

of judgement, in that he, did not insist on the MO treating him right away and get back up. The MO was busy, there was all these serious casualties about, there was - he was in a dazed frame of mind, he could not think on the subject, he laid down and the evidence is he slept until next morning. In the morning possibly again his actions were faulty, he didn't arise immediately and go right up to his platoon but we know the MO told him that sometime in the morning since there was no action pending it would be alright to rest at the RAP. Now, the fact that there was no action pending - I would suggest that it was not easy for him to get back to the platoon considering what condition he was in, the platoon was firmed up for the night, they held that position according to Cpl Phillips until the time they were directed to do so by the accused until possibly more than a day afterwards. Now, the platoon sergeant was also at the RAP, the fact that the platoon sergeant did not bother to turn over would not of course excuse the accused for not having turned the platoon over but I suggest that it was an indication of what confusion existed, during that time people were apparently milling about, there were casualties about, the platoon sergeant had become a casualty and I suggest the court should also was the accused himself was a casualty to a certain extent. He was not evacuated by stretcher bearers and he did not have to be taken back beyond the RAP but he was dazed enough to have evacuated on his own judgement and thinking abilities and for that reason he didn't go to the trouble of looking up his company commander or turn over what was left of the platoon to anyone else at that time but he apparently believed Cpl Phillips, who had one section to look after knows where they were. Now, there is some conflict of evidence between - on the question of who issued the orders to Cpl Phillips - Lieut Cradock issued the orders