

MENORANDUM

Department of National Defence

TO: A.G. (through VAG and DAG)

H.C.C. 55-H-1214 Vol 2 (Adm B1(a) OTTAWA, 23 Dec, 48

Review of Sentence A.21613 Ex-Pte HALE, G.

Herewith normal semi-annual review of sentence

n TAG.

of the m/n ex-soldier. Ex-Pto Hale was tried by GCM in England 24-29 Aug 45 under Army Act Sec 4(5),

HAVING PEEN MADE A PRISONER OF WAR VOLUNTARILY AIDING THE ENEMY

are there any legre objection

in that he

action to rewish

to my proposed having been made a prisoner of war, voluntarily aided the enemy in Germany between Nov 42 and Mar 43 by action to remark the enemy in Germany between Nov 42 and Mar 43 by voluntarily acting as an informer for the enemy of information useful to the enemy obtained by him from the belance tendendicied prisoners of war.

in this case? 3.

sentenced to suffer penal servitude for a term of 10 years and to be discharged with ignominy from His Majesty's Service. The finding and sentence were confirmed by Lt-Gen J.C. Murchie, Chief of Staff, CMHQ, 27 Sep 45.

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The sentence of 10 years was reduced to 5 years penalservitude by PC 2237 on 16 Jul 46 following the submission of a petition under KR (Can) 574 to the Governor General in Council, 10 May 46.

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The sentence was reviewed by the GOC Central Command, 19 Aug 47, at which time no remission was recommended. The sentence was again reviewed 13 Feb 48 by you at which time you directed that no remission would be granted.

(a) CARO 5913, para 7, states:

"The guiding principle which will be followed by superior military authority is that as a general rule sentences awarded either in Canada or Overseas when served in Canada, in military or civil institutions may be remitted or suspended when one-half of the full term of the sentence has been served provided the conduct of the soldier while undergoing sentence and other considerations warrant".

We still achieve to the policy outlined above for Ga(A) soldiers and ex-soldiers.

AG:wmws