

113A

CASE OF

F-31143 Private Lawson OAKES, C.B.H.

PLEA OF MITIGATION BY DEFENDING OFFICER

Pte Oakes at the time of charges was undergoing detention. The method being that he was under guard in his own platoon. As you know at the time of these offences, we were stationed in an area where hawkers were the rule rather than the exception despite efforts to keep them away.

On the first two charges this man had been drinking as you will see. When he went absent at 1400 hrs, apprehended 45 minutes later escaped again in 15 minutes time. In the morning, after the influence of the wine had worn off he returned to barracks at his own free will.

It seems that once again I admit no excuse for drunkenness, that Vino was the cause. In reference to fifth and sixth charges it looks like the same story again, when apprehended they have been drinking.

On seventh charge pushing people out of the way and creating a disturbance. One must consider that the accused did not speak Italian. The one means of getting along a narrow street was to push the Wops out of the way. We have seen this done before. It may have caused a disturbance but I do not think this was anything unusual to the Italians.

On eighth charge, again I remind you the language was in English. These people would not understand it. I cannot see how these charges of using obscene language in a public place could be very strong when the people to whom it was directed, could only understand by gestures and the violence of the words used.

On latter charges although guilty, due to consideration being paid to circumstances, I would ask a very lenient attitude be taken.