INSTRUCTIONS ON PROCEDURE AFTER ARRAIGNMENT.

1. The accused may not plead or be found Guilty on more than one of two or more charges laid in the alternative (RP 37(A).) As to withdrawed of alternative charges by Prosecutor see RP 35(C). No other charge can be withdrawed, for any reason without authy from Convening Offr. If Convening Offr concurs, Court may accept plea of Guilty to lesser, etc., affence. (RP 44(B).) Accused may change a plea of Not Guilty to Guilty during trial. (3P 38.) As to refusing to plead or not pleading intelligibly see RP 35(A). As to plea when sentence may be death see RP 35(D).

2. The proceedings on each charge sheet (RP 62) after arraignment will be conducted as follows in the respective

1. If pleas to all charges are GUILTY, use Record Form B below.

11. If plens to all charges are NOT GUILTY, use Record Form D on p

3.

111. If pleas to some charges are GUILTY and to other charges are NOT GUILTY and,

(a) Such mixed pleas occur when there are no alternative charges in the Charge Sheet, use Record Form C below. (RP 37(A).)

(b) Such mixed pleas occur in a set of two or more charges laid in the alternative, see RP 37 (A) and fn 2 as to discretion of Court, (i) to try the accused on all such alternative charges as if he had pleaded Not Guilty thereto, or, (ii) to record the pleas as the findings of Court. After deciding between (i) and (ii), Court will proceed under foregoing instea as may be appropriate to result of its decision. See MML p 744 Instea (2).

3. As to responsibility of President to accused see RP 50,00(C); powers and duties of JA see RP 103; duty of Prosecutor see RP 00(A) (B); duty and privileges of accused and Defending Offr see RP 00(C), \$7(C), \$1, \$0.2; suscaring and withdrawed of witnesses from Court see RP 81, \$2; questioning of accused see RP 80, \$7(C), \$2(R), and of witnesses RP \$3.85; calling or revalling of witnesses by Court etc see RP 75-70, \$6, \$116; use of Summary of Evidence at Trust see RP \$1.85; calling or revalling of accused see RP \$1.85; calling or revalling of witnesses by Court etc see RP 75-70, \$6, \$116; use of Summary of Evidence at Trust see RP \$1.85; calling or revalling of accused see RP \$1.85; calling or revalling of witnesses by Court etc see RP 75-70, \$6, \$116; use of Summary of Evidence at Trust see RP \$1.85; calling or revalling of summary of Evidence at Trust see RP \$1.85; calling or revalling of summary of Evidence at Trust see RP \$1.85; calling or revalling of summary of Evidence at Trust see RP \$1.85; calling or revalling of summary of Evidence at Trust see RP \$1.85; calling or revalling of summary of Evidence at Trust see RP \$1.85; calling or revalling of summary of Evidence at Trust see RP \$1.85; calling or revalling of summary of Evidence at Trust see RP \$1.85; calling or revalling of summary of Evidence at Trust see RP \$1.85; calling or revalling of summary of Evidence at Trust see RP \$1.85; calling or revalling of summary of Evidence at Trust see RP \$1.85; calling or revalling of summary of Evidence at Trust see RP \$1.85; calling or revalling of summary of Evidence at Trust see RP \$1.85; calling or revalling of summary of Evidence at Trust see RP \$1.85; calling or revalling of summary of Evidence at Trust see RP \$1.85; calling or revallence at

RECORD FORM B-PROCEEDINGS ON PLEAS OF GUILTY TO ALL CHARGES.

RI. The President or JA, if any, complies with RP 35(B) by explaining to the accused the nature and meaning of the charge(s)(1), and that on his plea of Guilty there will be no regular trial but merely a consideration of the sentence to be awarded after he has been given an opportunity to make a statement in reference to the charge(s), call witnesses as to character and make an address in mitigation of punishment. (2)

(1) RP 35 for 3. 2. MML p 54 pcrs 47.)

B2. President to censed: The Court will now receive any statement you desire to make in reference to the charge(s).(*) If it appears come your statement that there are circumstances which indicate that you do not understand the effect of the plea of unity(*), or which show provocation or extenuation in respect of which in your interest stand the effect of the plea of unity(*), or which show provocation or extenuation in respect of which in your interest that witnesses for the Prosecution should be examined(*), we shall advise you to change your plea to Not Guilty. In the witnesses for the Prosecution should be examined(*), we shall advise you to change your spea say will not be used in a charge you making a charge you say will not be examined to examine you alter you can be shown as the court that your statement in evidence against you after you change your plea. If, however, it appears to the Court that your statement in evidence against you after you change your plea and you affects only the amount of punishment to kilch you are liable, you will not be advised to change your plea and you will be given an opportunity later to prove your statement by sworn testimony, if you so desire (*)

President to accused: Do you wish to make a support (*)

President to accused: Do you wish to make a support (*)

(*)

President to accused: Do you wish to make a support (*)

See part (3 of Record Form 5.

Section (3 of Record Form 5.)

B3. The Court considers the accused's statement.(1) The Court decides (not) to advice accused to change Lis

charge(s). The accused is (are) so infermed, and he (they) (their) plea(s) of Guilty to Not Guilty on

B4. On the charge(s) to which the plea(s) of Guilty is (are) not changed the President records finding(s) of Guilty in Part I of the Schedule.(1)

(1. RP 35(B). If any plea(s) is (are) changed, use Record Form C or D as appropriate.)

B5. The Summary of Evidence is marked Ex. , initialled and read aloud by the Pressent. (1) If there is no summary, or if it is indequate, comply with RF 37(B). If there is not evidence inconsistent with any pin standing as Guilty, Cart will advise accused to change such pies and, if changed to hot Guilty, try such charget by use a paren DI to DB inclusive of Record Form D on p 3. RF 37(D).)

B6. The accused having been found Guilty on one or more of the charges, the proceedings are co using Record Form E on p 3.

RECORD FORM C-PROCEEDINGS ON MIXED PLEAS OF GUILTY AND NOT GUILTY.

C1. As to the charges on which accused pleaded NOT GUILTY the trial is continued by using paras D1 to D8 inclusive of Record Form D on p 3 to fore proceeding with C 2.1)

(1. 88 H(A) (E))

C2. The charges on which accused pleaded GATDEN are read to him (them) again, and the trial is continued by using paras B1 to E6 of Record Form B above. (1)

by using paras B1 to E6 of Record Form B above. (1)

Linder E8 such parts only of the Summary of Evidence are read as relets to the charges dealt with under C2. If any plue is charged to Not Guilty, triel theresa proceeds by complying with pores D1 to D8 including an Above E8 of the Called Table 10 o

C3. The accused having been found Guilty on one or more of the charges, the preceedings are empluded by using Record Form E on p 3.

PRESIDENT OR JA WILL INITIAL ALL DELETIONS AND ALTERATIONS.

RECORD FORM D-PROCEEDINGS ON PLEAS OF NOT GUILTY TO ALL CHARGES.

D1. President to accused: Do you wish to apply for an adjournment on the ground that any of the rules relating to procedure before trial have not been complied with, and that you have been prejudiced thereby, or on

D2. The Prosecutor makes (***) (no) opening address.(1)
(f. RF 39(8), 60(A) (8), 90, 92(C) (0). Record address per Notes, subject to RF 95(C).)

D3. The evidence for the Prosecution is taken.(1)
(1. RF 39(C), 114, KR Con 555. Record evidence per Notes. As to Prosecutor giving evidence himself see RP 39(D) (E),)

D4. The Prosecution is closed.(1) The Defending Offr submits that the evidence for the Prosecution does not charge(s).(*) The CourseEH# charge(s), and allowed on the (s), and that, accordingly, the trial will proceed on the former, but the accused is (are) found Not Guilty on is disallowed on the

(1. Delete remainder of this para, if submission not made. 2. Arguments on submission, answer and reply are recorded per Notes. 3. RF 40 fn 1. See MML p 72 paras 12-14 and p 81 para 42. 4. Delete part not used. If accused acquitted on all charges, we second alternative in para 08.)

NB: If trial proceeds, occused must be allowed great latitude in making his defence, and the Court should not stop his defence tolery on ground of irrelevance. (RP 60(C), 114, 115.) the latter charge(s) (1)

D5. President to accused: You will now proceed with your defence,(1) You may, if you wish, give evidence urself on oath as to the facts or your character or both, to which case you will be subject to cross-examination. (2) You may, however, make a statement without being sworm, and you will not be subject to cross-examination. (2)

But a statement which could have been made on eath will not exery with the Court the same weight as sworm testimony. (4)

You may call witnesses in your defence and as to character, whether you give evidence or make a statement or do neither.

President to accused: Do you wish to give evidence yourself as a witness, make a statement, or do neither ! Do you intend to call witnesses on your behalf ! No Neigher NO Are they witnesses as to character only | Ans N/A (1. RF 155. 2. RF 40(A), sec 80(D). 3. RF 40 fn 10. 4. RF 40 fn 2. 9.)

DB. Consequent on the answers recorded in para D5 the appropriate procedure for the defence is followed.(1)

(1. RP 114, 115, 116. For procedure see Notes on back of Convening Order, CF A65. Evidence for occused as to his

character should, if in his interest, be given before the finding. See RP 4c(A) fin 1, 8c(C). Note the further apportunity in para E1

of Record Form E. Record per Notes addresses, stetement, evidence and any summing up by the JA under RP 42, 103(e).)

D7. The Court is closed to consider the finding(s).(1) The finding(s) of the Court ical are) recorded in Part I edule.(2) The Court is re-opened.

(1. RP 43, 117(A). See Notes in Fert 1 of Schedule. 2. RP 44(A).)

DS. The President anneances the finding(s), if any, of Net Guilty, and states to the accused that the finding(s) FEIN of the Court on the

Or, The President announces that the accused is found Not Guilty on all charges and is to be released forthwith, and that the proceedings are accordingly terminated. Part I of the Nebrobile to dated and signed. (*)

(I. A. 343) (6), R. 45, 122(*).

2. A. 5(1), R. 45, 112. The distribution of applicable when there are place of Guilty contents, and depricable when there

Distributed an applicable of Guilty contents, and decided with under factor form 8 or C.)

D9. The accused having been found Guilty on one or incre of the charges, the proceedings are concluded by using Record Form E below.

RECORD FORM E-PROCEEDINGS ON CONVICTION BEFORE SENTENCE.

E1. President to accused: Do you wish to give evidence yourself or to call any witnesses as to your character 1(3)

(). If evidence has already been given by occused or his witnesses as to his character, delate this pare. RP 37(C) fn 4, 46 fn 1.
Accused and witnesses are zwarn. Evidence recorded per Notes.)

E2. The Prosecutor produces Statement() as to Character and Particulars of Service(1), and certified truescription copy (neprise) of Conduct Sheet(i)(3), purporting to refer to the accused, which he submits to the Defending Offr for examination, and then to the Court for admission in evidence. The Court is satisfied that these documents refer to the accused, because (i) they purport to be signed in the manner required by AA 163(i) (g) (h), and (ii) they purport to refer to (a) soldier(s) having the same number, rank, name and corps as the accused. Admitted in evidence and

marked Ex B and Ex BC respectively.(*)
(I. MFS 355 or AFS 296FE191 MFM 6. 3. RP 48. KS Con 558. If above decuments not produced, see RP 46 fn I

E3. President to accused: Do you wish to address the Court on the Statement(s) and Conduct Sheet(s), and in

mitigation of punishment [2] Ann.

(i. RF 37(C), 46(D), 2. Address, if any, recorded per Notes. Court should permit occused or on socth enything here or previously stated which would effect the amount of punishment. RF 37(F) fo 7.)

E4. The President states that the Court is closed to consider the sentence, and that the sentence to be awarded by the Court, being subject to confirmation, will not be announced, but will be promulgated later, and the proceedings in open court are accordingly terminated.(*)

(i. As 54(8), 8f 120(3))

E5. The Court considers the sentence (1) The President records the sentence in Part I of the Schedule, which

E55 The Court considers the sentence.(*) The President records the sentence in Part I of the Schiedule, is dated and signed by him and the JA, if any (*).
(*) When smerel occured tried teperately see FP 7(0). One sentence only, comprised of the punishment or punishments of the same in A4 1.44 and its previous is to be exceeded to cover all charges to all charges sheets on which accused found guilly find does in A4 4.14 and his previous is to be exceeded to cover all charges for 20, 20, 563-560. Oversoon RO 307, 2225.
RP 42. As to increase the A4 44, 123, 182, FP 46-32, 69, 188, 119/9, ER can 208, 230, 563-560. Oversoon RO 307, 2225.
Ment 9 40, 757-759. As to expence conjugate for civil offerces by the level of England see A4 41(15), MML p 130. When occupied some produces are sentence of imprisonment or detection see A4 44(15), 68(1), KR Con 184.
2. RP 50. As to release from arrival by almost under sentence of imprisonment or detection see A4 44(15), 68(1), KR Con 184.
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2. RP 50. As to release from arrival by almost under sentence of imprisonment or detection see A4 44(15), 68(1), KR Con 184.
2. RP 50. As to release from arrival by almost under the arrival see instruction of convening Order.)

PRESIDENT OR JA WILL INITIAL ALL DELETIONS AND ALTERATIONS.