

PLEA IN MITIGATION OF PUNISHMENT

in the case of Pte Giroux, P.E.

Sirs:

Before the court considers the sentence I would ask you to consider these points. The accused joined the army in Nov of 1939 when he was only 19 years of age - He served with the Army Service Corps for over a year work ing with an ammunition Coy In Jan 41 he was discharged and spent some time in the hospital but on coming out joined up again in the army because he felt he had a special job to do. He enlisted the second time with the service corps in July of 41 and was later transferred to the 18th Pz Ambulance Section.

He had been up to the front with the 18 Pz ambulance for about one month when called back for trial on a charge of AWL that had been pending for several months and had been put off because there was not sufficient evidence.

He was tried on the charge and sentenced to 90 days and had only 8 more days to complete his sentence when he broke out I wish to ask the Court to consider the circumstances under which that was done the accused had been drinking Cognac for most of the afternoon and when he was locked up and given the opportunity of escaping he was unable to foresee the seriousness of his offence. The accused is at present aware that drunkenness is no excuse for crime but at the time his mind was incapable of functioning properly, this is only too well brought out by the fact that no person under normal circumstances would do so with only 8 days of sentence left to do.

I would ask the court to take this into consideration in determining the sentence and with special reference to sections 47 and 48 of Chap III of MCM where it states such circumstances should lessen the punishment.

I would also ask you to consider that the accused is fit and ready to go back to the front where he is urgently needed. He is anxious to get back to his unit and carry on with his work.

I notice the MCM 6 but if the Court consider that all these entries were spread over a period of yrs and ~~many~~ most of them are only minor AWLs of a day or so - the record is not at all bad.

In conclusion I would ask the court to deal as leniently as possible with this soldier in order that he may soon be able to rejoin his unit and carry on the work for which he joined up.

Respectfully submitted

(sgd) A.F. Mann, Lt.