

- A. No sir.
- Q. Is it customary for soldiers in the guard room for whatever purpose to be interviewed in the guard room by the SIS?
- A. No sir. At one time we had one fellow who broke arrest while being interviewed. It is not customary.
- Q. If a soldier desires an interview with the SIS what does he do?
- A. He sends the Orderly Sgt or the NCO i/c the guard room with the request.
- Q. Do you know of anything like that happening to Stanley?
- A. At one time he requested to see the SIS about his mail and SIS Miller came in to see him about it. The only conversation was about the mail and SIS Miller left immediately.
- Q. Do you know of any other occasion when Miller saw Stanley in the guard room?
- A. No sir.
- Q. Do you know of any requests that may have been made by Stanley?
- A. No sir. Just once when he requested to go to the QM for a razor but SIS Miller was not involved in that.

Questions by the Prosecution through the Court

- Q. In the course of that walk from the CO's office to the guard room did Stanley make any request to see the SIS?
- A. Not to my knowledge, sir.

IN THE OPINION OF THE COURT AND THE JUDGE ADVOCATE IT IS NOT NECESSARY TO COMPLY WITH RP 83 (B)

Court closed to consider the objection made by the Defending Officer that the statement was improperly obtained.

Court re-opened.

PRESIDENT OF THE COURT

The Court have consider the objection made by the Defending Officer and find that the objection has been sustained and consequently determined that the statement made by Stanley to Miller was not a voluntary statement and is therefore not admissible.

FIFTH WITNESS D-76466 S/Sgt Miller NL, SIS, Cdn Provost Corps,
PROSECUTION CMHQ, having been recalled and still under oath, is examined by the Prosecution:

- Q. Earlier in your evidence you mentioned about two packages of cigarettes that were found on Spr Stanley. I would like you to tell the Court what happened to them?
- A. They were turned over to 7 CAWC at the same time the accused was turned over.
- Q. Would you describe the two packages?