

s.19(1)

MEMORANDUM

HQ [redacted] (D Adm)

28 Oct 55

AG

[redacted]
Misconduct Release

I

1 Reference is made to the recommendation of the Discharge Review Board hereunder that the stated reason for release of [redacted] be changed from QR(Army) 15.01 (1)(c)(Service Misconduct) to QR(Army)15.01 Item 5 (b)(ii) (Being considered unsuitable for reasons other than misconduct, inefficiency or medical unfitness). The facts of the case are outlined in the report.

2 A review of recent cases of this type indicates that there has been variation in the way in which they are dealt with. The RCAF are having the same problem and a draft Air Force Administrative Order is attached to the cover of this file. While it may not be possible in all cases to adhere strictly to the proposals in this draft order, it is considered that the draft forms a reasonable basis on which releases might, in the majority of cases, be patterned.

3 Such cases would then normally fall into three categories:

- (a) persons who have been sentenced by a service tribunal to be dismissed from the service would be released under QR(Army) Article 15.01, Item (1)(a) or (4);
- (b) most other cases of this nature would be released under items QR(Army) 15.01 (2)(c) (Unsatisfactory Conduct); and
- (c) persons who have not been convicted of an offence but who are suspected or have confessed to character deviations of this type would be released under QR(Army)15.01, Items (5)(b)(ii) (Being considered unsuitable for reasons other than misconduct, inefficiency, or medical unfitness).

LAG
3 agree ymm
para 4.
[Signature]
M. L. Brennan
Major - General
Adjutant - General

OCT 31 1955

4 If you agree with this method of handling these cases, it is recommended that the stated reason for release of [redacted] should be changed from QR(Army) 15.01 (1)(c)(Service Misconduct) to QR(Army)15.01 (2)(c) (Unsatisfactory Conduct) and that DGAP be advised that the pattern outlined in para 3 above should be used as a guide to such releases in future.

II
I recommend approval

[Signature]
[redacted]
Colonel

OCT 31 1955

T. A. Johnston
(T A Johnston)
Colonel
Director of Administration

59

10

000158