

SWORN STATEMENT BY THE ACCUSED (Continued)

- Q. You say you covered about 200 miles?
- A. Steady going, yes sir.
- Q. You picked up stores and rfts?
- A. That was just coming back here, sir.

RULES OF PROCEDURE 83(c) have been complied with.

THE PROSECUTOR DECLINED TO MAKE A CLOSING ADDRESS

The Defending Officer argued that the accused should be found Not Guilty on the following grounds:

- (a) Drunkenness - Before being accused of drunkenness, Gnr Foster should have been awakened and notified of his tour of duty and if unable to perform his duties, then found guilty. Nobody gave him a chance to prove that he was anything but tired, and I am fully convinced that had he been awakened he would not have been brought before this court.
- (b) Allowing Gnr Jones to drive his vehicle. As the evidence points out this had never been explained to the accused and there do not appear to be any standing orders forbidding any driver to loan his vehicle to another driver.
- (c) Absent without leave - Various drivers had in the past procured water for the HQ. The accused had no duty until 2320 hrs as long as water was delivered to the kitchen at the regular time. And in this case seeing Gnr Jones was performing his duty, he could certainly not find any wrong in doing a few hours of shopping in Becloo.