

Lieut - Colonel
Inspector of Courts-Martial.

for

particular the fact that he was wounded in such
service. They may also have been taken into consideration his
statement that he was serving his country in the line in which
he was best fitted. In other words that he went absent for the
purpose of serving his country rather than for purely personal
reasons.

5. On the other hand Ptes. Imbroque and Garzeville went
absent for purely personal reasons. Ptes. Plourant, Glave
no reasons whatever for his going absent.

6. It is also to be noted that Ptes. Garzeville, on 2nd
February 1941, was sentenced to 6 months imprisonment for
breach of a court martial in England, that Ptes. Plourant has a
lengthy field conduct sheet and had already been sentenced to
60 days detention by an P.O.C.M. in England.

7. It is further to be noted that Ptes. Imbroque appears to
have been in custody awaiting trial for 122 days, while the
other three soldiers were only in custody 22 days.

8. All the foregoing facts are revealed by the evidence and
may have been taken into consideration by the court when
awarding only 6 months detention to Ptes. Imbroque and 2 years
detention to the other three soldiers.

9. These cases would appear to be ones which could be made
the subject of review by a superior military authority under
Section 47 of the Army Act, (nowly, in Canada, the
Minister of National Defence or such officer as he may appoint
as a superior military authority for the purpose of said
Section 47). Such review might be made at the expiration
of, say, six months from the date of sentence.

10. Upon such review reports should be obtained as to the
conduct of said soldiers whilst undergoing sentence, and in
the light of said reports, and the circumstances of each case,
consideration might be given by the superior military authority
to the question of suspension or remission of the balance of
sentence as he deems fit.