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ADDRESS BY DEFENDING OFFICER
IN MITIGATION OF PUNISHMENT

Mr. President and Gentlemen:

Private Ewasiuk has pleaded guilty to the charges brought against him. He is fully aware of the mistakes which he has made, and realizes he must pay a penalty for them. There are circumstances in this young soldier's case, however, which bear scrutiny before the penalty is decided upon.

Private Ewasiuk is now 21 years of age. More than five years ago, at the age of 16, he enlisted in the Army and, after training, proceeded to the United Kingdom. When his age was discovered he was returned to Canada and, at his parents' insistence, and against his own wishes, was discharged from the Army. The frustration caused by this experience is easy to imagine.

From 1945 to 1948 Private Ewasiuk worked at many jobs, helping to support his mother and father, both of whom were unwell. His younger sister has only recently begun to work. His elder brother is a war pensioner. During this period Ewasiuk was restless with disappointment over his discharge and hindered in obtaining steady employment by his lack of a trade.

With the idea of learning a useful trade, and bearing in mind what he had seen in Army recruiting posters, Ewasiuk applied to enlist in one of the technical corps. After a two-week period of waiting, during which he was without work, Ewasiuk was informed that the only vacancies were in the Infantry. At the same time he was told that skilled trades existed in the Infantry, and that it was most likely that he would be able to arrange a transfer after enlistment. Under these circumstances Ewasiuk enlisted and immediately volunteered for parachute training.

Ewasiuk carried out his training successfully, including his parachute course at Rivers. In one report he is credited with capabilities of leadership.

During the period before his absence Ewasiuk had cause for dissatisfaction and depression. He made several applications for transfer, but received no definite answer. A personnel officer suggested that he lacked the education necessary for a transfer. Finally he was insulted by a medical officer who, without justification, and without doing anything to ease the discomfort it caused, told him that due to his acne he would never make a soldier and should never have been accepted into the Army.

Ewasiuk himself realizes that his absences were inexcusable. However, he terminated both of them by voluntary surrender. In July 1949 he returned to Currie Barracks with the intention of surrendering, but, unfortunately became involved in a drinking party, in the course of which he was advised not to surrender. He borrowed a friend's uniform and went downtown. The next morning, dazed and uncertain, he found himself hitch-hiking to Winnipeg.

Private Ewasiuk has only just reached the age at which he can be accepted as an adult, yet he has suffered many disappointments. His civilian career was most unsatisfactory. In the Army he was denied a chance of active service, and later lost his treasured wings. He has spent since the 12th of September -- 46 days -- in detention at Winnipeg.

J. M. A.