

(b) Since ex-Pte Hale has now served 3 years and 4 months of the reduced sentence, it is felt in this Directorate that consideration should be given at the present time to remission of his sentence in accordance with the above quoted policy.

(c) Factors in favour of remission of ex-Pte Hale's sentence are:

- (i) On 27 Feb 49, this ex-soldier will have served three and one-half years of the 5-year sentence now in effect.
- (ii) The Warden of Collin's Bay Penitentiary states that in his opinion the conduct of this ex-soldier warrants remission of sentence and that confinement has apparently had a good moral effect.
- (iii) The Warden also reports that automatic release will be granted, due to days of remission earned while incarcerated, on 7 Jun 49.
- (iv) Remission under civilian regulations is not as generous as that which Hale could have earned had he been incarcerated in a military prison.

(d) Factors ~~in favour of~~ ^{against} remission at present are:

- (i) Ex-Pte Hale's sentence has already been reduced from 10 years to 5 years, if remission is granted now, approximately one-third only of the original sentence of 10 years will have been served.
- (ii) This sentence of 5 years has been reviewed three times previously, 19 Aug 47, 13 Feb 48, 24 Nov 48 and no remission was granted.
- (iii) Ex-Pte Hale's period of imprisonment will terminate 7 Jun 49, dependent upon his conduct.

7. This ex-soldier previously submitted an application for release on parole or for remission of sentence in which he states:

- "(a) I have no criminal record in Canada or the U.S.
- (b) I am not a citizen of this country and have no desire to remain here upon my release".

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 T/A G
 we will be setting a precedent which others will be quick to note. I do not agree with S.A. but you + A.G. may have other views.

On weighing the pros and cons above, it would appear that little good can come from further incarceration, on the other hand, much good might come from generous treatment at this time by way of release.

If you concur in the remission of this soldier's sentence, it might be possible to effect ex-Pte Hale's release by 1 Jan 49. Form of remission is attached to file cover, if desired.

May I have your direction, please.

[Handwritten signature]