

SCHEDULE.

PART I. PLEA(S), FINDING(S) AND SENTENCE.

Accused: F66149 Pte Gerald Joseph ROMAIN, Perth R.

Charge.	Plea.	Finding.	(Space for use as required for further charges, accused charged jointly, special findings, etc.)
(Insert "alternative" where applicable.)	(See Instr p 2.)	(See note below.)	
1st	NOT GUILTY	GUILTY	
2nd			
3rd			
4th			
5th			
6th			

(Note: As to findings for lesser offences see AA 56, RP 44; findings on alternative charges see MML p 483 fn 4 para 2, RP 44; special findings see RP 44 and MML p 753, and in loss of kit see RP 44 fn 6.)

Time in confinement awaiting present trial—a total of 0 days, of which 111 days were spent in hospital.
 Sentence Awarded by the Court: to be imprisoned with hard labour for two years.

(Sgd) "Winshaw Capt" 20 Oct 44 (Sgd) "George H Duncan Major" President. (RP 45, 50.)
 Judge-Advocate, if any. Date awarded. (See back of Convening Order as to assembly and disposal of record after trial.)

PART II. MINUTE WHERE CONFIRMATION RESERVED. (AA 54(5), RP 120(F), MML p 760.)

Date (Sgd) Commanding

PART III. DECISION OF CONFIRMING OFFR ON FINDING(S) AND SENTENCE.

(For duties and powers see AA 54, 57, RP 37(D) fn 6, 46(A), 51-56, 120, MML pp 759-761, KR Can 567-577. Acquittals require no confirmation and cannot be revised; AA 54(3). Sending back finding or sentence for revision by Court: AA 54(2), RP 120(G). If not confirmed, accused may be tried again: AA 157, MML p 64. Minute of confirmation or non-confirmation may be altered before promulgation: RP 33, MML p 65. Quashing after promulgation: KR Can 573. Duties and powers of reviewing offrs: AA 57, 57A, RP 53A, 54. The Confirming Offr must sign here personally. AA 172 fn 1.)

My decision on the finding(s) and sentence set forth in Part I is:

I confirm the finding and sentence of the Court.

NEVER SIGN THESE DOCUMENTS COMMITTED TO PRISON BY THE COURT UNLESS YOU ARE A JUDGE-ADVOCATE (AA 57A. Delete if not used.)

Date 22 Oct 44 (Sgd) "Ians Johnston Brig" Commanding 11 Cdn Inf Bde Confirming Officer.

PART IV. PROMULGATED AND EXTRACTS TAKEN. (RP 53, KR Can 576, 577.)

Accused. Date. Signature of Offr.
 F66149 Pte ROMAIN G.J. 24 Oct 44 "P J F Baker" Capt. a/adjutant the Perth Regt.

ALL DELETIONS AND ALTERATIONS WILL BE INITIALED.

ACCUSED.

(As to trial of two or more charged jointly see RP 16, 71, 109. As to reasons for showing (a) permanent or confirmed rank, and (b) appt, A/Rank or A/Aspmt, if any, see AA 182, 183 fn: KR Can 299-328-330.)

Number. (a) Prmt R. (b) Appt, A/R or A/Aspmt. Full Christian Names. Surname. Unit.
 F 66149 Pte Gerald Joseph ROMAIN Perth R
 PROCEEDING REVIEWED
 "W P Taylor" MAJOR
 21 NOV 44 IWA
 Can Sec GHQ 2 MCH AAI

PROCEEDINGS OF TRIAL.

Held in the Fd in (country) ITALY on (date(s)) 20 Oct 44

RECORD FORM A—OPENING PROCEEDINGS AND ARRAIGNMENT.

A1. The President, Members, waiting Member, JA, if any, and Offrs under instr, if any, assemble, and the Court is closed.

(PRINTED MATTER, NOT IN ITALICS FOR GUIDANCE, WILL BE DELETED IF NOT USED OR APPLICABLE AND INITIALED BY PRES OR JA. The Schedule referred to throughout is on p 4. Citations do NOT include all relevant fn: ROs. For guidance on procedure when a variation in this form arises, see form for GCM in MML pp 741 to 759. A brief record of such variation will be made and given a number having reference to appropriate or pressing para number herein. See back of Convening Order, CF 495, for auth and instr as to record addresses, evidence etc, which notes are hereafter called "Notes". As to general provisions for conducting the trial see AA 53, RP 56, 63-70, 73, 74, 84, 103, 119, 124.)

A2. The President initials and lays before the Court the Convening Order and Charge Sheet(s) attached thereto. (1) The Court is satisfied that it is properly convened and constituted, (2) accused is (are) amenable to military law, and each charge discloses an offence. (3) (1. As to use of Summary of Evidence see RP 17 fn 6. 2. AA 49, 50, RP 105-107. 3. RP 11-12, 23, 24.)

A3. The Court is opened. The accused is (are) brought before the Court. At 1010 hours trial commences.

A4. The Prosecutor produces a Medical Certificate that accused is (are) fit to undergo trial by court-martial. (1) The Prosecutor shows the Court the Medical Certificate and the accused is examined by a medical officer. (2) The Court is satisfied that the accused is fit to undergo trial by court-martial. (1. KR Can 557. 2. AA 46(B), RP 60 fn 1. For effect see KR Can 562(c). Delete, if not applicable.)

A5. The President asks accused if he is employed. (1. RP 72. Delete, if none employed.)

A6. The Convening Order and names of the President and Members of the Court are read to the accused. (1) President to accused: Do you object to be tried by me as President or by any of the Members of the Court?

Ans. NO, Sir. (1. RP 110. 2. If no objection, waiting member retires. RP 68(B). If objection, see procedure AA 51, RP 22, 71, 78, MML p 742.)

A7. The President, Members, JA, if any, and Offrs under instr, if any, are sworn. (1) The following are the ranks, names and units of the offrs comprising the Court, etc:

President	MAJOR	G H MUNCEN	I R U
Member	CAPT	H O HOOT	Perth
Member	CAPT	H N McLeod	U S R
Judge-Advocate	CAPT	H M W Shaw	HQ 5 Cdn Armd Div
Prosecutor	CAPT	H B Chamberlain	Perth
Defending Offr	LT	D A JOOK	Perth

Questions by President: Is the Prosecutor a lawyer? Ans. NO. Is the Defending Offr a lawyer? Ans. NO. (1. RP 26, 27, 109, 111. List of offrs under instr will be retained separately with proceedings for information of Com (20). 2. If Pres a lawyer and Def Offr not, accused is entitled to an adjournment when RP 69 (B) and fn 2 were not followed. See Cf p 3.)

A8. The accused. (1. AA 57A. Delete if not used.) before arraignment makes (no) plea.

(1. If a special plea is made for separate trial on one or more charges (RP 62(E), 106), or as to the jurisdiction of the Court (RP 34, 35(A), 112), or as to accused's mental fitness to stand trial (AA 120, RP 57), or by one of several accused charged jointly to be tried separately (RP 16, 71), such plea, the addresses made in support or against, the evidence, if any, and finding are recorded per Notes. For forms of record see references in fn: to RP cited. Insert in AS rank and name of the accused making the plea.)

A9. The accused is arraigned on all charges in the charge sheet. (1) The accused does not object to any charge. (2) There is no amendment to be made to the Charge Sheet. (3) The President records the pleas in Part I of the Schedule.

(1. RP 21, 112. See part I of Instrs p 2. When more than one Charge Sheet see RP 62; when several accused to be tried separately see RP 71(C), and use separate copies of CF 496 to record proceedings. 2. RP 32, RP 33. If otherwise, delete and make appropriate record per Notes.)

A10. The Court considers the Instrs on Procedure after Arraignment at top of p 2. The proceedings are continued on Record Form.

PRESIDENT OR JA WILL INITIAL ALL DELETIONS AND ALTERATIONS.