

***Survey on the Administration of Military Justice
for the Summary Trials.***

Prepared for

Judge Advocate General

Submitted by

KPMG Consulting LP

Ottawa
March 1, 2001

Accused

Please complete this survey only if you are a commanding officer or have participated in the summary trial process since Sep 99.

Accused Profile:

A. Are you:

Male?	91.4%
Female?	8.6%
No Response	2.9%

n= 72

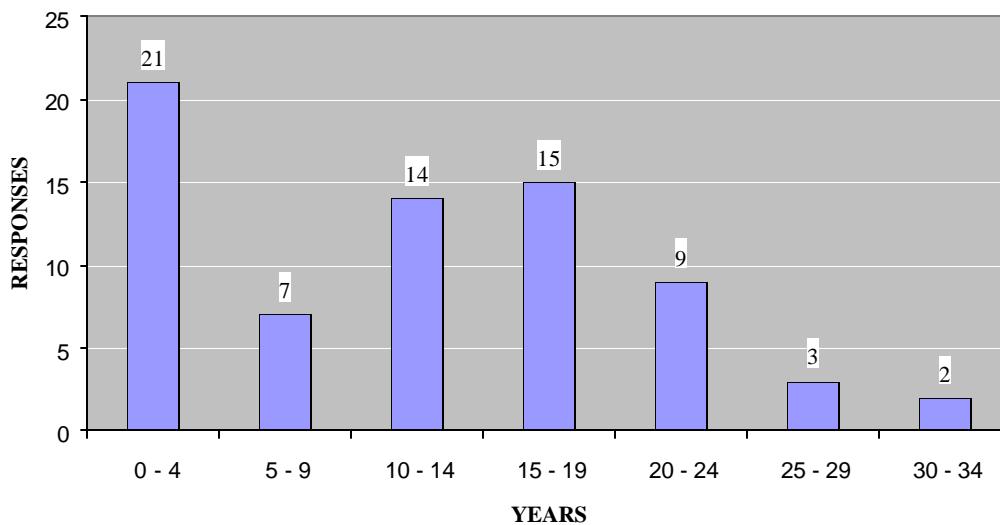
B. What is your first official language?

English	76.1%
French	23.9%
No Response	1.4%

n= 72

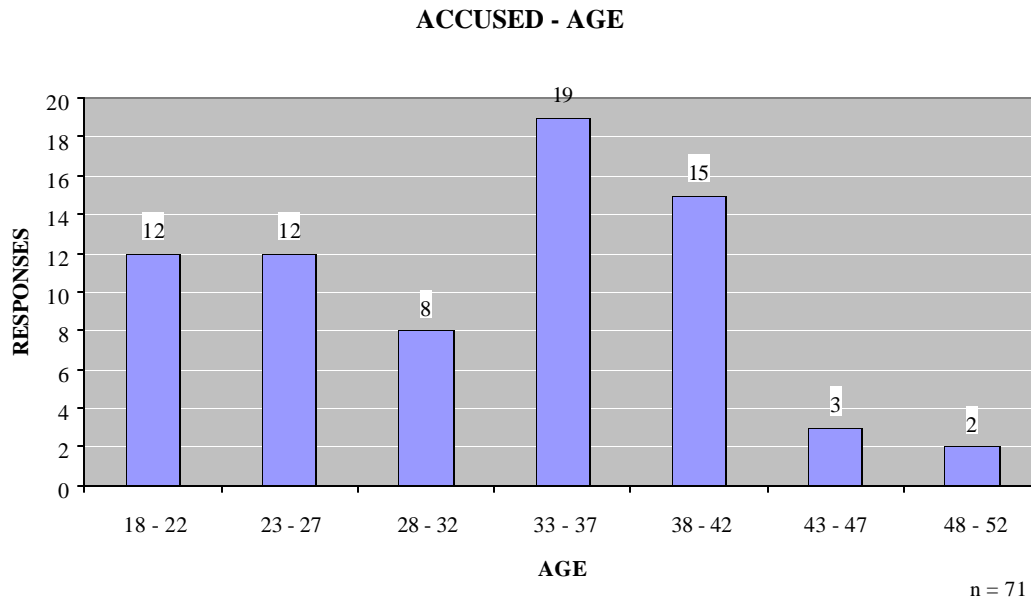
C. How long have you been a member of the Canadian Forces? _____ Years

ACCUSED - Years in Force



n = 71

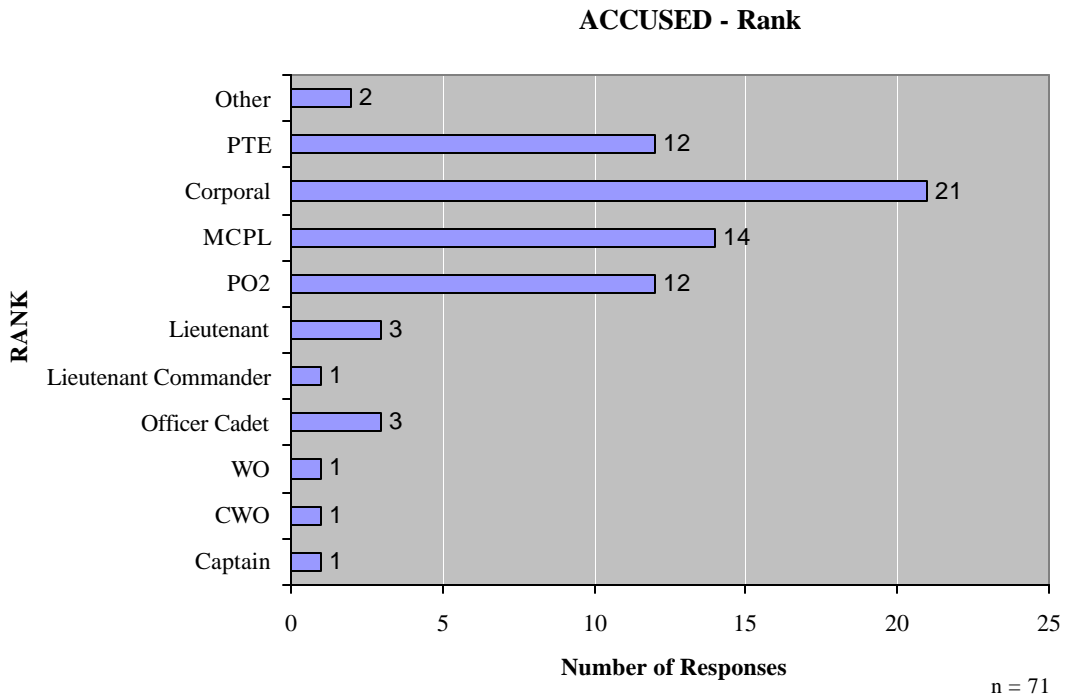
D. How old are you? _____



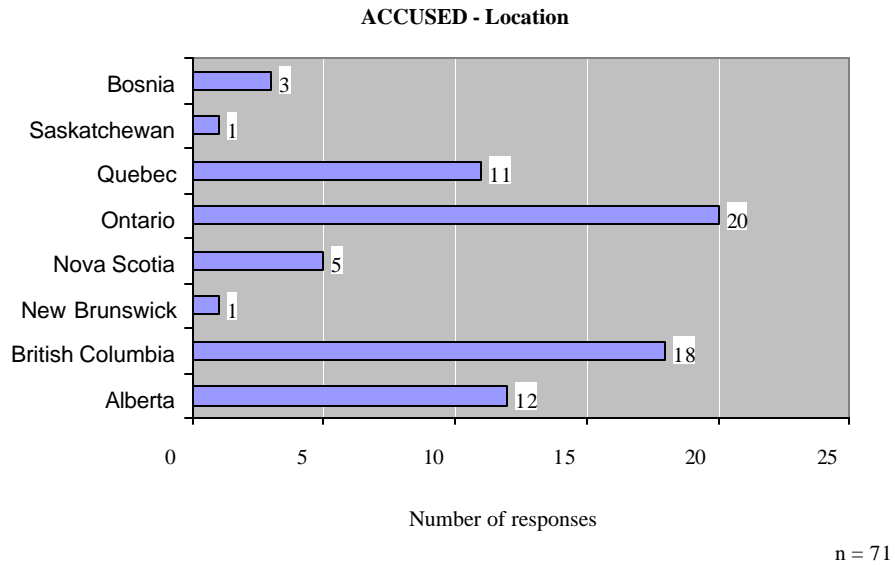
E. What is your present rank¹? _____

¹ The ranks in the report have been grouped as follows:

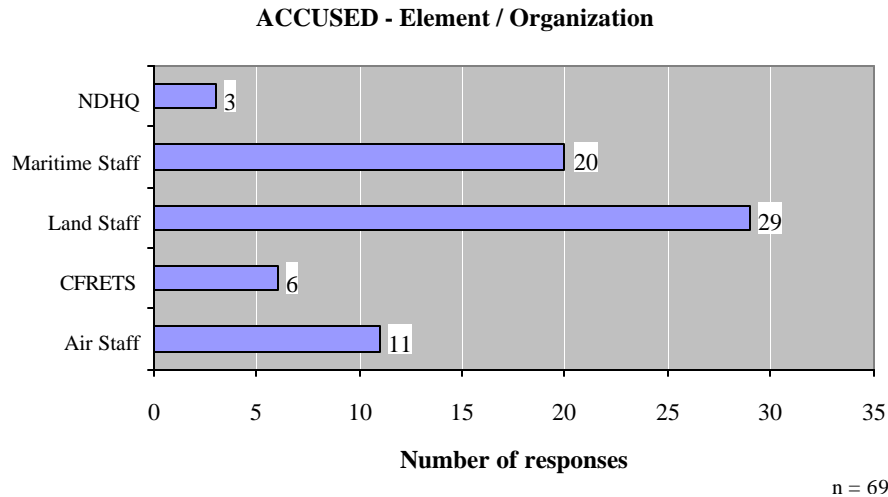
- Vice-Admiral
- Rear Admiral
- Bgen, Commodore
- Colonel - Col, captain (Navy)/ capt(N)
- Commander - Cdr / LCol
- Chief Warrant Officer (CWO) - Chief Petty Officer First Class (CPO1)
- Master Warrant Officer (MWO) - Chief Petty Officer (CP02)
- Warrant Officer (WO) / Adjudant (Adj)
- Élèves-officier (elof) / Officer Cadet (Ocdt)
- Lieutenant Commander - (LCdr), Major, (Maj)
- Lieutenant - (Lt), Sub-Lieutenant (SLt)
- Captain - Capt
- Petty Officer Second Class (PO2) - Sergeant (Sgt)
- Warrant Officer (WO) - Petty Officer First Class (PO1)
- Master Corporal (MCpl) - , Master Seaman, (MS), Caporal Chef (CPLC)
- Corporal (Cpl) - Leading Seaman (LS), Matelot première class (Mat1)
- Private Trained (Pte) - Able Seaman (AB), Matelot deuxième class (Mat2)
- Private Recruit (Pte) – Ordinary seaman (OS), (Mat 3)



F. In what province (if in Canada) or area of operations (if outside Canada) is your unit currently located?



I. In which element/organization are you presently serving?



Accused Process Questions:

1. Did you request a specific Assisting Officer?

Yes -----55.6%
 No-----44.4% >>>> Go to question 2
 n= 72

1a. If you answered “yes” to Question 1, did you receive the Assisting Officer of your choice?

Yes -----80.0% >>>> Go to question 3
 No-----17.5%
 No Response-----2.5%
 n=40

2. If you answered “no” to either Question 1 or Question 1a, was an Assisting Officer assigned to you?

Yes -----89.7%
 No-----7.7%
 No Response-----2.6%
 n=39

3. Were you offered to be tried by Court Martial?

Yes -----54.2%
 No-----44.4% >>>> Go to question 4
 No Response-----1.4%
 n=72

3a. If you answered “yes” to Question 3, were you given sufficient time to consult a lawyer about whether you should choose to be tried by Summary Trial or by Court Martial?

Yes -----80.0% >>>> Go to question 4
 No-----15.0%
 No Response-----5.0%

n=40

3b. If you answered “no” to Question 3a, did you ask for more time?

Yes -----0.0%
 No-----85.7%
 No Response-----14.3%

n=7

4. Prior to the Summary Trial, were you given access to all the evidence that would be used against you in your Summary Trial, and informed of all the witnesses who would testify against you?

Yes -----70.8%
 No-----26.4%
 No Response-----2.8%

n=72

4a. Were you given access to all the information you thought relevant to the charges against you?

Yes -----80.6%
 No-----19.4%

n=72

4b. If you answered “no” to either Question 4 or Question 4a, please explain.

[Unless indicated otherwise, the following represents the exact quotes from the survey.]

1. “je n'ai jamais eu la chance de savoir qui etait les temoins ou qui avait donne des informations pertinentes a mon arrestation.”
2. “No transcripts of interviews/notes were provided. The report was in french. I am unilingual english.”
3. “Wasn't informed of who the witnesses would be.”
4. “Asked to view Military Police report and was told that I was not allowed to see report.”
5. “Nothing was ever shown to me, period. All I saw was the charge sheet. I was never shown any notes etc. to be used against me.”
6. “Intimidated by Co”
7. “Not all medical information pertinent was made available.”
8. “A Memo submitted by Sgt [name removed] was the basis of the charge, with nenerous unfounded statements. I was never spoken to about the said memo. A month and a half goes by and then they decide to charge you. When the Commanding officer is only aware of half of the harrassment. The commanding officer was not provided all the information for both parties involved to cast a sound judgment. To be harrassed and then slapped in the face after many years of time and dedication one has give to this organization, it has left one empty and sour inside.”

9. "I was charged by my MWO for a service office and was told that my OIC would be my assisting officer. I was too new at the time to question this and let it go. At one time I asked my "Assisting Officer" if I could see some of the statements that were going to be presented as evidence against me and was told that I would have to ask my MWO for his permission to see the evidence prior to trial since "he is the one charging you (me) and it is "his" evidence". I was effectively denied "full disclosure" of the evidence and my "Assisting Officer" who was also my boss, made not attempt to see it himself that I was aware of."
10. "UNE PLAINTE DE HARCELEMENT SANS PRÉJUDICE QUI A ÉTÉ ENQUÊTE PAR UNE PERSONNE MÊME PAS QUALIFIÉ. MA PLAINTE DE HARCELEMENT CONSIDÉRÉ NON FORMEL QUI POUVAIT SE RÉGLER A L'INTERNE A TOURNÉ EN PROCÈS CONTRE MOI SANS M'AVISER DE CE QUI SE PASSAIT ET DEVENAIS UN PROCÈS SOMMAIRE OFFICIEL SANS ME DONNER MES DROIT ON MA ORDONNÉE DE DIRE LA VÉRITÉ TOUTE LA VÉRITÉ SANS ME DONNER MES DROIT ET J'AI ÉTÉ VICITIME DE CHANTAGE ET D'ABUS DE POUVOIR APRÈS QUE J'EU FAITES UNE PLAINTE DE HARCELEMENT ET J'AI ÉTÉ CONVOQUER AU MP QUI M'ON ENREGISTRÉ ET FAITES SIGNER DES DOCUMENT APRÈS ONT M'A DIT QUE JE POUVAIS TÉLÉPHONNÉ UN AVOCAT. J'AI JUSTE VOULU DIRE LA VÉRITÉ ET LES FC NOUS ENCOURAGE A FERMER LES YEUX CAR DEPUIS QUE J'AI FAITES MA PLAINTES DE HARCÈLEMENT LE MONDE EST FROID ET IL N'Y A PLUS DE RESPECT DE CERTAIN SUPERVISEUR."
11. "I was given disclosure, however much of it was blackened out. I felt I should have been given all info. IE, what the complainant said regarding myself and others accused since this case involved three persons, and it was all related. I was also not given a copy of my verbal (taped) statement or transcripts. Regarding my request for an assisting officer which was refused. As an MP and being suspended three month before any charges were laid I felt I was entitled to an Assisting Officer, however when requested I was denied until I was charged"
12. "I was accused for releasing personal information. My ex, (a primary reservist) was purjering himself in the Manitoba courts at public expense stating that he could used military aircraft to come get the children. He was not eligable and was using the courts to bankrupt me. I asked the Military police for something I could put in an affidavit to prove he was not eligable for service air to end the court costs (\$12,000.00 at that time). The military police gave me a computer printout for my affidavit. Before the ink on my affidavit was dry, my ex had an affidavit in court stating I was being court martialed-the Military police here had not even heard that I was to be investigated. The charge report had the wrong date on it. An assiting officer was assigned. I was taken into the CO of my unit and presented with my charge. jThe charge was made against me by the National Investigation Services Commission. My CO decided that I was get a recorded warning and my immediate supervisor would not let me go to my medical appointment without signing it. I was given no choice at all. I was railroaded into accepting a recorded warning for defending myself through the help of the Military police. This taught me that people in the regular forces have no human rights at all."

5. **Did you choose to be tried in your first official language?**

Yes -----91.7%
 No-----8.3%

n=72

5a. **If you answered "no" to Question 5, why not?**

[Unless indicated otherwise, the following represents the exact quotes from the survey.]

1. "because i was comfortable with my seconde language [English]."
2. "most parties involved in the trial were English"
3. "Because I am fully bilingual and did not require a trial in my first official language."
4. "ON MA JAMAIS DONNER MES DROIT LORS DE L'ENQUÊTE INTERNE PAR VOIE SOMMAIRE."

5. “Prefered second language [English] .”

6. **Did you ask for a lawyer to represent you at your Summary Trial?**

Yes -----6.9%
 No-----91.7% >>>> Go to question 7
 No Response-----1.4%

n=72

6a. **If you answered “yes” to Question 6, was your request granted?**

Yes -----40.0%
 No-----60.0%

n=5

7. **When the evidence against you was presented at your Summary Trial, were you or your Assisting Officer permitted to question each witness?**

Yes -----79.2%
 No-----18.1%
 No Response-----2.8%

n=72

8. **If you were found guilty, were you or your Assisting Officer permitted to present evidence and make arguments to the Presiding Officer to be considered in reducing the severity of the sentence?**

Yes -----72.2%
 No-----15.3%
 No Response-----12.5%

n=72

9. **My Assisting Officer was helpful throughout the Summary Trial process.**

Strongly Agree-----36.1%
 Agree -----43.1%
 Disagree-----8.3%
 Strongly Disagree -----6.9%
 No Response-----5.6%

n=72

10. **Did you know that you could request a review of the Presiding Officer’s decision at a Summary Trial?**

Yes -----47.2%
 No-----52.8% >>>> Go to question 12

n=72

11. If you answered "yes" to Question 10, how did you find out?

Assisting Officer-----50.0%
 Presiding Officer-----5.9%
 Commanding Officer-----2.9%
 Other-----20.6%
 No Response-----20.6%

n=34

12. Did you request a review of the outcome of the Summary Trial?

Yes-----5.6%
 No-----93.1% >>>> Go to end of survey
 No Response-----1.4%

n=72

13. If you answered "yes" to Question 11, was the request for review based on the sentence, the findings or both?

Sentence-----
 Findings-----
 Both-----

Incomplete

14. Did you ask for someone to be appointed to assist you in submitting your request for Review?

Yes-----4.2%
 No-----23.6%
 No Response-----72.2%

n=72

Assisting Officer

Please complete this survey only if you are a commanding officer or have participated in the summary trial process since Sep 99.

Assisting Officer Profile:

A. Are you:

Male-----88.4%
 Female-----11.6%
 No Response-----0.5%

n=191

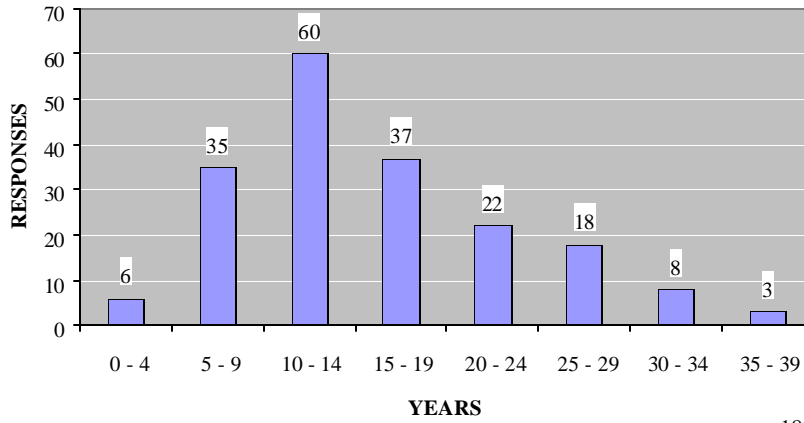
B. What is your first official language?

English-----68.9%
 French-----31.1%
 No Response-----0.5%

n=191

C. How long have you been a member of the Canadian Forces? _____ Years

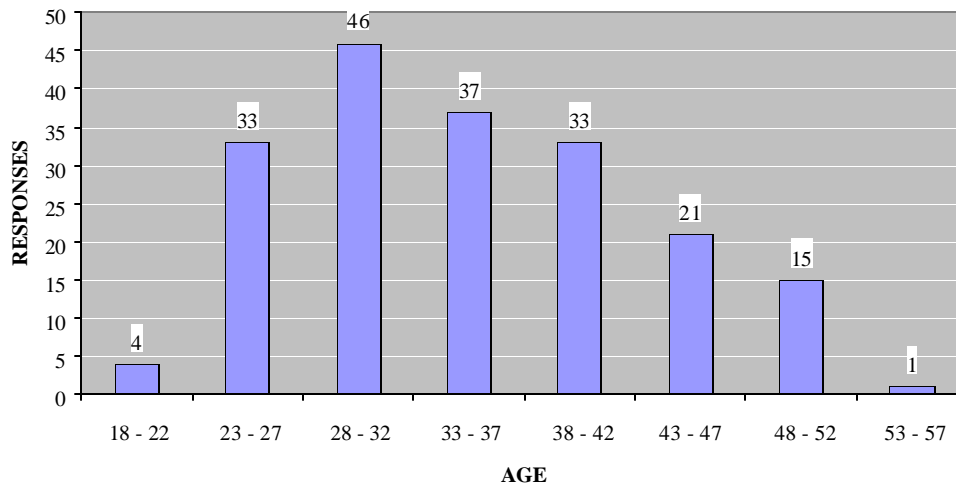
ASSISTING - Years in the Forces



n = 189

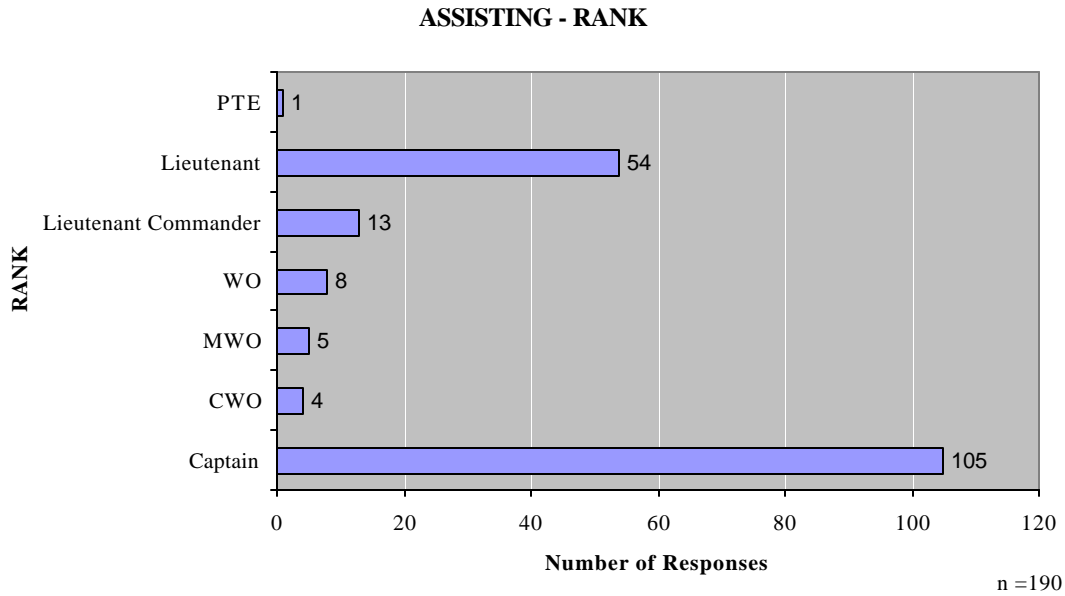
D. How old are you? _____

ASSISTING - AGE

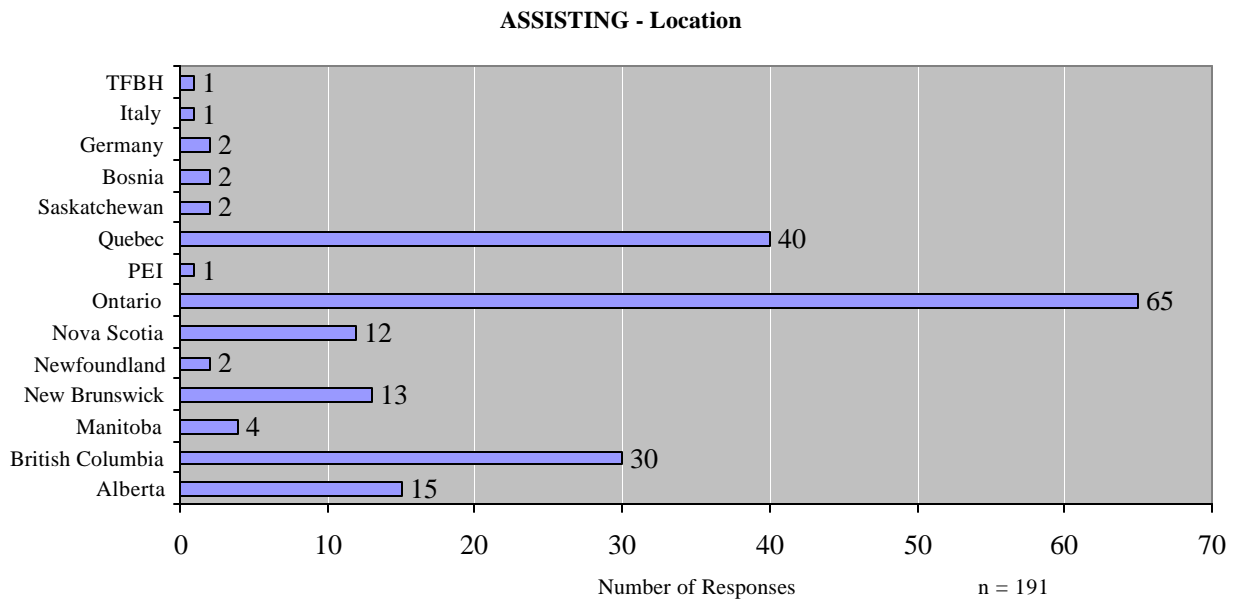


n = 190

E. What is your present rank? _____

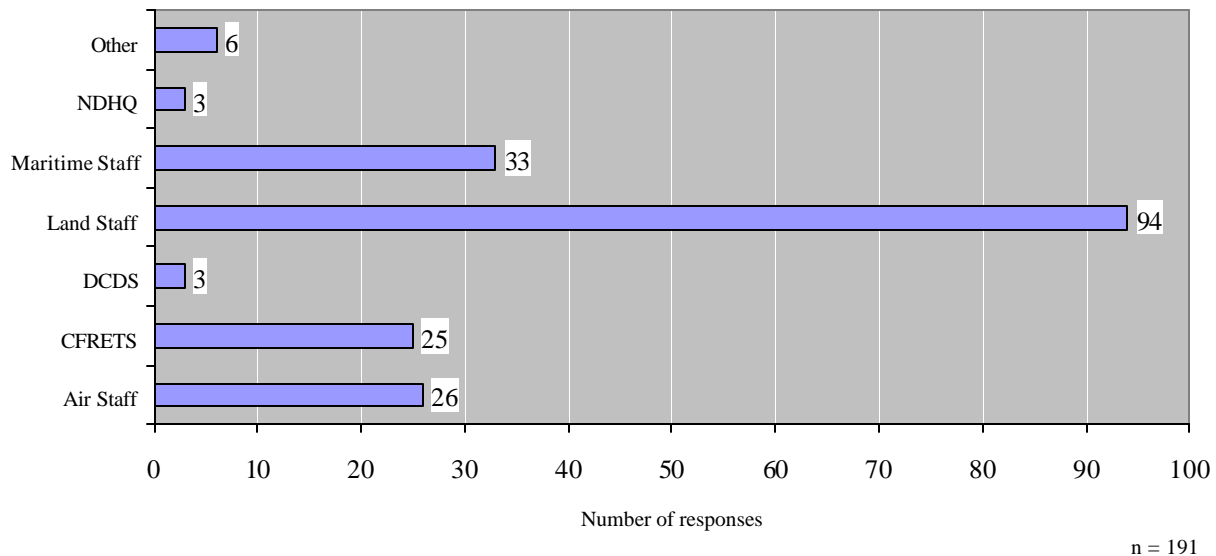


F. In what province (if in Canada) or area of operations (if outside Canada) is your unit currently located?



I. In which element/organization are you presently serving?

ASSISTING - Organization



Assisting Officer Process Questions:

1. **To the best of your knowledge, did the Accused you assisted receive all the information relied on as evidence at his or her Summary Trial, as well as any other information that was available and tended to show that the Accused did not commit the offence charged?**

Yes -----**95.3%**
 No -----**4.2%**
 No Response-----**0.5%**

n=191

1a. If you answered “no” to Question 1, please explain.

[Unless indicated otherwise, the following represents the exact quotes from the survey.]

1. “The accused did finally receive all of the information, however it took a very long time. The NIS did not really provide it in a timely manner.”
2. “Their was no investigation done specific to the charges laid. Therefore we weren't given all information reasonably available.”
3. “Member charged recieved copies of all information gathered as evidence. This evidence however, clearly showed that the member was guilty of at least one of the alledged offences and he pleaded so at his summary trial.”
4. “Some evidence brought up during the summary trial was know to the accused but was not provided to her as explicity evidence relied on. the accused and assisting officer was left to guess as to what was relied on.”
5. “Not all witnesses avail”

6. "There continues to be a conflict between the role of the assisting officer and the release of information (ie disclosure) to the assisting officer or the accused. Although the perception that the assisting officer is akin to representing the accused (ie Stinchcome) the legal system is not prepared to release info outside of the typical "client privilege" synario afforded to someone who has an "official" legal representative."
7. "video evidence supplied by Military Police was incomplete and at several points had NO sound."

2. Was the Accused offered the right to be tried by Court Martial?

Yes -----70.7%
 No -----27.7% >>>> Go to question 3
 No Response-----1.6%

n=191

2a. If you answered "yes" to Question 2, did you explain to the Accused the differences between Summary Trial and trial by Court Martial?

Yes -----97.8%
 No -----1.5%

n=135

2b. If you answered "no" to Question 2a, please explain why.

[Unless indicated otherwise, the following represents the exact quotes from the survey.]

1. "He was already aware of the differences and proved it by explaining them to me"
2. "This explanation was provided by the unit Chief Petty Officer"

2c. In your opinion, was the Accused given sufficient time to consult a lawyer before choosing between Summary Trial or trial by Court Martial?

Yes -----71.7% >>>> Go to question 2e
 No -----2.1%
 No Response-----26.2%

n=191

2d. If you answered "no" to Question 2c, please explain what happened and what, if anything, you did to remedy the situation.

[Unless indicated otherwise, the following represents the exact quotes from the survey.]

1. "The individual I assisted was tried in during a field exercise and the resources were not available for him to consult a lawyer."
2. "Memebers did not wish to speak with lawyer even though it was offered."
3. "When you have to make an important decision you need at least 48-72 hrs to think over the advice of a lawyer, your assitting officer and friends and family, not just the current 24 hrs"
4. "I ans no to 2C so that I could comment. The accused was given sufficient time and could consult with a military lawyer. However until the accused chose court martial the accused was not provide sufficient disclosure to make such a decsion or provide sufficient info to legal counsel to provide advice. See question 1a. It becomes a perpetual loop."

[related answers from 1a: ‘There continues to be a conflict between the role of the assisting officer and the release of information (ie disclosure) to the assisting officer or the accused. Although the perception that the assisting officer is akin to representing the accused (ie Stinchcome) the legal system is not prepared to release info outside of the typical "client privilege" synario afforded to someone who has an "official" legal representative.’]

2e. Did you or the Accused contact a lawyer about the choice to proceed by Summary Trial or Court Martial?

Yes -----24.6%
 No -----49.7%
 No response-----25.7%

n=191

2f. If you answered “yes” to Question 2e, was a military or civilian lawyer consulted?

Military -----85.1%
 Civilian -----8.5%
 No Response-----6.4%

n=47

3. Did you inform the Accused that he or she could request a review of the outcome of the Summary Trial?

Yes -----77.5%
 No-----22.5%

n=191

4. Did the Accused ask to be represented by a lawyer at the Summary Trial?

Yes -----1.0%
 No-----97.9% >>>> Go to question 5
 No Response-----1.0%

n=191

4a. If you answered “yes” to Question 4, was the request granted?

Yes -----50.0%
 No-----50.0%

n=2

5. When the evidence against the Accused was being presented at the Summary Trial, were you or the Accused permitted to question each witness?

Yes -----92.7%
 No-----2.6%
 No Response-----4.7%

n=191

6. If the Accused was found guilty, did you help the Accused present mitigation argument or evidence in mitigation (factors relevant to reducing the severity of the sentence or punishment)?

Yes -----87.4% >>>> Go to question 7
 No-----7.3%
 No Response-----5.2%

n=191

6a. If you answered “no” to Question 6, why not?

[Unless indicated otherwise, the following represents the exact quotes from the survey.]

1. “MBR PLEAD GUILTY”
2. “Il n'a pas ete trouve coupable”
3. “Because the accused admitted to me that he was guilty and was ready to accept the punishment, whatever was decided upon”
4. “Found not guilty”
5. “Il avait déjà préparé une note explicative.”
6. “THE EVIDENCE AGAINST WAS TO STRONG, AND THE PUNISHMENT WAS APPROPRIATE”
7. “Mbr chose Court Martial”
8. “Member admitted to the particulars of the case, no mitigating arguments or evidence was appliciable”
9. “The accused was found Not guilty”
10. “J'ai aidé l'accusé a se préparer mais son procès n'a pas encore eu lieu.”

7. Did the Accused specifically ask for you to be his or her Assisting Officer?

Yes -----**48.7%**
 No-----**40.3%**
 Don't know-----**10.5%**
 No Response-----**0.5%**

n=191

8. Please indicate which of the following training resources you used to prepare for your role as an Assisting Officer (Check all that apply)?

Presiding Officer Certification Training-----**0.0%**
 Unit Discipline Training-----**2.6%**
 Guide for Accused & Assisting Officer-----**91.6%**
 None of the above-----**0.0%**
 No Response-----**5.8%**

n=191

9. Do you think that your assistance to the Accused was effective?

Yes -----**92.1%**
 No-----**0.5%**
 Don't know-----**6.3%**
 No Response-----**1.0%**

n=191

Presiding Officer

Please complete this survey only if you are a commanding officer or have participated in the summary trial process since Sep 99.

Presiding Officer Profile:

A. Are you:

Male? -----96.8%
 Female? -----3.2%
 No Response-----0.8%

n=250

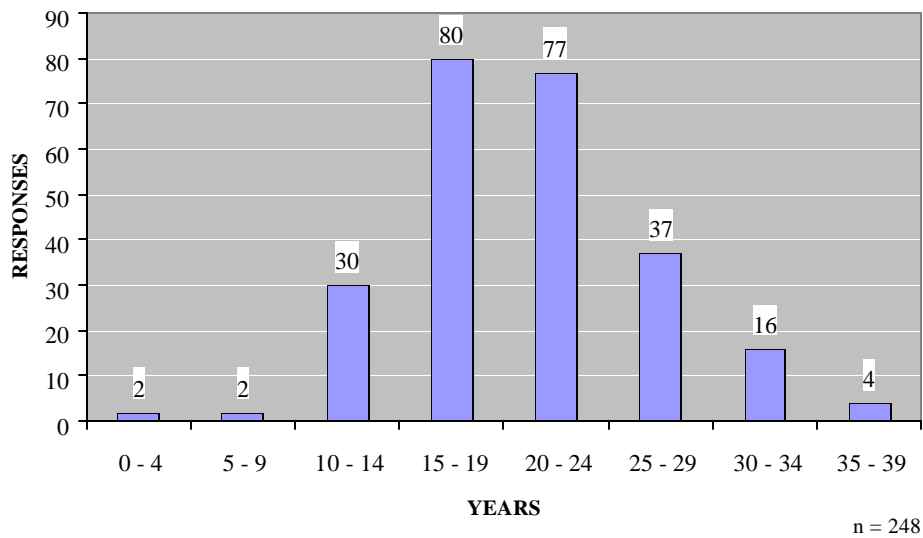
B. What is your first official language?

English -----75.3%
 French -----24.7%
 No Response-----1.2%

n=250

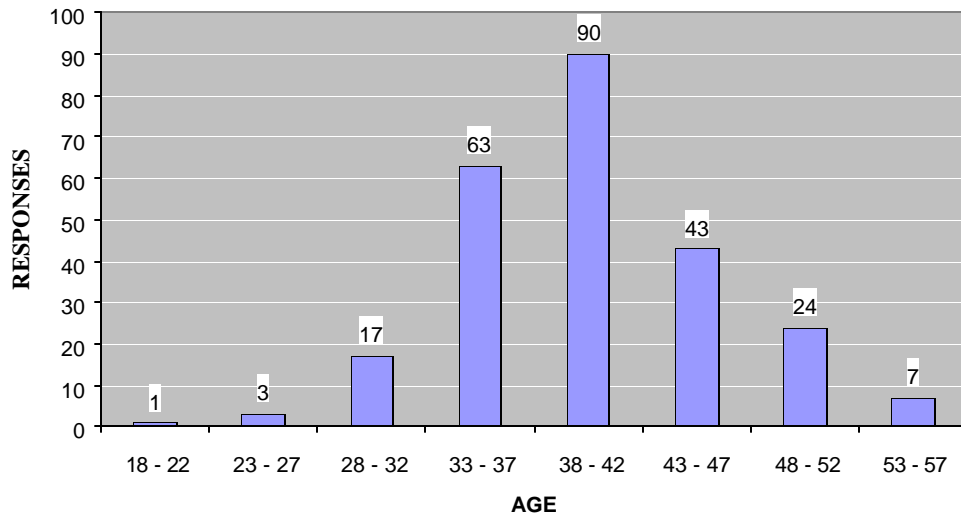
C. How long have you been a member of the Canadian Forces? _____ Years

PRESIDING - Years in the Forces



D. How old are you? _____

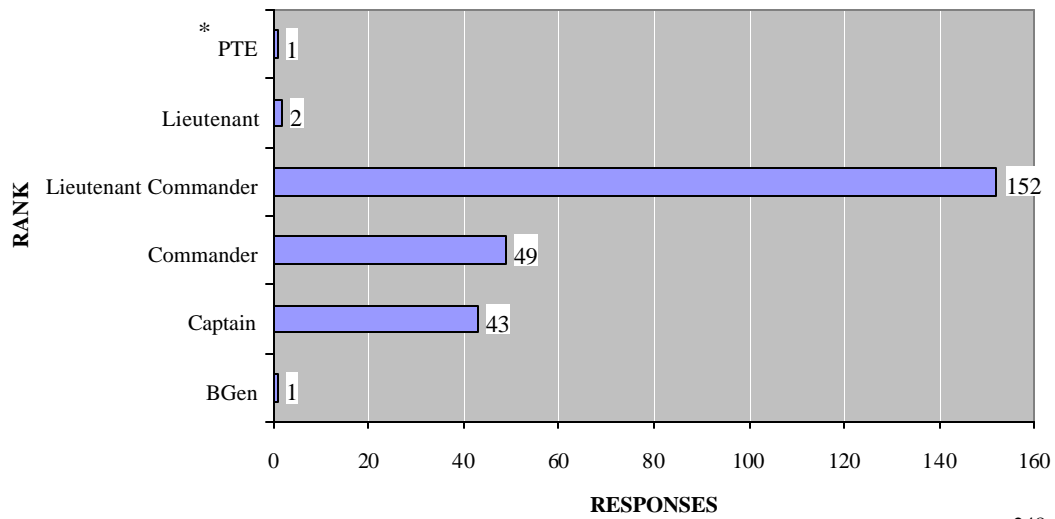
PRESIDING - AGE



n = 248

F. What is your present rank? _____

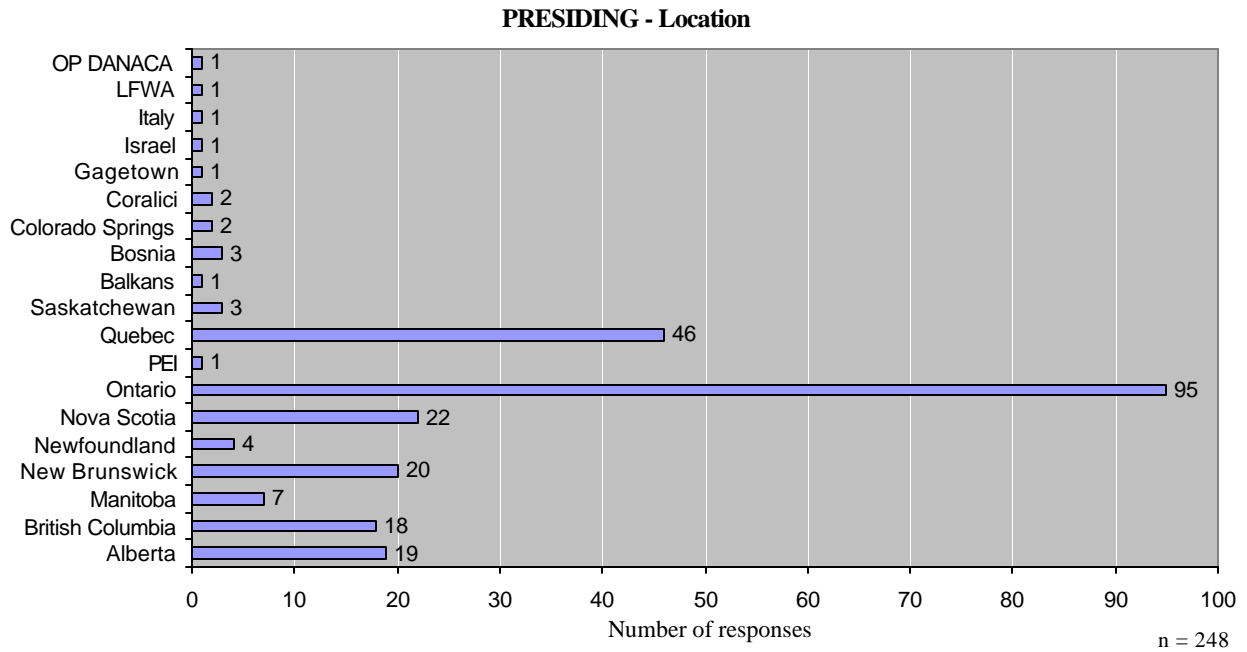
PRESIDING - RANK



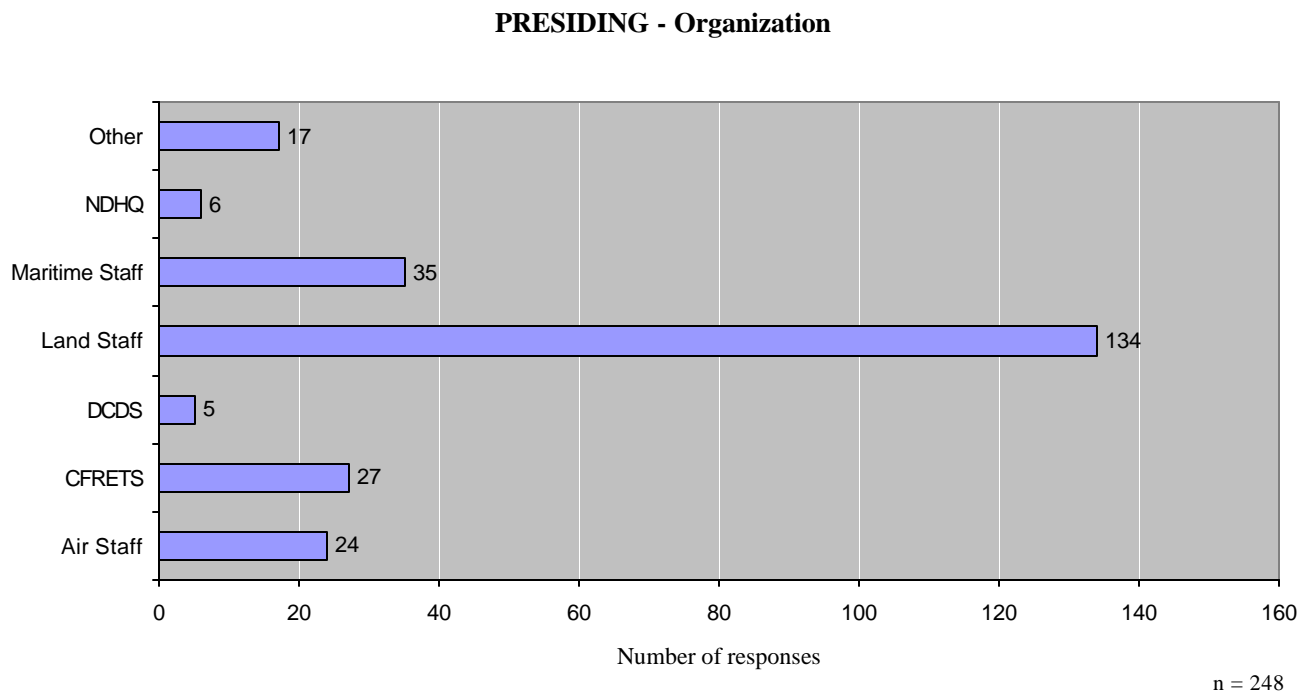
n = 248

* This data point appears to be an erroneous

F. In what province (if in Canada) or area of operations (if outside Canada) is your unit currently located?



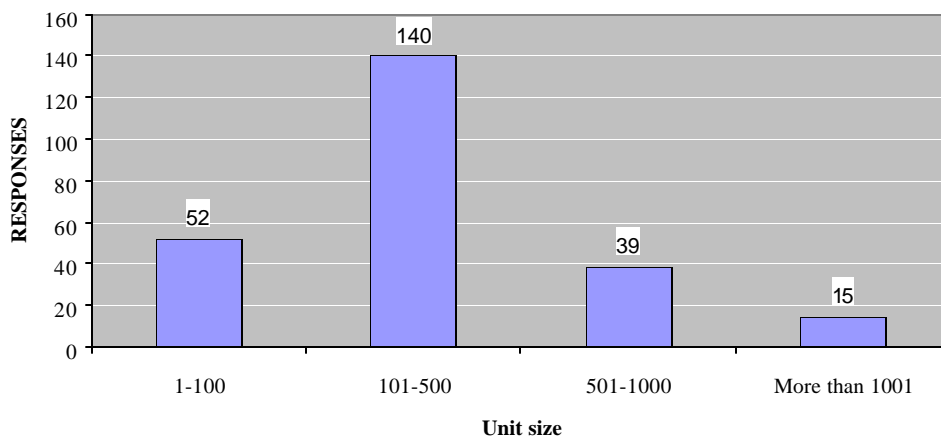
I. In which element/organization are you presently serving?



J. Please answer the following question if you are a Presiding Officer, Review Authority or Commanding Officer:

What is the size of the unit you are working in?

PRESIDING - Unit Size

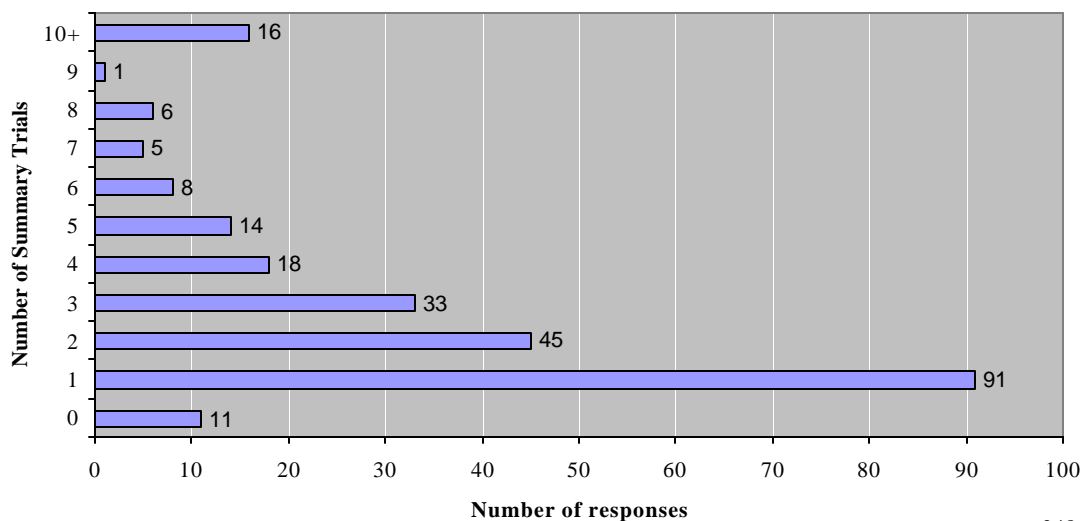


n = 230

Presiding Officer Process Questions:

1. Since 1 September 1999, how many times have you presided at a Summary Trial?
 _____ Times.

Presiding at Summary Trials since Sept 1, 1999.



n = 248

2. Have you completed the certification training for Presiding Officers?

Yes -----98.8 >>>> Go to question 4
 No-----0.4%
 No Response-----0.8%

n=250

2a. If you answered “no” to Question 2, have you been granted a waiver?

Yes -----0.0%
 No-----100.0% >>>> Go to question 3

n=1

3. When presiding at Summary Trials, how often do you follow the Presiding Officer's checklist published in the “Military Justice at the Summary Trial Level” manual.

Almost always-----21.6%
 Sometimes -----0.4%
 Almost never -----0.4%
 No Response-----77.6%

n=250

4. Before deciding to proceed with a charge, do you consult your unit legal advisor?

Yes -----88.8% >>>> Go to question 5
 No -----9.2%
 No Response-----2.0%

n=250

4a. If you answered “no” to Question 4, please explain why not.

[Unless indicated otherwise, the following represents the exact quotes from the survey.]

1. “L’acte d’accusation était mineure (ORFC 108.17) et la consultation n’était pas nécessaire.”
2. “Ma compréhension du système me suffit pour la majorité des cas. Il n’est arrivé qu’une fois que je doive discuter avec un aviseur légal avant de procéder.”
3. “You did not offer me the “Almost always” options as a response. One two occasions, due to the minor nature of the charge and the fact that I had just conducted a similar summary trial within a month, I did not consult with the Base DJA.”
4. “I have consulted a legal advisor on some occasions. However, some of the incidents were of such a minor nature that I did not believe there was a requirement to consult a legal advisor beforehand.”
5. “It has not been necessary for the charges in questions as they were relatively simple and the Unit Legal Advisor receives some info on a routine basis”
6. “Charges are ninvestigated by my Sergeant-Major (after consulting the Adjt and JAG), I try the individual.”
7. “Person laying the charge (normally the Sergeant-Major) consults with the DJA as to appropriate article and wording, prior to my involvement.”
8. “I have not had occasion to prefer charges in the past 18 months and therefore have relied on unit investigators (ie Adjt, RSM and CSMs) to seek advice of legal advisor.”

9. "Le sergent-major de cie est celui qui a porté des accusations et qui a consulté un conseiller juridique, dans les cas que j'ai présidé. par contre, si je portais des accusations, je n'hésiterais pas à consulter un spécialiste."
10. "Legal advisor always consulted by unit prior to laying charge. Only subsequently consulted if Legal question arises."
11. "I don't really mean NO, actually NOT ALWAYS, especially for non-electable offences such as a simple AWOL."
12. "Done through unit Adj't"
13. "It is charge dependant. As a delegated officer simple charges such as an AWOL charge need not be referred."
14. "Charges have been of a minor nature."
15. "In this instance there was clearly no requirement for consultation. The charge was straightforward and I had recently completed the necessary training"
16. "My Cox'n prepares the charge and reviews it with the legal officer."
17. "There has been no situations on the unit that have warranted consideration of a charge."
18. "Cosultation occurred between the Coxswain and the legal advisor's office. Relatively Simple Case"
19. "Je considère que ma formation et mon expérience sont suffisantes."

5. How often do you find that your powers of punishment are inadequate to deal with the charges before you?

Almost always-----**24.0%**
 Sometimes-----**15.6%**
 Almost never-----**58.8%**
 No Response-----**1.6%**

n=250

6. At the Summary Trials over which you have presided, how often has the Accused given evidence before your finding?

Almost always-----**51.2%**
 Sometimes-----**27.6%**
 Almost never-----**18.0%**
 No Response-----**3.2%**

n=250

7. How often does the Accused or the Assisting Officer (on behalf of the Accused) question each witness?

Almost always-----**42.0%**
 Sometimes-----**41.2%**
 Almost never-----**13.4%**
 No Response-----**3.2%**

n=250

8. How often do you question the Accused yourself before making your finding of guilty or not guilty?

Almost always-----**79.2%**
 Sometimes -----**9.2%**
 Almost never -----**7.6%**
 No Response-----**4.0%**

n=250

9. How often does the Accused or Assisting Officer present evidence or make submissions in mitigation of sentence?

Almost always-----**78.4%**
 Sometimes -----**14.4%**
 Almost never -----**4.0%**
 No Response-----**3.2%**

n=250

Commanding Officer

Please complete this survey only if you are a commanding officer or have participated in the summary trial process since Sep 99.

Commanding Officer Profile:

A. Are you:

Male -----**93.5%**
 Female -----**6.5%**
 No Response-----**0.4%**

n=232

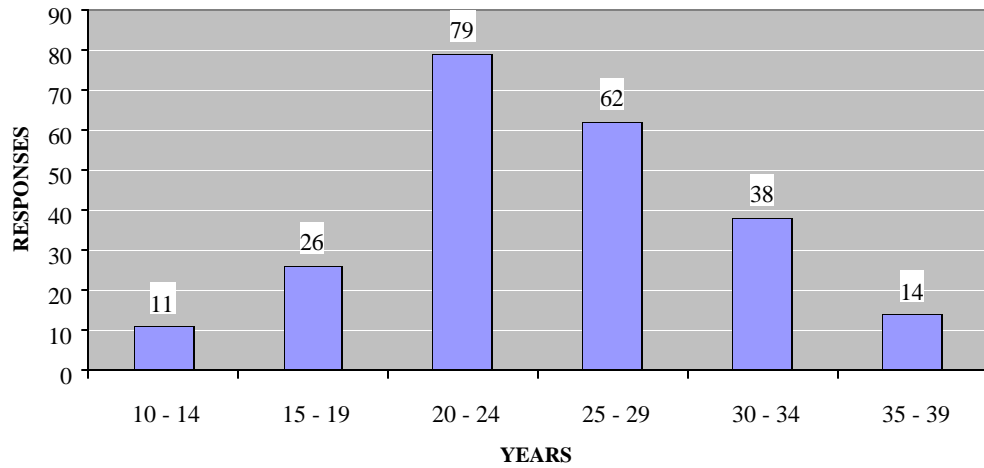
B. What is your first official language?

English -----**83.5%**
 French -----**16.5%**
 No Response-----**0.4%**

n=232

C. How long have you been a member of the Canadian Forces? _____ Years

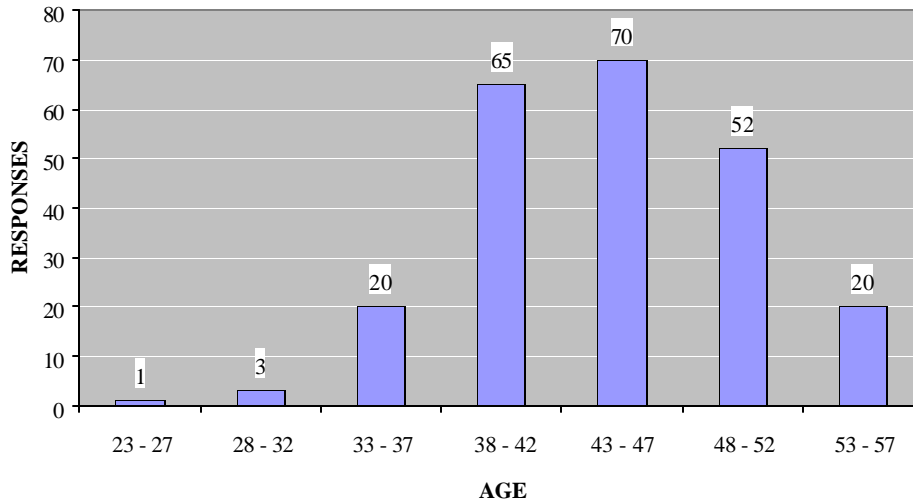
COMMANDING - Years in the Forces



n = 230

D. How old are you? _____

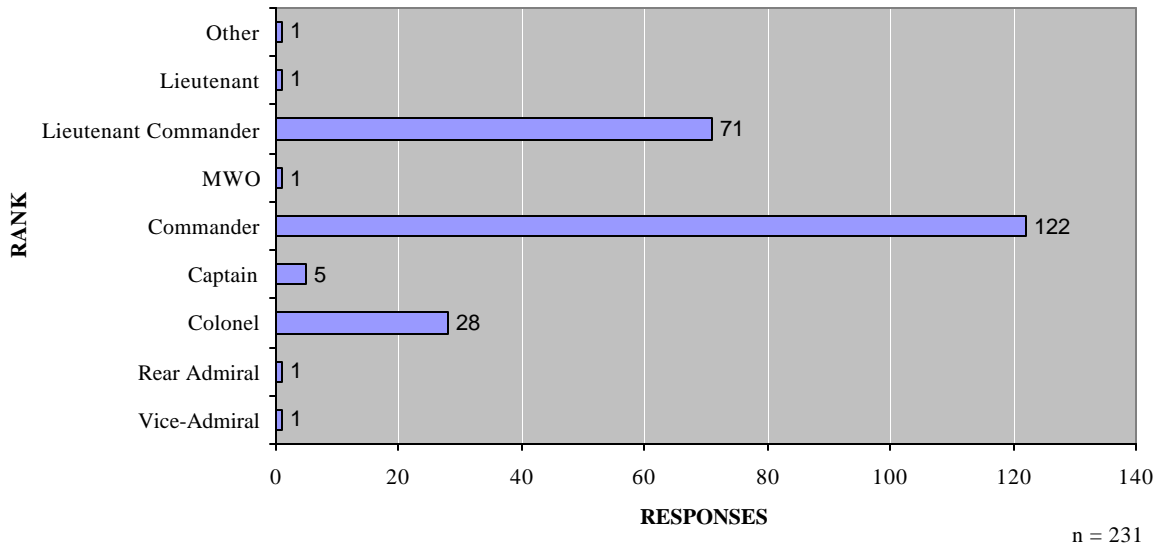
COMMANDING - AGE



n = 231

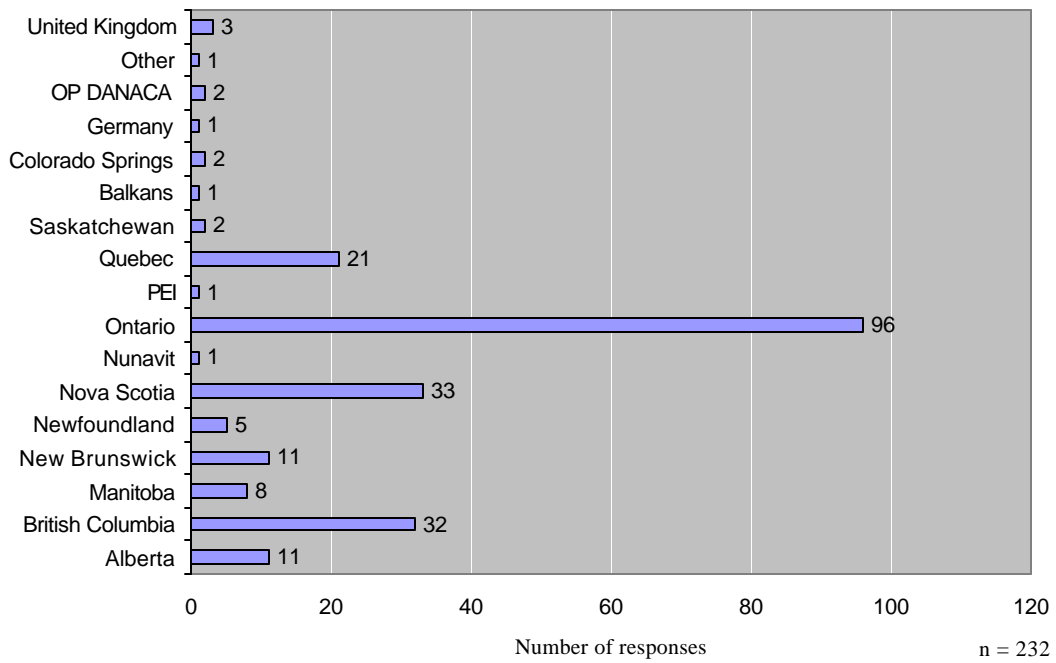
E. What is your present rank?

COMMANDING - RANK

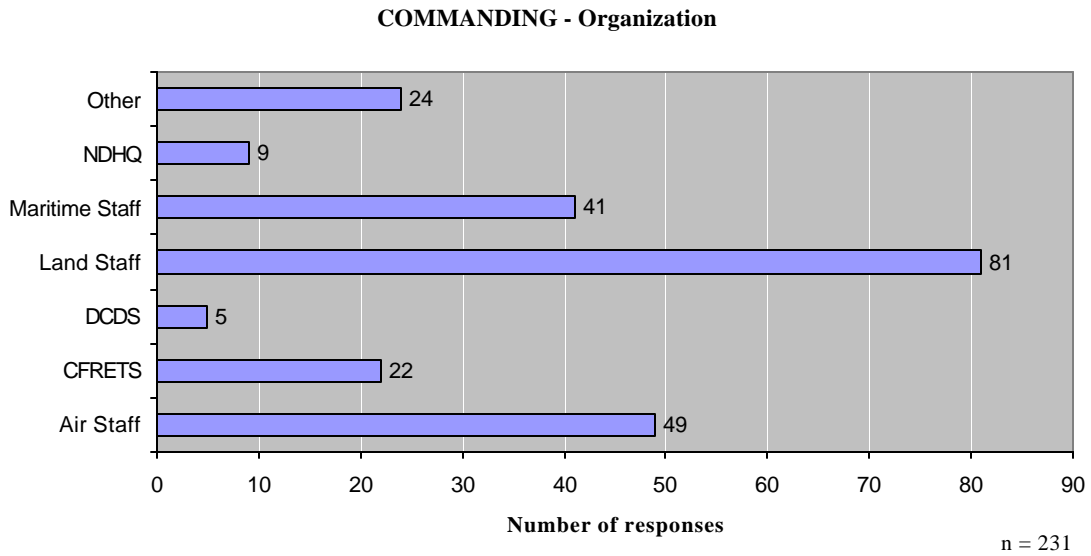


F. In what province (if in Canada) or area of operations (if outside Canada) is your unit currently located?

COMMANDING - Location

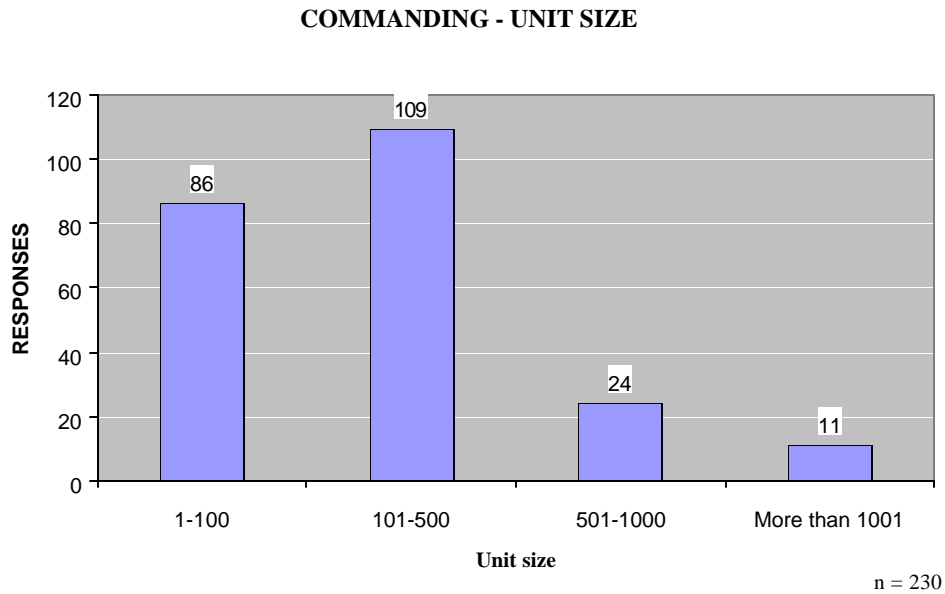


I. In which element/organization are you presently serving?



J. Please answer the following question if you are a Presiding Officer, Review Authority or Commanding Officer:

What is the size of the unit you are working in?



Commanding Officer Process Questions:

1. Have you been certified by the Judge Advocate General as qualified to perform your duties as Commanding Officer in the administration of the Code of Service Discipline?

Yes -----92.7% >>>> Go to question 2
 No -----6.5%
 No Response-----0.9%

n=232

1a. If you answered “no” to Question 1, have you been granted a waiver?

Yes -----26.7%
 No -----73.3% >>>> Go to question 2

n=15

2. Does your unit keep a Unit Registry of Disciplinary Proceedings?

Yes -----92.7%
 No-----5.6%
 No Response-----2.2%

n=232

3. Have you ever approved a Search Warrant?

Yes -----3.9%
 No-----94.0% >>>> Go to question 4
 No Response-----2.2%

n=232

3a. If you answered “yes” to Question 3, how often have you consulted a lawyer before approving a Search Warrant?

Always -----66.7%
 Sometimes -----0.0%
 Never -----33.3%

n=9

4. How often do you send a Record of Disciplinary Proceedings (RDP) indicating the final disposition of all charges against the Accused to the office of your local AJAG/DJA for review?

Always -----80.2%
 Sometimes -----3.0%
 Never -----9.1%
 No Response -----7.8%

n=232

5. Does your local AJAG/DJA give feedback on your RDPs?

Almost always-----**59.1%**
 Sometimes -----**17.2%**
 Almost never -----**10.8%**
 No Response -----**12.9%**

n=232

6. Is the feedback timely?

Yes -----**71.1%**
 No-----**11.2%**
 No Response -----**17.7%**

n=232

7. How often have you received a request for public access to an RDP?

1-10-----**6.0%**
 10+ -----**0.0%**
 Never -----**90.9%**
 No Response-----**3.0%**

>>>> Go to question 8

n=232

7a. If you receive requests for public access to RDPs, how often do you consult a lawyer about these requests?

Almost always-----**85.7%**
 Sometimes -----**10.7%**
 Almost never -----**3.6%**

n=28

8. To the best of your knowledge, is the Accused within your unit informed that he or she may request a review of the outcome of the Summary Trial?

Yes -----**90.9%**
 No-----**3.0%**
 No Response -----**6.0%**

n=232

Please complete this survey only if you are a commanding officer or have participated in the summary trial process since Sep 99.

Review Authority Profile:

A. Are you:

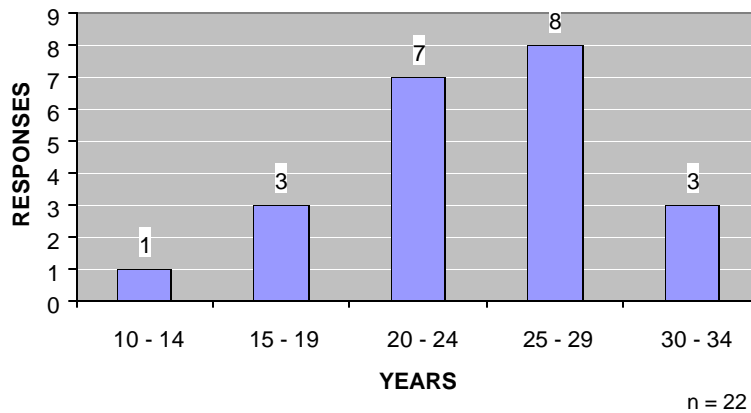
Male? -----90.9%
 Female? -----9.1%

B. What is your first official language?

English -----81.8%
 French -----18.2%

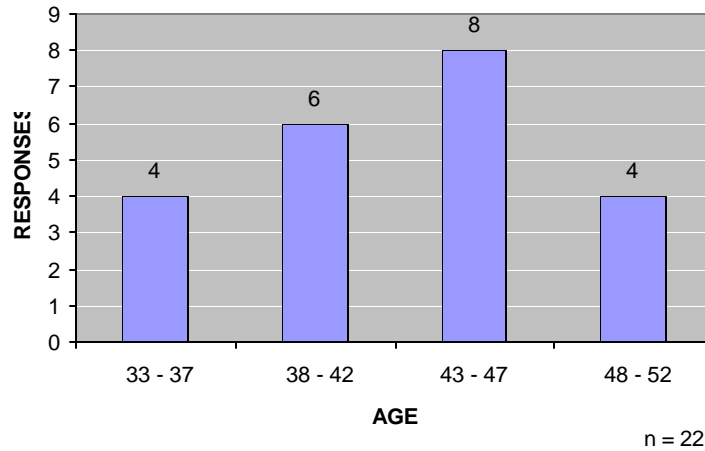
C. How long have you been a member of the Canadian Forces? _____ Years

REVIEW - Years in the Forces



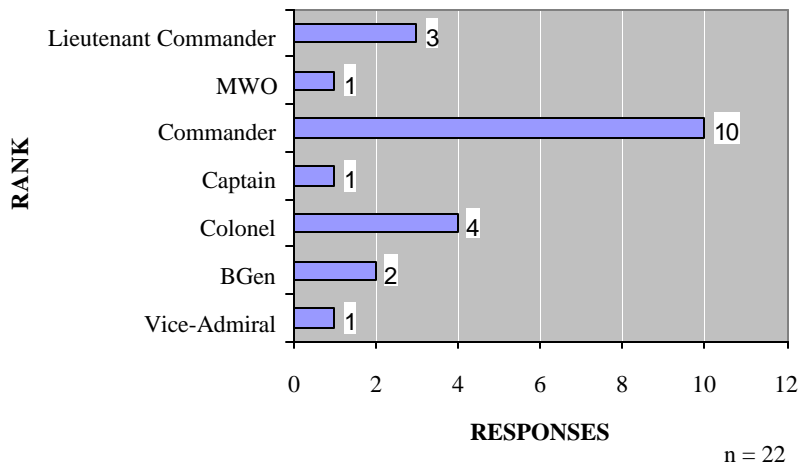
D. How old are you? _____

REVIEW - AGE



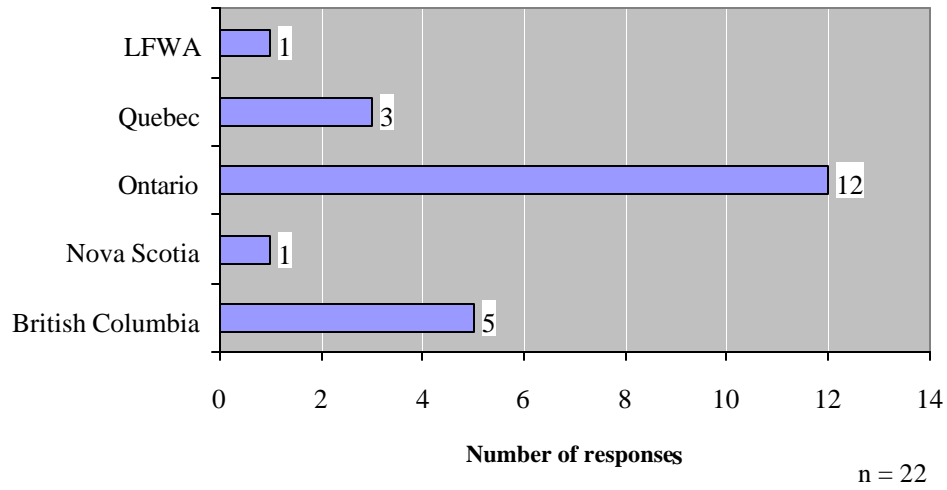
E. What is your present rank? _____

REVIEW - RANK



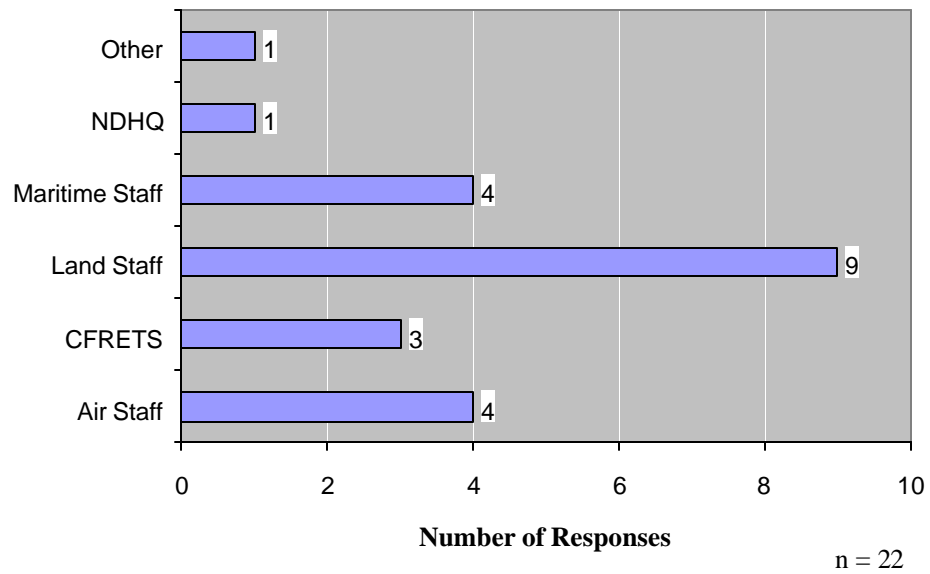
F. In what province (if in Canada) or area of operations (if outside Canada) is your unit currently located?

REVIEW - Location



I. In which element/organization are you presently serving?

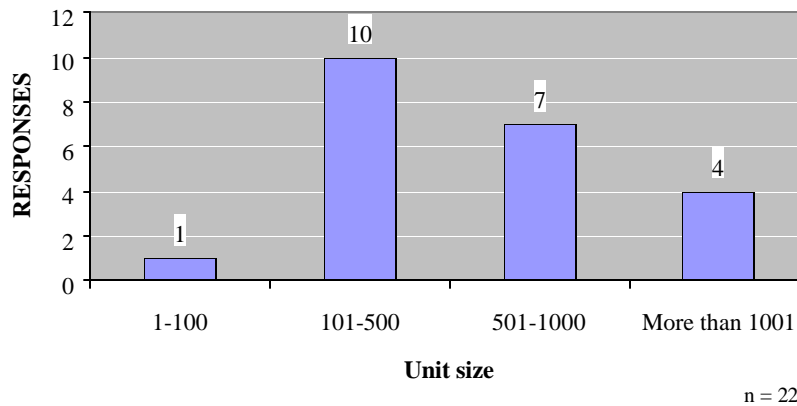
REVIEW - Organization



J. Please answer the following question if you are a Presiding Officer, Review Authority or Commanding Officer:

What is the size of the unit you are working in?

REVIEW - UNIT SIZE



Review Authority Process Questions:

1. Have you completed the certification training for Presiding Officers?

Yes -----100.0% >>>> Go to question 2
 No -----0.0%

n=22

2. How many requests for review have you received from offenders convicted at Summary Trial? _____
 Requests.

0-----18.2%
 1-----50.0%
 2-----18.2%
 3-----4.5%
 4-----4.5%
 5-----4.5%

n=22

3. **In your opinion, is the legal advice you receive on a request for review helpful to you in disposing of the request?**
 Almost always-----**77.3%**
 Sometimes -----**9.1%**
 Almost never-----**0.0%**
 No Response-----**13.6%**

n=22

4. **Is the legal advice received in a timely fashion?**
 Almost always-----**63.6%**
 Sometimes -----**27.3%**
 Almost never -----**0.0%**
 No Response-----**9.1%**

n=22

5. **How often do you grant relief on the offender's requests?**
 Almost always-----**9.1%**
 Sometimes -----**31.8%**
 Almost never-----**40.9%**
 No Response-----**18.2%**

n=22

6. **Do you think that the current review process gives you enough time to respond adequately to offenders' requests?**
 Yes -----**77.3%**
 No -----**13.6%**
 No Response-----**9.1%**

n=22

Data

Data	<u>Hard copy</u>	<u>On-line</u>	<u>Total</u>	<u>%</u>
Commanding / Commandant	27	205	232	30%
Accused / Accuse	15	58	73	9%
Assisting Officer / Officier designe	22	169	191	25%
Presiding Officer / Officier president	31	220	251	33%
Review Authority / Autorite de revision	4	18	22	3%
Total	99	670	769	100%