

Survey of the Administration of Military Justice

2002					
Number of Respondents	Mail	On-Line	Total	% of Total	% On-Line
Accused	16	41	57	7.2%	71.9%
Assisting Officer	36	148	184	23.3%	80.4%
Presiding Officer	40	143	183	23.2%	78.1%
Commanding Officer	21	153	174	22.1%	87.9%
Review Authority	3	9	12	1.5%	75.0%
Charging Authority	31	148	179	22.7%	82.7%
Total	147	642	789	100.0%	81.4%

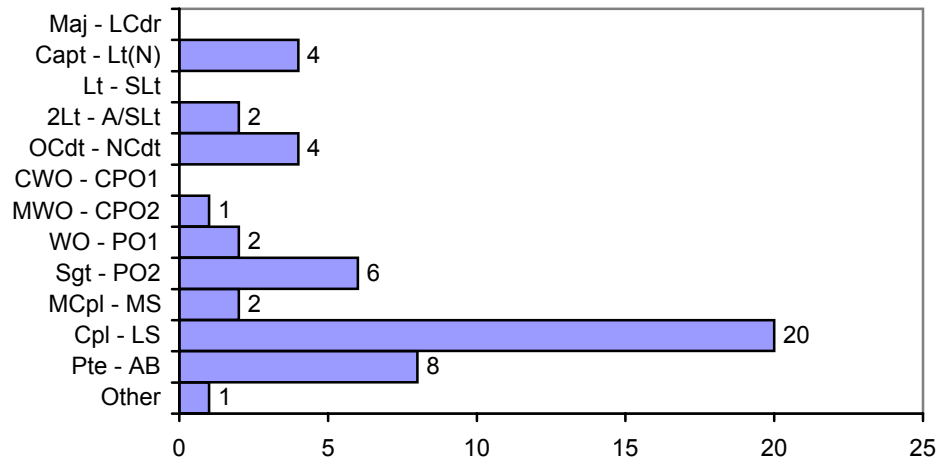
2001					
Number of Respondents	Mail	On-Line	Total	% of Total	% On-Line
Accused	15	58	73	9.5%	79.5%
Assisting Officer	22	169	191	24.8%	88.5%
Presiding Officer	31	220	251	32.6%	87.6%
Commanding Officer	27	205	232	30.2%	88.4%
Review Authority	4	18	22	2.9%	81.8%
Total	99	670	769	100.0%	87.1%

Accused

Number of Respondents	Mail	On-Line	Total	% Mail	% On-Line
2002	16	41	57	28.1%	71.9%
2001	15	58	73	20.5%	79.5%

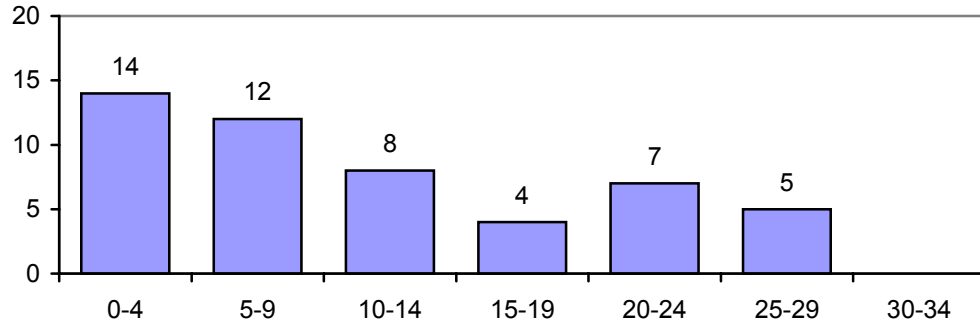
Section 1: Profile

1. What is your present rank?



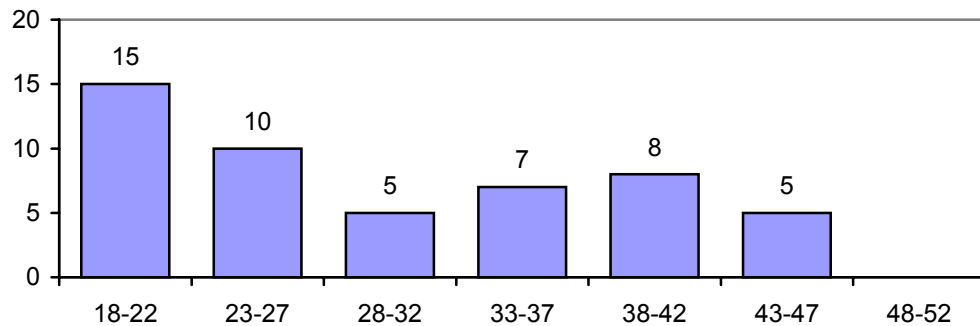
		2001	2002
Sr Officers	Maj - LCdr	1.4%	0.0%
Jr Officers	Capt - Lt(N)	1.4%	8.0%
	Lt - SLt	4.2%	0.0%
	2Lt - A/SLt		4.0%
Subr Officers	OCdt - NCdt	4.2%	8.0%
NCM	CWO - CPO1	1.4%	0.0%
	MWO - CPO2	0.0%	2.0%
Appointments	WO - PO1	1.4%	4.0%
	Sgt - PO2	16.9%	12.0%
	MCpl - MS	19.7%	4.0%
	Cpl - LS	29.6%	40.0%
	Pte - AB	16.9%	16.0%
	Other	2.8%	2.0%
			(n=71)

2. How long have you been a member of the Canadian Forces?



	2001	2002
0-4	29.6%	28.0%
5-9	9.9%	24.0%
10-14	19.7%	16.0%
15-19	21.1%	8.0%
20-24	12.7%	14.0%
25-29	4.2%	10.0%
30-34	2.8%	0.0%
	(n=71)	(n=50)

3. How old are you?



	2001	2002
18-22	16.9%	30.0%
23-27	16.9%	20.0%
28-32	11.3%	10.0%
33-37	26.8%	14.0%
38-42	21.1%	16.0%
43-47	4.2%	10.0%
48-52	2.8%	0.0%
	(n=71)	(n=50)

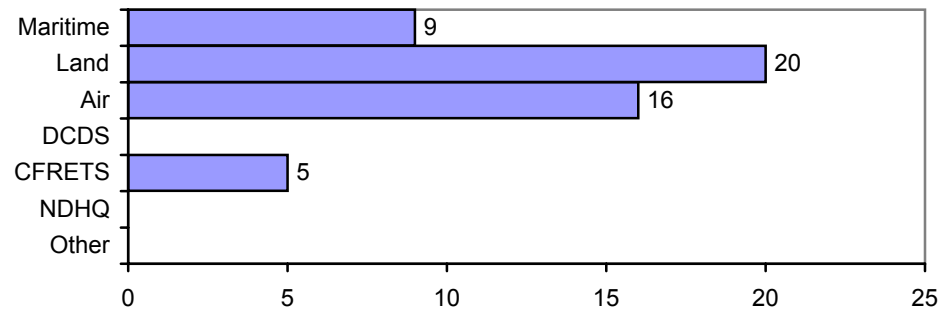
4. Are you:

	2001	2002
Male	91.4%	92.0%
Female	8.6%	8.0%
	(n=70)	(n=50)

5. What is your first official language?

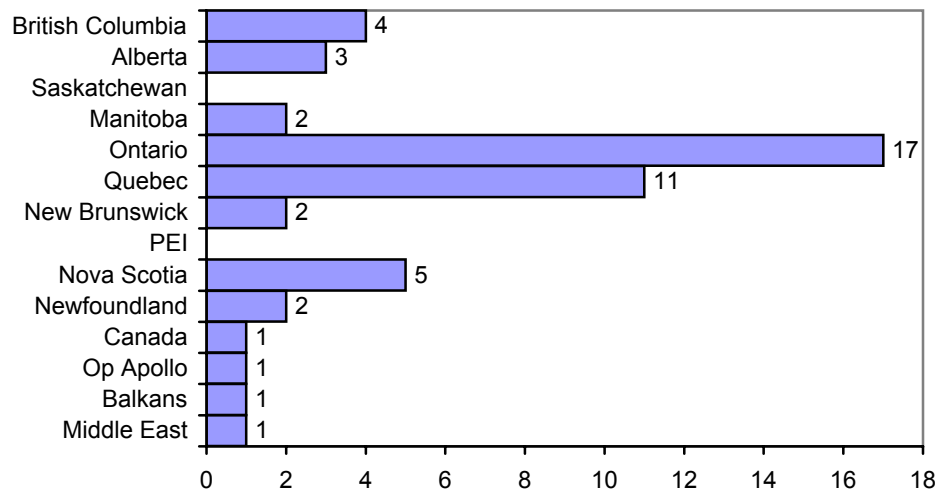
	2001	2002
English	76.1%	58.0%
French	23.9%	42.0%
	(n=71)	(n=50)

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



	2001	2002
Maritime	29.0%	18.0%
Land	42.0%	40.0%
Air	15.9%	32.0%
DCDS (Deployed Operations)	0.0%	0.0%
CFRETS (Training)	8.7%	10.0%
NDHQ	4.3%	0.0%
Other	0.0%	0.0%
	(n=69)	(n=50)

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



	2001	2002
British Columbia	25.4%	8.0%
Alberta	16.9%	6.0%
Saskatchewan	1.4%	0.0%
Manitoba	0.0%	4.0%
Ontario	28.2%	34.0%
Quebec	15.5%	22.0%
New Brunswick	1.4%	4.0%
PEI	0.0%	0.0%
Nova Scotia	7.0%	10.0%
Newfoundland	0.0%	4.0%
Canada		2.0%
Op Apollo		2.0%
Balkans	4.2%	2.0%
Middle East	0.0%	2.0%
	(n=71)	(n=50)

Section 2: Process

1. Did you request a specific Assisting Officer?

	2001	2002
Yes	55.6%	47.4%
No	44.4%	52.6%
	(n=72)	(n=57)

>>> Go to Question

1.a) **If you answered "yes" to Question 1, did you receive the Assisting Officer of your choice?**

	2001	2002	
Yes	80.0%	74.1%	>>>> Go to Question
No	17.5%	25.9%	
No Response	2.5%	0.0%	
	(n=40)	(n=27)	

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

	2001	2002	
Yes	89.7%	97.3%	>>>> Go to Question
No	7.7%	2.7%	
No Response	2.6%	0.0%	
	(n=39)	(n=37)	

2.a) **If you answered "no" to Question 2, why not?**

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

- Les directives n'ont pas ete discute a ce sujet.

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

	2001	2002	
Yes	54.2%	68.4%	
No	44.4%	31.6%	>>>> Go to Question
No Response	1.4%	0.0%	
	(n=72)	(n=57)	

3.a) **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?**

	2001	2002	
Yes	80.0%	84.6%	>>>> Go to Question
No	15.0%	10.3%	
No Response	5.0%	5.1%	
	(n=40)	(n=39)	

3.b) **If you answered "no" to Question 3.a, did you ask for more time?**

	2001	2002	
Yes	0.0%	0.0%	
No	85.7%	100.0%	
No Response	14.3%	0.0%	
	(n=7)	(n=4)	

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?**

	2001	2002
Yes	70.8%	77.2%
No	26.4%	22.8%
No Response	2.8%	0.0%
	(n=72)	(n=57)

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

	2001	2002
Yes	80.6%	80.7%
No	19.4%	17.5%
No Response	0.0%	1.8%
	(n=72)	(n=57)

- 4.b) **If you answered "no" to either Question 4 or Question 4.a, please explain.**

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

- The statement of a witness against me was missing a page and she was not able to testify. I asked for the missing page.
- Le seul document qui m'a été transmit était l'acte d'accusation. Je n'ai pas reçu la copie du rapport de police ainsi que les copies des témoins à charge.
- It was not deemed necessary for me to have a fair and impartial trial. I was judged by my accusers and it was in their interest to find me guilty.
- I was not aware that I had a right to any documents etc. No witnesses were called.
- I was told that this is how a summary trial is handled.
- I was told I was being charged over four months after the incident which was an absolute shock to many. It was just before christmas and I was informed that they could hurry the process up and have it all done before christmas...like they were doing me a favour. No info was passed to me and my assisting officer had to even corner people at the officers mess for answers. I was never asked prior the trial about the incident or was any communications on the subject ever conducted. Feeling helpless and very frustrated, my assisting officer told me to ask my immediate Sgt for some answers. He told me that he has been ordered to keep out. The charge was being handle and laid by a Maj. who arrived several months after the incident and has never even shook my hand or spoken to me. sorry, ran out of room.
- unknown
- Il m'ont offert des info mais j'avais aucune connaissance de ce système
- No access to witness statements

- Je n'ai jamais su qui portait la plainte contre moi.
- Witness list against me was not firm by the time of the trial.
- Le personne qui m'a accuse a aussi ete celle qui a dirige mon proces sommaire. Il me manguorit beaucoup d'information: le moins, totalite des accusations.
- I wasn't told the witnesses that could be used.
- I didn't know who the witnesses were.

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

	2001	2002	
Yes	91.7%	86.0%	>>> Go to Question
No	8.3%	14.0%	
No Response	0.0%	0.0%	
	(n=72)	(n=57)	

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

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

- Je ne voulais pas causer du trouble et des perte de temps et je voulait eviter des depenses aux MDN
- I'm fully bilingual, thus conversant in both official languages
- It was to complicated.
- Je voulais simplifier les chose en laissant la langues de mon millieu que l'ont en finisse
- IT IS AS EASY FOR ME IN ENG OR FRENCH
- Parce que je suis sur une unite anglophone
- because I wanted it in English
- Rather have it in english

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

	2001	2002	
Yes	6.9%	3.5%	
No	91.7%	93.0%	>>> Go to Question
No Response	1.4%	3.5%	
	(n=72)	(n=57)	

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

	2001	2002
Yes	40.0%	50.0%
No	60.0%	50.0%
No Response	0.0%	0.0%
	(n=5)	(n=4)

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

	2001	2002
Yes	79.2%	73.7%
No	18.1%	22.8%
No Response	2.8%	3.5%
	(n=72)	(n=57)

8. **Answer only 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?**

	2001	2002
Yes	72.2%	77.2%
No	15.3%	12.3%
N/A (found not guilty)		5.3%
No Response	12.5%	5.3%
	(n=72)	(n=57)

9. **Do you agree with the following statement: "My Assisting Officer was helpful throughout the Summary Trial process"?**

	2001	2002
Strongly Agree	36.1%	45.6%
Agree	43.1%	31.6%
Disagree	8.3%	15.8%
Strongly Disagree	6.9%	5.3%
No Response	5.6%	1.8%
	(n=72)	(n=57)

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

	2001	2002
Yes	47.2%	47.4%
No	52.8%	50.9%
No Response	0.0%	1.8%
	(n=72)	(n=57)

>>>> Go to Question

11. **If you answered "yes" to Question 10, how did you find out (Check one)?**

	2001	2002
Assisting Officer	50.0%	40.7%
Presiding Officer	5.9%	7.4%
Commanding Officer	2.9%	7.4%
Other	20.6%	44.4%
No Response	20.6%	0.0%
	(n=34)	(n=27)

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

	2001	2002
Yes	5.6%	7.0%
No	93.1%	89.5% >>> Go to End of S
No Response	1.4%	3.5%
	(n=72)	(n=57)

12.a) **If you answered "yes" to Question 12, was the request for review based on the sentence, the findings or both?**

	2001	2002
Sentence		50.0%
Findings		0.0%
Both		50.0%
No Response		0.0%
		(n=4)

12.b) **If you answered "yes" to Question 12, did you ask for someone to be appointed to assist you in submitting your request for Review?**

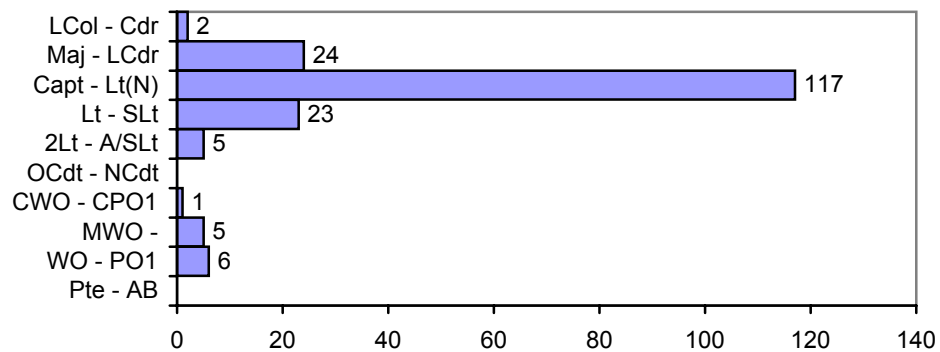
	2001	2002
Yes	4.2%	0.0%
No	23.6%	100.0%
No Response	72.2%	0.0%
	(n=72)	(n=4)

Assisting Officer

Number of Respondents	Mail	On-Line	Total	% Mail	% On-Line
2002	36	148	184	19.6%	80.4%
2001	22	169	191	11.5%	88.5%

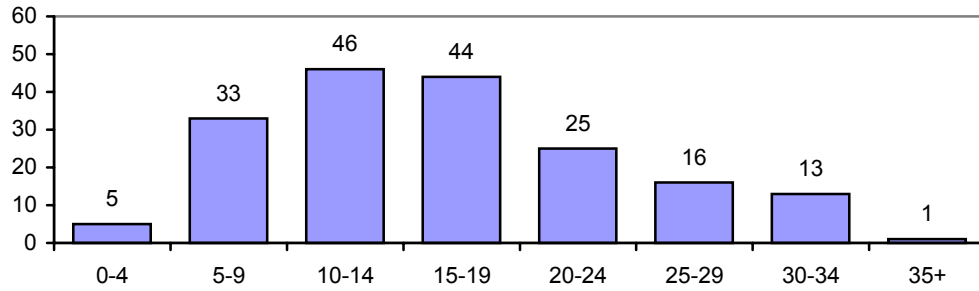
Section 1: Profile

1. What is your present rank?



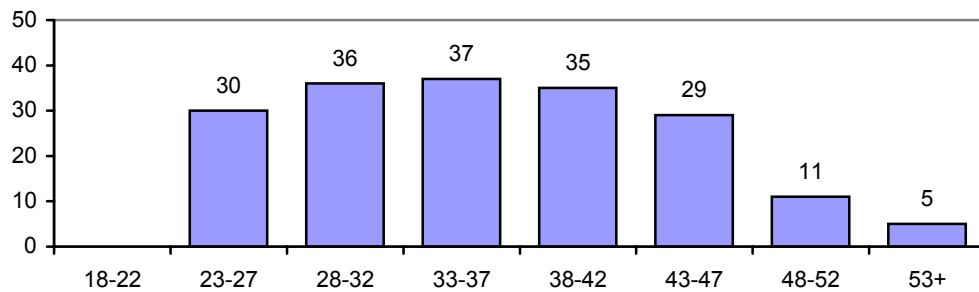
		2001	2002
Sr Officers	LCol - Cdr	0.0%	1.1%
	Maj - LCdr	6.8%	13.1%
Jr Officers	Capt - Lt(N)	55.3%	63.9%
	Lt - SLt	28.4%	12.6%
	2Lt - A/SLt		2.7%
Subr Officers	OCdt - NCdt	0.0%	0.0%
NCM	CWO - CPO1	2.1%	0.5%
	MWO - CPO2	2.6%	2.7%
	WO - PO1	4.2%	3.3%
	Pte - AB	0.5%	0.0%
		(n=190)	(n=183)

2. How long have you been a member of the Canadian Forces?



	2001	2002
0-4	3.2%	2.7%
5-9	18.5%	18.0%
10-14	31.7%	25.1%
15-19	19.6%	24.0%
20-24	11.6%	13.7%
25-29	9.5%	8.7%
30-34	4.2%	7.1%
35+	1.6%	0.5%
	(n=189)	(n=183)

3. How old are you?



	2001	2002
18-22	2.1%	0.0%
23-27	17.4%	16.4%
28-32	24.2%	19.7%
33-37	19.5%	20.2%
38-42	17.4%	19.1%
43-47	11.1%	15.8%
48-52	7.9%	6.0%
53+	0.5%	2.7%
	(n=190)	(n=183)

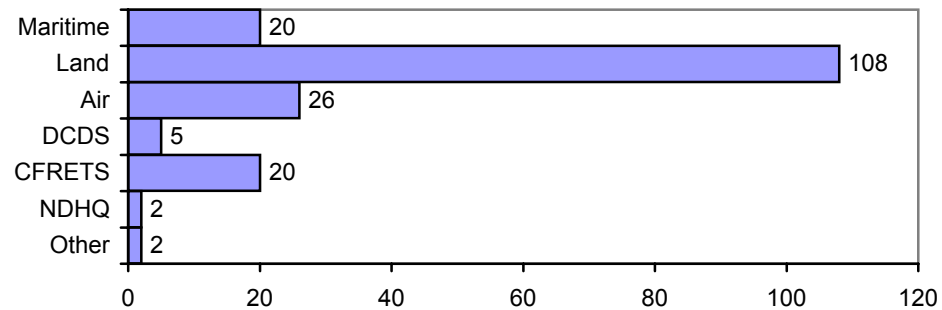
4. Are you:

	2001	2002
Male	88.4%	93.4%
Female	11.6%	6.6%
	<i>(n=190)</i>	<i>(n=183)</i>

5. What is your first official language?

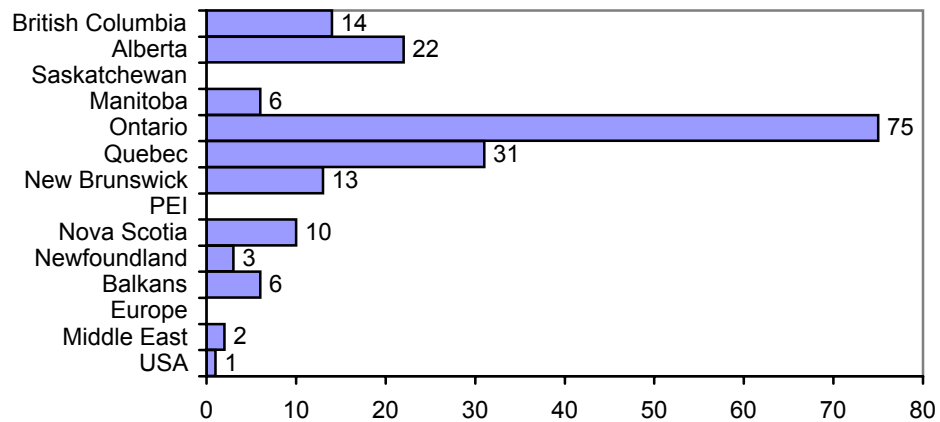
	2001	2002
English	68.9%	74.9%
French	31.1%	25.1%
	<i>(n=190)</i>	<i>(n=183)</i>

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



	2001	2002
Maritime	17.4%	10.9%
Land	49.5%	59.0%
Air	13.7%	14.2%
DCDS (Deployed Operations)	1.6%	0.0%
CFRETS (Training)	13.2%	0.0%
NDHQ	1.6%	1.1%
Other	3.2%	1.1%
	<i>(n=190)</i>	<i>(n=183)</i>

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



	2001	2002
British Columbia	15.8%	7.7%
Alberta	7.9%	12.0%
Saskatchewan	1.1%	0.0%
Manitoba	2.1%	3.3%
Ontario	34.2%	41.0%
Quebec	21.1%	16.9%
New Brunswick	6.8%	7.1%
PEI	0.5%	0.0%
Nova Scotia	6.3%	5.5%
Newfoundland	1.1%	1.6%
Balkans	1.6%	3.3%
Europe	1.6%	0.0%
Middle East	0.0%	1.1%
USA	0.0%	0.5%
	(n=190)	(n=183)

Section 2: Process

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?

	2001	2002
Yes	95.3%	97.3% >>> Go to Question
No	4.2%	2.2%
No Response	0.5%	0.5%
	(n=191)	(n=184)

1.a) **If you answered "no" to Question 1, please explain.**

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

- The incident took place in Pristina, Kosovo. The mbr did not receive access to the MP report filed by the Greek Army (First MP on the scene.)
- The Divisional Officer attempted to introduce material from a previous incident, the Presiding Officer stopped this immediately
- This question is poorly worded. Yes the accused received all information required. No, this did not show that the accused did not commit the offence. It led the accused to plead guilty!
- L'accuse avast commis l'offense.

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

	<u>2001</u>	<u>2002</u>	
Yes	70.7%	72.8%	
No	27.7%	26.6%	>>> Go to Question
No Response	1.6%	0.5%	
	<i>(n=191)</i>	<i>(n=184)</i>	

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

	<u>2001</u>	<u>2002</u>	
Yes	97.8%	93.3%	>>> Go to Question
No	1.5%	2.2%	
No Response	0.7%	4.5%	
	<i>(n=135)</i>	<i>(n=134)</i>	

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

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

- J'ai fourni le livret pertinent sur l'élection de la cour martiale à l'officier assistant et lui ai expliqué en détail les différences entre le procès par voie sommaire et la cour martiale. L'officier assistant a transmis cette information à l'accusé, qui m'a confirmé avoir compris les différences et être certain de son choix lorsque le moment d'élire une cour martiale lui a été offert.
- Member was charged with a Drug Offence which required automatic elevation to Court Martial

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

	2001	2002	
Yes	71.7%	91.8%	>>>> Go to Question
No	2.1%	5.2%	
No Response	26.2%	3.0%	
	(n=191)	(n=134)	

2.d) **If you answered "no" to Question 2.c, 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.]

- The charge when laid was done hastily with the trial planned to happen within 24hours. The event for which the member being charged had occurred some 2 months prior. The accused under my suggestion asked for extra time to prepare their case. This was denied by the Presiding Officer. The Presiding Officer under my protest did contact a JAG reference their decision and the JAG told the presiding officer that it was normal to allow extra time if requested, but not mandatory. The presiding Officer still chose not to offer extra time.
- The accused was offered the right to consult a lawyer, but chose to not contact one
- Personne ne savait qu'il avait le droit de consulter un avocat. L'officier désigné était a fait de son mieux pour lui fournir tout les renseignements dont il aurait besoin pour prendre une décision.
- Mbr could not reach the JAG in theatre, he was deployed on the border between Serbia and Kosovo.
- He was only given from 1530 hrs until the next day at 1530 hrs. He was not councelled that he could have time off to consult a civilian lawyer. That hardly seems enough time to consider the situation then decide to meet with a lawyer then make an appointment and meet with a lawyer. In addition it is likely that a civillian lawyer would want to bring himself up to date with military law so that he/she could give informed advice to the accused.
- The Delegated Officer insisted on following his timetable, which left little time for preparation, and insufficient time for a lawyer to travel to the accused's location (this happened in Bosnia). I tried reasoning with the Delegated Officer, but he was under intense pressure from Task Force Headquarters, including being given the penalty to be awarded!

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

	2001	2002	
Yes	24.6%	39.6%	
No	49.7%	53.7%	>>> Go to Question
Don't Know		4.5%	>>> Go to Question
No Response	25.7%	2.2%	
	(n=191)	(n=134)	

2.f) **If you answered "yes" to Question 2.e, was a military or civilian lawyer consulted?**

	2001	2002
Military	85.1%	84.9%
Civilian	8.5%	13.2%
Don't Know		0.0%
No Response	6.4%	1.9%
	(n=47)	(n=53)

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

	2001	2002	
Yes	77.5%	84.2%	>>> Go to Question
No	22.5%	15.2%	
No Response	0.0%	0.5%	
	(n=191)	(n=184)	

3.a) **If you answered "no" to Question 3, why not?**

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

- Not sure of the Question. What is a review of the outcome?
- Do not understand question. What is a review of outcome?
- L'accusé reconnaissait ses torts et voulait simplement en finir au plus court. Donc un verdict de culpabilité était acceptable pour lui.
- L'accusé avait identifié être tout-à-fait satisfait de la décision, qu'elle était juste et impartiale.
- Je ne le savais pas
- AWOL Charge
- the sentence was fair and he was more than pleased with the outcome, so there was no need, however I suppose I should have told him regardless.

- The accused pled guilty, however, I did inform him that the severity of the sentence could be put forward for review if he felt it were too severe.

- Dans le petit circulaire que j'ai reçu (quelques pages) et basé sur l'expérience des autres, personnes ne pouvaient dire s'il avait le droit ou pas de demander une révision. L'accusé semblait le savoir (par expérience...)

- The charge was minor in nature and the member was releasing from the CF upon return to his home unit from QL3
- Didn't know that this was an option
- l'accusé a déclaré coupable
- I was unaware that this option was available for summary trial. Also, the accused did not object to the sentence, and was not interested in pursuing the subject any further.
- unaware
- Didn't know this was available; pleaded guilty
- Did not meet the criteria to be offered a court martial.
- The accused pled guilty to all charges against him. After the verdict was given, he indicated that he was pleased with the results which he thought would have been much worse. In view of these comments, I didn't believe necessary to inform the member of his right to have the process reviewed.

- Because I did not know that it was a possibility.
- Il avait déjà un avocat pour sa cause et le choix du procès par voie sommaire lui était pas offert.
- No idea that was possible...
- Didn't know. However, this was case of repeated AWL, and it would have mattered.
- There was no obscurity or questions about the incident that was tried. Artillery charge error was fired.
- I did not know that this was a right.
- I'm not sure what you mean by the question. If you mean that the accused could redress or appeal the outcome, yes the accused was aware. However, in all cases that I was involved in the accused either pleaded guilty to the particulars or did not question the results.
- Was not aware of this option. I probably would have been if the accused would have denied the accusations, but he wanted to plead guilty from the start.
- The results of the trial were favourable to the accused.

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

	2001	2002	
Yes	1.0%	1.6%	
No	97.9%	98.4%	>>> Go to Question
No Response	1.0%	0.0%	
	<i>(n=191)</i>	<i>(n=184)</i>	

4.a) **If you answered "yes" to Question 4, was the request granted?**

	2001	2002
Yes	50.0%	66.7%
No	50.0%	33.3%
No Response	0.0%	0.0%
	(n=2)	(n=3)

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

	2001	2002
Yes	92.7%	94.0%
No	2.6%	5.4%
No Response	4.7%	0.5%
	(n=191)	(n=184)

6. **Was the Accused found guilty?**

	2001	2002
Yes	87.4%	91.8%
No	7.3%	7.1% >>> Go to Question
No Response	5.2%	1.1%
	(n=191)	(n=184)

6.a) **If you answered "yes" to Question 6, did you help the Accused present argument or evidence in mitigation (factors relevant to reducing the severity of the sentence or punishment)?**

	2001	2002
Yes		87.0% >>> Go to Question
No		4.7%
N/A (no argument or evidence presented)		4.1% >>> Go to Question
No Response		4.1%
		(n=169)

6.b) **If you answered "no" to Question 6.a, why not?**

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

- L'accusé a choisi de ne pas présenter une telle argumentation.
- J'ai essayé ma le CO m'a fait comprendre de me taire. Seulement répondre à ses questions comme: Quel est son salaire, as-t-il des dépenses extraordinaire, etc.
- The accused chose to plead guilty. He also chose to answer all questions, and to accept the evidence as presented.
- The accused decided to present argument or evidence on his own and did not require that I do it on his behalf.
- The presiding officer found the accused guilty and sentenced him in the same breath. I did have the opportunity to address the issue with the

presiding officer and the accused after the summary trial. The accused was told that he was given the minimum sentence given the circumstances so the sentence was not prejudiced by bypassing the opportunity to mitigate the sentence.

- This questionnaire does not allow for reasonable follow up questions when the plea is guilty!
- Because I was posted from the unit before the trial and another assisting officer took over.
- L'accuse (et coupable) etait parfaitement conscient de son erreur et a accepte la sentence.
- Accused was a Capt, and was fully prepared to and requested to represent himself.

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

	2001	2002
Yes	48.7%	40.8%
No	40.3%	44.6%
Don't know	10.5%	14.7%
No Response	0.5%	0.0%
	<i>(n=191)</i>	<i>(n=184)</i>

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

	2001	2002
Presiding Officer Certification Training		35.3%
Unit Discipline Training		25.0%
Guide for Accused & Assisting Officer		78.8%
None of the Above		10.3%
No Response		0.0%
		<i>(n=184)</i>

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

	2001	2002
Yes	92.1%	89.7%
No	0.5%	2.7%
Don't know	6.3%	5.4%
No Response	1.0%	2.2%
	<i>(n=191)</i>	<i>(n=184)</i>

10. **What type of training would you recommend as helpful in performing your functions as Assisting Officer?**

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

- Officers should continue to receive "role playing" type training explaining all the steps in a Summary Trial.
- The Guide for assisting officers was very useful. In addition, while I have not received any training, I did have access to the Presiding Officer Certification Training available on local computers. Access to this information was instrumental in the understanding of the process and my duties.
- Certification d'officier président, Excellente connaissance des ORFC. (OPDP4)
- This response augments question 8 as well as question 10. The unit CWO had assembled an aide memoire which was helpful. In it, was noted the absolute must do's, and the responsibilities of the Assisting O. It also carried key documents for the perusal of the accused.
- s.o.
- Current trg is sufficient.
- The main problem I see with the Summary Trial process is that it is not well understood by the Presiding Officers in my experience. I have been an assisting officer on some 20+ occasions in my career and I take this responsibility seriously. Most presiding officers do not and the summary trial system is so loose (with respect to conduct) that the accused is unaware if they are having a fair trial. The summary trial is designed to allow for the quick handling of some cases, but I do not agree with the summary trial having lower punishment levels than a Court Martial. By doing this dual level it seems to indicate to the accused that the Court Martial is risky to the accused. The Canadian Forces requires more training of the presiding officers and the assisting officers, and all soldiers should be taught the military justice system at all levels of training (to include mock trials).
- Refresher Training for Presiding Officers as given initially, would serve to re-educate all involved in the Summary trial process; still a fairly rare event in the Air Force.
- Military Law knowledge and practical experience.
- Knowledge of Military Law and practical experience.
- Peut-être modifier le cours d'officier président afin de former les officiers subalternes dès leurs entrées dans les Fc..
- Rien de plus que l'on reçoit lors de notre formation de branche.
- A course based on the "Guide for Accused & Assisting Officer". A computer course would be sufficient so long as the individual had to review the entire guide.
- A one day course on being an Assisting Officer would be good. Duties of an Assisting Officer are covered during the Militia Officer staff Course (MOSC) for the Reserves, however there is little opportunity in the Reg Force to be formally exposed to it. As with anything however, the more you are

an Assisting Officer, the better you get at it. This becomes a double edged sword.

- The training is good, but officers need to receive it before being put into such a position. I learned a lot about the real procedures through studying PEMPO - Military Law, but I wrote this test 8 months after the trial.
- Les cours de bases devraient avoir une journée de formation. Cette journée pourrait être sous forme d'un atelier mi-théorique, mi-pratique, avec des mises en situations.
- Un cours serait bienvenu pour expliquer les limites permises à l'officier désigné pour défendre l'accusé.
- Un cours de base d'une journée ou 2 comme lieutenant expliquant les procédures, le déroulement d'un procès sommaire et la séquence des événements à laquelle on devrait s'attendre. Il serait aussi utile que la procédure soit standardisée entre les diffère
- Actual training, rather than being handed the Assisting Officer's Guide!
- Presiding Officer Certification
- A course similar to the Presiding Officer's course with examples of common offences tried by Summary Trial (i.e., AWOL
- Une formation et un accès plus "user-friendly" par intranet.
- After careful review of QRand O108, I quickly realized that the procedure at RMC are severely flawed. The investigation was presented at trial, the accused was questioned in the investigation and mitigating circumstances were not considered in the sentence. Also, the punishment was far in excess of what the norms were for RMC (sect 90 and 97). The summary trial that I was a part of could be characterised as a gong show. This institution needs to be investigated and fast.
- All items listed in Question 8. As this Summary Trial occurred in a theatre of operations outside of Canada, having this training would have been of great assistance vice actively looking for reference material (such as Guide for Accused & Assisting Officer). The JAG advice line, unfortunately, did not provide much assistance while in theatre.
- I have been assisting officer in 3 cases. 1 was a charge to be tried by courts martial outside of country, and the other two were instances where the accused did not have the right to elect trial by courts martial due to the charge specified. In learning
- Training similar to the Presiding Officer Certification Training should be offered (on a lesser scale) to individuals who may be called upon to act as Asst Officers (and other roles) as part of unit training annually (I may have been lucky to get this training at my previous unit in the Army . . . I'm not certain if all Commands are offering such training).
- just experience is all.

- I could not access some of the recommended links on the Intranet. If this is advertised as being available, then the sites should be up to date.
- 1. Presiding Officer famil
- I feel that the Presiding Officer's Course and the attendant manual were an excellent preparation for being an assisting officer.
- Reading the guide was very useful as a check list. I've had the Presiding Officer's course but don't feel it is required for an Assisting Officer.

- Role-playing for junior officers at unit-level.
- Basic presiding officer training for all officers. There are details that I wanted to know that I did not have access to or knowledge of.
- la formation actuelle de base est très bonne
- A one hour brief by the CO to his Assiting Officers explaining their duties, new changes to STs and providing them with an Assiting Officer's guide should be more than sufficient.
- Accès à un guide local disponible à l'Unité.
- Un guide détaillé mais aussi et surtout un séminaire ou cours formelle sur les façons d'agir et de représenter un accusé, où trouver l'information, etc...

- 1/2 day crse on what the duties and responsibilities of an Assisting Officer are. This should be included in Officer training. I have recently completed the Presiding Officer training and during the crse the AJAG stated that Assisting Officers should not give info regarding the accused as per your question 6a. he stated that this would make me a witness. Clarification should be made on this issue as the vast majority (probably all of us) have done this in the past. ie - talk about his character/pay/performance etc.

- Any training which would assist the accused in getting every resourse available in the preparation of his/her trial. Majority of publications regarding summary trials out of date.
- Briefing or trg by the JAG branch on the related duties.
- Formal Unit trg and not OJT as is the case at times.
- A clear understanding of the MJ system is vital. I was very fortunate to have superiors that took the time to ensure the process was followed correctly and guide me throughout the process. I was employed in a school environment and had recently been commissioned. I was an AO twice within 6 weeks and can confidently state that I did the job to the best of my ability.

- Specific training for junior officers and senior NCOs on the summary trial procedure. Similar in scope to the Presiding Officers course currently available but much shorter. The Guide for Accused & Assisting Officer could be the basis of this training.
- Presiding Officer Certification Training

- One day course explaining duties and responsibilities, resources available for advice, and the rights of the accused. Perhaps staging scenarios to highlight common mistakes and misconceptions.
- For a minor case, such as this one, the publication "Guide for Accused..." was sufficient.
- Training requirements are minimal except that it would be useful to observe a summary trial at least once before having to act as an assisting officer.

- A short day long course with the JAG personnel or military lawyer to go over the basics of the Summary Trial/Courts Martial process including the roles of the Assisting Officer. This does not have to be very detailed but I found that leading up to the first Summary Trial that I was involved in, I spent a fair amount of time digging up the required information that the Assisting Officer needs to properly advise the accused member.

- Unit Discipline Trg
Guide for Accused & Assisting Officer
- Presiding Officer Certification, is the best Assisting Officer training that the CF currently has available.
- Presiding Officer's course was most helpful to me. It gave me a better idea of the big picture which helped me to act as an assisting officer.

- Presiding Officer Training
- Chaque officier devrait avoir, tôt dans sa carrière, l'occasion de suivre le cours de deux jours pour Officier Président. Ceci aide à comprendre la totalité du processus et d'être en mesure d'informer et de mieux assister notre personnel.
- An Assisting Officer course should be run the same as the Presiding officer course.
- Presiding Officer Course and access to the Assisting Officer Guide was sufficient.
- Experience and the resources ticked in question 8, they were invaluable and clear as to the responsibilities of an assisting officer.
- How about assisting officer trg.
- Be prepared for the Summary trial and have available all necessary information/documentation on the accused. Review accused Pers File and Pay records, if available, there should be no surprises and finally, review the Guide. That is why you were given it.
- Guide for Accused & Assisting Officer
- Use the guide and always speak to your Sqn CWO!
- Guide was good.
- OPDP 4 - Military Law (OPME ?)
- For it to be taught at the 6A level

- All supervisors, maybe when on phase trg, should take a day to briefly learn the purpose and procedure of summary trials (and/or courts martial). They should receive necessary paperwork and reading material, so they can be ready for such an occasion and/or give it to other asst off under their supervision.
- Formal classroom training should be built into RMC schedule regarding this.
- aucune
- A short course to prepare for Assisting Officer's duties. Focus on preparation, sources of information, potential problems, the process, etc. This should take NO longer than 1, maybe 2 days.
- To see a couple of summary trial in action and to become familiar with the appropriate CFAOs. Very simple
- Found the Presiding Officer course of great assistance. Was also able to share the documentation with the accused.
- The Presiding Officer Certification Training package is good, although this could be enhanced through the use of several playlets, with data taken from existing cases. However, given the pre-ordained outcome of this 'trial', why bother?
- Inclusion of appropriate role playing and scenarios during Phase training for each Officer MOC
- Access to the Guide for Assisting Officer. I used a book from the presiding officers training.
- Presiding Officer Certification Trg
- C'est d'avoir probablement une revision du guide à l'intention des accusé(e)s et des officiers désignés à toute les deux ans, ceci serait pour nous tenir au courant de tout changement s'il y lieu.
- D'après mon experience, la credibilite de l'officier au sein de l'unite et le temps dans le rang sont les facteurs les plus determinants (Il est difficile pour un officier president d'ignorer l'opinion d'un confrere avec autant d'annee que lui et qui peut citer des exemples de "jurisprudence"). Il est rare qu'un individu soit reconnu non-coupable car la preuve est generalement nquestionnable. Le vrai defi de l'officier designe est de reduire la peine au minimum acceptable pour tous. La procedure en soit est tres claire et la documentation adequate.
- None, just knowing where to look
- My previous Presiding Officer Certification training was valuable, as was the previous advice of verious unit Adjutants/mentors earlier in my career.

- A scaled down version of the Presiding Officer Certification Training, perhaps two/three hours at max.
- A shorter crse along the lines of the presiding officer trg perhaps in form of CD ROM. I have the advantage of being a CFR with 11yrs in rank. Many Jr officers fail to grasp how important being a assisting O is. Nor do they fully understand the Summary Trial system. A little more formal trg would go a long way.

- Have more intensive in-unit discipline training; the guide for accused and assisting officer was very informative and helpful in preparing myself for assisting the member
- Better publish a 1-800 phone number for the accused/Assisting Officer to get advice/representation and have it manned more effectively. An answering machine with return call is not sufficient for members on training courses.

- The guide was all I needed as I also knew that I could contact the AJAG if necessary.
- Presiding Officer Course
- Note: This survey only allows for one scenario. I have assisted numerous times with different results. Procedures were followed. Please amend this.

- Unit trg and a checklist/book. NOTE. The accused was found guilty of one charge and cleared of a second charge.
- Since the new procedures give the accused the expectation that their assisting officer will take an active part in their defence, Assisting Officers are expected/forced to become barrack room lawyers, for which we are unqualified. Also, since there is no place for comment on this survey, I will say here that there are too many opportunities for individuals to select court martial when the likely punishments don't merit that choice. I had one person who wanted court martial because she wanted to play her case out in the media, or was hoping that they would drop the case. I don't know if she was ever tried. (fraternization in Bosnia)

- Formal Course outline what you can or can't do
- legal
- Un vidéo ou CD ROM expliquant les tâches d'un officier désigné avec exemple en appui.
- Unit Disciplinary Training was very useful and is sufficient to efficiently perform the duties of Assisting Officer for a simple case like the one I had.

- Knowledge of the procedures that one needs to go through. I did not feel that I was of much help because it was my first time as an assisting officer, and I lacked any experience or relevant knowledge to be helpful.

- Acting as an assistant to an assisting Officer once combined to the reading of the manual
- Reading the manual is the most important thing. Possibly a briefing or short course.
- Get the admin wogs to do this. I am too busy to do this assisting officer stuff.
- Unit Discipline Training

- Presiding Officers Course.
Reinstatement of Code of College Conduct at RMC enabling OCdts to be summarily tried, defend, prosecute and preside over minor infractions of discipline(haircut, missed curfew, ungentlepersonly conduct) at Military College thereby enabling an experienced understanding of the Military Justice system through experience without having minor infractions formally recorded on the OCdts permanent record..while at the same time having consequences(extra PT.(improving Fitness) extra drill(improving discipline), write a staff paper...etc...Community service(volunteerism)....
- Current training is sufficient
- presiding officers course current updates(canforgens)from AJAG
- Unit Discipline Training & Presiding officer certification training. The latter really provided me with an opportunity to understand the entire process, the rights of the accused and the factors that assist the presiding officer in determining the findings (and sentence) of the accused.
- QR&Os
- Presiding Officer Training
- Presiding Officer Course
- J'ai tenté d'obtenir un guide par le web mais n'y ait pas eu accès. Ce guide devrait être disponible dans chaque unité, de même que le guide qui explique la différence entre un procès par voie sommaire et une cour martiale.
- Experience in the CF and the rules and regulations that govern us. There is nothing worse than seeing someone assisting another person through the Military Justice process that does not have the breadth of experience and knowledge to properly assist and guide the member.
- Checklist or flowchart of necessary activities. Specific assisting officer training
- C'est OK
- ...5 day 'Assisting Officer' crse
- As per paragraph 8 above, as well as attending a summary trial and court martial where possible.
- Presiding Officer Certificaiton Training. I have been trying to get this course but have not bee able to.
- Unit Assisting officers must be qualified/trained prior to an event. Training for the inexperienced should be in association with a qualified AO. They should be a team until Qualified, for best results.
- At the unit level, Executive Officers should/can give a JAG prepared lesson plan on their role and responsibilities as Assisting Officers. A centrally produced brief will ensure commonality and accuracy of direction.
- Video sur exemples de proces par voie sommaire. Carte aide memoire sur les etapes a suivre lorsque designe.
- All three current courses as a 8 are of value.

- Intro to Mil Law MSPE.
 - Any jr officer who takes on a troop of soldiers during their first posting should receive formal training on the role of the assisting officer as well as that of the investigating officer. The Manual of Military Law: Vol 1 Military Justice at the summary trial level, Chapters 5, 8 and 9 should be mandatory training upon being placed in charge of soldiers.
 - Militia Officer Staff Course was helpful. No other training is required.
 - Aucone en particulier. Lire les documents relies au sujet savere suffisant.
 - A course held away from the base. A course would prevent presiding officers from imposing their twist on how a trial should take place.
 - Further lecture or info sessions on assisting an accused may be beneficial.
 - The guide for Assisting Officers is good, however, it should be reviewed with a Presiding Officer (qualified) to ensure the Asst. Officer understands their responsibilities/limitations.
 - A mandatory in unit course for all officers by an AJAG once a year would be perfect.
 - Aide Memoire (current)
 - Presiding Offr. Cert Trg for all
 - Have an assisting training course similar to the Presiding Officer course.
 - The guide should contain a more detailed explanation on the proceedings with possibly some scenarios. The accused was very stressed prior to the trial due to the unknown, and I was lacking the experience to reassure him!
-
- Je crois que pour remplir adequatement les fonctions d'un officier designe, il faut avoir un minimum d'experience au sein dur service (environ 1 an). Ensuite, la lecture du "guide a l'intention des accuses et officiers designes" est clair, MAIS devrait venir avec une mise en situation "walk through" de la part du Capt Adjt OU SMR pour que l'officier designe (pourquoi c'est le premier proces semmaire au quel il participe entant qu off designe) sache exactement a quoi s'attendre comme deroulement. Ex: ou il sera place, qui entre quand, est-il debout, assis ... Ce sont les petit details qui peuvent paraitre insignifiants, mais on n'a pas de surprise et l'un sait a quoi s'attendre.
-
- I believe that the Military Justice briefings we have received and the Assisting Officer's Handbook were sufficient to fulfil my responsibilities.
 - The Guide is effective in laying out what needs to be done. Other formal trg may be valuable but the Guide is sufficient in my opinion. It is important to be able to contact a military lawyer if required.
 - I read the book "Military Justice at the Summary Trial Level" which detailed everything that I needed. It was an excellent aid.
 - For Junior Officers it should be part of their basic army training. Nothing more than being an Assisting Officer for first time with no exposure. You are not doing the accused any favours.

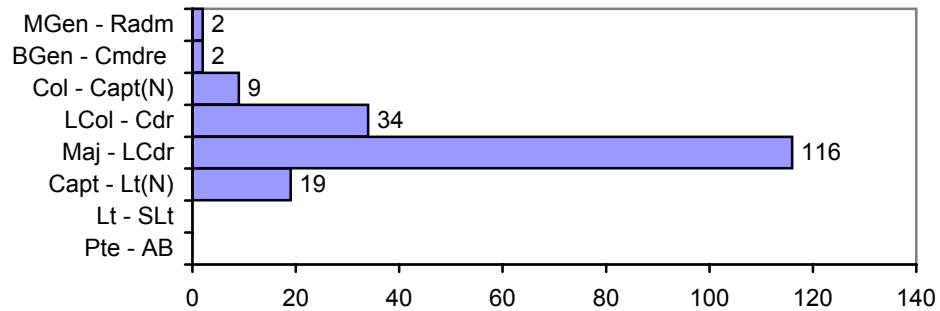
- Presiding Officer's course and course manual were very useful in preparing for and acting as Assisting Officer.
- Complete the Presiding Officer course plus retain a manual before Assisting with your first trial. Actually performing mock trials at some point in basic or phase training would also be very helpful. It would also be helpful if there was a standard trial format to follow that accompanied the training.
- The guides and back ground information for the assisting officer were sufficient to ensure I was prepared for the trial. However, I have also been an assisting officer at other trials prior to 1999. I was also the presiding officer at college summary trials while a cadet at Royal Roads Military College. I found that conducting summary trials while I was a cadet (for college related offences that would not be tried as DND offences) gave me the experience and confidence to ensure the accused I assisted were tried fairly. All of the accused that I assisted have received a much lighter punishment than they expected or were let off due to insufficient evidence.
- un vidéo sur des exemples types de procès par voie sommaire, ainsi qu'une carte aide-mémoire sur les .tapes à suivre lorsque désigné !

Presiding Officer

Number of Respondents	Mail	On-Line	Total	% Mail	% On-Line
2002	40	143	183	21.9%	78.1%
2001	31	220	251	12.4%	87.6%

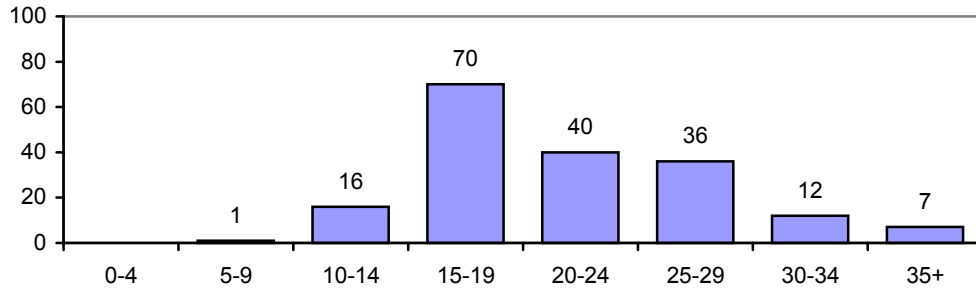
Section 1: Profile

1. What is your present rank?



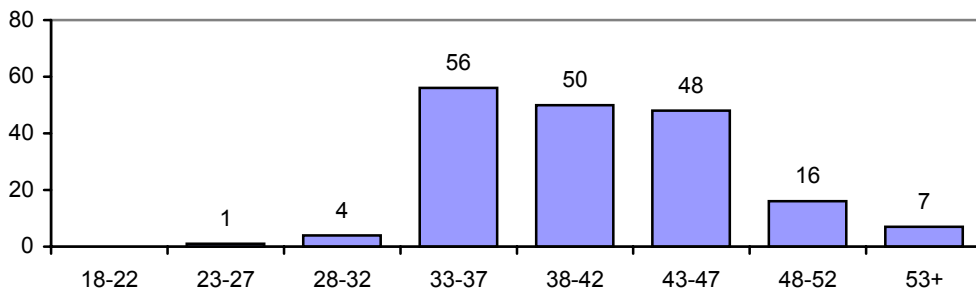
		<u>2001</u>	<u>2002</u>
Gen'l/Flag Officers	MGen - Radm	0.0%	1.1%
	BGen - Cmdre	0.4%	1.1%
Sr Officers	Col - Capt(N)	0.0%	4.9%
	LCol - Cdr	19.8%	18.7%
	Maj - LCdr	61.3%	63.7%
Jr Officers	Capt - Lt(N)	17.3%	10.4%
	Lt - SLt	0.8%	0.0%
NCM	Pte - AB	0.4%	0.0%
		<i>(n=248)</i>	<i>(n=182)</i>

2. How long have you been a member of the Canadian Forces?



	2001	2002
0-4	0.8%	0.0%
5-9	0.8%	0.5%
10-14	12.1%	8.8%
15-19	32.3%	38.5%
20-24	31.0%	22.0%
25-29	14.9%	19.8%
30-34	6.5%	6.6%
35+	1.6%	3.8%
	(n=248)	(n=182)

3. How old are you?



	2001	2002
18-22	0.4%	0.0%
23-27	1.2%	0.5%
28-32	6.9%	2.2%
33-37	25.4%	30.8%
38-42	36.3%	27.5%
43-47	17.3%	26.4%
48-52	9.7%	8.8%
53+	2.8%	3.8%
	(n=248)	(n=182)

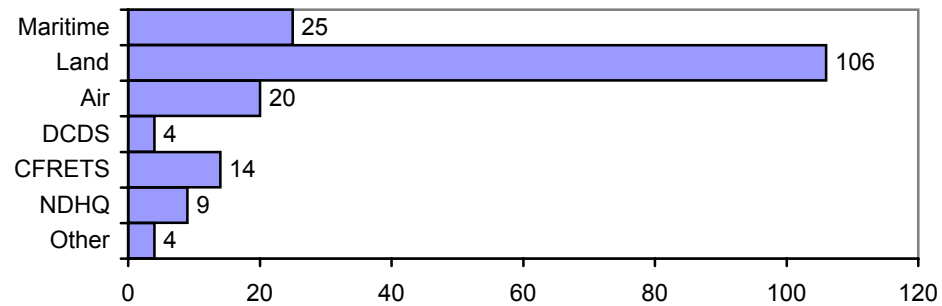
4. Are you:

	2001	2002
Male	96.8%	95.1%
Female	3.2%	4.9%
	(n=248)	(n=182)

5. What is your first official language?

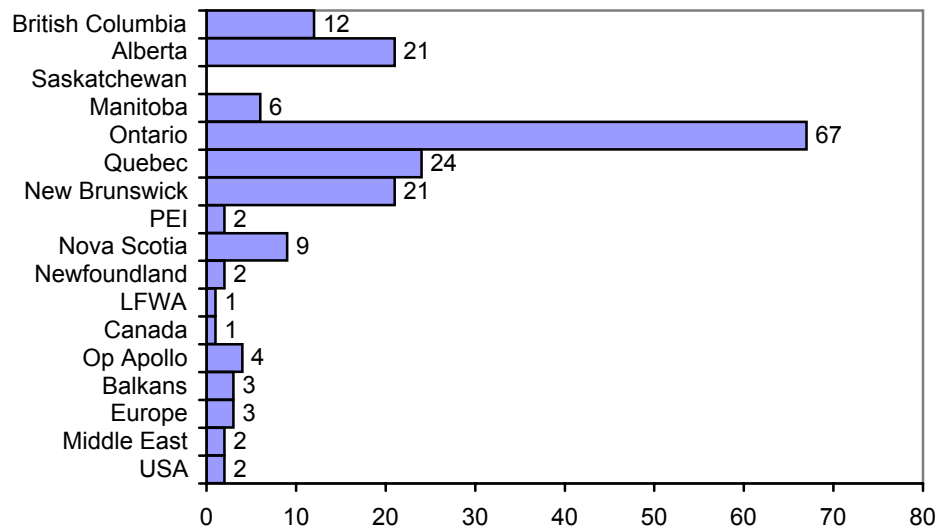
	2001	2002
English	75.3%	79.7%
French	24.7%	20.3%
	(n=247)	(n=182)

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



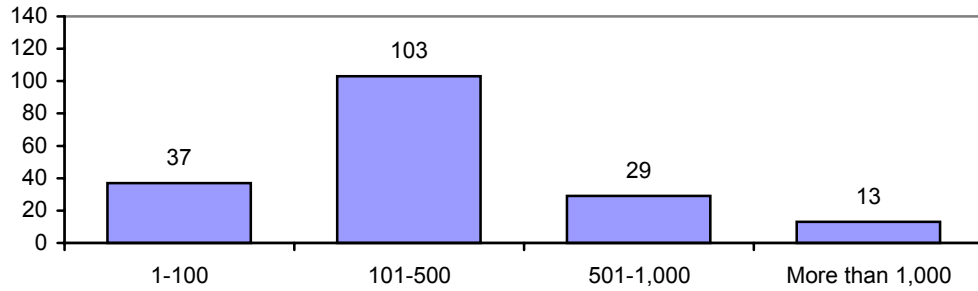
	2001	2002
Maritime	14.1%	13.7%
Land	54.0%	58.2%
Air	9.7%	11.0%
DCDS (Deployed Operations)	2.0%	2.2%
CFRETS (Training)	10.9%	7.7%
NDHQ	2.4%	4.9%
Other	6.9%	2.2%
	(n=248)	(n=182)

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



	2001	2002
British Columbia	7.3%	6.7%
Alberta	7.7%	11.7%
Saskatchewan	1.2%	0.0%
Manitoba	2.8%	3.3%
Ontario	38.3%	37.2%
Quebec	18.5%	13.3%
New Brunswick	8.5%	11.7%
PEI	0.4%	1.1%
Nova Scotia	8.9%	5.0%
Newfoundland	1.6%	1.1%
LFWA	0.4%	0.6%
Canada		0.6%
Op Apollo		2.2%
Balkans	2.4%	1.7%
Europe	0.4%	1.7%
Middle East	0.8%	1.1%
USA	0.8%	1.1%
	(n=248)	(n=180)

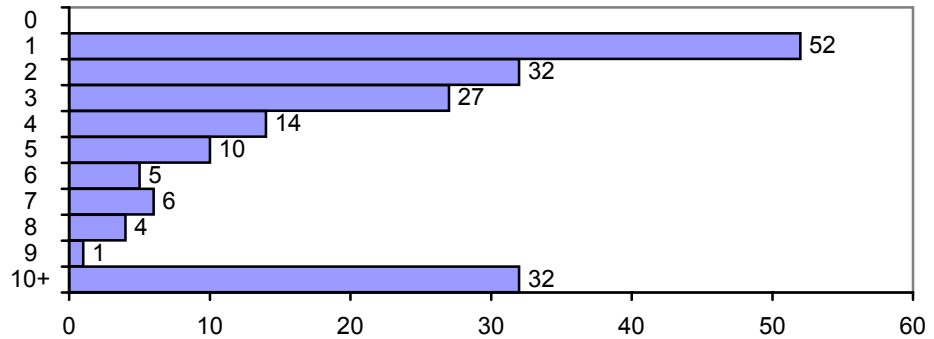
8. What is the size of the unit you are working in?



	2001	2002
1-100	21.1%	20.3%
101-500	56.9%	56.6%
501-1,000	15.9%	15.9%
More than 1,000	6.1%	7.1%
	(n=246)	(n=182)

Section 2: Process

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



<u># of Summary Trials</u>	<u>2001</u>	<u>2002</u>
0	4.4%	0.0%
1	36.7%	28.4%
2	18.1%	17.5%
3	13.3%	14.8%
4	7.3%	7.7%
5	5.6%	5.5%
6	3.2%	2.7%
7	2.0%	3.3%
8	2.4%	2.2%
9	0.4%	0.5%
10+	6.5%	17.5%
	(n=248)	(n=183)

2. **Have you been certified by the Judge Advocate General as qualified to perform your duties as a presiding officer? (Presiding Officer Certification Training)**

	<u>2001</u>	<u>2002</u>
Yes	98.8%	99.5%
No	0.4%	0.0% >>> Go to Question
No Response	0.8%	0.5%
	(n=250)	(n=183)

- 2.a) **If you answered "yes" to Question 2, when did you complete your Presiding Officer Training?**

	<u>2001</u>	<u>2002</u>
Sep 99 to Mar 00		67.0% >>> Go to Question
Apr 00 to Aug 00		8.2% >>> Go to Question
Sep 00 to Mar 01		12.1% >>> Go to Question
Apr 01 to Aug 01		4.4% >>> Go to Question
Aug 01 to now		6.6% >>> Go to Question
No Response		1.6%
		(n=182)

- 2.b) **If you answered "no" to Question 2, have you been granted a waiver?**

	<u>2001</u>	<u>2002</u>
Yes	0.0%	
No	100.0%	>>> Go to Question
No Response	0.0%	
	(n=1)	(n=0)

- 2.c) **If you answered "yes" to Question 2.b., who granted the waiver?**

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?

	2001	2002
Almost Always	21.6%	94.0%
Sometimes	0.4%	3.8%
Almost Never	0.4%	1.1%
No Response	77.6%	1.1%
	(n=250)	(n=183)

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

	2001	2002
Almost Always		94.0% >>> Go to Question
Sometimes		3.8% >>> Go to Question
Almost Never		1.1%
Yes	88.8%	>>> Go to Question
No	9.2%	
No Response	2.0%	1.1%
	(n=250)	(n=183)

4.a) If you answered "almost never" to Question 4, please explain why not.

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

- As the delegated Officer I heard the case and was not involved in laying of the charges. The Coxn has done the liaison
- The Company Sergeant-Major performed this function on my behalf. He always consulted with the 2 CMBG Legal Advisor in drafting charges.
- Commentaire pour presque tjrs. Les capt-adjt et l'admin en gén désirent vérifier toutes les accusations afin de ne pas se tromper. Ceci devient long à procéder et par le fait même empêche le règlement rapide de la situation
- The decision to lay a charge usually rests with my Company Sergeant Major, who regularly consults with the RSM of DSM, and the Adj, if AJAG assistance is deemed appropriate. I make every effort to restrict my involvement to the hearing of the charge at trial.
- - all charges were minor and straight forward (AWOL)
 - Legal advisor always consulted before charges laid

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

	2001	2002
Almost Always	24.0%	5.5%
Sometimes	15.6%	21.3%
Almost Never	58.8%	71.0%
No Response	1.6%	2.2%
	(n=250)	(n=183)

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

	2001	2002
Almost Always	51.2%	45.4%
Sometimes	27.6%	32.8%
Almost Never	18.0%	20.2%
No Response	3.2%	1.6%
	(n=250)	(n=183)

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

	2001	2002
Almost Always	42.0%	45.4%
Sometimes	41.2%	37.7%
Almost Never	13.6%	15.3%
No Response	3.2%	1.6%
	(n=250)	(n=183)

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

	2001	2002
Almost Always	79.2%	79.2%
Sometimes	9.2%	13.7%
Almost Never	7.6%	6.0%
No Response	4.0%	1.1%
	(n=250)	(n=183)

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

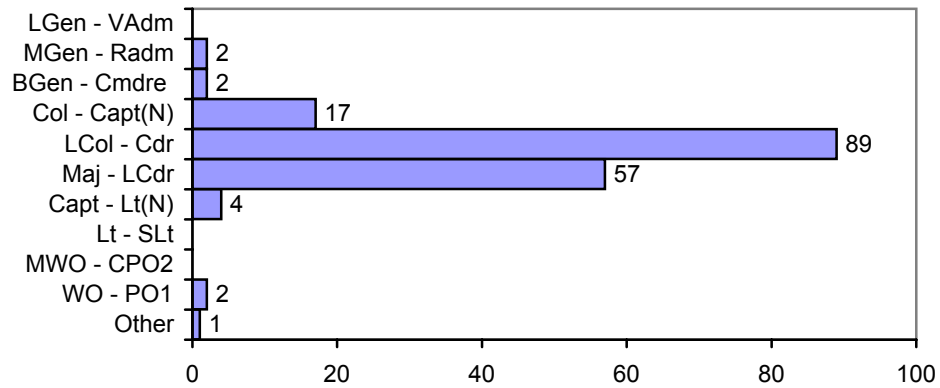
	2001	2002
Almost Always	78.4%	80.9%
Sometimes	14.4%	14.8%
Almost Never	4.0%	3.3%
No Response	3.2%	1.1%
	(n=250)	(n=183)

Commanding Officer

Number of Respondents	Mail	On-Line	Total	% Mail	% On-Line
2002	21	153	174	12.1%	87.9%
2001	27	205	232	11.6%	88.4%

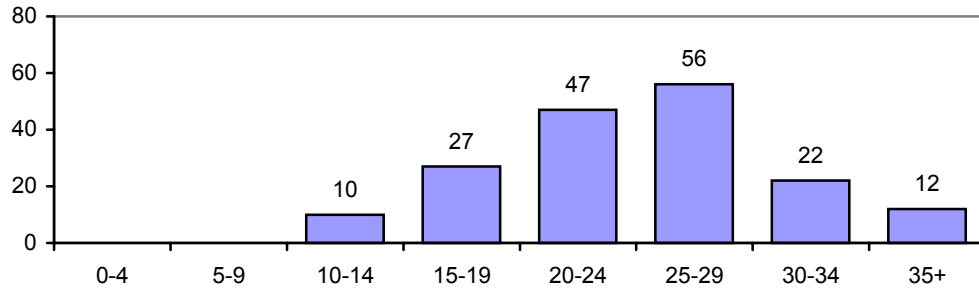
Section 1: Profile

1. What is your present rank?



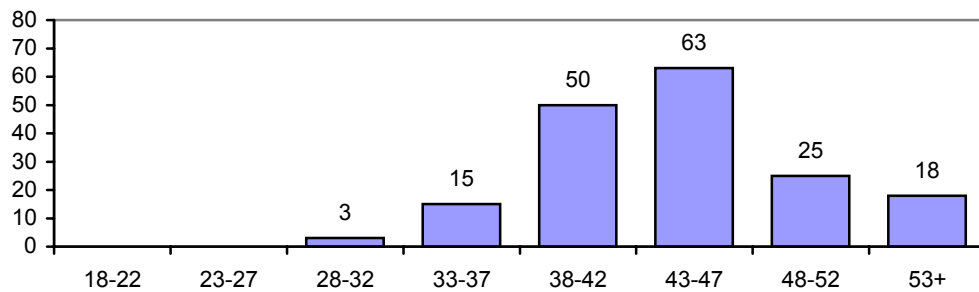
		2001	2002
Gen'l/Flag Officers	LGen - VAdm	0.4%	0.0%
	MGen - Radm	0.4%	1.1%
	BGen - Cmdre	0.0%	1.1%
Sr Officers	Col - Capt(N)	12.1%	9.8%
	LCol - Cdr	52.8%	51.1%
	Maj - LCdr	30.7%	32.8%
Jr Officers	Capt - Lt(N)	2.2%	2.3%
	Lt - SLt	0.4%	0.0%
NCM	MWO - CPO2	0.4%	0.0%
	WO - PO1	0.0%	1.1%
Appointments	Other	0.4%	0.6%
		(n=231)	(n=174)

2. How long have you been a member of the Canadian Forces?



	2001	2002
0-4	0.0%	0.0%
5-9	0.0%	0.0%
10-14	4.8%	5.7%
15-19	11.3%	15.5%
20-24	34.3%	27.0%
25-29	27.0%	32.2%
30-34	16.5%	12.6%
35+	6.1%	6.9%
	(n=230)	(n=174)

3. How old are you?



	2001	2002
18-22	0.0%	0.0%
23-27	0.4%	0.0%
28-32	1.3%	1.7%
33-37	8.7%	8.6%
38-42	28.1%	28.7%
43-47	30.3%	36.2%
48-52	22.5%	14.4%
53+	8.7%	10.3%
	(n=231)	(n=174)

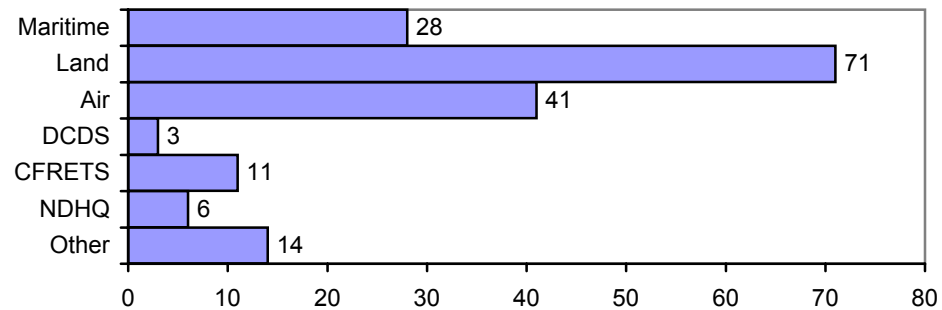
4. Are you:

	2001	2002
Male	93.5%	93.7%
Female	6.5%	6.3%
	(n=231)	(n=174)

5. What is your first official language?

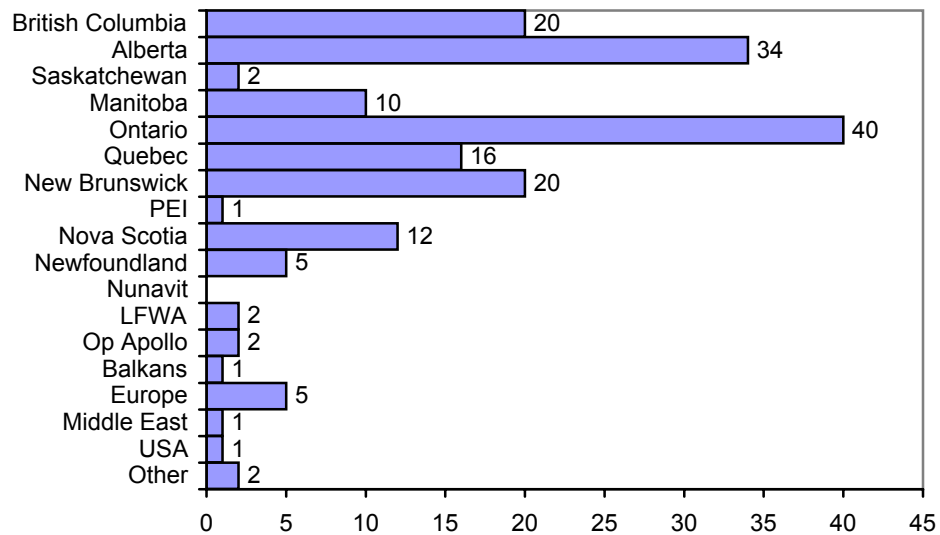
	2001	2002
English	83.6%	83.9%
French	16.5%	16.1%
	(n=231)	(n=174)

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



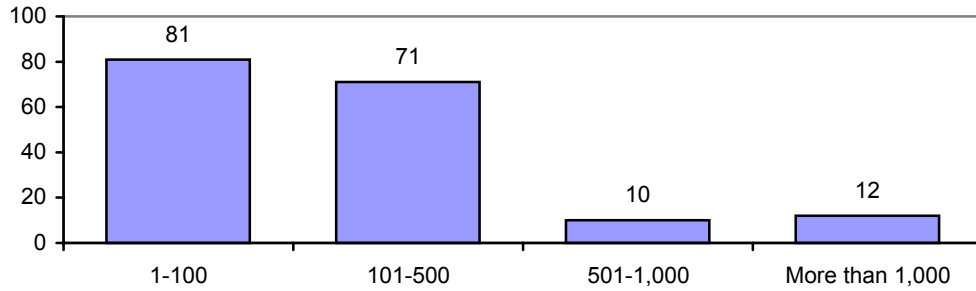
	2001	2002
Maritime	17.7%	16.1%
Land	35.1%	40.8%
Air	21.2%	23.6%
DCDS (Deployed Operations)	2.2%	1.7%
CFRETS (Training)	9.5%	6.3%
NDHQ	3.9%	3.4%
Other	10.4%	8.0%
	(n=231)	(n=174)

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



	2001	2002
British Columbia	13.9%	11.5%
Alberta	4.8%	19.5%
Saskatchewan	0.9%	1.1%
Manitoba	3.5%	5.7%
Ontario	41.6%	23.0%
Quebec	9.1%	9.2%
New Brunswick	4.8%	11.5%
PEI	0.4%	0.6%
Nova Scotia	14.3%	6.9%
Newfoundland	2.2%	2.9%
Nunavit	0.4%	0.0%
LFWA	0.0%	1.1%
Op Apollo		1.1%
Balkans	0.4%	0.6%
Europe	1.7%	2.9%
Middle East	0.9%	0.6%
USA	0.9%	0.6%
Other	0.4%	1.1%
	(n=231)	(n=174)

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



	<u>2001</u>	<u>2002</u>
1-100	37.4%	46.6%
101-500	47.4%	40.8%
501-1,000	10.4%	5.7%
More than 1,000	4.8%	6.9%
	(n=230)	(n=174)

Section 2: Process

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?

	<u>2001</u>	<u>2002</u>
Yes	92.7%	92.5% >>> Go to Questio
No	6.5%	7.5%
No Response	0.9%	
	(n=232)	(n=174)

1.a) If you answered "no" to Question 1, have you been granted a waiver?

	<u>2001</u>	<u>2002</u>
Yes	26.7%	0.0%
No	73.3%	100.0% >>> Go to Questior
No Response		0.0%
	(n=15)	(n=13)

1.b) If you answered "yes" to Question 1.a, who granted the waiver?

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

	2001	2002
Yes	92.7%	79.3%
No	5.6%	0.6%
No charges have been laid at Unit since Sep 99		19.5%
No Response	1.7%	0.6%
	(n=232)	(n=174)

3. **Have you ever approved a Search Warrant?**

	2001	2002
Yes	3.9%	4.0%
No	94.0%	96.0% >>> Go to Questio
No Response	2.2%	0.0%
	(n=232)	(n=174)

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

	2001	2002
Almost Always	66.7%	100.0%
Sometimes	0.0%	0.0%
Almost Never	33.3%	0.0%
No Response		0.0%
	(n=9)	(n=7)

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?**

	2001	2002
Almost Always	80.2%	70.7% >>> Go to Questio
Sometimes	3.0%	4.6% >>> Go to Questio
Almost Never	9.1%	21.8%
No Response	7.8%	2.9%
	(n=232)	(n=174)

4.a) **If you answered "almost never" to Question 4, please explain why not?**

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

- A charge has not been laid in this unit since 1999.
- Have not had a charge to deal with in this HQ.
- no proceedings
- Je n'ai pas eu de cas disciplinaire a mon unite.
- Have not had any Summary Trials since Sep 99
- Aucun procès depuis 99
- see Question 2

- I am Formation Commander for CF members and dependents within Allied Command Europe. I have a number of subordinate COs and I am also the CO for Col/Capt(N) and LCol/Cdr here at SHAPE. I have not, in my 2.5 years in the job had occasion to submit an RDP but have, on two occasions, referred charges to my referral authority (DCDS)

- As the military attache/adviser to Australia responsible for 20 exchange officers the requirement has not yet risen.
- Have not held any Disciplinary Proceedings in my unit.
- Because there have not been any accused during my tenure
- no charges
- No charges laid. See question 2.
- No charges have been laid since I took over this past APS 01.
- Only one occasion while as CO for a 7 month deployed operation. Accused opted for court martial, which took place at his parent unit. Therefore no final disposition reqr from my unit.
- No charges laid
- Non applicable
- Depuis mon arrivée en Juin 01 aucune procédure disciplinaire n'a encore été prise. Je n'ai pas encore reçu la certification écrite du JAG.

- I commanded the Canadian Contingent on OP JADE in the Middle East. The contingent was comprised entirely of officers working as UNMOs with the United Nations Truce Supervisory Organization. There, to the best of my knowledge been no disciplinary actions necessary during recent history.

- Not req'd during my command as CO; no charges.
- La situation ne s'est pas présentée.
- Aucune accusation portee
- No charges have been laid at my unit since Sep 99.
- I AM AN MP AND THEREFORE I HAVE HAD MANY DEALING WITH THE PROCEEDINGS
- I have never been faced with the situation.
- No accused at the Unit.
- Have not had a trial during my tenure as CO
- Unit has not had a summary trial during my command.
Additional Comment re question 8 and 9. As this unit has not had a summary trial during my command, the questions do not apply!!! You may wish to add an additional comment section to any further surveys.
- Unit is still in process of standing up, ie still in formation process
- This is a two person CDA Office and to this point there have been no disciplinary issues.
- No charges have been laid at this unit, so the answer to 4 is actually Never.
- There were no summary trial since I have been appointed the unit CO
- No charges since assuming command

- No Summary Trials held since Sep 99
- I have not laid any charges.
- No charges have been laid.
- No charges laid see #2 above
- We have had no charged to report.
- We havn't charged anyone since before Sept 99
- Aucune procedure disciplinaire n'ont ete fait depuis le nouveau systeme de JM.
- Have not had any charges that have final disposition yet.

5. **If you have held a Summary Trial at your unit, does your local AJAG/DJA give feedback on your RDPs?**

	<u>2001</u>	<u>2002</u>	
Almost Always	59.1%	45.4%	
Sometimes	17.2%	11.5%	
Almost Never	10.8%	2.9%	
N/A (have not held a Summary Trial at Unit since Sept 99)		36.2%	>>> Go to Questio
No Response	12.9%	4.0%	
	(n=232)	(n=174)	

6. **Is the feedback timely?**

	<u>2001</u>	<u>2002</u>
Yes	71.1%	85.6%
No	11.2%	8.1%
No Response	17.7%	6.3%
	(n=232)	(n=111)

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

	<u>2001</u>	<u>2002</u>	
1-10	6.0%	4.0%	
10+	0.0%	0.0%	
Never	90.9%	93.1%	>>>> Go to Question
No Response	3.0%	2.9%	
	(n=232)	(n=174)	

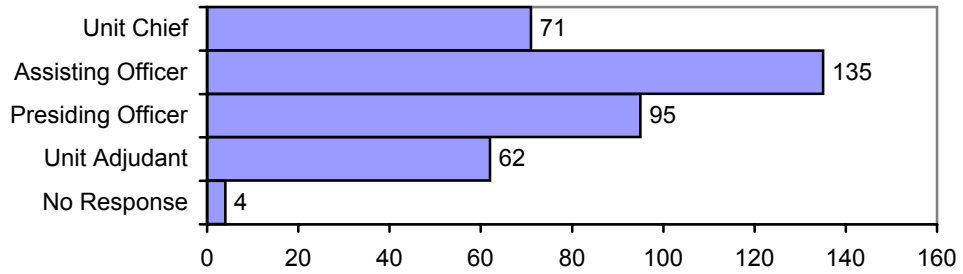
7.a) **If you receive requests for public access to RDPs, how often do you consult a lawyer about these requests?**

	<u>2001</u>	<u>2002</u>
Almost Always	85.7%	42.9%
Sometimes	10.7%	28.6%
Almost Never	3.6%	14.3%
No Response		14.3%
	(n=28)	(n=7)

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?**

	2001	2002
Yes	90.9%	93.7%
No	3.0%	2.3%
No Response	6.0%	4.0%
	<i>(n=232)</i>	<i>(n=174)</i>

9. **Who in your unit informs the accused that he or she may request a review of the outcome of the Summary Trial (Check all that apply) ?**



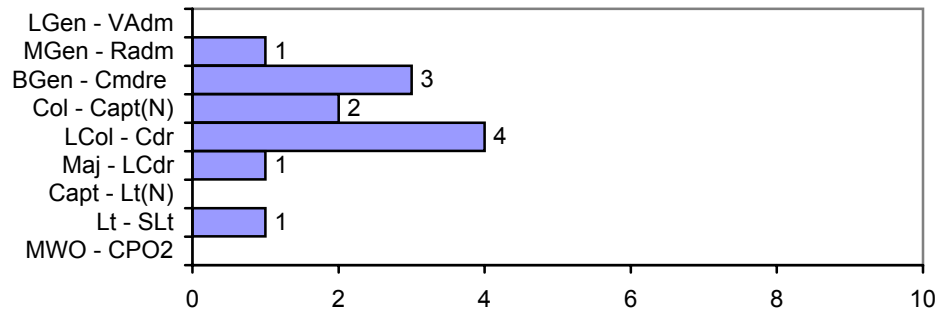
(n=174)

Review Authority

Number of Respondents	Mail	On-Line	Total	% Mail	% On-Line
2002	3	9	12	25.0%	75.0%
2001	4	18	22	18.2%	81.8%

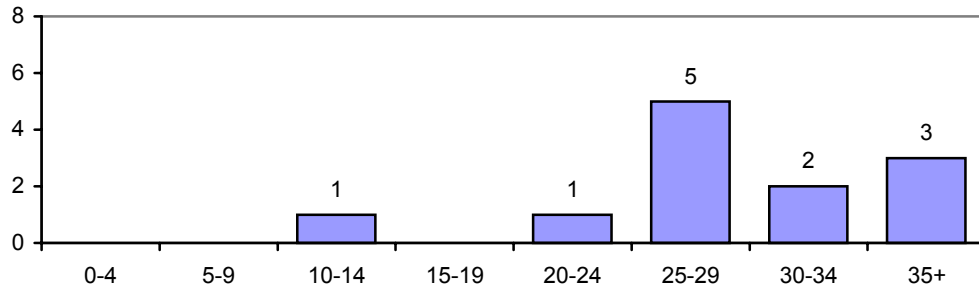
Section 1: Profile

1. What is your present rank?



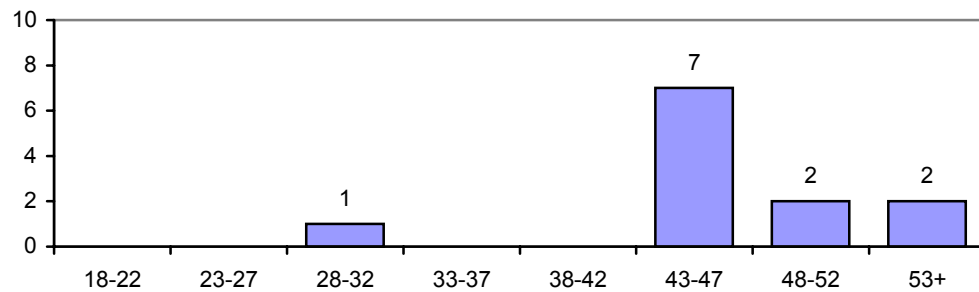
		2001	2002
Gen'l/Flag Officers	LGen - VAdm	4.5%	0.0%
	MGen - Radm	0.0%	8.3%
	BGen - Cmdre	9.1%	25.0%
Sr Officers	Col - Capt(N)	18.2%	16.7%
	LCol - Cdr	45.5%	33.3%
	Maj - LCdr	13.6%	8.3%
Jr Officers	Capt - Lt(N)	4.5%	0.0%
	Lt - SLt	0.0%	8.3%
NCM	MWO - CPO2	4.5%	0.0%
		(n=22)	(n=12)

2. How long have you been a member of the Canadian Forces?



	2001	2002
0-4	0.0%	0.0%
5-9	0.0%	0.0%
10-14	4.5%	8.3%
15-19	13.6%	0.0%
20-24	31.8%	8.3%
25-29	36.4%	41.7%
30-34	13.6%	16.7%
35+	0.0%	25.0%
	(n=22)	(n=12)

3. How old are you?



	2001	2002
18-22	0.0%	0.0%
23-27	0.0%	0.0%
28-32	0.0%	8.3%
33-37	18.2%	0.0%
38-42	27.3%	0.0%
43-47	36.4%	58.3%
48-52	18.2%	16.7%
53+	0.0%	16.7%
	(n=22)	(n=12)

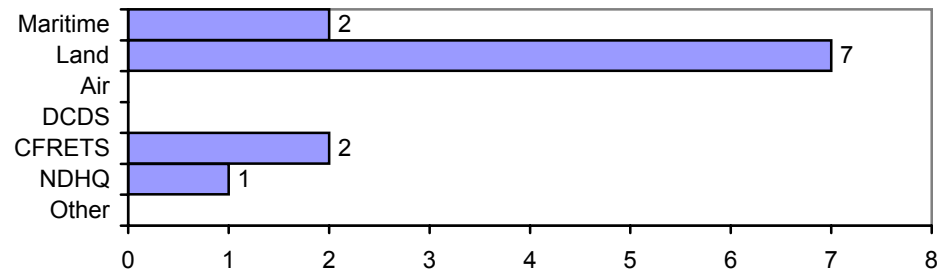
4. Are you:

	2001	2002
Male	90.9%	100.0%
Female	9.1%	0.0%
	(n=22)	(n=12)

5. What is your first official language?

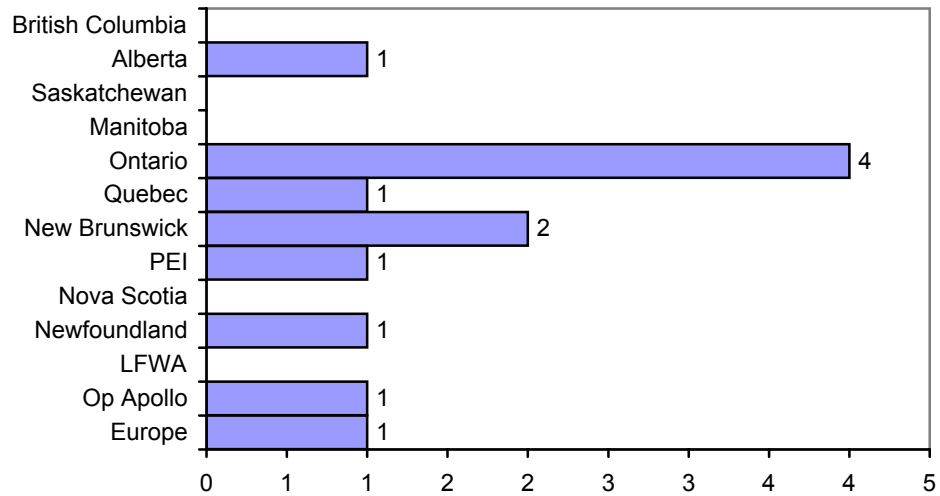
	2001	2002
English	81.8%	91.7%
French	18.2%	8.3%
	(n=22)	(n=12)

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



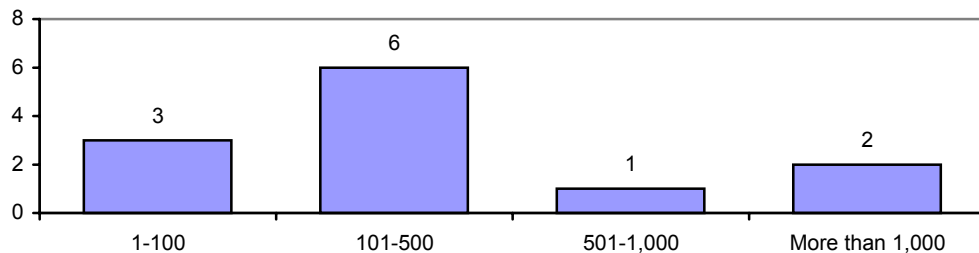
	2001	2002
Maritime	18.2%	16.7%
Land	40.9%	58.3%
Air	18.2%	0.0%
DCDS (Deployed Operations)	0.0%	0.0%
CFRETS (Training)	13.6%	16.7%
NDHQ	4.5%	8.3%
Other	4.5%	0.0%
	(n=22)	(n=12)

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



	2001	2002
British Columbia	22.7%	0.0%
Alberta	0.0%	8.3%
Saskatchewan	0.0%	0.0%
Manitoba	0.0%	0.0%
Ontario	54.5%	33.3%
Quebec	13.6%	8.3%
New Brunswick	0.0%	16.7%
PEI	0.0%	8.3%
Nova Scotia	4.5%	0.0%
Newfoundland	0.0%	8.3%
LFWA	4.5%	0.0%
Op Apollo		8.3%
Europe	0.0%	8.3%
	(n=22)	(n=12)

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



	2001	2002
1-100	4.5%	25.0%
101-500	45.5%	50.0%
501-1,000	31.8%	8.3%
More than 1,000	18.2%	16.7%
	(n=22)	(n=12)

Section 2: Process

1. **Have you been certified by the Judge Advocate General as qualified to perform duties in the administration of the Code of Service Discipline (commonly known as Certification Training)?**

	2001	2002
Yes	100.0%	100.0%
No	0.0%	0.0%
	(n=22)	(n=12)

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

	2001	2002
Yes	100.0%	100.0%
No	0.0%	0.0%
No Response		0.0%
	(n=22)	(n=12)

3. **How many requests for review have you received from offenders convicted at Summary Trial?**

	2001	2002
0	18.2%	8.3%
1	50.0%	50.0%
2	18.2%	8.3%
3	4.5%	25.0%
4	4.5%	0.0%
5	4.5%	8.3%
No Response		0.0%
	(n=22)	(n=12)
Average	1.4	1.8

4. **How often do you grant relief on the offender's requests?**

	2001	2002
Almost Always	9.1%	8.3%
Sometimes	31.8%	16.7%
Almost Never	40.9%	66.7%
No Response	18.2%	8.3%
	(n=22)	(n=12)

5. **Do you regularly obtain legal advice from your unit legal officer before deciding whether or not to grant relief on the offender's request?**

	2001	2002
Almost Always		91.7%
Sometimes		0.0%
Almost Never		0.0%
No Response		8.3%
		(n=12)

6. **In your opinion, is the legal advice you receive on a request for review helpful to you in disposing of the request?**

	2001	2002
Almost Always	77.3%	91.7%
Sometimes	9.1%	0.0%
Almost Never	0.0%	0.0%
No Response	13.6%	8.3%
	(n=22)	(n=12)

7. **Is the legal advice received in a timely fashion?**

	2001	2002
Almost Always	63.6%	91.7%
Sometimes	27.3%	0.0%
Almost Never	0.0%	0.0%
No Response	9.1%	8.3%
	(n=22)	(n=12)

8. **Do you think that the current review process gives you enough time to respond adequately to offenders' requests?**

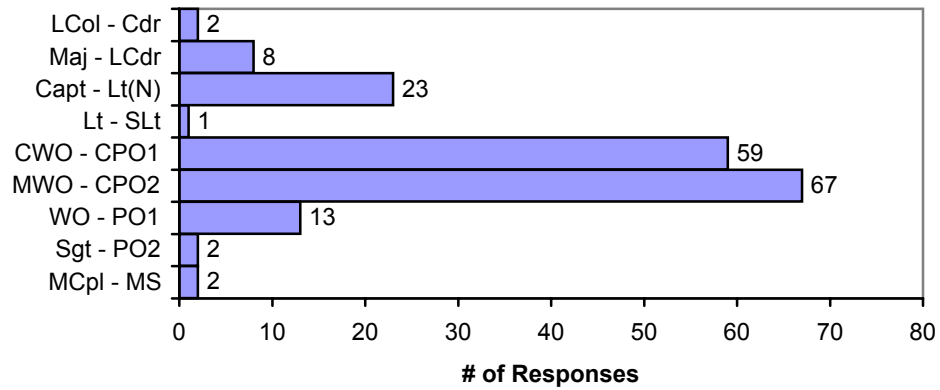
	2001	2002
Yes	77.3%	75.0%
No	13.6%	16.7%
No Response	9.1%	8.3%
	(n=22)	(n=12)

Charging Authority

Number of Respondents	Mail	On-Line	Total	% Mail	% On-Line
2002	31	148	179	17.3%	82.7%
2001					

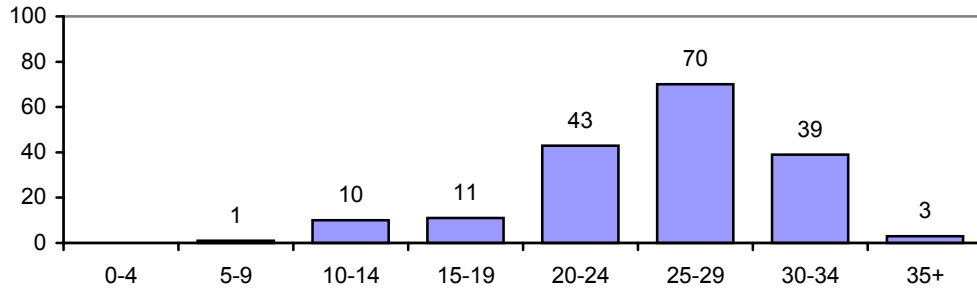
Section 1: Profile

1. What is your present rank?



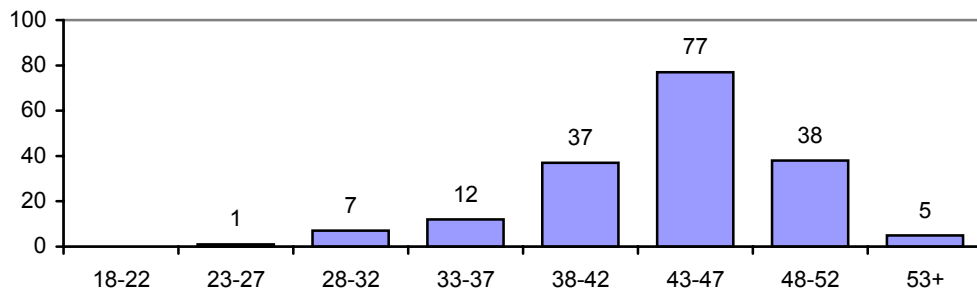
		2001	2002
Sr Officers	LCol - Cdr		1.1%
	Maj - LCdr		4.5%
Jr Officers	Capt - Lt(N)		13.0%
	Lt - SLt		0.6%
NCM	CWO - CPO1		33.3%
	MWO - CPO2		37.9%
	WO - PO1		7.3%
	Sgt - PO2		1.1%
	MCpl - MS		1.1%
			<i>(n=177)</i>

2. How long have you been a member of the Canadian Forces?



	<u>2001</u>	<u>2002</u>
0-4		0.0%
5-9		0.6%
10-14		5.6%
15-19		6.2%
20-24		24.3%
25-29		39.5%
30-34		22.0%
35+		1.7%
		<i>(n=177)</i>

3. How old are you?



	<u>2001</u>	<u>2002</u>
18-22		0.0%
23-27		0.6%
28-32		4.0%
33-37		6.8%
38-42		20.9%
43-47		43.5%
48-52		21.5%
53+		2.8%
		<i>(n=177)</i>

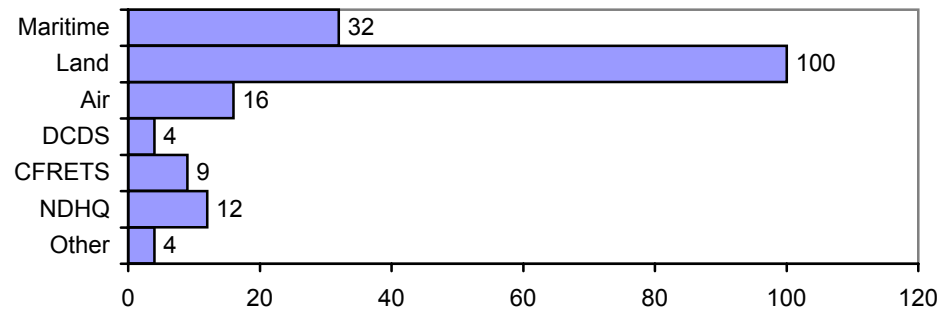
4. Are you:

	2001	2002
Male		97.7%
Female		2.3%
		<i>(n=177)</i>

5. What is your first official language?

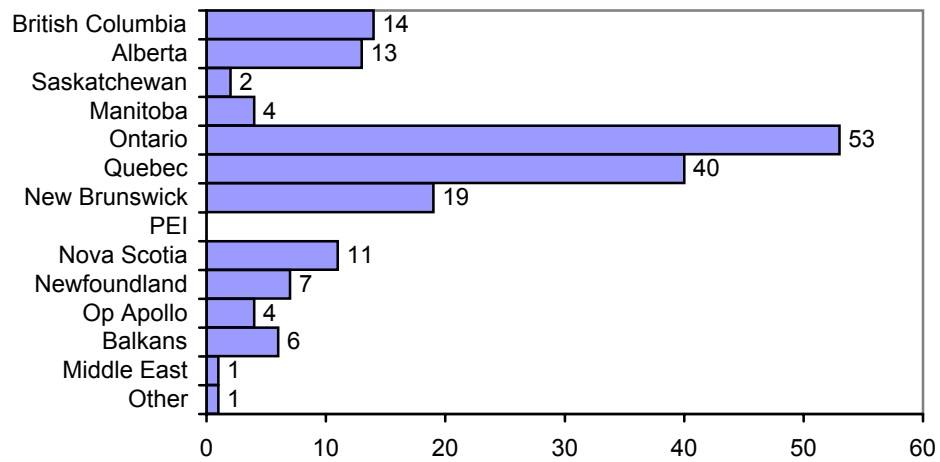
	2001	2002
English		68.9%
French		31.1%
		<i>(n=177)</i>

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



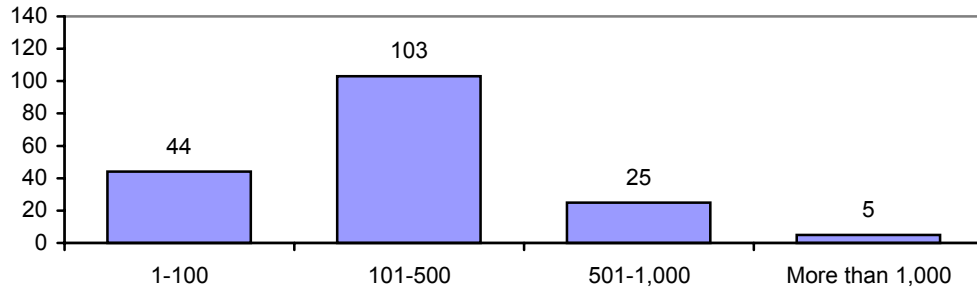
	2001	2002
Maritime		18.1%
Land		56.5%
Air		9.0%
DCDS (Deployed Operations)		2.3%
CFRETS (Training)		5.1%
NDHQ		6.8%
Other		2.3%
		<i>(n=177)</i>

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



	2001	2002
British Columbia		8.0%
Alberta		7.4%
Saskatchewan		1.1%
Manitoba		2.3%
Ontario		30.3%
Quebec		22.9%
New Brunswick		10.9%
PEI		0.0%
Nova Scotia		6.3%
Newfoundland		4.0%
Op Apollo		2.3%
Balkans		3.4%
Middle East		0.6%
Other		0.6%
		<i>(n=175)</i>

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



	<u>2001</u>	<u>2002</u>
1-100		24.9%
101-500		58.2%
501-1,000		14.1%
More than 1,000		2.8%
		<i>(n=177)</i>

Section 2: Process

1. Have you laid charges under the Code of Service Discipline since Sep 99?

	<u>2001</u>	<u>2002</u>
Yes		84.9%
No		14.5%
No Response		0.6%
		<i>(n=179)</i>

2. In what capacity, as Charging Authority, are you presently serving? Are you an Officer or Non-commissioned member:

	<u>2001</u>	<u>2002</u>
Authorized by CO		97.2%
Of the Military Police		2.8%
Assigned to Investigative duties with the NIS		
No Response		0.0%
		<i>(n=179)</i>

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

	<u>2001</u>	<u>2002</u>
Yes		59.2%
No		40.2%
No Response		0.6%
		<i>(n=179)</i>

4. **Did you undertake specific Military Justice training for your current position?**

	<u>2001</u>	<u>2002</u>
Yes		36.3%
No		63.1% >>> Go to Question
No Response		0.6%
		<i>(n=179)</i>

4.a) **If you answered "yes" to Question 4, please describe the training received?**

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

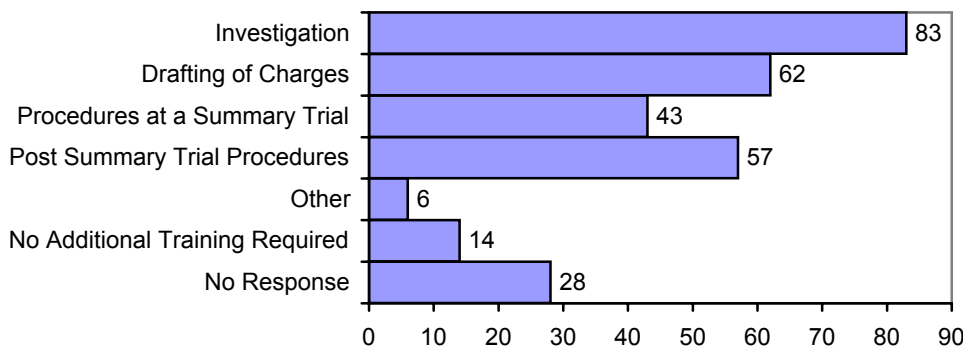
- 1 Day training on the duties and responsibilities of the Unit charging authority in the Summary Trial process presented by the JAG's office
- 1. QL7 Infantry Company Sergeant Major Course
2. Brigade Course on changes in the Military Justice system.
- 1.PD trg with a/Jag
2.CD Mil Justice at summary trial level
- 3 day briefing by the AJAG in Edmonton and the on-line Milt Justice training.
- AJAG BRIEFINGS
- Armd QL7 course which covers discipline including the whole disciplinary process
- Briefing given by DJAG
- Briefings
- Certification for Presiding Offrs.
- Certification trg for Presiding Officers
- conduct of Orders Parades, investigation of incidents, laying of charges
- Cours de qualification niveau de solde 7 (loi militaire)
- COURS DE REFRESHER SUR LES LDN ET PROCES PAR VOI SOMMAIRE.
- Cours SLC, 6B, 7
- Coxn Course
- Cox'n course
- Coxn course, Dicipline Seminar
- COXSWAIN COURSE NAVRES
- Coxswain Crse
- Coxswains Course
- Criminal Investigation; Major Case File Management; Search Warrants; Sexual Assault
- Dans le cadre du cours de Capitaine d'Armes, il y avait 4 jours assignés à la justice militaire
- During our Inf QL 6B & QL 7 courses.
- Formation de l'officier président ainsi que le PPPO 4 (Droit militaire)
- Formation pour la certification d'officier president.
- I completed reading the "Military Justice at the Summary Trial Level " and

CBT attached CD.

- In office review of amendments to the NDA
- Inf QL-7 Crse; Presiding Offrs Crse
- INFANTRY QL7; SLC
- J'ai débuté la partie sur internet concernant l'officier président et j'attends une place sur le cours comme auditeur libre.
- Justice Militaire au proces sommaire Version 1.1. Attestation de formation 18-19 mars 2000.
- Lecture on Military Justice
- Loc crse
- LORS DES COURS DE CARRIÈRE.SLC,NQ7,6B,5B6A
- Mil law trg on Jr NCO trg, QL 6A, QL 6B, QL 7 and Senior Chief Warrant Officers Course.
- MILITARY JUSTICE AT THE SUMMARY TRIAL LEVEL
- Military Justice at the Summary Trial Level
- Military Justice at the Summary Trial Level
- Military Justice seminars with subsequent testing and certification
- Military Justice training while attending the Ships Coxswain course.
- Military Law on Senior Leaders Crse; Military Law on QL 7; Military Law on 6A course
- PAT Trg conducted by Unit RSM.
- Pre certification trg, awaiting crse. QR and O trg through CLC/SLC. Snr NCO PAT trg. Mostly OJT trg...
- Pre course self study package followed by multiple choice exam and a three full day course run by JAG
- Presiding Officers Course
- Presiding Officer's Course
- Presiding Officers Course and have instructed QR & Os to SLC & BOTC level
- Presiding Officers Course; Coxswain's Course
- Presiding Officer's Training
- Presiding Officers Training. Unit Level Discipline Training. Military Justice at the Summary Trial Level.
- QL 6B AND QL-7
- QL 7
- QL7; QL6B
- Recu une formation 1/2 journee par le JAG de la base sur les procedures par soie Sommaire.
- Senior Leader Course, Cbt Leader Crse, QLGB Crse ((Inf 031), ISCC Part 2, QL7 Crse (Inf 031)
- Senoir Leadership Course
- SHIP COXNSWAIN COURSE
- Ships Coxswain Course
- SHIPS COXSWAIN COURSE
- SLC, COXN'S COURSE PRESIDING OFFICER'S COURSE

- Some exposure on JLC, some during local unit training days. Some exposure on MP Criminal Investigators Crse. Overall, the training provided to NIS investiagtors lacks in comparission to that one could obtain for civilian proceeding
- Successfully completed the "Military Justice at The Summary Trial Level" book
- The Infantry QL 7 CSM course
- The part 1 of the POTC.
- Training Package
- Un cours qui fut donne aux SMR ou leur represantant. Aux niveau de notre brigade.

5. **In which part of the disciplinary process do you feel you need more training (Check all that apply) ?**



(n=179)

Other include the following:

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

- COURTS MARTIAL PROCEEDINGS
- COURTS MARTIAL PROCESS
- IL Y A TOUSJOURS DE LA PLACE A L'AMELIORATION ET IL NE FAUT PAS OUBLIEZ QUE CE N'EST QU'UN OUTIL DISCIPLINAIRE POUR LES SOUS OFF ET IL FAUT L'EMPLOIER A BON ESSIENT.
- interview methods
- Admin process for the filing of the forms.
- If I did not have the AJAG to advise me I would have great difficulty.

5.a) **To assist you in the performance of your functions as a Charging Authority, what additional training do you feel you require?**

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

- A crse on the various stages of the Mil Justice system would be good. If a seminar for MP investigators working in the NIS could be established where a mbr of the RMP cold identify (clearly) their process, what specifically they

require from the police (NIS) in order to provide enough information to logically and fairly make decisions at pre and post charge screenings. Pre and Post Charge screenings are another thing entirely.

- ABOVE MENTIONED
- Above training would cover any shortfalls.
- All JAG's think and write differently. Writing the RDP's is difficult because of this
- Any Mil Justis trg
- Approfondir la loi sur la défense nationale
- As a sailor, a more in depth exploration of the whole process during the COXN's course or a separate course specifically tailored to Charging Authority in line of the Presiding Officer's course
- As above
- As above (investigation and drafting).
- As long as JAG is available for advice I feel comfortable with the present training.
- As mention - Investigation
- As mentioned above, drafting charges, especially 129's that are unique and do not have an example in QR&Os. An example of this would be when one is charged for the use of taking a prohibited drug - tested positive during a "Test for Cause" urine testing.
- As much as I can get IRT the new Summary trial process, investigation etc.
- As noted above
- Attend presiding officer training even though I do not have to pass test and will receive no qualification. This at present is the only training available to me. A separate course (perhaps a couple of days) would be of great assistance to us in the Sergeant-Major position. Perhaps it could focus on the areas checked above. I think it should be run annually and we would have to remain current by taking an annual course as there is always a need for a refresher or to learn new changes to the military legal system. Charging pers and procedures at summary trials are not something we do often and it is easy to forget.
- Bien déterminé les accusations selon les articles de lois qui s'appliquent
- BRIEFING EACH YEAR TO KEEP CURRENT OF ALL CHANGES. REVIEW BY JAG ON COMMON MISTAKES.
- Celui qu'on nous donne sur la procédure par voie sommaire me satisfait.
- Certains détails de procédures, comme le part des coiffures, procédures lans des asummitations etc.
- Civil Law; Military Law
- CLEARIFICATION;
 - 1) WE NOW HAVE TOO MANY RESTRICTIONS;
 - 2) VERY SLOW PROCESS, MOST I'VE SPOKEN TOO FEEL ITS NOT WORTH THE TIME SPENT FOR SUCH MINIMAL PUNISHMENTS AND FOR THE MOST PART, PERS ARE WORRIED ABOUT RE-

BUTTLE OR BEING ACCUSED OF ABUSING THERE AUTHORITY.
THE ACCUSED HAS TO MANY RIGHTS.....

- Comment mener les enquêtes, comment choisir les questions pertinentes, comment aborder les témoins etc.
- Connaitre les règlements concernant le personnel d'age mineur et les droits réservés aux personnes susceptible d'être accusées.
- de la formation nous aidant à mieux interpréter les différents ordres et règlements.
- De nous donner plus d'informarion sur les différences entre rapports d'enquêtes, déclarations de témoins et preuve ddocumentaire et réelle que l'on doit fournir à l'accusé.
- Drafting of Charges. The charge report seems to get word-smithed to death at every level. Either the CF trains us in how to write them, or the CF should quite expecting us to write like lawyers.
- Durant le cours de certification de Président de Procès par voies sommaires je crois qu'il serait utile d'y inclure une portion sur les enquêtes disciplinaires. De plus, il devrait y avoir plus de formation sur comment décortiquer un rapport d'enquête et déterminer à partir de celles-ci quelles accusations pourraient être portées.
- Enquête préliminaire
- étant donné que beaucoup de modification ont été apporté aux chefs d'accusation, il serait pertinent de revoir sous quels articles se retrouvent les accusations.
- FORMAL LECTURES FROM AJAG
- Formal training is required
- Formation en général en ce qui concerne les mesures disiplinares à prendre.

- How to question individuals. How to get a proper statement.
- I feel quite comfortable with most areas of the entire process, especially since the CWO positions have been established with area JAGs. The aforementioned publication in para 4 needs to be maintained in its present format for ease of reading and comprehension.

- I have been envolved in several Summary Trials prior to 99 and I had made a personal guide (ie. before the Summary Trial, during the Summary Trial and After the Summary Trial.)to help me going through each steps. Transparency and fairness is extremely important and the guide I was using help me attaining this. I expected to see a step by step guide to make things easier coming out of the new manual. Nevertheless, I had no problems following the manual. Perhaps something like this can be put together by your new CWOs in position.
- IL FAUT SE GARDER CURRENT.
- Il y en a beaucoup d'autres raisons, mais votre questionnaire ne contient pas assez de page. C'est toujours le plus bas niveau qui est courrament accuse.

Les niveaux superieurs ne sont pas imputables.

- Interview techniques
 - Interviewing techniques
 - Investigation - little regulations or references for how to do. A reference card for everyone would be helpful for how things are supposed to be done/order/etc
 - Investigation Methods
 - Investigation procedures
 - Investigation, Drafting Charges
 - Investigations.
 - Investigative procedures, recognizing characteristic signs whether someone is telling the truth, proper wording of questions, statement preparation
-
- I've read through the Presiding Officers Pkg (Mil Justice at the Summary Trial Level) Something like this training package seems appropriate with perhaps more emphasis on investigation of charges.
 - Je crois personnellement qu'un CO ne devrait pas être JUGE, par contre lorsqu'une accusation est portée il devrait être la personne qui réfère le cas pour qu'un JUGE entende la cause.
 - Je ne sais pas ce qui est disponible.
 - Just the presiding officers course.
 - le cours de base
 - Maybe a one day seminar... But I feel adequately prepared.
 - Meme que 5.
 - Mise à jour
 - More experience with the summary investigation process
 - More formal training on arrests, conducting investigations, when and when not to talk to an accused. Use of the criminal code book, What to do in foreign countries when your personnel are arrested.
 - More REAL practice
 - more thorough training in how to conduct an investigation and who must be informed during the process
 - MORE TIME ON THE POST TRIAL PROCEDURES
 - More training in conducting interviews/collecting evidence.
 - My opinion, having the opportunity to attend the "Presiding Officer Trg" is truly valuable. The trg received on the SLC WRT QR&O's and discipline is important. I believe incorporating syndicate style workgroups into the Presiding O Trg and Officer/SNCM Professional Development would promote practice and ultimately enhance performance. Bottom line - create a package using scenarios to be made available at Unit level for O/SNCM PD. Practice makes perfect.
 - No other training required. The availability of Legal Officer is sufficient.
 - None, but experience in military discipline is essential without the understanding for the need to impart an additional justice system on soldiers it would be difficult to enhance training and provide the delivery of a

positive command function.

- None, experience will assist in this function
 - None. The Presiding Officer Course as taught by LCol Cathcart was quite comprehensive.
 - Not really additional training - more of an in-depth aide memoire.
 - Nous aurions besoin d'un session de rafraichissement tous les ans
 - Other than post trial administrative procedures, the present training is adequate
 - Perhaps more on the investigation, IE Can the DOR from the MPs be submitted, and who is auth to review the DOR once received by the unit.
-
- Post Summary Trial Procedures
 - Presiding Officer Training
 - Presiding Officer Training
 - Presiding Offr Crse
 - Procedures in court martial admin s the parent unit of the accused.
 - Procedures,time line forms to be completed changes to trial procedures
 - PROPER INVESTIGATION PROCEDURES
 - PROPER INVESTIGATION TECHNIQUES, CONTACTS FOR ASSISTANCE WITH OR INFORMATION ON THE CONDUCT OF INVESTIGATIONS, AND WRITING INVESTIGATION NOTES, COVER LETTERS, AND REPORTS.
 - Refresher Training on Most of the Major Topics Regularily
 - Rien de spécifique, car avec les années, ont acquiert une certaine expérience. L'AJAG sur la base est disponible et répond à mes questions, au besoin.
-
- Rules of evidence
Relation with military and civilian police
 - The interaction between the Jag corp.
 - The investigation process
 - The mil Justice trg pkg. When a posn is avail, I'm not. When I'm avail, a posn is not. As a ssm. time is hard to come by. I have reviewed the book and always banter ideas back and forth with the RSM and Base DJA.
-
- The trg process should start at the Sgt level for RDP's. There is a lack of knowledge at that level of the justice system.
 - Training on Accused Rights. Assisting Officer Training.
 - Training to assist in determining what type of investigation would best fit an alleged offence; ie what necessitates a summary investigation, formal MP investigation, local investigation within the unit, etc
 - un cours sur les procédures initial de la préparation du rapport d'enquête c.a.d il semblerias que je ne peu enquêter moi meme si je dois porter des accusations
 - Une mise a Jour des nouvelles regules et directives(amandements).
 - Unknown

- When to talk to an accused, training for investigations, getting statements, Arrests, searches with respect to being on a ship, procedures to follow in a foreign land, Criminal code of Canada issues (130) Sexual misconduct and the administrative procedures for sexual misconduct, assault etc.
- Work with more experienced personnel, attend training work shops or have reading material of actual cases that focus on the Investigation aspects of a potential charge. They should include some situations where at first glance it would appear as if there is going to be a charge but by the time the investigation is completed a charge is not laid. Also some that go the other way.
- Writing the particulars of the offence, to ensure there is no doubt.

6. **Has your career background/experience adequately prepared you to perform the Military Justice tasks and duties you are required to perform?**

	<u>2001</u>	<u>2002</u>
Yes		80.4%
No		19.6%
No Response		0.0%
		<i>(n=179)</i>

7. **When would you suggest is the best time as an NCO to receive training as a charge laying authority (Check one)?**

	<u>2001</u>	<u>2002</u>
6A		35.8%
6B		14.5%
SLC		38.5%
Other		9.5%
No Response		1.7%
		<i>(n=179)</i>

8. **Is there sufficient reference material to assist you in performing the Military Justice tasks and duties required of you?**

	<u>2001</u>	<u>2002</u>
Yes		83.8%
No		16.2% >>> Go to Questio
No Response		0.0%
		<i>(n=179)</i>

8.a) **If you answered "yes" to Question 8, what reference material do you regularly use?**

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

- - Code of service discipline booklet
- - Assistance of RSM and ADJAG
- 1. Military Justice at the Summary Trial Level Publication(B-GG-005-027/AF-011 Version 1.2, and
- 2. QR&O's
- 1. CD Mil Justice at the summary trial
- 2. QR&O DIN
- AOFC, ORFC
- B-GG-0050027/AF-011
- B-GG-005-027/AF011
- B-GG-005-027/AF-011
- B-GG-005-027/AF-011 -- Justice Militaire au proces sommaire.
- B-GG-005-027/AF-011; QR&Os vol 1 to 4; Martin's Annual Criminal Code
- CD
- CFAO QR&O; Presiding Officer's Course Material
- CFAO et QR&O nous donne les references adéquate pour bien porter les accusations également les avocats sont la pour nous aider en cas de besoin

- CFAO/QR40/
- CFAO's and the Military Justice at the Summary Trial handbook
- CFAO's QR&O
- CFAO's, QR&O's 'Military Justice'
- CFAO's; Military Justice @ the Summary Trial; Level (Version 1.0
- Criminal Code of Canada; National Defence Act
- DIN/ QR&O'S
- DIN; QR & O's
- DJA, QR&O, Oxford English Dictionary, Holy Bible
- DOAD's, CFAO's, QR&O's, Presiding Officer Training Handbook.
- I downloaded from your site all the reference material for Assisting Officers, presiding Officers and charge authorities.
- I use applicable QR&Os and " Military Justice at the Summary Trial Level "
- JAAG est le meilleur matériel de référence.
- JAG Web Site and telecon with the AJAG
- Justice militaire au procès sommaire
- Justice militaire au procès sommaire version 1.1
- Justice Militaire au proces sommaire Version 1.1. ORFC Vol 2.
- les ORFC
- Les ORFC et Ordres permandante de l'unité hand-out fourni par vos représentante.
- Les ORFC, plus spécifique le chapitre 108, les manuels du JAG sur le site Intranet, le bouquin "La justice militaire et moi"
- Les QR&Os et les informations relié à la justice militaire et procès sommaire

- Livre de formation juridique des officiers présidant les procès par voie sommaire.
- Military Justice at Summary Trial Level Manual
- Military Justice at the Summary Trial
- Military Justice at the Summary Trial Level
- Military Justice at the Summary Trial Level
- Military justice at the summary trial level (excellent manual but should always be looked at for ways to improve. Should be given to people on their slc course)Also QRO's is a good book and becoming easier to understand with experience
- Military Justice at the Summary Trial Level Book crossed referenced with the CFAO
- Military Justice at the summary trial level, (excellent book however must be continuously worked on to perform it) Use of the criminal code of canada book.
- 'MILITARY JUSTICE AT THE SUMMARY TRIAL LEVEL', PRESIDING OFFICER TRAINING HANDBOOK, QR&Os
- MILITARY JUSTICE AT THE SUMMARY TRIAL LEVEL. VER 2.0, AND QR AND O'S.
- Military Justice at the Summary Trial; QR&O vol II
- Military Justice Handbook Coxn course book. DIN
- N:2RCR/5000-6000/5220/RDP
- NDA; QR@O; CFAO; Financial Administration Act
- OR & Os vol I,II, & III
- Ordi, ORFC
- OREC, ainsi le volume justice militaire au proces sommaire et les OAFCs.
- ORFC
- ORFC
- ORFC discipline
- ORFC ET OAFC
- ORFC VOL 2, OAFC
- ORFC VOL II
- orfc vol II
- ORFC, LDN
- ORFC, OAFC, DAOD
- ORFC; Manuel de Justice Militaire au Procès sommaire
- ORFC; OAFC; HAND OUT JUSTICE MILITAIRE VERSION:1.1
- ORFC; Volume du cours d'officier présidant; Intranet
- Presiding Officer course book; QR&Os; JAG personnel
- pRESIDING OFFICER hANDBOOK
- PRESIDING OFFICER TRG MANUAL; JAG WEBSITE; UNIT STANDING ORDERS; BASE STANDING ORDERS; CAD ORDERS; CFAOs/DAODs; QR&Os; QR
- Presiding Officers Course Book; QR&Os; CFAO's; NDA;
- Presiding Officer's Guide Book

- Presiding Officers Guide; Code of Service Discipline (QR&O's/CFAO's/DAOD's etc; Legal Officer
- PRESIDING OFFICERS TRAINING MANUAL
- publication- Military Justice at the Summary Trial Level version 1.2
- QR & O and the Military Justice at the Summary Trial Level
- QR & O Vol 2; CFAO's
- QR & O Vol II; Guide to Assisting Officers; Presiding Officers training package
- QR & O,Homepage with all the links for the AJAG
- QR & Os Vol 1,2,3.
- QR & Os, Military Justice at the Summary Trial Level
- QR and O's
- QR and Os and Military Justice Handbook, assisting Officer's handbook
- QR&O VOL II; PRESIDING OFFICER TRG MANUAL; LFAAD 5.1.9
- QR&O
- QR&O GUIDE TO SUMMARY TRIALS
- QR&O AND CCC
- QR&O and Military Justice at the Summary Trial Level
- QR&O Art 108
- QR&O Vol 2 on line as well as the handbook I was given at Presiding Officer's Training
- QR&O Vol 2, Military Justice at the Summary Trial Level
- QR&O Vol I, II - Mil Justice at the Summary Trail Level - Various materials collected over the years.
- QR&O Vol II,
- QR&O, aide-memoires/proformas prepared by the JAG office
- QR&O, CFAO
- QR&O, CFAO, DAOD
- QR&O, CFAO, DAODs and close communication with the JAG office
- QR&O, CFAO, mil Just Book, Mil Justice web site to gain current info and paperwork for the Accused and Assisting Officer.
- QR&O, CFAOs
- QR&O, HAND OUTS GIVEN AT THE COXN'S COURSE.
- QR&O, Summary Trial Manual
- QR&O, Vol II, Discipline (NDA. various other locally produced documents obtained from local RMP (Elements of the Offence manual)

- QR&O,CFAO, Summary trial precedures
- QR&O; Presiding Officers Manual; Guide to the Accused and Assisiting Officers; Local JAG office
- QR&Os
- QR&Os
- QR&Os
- QR&Os
- QR&Os

- QR&Os CFAOs
- QR&O's, AJAG handouts, messages, course material and personal support provided by the new position (CWO) in each JAG office.
- QR&Os, and B-GG-005-027/AF-011
- QR&Os, CFAOs, DAODs, SSOs, etc; Presiding Officer Course manual
- QR&O's, DAOD, Standing Orders, Military Justice at the Summary Level
- QR&O's, liaison with JAG personnel
- QR&Os, Military Justice at the Summary Trial Process.
- QR&O's. Unit Level Discipline Training. Military Justice at the Summary T
- QR&O's; B-GG-005-027/AF-011 Version 2
- QR&O's; CFAO's; DAOD
- QR&Os; CFAOs; DAODs; Guide to Military Justice System
- QR&Os; Coxswain Course Notes; AJAG Office
- QR&Os; Criminal Code of Canada; CFAOs; SSOs
- QR&Os; Military Justice at the Summery Trial Level
- QR&O's; Presiding Officers Desktop
- QRj&O's on line.
- QRO VOL II
- Queen's Regulations and Orders, JAG Manual for Presiding Officers
- REP:NO 7 TOUS LES COURS DE CHEF SUIVI DANS LES FC NOUS DONNENT LE BAGGAGE NECESSAIRE POUR EMPLOYER LES QR&O ET FAIRE NOTRE TRAVAIL ET MAINTENIR LA DISCIPLINE. REP:NO 8 QR&O ET LE B-GG-005-027/AF-011 AUSSI INTERNET DND.
- Summary trial booklet
- The "Military Justice at the Summary Trail Level" handbook has been a valuable resource for me. I wish there was something similar for investigations.
- The manual from the Presiding Officers Crse - Military Justice at the Summary Trial Level
- The manual titled "MILITARY JUSTICE AT THE SUMMARY TRIAL LEVEL" "CFAOs"
- The Presiding Officer's handbook
- Toute matieres de ref disponible incluant QR&O , notes personnel etc

9. **Do you regularly obtain legal advice from your unit legal officer before making a decision to lay charges?**

	<u>2001</u>	<u>2002</u>
Yes		89.4% >>> Go to Question
No		8.4%
No Response		2.2%
		(n=179)

9.a) **If you answered "no" to Question 9, why not?**

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

- A moins d'avoir en le cours de justice militaire, il est presque impossible d'avoir les livres de justice militaire.
- C'est très long à en onbtener car il n'y en a qu'un seul pour toutes les unités.
- Have not laid a charge
- I HAD ACCESS TO THE AJAG OFFICE IN CFB ESQUIMALT
- I should say, I've never had to. I have experience with laying charges and have helped at the adj myself. I have spent some time with the Bde's Deputy Judge Advocate getting help and advice when a charge/charges were complicated.
- I use the Wing's AJAG's office for advice.
- Je me rensigne A4 pres de l'adjoint a l'ADJAG. LELP 35 ___ GBC.
- Laying a charge is base on a either a disciplinary investigaton or MP report witch should provide suficient grounds.
- L'unité ne fais aucune formation pertinente à ce niveau.
- Most of the charges are quite simple.
- Not always necessary for simple charges
- Some charges are straight forward, and are not court martial offences.
- The Bn RSM and Adj reglarly obtain the necessary advice prior to any charge being laid.
- We don't have a unit legal officer. We have an AJAG at the Wing (Base) level. Sometimes we are forced to seek advice if the charge requires it, i.e. the right to elect court marshall is required. The biggest problem with seeking legal advice is the lengthy turnaround time. It can take months for an opinion to be returned. This means that the deternance of swift justice is lost. Momt of discipline is more difficult.
- We don't have a unit legal officer. We obtain legal advise from the base legal officer. I do obtain legal advise from him/her.

9.b) **When legal advice is sought, are you satisfied with the level of assistance/guidance provided by your local unit legal advisor?**

	<u>2001</u>	<u>2002</u>
Always		67.6%
Sometimes		27.4%
Never		0.0%
N/A (Never sought legal advice)		4.5% >>> Go to Question
No Response		0.6%
		<i>(n=179)</i>

9.c) **Is the assistance/guidance provided clear and easy to follow?**

	<u>2001</u>	<u>2002</u>
Almost Always		75.9%
Sometimes		22.4%
Almost Never		0.0%
No Response		1.8%

(n=170)

9.d) **How could your legal advisor better assist/guide you?**

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

- ADVICE
- Adequate as is.
- Advisor was JAG.
- as a reservist we are usually reqr to go through a Reserve JAG and this causes unacceptable delays. If we go through the Regular Forces JAG things are handled in a much more timely fashion.
- assistance is OK
- Aucune façon spécifique. Le conseiller juridique est extrêmement disponible et spécifique dans ces recommandations.
- Availability is adequate.
- Avoir des sciences d'information et de standardisatier. Pour que les procedures soient les memos a l'unite.
- be available at the lowest level and not only to RSMs and snr officers
- Be more accessible. Provide quicker advise/opinions.
- BE MORE AVAILABLE. ANSWER CLEARLY ASKED QUESTIONS AND GIVE CONCRETE EXAMPLES WRT PAPER WORK.
- Be more pro active particularly when describing the rights of the accused.iN REGARDS A CAUTION
- BE QUICKER
- be up to date
- Become more availabl for general questions and guidance.
- Become more aware of our personnel situations and life on-board a ship and the normal type of issues. At sea it gets hard to communicate at times with the legal advisor. All ships provided with current soft copies of the RDP Forms.
- Become more aware of the life of a sailor and his surrounds, stress associated with confined to one area to work, provide all units with a soft copy of the rdp forms. Easier communications when at sea.
- Being a satellite unit it is not easy to have face to face discussions. Phone or E-mail is the most common source of contact.
- Being able to e-mail Protected B documents to them... to speed up reviews
- Better availability
- By being more knowledgeable

- BY DEALING WITH THE FACTS PROVIDED AND PROVIDE BEST LEGAL CRSE OF ACTION, NOT PERSONAL OPINION
- C' est très satisfaisant pour le moment
- Currently my Base has a top notch legal advisor. This unit has never had difficulty gaining or understanding JAG advice.
- Currently not located on base, it would be good if he/she were "on the ground".
- Disponibilité.
- Doing a great job.
- During long out of area deployments, ensure a representative from AJAG sails with the unit. Secure FAX is essential to have onboard.
- En donnant des reponses claires et précises aux questions demandées.
- En étant plus actif dans le processus d'enquête, c-à-d en nous aidant de comprendre la nature des accusations qui pourraient être portés dès le début d'une enquête, établissant ainsi les éléments de preuve qui doivent être enquêtés. De sorte que les enquêtes seraient seraient plus professionnelles, certaines accusations ne seraient peut être pas portées en bout de ligne et celles qui seraient référées pour procès seraient mieux substantiées.

- En étant plus précis (moins vague). De plus, il arrive souvent qu'un avocat n'a pas la même "vision" ou "interprétation" qu'un autre.
- En participant à certaines de nos activités (perfectionnement) afin que nous puissions approfondir certains points
- En temps normal, je n'ai pas de problème. Depuis quelques mois par contre mon unité a changé de conseiller juridique 2 fois et on ne nous a jamais avisé. Ceci a retardé quelque peu les conseils juridiques.
- Entre lui et moi, il y un intermédiaire, le capt adjt de l'unité. Ceci semble banal, mais les explications que le conseiller juridique me transmet, par l'entremise du capt adjt, peuvent être iminterprétées de façon différente suite à notre conversation.
- Etre plus accessible.
- Être plus disponible (au Canada)
- Faster turnaround of charge reports. I send fwd to check if they are good to g
- Formation plus reguliere sur les changements de loi.
- give annual briefings and updated reports.
- GIVE EXAMPLES OF PAST CASES,AND RESULTS
- Have more legal advisors available
- He does a great job. Don't rock the boat and screw up his good attitude
- Higher priorities have at times made access and info from this office hard to obtain, in fact the time expired for a charge to be laid due to the JAG being too busy. So timing is critical.
- I always contact the JAG and send off a copy of the Charge Report before hand to ensure that I am on the right track.
- I am satisfied with the assistance given to me by the legal officer.
- I feel comfortable with what I receive at this time.

- I get the feeling that our advisor is more interested in splitting hairs and avoiding controversy/recriminations than he is in assisting the unit in maintaining discipline. Clear-cut cases are waffled over and usually recommended against a charge. I am not a dinosaur and am not advocating a return to the lash, but the pendulum is far too far to one side.
- I never had any difficulties with legal advisor. I strongly believed in Team Work. Maj Guy Killaby was of great assistance during my last Summary Trial.
- IL LE FAIT PARFAITEMENT BIEN
- J etais a Halifax NS jusqu a l ete 2001 et le CPO1 RYAN was very helpfull in all situation. The biggest problem was with the unit COs because in 5 years I served for 6 different CO.and didnt know what to do in most cases.
- Je crois qu'il y a un problème de disponibilité. Trop d'ouvrage pour la quantité de dossier à traiter pour les JAA.
- Je sais maintenant qu'ils ont créer des positions d'adjuc et ils font très bien la liaison avec l'avocat du secteur
- LE JAG DOIT RESTER CLAIR ET NE PAS UTILISER LE JARGON D'AVOCAT COMPLIQUER JE REPETTE QR&O EST UN OUTIL QUI NOUS AIDES A FAIRE RESPECTER LA DISCIPLINE AU SEIN DE L'UNITE.
- Le problème est principalement de mon côté je crois. Par mon manque d'expérience dans le domaine. J'ai queque peut de misère à suivre les dossiers disicplinaire.
- les avis fournis sont généralement concis et faciles à interpréter, ils se doivent de demeurer ainsi.
- L'expérience de mon conseiller juridique (capt adjt)est parfois au même niveau que nous. Alors ceci cause parfois des points d'intérogations sur la séquence ou autre.
- More briefs aimed at the Sgt and up level (not E mail or paper) with a lengthy Q and A period
- More timely responses
- My legal adviser is the RSM or the Deputy Judge Advociate. The problem is that the DJA is a busy person and we (the CF) probably need more of them.
- No. de tel facile à rejoindre
- Nothing specific, however, I don't leave his/her office until I fully understand the scenario, am comfortable with the charge report and with the decision to proceed with laying of charges. As well, I believe it is extremely important to establish and maintain a good rapport with the legal advisor and try to emphasize it by inviting him/her to unit trg sessions.
- On one issue I had to talk to 2 different legal advisor's. I had complete opposite advice.

- Our Legal advisor is very suited to assist us
- Parfois les termes employés des conseillers juridiques sont tellement techniques qu'ils sont difficile à comprendre. Il faudrait que ces derniers parlent de façon claire en employant des termes qui peuvent être compris à notre niveau.
- Provide and aide memoire
- Quicker turnaround, but this is true of not only AJAG but also NPM!
- Quit trying to cover his ass and make a sound decision... yes you can charge him or no ITIS. Not a good idea! Stop the standard crap about .. Well you could but it might be overturned, etc. I ask for advice not waffling. Too much careerism from JAG!
- Regular accessibility would help when out at sea, often there is no one to assist with an SI
- Remove the Pre-Charge screening process and allow the investigators to stream line their investigative process for all parties involved. Also have the Prosecutors beware of the current laws and standards in the current court systems
- Répondre aux demandes de vérifications des procès verbaux le plus rapidement possible(3 mois c'est trop long)
- Reviewing the file and providing guidance in a timely manner.
- SANS OBJET, SA DISPONIBILITÉ EST PRÉSENTE
- SEND HIM ON A LAWYER DEGREE COURSE
- Service provided is completely satisfactory
- Should have an advisor in the local area
- Since there is not an area to offer other comments I will use this area: There is a clear disparity between the sentencing of officers and NCMs. An officer who receives a sentence of 30 days suspended for being AWOL 5 months and being recommended to be an ideal NCM is a travesty of the MJ system. Regardless of how long the man was commissioned! I wonder how long a NCM would have spent in cells for the same instance?

- So far they have done a good job.
- Sometimes the answers are very slow coming
- Speak in black and white, I can read legal answers, I'm a simple person, speak english
- talk in plain language and give the exact example of what he/she wants on the RDP
- The job is well done. No suggestions for improvement.
- The legal advisor is over tasked and it takes too long to get an appointment with him to discuss the drafting and laying of charges.
- The legal advisor must remember to be an advisor not a judge. Lawyers should have experience in military operations outside practising law. Interaction within the military officer profession should be as important as the Law profession.

- The most frustrating part is when you are away on deployment. If there is no legal advice with the deployment, it takes a long time to get advice especially if you are far away and the time difference. Example, we were on deployment, we had an incident in Shanghai China. We did not have legal advice therefore I had to call Esquimalt, but with the time change it took almost 5 days to get the info across as when I was up they were away and vice versa
- There are times when you start with 1 legal and end up with another who has a different opinion. So, therefore whoever starts the process should be available throughout. There should be a time line between their response to the person seeking advice or review.
- There needs to be more of them; It takes too long to get answers and support
- There should be a regular training, lets assume that we (people in the field) know nothing about the system. That way everyone is on the same playing field!!
- Think like a lawyer - speak / explain as a non lawyer.
- To date they have done everything I could possibly expect from them. Extremely good service.
- To distinguish better between a Trg environment and an operational environment or Grn Unit
- tout est correct
- Une revision plus rapide des dossiers. Meilleure explications du dossiers.
- Very Satisfied, no comment
- We are very fortunate and have a thorough DJAG
- We receive all the legal advice we require in a timely manner
- When contacted re a charge and advice is given state the way the statement of particulars should read, and maintain a record for when another JAG reviews and doesn't agree there is a record that the applicable JAG office gave the initial advice.
- When dealing with charges, they should stay at the level of the charges. My experience is that a simple summary trial charge is reviewed as a Court Marshal charge.
- Work closer together as a team vice two separate distinct orgs expressing differing objectives and agendas.

9.e) **Is the assistance/guidance provided in a timely manner?**

	2001	2002
Yes		73.7%
No		19.0%
No Response		7.3%
		(n=179)

10. **Do you agree with the following statement: "The Summary Trial procedures are fair to the accused"?**

	<u>2001</u>	<u>2002</u>
Strongly Agree		63.7%
Agree		32.4%
Disagree		2.8%
Strongly Disagree		0.6%
No Response		0.6%
		<i>(n=179)</i>

11. **Is the charging document (Record of Disciplinary Proceedings CF 78) simple and easy to use?**

	<u>2001</u>	<u>2002</u>
Yes		93.3%
No		6.1%
No Response		0.6%
		<i>(n=179)</i>

12. **How often has an incident led to both administrative and disciplinary action?**

	<u>2001</u>	<u>2002</u>
Almost Always		14.0%
Sometimes		64.8%
Almost Never		19.6%
No Response		1.7%
		<i>(n=179)</i>

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