtained \$104.40 by false pretenses. Second - Knowingly signed a false official document. Third - Negligent performance of duty. Fourth - Act to the prejudice of good order and Naval discipline in counselling a rating to tell a lie. Fifth - Act to the prejudice of good order and Naval discipline in obtaining an advance of travelling expenses in excess of expected total of claim contrary to K.R.C.N. Article 71.03, Clause (2).	First, Second and Fifth charges not proved. Third and Fourth charges proved. Adjudged to forfeit twenty-four months seniority, to be dismissed from his ship, and to be severely reprimanded.

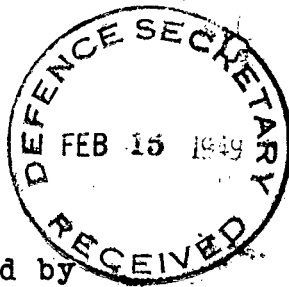
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ADMIRALTY



RETURN OF
PETTY OFFICERS, SEAMEN AND ROYAL MARINES
TRIED BY COURT-MARTIAL
DURING THE
QUARTER ENDED THE 31ST MARCH, 1949

N.L.2787/49

000248

Date of Trial	Name	Rank	Name of Ship
5th January, 1949		Able Seaman D/JX 156188	NEWCASTLE
17th January, 1949		Able Seaman D/JX 161145	NIGERIA
21st January, 1949		Petty Officer C/JX 147288	CONSTANCE

Substance of Charge preferred	Finding and Sentence
<p>Act of the prejudice of good order and naval discipline in wilfully disobeying the lawful order of a Leading Seaman given by him in the execution of his duty.</p>	<p>Accused pleaded guilty. Adjudged to be imprisoned and kept to hard labour for the term of twelve calendar months and to be dismissed from His Majesty's Service and to suffer the consequential penalties involved.</p>
<p><u>First and Second.</u> Desertion.</p>	<p>Accused pleaded guilty. Adjudged to be kept in detention for the term of nine calendar months and to suffer the consequential penalties involved.</p>
<p>Drunk on board.</p>	<p>Charge proved. Adjudged to be deprived of one Good Conduct Badge and to forfeit one day's pay.</p>

Date of Trial	Name	Rank	Name of Ship
2nd February, 1949		Stoker Mechanic P/KX 93355	AFRIKANDER
4th February, 1949		Able Seaman P/JX 801633	MERMAID

Substance of Charge preferred	Finding and Sentence
<p>First and Second. Desertion.</p>	<p>Accused pleaded guilty to first charge. Second charge found not proved but that the accused improperly left his ship. Adjudged to be imprisoned and kept to hard labour for the term of twelve calendar months, to be dismissed from His Majesty's Service and to suffer the consequential penalties involved.</p>
<p><u>First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth and Tenth.</u> Stealing. <u>Eleventh.</u> Fraudulent conversion.</p>	<p>Accused pleaded guilty to charges one to ten. The prosecution offered no evidence in support of the eleventh charge and the court found that charge not proved and acquitted the accused of the same. Adjudged to be imprisoned and kept to hard labour for the term of fifteen calendar months and to be dismissed from His Majesty's Service.</p>

Date of Trial	Name	Rank	Name of Ship
7th February, 1949		Able Seaman D/SSX 788704 Able Seaman D/SSX 818853	CARDIGAN BAY
17th February, 1949		Stores Assistant (Air) D/MX 581416	FALCON
21st February, 1949		Musician R.M.B./X 1924	NIGERIA
	s.19(1)		

Substance of Charge preferred	Finding and Sentence
<p><u>First and Second.</u> Stealing</p>	<p>Accused pleaded guilty to second charge. First charge found not proved and the accused were acquitted of the same accordingly. Both accused adjudged to be kept in detention for the term of six calendar months and to suffer the consequential penalties involved.</p>
<p><u>First.</u> Improperly leave his ship. <u>Second and Third.</u> Wilful disobedience. <u>Fourth.</u> Use insulting language to his superior officer. <u>Fifth.</u> Act to the prejudice of good order and naval discipline in using insulting language to a Leading Patrolman. <u>Sixth.</u> Act to the prejudice of good order and naval discipline in contravening Air Station Standing Orders by proceeding ashore in plain clothes.</p>	<p>Charges proved. Adjudged to be imprisoned and kept to hard labour for the term of one year and to be dismissed from His Majesty's Service and to suffer the consequential penalties involved.</p>
<p>Desertion.</p>	<p>Accused pleaded guilty. Adjudged to be kept in detention for the term of forty-two days and to suffer the consequential penalties involved.</p>

Date of Trial	Name	Rank	Name of Ship
22nd February, 1949		Petty Officer P/JX 127482	SAINT ANGELO formerly VERULAM
23rd February, 1949		Petty Officer Stoker Mechanic D/KX 88641	NIGERIA
25th February, 1949		Marine Ch/X 2860	OCEAN

Substance of Charge preferred	Finding and Sentence
<p><u>First.</u> Embezzlement. <u>Second.</u> Negligent performance of duty. <u>Third.</u> Fraudulent conversion. <u>Fourth.</u> Act to the prejudice of good order and naval discipline in utilizing for his own use or benefit a sum of money which he had received to remit to the Royal Naval Film Corporation. <u>Fifth and Sixth.</u> Fraudulent conversion.</p> <p>The Lords Commissioners of the Admiralty dissented from the finding on the fourth charge and quashed the conviction on that charge accordingly.</p>	<p>Accused pleaded guilty to fourth and fifth charges. First, second, third and sixth charges found proved. Adjudged to be deprived of three Good Conduct Badges, to be kept in detention for the term of six calendar months and to suffer the consequential penalties involved.</p>
<p><u>First.</u> Improperly leave his ship. <u>Second.</u> Indecent assault.</p>	<p>Both charges proved. Adjudged to be kept in detention for the term of nine calendar months and to suffer the consequential penalties involved and forfeit two days' pay and to have two days' leave stopped.</p>
<p><u>First - Twenty - first.</u> Stealing.</p>	<p>Accused pleaded guilty to first, second and sixth to twenty-first charges. The prosecution offered no evidence in support of the third, fourth and fifth charges. Adjudged to be deprived of two Good Conduct Badges and to be kept in detention for the term of nine calendar months.</p>

Date of Trial	Name	Rank	Name of Ship
2nd March, 1949		Petty Officer (Temporary) C/JX 147609	FORTH
3rd March, 1949		Able Seaman P/JX 630494 Able Seaman P/JX 545290	MAIDSTONE
4th March, 1949		Petty Officer Stoker Mechanic D/KX 80744	TERROR

s.19(1)

Substance of Charge preferred	Finding and Sentence
<p>Utter a forged Post Office Savings Bank Book, knowing it to be forged and with intent to defraud.</p>	<p>Accused pleaded guilty. Adjudged to be disrated to Able Seaman, to forfeit two Good Conduct Badges, to be kept in detention for the term of nine calendar months and to suffer the consequential penalties involved.</p>
<p><u>First.</u> Wilful disobedience. <u>Second.</u> Use violence against their superior officer.</p>	<p>Both charges proved. Adjudged to be imprisoned for the term of six months and to be dismissed from His Majesty's Service.</p>
<p><u>First and Second.</u> Stealing. <u>Third and Fourth.</u> Neglect to the prejudice of good order and naval discipline in not handing over to the proper authority eight in number Paxman (Twelve) TPM connecting rods, the property of His Majesty, which to his knowledge had come into his possession without the consent of the owner.</p>	<p>Charges not proved and the accused was acquitted of the same accordingly.</p>

Date of Trial	Name	Rank	Name of Ship
10th March, 1949	[REDACTED]	Marine Ply/X 3328	OCEAN
11th March, 1949	[REDACTED]	Marine PO. E/X 127184	OCEAN
17th March, 1949	[REDACTED]	Ordinary Seaman D/SSX 848370	ILLUSTRIOUS

Substance of Charge preferred	Finding and Sentence
<u>First to Seventeenth.</u> Stealing.	Accused pleaded guilty to seventh, eighth, ninth, tenth and eleventh charges. Remaining charges found not proved and the accused was acquitted of the same accordingly. Adjudged to forfeit two Good Conduct Badges, to be kept in detention for the term of six calendar months and to suffer the consequential penalties involved.
<u>First, Second, Third, Fourth, Fifth and Sixth.</u> Stealing.	All charges found proved. Adjudged to forfeit one Good Conduct Badge, to be kept in detention for the term of four calendar months and to suffer the consequential penalties involved.
Desertion. The Lords Commissioners of the Admiralty were pleased to reduce the term of detention to 60 days.	Accused pleaded guilty. Adjudged to be kept in detention for the term of three calendar months and to suffer the consequential penalties involved.

Date of Trial	Name	Rank	Name of Ship
17th March, 1949	[REDACTED]	Ordinary Seaman D/JX 646357	ILLUSTRIOUS
s.19(1)			
21st March, 1949	[REDACTED]	Stores Chief Petty Officer D/MX 51530	OCEAN
25th March, 1949	[REDACTED]	Stoker C/SKX 771178	BELFAST
29th March, 1949	[REDACTED]	Marine Ply/X 2509	OCEAN

Substance of Charge preferred	Finding and Sentence
Desertion.	Accused pleaded guilty. Adjudged to be imprisoned for the term of nine calendar months and to be dismissed from His Majesty's Service and to suffer the consequential penalties involved.
<u>First and Second.</u> Knowingly make a false official record.	Charges proved. Adjudged to forfeit one Good Conduct Badge.
Desertion.	Adjudged to be imprisoned for the term of nine calendar months, to be dismissed from His Majesty's Service and to suffer the consequential penalties involved.
<u>First - Sixth.</u> Stealing. <u>Seventh.</u> Conspiracy to defraud. <u>Eighth.- Twenty-third.</u> Stealing.	All charges proved. Adjudged to be imprisoned for the term of eighteen calendar months, to be dismissed from His Majesty's Service and to suffer the consequential penalties involved.

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ADMIRALTY

RETURN OF
OFFICERS TRIED BY COURT-MARTIAL




DURING THE
QUARTER ENDED THE 31ST MARCH, 1949





N.L.2787/49

000264

s.19(1)

No.	Date of Trial	Name	Rank	Name of Ship
6943	14th January, 1949		Gunner (T.A.S.), R.N.	COSSACK
6944	19th January, 1949		Lieutenant Commander, R.N.	AGINCOURT
6945	21st January, 1949		Warrant Electrical Officer (R), D.S.M., R.N.	SAINT ANGELO

Substance of Charge preferred	Finding and Sentence
<p><u>First.</u> Neglect to the prejudice of good order and naval discipline in that he was absent from his place of duty.</p> <p><u>Second.</u> Drunk on shore.</p>	<p>Accused pleaded guilty to first charge. Both charges proved.</p> <p>Adjudged to forfeit one year's priority as a Gunner (T.A.S.) in His Majesty's Fleet, to be dismissed from His Majesty's Ship Cossack and to be severely reprimanded.</p>
<p><u>First.</u> Act to the prejudice of good order and naval discipline in contravening Article 521, Clause 1, K.R. & A.I. in that he did supply intoxicating liquor to certain ratings.</p> <p><u>Second.</u> Wilful disobedience.</p> <p><u>Third.</u> Drunk on board.</p> <p><u>Fourth.</u> Neglect to the prejudice of good order and naval discipline in that he failed to ensure the safe custody of important keys when acting as Officer of the Day.</p>	<p>All charges proved.</p> <p>Adjudged to be dismissed from His Majesty's Service.</p>
<p><u>First.</u> Negligent performance of duty in failing to report the loss of one W/T receiver, the property of His Majesty.</p> <p><u>Second.</u> Act to the prejudice of good order and naval discipline in suggesting to a rating that he should tell a lie.</p> <p><u>Third.</u> Act to the prejudice of good order and naval discipline in telling a lie at an official enquiry.</p>	<p>Accused pleaded guilty to all charges.</p> <p>Adjudged to forfeit six months' seniority as a Warrant Electrical Officer (R) in His Majesty's Fleet and to be reprimanded.</p>

No.	Date of Trial	Name	Rank	Name of Ship
6946	24th January, 1949		Lieutenant, R.N.	TOKEN
6947	27th January, 1949		Lieutenant Commander, R.N.	PROTECTOR

Substance of Charge preferred

Finding and Sentence

First. Act to the prejudice of good order and naval discipline in contravening Article 919, K.R. & A.I. in that he did connive at the landing of one bottle of whisky on which Customs Duty had not previously been paid.

Second. Act to the prejudice of good order and naval discipline in contravening Article 619, K.R. & A.I. in that he did smuggle one bottle of whisky into His Majesty's Ship Osprey.

Third. Act to the prejudice of good order and naval discipline in wearing the uniform jacket of a Petty Officer Telegraphist whilst in the company of naval ratings.

First. Act to the prejudice of good order and naval discipline in that he drew a cheque and negotiated the same without having any reasonable grounds for believing that the said cheque would be met on presentation.




Second. Wilful disobedience.

Charges found proved.
Adjudged to forfeit six months' seniority as a Lieutenant in His Majesty's Fleet and to be dismissed from His Majesty's Ship Token.

Accused pleaded guilty to first charge. The prosecution offered no evidence in support of the second charge and that charge was found not proved and the accused was acquitted of the same accordingly. Adjudged to forfeit nine months' seniority as a Lieutenant Commander in His Majesty's Fleet, to be dismissed from His Majesty's Ship Protector and to be severely reprimanded.

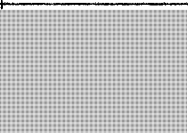
No.	Date of Trial	Name	Rank	Name of Ship
6948	28th January, 1949	[REDACTED]	Instructor Lieutenant, B.Sc., R.N.	TRIUMPH
		[REDACTED]	Temporary Warrant Stores Officer, R.N.	
6949	4th February, 1949	[REDACTED]	Lieutenant Commander (S), R.N.	SCOTT
6950	14th February, 1949	[REDACTED]	Lieutenant Commander, D.S.C., R.N.	PEMBROKE formerly DRAKE II for MEDIATOR

Substance of Charge preferred	Finding and Sentence
<p><u>First.</u> Absence without leave.</p> <p><u>Second.</u> Act to the prejudice of good order and naval discipline in remaining out of the ship overnight without having entered their names in the Officers' Leave Address Book, as required by Ship's Standing Orders.</p>	<p>Accused pleaded guilty to both charges.</p> <p>First accused (Stubbins) adjudged to forfeit three months' seniority as Instructor Lieutenant in His Majesty's Fleet and to be reprimanded.</p> <p>Second accused (Tregunno) adjudged to be reprimanded.</p>
<p><u>First, Second.</u> Negligent performance of duty in that he failed to carry out two musters of the Stock of Cash Clothing in his charge.</p> <p><u>Third, Fourth.</u> Negligent performance of duty in that he failed to render the Cash Clothing Account within thirty days of the end of the quarter.</p> <p><u>Fifth, Sixth.</u> Negligent performance of duty in that he failed to render the Provision Account within thirty days of the end of the quarter.</p>	<p>Accused pleaded guilty. Adjudged to forfeit three months' seniority as a Lieutenant Commander (S) in His Majesty's Fleet and to be severely reprimanded.</p>
<p><u>First.</u> Negligently or by default strand His Majesty's Ship Mediator.</p> <p><u>Second.</u> Negligently or by default hazard His Majesty's Ship Mediator.</p>	<p>Both charges proved. Adjudged to be reprimanded.</p>

No.	Date of Trial	Name	Rank	Name of Ship
6951	24th February, 1949		Lieutenant (A), R.N.	MERLIN
6952	23rd March, 1949		Lieutenant, R.N.	AFRIKANDER
6953	28th March, 1949		Warrant Stores Officer, R.N.	OCEAN

Substance of Charge preferred	Finding and Sentence
<p><u>First.</u> Act to the prejudice of good order and naval discipline in contravening A.F.O.3041/48, Chapter IV, Section II, Article 135, paragraph 3 when acting as pilot of an aircraft, in diving without due cause or authority below an altitude of 2,000 feet when over the airfield.</p> <p><u>Second.</u> Act to the prejudice of good order and naval discipline in contravening A.F.O.3041/48, Chapter IV, Section II, Article 136, paragraph 4 when acting as pilot of an aircraft, in carrying out aerobatics at an altitude under 3,000 feet over the airfield without permission.</p>	<p>Accused pleaded guilty. Adjudged to be reprimanded.</p>
<p><u>First.</u> Act to the prejudice of good order and naval discipline in contravening South Atlantic General Order 1362 in that he did use an Admiralty car for an unauthorised journey which was not in the course of his duties.</p> <p><u>Second.</u> Knowingly sign a false official document.</p>	<p>Both charges proved. Adjudged to be reprimanded.</p>
<p><u>First.</u> Knowingly command the making of a false official record.</p> <p><u>Second.</u> Negligent performance of duty in that he failed to inform the Supply Officer of a deficiency in the stock of butter held on board.</p> <p><u>Third.</u> Negligent performance of duty in that he failed to exercise adequate direct supervision over the refrigerated victualling stores.</p>	<p>All charges proved. Adjudged to forfeit six months' seniority as Warrant Stores Officer, to be dismissed from His Majesty's Ship Ocean and to be severely reprimanded.</p>

s.19(1).



No.	Date of Trial	Name	Rank	Name of Ship
6954	31st March, 1949		Lieutenant (A), D.S.C., R.N.	DAEDALUS

Substance of Charge preferred	Finding and Sentence
<p data-bbox="85 189 715 377">Negligent performance of duty when acting as pilot of a Sea Fury aircraft in that he failed to select "Under-carriage Down" prior to making a landing, thereby causing heavy damage to the aircraft.</p> <p data-bbox="89 415 1131 540">The Lords Commissioners of the Admiralty quashed the conviction on the grounds that the advice given to the Court on the elements constituting an offence of negligence was not recorded and annulled the sentence accordingly.</p>	<p data-bbox="762 189 1005 284">Charge proved. Adjudged to be reprimanded.</p>

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ADMIRALTY

RETURN OF
PETTY OFFICERS, SEAMEN AND ROYAL MARINES
TRIED BY COURT-MARTIAL
DURING THE
QUARTER ENDED THE 30TH SEPTEMBER, 1948

Date of Trial	Name	Rank	Name of Ship
2nd July, 1948		Cook (S) C/SMX 752785	Anson
8th July, 1948		Petty Officer Writer P/MX 58070	St. Angelo

Substance of Charge preferred	Finding and Sentence
<u>First.</u> Strike his superior officer. <u>Second.</u> Absence without leave.	Accused pleaded guilty to both charges. Adjudged to be imprisoned and kept to hard labour for the term of nine calendar months and to be dismissed from His Majesty's Service and to be mulct 4 days' pay.
<u>First.</u> Obtain goods with intent to defraud, under, upon or by virtue of a forged document. <u>Second.</u> Forgery. <u>Third.</u> Knowingly make a false official record.	Accused pleaded guilty to first and third charges. The prosecution offered no evidence in support of the second charge and the Court found that charge not proved and acquitted the accused of the same accordingly. Adjudged to be imprisoned for the term of five calendar months, to be dismissed from His Majesty's Service and to suffer the consequential penalties involved.

Date of Trial	Name	Rank	Name of Ship
16th July, 1948	[REDACTED]	Stores Petty Officer P/MX 60824	Tamar
19th July, 1948	[REDACTED]	Writer D/MX 797407	Terror
	s.19(1)		


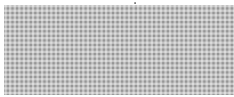
Substance of Charge preferred	Finding and Sentence
<p><u>First.</u> Fraudulently apply for a purpose other than the public service certain provisions which were entrusted to him by virtue of his employment.</p> <p><u>Second, Third and Fourth.</u> Make a false official document.</p> <p><u>Fifth.</u> Negligent performance of duty.</p>	<p>First and fifth charges not proved and the accused was acquitted of the same accordingly. Remaining charges proved. Adjudged to be disgraced to Leading Stores Assistant and to be deprived of two Good Conduct Badges.</p>

The Lords Commissioners of the Admiralty dissented from the findings on the second, third and fourth charges and annulled the sentence accordingly.

First, Second, Third, Fourth, Fifth and Sixth. Knowingly make a false official document.

Seventh, Eighth and Ninth. Negligent performance of duty.

First, Second, Third, Fourth, Fifth and Sixth charges not proved and the accused was acquitted of the same accordingly. Seventh, eighth and ninth charges proved. Adjudged to be placed under stoppage of leave for thirty days.

Date of Trial	Name	Rank	Name of Ship
26th July, 1948		Petty Officer Writer D/MX 63488	Terror
5th August, 1948		Able Seaman C/JX 150420	Diadem

Substance of Charge preferred	Finding and Sentence
<p><u>First, Second, Third, Fourth, Fifth, Sixth, Seventh and Eighth.</u> Knowingly make a false official document.</p> <p><u>Ninth, Tenth, Eleventh and Twelfth.</u> Fraudulent conversion.</p> <p><u>Thirteenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth and Eighteenth.</u> Negligent performance of duty.</p> <p><u>Nineteenth.</u> Stealing.</p> <p><u>Twentieth.</u> Neglect to the prejudice of good order and naval discipline in not handing over to the proper authority three credit letters in respect of four ratings, the property of His Majesty, which to his knowledge had come into his possession without the consent of the owner.</p>	<p>Accused pleaded guilty to all charges.</p> <p>Adjudged to be imprisoned for the term of two years, one year of which he be kept to hard labour, to be dismissed from His Majesty's Service and to suffer the forfeitures enumerated in Section 52, sub-clause 10 of the Naval Discipline Act.</p>
<p>The Lords Commissioners of the Admiralty dissented from the findings on the fifth, sixth, seventh, eighth, thirteenth, fourteenth, fifteenth, sixteenth, nineteenth and twentieth charges and quashed the conviction on those charges. They were pleased to reduce the term of imprisonment to 12 months with hard labour but not otherwise to interfere with the sentence.</p>	
<p><u>First.</u> Stealing.</p> <p><u>Second.</u> Act to the prejudice of good order and naval discipline in breaking open a locked drawer, containing money, in the desk in the Clothing Issue Room.</p> <p><u>Third.</u> Act to the prejudice of good order and naval discipline in breaking open the door of the Clothing Issue Room.</p> <p><u>Fourth.</u> Act to the prejudice of good order and naval discipline in not handing over to the proper authority property which to his knowledge had come into his possession without the consent of the owner.</p>	<p>Accused pleaded guilty.</p> <p>Adjudged to be kept in detention for the term of four calendar months and to suffer the consequential penalties involved.</p>

Date of Trial	Name	Rank	Name of Ship
5th August, 1948	[REDACTED]	Petty Officer D/JX 145430	Drake
5th August, 1948	[REDACTED]	Able Seaman C/JX 157246	Whirlwind
20th August, 1948	[REDACTED]	Writer P/MX 778484	St. Angelo for Volage

s.19(1)

Substance of Charge preferred	Finding and Sentence
<p><u>First.</u> Use provoking speech tending to make a disturbance.</p> <p><u>Second.</u> Act to the prejudice of good order and naval discipline in wilfully disobeying the lawful order of a Leading Patrolman.</p> <p><u>Third.</u> Act to the prejudice of good order and naval discipline in striking a Leading Patrolman he being in the execution of his duty.</p> <p><u>Fourth.</u> Strike his superior officer.</p> <p><u>Fifth.</u> Act to the prejudice of good order and naval discipline in violently resisting arrest.</p>	<p>First, Third and Fifth charges proved. Second and Fourth charges not proved. Adjudged to be disgrated to Leading Seaman and to be deprived of two Good Conduct Badges.</p>
<p><u>First.</u> Remain absent over leave.</p> <p><u>Second, Fourth and Fifth.</u> Strike his superior officer.</p> <p><u>Third.</u> Use insulting language to his superior officer.</p>	<p>Accused pleaded guilty to first charge, remaining charges proved. Adjudged to be kept in detention for the term of eighteen calendar months, to be deprived of one good conduct badge, to forfeit oneday's pay and to have one days leave stopped.</p>
<p><u>First.</u> Forgery.</p> <p><u>Second.</u> Utter a forged document with intent to defraud.</p>	<p>Accused pleaded guilty. Adjudged to be kept in detention for six calendar months and to suffer the consequential penalties involved.</p>

Date of Trial	Name	Rank	Name of Ship
19th-23rd August, 1948		Stores Chief Petty Officer P/MX 63655	Ariel
9th September, 1948		Petty Officer Telegraphist (Temporary) D/JX 153686	Montclare for H.M. Submarine Reserve Group "L".

Substance of Charge preferred	Finding and Sentence
<u>First.</u> Knowingly make a false official document.	Fifth and sixth charges not proved and the accused was acquitted of the same accordingly. Remaining charges proved. Adjudged to be imprisoned and kept to hard labour for the term of two years, to be dismissed from His Majesty's Service and to suffer the consequential penalties involved.
<u>Second.</u> Procure the making of a false official document.	
<u>Third.</u> Wifullly and with intent to defraud concur in omitting a material particular from an account.	
<u>Fourth.</u> Procure the making of a false official document.	
<u>Fifth and Sixth.</u> Command the making of a false official document.	
<u>Seventh.</u> Procure the making of a false official document.	
<u>Eighth, Ninth and Tenth.</u> Negligent performance of duty.	

The Lords Commissioners of the Admiralty were pleased to reduce the term of imprisonment to one year with hard labour but not otherwise to interfere with the sentence.

First. Act to the prejudice of good order and naval discipline in contravening Article 919, K.R. & A.I. in that he smuggled 4,000 duty-free cigarettes.


Second. Fraudulent embezzlement.

Third. Absence without leave.

Accused pleaded guilty to all charges. Adjudged to be kept in detention for the term of three calendar months, to be disgrated to Telegraphist, to be deprived of two Good Conduct Badges, to forfeit sixteen days' pay and sixteen days' leave and to suffer the consequential penalties involved.

Date of Trial	Name	Rank	Name of Ship
16th September, 1948		Signalman C/J 111453	Tyne
16th September, 1948		Petty Officer D/JX 142677	Sparrow
16th September, 1948		Stoker LT/KX 131253	Pembroke
	s.19(1)		

Substance of Charge preferred	Finding and Sentence
Desertion.	Charge of desertion found not proved but that the accused remained absent without leave 44 days, 8 hours, 50 minutes. Adjudged to be kept in detention for the term of ten weeks and to suffer the consequential penalties involved, to be mulcted 45 days' pay and to have 45 day's leave stopped.
<u>First.</u> Commit an indecent assault on another rating. <u>Second.</u> Act to the prejudice of good order and naval discipline in that he turned in on a camp bed already occupied by another rating.	Both charges proved. Adjudged to be imprisoned and kept to hard labour for the term of one year and to suffer the consequential penalties involved and to forfeit any campaign and commemorative medals granted to him.
The Lords Commissioners of the Admiralty were pleased to remit the forfeiture of campaign and commemorative medals granted but not otherwise to interfere with the sentence.	
<u>First and Second.</u> Desertion.	Accused pleaded guilty to both charges. Adjudged to be imprisoned for the term of nine calendar months, to be dismissed from His Majesty's Service and to suffer the consequential penalties involved.

Date of Trial	Name	Rank	Name of Ship
20th September, '1948		Petty Officer Cook (O) P/MX 56378	King George V

Substance of Charge preferred	Findings and Sentence
<p><u>First.</u> Stealing.</p> <p><u>Second.</u> Act to the prejudice of good order and naval discipline in not handing over to the proper authorities a quantity of provisions, which, to his knowledge, had come into his possession without the consent of the owner.</p> <p><u>Third.</u> Act to the prejudice of good order and naval discipline in contravening A.F.O. 3411/47, Section B, paragraph 10, in attempting to land foodstuffs.</p> <p><u>Fourth.</u> Act to the prejudice of good order and naval discipline in contravening Article 919, K.R. & A.I., in attempting to smuggle ashore two hundred and fifty five cigarettes.</p>	<p>Accused pleaded guilty to second charge. First, third and fourth charges found proved. The second charge, being an alternative charge, was found not proved and the accused was acquitted of the same accordingly. Adjudged to be kept in detention for the term of three calendar months, to be disgraced to Cook (O) and to be deprived of one Good Conduct Badge.</p>



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ADMIRALTY

RETURN OF

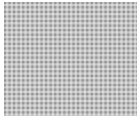


OFFICERS TRIED BY COURT-MARTIAL

DURING THE



QUARTER ENDED THE 30TH SEPTEMBER, 1948

No.	Date of Trial	Name	Rank	Name of Ship
6914	14th and 19th July, 1948	[REDACTED]	Lieutenant, R.N.	Victory for Lundy
6915	24th July, 1948	[REDACTED]	Staff Sergeant Major, R.M.	Duke of York
6916	5th August, 1948	[REDACTED]	Gunner (T), R.N.	Cochrane
		s.19(1)		

Substance of Charge preferred	Finding and Sentence
<p><u>First.</u> Drunk on board.</p> <p><u>Second.</u> Act to the prejudice of good order and naval discipline in lying on the deck of His Majesty's Ship Lundy with a rating in the presence of another rating.</p> <p><u>Third.</u> Neglect to the prejudice of good order and naval discipline in not turning out until about 1100.</p> <p><u>Fourth.</u> Neglect to the prejudice of good order and naval discipline by allowing his cabin to be in a filthy state.</p> <p>Act to the prejudice of good order and naval discipline in attempting to smuggle duty-free cigarettes.</p> <p>Act to the prejudice of good order and naval discipline in striking a Chief Petty Officer.</p>	<p>Third and fourth charges not proved and the accused was acquitted of the same accordingly. First and second charges proved. Adjudged to be dismissed from His Majesty's Ship Lundy and to be reprimanded.</p> <p>Accused pleaded guilty. Adjudged to forfeit six months' seniority as a Staff Sergeant Major in His Majesty's Fleet and to be severely reprimanded.</p> <p>Charge proved. Adjudged to be severely reprimanded.</p>



No.	Date of Trial	Name	Rank	Name of Ship
6921	17th August, 1948		Lieutenant Commander, M.B.E., R.N. (retired)	*
* Tried under the provisions of Section 46A of the Naval Discipline Act.				
6922	19th August, 1948		Lieutenant (A), R.N.	Daedalus
6923	19th and 24th August, 1948		Lieutenant Commander (L), R.N.	Cochrane

Substance of Charge preferred	Finding and Sentence
Negligent performance of duty.	Charge not proved. Accused acquitted.
Absence without leave.	Accused pleaded guilty. Adjudged to be dismissed from His Majesty's Service.
<u>First.</u> Fraudulent conversion. <u>Second.</u> Act to the prejudice of good order and naval discipline in contravening Article 621, K.R. & A.I., in that he did receive private cheques other than those allowed by that Article into the Ward-Room Mess Funds of His Majesty's Ship Cochrane when acting in the capacity of Ward-Room Mess Secretary.	Accused pleaded guilty to second charge. Remaining charges proved. Adjudged to be imprisoned for the term of nine calendar months and to be dismissed from His Majesty's Service and to suffer the consequential penalties involved.
<u>Third, Fourth, Fifth, Sixth, Seventh and Eighth.</u> Act to the prejudice of good order and naval discipline in presenting a cheque in payment of an account without having reasonable grounds for believing that it would be met on presentation.	
The Lords Commissioners of the Admiralty dissented from the finding on the second charge but did not interfere with the sentence.	

No.	Date of Trial	Name	Rank	Name of Ship
6924	1st September, 1948		Lieutenant (E), R.N.	Dolphin
6925	2nd September, 1948		Acting Lieutenant Commander (S), R.N.	Franklin



Substance of Charge preferred	Finding and Sentence
<p><u>First.</u> Use provoking gestures tending to create a disturbance.</p> <p><u>Second.</u> Act to the prejudice of good order and naval discipline in that he used a loaded Service revolver in a threatening manner without reasonable cause.</p> <p><u>Third.</u> Act to the prejudice of good order and naval discipline in that he was in improper possession of one revolver, the property of His Majesty.</p> <p><u>Fourth.</u> Act to the prejudice of good order and naval discipline in contravening A.F.O.5050/45 in that he failed to return one Service revolver to a Naval Armament Depot.</p> <p><u>Fifth.</u> Act to the prejudice of good order and naval discipline in that he was in improper possession of seventy-six rounds of ammunition, the property of His Majesty.</p> <p><u>Sixth.</u> Act to the prejudice of good order and naval discipline in contravening A.F.O.5050/45 in that he failed to return seventy-six rounds of Service revolver ammunition to a Naval Armament Depot.</p>	<p>All charges proved.</p> <p>Adjudged to forfeit one year's seniority as a Lieutenant (E) in His Majesty's Fleet, to be dismissed from His Majesty's Ship Dolphin and to be severely reprimanded.</p>
<p>The Lords Commissioners of the Admiralty dissented from the findings on the second, fourth and sixth charges but did not interfere with the sentence.</p> <p><u>First.</u> Neglect to the prejudice of good order and naval discipline in that he did not cause an immediate and proper investigation to be held into a loss of clothing which was reported to him.</p> <p><u>Second and Third.</u> Negligent performance of duty.</p>	<p>Accused pleaded guilty.</p> <p>Adjudged to be severely reprimanded.</p>

s.19(1)

No.	Date of Trial	Name	Rank	Name of Ship
6926	9th September, 1948		Lieutenant Commander (E), R.N.	Pioneer
6927	9th and 10th September, 1948		Lieutenant, R.N.	Offa

000298

Substance of Charge preferred	Finding and Sentence
<p><u>First.</u> Act to the prejudice of good order and naval discipline in contravening Article 919, K.R. & A.I. in smuggling duty-free cigarettes, tobacco and rum.</p> <p><u>Second.</u> Act to the prejudice of good order and naval discipline in contravening Article 919, Paragraph 6, K.R. & A.I., as amended by amendment No.6/47, in that he had in his possession at his home two and a half pounds of duty-free cut Service tobacco.</p> <p><u>Third.</u> Act to the prejudice of good order and naval discipline in contravening Article 1921, K.R. & A.I. in applying to unauthorized private use eight items of Naval Stores, the property of His Majesty.</p>	<p>Accused pleaded guilty to first charge. The prosecution offered no evidence in support of the third charge and the court found that charge not proved and therefore acquitted the accused of the same. Second charge not proved and the accused was acquitted of the same accordingly.</p> <p>Adjudged to be dismissed from His Majesty's Service.</p>
<p><u>First.</u> Act to the prejudice of good order and naval discipline in contravening Article 919, K.R. & A.I., in smuggling eight hundred and fifty-five duty-free cigarettes.</p> <p><u>Second.</u> Knowingly make a false official document.</p> <p><u>Third.</u> Fraudulent conversion.</p> <p><u>Fourth, Fifth and Sixth.</u> Knowingly make a false official document.</p> <p><u>Seventh and Eighth.</u> Act to the prejudice of good order and naval discipline in contravening Article 919, paragraph 2a, K.R. & A.I. and A.F.O.210/48, paragraph 7, by causing the transfer of duty-free cigarettes from His Majesty's Ship Sluys to His Majesty's Ship Offa without informing the Customs Authorities and without application on Form C. & E.90.</p> <p><u>Ninth and Tenth.</u> Fraudulent conversion.</p> <p><u>Eleventh.</u> Act to the prejudice of good order and naval discipline in contravening Article 619, paragraph 3, K.R. & A.I., in ordering the issue to himself of six bottles of whiskey from the Wardroom Mess of His Majesty's Ship Offa.</p> <p><u>Twelfth.</u> Act to the prejudice of good order and naval discipline in contravening A.F.O.721/46, paragraphs 51 and 52, by obtaining from His Majesty's Ship Romola one book of clothing Coupon Equivalent Document Forms S.110.</p> <p><u>Thirteenth.</u> Neglect to the prejudice of good order and naval discipline in failing to return to the Base Supply Officer one book of Clothing Coupon Equivalent Document Forms S.110, contrary to A.F.O.721/46, clause 51.</p>	<p>Accused pleaded guilty to the first, second, fourth, fifth, seventh, eighth, eleventh and twelfth charges. The prosecution offered no evidence in support of the thirteenth charge and that charge was found not proved. The third, ninth and tenth charges were also found not proved and the accused was acquitted of those charges and of the thirteenth charge accordingly. Adjudged to be dismissed from His Majesty's Service.</p>

No.	Date of Trial	Name	Rank	Rank of Ship
6928	24th September, 1948		Lieutenant, R. N.	Pioneer
6929	28th September, 1948		Sub-Lieutenant, R. N.	Anson

Substance of Charge preferred	Finding and Sentence
<p><u>First.</u> Absence without leave. <u>Second.</u> Fraudulent conversion.</p>	<p>Accused pleaded guilty to both charges. Adjudged to be imprisoned for the term of twelve calendar months and to be dismissed from His Majesty's Service and to suffer the consequential penalties involved.</p>
<p>The Lords Commissioners of the Admiralty were pleased to reduce the term of imprisonment to six months but not otherwise to interfere with the sentence.</p> <p>Drunk on board.</p>	<p>Accused pleaded guilty. Adjudged to be severely reprimanded.</p>



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000303

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ADMIRALTY

RETURN OF
OFFICERS TRIED BY COURT-MARTIAL

DURING THE


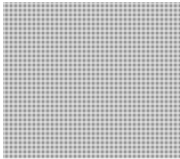

QUARTER ENDED THE 30TH JUNE, 1949


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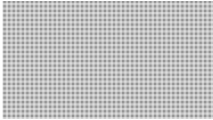



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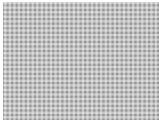
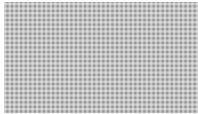
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No.	Date of Trial	Name	Rank	Name of Ship
6955	7th April, 1949		Lieutenant, R.N.	CAMPER-DOWN
6956	12th April, 1949		Lieutenant Commander (E), R.N.	DAEDALUS
6957	13th April, 1949		Lieutenant, R.N.	SEA EAGLE for LOCH TRALAIG



Substance of Charge preferred	Finding and Sentence
<p><u>First.</u> Negligent performance of duty.</p> <p><u>Second.</u> Act to the prejudice of good order and naval discipline in causing to be removed from the Watchkeeper's Signal Log and the Wardroom Signal Log copies of a signal from Senior Officer, Reserve Fleet, Plymouth to Senior Officer, Battle Group in His Majesty's Ship Camperdown.</p> <p><u>Third.</u> Fraudulent conversion.</p> <p>The Lords Commissioners of the Admiralty were pleased to reduce the term of imprisonment to four calendar months but not otherwise to interfere with the sentence.</p> <p>Negligent performance of duty when acting as pilot of an aircraft in that he failed to carry out the correct cockpit drill when landing thereby causing damage to the aircraft.</p> <p>The Lords Commissioners of the Admiralty quashed the conviction and annulled the sentence accordingly.</p>	<p>Accused pleaded guilty to first and second charges. Third charge proved. Adjudged to be imprisoned for the term of six calendar months, to be dismissed from His Majesty's Service and to suffer the consequential penalties involved.</p> <p>Charge proved. Adjudged to be reprimanded.</p>
<p><u>First and Second.</u> Negligent performance of duty when acting as officer in charge of victualling in that he omitted to verify the amount of service provisions remaining on board at the end of the month.</p> <p><u>Third.</u> Negligent performance of duty when acting as officer in charge of victualling in that he omitted to verify the amount of service tobacco remaining on board at the end of the month.</p>	<p>Accused pleaded guilty to all charges. Adjudged to be reprimanded.</p>

No.	Date of Trial	Name	Rank	Name of Ship
6958	13th April, 1949		Lieutenant, R.N.	VICTORY
6959	25th April, 1949		Lieutenant, R.N.	TERROR

Substance of Charge preferred	Finding and Sentence
<p>Drunk on duty.</p>	<p>Charge proved. Adjudged to forfeit one year's seniority as a Lieutenant in His Majesty's Fleet, to be dismissed from His Majesty's Ship Victory and to be severely reprimanded.</p>
<p><u>First and Second.</u> Fraudulent conversion. <u>Third.</u> Act to the prejudice of good order and naval discipline in that he drew a cheque on his private account and negotiated the same without having any reasonable grounds for believing that it would be met on presentation. <u>Fourth.</u> Fraudulent conversion. <u>Fifth.</u> Act to the prejudice of good order and naval discipline in contravening Article 639, paragraph 2, K.R. and A.I. in that he remained out of the ship for the night without the previous sanction of the Commanding Officer. <u>Sixth.</u> Act to the prejudice of good order and naval discipline in that he was absent from his place of duty.</p>	<p>Accused pleaded guilty to all charges. Adjudged to be imprisoned for the term of three calendar months and to be dismissed from His Majesty's Service.</p>

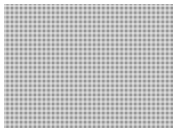



No.	Date of Trial	Name	Rank	Name of Ship
6960	10th May, 1949		Senior Commissioned Gunner, R.N.	COCHRANE
6961	13th May, 1949		Lieutenant, R.N.	DAEDALUS

Substance of Charge preferred	Finding and Sentence
<p><u>First and Third.</u> Act to the prejudice of good order and naval discipline in that being alone in his cabin with a rating he ordered the said rating to change his suit in his presence without reasonable excuse.</p> <p><u>Second and Fourth.</u> Act to the prejudice of good order and naval discipline in that being alone in his cabin with a rating he permitted the said rating to change his suit in his presence without reasonable cause.</p> <p><u>Fifth.</u> Act to the prejudice of good order and naval discipline in improperly inviting a rating to come into his cabin during the silent hours for the purpose of consuming alcoholic liquor.</p>	<p>First, third and fifth charges found not proved and the accused was acquitted of the same accordingly.</p> <p>Second and fourth charges proved. Adjudged to be dismissed from His Majesty's Service.</p>
<p><u>First.</u> Negligent performance of duty when acting as pilot in charge of a Vampire aircraft in that he failed to carry out the correct cockpit drill when landing, by failing to lower his undercarriage, thus causing damage to the aircraft.</p> <p><u>Second.</u> Act to the prejudice of good order and naval discipline when acting as pilot of a Vampire aircraft in landing on the wrong runway in disregard of instructions.</p> <p>The Lords Commissioners of the Admiralty dissented from the finding on the first charge and annulled the sentence accordingly.</p>	<p>Second charge not proved and the accused was acquitted of the same accordingly.</p> <p>First charge proved. Adjudged to be reprimanded.</p>

No.	Date of Trial	Name	Rank	Name of Ship
6962	16th May, 1949	*  * Dominion Court-Martial.	Temporary Commissioned Gunner, R.N.	BELLONA
6963	25th May, 1949		Lieutenant (L), R.N.	MERCURY II

Substance of Charge preferred	Finding and Sentence
<p><u>First.</u> Commit an indecent assault on a rating.</p> <p><u>Second.</u> Act to the prejudice of good order and naval discipline in being in an officer's cabin with a rating without reasonable excuse.</p> <p><u>Third.</u> Solicit a rating to commit an act of gross indecency with him.</p> <p><u>Fourth.</u> Act to the prejudice of good order and naval discipline in making an improper suggestion to a rating.</p> <p><u>Fifth.</u> Incite a rating to commit an act of gross indecency with him.</p>	<p>Second, third and fifth charges found not proved and the accused was acquitted of the same accordingly. First and fourth charges proved. Adjudged to be dismissed from His Majesty's Service.</p>
<p>The Lords Commissioners of the Admiralty dissented from the findings of the Court on the first and fourth charges and annulled the sentence accordingly.</p>	
<p><u>First.</u> Conduct unbecoming the character of an officer in making a suggestion of an indecent nature to a rating.</p> <p><u>Second.</u> Use provoking speeches tending to make a disturbance.</p> <p><u>Third.</u> Act to the prejudice of good order and naval discipline in drinking intoxicating liquors in a public place in the company of naval ratings.</p>	<p>First and second charges not proved and the accused was acquitted of the same accordingly. Third charge proved. Adjudged to forfeit two years seniority as a Lieutenant (L) in His Majesty's Fleet and to be dismissed from His Majesty's Ship Mercury II.</p>

000313

No.	Date of Trial	Name	Rank	Name of Ship
6964	26th May, 1949		Lieutenant, R.N.	SEAHAWK
6965	27th May, 1949		Lieutenant (S), R.N.	LIVERPOOL
6966	1st June, 1949		Lieutenant (S), R.N.	NIGERIA
6967	14th June, 1949		Commander (S), R.N.	LIVERPOOL

s.19(1)

Substance of Charge preferred	Finding and Sentence
Negligently or by default suffer a Sea Otter aircraft to be lost.	Charge found not proved and the accused was acquitted.
<u>First and Second.</u> Negligent performance of duty.	Second charge not proved and the accused was acquitted of the same accordingly. First charge proved. Adjudged to be reprimanded.
<u>First and Second.</u> Negligent performance of duty. <u>Third.</u> Act to the prejudice of good order and naval discipline in contravening K.R. and A.I., Article 1451 in that he improperly entrusted a sum of money to a Petty Officer Writer for payment to another rating. <u>Fourth, Fifth and Sixth.</u> Negligent performance of duty. <u>Seventh.</u> Neglect to the prejudice of good order and naval discipline in that he omitted to disclose evidence material to the proceedings at an official investigation on disciplinary charges preferred against a Petty Officer Writer. <u>Eighth and Ninth.</u> Negligent performance of duty.	Accused pleaded guilty to all charges. Adjudged to be dismissed from His Majesty's Ship Nigeria.
<u>First, Second, Third, Fourth, Fifth, Sixth.</u> Negligent performance of duty.	Third, fourth and sixth charges found not proved and the accused was acquitted of the same accordingly. Remaining charges proved. Adjudged to be reprimanded.

000315



IN REPLY
QUOTE

NO. 445/201/234.

14117

Mc

TELEPHONES:

MXV 550

NAVY OFFICE, VICTORIA BARRACKS,
ST. KILDA ROAD,

MXV 130

NAVAL BRANCHES,
ALBERT PARK BARRACKS.

TELEGRAPHIC ADDRESS:

"NAVY, MELBOURNE"

COMMONWEALTH OF AUSTRALIA

DEPARTMENT OF THE NAVY

NAVY OFFICE, MELBOURNE. S.C.1.

The Secretary,
Naval Board,
CANADA.

APR 21 1949

RETURN OF COURTS-MARTIAL AND DISCIPLINARY COURTS
HELD IN THE R.A.N. DURING THE YEARS 1946
AND 1947.

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

Encl.

Referred to: *Staff*
APR 23 1949
File No. *4255-1*
Orig. to: *DDP 42/19*

Wm. H. Harris

Secretary
Naval Board.

DEPARTMENT OF THE NAVY

NAVY OFFICE,
MELBOURNE,
AUGUST, 1948

RETURN OF NAVAL COURTS-MARTIAL AND DISCIPLINARY COURTS

held during the period

From 1st JANUARY, 1946, to 31st DECEMBER, 1947

J. J. GOURLEY, Government Printer, Melbourne.

OFFICERS TRIED BY COURT-MARTIAL

OFFICERS TRIED BY

No.	Date of Trial.	Name.	Rank.	Ship.
The following amendment should be made to Return for period 1941-1945. Add:—				
74	26th July 1945 ..	*	Lieutenant - Commander, R.A.N.(E.L.)	H.M.A.S. <i>Maryborough</i>
120	6th March, 1946		Lieutenant - Commander, V.D., R.A.N.R.	H.M.A.S. <i>Gilolo</i>
121	30th and 31st October, 1946	.. ..	Commander, D.S.C., R.A.N.	H.M.A.S. <i>Shoalhaven</i>
122	22nd November, 1946	...	Temporary Lieutenant, R.A.N.R.(S.)	H.M.A.S. <i>Waree</i>
123	26th November, 1946		Acting Lieutenant- Commander, D.S.C., R.A.N.	H.M.A.S. <i>Macquarie</i>
124	6th December, 1946		Lieutenant - Commander, R.A.N.	H.M.A.S. <i>Hawkesbury</i>
125	24th January, 1947		Lieutenant - Commander, R.A.N.	H.M.A.S. <i>Condamine</i>
126	17th March, 1947		Lieutenant, R.A.N. ..	H.M.A.S. <i>Deloraine</i>
127	13th May, 1947..		Sub-Lieutenant, R.A.N.R.	H.M.A.S. <i>Air Rest</i>
		s.19(1)		

COURT-MARTIAL.

Substance of Charge Preferred.

Finding and Sentence.

Negligently or by default strand H.M.A.S. *Maryborough* ..

Accused pleaded guilty. Adjudged to be reprimanded

First.—Theft

Second.—Receiving
Third.—Act to the prejudice of good order and Naval Discipline in not handing over to the proper authorities articles which came into his possession without the consent of the owner

Accused declined to plead to the first charge. Pled not guilty to the second and guilty to the third charge. First charge proved. Second and third charges not proved. Adjudged to be dismissed from His Majesty's Service

First.—Negligently or by default hazard H.M.A.S. *Shoalhaven*
Second.—Negligently or by default strand H.M.A.S. *Shoalhaven*
Third.—Negligently or by default suffer H.M.A.S. *Shoalhaven* to be stranded

Accused pleaded not guilty. Charges not proved. Accused acquitted

First and Second.—Negligently or by default hazard H.M.A.S. *Waree*

Third.—Negligently or by default strand H.M.A.S. *Waree*
Fourth.—Negligent performance of duty

Accused declined to plead. First and fourth charges not proved. Second and third charges proved. Adjudged to be reprimanded

Negligently or by default hazard H.M.A.S. *Macquarie* ..

Accused declined to plead. Charge proved. Adjudged to be reprimanded

First.—Negligently or by default hazard H.M.A.S. *Hawkesbury*
Second.—Negligently or by default strand H.M.A.S. *Hawkesbury*
Third.—Negligently or by default hazard H.M.A.S. *Hawkesbury*

Accused declined to plead. Charges proved. Adjudged to be dismissed his ship and to be severely reprimanded

First.—Negligently or by default hazard H.M.A.S. *Condamine*
Second.—Negligently or by default strand H.M.A.S. *Condamine*

Accused declined to plead. Charges not proved. Accused acquitted

First.—Act to the prejudice of good order and Naval Discipline in engaging in an altercation with three ratings
Second.—Using provoking speeches tending to make a disturbance
The Naval Board dissented from the finding on the first charge.

Accused pleaded not guilty. Charges proved. Adjudged to be severely reprimanded

First.—Fraudulently omitting to account for mess savings of H.M.A.S. *Air Rest*

Acts to the prejudice of good order and naval discipline in—
Second.—Neglecting to ensure the disbursement of mess savings
Third.—Attempting to procure an untrue statement
Fourth.—Borrowing money from a rating

Accused pleaded guilty to the third and fourth charges. First charge not proved. Second, third, and fourth charges proved. Adjudged to be severely reprimanded

in Royal Navy.

No.	Date of Trial.	Name.	Rank.	Ship.
128	1st July, 1947 ..	..	Lieutenant - Commander, R.A.N.	H.M.A.S. <i>Condamine</i>
129	22nd July, 1947	..	Lieutenant - Commander, R.A.N.R.	H.M.A.S. <i>Lithgow</i>
130	12th November, 1947		Acting Lieutenant- Commander (S.) R.A.N.V.R.	H.M.A.S. <i>Bataan</i>

Substance of Charge Preferred.	Finding and Sentence.
<i>First.</i> —Negligently or by default hazard H.M.A.S. <i>Condamine</i> <i>Second.</i> —Negligently or by default strand H.M.A.S. <i>Condamine</i>	Accused declined to plead. Charges proved. Adjudged to be dismissed his ship
<i>First.</i> —Negligently or by default hazard H.M.A.S. <i>Lithgow</i> <i>Second.</i> —Negligently or by default strand H.M.A.S. <i>Lithgow</i>	Accused declined to plead. First charge proved, second not proved. Adjudged to be severely reprimanded
<i>First.</i> —Aiding and abetting with intent to defraud <i>Second.</i> —Knowingly sign a false official document <i>Third, Fourth, and Fifth.</i> —Act to the prejudice of good order and naval discipline in signing a statement without verifying said statement	Accused pleaded not guilty. First and second charges not proved. Third, fourth, and fifth charges proved. Adjudged to be reprimanded

OFFICERS TRIED BY DISCIPLINARY COURT

s.19(1)

OFFICERS TRIED BY

No.	Date of Trial.	Name.	Rank.	Ship.
131	27th April, 1946	..	Temporary School- master, R.A.N.	H.M.A.S. <i>Hobart</i>
132	12th June, 1946	..	Lieutenant (Sp. Br.), R.A.N.V.R.	H.M.A.S. <i>Moreton</i>
133	3rd September, 1947	..	Lieutenant, R.A.N.R. ..	H.M.A.S. <i>Kuttabul</i>

DISCIPLINARY COURT

Substance of Charge Preferred.	Finding and Sentence.
Absence without leave	Accused pleaded guilty. Adjudged to forfeit six months' seniority as a Tempy. Schoolmaster R.A.N. and to be dismissed his ship
Drunk on shore	Accused pleaded guilty. Adjudged to be dismissed his ship and to be severely reprimanded
First.—Improperly leaving his place of duty	Accused pleaded not guilty to the first and second charges and guilty to the third charge. First charge not proved, second and third charges proved. Adjudged to be dismissed from His Majesty's Service and to suffer the consequential penalties involved
Second.—Absence without leave	
Third.—Improperly leaving his place of duty	

The Naval Board were pleased to quash the finding on the second charge and to modify the sentence to "dismissal" from H.M.A.S. *Kuttabul*.

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

CHIEF PETTY OFFICERS, PETTY OFFICERS,

Date of Trial.	Name.	Rating.	Ship.
1st February, 1946..	[REDACTED] PA/3586	Ordinary Seaman ..	H.M.A.S. <i>Penguin</i>
(Previously tried by Court-Martial 8/9/44 and 2/3/45).			
1st March, 1946 ..	[REDACTED] 15622 ..	Acting Able Seaman ..	H.M.A.S. <i>Penguin</i>
28th and 29th March, 1946	[REDACTED] Bruce, 22229	Stores Petty Officer (Temporary)	H.M.A.S. <i>Penguin</i>
9th and 10th April, 1946	[REDACTED] PA/2152	Petty Officer Writer (Temporary)	H.M.A.S. <i>Penguin</i>
8th May, 1946 ..	[REDACTED] S/10323	Ordinary Seaman ..	H.M.A.S. <i>Bungaree</i>

AND MEN TRIED BY COURT-MARTIAL

Substance of Charge Preferred.	Finding and Sentence.
Improperly leaving place of duty	Accused pleaded not guilty. Charge proved. Adjudged to be imprisoned and kept to hard labour for the term of two years and to be dismissed from His Majesty's Service, any period of imprisonment beyond 7th Sept., 1946, to be remitted
Desertion	Accused pleaded guilty. Adjudged to be kept in detention for the term of twelve calendar months

The Naval Board were pleased to reduce the sentence imposed by the court from twelve months' detention to four months' detention.




<i>First.</i> —Theft	Accused pleaded not guilty. Court
<i>Fourth.</i> —Making a false official document	found there was no case to answer
<i>Eighth.</i> —Negligent performance of duty as Treasurer of Petty Officers' Club, H.M.A.S. <i>Penguin</i>	on the first charge. Fourth and
Acts to the prejudice of good order and naval discipline in—	eighth charges proved. First, second,
<i>Second.</i> —Aiding and abetting the commission of a theft	third, fifth, sixth, and seventh charges
<i>Third.</i> —Neglecting to ensure the reception and accounting of stock	not proved. Adjudged to be dis-
<i>Fifth, Sixth, and Seventh.</i> —Failing to report a discrepancy of money between sales and receipts	rated to Leading Stores Assistant and to be deprived of one Good Conduct Badge
<i>Sixth and Seventh.</i> —Negligent performance of duty when acting as Treasurer of Petty Officers' Club, H.M.A.S. <i>Penguin</i>	Pleaded not guilty. Pleaded autrefois
Acts to the prejudice of good order and naval discipline in—	convict in respect of charges one to
<i>First, Second, Third, Fourth, and Fifth.</i> —Neglecting to reconcile cash receipts with the value of stock sold	seven. First, second, third, fourth,
<i>Eighth.</i> —Conspiring with another person to cover shortages in cash receipts	fifth, sixth, and seventh charges
<i>First.</i> —Theft	proved. Eighth charge not proved.
<i>Second.</i> —Receiving	Adjudged to be reprimanded
<i>Third.</i> —Act to the prejudice of good order and naval discipline in not handing over to the proper authority money which came into his possession without the consent of the owner	Accused pleaded not guilty. First
	charge proved. Second and third
	charges not proved. Adjudged to
	be imprisoned and kept to hard
	labour for the term of six calendar
	months and to be dismissed from
	His Majesty's Service

The Naval Board were pleased to quash the finding and sentence on the grounds that evidence had been wrongfully admitted.

Date of Trial.	Name.	Rating.	Ship.
17th and 18th May, 1946	[REDACTED] S/8201	Able Seaman	H.M.A.S. <i>Bungaree</i>
	[REDACTED]	Able Seaman	H.M.A.S. <i>Bungaree</i>
	[REDACTED] 21683		
	[REDACTED] Reuben, B/4882	Able Seaman	H.M.A.S. <i>Bungaree</i>
5th June, 1946 ..	[REDACTED] 21843	Petty Officer	H.M.A.S. <i>Bungaree</i>
18th June, 1946 ..	[REDACTED] 20496	Stoker Petty Officer ..	H.M.A.S. <i>Penguin</i>
19th August, 1946..	[REDACTED] S/9073	Stoker	H.M.A.S. <i>Warrego</i>
19th August, 1946..	[REDACTED] C/LX571533	Assistant Steward ..	H.M.S. <i>Golden Hind</i>
17th October, 1946 s.19(1)	[REDACTED] P/JX.734905 ..	Ordinary Seaman	H.M.S. <i>Golden Hind</i>

Substance of Charge Preferred.	Finding and Sentence.
<p><i>First.</i>—Theft</p> <p><i>Second.</i>—Receiving Acts to the prejudice of good order and naval discipline in— <i>Third.</i>—(Relates to Hobart only). Neglecting to hand over to the proper authority money which came into his possession without the consent of the owner <i>Fourth.</i>—(Relates to Eastman only.) Neglecting to hand over to the proper authority money which came into his possession without the consent of the owner</p>	<p>All three accused pleaded not guilty <i>Hobart.</i>—Third charge proved, first and second charges not proved. Ad- judged to be kept in detention for a period of two months <i>Eastman.</i>—First and fourth charges proved. Second charge not proved. Adjudged to be imprisoned and kept to hard labour for the term of one year and to be dismissed from His Majesty's Service <i>Pascoe.</i>—Charges not proved. Accused acquitted</p>
<p><i>First.</i>—Theft</p> <p><i>Second.</i>—Receiving <i>Third.</i>—Act to the prejudice of good order and naval discipline in not being turned-in during the middle watch</p>	<p>Accused pleaded not guilty. Charges not proved. Accused acquitted</p>
<p><i>First.</i>—Knowingly sign a false official document</p> <p><i>Second.</i>—Counselling the making of a false official document <i>Fourth and Fifth.</i>—Negligent performance of duty <i>Third and Sixth.</i>—Acts to the prejudice of good order and naval discipline in contravening Captain's Standing Orders</p>	<p>Accused pleaded not guilty. Second, fourth, and sixth charges proved. First, third, and fifth charges not proved. Adjudged to be disgraced to Leading Stoker and to be deprived of two Good Conduct Badges</p>
<p>Desertion</p> <p>The Naval Board were pleased to reduce the sentence to one of imprisonment with hard labour for the term of four months and dismissal.</p>	<p>Accused pleaded guilty. Adjudged to be imprisoned and kept to hard labour for the term of one year and to be dismissed from His Majesty's Service</p>
<p><i>First and Second.</i>—Desertion</p>	<p>Accused pleaded guilty. Adjudged to be imprisoned and kept to hard labour for the term of two years and to be dismissed from His Majesty's Service</p>
<p>The Lords Commissioners of the Admiralty were pleased to reduce the sentence to one year's imprisonment with hard labour and dismissal from His Majesty's Service.</p> <p>Desertion</p>	<p>Accused pleaded guilty. Adjudged to be imprisoned and kept to hard labour for the term of one year and to be dismissed from His Majesty's Service</p>

s.19(1)

Date of Trial.	Name.	Rating.	Ship.
11th December, 1946	 22462	Stoker Petty Officer ..	H.M.A.S. <i>Hobart</i>
13th August, 1947 ..	 P/KX.147359	Stoker	H.M.S. <i>Terror</i>
17th November, 1947	 22230 ..	Stores Petty Officer ..	H.M.A.S. <i>Bataan</i>

Substance of Charge Preferred.	Finding and Sentence.
<i>First.</i> —Deserting his post <i>Second.</i> —Act to the prejudice of good order and naval discipline in playing Tombola whilst absent from place of duty <i>Third.</i> —Disobedience	Accused pleaded guilty. Adjudged to be disgraced to Stoker
<i>First and Second.</i> —Desertion	Accused pleaded guilty to second charge. First charge proved. Adjudged to be imprisoned and kept to hard labour for the term of fifteen calendar months, to be dismissed from His Majesty's Service and to suffer the consequential penalties involved
<i>First.</i> —Fraudulent conversion <i>Second.</i> —Negligent performance of duty <i>Third.</i> —Act to the prejudice of good order and naval discipline in telling a lie	Accused pleaded not guilty to the first two charges and guilty to the third charge. Third charge proved. Ad- judged to be deprived of two good conduct badges

DEPARTMENT OF THE NAVY

NAVY OFFICE,
MELBOURNE,
AUGUST, 1948

RETURN OF NAVAL COURTS-MARTIAL
AND DISCIPLINARY COURTS

held during the period

From 1st JANUARY, 1946, to 31st DECEMBER, 1947

J. J. GOURLEY, Government Printer, Melbourne.



OFFICERS TRIED BY COURT-MARTIAL

s.19(1)

No.	Date of Trial.	Name.	Rank.	Ship.
128	1st July, 1947 ..	..	Lieutenant - Commander, R.A.N.	H.M.A.S. <i>Condamine</i>
129	22nd July, 1947	..	Lieutenant - Commander, R.A.N.R.	H.M.A.S. <i>Lithgow</i>
130	12th November, 1947	..	Acting Lieutenant- Commander (S.) R.A.N.V.R.	H.M.A.S. <i>Bataan</i>

Substance of Charge Preferred.	Finding and Sentence.
<i>First.</i> —Negligently or by default hazard H.M.A.S. <i>Condamine</i> <i>Second.</i> —Negligently or by default strand H.M.A.S. <i>Condamine</i>	Accused declined to plead. Charges proved. Adjudged to be dismissed his ship
<i>First.</i> —Negligently or by default hazard H.M.A.S. <i>Lithgow</i> <i>Second.</i> —Negligently or by default strand H.M.A.S. <i>Lithgow</i>	Accused declined to plead. First charge proved, second not proved. Adjudged to be severely reprimanded
<i>First.</i> —Aiding and abetting with intent to defraud <i>Second.</i> —Knowingly sign a false official document <i>Third, Fourth, and Fifth.</i> —Act to the prejudice of good order and naval discipline in signing a statement without verifying said statement	Accused pleaded not guilty. First and second charges not proved. Third, fourth, and fifth charges proved. Adjudged to be reprimanded

OFFICERS TRIED BY DISCIPLINARY COURT

s.19(1)

OFFICERS TRIED BY

No.	Date of Trial.	Name.	Rank.	Ship.
131	27th April, 1946	[REDACTED] ..	Temporary School- master, R.A.N.	H.M.A.S. <i>Hobart</i>
132	12th June, 1946	[REDACTED] ..	Lieutenant (Sp. Br.), R.A.N.V.R.	H.M.A.S. <i>Moreton</i>
133	3rd September, 1947	[REDACTED] ..	Lieutenant, R.A.N.R. ..	H.M.A.S. <i>Kuttabal</i>

DISCIPLINARY COURT

Substance of Charge Preferred.

Finding and Sentence.

Absence without leave

Accused pleaded guilty. Adjudged to forfeit six months' seniority as a Tempy. Schoolmaster R.A.N. and to be dismissed his ship

Drunk on shore

Accused pleaded guilty. Adjudged to be dismissed his ship and to be severely reprimanded

First.—Improperly leaving his place of duty

Second.—Absence without leave

Third.—Improperly leaving his place of duty

Accused pleaded not guilty to the first and second charges and guilty to the third charge. First charge not proved, second and third charges proved. Adjudged to be dismissed from His Majesty's Service and to suffer the consequential penalties involved

The Naval Board were pleased to quash the finding on the second charge and to modify the sentence to "dismissal" from H.M.A.S. *Kuttabul*.

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

CHIEF PETTY OFFICERS, PETTY OFFICERS,

Date of Trial.	Name.	Rating.	Ship.
1st February, 1946..	[REDACTED] PA/3586	Ordinary Seaman ..	H.M.A.S. <i>Penguin</i>
(Previously tried by Court-Martial 8/9/44 and 2/3/45).			
1st March, 1946 ..	[REDACTED] 15622 ..	Acting Able Seaman ..	H.M.A.S. <i>Penguin</i>
28th and 29th March, 1946	[REDACTED] 22229	Stores Petty Officer (Temporary)	H.M.A.S. <i>Penguin</i>
9th and 10th April, 1946	[REDACTED] PA/2152	Petty Officer Writer (Temporary)	H.M.A.S. <i>Penguin</i>
8th May, 1946 ..	[REDACTED] S/10323	Ordinary Seaman ..	H.M.A.S. <i>Bungaree</i>

AND MEN TRIED BY COURT-MARTIAL

Substance of Charge Preferred.	Finding and Sentence.
Improperly leaving place of duty	Accused pleaded not guilty. Charge proved. Adjudged to be imprisoned and kept to hard labour for the term of two years and to be dismissed from His Majesty's Service, any period of imprisonment beyond 7th Sept., 1946, to be remitted
Desertion	Accused pleaded guilty. Adjudged to be kept in detention for the term of twelve calendar months




The Naval Board were pleased to reduce the sentence imposed by the court from twelve months' detention to four months' detention.

<p><i>First.</i>—Theft</p> <p><i>Fourth.</i>—Making a false official document</p> <p><i>Eighth.</i>—Negligent performance of duty as Treasurer of Petty Officers' Club, H.M.A.S. <i>Penguin</i></p> <p>Acts to the prejudice of good order and naval discipline in—</p> <p><i>Second.</i>—Aiding and abetting the commission of a theft</p> <p><i>Third.</i>—Neglecting to ensure the reception and accounting of stock</p> <p><i>Fifth, Sixth, and Seventh.</i>—Failing to report a discrepancy of money between sales and receipts</p>	<p>Accused pleaded not guilty. Court found there was no case to answer on the first charge. Fourth and eighth charges proved. First, second, third, fifth, sixth, and seventh charges not proved. Adjudged to be disgraced to Leading Stores Assistant and to be deprived of one Good Conduct Badge</p>
<p><i>Sixth and Seventh.</i>—Negligent performance of duty when acting as Treasurer of Petty Officers' Club, H.M.A.S. <i>Penguin</i></p> <p>Acts to the prejudice of good order and naval discipline in—</p> <p><i>First, Second, Third, Fourth, and Fifth.</i>—Neglecting to reconcile cash receipts with the value of stock sold</p> <p><i>Eighth.</i>—Conspiring with another person to cover shortages in cash receipts</p>	<p>Pleaded not guilty. Pleaded autrefois convict in respect of charges one to seven. First, second, third, fourth, fifth, sixth, and seventh charges proved. Eighth charge not proved. Adjudged to be reprimanded</p>
<p><i>First.</i>—Theft</p> <p><i>Second.</i>—Receiving</p> <p><i>Third.</i>—Act to the prejudice of good order and naval discipline in not handing over to the proper authority money which came into his possession without the consent of the owner</p>	<p>Accused pleaded not guilty. First charge proved. Second and third charges not proved. Adjudged to be imprisoned and kept to hard labour for the term of six calendar months and to be dismissed from His Majesty's Service</p>

The Naval Board were pleased to quash the finding and sentence on the grounds that evidence had been wrongfully admitted.

Date of Trial.	Name.	Rating.	Ship.
17th. and 18th May, 1946	[REDACTED] S/8201	Able Seaman	H.M.A.S. <i>Bungaree</i>
	[REDACTED] 21683	Able Seaman	H.M.A.S. <i>Bungaree</i>
	[REDACTED] B/4882	Able Seaman	H.M.A.S. <i>Bungaree</i>
5th June, 1946 ..	[REDACTED] 21843	Petty Officer	H.M.A.S. <i>Bungaree</i>
18th June, 1946 ..	[REDACTED] 20496	Stoker Petty Officer ..	H.M.A.S. <i>Penguin</i>
19th August, 1946..	[REDACTED] S/9073	Stoker	H.M.A.S. <i>Warrego</i>
19th August, 1946..	[REDACTED] C/LX571533	Assistant Steward ..	H.M.S. <i>Golden Hind</i>
17th October, 1946	[REDACTED] P/JX.734905 ..	Ordinary Seaman	H.M.S. <i>Golden Hind</i>

Substance of Charge Preferred.	Finding and Sentence.
<p><i>First.</i>—Theft</p> <p><i>Second.</i>—Receiving</p> <p>Acts to the prejudice of good order and naval discipline in—</p> <p><i>Third.</i>—(Relates to Hobart only). Neglecting to hand over to the proper authority money which came into his possession without the consent of the owner</p> <p><i>Fourth.</i>—(Relates to Eastman only.) Neglecting to hand over to the proper authority money which came into his possession without the consent of the owner</p>	<p>All three accused pleaded not guilty</p> <p><i>Hobart.</i>—Third charge proved, first and second charges not proved. Adjudged to be kept in detention for a period of two months</p> <p><i>Eastman.</i>—First and fourth charges proved. Second charge not proved. Adjudged to be imprisoned and kept to hard labour for the term of one year and to be dismissed from His Majesty's Service</p> <p><i>Pascoe.</i>—Charges not proved. Accused acquitted</p>
<p><i>First.</i>—Theft</p> <p><i>Second.</i>—Receiving</p> <p><i>Third.</i>—Act to the prejudice of good order and naval discipline in not being turned-in during the middle watch</p>	<p>Accused pleaded not guilty. Charges not proved. Accused acquitted</p>
<p><i>First.</i>—Knowingly sign a false official document</p> <p><i>Second.</i>—Counselling the making of a false official document</p> <p><i>Fourth and Fifth.</i>—Negligent performance of duty</p> <p><i>Third and Sixth.</i>—Acts to the prejudice of good order and naval discipline in contravening Captain's Standing Orders</p>	<p>Accused pleaded not guilty. Second, fourth, and sixth charges proved. First, third, and fifth charges not proved. Adjudged to be disgraced to Leading Stoker and to be deprived of two Good Conduct Badges</p>
<p>Desertion</p> <p>The Naval Board were pleased to reduce the sentence to one of imprisonment with hard labour for the term of four months and dismissal.</p>	<p>Accused pleaded guilty. Adjudged to be imprisoned and kept to hard labour for the term of one year and to be dismissed from His Majesty's Service</p>
<p><i>First and Second.</i>—Desertion</p> <p>The Lords Commissioners of the Admiralty were pleased to reduce the sentence to one year's imprisonment with hard labour and dismissal from His Majesty's Service.</p>	<p>Accused pleaded guilty. Adjudged to be imprisoned and kept to hard labour for the term of two years and to be dismissed from His Majesty's Service</p>
<p>Desertion</p>	<p>Accused pleaded guilty. Adjudged to be imprisoned and kept to hard labour for the term of one year and to be dismissed from His Majesty's Service</p>

Date of Trial.	Name.	Rating.	Ship.
11th December, 1946	 22462	Stoker Petty Officer ..	H.M.A.S. <i>Hobart</i>
13th August, 1947 ..	 P/KX.147359	Stoker	H.M.S. <i>Terror</i>
17th November, 1947	 22230 ..	Stores Petty Officer ..	H.M.A.S. <i>Bataan</i>

Substance of Charge Preferred.	Finding and Sentence.
<i>First.</i> —Deserting his post <i>Second.</i> —Act to the prejudice of good order and naval discipline in playing Tombola whilst absent from place of duty <i>Third.</i> —Disobedience	Accused pleaded guilty. Adjudged to be disrated to Stoker
<i>First and Second.</i> —Desertion	Accused pleaded guilty to second charge. First charge proved. Adjudged to be imprisoned and kept to hard labour for the term of fifteen calendar months, to be dismissed from His Majesty's Service and to suffer the consequential penalties involved
<i>First.</i> —Fraudulent conversion <i>Second.</i> —Negligent performance of duty <i>Third.</i> —Act to the prejudice of good order and naval discipline in telling a lie	Accused pleaded not guilty to the first two charges and guilty to the third charge. Third charge proved. Ad- judged to be deprived of two good conduct badges

FILE NUMBER

N.S.C. 4255 - 1

F.D.

7693

CONFIDENTIAL FALSE DOCKET

DEPARTMENT OF NATIONAL DEFENCE (NAVAL SERVICE)

CROSS REFERENCE

COURTS MARTIAL.

DISCIPLINARY COURTS - GENERALLY.

14-5-47

R.L.

17/5/47

REFERRED

FOR REMARKS

DATE OF PASS

INITIALS

DATE OF P.A.

INITIALS

DATE OF B.F.

CENTRAL REGISTRY

INSPECTED
IN C.R.
By

Staff

21004. MAY 1 1947

19547 Rye

MAY 20 1947

000347

PRH/MS

N.S.C. 4255-1 F.D. 7693

17th May, 1947.

Re: The Return of Officers & Ratings Tried by
Court-Martial.

With reference to your C.S. 204-1-4 of
28th April, 1947, it is not now necessary to issue copies
of the above publication to the Commanding Officer Atlantic
Coast and the Commanding Officer Pacific Coast.


J. NAVAL SECRETARY.

PA 11.7
PRH
Senior Canadian Naval Liaison Officer, London,
King's House, 10 Haymarket,
LONDON, S.W.1, England.

PRH
SH
To... *FAO*
For Despatch
Date *19-5*
By *PRH*

C. 4255-1



Department of National Defence
Naval Service

Ottawa, Canada.

OUR FILE C.S. 204-1-4

YOUR FILE

28th April, 1947.

FROM: Senior Canadian Naval Liaison Officer, London,
King's House, 10 Haymarket,
London, S.W.1.

TO: The Naval Secretary,
Department of National Defence,
Naval Service Headquarters,
Ottawa, CANADA.

21004

THE RETURN OF OFFICERS & RATINGS TRIED BY COURT-
MARTIAL

An enquiry has been received from Admiralty requesting information whether or not it is still necessary to issue copies of the above publication to the Commanding Officer, Atlantic Coast and the Commanding Officer, Pacific Coast observing that:

- a) The Minister of National Defence receives 10 copies of the publication.
- b) The small number of British personnel now on loan to the Royal Canadian Navy do not require to be tried by British Naval Court-Martial.
- c) The Commanding Officer, Atlantic Coast is not a holder of a Court-Martial warrant.

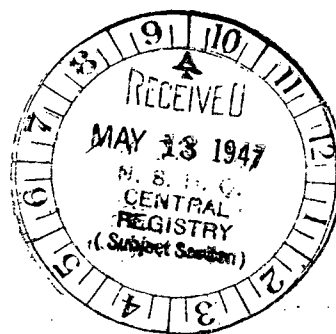
2. Pending a reply no distribution of the most recent issue, i.e. quarter ending 30th September, 1946 has been made to those authorities.

[Handwritten signature]

Senior Canadian Naval Liaison Officer, London.

MAY 14 PM

000349



AOS:EP

OTTAWA, Ontario, 14th January

7

N.S.C. C/4255-1 Vol.1(N.Sec.)

COURT MARTIAL RETURNS (ROYAL NAVY)

Reference is made to your N.A.50/25/16
of 17th September, 1946 wherein you asked for certain
Royal Navy Court Martial returns.

2. It is regretted that there are no copies
of the Court Martial Returns requested available at
Naval Service Headquarters, Ottawa.

The Naval Secretary,
Navy Office,
Wellington, C.I.,
New Zealand.

Detached to
Sec. N. S.
14/1/47
2 p.m.
NAVAL SECRETARY.

MB

C. 4255-1

ALL COMMUNICATIONS TO BE
ADDRESSED TO
THE NAVAL SECRETARY.

27

No. 1043



DOMINION OF NEW ZEALAND

NAVY OFFICE,

WELLINGTON C.O.

17th. September, 1946.

252511

MEMORANDUM for:-

The Secretary,
Naval Service Headquarters,
OTTAWA.

COURTS-MARTIAL RETURNS (ROYAL NAVY)

I am directed to enquire if one copy of each of the following could be made available to this office, in order that the set already held may be completed.-

Return of Officers for Quarter ending
March, September and December, 1942.

Return of Petty Officers, Seamen and Royal Marines
for Quarter ending September, 1939.

2.- Endeavour was made to obtain these Returns from the United Kingdom, but advice has been received to the effect that spare copies are now unobtainable.

[Signature]
Naval Secretary.

S.H.

N. Sec

~~Se. Sec~~

NOV 14 1946

Perhaps NDA
could supply
these.

ARet
14/11





Department of National Defence

Naval Service

14255 - 1
FD85-6

all 115/19

22nd December, 1944

OUR FILE C.S. 25-1-1

YOUR FILE

FROM: Canadian Naval Mission Overseas
King's House, 10 Haymarket
London, S.W. 1

00361

TO: The Secretary, Naval Board
Naval Service Headquarters
Ottawa.

Returns of Courts Martial and Disciplinary Courts

With reference to the conversation between Deputy Judge-Advocate of the Fleet and Naval Assistant (Personnel and Welfare), herewith is exchange of correspondence regarding the above-mentioned subject.

ENCLOSURE
SFC/HQ
Mem
Index
Re: R
Remarks

Donna L...
Secretary

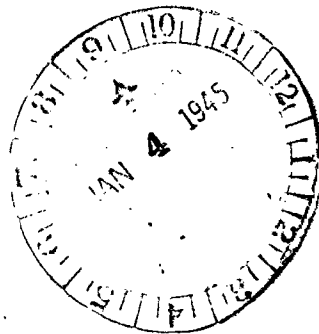
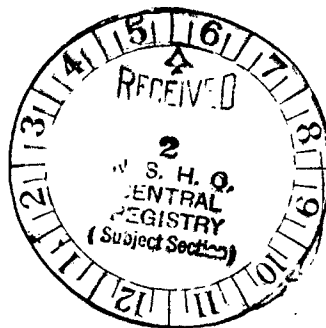
Canadian Naval Mission Overseas

JAN 4 1945 000354

INDEXED IN C. R.

By *RL*

MAIN FILE
ROUTED TO
SINCE 30.12.44
REC'D CENTRAL REGISTRY
JAN 4 1945
PRESENTED TO



24 Dec 1944

COPY

FD 856

5th December, 1944

Our File: C.S. 25-1-1

Your File: N.L. 9256/44

Canadian Naval Mission Overseas
Kings House, 10 Haymarket
London, S.W. 1

Sir:

Returns of Courts Martial and Disciplinary Courts

I have the honour to refer to Admiralty letter
N.L. 9256/44 dated 30th October.

2. In order to ensure uniformity between the
Returns of Courts Martial and Disciplinary Courts
issued by Admiralty and Naval Service Headquarters, it
is proposed to advise Admiralty of the wording of the
Minister's decision which will be used in the N.S.H.Q.
Return and it is requested that this office may be
informed as to the exact wording of the abbreviated
charges that will be used in the Admiralty Return.

3. I should be glad to be advised that this
proposal is acceptable.

I have the honour to be,
Sir,

Your obedient servant,

(Signed)

Secretary
Canadian Naval Mission Overseas

The Secretary of the Admiralty
Admiralty
Whitehall, S.W. 1

COPY

FD 856
//

ADMIRALTY, S.W. 1.

The Secretary of the Admiralty
London, S.W.1.
N.L. 9256/44.

12th December, 1944

Sir,

With reference to your letter of the 5th December, No. C.S. 25-1-1, I am commanded by My Lords Commissioners of the Admiralty to inform you that they concur in the proposed method of ensuring uniformity between the Returns of courts martial and disciplinary courts issued by the Naval Service Headquarters and the Admiralty.

I am, Sir,
Your obedient Servant,

(Sgd) J. Lawson

The Secretary,
Canadian Naval Mission Overseas,
Kings House,
10, Haymarket,
London, S.W. 1.

14th November, 1944.

N.S. 4255-2 Vol. 1

3539/145/1 and 3877/145/1

FROM: The Secretary, Naval Board,
Naval Service Headquarters,
Ottawa, Canada.

TO: The Senior British Naval Officer,
Western Atlantic,
c/o Admiralty House,
Bermuda.

COURTS MARTIAL AND DISCIPLINARY COURTS RETURNS.

With reference to your communications 3539/145/1 and 3877/145/1 of 21st August, 1944, and 19th October, 1944, respectively, requesting Court Martial Returns, Naval Service Headquarters has completed distribution of the Returns prior to 1st January, 1943, however an endeavour is being made to locate a copy.

2. No returns have been published since 31st December, 1943.

*copies received
and despatched
23/11/44
for
M.O.*

for SECRETARY, NAVAL BOARD.

To... *Inc*
For Despatch
Date... *14-11*
Staff... *14*

000358

N.S. 1033-62

10th November, 1944

FROM: Naval Distributing Authority,
Dept. of National Defence,
Ottawa, Ont.

TO: Base Distributing Authority, West Coast,
Pacific Coast, Naval Headquarters,
Jericho Beach,
Vancouver, B.C.

C.B. Officer,
H.M.C. Dockyard,
Esquimalt, B.C.

Subject: Counts Martial and Disciplinary Courts Officers
and Ratings tried by R.C.M. dated July 1, 1921
to June 30, 1942 and July 1, 1942 to Dec. 31, 1942

It would be appreciated if 4 copies
of each of the above publications could be located and re-
turned to Naval Distributing Authority, as soon as possible.

Lt. Capt. Cossetto - D.F.B. 7
Suggest you advise (J. Elder Fraser)
Naval Distributing Authority.

*S.B. NOWA. Bermuda that RSHA has
completed distribution of the publication
required but that we are endeavoring to
locate copies to meet his request.*

NOV 13 PM

NDA
10/11/44
am

000359

AM/JS:

COPY.

N.S. 1833-62

9th November, 1944

FROM: Naval Distributing Authority,
Dept. of National Defence,
Ottawa, Ont.

TO: Base Distributing Authority,
H.M.C. Dockyard,
Halifax, N.S.

Subject: Courts Martial and Disciplinary Courts Officers
and Ratings tried by R.C.N. dated July 1, 1921
to June 30, 1942 and July 1, 1942 to Dec. 31, 1942

It is requested that 5 copies of each
of the above publications if available be returned to
Naval Distributing Authority, 72 Queen Street, as soon as
possible.

The above are urgently required

(J. Elder Fraser)
Naval Distributing Authority.

AM

DEPARTMENT OF NATIONAL DEFENCE
- ARMY -

NR 54-27-63-1-1

APR 17 1943

N. 54-27-63-1-1

H.Q.54-27-63-1-1 Vol. 8 (A.D.)
OTTAWA, Ontario,
12th April, 1943.

36427

G.O.C. in C., Atlantic Command,
G.O.C. in C., Pacific Command,
G.O.C., 6th Canadian Division,
G.O.C., 7th Canadian Division,
G.O.C., 8th Canadian Division,
G.O.C., "W" Force,
All District Officers Commanding,
Commander, Camp Borden,
Commander, Petawawa Military Camp,
Commandant, Ottawa Area.

Delays in Administration and Discipline
Courts of Inquiry - Returns

Reference circular letters H.Q.54-27-63-1 Vol. 2(A.D.) 3rd February, 1941, H.Q.54-27-63-1 Vol. 7, 6th February, 1942 and H.Q.54-27-63-1 F.D.S.(A.D.) 6th August, 1942, on the marginally noted subject. These letters are cancelled and the following substituted.

2. Attention is again directed to the necessity of promptness and accuracy in connection with Courts of Inquiry, Courts Martial and disposal of charges against soldiers.

3. One of the objects of the weekly return required by the letters referred to is to keep prominently before Unit Commanders, and Commanders of all higher formations, exact count of all such matters coming under the headings of para 2(b), (c), (d), (e) and (f) of the return which have not been investigated or have not been fully completed and disposed of. The prevalence of absenteeism, heading (g) should be kept under constant surveillance, with the adoption of preventive or remedial measures always in mind. Particular attention is directed to the fact that what is required is the number of soldiers going absent without leave during the week.

4. It is directed that Regimental and Staff Officers charged with these important duties constantly keep these matters and the contents of the return under review.

5. It is further directed that the situation be reviewed in all Commands, and that action be taken to ensure:

- (a) That the returns be promptly submitted as ordered, using proformae as per sample attached for purposes of uniformity.
- (b) That the contents of the returns be reviewed by General Officers Commanding, District Officers Commanding, etc. and steps taken to inquire into any particular case which would indicate that discipline in the unit is not effective or is not being properly and efficiently administered.
- (c) That the numbers under the various headings be kept to a minimum.

6. Unit returns will be consolidated at District Divisional Headquarters and will be submitted on

MAIN FILE	
CHANGED TO	
NAME	
ADD CENTRAL REGISTRY	
APR 11 1972	
RECEIVED 15	

- 2 -

Sundays, as of 2400 hours Saturday of each week and forwarded to reach National Defence Headquarters not later than Thursday of each week, using Air Mail where applicable.

7. When submitting returns in future or corresponding regarding these returns quote reference H.Q.54-27-63-1-1 (A.D.).

H. F. G. Letson
(H.F.G. Letson)
Major-General,
Adjutant-General

DISTRIBUTION

Directorates
Heads of Branches
M.S.
C.N.S.
C.A.S.
D.H.S. (War Diary)
Army School of Administration

R. 415

ALB/EMM.

(NAVAL SERVICE)

Document disclosed under the Access to Information Act -
Document divulgué en vertu de la Loi sur l'accès à l'information

1079-1-1

Chambers, R.
MEMORANDUM TO D.N.S.

Attention: Miss Bastedo

Please have 1,000 copies each of the attached "Return of Naval Courts Martial and Disciplinary Courts" for Officers and Petty Officers and Seamen multigraphed.

It will also be necessary to have 1,000 copies of blue covers multigraphed as per attached.

Rob.
SECRETARY, NAVAL BOARD.

O T T A W A, 11th July, 1942.

NO.	DATE OF TRIAL	NAME	RANK	NAME OF SHIP	SUBSTANCE OF CHARGE PREFFERED	FINDING AND SENTENCE.
28	25th July 1921		Lieut. (N) R.C.N.	"Patriot"	Negligently or by default stranding H.M.C.S. "PATRIOT"	Charges proved. Accused adjudged to be reprimanded.
29	26th July 1921		Lieutenant R.C.N.	"Patriot"	Negligently or by default stranding H.M.C.S. "PATRIOT"	Charge proved - Accused adjudged to be reprimanded. (The Honourable the Minister dissented from the finding and ordered the sentence quashed).
30	5th August 1921		Boatswain R.C.N.	"Aurora"	FIRST - Improperly leaving his place of duty. SECOND - Return on board drunk.	First charge not proved. Second charge proved - Accused adjudged to forfeit six months seniority as Boatswain and to be dismissed from his ship.
31	1st July 1923		Lieutenant- Commander R.C.N.	"Haden"	Act to the prejudice of Good Order and Naval Discipline in using unsuit- able wording in a telegram forwarded to Naval Service Headquarters.	Charge not proved, accused acquitted.
32	15th August 1928		Warrant Writer R.C.N.	"Haden"	FIRST - Negligent performance of duty in failing to transfer to the Accountant Officer \$212.50 received by him on behalf of the Government of Canada. SECOND - Embezzlement of sum of \$48.50 THIRD - Neglect of duty in failing to transfer to the Accountant Officer \$48.50 received by him on behalf of the Govern- ment of Canada. FOURTH - Neglect of duty in withholding from the Commanding Officer of ship an official memorandum.	First and Third Charges proved. Second, Fourth, Fifth and Sixth charges not proved. Accused adjudged to be dismissed from his ship and to be reprimanded.

NO.	DATE OF TRIAL	NAME	RANK	NAME OF SHIP	SUBSTANCE OF CHARGE PREPARED	FINDING AND SENTENCE.
32					- continued - FIFTH - Ditto. SIXTH - Failing to deliver to the Commanding Officer a registered envelope received by him on behalf of the Commanding Officer.	
33	5th December, 1939		Lieutenant-Commander R.C.N.	"Vancouver"	Stranding H.M.C.S. "VANCOUVER"	Charge proved. Accused adjudged to be reprimanded.
34	5th November, 1932		Lieutenant-Commander R.C.N.	"Champlain"	FIRST - Act to the prejudice of Good Order and Naval Discipline in not being on board his ship for the night contrary to Article 513, K.R. & A.I. SECOND - Neglect of duty in not being on board his ship when moved into dry dock. THIRD - Neglect of duty in not issuing adequate orders for movement of ship into dry dock.	First charge not proved. Second and Third proved - Accused adjudged to be dismissed from his ship.
35	20th January 1939		Paymaster Lieutenant R.C.N.	"Naden"	Absence without leave.	Accused pleaded guilty. Adjudged to forfeit one month's seniority and to be reprimanded.
37	8th October 1941		Lieutenant-Commander, R.C.N. (Temp.) (R.N. Ret'd)	"Nanaimo"	Negligently or by default strand H.M.C.S. "NANAIMO".	Accused pleaded guilty. Adjudged to be severely reprimanded.

EO. 3

NO.	DATE OF TRIAL	NAME	RANK	NAME OF SHIP	SUBSTANCE OF CHARGE REFERRED	FINDING AND SENTENCE
39	27th December 1941		Lieutenant R.C.N.R. (Temp.)	"Avalon" for "Sorel"	Negligently or by default strand H.M.C.S. "SOREL"	Charge proved. Accused adjudged to be dismissed from his ship.
43	11th February, 1942		Lieutenant R.C.N.R. (Temp.)	"Dunvogan"	Negligently or by default strand H.M.C.S. "DUNVEGAN".	Accused pleaded guilty. Adjudged to be severely reprimanded.
<u>OFFICERS TRIED BY DISCIPLINARY COURT</u>						
36	30th May 1941		Skipper, R.C.N.R.	"Venture" for "Pugwash"	Wilfully disobey the lawful command of his superior officer.	Accused pleaded guilty. Adjudged to be dismissed from His Majesty's Service. (In view of the evidence adduced the Honourable the Minister was pleased to reduce the sentence to "Dismissed from his ship".)
38	10th January, 1942		Sub-Lieutenant (E) R.C.N.V.R.	H.M.S. "DIOMEDE"	Attempting to communicate confidential Naval information to persons to whom he was not authorized to disclose such information.	Accused pleaded guilty - Adjudged to be severely reprimanded.
40	20th November, 1941.		Lieutenant R.C.N.R. (Temp.)	"Venture" for "Saskatoon"	Negligently perform his duty in not giving proper orders and taking proper precaution in pilotage of said ship resulting in grounding.	Charge proved. Accused adjudged to be severely reprimanded.

NO. 4

NO.	DATE OF TRIAL	NAME	RANK	NAME OF SHIP	SUBSTANCE OF CHARGE preferred	FINDING AND SENTENCE.
41	26th November, 1941		Sub-Lieutenant R.C.N.V.R. (Temp.)	"Boutouche"	FIRST - Wilful disobedience of orders in posting four letters on shore. SECOND - Wilful disobedience of orders in failing to observe strict reticence on Service matters.	Accused pleaded guilty to the Second charge. First charge proved. Accused adjudged to forfeit three months seniority and to be severely reprimanded. (In view of evidence adduced the Honourable the Minister was pleased to reduce the sentence to "severely reprimanded".
42	13th January, 1942		Sub-Lieutenant R.C.N.V.R. (Temp.)	"Avalon II"	FIRST - Wilfully disobey the lawful command of his superior officer.	Accused pleaded guilty. Adjudged to be dismissed from His Majesty's Service.
44	6th April, 1942		Chief Skipper R.C.N.R. (Temp.)	"Avalon II"	SECOND - Absent without leave. Drunk on duty on board.	Charge not proved - Accused acquitted.

No. 1

DATE OF TRIAL	NAME	RANK	NAME OF SHIP	SUBSTANCE OF CHARGE REFERRED	FINDING AND SENTENCE.
5th and 6th December, 1929		Leading Stoker R.C.N. O.N. 21094	"Stadacona" for "Pestubert"	FIRST - Indecent assault. SECOND - Commit an act of gross indeconcy with another male person. THIRD - Ditto. FOURTH - Act to the prejudice of good order and moral discipline in having a boy seaman in his cabin at an improper time.	First and Fourth charges proved. Second and Third charges not proved. Accused adjudged to be kept in detention for thirty days, to be disrated to Stoker, 1st Class and to be deprived of two Good Conduct Badges.
23rd January, 1942.		Acting Stoker, 1st Class, R.C.N. O.N. 21743	"Acadia"	FIRST - Used threatening and insult- ing language to his superior officer. SECOND - Striking his superior officer THIRD - Using violence against his superior officer. FOURTH - Attempt to strike his superior officer.	First, Third and Fourth charges proved - Second charge withdrawn. Accused judged to be imprisoned for twelve calendar months and to be dismissed from His Majesty's Service.
5th February 1942		Stoker, R.C.N.R. O.N. A2242	"Stadacona"	Desertion.	Charge proved. Accused adjudged to be kept in detention for twelve calendar months.

Pe

~~4235-1~~
4253-1

Return of Naval Courts-Martial
AND
Disciplinary Courts
OFFICERS

HELD DURING THE PERIOD
1st January, 1944—31st December, 1944

4253-1
P.H.

Return of Naval Courts-Martial

AND

Disciplinary Courts

OFFICERS

HELD DURING THE PERIOD

1st January, 1944—31st December, 1944

Page 1

RETURN OF OFFICERS TRIED BY COURT-MARTIAL FOR

No.	DATE OF TRIAL	NAME	RANK	NAME OF SHIP

The following correction should be made to the Return of Officers tried by

Page 11, Number 110, 30th December, 1943, HARVEY, Frank Darragh
instead of under Disciplinary Courts.

108	14th February, 1944		Skipper, R.C.N.R. (T) (0-60530)	"Wasaga"
117	12th April, 1944		Lieutenant, R.C.N.V.R. (T) (0-67770)	"Riviere du Loup"
120	14th March, 1944	O.B.E.	Lieutenant- Commander, R.C.N.R. (T) (0-45490)	"Columbia"
125	3rd June, 1944		Skipper Lieutenant, R.C.N.R. (0-35400)	"Nitinat"
127	19th June, 1944		Warrant Supply Officer, R.C.N. (0-35990)	"Avalon"

THE PERIOD 1st JANUARY, 1944, TO 31st DECEMBER, 1944

SUBSTANCE OF CHARGE PREFERRED	FINDING AND SENTENCE
Court-Martial for the period 1st January, 1943-31st December, 1943.	
A/Warrant Cook (Star) R.C.N., should be inserted under Courts-Martial	
FIRST—Striking Superior Officer.	Third Charge proved. First, second and fourth charges not proved. Adjudged to be dismissed his ship and to be severely reprimanded.
SECOND—Disobedience of lawful command of Superior Officer.	
THIRD—As above.	
FOURTH—Drunk onboard.	
Negligently or by default strand his ship.	Charge proved. Adjudged to be reprimanded.
Negligently or by default hazarding his ship.	Charge proved. Adjudged to be severely reprimanded.
Negligently or by default stranding his ship.	Accused pleaded guilty. Adjudged to be dismissed his ship and to be severely reprimanded.
ONE TO FIVE—Command the making of a false Official document.	Charges one to six inclusive proved. Charges seven, eight and nine not proved. Adjudged to forfeit twenty-four months' seniority, to be dismissed his ship and to be severely reprimanded.
SIX—Knowingly sign false official documents.	
SEVEN TO NINE—Neglect of duty.	

NOTE.—The Honourable the Minister dissented from the findings on charges five and six and directed that the sentence be reduced to forfeiture of twenty-one months' seniority and to be severely reprimanded.

s.19(1)

Page 2

RETURN OF OFFICERS TRIED BY COURT-MARTIAL FOR

No.	DATE OF TRIAL	NAME	RANK	NAME OF SHIP
141	28th and 29th September, 1944		Lieutenant- Commander, R.C.N.R. (0-39050)	"Stadacona"
142	2nd October, 1944		Paymaster Lieutenant, R.C.N. (0-23150)	"Avalon"

000376

THE PERIOD 1st JANUARY, 1944, TO 31st DECEMBER, 1944

SUBSTANCE OF CHARGE PREFERRED	FINDING AND SENTENCE
FIRST AND SECOND—Fraudulent conversion.	Fourth and fifth charges proved. First, second and third charges not proved. Adjudged to be dismissed his ship and to be severely reprimanded.
THIRD—Act to the prejudice of good order and Naval discipline in that, without due authority, he caused 45 gallons of government gasoline to be put in his car.	
FOURTH—Act to the prejudice of good order and Naval discipline in that, without due authority, he caused 4½ gallons of government gasoline to be put in his car.	
FIFTH—Act to the prejudice of good order and Naval discipline in that, without authority, he improperly obtained 105 and 180 gallons of government gasoline.	First, third, fourth, fifth, sixth, eighth and tenth charges proved. Second, seventh and ninth charges not proved. Adjudged to be dismissed from His Majesty's Canadian Service.
FIRST—Conduct unbecoming an Officer.	
SECOND—Act to the prejudice of good order and Naval discipline in allowing a rating to sit on his knees in Officers' sleeping quarters.	
THIRD—Act to the prejudice of good order and Naval discipline in serving alcoholic liquor to a rating.	
FOURTH—Act to the prejudice of good order and Naval discipline in having alcoholic liquor in an unauthorized place.	
FIFTH—Act to the prejudice of good order and Naval discipline in permitting a rating to consume alcoholic liquor in his cabin.	
SIXTH—Conduct unbecoming an Officer.	
SEVENTH—Act to the prejudice of good order and Naval discipline in undressing a rating and placing him in his bed in his cabin.	

Page 3

RETURN OF OFFICERS TRIED BY COURT-MARTIAL FOR

No.	DATE OF TRIAL	NAME	RANK	NAME OF SHIP
		(Cont'd)		
143	6th September, 1944	D.S.O., R.D.	Lieutenant- Commander, R.C.N.R. (T) (0-36420)	"Teme"
144	18th October, 1944		Lieutenant, R.C.N.R. (T) (0-52890)	"Niobe"
150	13th December, 1944		Lieutenant, R.C.N. (0-38830)	"Stadacona" formerly "Skeena"
153	18th December, 1944		A/Lieutenant- Commander, R.C.N. (0-64450)	"Stadacona" formerly "Skeena"

THE PERIOD 1st JANUARY, 1944, TO 31st DECEMBER, 1944

SUBSTANCE OF CHARGE PREFERRED	FINDING AND SENTENCE
EIGHTH—Conduct unbecoming an Officer.	
NINTH—Act to the prejudice of good order and Naval discipline in being in his cabin with a rating with the door locked.	
TENTH—Act to the prejudice of good order and Naval discipline in behaving with undue familiarity with a rating.	
FIRST—Negligently or by default hazard- ing H.M.C.S. "TEME."	Charges not proved. Accused ac- quitted.
SECOND AND THIRD—Neglect of duty.	
FIRST AND SECOND—Act to the prejudice of good order and Naval discipline in giving intoxicating drinks to ratings.	First, second, fourth and fifth charges proved. Third charge not proved. Adjudged to be dismissed from His Majesty's Canadian Service.
FOURTH—Act to the prejudice of good order and Naval discipline in making remarks of a grossly indecent nature to ratings.	
THIRD AND FIFTH—Conduct unbecoming the character of an Officer in in- decently exposing his person to ratings.	
FIRST—Negligently or by default hazard- ing H.M.C.S. "SKEENA."	Charges proved. Accused adjudged to forfeit six months' seniority as a Lieutenant, R.C.N.
SECOND—Negligently or by default stranding H.M.C.S. "SKEENA".	
NOTE.—The Honourable the Minister considered the sentence entirely in- adequate having regard to the fact that serious charges were considered proved and there were no extenuating circumstances.	
FIRST—Negligently or by default suffer H.M.C.S. "SKEENA" to be hazarded.	Charges proved. Adjudged to be reprimanded.
SECOND—Negligently or by default suffer H.M.C.S. "SKEENA" to be stranded.	
NOTE.—The Honourable the Minister considered the sentence entirely inade- quate having regard to the fact that serious charges were considered proved and there were no extenuating circumstances.	

Page 4

RETURN OF OFFICERS TRIED BY DISCIPLINARY COURT DUR

NO.	DATE OF TRIAL	NAME	RANK	NAME OF SHIP
99	10th and 11th January, 1944		Sub-Lieutenant (E), R.C.N.V.R. (T) (0-73550)	"Stadacona"
			Sub-Lieutenant (E), R.C.N.V.R. (T) (0-47730)	"Stadacona"
			Sub-Lieutenant (E), R.C.N.V.R. (T) (0-72630)	"Stadacona"
100	18th January, 1944		Paymaster Lieutenant, R.C.N.V.R. (T) (0-67360)	"Stadacona"
101	24th January, 1944		Lieutenant, R.C.N.V.R. (T) (0-71750)	"Stadacona"
102	2nd February, 1944		Lieutenant (G) R.C.N.R. (T) (0-11170)	"Stadacona" for "Festubert"

ING THE PERIOD 1st JANUARY, 1944 — 31st DECEMBER, 1944.

SUBSTANCE OF CHARGE PREFERRED	FINDING AND SENTENCE
FIRST—Creating a disturbance on the train.	First and second charges proved. Third charge not proved. TKACZ and McCaffrey adjudged to forfeit three months' seniority and to be severely reprimanded. THOMAS adjudged to be severely reprimanded.
SECOND—Wilful disobedience of orders.	
THIRD—Act to the prejudice of good order and Naval discipline in being dressed in an improper manner on-board the train.	
FIRST AND SECOND—Neglect of duty.	First charge not proved. Second and third charges proved. Adjudged to forfeit one year's seniority, to be dismissed his ship and to be severely reprimanded.
THIRD—Act to the prejudice of good order and Naval discipline in that, without fraudulent intent, he improperly expended funds belonging to Staff Canteen.	
NOTE.—The Honourable the Minister was pleased to dissent from the finding on the second charge on the ground that the charge did not fall within the scope of Section 9 of the Naval Discipline Act.	
FIRST—Drunk onboard.	First charge not proved. Second and third charges proved. Adjudged to be dismissed his ship and to be severely reprimanded.
SECOND—Act to the prejudice of good order and Naval discipline in allowing a rating to remain all night in his cabin.	
THIRD—Act to the prejudice of good order and Naval discipline in having spirits in his cabin.	
FIRST—Absent without leave.	First, third and fourth charges not proved. Second charge proved. Adjudged to be severely reprimanded.
SECOND—Act to the prejudice of good order and Naval discipline in not taking reasonable precautions to obtain instructions from his Superior Officer as to returning to duty whilst sick on shore.	
THIRD—Wilful disobedience of lawful command.	
FOURTH—Absent without leave.	

Page 5

RETURN OF OFFICERS TRIED BY DISCIPLINARY COURT DUR

No.	DATE OF TRIAL	NAME	RANK	NAME OF SHIP
103	4th February, 1944		Lieutenant (E) R.C.N.V.R. (T) (0-33600)	"Blairmore"
104	12th February, 1944		Lieutenant, R.C.N.R. (T) (0-18350)	"Stadacona" for Liaison Officer, Boston
105	17th February, 1944		A/Gunner (Star) R.C.N. (0-8830)	"Cornwallis"
106	21 February, 1944		Lieutenant, R.C.N.V.R. (T) (0-55230)	"Melville"

ING THE PERIOD 1st JANUARY, 1944 — 31st DECEMBER, 1944

SUBSTANCE OF CHARGE PREFERRED	FINDING AND SENTENCE
Act to the prejudice of good order and Naval discipline in attempting to communicate most secret Naval information in a letter to a civilian.	Accused pleaded guilty. Adjudged to forfeit all seniority as a Lieutenant (E) and to be severely reprimanded.
FIRST—Neglect of duty.	First, second and third charges proved; fourth charge withdrawn. Adjudged to forfeit three months' seniority and to be severely reprimanded.
SECOND—Drunk onboard.	
THIRD—Drunk on duty on shore.	
FOURTH—Act to the prejudice of good order and Naval discipline in making most improper remarks in Wardroom of H.M.C.S. "GRANBY".	
FIRST—Act to the prejudice of good order and Naval discipline in smuggling spirits onboard.	First and second charges not proved. Third and fourth charges proved. Adjudged to be severely reprimanded.
SECOND—Act to the prejudice of good order and Naval discipline in entertaining a rating in his cabin.	
THIRD—Act to the prejudice of good order and Naval discipline in supplying spirits to a rating whereby he became drunk.	
FOURTH—Act to the prejudice of good order and Naval discipline in having spirits in his cabin.	
FIRST—Act to the prejudice of good order and Naval discipline in inviting a Leading Airwoman onboard at 0130.	First charge proved. Second and third charges not proved. Adjudged to be severely reprimanded.
SECOND—Act to the prejudice of good order and Naval discipline in entertaining a Leading Airwoman onboard.	
THIRD—Act to the prejudice of good order and Naval discipline in making a misleading statement at a Board of Enquiry.	

Page 6

RETURN OF OFFICERS TRIED BY DISCIPLINARY COURT DUR

No.	DATE OF TRIAL	NAME	RANK	NAME OF SHIP
107	22nd February, 1944		Lieutenant, R.C.N.V.R. (T) (0-72060)	"Avalon"
109	14th February, 1944		Lieutenant (SB) R.C.N.V.R. (T) (0-64180)	"Bytown" for Naval Service Headquarters
111	20th March, 1944		Lieutenant, R.C.N.V.R. (T) (0-14830)	"Chicoutimi"
112	20th March, 1944		Lieutenant; R.C.N.V.R. (T) (0-74750)	"Stadacona"

ING THE PERIOD 1st JANUARY, 1944 — 31st DECEMBER, 1944

SUBSTANCE OF CHARGE REFERRED	FINDING AND SENTENCE
FIRST—Act to the prejudice of good order and Naval discipline in entertaining a Leading Airwoman in the Wardroom.	Charges proved. Adjudged to be reprimanded.
SECOND—Act to the prejudice of good order and Naval discipline in entertaining a Leading Airwoman in his cabin.	
THIRD—Act to the prejudice of good order and Naval discipline in permitting a Leading Airwoman to be served with alcoholic beverage in the Wardroom.	
FOURTH—Act to the prejudice of good order and Naval discipline in permitting a Leading Airwoman to occupy his cabin between 0630 and 1130.	
NOTE.—The Honourable the Minister dissented from the Finding on the third charge on the ground that the evidence was not sufficient to support a conviction.	
FIRST—Act to the prejudice of good order and Naval discipline in making false statements to his Superior Officer.	Accused pleaded guilty. Adjudged to be severely reprimanded.
SECOND—Act to the prejudice of good order and Naval discipline in that he gave permission to a rating to engage in a commercial operation for gain without having been granted leave.	
Act to the prejudice of good order and Naval discipline in that he improperly gave away stores the property of His Majesty.	Accused pleaded guilty. Adjudged to be reprimanded.
FIRST—Act to the prejudice of good order and Naval discipline in that he was in improper possession of stores the property of His Majesty.	Accused pleaded guilty to both charges. Adjudged to be severely reprimanded.
SECOND—Act to the prejudice of good order and Naval discipline in attempting to smuggle dutiable cigarettes out of H.M.C. Dockyard.	

Page 7

RETURN OF OFFICERS TRIED BY DISCIPLINARY COURT DUR

No.	DATE OF TRIAL	NAME	RANK	NAME OF SHIP
113	20th and 21st March, 1944		Warrant Supply Officer, R.C.N.V.R. (T) (0-20860)	"Protector II"
114	22nd March, 1944		Paymaster Sub- Lieutenant, R.C.N.V.R. (T) (0-70770)	"Protector"
115	30th March, 1944		Lieutenant, R.C.N.V.R. (T) (0-66830)	"Avalon"
116	10th April, 1944		Lieutenant (N) R.C.N.V.R. (T) (0-21290)	"Riviere du Loup"
118	14th April, 1944		Lieutenant, R.C.N.V.R. (T) (0-32470)	"Stadacona"
119	20th and 21st January, 1944		Skipper, R.C.N.R. (T) (0-23320)	"Givenchy"

s.19(1)

ING THE PERIOD 1st JANUARY, 1944 — 31st DECEMBER, 1944

SUBSTANCE OF CHARGE PREFERRED	FINDING AND SENTENCE
FIRST—Neglect of duty.	First and second charges not proved. Third and fourth charges proved. Adjudged to be reprimanded.
SECOND—Act to the prejudice of good order and Naval discipline in drinking beer in the C.P.O.'s Canteen.	
THIRD—Act to the prejudice of good order and Naval discipline in obtaining beer on credit from the C.P.O.'s Canteen.	
FOURTH—Act to the prejudice of good order and Naval discipline in borrowing money from Canteen Funds of C.P.O.'s Wet Canteen.	
FIRST AND SECOND—Neglect of duty.	The Court found that a prima facie case had not been made out, and, therefore, acquitted the accused.
FIRST—Drunk on shore.	Accused pleaded guilty to both charges. Adjudged to forfeit twelve months' seniority as a Lieutenant and to be dismissed his ship.
SECOND—Fighting with a civilian on shore.	
FIRST TO FOURTH—Neglect of duty.	First, second and fourth charges not proved. Third charge proved. Adjudged to be severely reprimanded.
NOTE.—The Honourable the Minister was pleased to reduce the sentence to a reprimand.	
FIRST—Wilful disobedience of lawful command.	Pleaded guilty to both charges. Adjudged to be severely reprimanded.
SECOND—Improper absence from place of duty.	
Neglect of duty.	Charge proved. Adjudged to be reprimanded.
NOTE.—The Honourable the Minister was pleased to annul the sentence on the ground that it was not proved that negligence took place.	

s.19(1)

Page 8

RETURN OF OFFICERS TRIED BY DISCIPLINARY COURT DUR

No.	DATE OF TRIAL	NAME	RANK	NAME OF SHIP
121	25th April, 1944		Lieutenant (t) R.C.N.V.R. (T) (0-65570)	"Avalon"
122	24th April, 1944		A/Warrant Engineer, R.C.N.R. (T) (0-69840)	"Stadacona" for "Renard"
123	19th May, 1944		Probationary Sub- Lieutenant R.C.N.V.R. (T) (0-55470)	"Kings"
124	26th May, 1944		Lieutenant (a/s) R.C.N.V.R. (T) (0-65750)	"Cornwallis"

000388

ING THE PERIOD 1st JANUARY, 1944 — 31st DECEMBER, 1944

SUBSTANCE OF CHARGE PREFERRED	FINDING AND SENTENCE
<p>FIRST—Drunk on shore.</p> <p>SECOND—Act to the prejudice of good order and Naval discipline in creating a disturbance on shore.</p> <p>THIRD—Act to the prejudice of good order and Naval discipline in creating a disturbance on shore.</p>	<p>Pleaded guilty to all three charges. Adjudged to forfeit twelve months' seniority as a Lieutenant and to be severely reprimanded.</p>
<p>FIRST—Neglect of duty.</p> <p>SECOND—Act to the prejudice of good order and Naval discipline in taking dutiable rum ashore.</p> <p>THIRD—Attempting to smuggle dutiable rum out of H.M.C. Dockyard.</p> <p>FOURTH—Attempting to take gin out of H.M.C. Dockyard.</p>	<p>Pleaded guilty to second, third and fourth charges. First charge not proved. Adjudged to be reprimanded.</p>
<p>NOTE.—The Honourable the Minister considered that the statement of the Accused's Friend in mitigation amounted to a plea of not guilty and should not have been accepted, he was, therefore, pleased to annul the sentence.</p>	
<p>Act to the prejudice of good order and Naval discipline in attempting to smuggle duty free cigarettes.</p>	<p>Accused pleaded guilty. Adjudged to be reprimanded.</p>
<p>FIRST—Act to the prejudice of good order and Naval discipline in that, without reasonable excuse, he transported in his personal baggage articles belonging to His Majesty.</p> <p>SECOND—Act to the prejudice of good order and Naval discipline in that, without reasonable excuse, he transported in his personal baggage live ammunition the property of His Majesty.</p>	<p>Accused pleaded guilty to both charges. Adjudged to forfeit six months' seniority as a Lieutenant and to be severely reprimanded.</p>

Page 9

RETURN OF OFFICERS TRIED BY DISCIPLINARY COURT DUR

NO.	DATE OF TRIAL	NAME	RANK	NAME OF SHIP
126	8th June, 1944		Lieutenant, R.C.N.V.R. (T) (0-22260)	"Esquimalt"
128	27th June, 1944		A/Warrant Writer, R.C.N.V.R. (0-26594)	"Cornwallis"
129	5th July, 1944		Warrant Engineer, R.C.N.R. (T), (0-49460)	"Stadacona" formerly of "Stadacona" for "Beaver"
130	12th July, 1944		A/Warrant Engineer, R.C.N.R. (T) (0-7970)	"Avalon"
		s.19(1)		

000390

ING THE PERIOD 1st JANUARY, 1944 — 31st DECEMBER, 1944

SUBSTANCE OF CHARGE PREFERRED	FINDING AND SENTENCE
FIRST AND SECOND—Neglect of duty.	First charge proved, second charge not proved. Adjudged to be reprimanded.

NOTE.—The Honourable the Minister has been pleased to annul the sentence on the ground that the motion "that a prima facie case has not been made" should have been allowed.

FIRST—Act to the prejudice of good order and Naval discipline in that he served spirituous liquor to a Wren onboard the ship.	Accused pleaded guilty to both charges. Adjudged to be dismissed his ship and to be reprimanded.
SECOND—Act to the prejudice of good order and Naval discipline in that he was in the company of a Wren in the Records Office after dark without reasonable excuse.	
FIRST—Drunk on shore.	First and second charges not proved. Third charge proved. Adjudged to be severely reprimanded.
SECOND—Act to the prejudice of good order and Naval discipline in causing a disturbance in a public street.	
THIRD—Act to the prejudice of good order and Naval discipline in attempting to strike a rating.	
FIRST—Act to the prejudice of good order and Naval discipline in improperly bringing a female civilian into the R.C.N. Fuel Depot.	Third charge not proved. First, second and fourth charges proved. Adjudged to be dismissed his ship and to be severely reprimanded.
SECOND—Act to the prejudice of good order and Naval discipline in improperly having spirits in R.C.N. Fuel Depot.	
THIRD—Act to the prejudice of good order and Naval discipline in consuming spirits whilst on duty in R.C.N. Fuel Depot.	
FOURTH—Act to the prejudice of good order and Naval discipline in consuming spirits in an improper place.	

Page 10

RETURN OF OFFICERS TRIED BY DISCIPLINARY COURT DUR

No.	DATE OF TRIAL	NAME	RANK	NAME OF SHIP
131	13th July, 1944		A/Gunner (T) (Star) R.C.N. (0-57718)	"Stadacona"
132	14th July, 1944		Warrant Engineer, R.C.N.R. (T) (0-2890)	"Scotian"
133	15th July, 1944		Lieutenant (SB) R.C.N.V.R. (T) (0-69250)	"Avalon"
134	20th July, 1944		Lieutenant, R.C.N.R. (T) (0-49580)	"Scotian"

ING THE PERIOD 1st JANUARY, 1944 — 31st DECEMBER, 1944

SUBSTANCE OF CHARGE PREFERRED	FINDING AND SENTENCE
FIRST—Drunk on duty.	Charges not proved. Accused acquitted.
SECOND—Act to the prejudice of good order and Naval discipline in making an improper remark to his Superior Officer.	
Absence without leave.	Accused pleaded guilty. Adjudged to forfeit six months' seniority and to be severely reprimanded.
NOTE.—The Honourable the Minister was pleased to reduce the sentence to forfeiture of three months' seniority and to be severely reprimanded.	
FIRST—Act to the prejudice of good order and Naval discipline in exceeding his authority in ordering a rating to leave his place of duty.	First and fifth charges not proved. Second, third, fourth, sixth and seventh charges proved. Adjudged to forfeit six months' seniority and to be severely reprimanded.
SECOND—Act to the prejudice of good order and Naval discipline in improperly placing a Warrant Officer under arrest.	
THIRD AND FOURTH—Disobedience of orders.	
FIFTH—Quarrelling with a Sub-Lieutenant.	
SIXTH—Using provoking speeches tending to make a quarrel with a Sub-Lieutenant.	
SEVENTH—Drunkenness.	
NOTE.—The Honourable the Minister dissented from the finding on the third charge on the ground that it was not in accordance with the evidence adduced.	
FIRST—Act to the prejudice of good order and Naval discipline in permitting a Naval truck to be used for his personal purposes without authority.	First charge not proved. Second charge proved. Adjudged to be reprimanded.
SECOND—Act to the prejudice of good order and Naval discipline in, without reasonable excuse, causing lumber which was not his property to be removed from A/S Fixed Defence Depot for his own use.	

Page 11

RETURN OF OFFICERS TRIED BY DISCIPLINARY COURT DUR

NO.	DATE OF TRIAL	NAME	RANK	NAME OF SHIP
135	24th July, 1944		Lieutenant (E), R.C.N.V.R. (T) (0-37350)	"Avalon"
136	15th August, 1944		Lieutenant, R.C.N.V.R. (T) (0-79140)	"Fennel"
137	26th August, 1944		Warrant Engineer, R.C.N.R. (T) (0-57665)	"Hespeler"
138	29th August, 1944		Chief Skipper, R.C.N.R. (T) (0-39890)	"Captor II"
139	16th September, 1944		A/Warrant Engineer, R.C.N.V.R. (T) (0-65055)	"Avalon"

s.19(1)

000394

ING THE PERIOD 1st JANUARY, 1944 — 31st DECEMBER, 1944

SUBSTANCE OF CHARGE PREFERRED	FINDING AND SENTENCE
FIRST—Drunk onboard.	Accused pleaded guilty to all four charges. Adjudged to be dismissed from his ship and to be severely reprimanded.
SECOND—Absent from place of duty.	
THIRD—Drunk onboard.	
FOURTH—Act to the prejudice of good order and Naval discipline in drinking intoxicating liquors in his cabin contrary to local Standing Orders.	
FIRST—Act to the prejudice of good order and Naval discipline in attempting to smuggle spirituous liquor out of H.M.C. Dockyard.	Accused pleaded guilty to first charge. Second charge proved. Adjudged to forfeit five months' seniority as a Lieutenant and to be severely reprimanded.
SECOND—Act to the prejudice of good order and Naval discipline in purchasing, for his own use, six bottles of spirituous liquor from the Wardroom stock.	
FIRST—Act to the prejudice of good order and Naval discipline in attempting to communicate by letter information which might be useful to the enemy.	Both charges proved. Adjudged to forfeit all seniority as a Warrant Engineer and to be reprimanded.
SECOND—Act to the prejudice of good order and Naval discipline in posting a letter other than through ship's post box.	
FIRST—Fighting with a rating.	Both charges proved. Adjudged to forfeit three months' seniority as a Chief Skipper, to be dismissed his ship and to be severely reprimanded.
SECOND—Act to the prejudice of good order and Naval discipline in creating a disturbance in the messdeck of H.M.C.S. "LUSCINDA".	
Drunk on shore.	Charge proved. Adjudged to be dismissed his ship and to be severely reprimanded.

NOTE.—The Honourable the Minister approved the finding but was pleased to reduce the sentence to a reprimand.

s.19(1)

Page 12

RETURN OF OFFICERS TRIED BY DISCIPLINARY COURT DUR

NO.	DATE OF TRIAL	NAME	RANK	NAME OF SHIP
140	20th September, 1944	[REDACTED]	Lieutenant, R.C.N.V.R. (T) (0-51030)	"Stadacona"
145	27th October, 1944	[REDACTED]	Lieutenant, R.C.N.R. (T) (0-64460)	"Stadacona"
146	28th July, 1944	[REDACTED]	Lieutenant, R.C.N.V.R. (T) (0-79560)	"Nabob"
147	2nd December, 1944	[REDACTED]	Lieutenant, R.C.N.R. (T) (0-63220)	"Protector" proper ship "Arrowhead"
148	6th December, 1944	[REDACTED]	Lieutenant- Commander (E), R.C.N.R. (T) (0-11060)	"Avalon"

000396

ING THE PERIOD 1st JANUARY, 1944 — 31st DECEMBER, 1944

SUBSTANCE OF CHARGE PREFERRED	FINDING AND SENTENCE
FIRST—Act to the prejudice of good order and Naval discipline in authorizing the supply of gasoline without authority to the Admiralty Net Defence Depot in the Month of March, 1944.	First and second charges proved. Third charge not proved. Adjudged to be reprimanded.
SECOND—Act to the prejudice of good order and Naval discipline in authorizing the supply of gasoline without authority to the Admiralty Net Defence Depot in the Month of April, 1944.	
THIRD—Neglect of duty in omitting to maintain adequate records of gasoline issued to him.	
FIRST—Wilful disobedience of orders.	
SECOND—Absence without leave.	Both charges proved. Adjudged to forfeit six months' seniority and to be reprimanded.
Drunk onboard.	Charge proved. Adjudged to be dismissed his ship and to be severely reprimanded.
FIRST—Absent without leave.	
SECOND—Improperly leaving his ship.	All charges proved. Adjudged to be dismissed his ship and to be severely reprimanded.
THIRD—Wilful disobedience of lawful command from his Superior Officer.	
FIRST—Drunkenness.	
SECOND—Act to the prejudice of good order and Naval discipline in permitting a rating to consume liquor in his cabin.	Accused pleaded guilty to second charge. First charge not proved. Adjudged to be dismissed his ship and to be reprimanded.

s.19(1)

Page 13

RETURN OF OFFICERS TRIED BY DISCIPLINARY COURT DUR

NO.	DATE OF TRIAL	NAME	RANK	NAME OF SHIP
149	7th and 11th December, 1944		Sub-Lieutenant, R.C.N.V.R. (T) (0-45107)	"Avalon"
151	13th December, 1944		Lieutenant, R.C.N.V.R. (T) (0-12450)	"Cap de la Madeleine"
152	14th December, 1944		Lieutenant (E), R.C.N.R. (T) (0-53625)	"Cap de la Madeleine"

000398

ING THE PERIOD 1st JANUARY, 1944 — 31st DECEMBER, 1944

SUBSTANCE OF CHARGE PREFERRED	FINDING AND SENTENCE
<p>FIRST—Act to the prejudice of good order and Naval discipline in consuming alcoholic liquor in an unauthorized place.</p>	<p>Accused pleaded guilty to first charge. Third charge proved. Second charge not proved. Adjudged to forfeit all seniority as a Sub-Lieutenant and to be dismissed his ship.</p>
<p>SECOND—Act to the prejudice of good order and Naval discipline in smuggling spirits out of Barracks.</p>	
<p>THIRD—Act to the prejudice of good order and Naval discipline in bringing discredit on his uniform and the Service.</p>	
<p>NOTE.—The Honourable the Minister has been pleased to annul the sentence on the ground that illegal evidence was admitted and due to the general manner in which the trial was conducted.</p>	
<p>FIRST—Act to the prejudice of good order and Naval discipline in drinking intoxicating liquor in the company of Naval ratings in a Public Bar.</p>	<p>Accused pleaded guilty to first and third charges. Second charge not proved. Adjudged to be dismissed his ship and to be reprimanded.</p>
<p>SECOND—Act to the prejudice of good order and Naval discipline in being involved in a brawl.</p>	
<p>THIRD—Act to the prejudice of good order and Naval discipline in using obscene language towards a Naval rating.</p>	
<p>FIRST—Act to the prejudice of good order and Naval discipline in drinking intoxicating liquor in the company of Naval ratings in a public place.</p>	<p>Accused pleaded guilty to first charge; second, fourth and fifth charges proved; third charge not proved. Adjudged to forfeit all seniority as a Lieutenant (E), to be dismissed his ship and to be severely reprimanded.</p>
<p>SECOND—Act to the prejudice of good order and Naval discipline in being involved in a brawl.</p>	
<p>THIRD—Act to the prejudice of good order and Naval discipline in striking a civilian.</p>	
<p>FOURTH—Act to the prejudice of good order and Naval discipline in assaulting a Naval rating.</p>	

Page 14

RETURN OF OFFICERS TRIED BY DISCIPLINARY COURT DUR

NO.	DATE OF TRIAL	NAME	RANK	NAME OF SHIP
		(Cont'd)		
154	22nd December, 1944		Sub-Lieutenant, R.C.N.V.R. (T) (0-54544)	"Stadacona" for "Mont Joli"
155	7th December, 1944		Lieutenant, R.C.N.V.R. (T) (0-74100)	"Dawson" now "Avalon"
159	1st December, 1944		Lieutenant, R.C.N.V.R. (T) (0-61600)	"Stadacona"
		s.19(1)		

000400

ING THE PERIOD 1st JANUARY, 1944 — 31st DECEMBER, 1944

SUBSTANCE OF CHARGE PREFERRED	FINDING AND SENTENCE
FIFTH—Act to the prejudice of good order and Naval discipline in attempting to strike a Naval patrolman in the execution of his duty.	
FIRST—Act to the prejudice of good order and Naval Discipline in purchasing one bottle of duty free liquor from the Wardroom stock of H.M.C.S. "MONT JOLI".	Accused pleaded guilty to both charges. Adjudged to be reprimanded.
SECOND—Act to the prejudice of good order and Naval discipline in attempting to smuggle one bottle of duty free liquor from H.M.C. Dockyard.	
FIRST—Act to the prejudice of good order and Naval discipline in smuggling alcoholic liquor in Royal Canadian Naval Barracks, St. JOHN'S, Newfoundland.	Accused pleaded guilty to both charges. Adjudged to forfeit one month's seniority as a Lieutenant and to be reprimanded.
SECOND—Act to the prejudice of good order and Naval discipline in consuming alcoholic liquor in his cabin contrary to Standing Orders.	
FIRST—Act to the prejudice of good order and Naval discipline in that, without reasonable excuse, he caused six bottles of duty free liquor to be delivered to him.	First charge proved; second and third charges not proved. Adjudged to be reprimanded.
SECOND—Act to the prejudice of good order and Naval discipline in that he ordered an Officer's Steward to pack four bottles of duty free liquor into a suitcase.	
THIRD—Act to the prejudice of good order and Naval discipline in that he did counsel an R.C.M.P. Constable to assist him to smuggle duty free liquor.	

4255-1

Return of Naval Courts-Martial
AND
Disciplinary Courts
PETTY OFFICERS and SEAMEN

HELD DURING THE PERIOD
1st January, 1944—31st December, 1944

Return of Naval Courts-Martial
AND
Disciplinary Courts
PETTY OFFICERS and SEAMEN

HELD DURING THE PERIOD
1st January, 1944—31st December, 1944

s.19(1)

Page 1

RETURN OF PETTY OFFICERS AND SEAMEN
1st JANUARY, 1944-

DATE OF TRIAL	NAME	RATING	NAME OF SHIP
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The following correction should be made to the Return of Naval Courts-
1st January, 1943-31st December, 1943.

Insert on page 3, after [REDACTED]: NOTE.—“The Honourable
to annul the sentence.”

19th February, 1944	[REDACTED]	Cook (S), R.C.N.V.R., O.N. V-31666	“Stadacona”
11th February, 1944	OBE, [REDACTED]	Stoker I, R.C.N.V.R., O.N. V-61706	“Naden”
9th February, 1944	[REDACTED]	Able Seaman, R.C.N.V.R., O.N. V-22254	“Givenchy”
20th June, 1944	[REDACTED]	Supply Assistant, R.C.N.V.R., O.N. V-6354	“Avalon”

000404

Page 1

**TRIED BY COURT-MARTIAL DURING THE PERIOD
31st DECEMBER, 1944**

SUBSTANCE OF CHARGE PREFERRED	FINDING AND SENTENCE
<p>Martial and Disciplinary Courts—Petty Officers and Seamen—for the period the Minister considered that the Court was illegally constituted and was pleased</p>	
FIRST AND THIRD—Theft.	<p>Pleaded guilty to fifth charge. First charge proved. Second, third and fourth charges not proved. Adjudged to be kept in detention for four (4) calendar months.</p>
SECOND AND FOURTH—Receiving.	
FIFTH—Attempting to smuggle duty free rum on shore.	
FIRST—Forgery.	<p>Pleaded guilty to both charges. Adjudged to be kept in detention for the term of three (3) calendar months.</p>
SECOND—Act to the prejudice of good order and Naval discipline in that he stamped official documents contrary to Pacific Coast Temporary Memorandum No. 380.	
FIRST TO FOURTH—Did commit an act of gross indecency with another male person.	<p>Pleaded guilty to all charges. Adjudged to be imprisoned and kept at hard labour for the term of eighteen (18) calendar months and to be dismissed from His Majesty's Canadian Service.</p>
FIRST TO THIRD—Negligent performance of duty.	
FOURTH AND FIFTH—Theft.	<p>Accused pleaded guilty. Adjudged to be imprisoned for two (2) years, of which one year to be kept at hard labour, to be dismissed from His Majesty's Canadian Service, to suffer all forfeitures under N.D.A. Section 52 (10) and to be mulcted eight (8) days' pay.</p>
SIXTH—Absent without leave.	

NOTE.—The Honourable the Minister was pleased to reduce the sentence to two years less one day, of which one year to be at hard labour.

000405

Page 2

RETURN OF PETTY OFFICERS AND SEAMEN
1st JANUARY, 1944-

DATE OF TRIAL	NAME	RATING	NAME OF SHIP
2nd September, 1944		Able Seaman, R.C.N.V.R., O.N. V-23447	H.M.S. "Fervent"
11th and 12th December, 1944		A/Stoker I, R.C.N.V.R., O.N. V-64677	"Shelburne"
	s.19(1)		

000406

TRIED BY COURT-MARTIAL DURING THE PERIOD
31ST DECEMBER, 1944

SUBSTANCE OF CHARGE PREFERRED	FINDING AND SENTENCE
FIRST—Behaving with contempt to his Superior Officer.	Accused pleaded guilty to second charge. First charge proved. Adjudged to be imprisoned and kept at hard labour for the term of two years and to be dismissed from His Majesty's Canadian Service.
SECOND—Striking his Superior Officer.	

NOTE.—The Honourable the Minister was pleased to direct that the remainder of the sentence of imprisonment be suspended and the dismissal from the Service remitted.

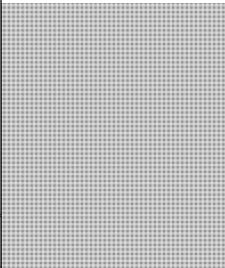
FIRST—Unlawfully attempt to stir a disturbance.	First, second, third, fourth, fifth, sixth and eighth charges proved. Seventh charge not proved. Adjudged to be imprisoned for a period of two years and to be dismissed from His Majesty's Canadian Service.
SECOND—Act to the prejudice of good order and Naval discipline in using threatening language to a Naval Patrolman.	
THIRD—Act to the prejudice of good order and Naval discipline in escaping from a Naval Shore Patrol escort.	
FOURTH—Act to the prejudice of good order and Naval discipline in violently resisting arrest.	
FIFTH—Act to the prejudice of good order and Naval discipline in striking a Leading Patrolman.	
SIXTH—Act to the prejudice of good order and Naval discipline in striking an Ordinary Patrolman.	
SEVENTH—Act to the prejudice of good order and Naval discipline in breaking into the North Guard House in H.M.C.S. "SHELBURNE".	
EIGHTH—Act to the prejudice of good order and Naval discipline in striking a Patrolman.	

NOTE.—The Honourable the Minister was pleased to approve the sentence of dismissal and to remit the unexpired portion of the sentence of imprisonment.

s.19(1)

Page 3

RETURN OF PETTY OFFICERS AND SEAMEN
1st JANUARY, 1944-

DATE OF TRIAL	NAME	RATING	NAME OF SHIP
20th December, 1944		Able Seaman, R.C.N.V.R., O.N. V-39604	"Peregrine" formerly of "Skeena"
		Able Seaman, R.C.N.V.R., O.N. V-16464	"
		Able Seaman, R.C.N.V.R., O.N. V-31304	"

000408

TRIED BY COURT-MARTIAL DURING THE PERIOD
31st DECEMBER, 1944

SUBSTANCE OF CHARGE PREFERRED	FINDING AND SENTENCE
FIRST—Act to the prejudice of good order and Naval discipline in being in an improper place, namely the Wardroom of H.M.C.S. "SKEENA", without reasonable excuse or due authority.	Accused pleaded guilty. Adjudged to be kept in detention for six (6) calendar months.
SECOND—Act to the prejudice of good order and Naval discipline in breaking into the spirit locker of 'H.M.C.S. "SKEENA", thereby impairing the ship's water tight integrity.	
THIRD—Theft of spirituous liquor.	

Page 4

RETURN OF PETTY OFFICERS AND SEAMEN TRIED
1st JANUARY, 1944-

DATE OF TRIAL	NAME	RATING	NAME OF SHIP
4th January, 1944		Chief Petty Officer Cook(S), R.C.N.V.R., O.N. V-30365	"Givenchy"
25th January, 1944		Able Seaman, R.C.N.V.R., O.N. V-1619	"Stadacona"
7th February, 1944		Stoker II, R.C.N.V.R., O.N. V-3615	"Stadacona"
24th February, 1944		Steward, R.C.N.V.R., O.N. V-8710	"Stadacona"
28th January, 1944		Bandsman, R.C.N.V.R., O.N. V-16537	"Naden"
	s.19(1)		

000410

BY DISCIPLINARY COURT DURING THE PERIOD
31ST DECEMBER, 1944

SUBSTANCE OF CHARGE PREFERRED	FINDING AND SENTENCE
FIRST—Neglect of duty.	Accused found not guilty. Acquitted on both charges.
SECOND—Act to the prejudice of good order and Naval discipline in that he did take an active part in a transaction which to his knowledge was improper.	
Desertion.	Accused pleaded guilty. Adjudged to be kept in detention for six (6) calendar months and to be dismissed from His Majesty's Canadian Service.
NOTE.—The Honourable the Minister was pleased to remit the sentence of dismissal from the Service.	
Desertion.	Accused pleaded guilty. Adjudged to be kept in detention for the term of nine (9) calendar months.
NOTE.—The Honourable the Minister was pleased to reduce the sentence of detention to four (4) calendar months.	
Desertion.	Accused pleaded guilty. Adjudged to be kept in detention for twelve (12) calendar months.
NOTE.—The Honourable the Minister was pleased to direct that the sentence be reduced to seven (7) months' detention.	
FIRST—Act to the prejudice of good order and Naval discipline in having in his possession a number of Naval Identification cards not properly issued to him.	Accused pleaded guilty to all charges. Adjudged to be kept in detention for the term of five (5) calendar months.
SECOND AND THIRD—Act to the prejudice of good order and Naval discipline in falsifying an Official Document.	
FOURTH—Act to the prejudice of good order and Naval discipline in trafficking in liquor.	

s.19(1)

Page 5

RETURN OF PETTY OFFICERS AND SEAMEN TRIED
1st JANUARY, 1944-

DATE OF TRIAL	NAME	RATING	NAME OF SHIP
15th February, 1944	[REDACTED]	Ordinary Seaman, R.C.N.V.R., O.N. V-37900	"Georgian"
31st May, 1944	[REDACTED]	Telegraphist, R.C.N. O.N. 4658	"Givenchy"
23rd June, 1944	CHENARD, Joseph Etienne Paul Emile Laurent	Stoker-II, R.C.N.V.R., O.N. V-3615	"Stadacona"
13th July, 1944	BYRNE, Thomas Francis	Stoker, R.C.N.R., O.N. A-5935	"Cornwallis"

000412

BY DISCIPLINARY COURT DURING THE PERIOD
31st DECEMBER, 1944

SUBSTANCE OF CHARGE PREFERRED	FINDING AND SENTENCE
Desertion.	Charge of desertion against the accused not proved, but that he remained absent without leave ninety-two (92) days. Adjudged to be imprisoned for the term of six (6) calendar months and to be dismissed from His Majesty's Canadian Service.
NOTE.—The Honourable the Minister was pleased to quash the sentence on account of the illegal sentence awarded.	
FIRST—Act to the prejudice of good order and Naval discipline in knowingly making unauthorized use of plain language in W/T.	The Court found that a 'prima facie' case had not been made out against the accused, and, therefore, acquitted him.
SECOND—Disobedience of orders.	
THIRD—Act to the prejudice of good order and Naval discipline in knowingly using incorrect Wireless Telegraphy procedure.	
FOURTH—Act to the prejudice of good order and Naval discipline in wilfully making improper use of W/T operating signal.	
FIFTH—Act to the prejudice of good order and Naval discipline in behaving with contempt by means of W/T Signals to a Leading Telegraphist, the senior rating on Watch.	
Desertion.	Accused pleaded guilty. Adjudged to be kept in detention for twelve (12) months and to be dismissed from His Majesty's Canadian Service.
FIRST—Improperly leaving H.M.C.S. "CORNWALLIS".	Pleaded guilty to both charges. Accused adjudged to be kept in detention for twelve (12) calendar months and to forfeit thirteen (13) days' pay.
SECOND—Absent without leave.	

NOTE.—The Honourable the Minister was pleased to reduce the sentence to six (6) months' detention and the forfeiture of thirteen (13) days' pay.

Page 6

RETURN OF PETTY OFFICERS AND SEAMEN TRIED
1st JANUARY, 1944-

DATE OF TRIAL	NAME	RATING	NAME OF SHIP
17th July, 1944		Shipwright, Third Class, R.C.N.V.R., O.N. V-46586	"Scotian"
7th September, 1944		Ordinary Seaman, R.C.N.V.R., O.N. V-16352	"Stadacona"
13th November, 1944		Cook (S), R.C.N.V.R., O.N. V-18203	"Stadacona"
6th December, 1944		Stoker I, R.C.N.V.R. O.N. V-25869	"Avalon"
7th December, 1944		Stoker I, R.C.N.V.R. O.N. V-64576	"Shelburne"
s.19(1)			

000414

BY DISCIPLINARY COURT DURING THE PERIOD
31st DECEMBER, 1944

SUBSTANCE OF CHARGE PREFERRED	FINDING AND SENTENCE
Act to the prejudice of good order and Naval discipline in causing lumber, not his property, to be taken from Naval property.	Motion of non-suit on failure of main witness to identify accused upheld. Accused acquitted.
Desertion.	The Court found the charge of desertion not proved, but that the accused was absent without leave. Adjudged to be kept in detention for six (6) calendar months and to forfeit fifty-four (54) days' pay, and to be dismissed from His Majesty's Canadian Service.
Desertion.	Charge proved. Adjudged to be kept in detention for a term of six (6) calendar months and to be dismissed from His Majesty's Canadian Service.
Desertion.	Accused pleaded guilty. Adjudged to be kept in detention for six (6) calendar months and to be dismissed from His Majesty's Canadian Service.
FIRST—Act to the prejudice of good order and Naval discipline in escaping from a Naval Shore Patrol escort.	First charge not proved. Second, third, fourth, fifth and sixth charges proved. Adjudged to be kept in detention for nine (9) calendar months and to be dismissed from His Majesty's Canadian Service.
SECOND—Act to the prejudice of good order and Naval discipline in kicking a Patrolman.	
THIRD—Act to the prejudice of good order and Naval discipline in violently resisting arrest by the Naval Shore Patrol.	
FOURTH—Act to the prejudice of good order and Naval discipline in violently resisting the Naval Shore Patrol escort when being taken to the Cell Block.	
FIFTH—Act to the prejudice of good order and Naval discipline in escaping from the Cell Block.	

Page 7

RETURN OF PETTY OFFICERS AND SEAMEN TRIED
1st JANUARY, 1944-

DATE OF TRIAL	NAME	RATING	NAME OF SHIP
	(Cont'd)		
9th December, 1944	s.19(1)	Stoker II, R.C.N.V.R., O.N. V-76818	"Shelburne"
16th December, 1944		A/Stoker Petty Officer, R.C.N. O.N. 21706	"Stonetown"

000416

Page 7

BY DISCIPLINARY COURT DURING THE PERIOD
31st DECEMBER, 1944

SUBSTANCE OF CHARGE PREFERRED	FINDING AND SENTENCE
SIXTH—Act to the prejudice of good order and Naval discipline in escaping from a guard.	
NOTE.—The Honourable the Minister has approved the dismissal portion of the sentence, and was pleased to remit the unexpired portion of the sentence of detention.	
FIRST—Act to the prejudice of good order and Naval discipline in that in company with other Stokers he broke into the North Guard House.	First and third charges not proved. Second charge proved. Adjudged to be kept in detention for sixty (60) days.
SECOND—Act to the prejudice of good order and Naval discipline in that without due authority or reasonable excuse he entered the North Guard House in company with other Stokers who had broken into the North Guard House.	
THIRD—Act to the prejudice of good order and Naval discipline in not giving assistance to Naval Shore Patrolmen in stopping a fight inside the North Guard House.	
Fighting with the Executive Officer of the said ship.	Accused pleaded guilty. Adjudged to be disrated to Stoker First Class, to be deprived of one Good Conduct Badge, to be kept in detention for the term of two (2) years and to be dismissed from His Majesty's Canadian Service.
NOTE.—The Honourable the Minister was pleased to reduce the sentence to three (3) months' detention, disrated to Stoker First Class and deprivation of one Good Conduct Badge.	

000417