

an RAF policy, but some Canadians applied it with vigour." The ensuing dramatic sequence features Wing Commander Merv (not Marvin, as stated in the film) Fleming describing how he dealt severely with such "plain cowards," sending them to the military jailhouse and eventually out of the squadron if they refused to come around. At least one Canadian, the viewer is told, committed suicide after being labelled LMF.

Virtually every veteran who appeared before the Sub-Committee expressed dismay at the portrayal of LMF in *Death by Moonlight*, and in particular the scene involving Wing Commander Fleming. According to several witnesses who knew Fleming, including John Turnbull, DFC, who served with him in 419 Squadron, his depiction in the film was over-dramatized and completely out of character, whether the words attributed to him were accurate or not.⁽⁵⁶⁾

Moreover, very few veterans stated that they had ever witnessed such severity. This is not to say it did not happen, only that it was probably rare. There can be no doubt that the threat of the designation of LMF was very real in the RAF and it was held out to Canadians serving outside 6 Group. But the RCAF was a different story. In a submission to the Sub-Committee Noel Ogilvie, who served both as a member and president of the RCAF Special Cases Committee and Re-Selection Board from October 1944 to October 1945, elaborated on this theme. He describes a fair and for the most part compassionate procedure whereby airmen were judged first and foremost on whether they had carried on "to the best of (their) ability." In order for a man to be labelled LMF, the committee (which included various categories of aircrew in addition to two psychiatrists and one legal counsel) had to vote unanimously. While the penalty for LMF included the loss of the airman's flying badge (although not a dishonourable discharge), "more often than not" airmen said to be suffering from LMF were actually "re-categorized" as inefficient or medical cases. Most of these men were assigned to ground-crews or re-posted to Canada with no penalty. Mr. Ogilvie points out that while the committee "was by no means perfect," it was "light years ahead of the way these individuals were treated in WWI."⁽⁵⁷⁾

Dr. Harris echoed these sentiments, arguing that the RCAF, rather than applying LMF with vigour, actually softened RAF policy. As he explained to the Sub-Committee: "Although there was probably harsher treatment of non-commissioned officers than of commissioned officers, and with armed forces it is ever thus, it seems that in the Canadian case, the treatment accorded those of whom there might have been suspicions about the refusal to fly was much better than it was in the British case." Dr. Harris also pointed out that the number of LMF cases either in the RAF or the RCAF was remarkably low; at most, less than half a per cent of all aircrew were ever considered even as possible LMF cases, and fewer than half of that were

(56) Proceedings, 7:19, 7:22.

(57) Submission to the Committee, 20 November 1992. See also Doug Harvey's testimony, Proceedings, 4:55-57.