INSTRUCTIONS ON PROCEDURE AFTER ARRAIGNMENT.

The accused may not plead or be found Guilty on more than one of two or more charges haid in the alternative.
 (RP 37(A).) As to withdrawal of alternative charges by Prosecutor see RP 35(C). No other charge can be withdrawn
 for any reason without authy from Convening Offr. If Convening Offr concurs, Court may accept plea of Guilty to lesser,
 etc, offence. (RP 42(H).) Accused may change a plea of Not Guilty to Guilty during trial. (RP 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 circumstances stated

- I. If pleas to all charges are GUILTY, use Record Form B below.
- II. If pleas to all charges are NOT GUILTY, use Record Form D on p
- III. 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 togenoing under as young he appropriate to result of its decision. See MML v 744 languages. proceed under foregoing instrs as may be appropriate to result of its decision. See MML p 744 lastes (2)

As to responsibility of President to accused see RP 59, 60(C); powers and duties of JA see RP 103; duty of 5. As no responsibility of Fresident to accuse see RF 03, 00(C); powers and annes of s.a. see RF 105; anny of Prosecutor see RF 60(A) (B); duty and privileges of accused and Defending Offer see RF 60(C), 87(C), 92(B), and of witherased of unitnesses from Court see RF 81, 82; questioning of accused see RF 80, 87(C), 92(B), and of witnesses see RF 83-85; calling or re-calling of witnesses by Court etc see RF 75-79, 86, 116; use of Summary of Evidence at Trial see RF 17(E) fn 6; and responsibility of JA or Pres to record proceedings see RF 94, 96.

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

B1. 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. MML p 54 para 47.)

B2. President to accused: The Court will now receive any statement you desire to make in reference to the charge(s).(2) If it appears from your statement that there are circumstances which indicate that you do not understand the effect of the plea of Guilty(1), or which show provocation or extenuation in respect of which in your interest the witnesses for the Prosecution should be examined(1), we shall advise you to change your piea to Not Guilty. In the witnesses for the Prosecution should be examined(*), we shall advise you to change your pass to Not Guitty. In making a statement you will not be sworn or subject to cross-examination; and anything you say will not be used in evidence against you after you change your plea. If, however, it appears to the Court that your statement affects only the amount of punishment to which 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.(4)

President to accused: Do you wish to make a statement? Ans. The Line Land A. (4)

(1. AF 37(6). 2. AF 37(0) fn 6. 3. AF 35(6) fn 5 para 3, MML p 54 page 47. 4. See pans E3 of Record Form E.

5. Septement, if any, recorded per Notes.)

B3. The Court considers the accused's statement.(1) The Court decides (not) to advise accused to change his (their) plea(s) of Guilty to Not Guilty on ________ charge(s). The accused is (are) so informed, assistant nge(s) his (their) plea(s) 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. RF 35(8). If any plea(s) is (are) changed, use Record Form C or D as appropriate.)

B5. The Summary of Evidence is marked Ex B , initialled and read should by the President.(1) If there is no Summory, or if it is implicance, comply with RP 37(8). If it are is any evidence incommitment with any plan as Guilty. Count will advise occused to change such plea and, if changed to have Guilty, try such change(s) by use of the D8 inclusive of Record form D on p 3. SP 37(D).

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

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

Cl. As to the charge on which accessed pleaded NOT GUILTY the trial is exutinued by using paras D1 to D8 inclusive of Record Form D os p 3 before proceeding with C 2.(*)

(1. AF D(A) (5.3)

C2. The charges on which accused plended GUILTY are read to him (them) again, and the trial is continued by using paras B1 to B5 of Record Form B above.

(i) their \$1 took parts only of the Summary of Evidence Streamed as relate to the charges dealt with parks only of the Summary of Evidence Streamed as relate to the charges dealt with parks C2. If are place is charged to for Galley, which hereas proceeds by complying with pures D1 to \$2 to the charges dealt with parks C2. If are place is charged in the Galley, which hereas proceeds by complying with pures D1 to \$2 to the charges dealt with parks of the charge of the charge

C3. The accused having been found Guilty on one or more of the charges, the proceedings are concluded by using

PRESIDENT OR JA WILL INITIAL ALL DELETIONS AND ALTERATIONS.

Pin here Loose Sheets of Record.

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

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 the ground that you have not had sufficient opportunity to prepare your defence? Ans...

The Prosecutor makes (an) (no) opening address.(2)
(1. 20,39(8), 60(4) (8), 90, 92(C) (0). Record address per Notes, subject to RP 95(C).) D9

D3. The evidence for the Prosecution is taken.(1)
(1. RF 39(Q, 114, KR Can 535. 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 notcharge(s), and allowed on the is disallowed on the ...

charge(s), and that, accordingly, the trial will proceed on the former, but the accused is (are) found Net Guilty on the latter charge(s).(4)

the objects: (i. Delete remainder of this part, if submission not made. 2. Arguments on submission, answer and reply are recurred per Nintes. 3. RP 40 fn i. See MML is 72 parts 12-14 and p 81 part 42. 4. Delete part not used. If accused acquisitions on cell charges, use second alternative in the part 18-1. No. If trial proceeds, accused must be allowed great latitude in making his defence, and the Court should not stop his definition solely an ground of irrelevance. (RP 60(C), No. 4, 115.)

D5. President to accused: You will new proceed with your defence.(1) You may, if you wish, give evidence ourself on oath as to the facts or your character or both, in which case you will be subject to cross-examination.(2) You may, however, make a statement without being sworn, and you will not be subject to cross-examination.(*) But a statement which could have been made on oath will not earry with the Court the same weight as sworn assistmenty. (*)
You may call witnesses in your defence and as to character, whether you give evidence or make a statement or do

President to accused: Do you wish to give evidence yourself as a witness, make a statement, or the meither ? Do you intend to call witnesses on your behalf? Ans Are they witnesses as to character only ! Ans (i. RP 155. 2 RP 40(A), see 80(D). 3. RP 40 fe 10. 8 RP 40 fes 2. 9.)

D6. Consequent on the answers recorded in para D5 the appropriate procedure for the defence is followed.(1)
(1. RF 114, 115, 116, For procedure see Notes on back of Convening Order, CF A55. Evidence for occused as as his
characters should, if in his interest, be given before the finding. See RF 46(A) fn.1, 84(C). Note the further opportunity in param £1
of Record Form £. Record per Notes admiresons, statement, 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 is (are) recorded in Part I of the Schedule.(2) The Court is re-opened.
(1. RP 43, 117(A). See Notes in Front 2 of Schedule. 2. RP 44(A).)

D8. The President announces the finding(s), if any, of Not Guilty, and states to the accused that the finding(s)

DR. The accused having been found Guilty on one or more of the charges, the proceedings are concluded by using

Record Form E below.

RECORD FORM E-PROCEEDINGS ON CONVICTION BEFORE SENTENCE.

President to accused: Do your what to give evidence yourself or to call any witnesses as to your wharpeter, 1(1)

(1. If evidence has directly been given by accused or his witnesses as to his character, delete this pare. 89 37(C) for 4, 45 in 1.

(2. If evidence has directly been given by accused or his witnesses as to his character, delete this pare. 89 37(C) for 4, 45 in 1.

(2. If evidence has directly been given by accused or his witnesses as to his character, delete this pare.

S2. The Prosecutor produces Statement(s) as to Character and Particulars of Service(*), and sertified true copy (copies) of Conduct Sheet(s)(*), purporting to refer to the accused, which he submits to the Defending Offs for examination, and then to the Court for admission in evidence. The Court is satisfied that these discussments refer to the court for admission in evidence. to the accused, because (i) they purport to be signed in the manner required by AA 163(1) (g) (h), and (iii) 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. C and Br sepretively (*)
(). AFB 355 or AFB 296. Z. MADM 6. 3. RP 46, KR Con 558. If obove documents not produced, see RP 46 fm !

Etc. President to accused: Do you wish to address the Court on the Statement(e) and Conduct Sheet(s), and in 2/10 natinguitaries of passissistences ((*) Ann.

2. Antheres of one, recorded our Notes. Court should permit occased or less witnesses to palme on occas one-plane part or previously sources which would office the amount of passississes. 82 37(7) (s. 7.)

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

processed in open court are as

E5. The Court considers the seminance.(*) The Premident records the seminance in Part I of the Schoolule, which is distinct and signand by ham and the J.S., if any (*) At 10(2).

When necessary the seminance of the punishment of punishment of punishment of punishment of punishment of the punishment of punishment of the punishment of the punishment of punishment of the punishment of the punishment of the punishment of punishment of the punishment of punishment of the pun

PRESIDENT OR JA WILL INITIAL ALL DELETIONS AND ALTERATIONS