

(See X13)

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The question provided for in R.P. 29 (A) being asked the accused
Defending Officer applies for one weeks adjournment G.M.G.

An explanation for this application is requested of
Defending Offr.

Defending Offr:

" I was in Aldershot last Monday on duty and I met Lt Haufek and he asked me to defend him at this trial. I said that I certainly would. He told me he had made application for Summary Trial and that if this was granted he would not need me to defend him. He said he would let me know. I returned to Witley Camp where I have been for a week waiting to hear from him. I believe he made an attempt to reach me but he had nothing to tell me anyway. I did not hear anything further until the night before last at 11 pm when I was duty officer. I was given a copy of the Convening Order. I could not phone Lt Haufek at that time. The following day, yesterday, Lt Haufek spent marching from Aldershot to Witley with the other officers of CGRU. He did not know when the Court Martial was convened and that he was not to receive Summary Trial. He did not know the date of his trial until yesterday afternoon. I did not get a chance to study the charge sheet and Summary nor to study the appropriate sections of the Army Act. Nor did I get a chance to speak to Lt Haufek until yesterday afternoon - and I certainly have not been able to interview possible witnesses for the defence. In fact I am, at the moment, entirely unprepared to defend this case. "

Judge Advocate:

" You did not receive the charge sheet and summary until Wednesday?"

Ans: "I received them yesterday evening."

Judge Advocate; to the accused:

" Once you have been handed the Charge Sheet and Summary of Evidence in your case you are entitled to a Defending Officer. Now, according to my information you received these documents on 8 April. It is now the 21st. Why did twelve days pass between the time you got the charge sheet and the day you got a defending officer?"

The Accused:

" It was on Saturday 8 April that I was called before Col Frost. At that time I also made an application for Summary Trial. I was waiting to hear whether I would have the privilege of being tried summarily. At the time I wanted to contact Mr. Wilding White - I could not reach him. Last Monday I did contact Mr Wilding White as he dropped in from Witley. I asked him to defend me. I went to the Adjutant 1 CGRU (Capt McNaughton) and gave in his name. On Tuesday I asked the Adjutant to contact the Intelligence Coy which was already at Witley and get permission for Mr. Wilding White to come over to Aldershot. I have never heard any more about it. After the route march to Witley I contacted Mr White at once and found out that he had been notified the night before.

Judge Advocate:

" When you met Mr White last week in Aldershot why did you not give him the Charge Sheet and Summary then?"

Defending Offr:

" I was other there on duty and I had a very short time

G.M.G.