

Special Board Created To Review Sentences On Canadian Soldiers

Ottawa, Oct. 31 (CP). — Defense Minister Abbott announced today in the Commons a special review board has been established to review sentences of one to five years imposed on troops for military or civilian offenses.

Mr. Abbott, speaking during study of army estimates, said the chairman of the board was Mr. Justice John Keiller Mackay of the Ontario High Court of Justice, with Maj-Gen. T. L. Tremblay, inspector-general for Eastern Canada, and Brig. H. G. Nolan, well-known Calgary barrister, now in the Judge-Advocate's branch, as members.

Mr. Abbott said the board was reviewing sentences considered to be longer than usual, in which a man had been sentenced to one, two, three, four or five years for a military or civilian offense.

This was in addition to the regular means of appeal to the Minister or to the Governor-in-Council.

Possible Clemency

"The board will proceed on the assumption that the proceedings were regular and that the sentence was proper, taking into account military law and all the circumstances," said Mr. Abbott. "They are reviewing the whole proceedings to see whether each case is one in which clemency should be exercised.

"In other words, the board is intended in a large measure to perform the functions which the remission branch of the Department of Justice performs with respect to civilian offenses."

Replying to Norman Lockhart (P.C., Lincoln), Mr. Abbott said not all sentences would be reviewed; only those cases where the sentence was over a "certain period." All sentences to penitentiary were being reviewed.

Mr. Abbott made his announcement after John Diefenbaker (P.C., Lake Centre) stressed the need of such a board on the grounds that while such sentences were necessary in wartime everything should be done to ameliorate them now that peace had returned.

He cited cases of men who had been sentenced overseas by military courts and were brought back to Canada and placed in penitentiaries where they would have to associate with "hardened criminals."

Care of Dependents

Clarence Gillis (C.C.F., Cape Breton South) urged that something be done immediately to take care of the dependents of men sentenced after court-martial and also suggested that a member of the Canadian Legion or veterans' organization be represented on the Special Board of Review.

Discussing NRMA deserters, Mr. Abbott said sentences imposed on deserters were uniform throughout Canada and were not more lenient or more severe in Quebec than anywhere else in the country.

Following the mass desertion of NRMA troops scheduled to go overseas last spring, district officers were told they could deal with these deserters summarily as though they had been absent without leave.

Mr. Abbott explained this was done so deserters who surrendered could be put in an early overseas draft. Many of those surrendering voluntarily were given 28 days' detention and sent overseas.

This order was revoked in July when district officers were told to

revert to the normal procedure of dealing with deserters.

Mr. Bracken asked whether the Government intended to leave the National Resources Mobilization Act on the statute books. Mr. Abbott said it was not intended to repeal the act at this session of Parliament.

Mr. Abbott said the number of men called for military service under the act during the war was 158,043.

In a breakdown of the total, he said 32,004 were called up in 1941, 70,504 in 1942, 34,309 in 1943, 17,704 in 1944 and 3,522 in 1945.

The figures were asked last night in a series of questions by Mr. Bracken.

Mr. Abbott said any breakdown of the cost of the NRMA army would be an estimate at best, based on an average per capita cost.

34,000 Prisoners

Mr. Abbott said there still are 34,000 enemy prisoners of war in Canada. None has been returned home since VE-Day, May 8.

The last two Canadian prisoners of war from Hong Kong now were en route home. There still were 615 Canadian prisoners of war in the United Kingdom or Northwest Europe. Only 42 of them were entitled under army policy to priority in return to Canada.

There were more than 4,100 American troops in Canada at present, with most of them serving in Northwestern Canada.

Mr. Abbott said it was the intention to continue operations of Royal Canadian Cadet Corps in schools and also corps sponsored by service clubs.

Mr. Diefenbaker asked what plans were being made for military tribunals to try Japanese who had committed war crimes against Canadian troops at Hong Kong. Such courts should be constituted by Canada.

Mr. Diefenbaker asked how many deserters had been prosecuted in Canada and how many of these were by courts-martial and how many by trial before a commanding officer. Mr. Abbott said he would obtain that information.