Citation: *R. v. Corporal S.A. Strong*, 2008 CM 3019

Docket: 200787

DISCIPLINARY COURT MARTIAL
CANADA
ONTARIO
8 WING TRENTON

Date: 15 May 2008

PRESIDING: LIEUTENANT-COLONEL L.-V. D'AUTEUIL, M.J.

HER MAJESTY THE QUEEN
v.
CORPORAL S.A. STRONG
(Accused)

DECISION ON PLEA IN BAR MOTION RESPECTING JURISDICTION
(Rendered orally)

INTRODUCTION

[1] Corporal Strong is charged with one offence punishable under section 130 of the *National Defence Act* (*NDA*) for careless use of a firearm contrary to subsection 86(1) of the *Criminal Code*, with one offence for disobedience of a lawful command of a superior officer contrary to section 83 of the *NDA,* and alternatively to those two previous offences, with one offence for an act to the prejudice of good order and discipline contrary to section 129 of the *NDA*.

[2] At the opening of this trial by Disciplinary Court martial on 12 May 2008, prior to plea, and after the oaths were taken, Corporal Strong made an application for which a written notice was received by the prosecutor on 10 May 2008, and by the military judge assigned to preside this court martial on the morning of 12 May 2008, in order to object to the trial being proceeded with because this Disciplinary Court Martial would not have jurisdiction to proceed with this matter.

[3] The preliminary motion is brought by way of an application made under Queen's Regulations and Orders, QR&O, article 112.05(5)(*b*) as a question of law or mixed law and fact to be determined by the military judge presiding at the Disciplinary Court Martial, as mentioned at QR&O article 112.07.

EVIDENCE

[4] The evidence on the application, heard in a *voir dire* that I opened, consisted of:

a. Exhibit VD1-1, the notice of application. This document was entered in evidence by consent;

b. Exhibit VD1-2, the Convening Order for this court martial, signed by M.S. Morrissey, the Court Martial Administrator, on 10 April 2008. This document was also entered in evidence by consent;

c. Exhibit VD1-3, the charge sheet attached to the Convening Order and signed on 12 December 2007 by Major J. Caron, an officer assisting and representing the Director of Military Prosecution. This document was also entered in evidence by consent; and

d. The judicial notice taken by the court martial of the facts and issues under Rule 15 of the Military Rules of Evidence.

CONTEXT AND FACTS

[5] This application is brought by the accused in the light of the decision of the Court Martial Appeal Court, CMAC, in *Trépanier and Her Majesty the Queen and ex-Corporal Beek*, 2008 CMAC 3, delivered on 24 April 2008. Essentially, this decision was about the constitutionality of the authority for the Director of Military Prosecutions, DMP, to determine the type of court martial, section 165.14 of the *NDA*, and the constitutionality of the duties and functions of the Court Martial Administrator, CMA, subsection 165.19(1) of the *NDA* and QR&O article 111.02(*1*)), in her capacity to convene a court martial and appoint panel members of a Disciplinary or a General Court Martial, those two things made by the CMA in accordance with the determination made by the DMP concerning the type of court martial.

[6] On 12 December 2007, an authorized representative of the DMP signed a charge sheet concerning the accused, VD1-3, on which it is indicated "To be tried by Disciplinary Court Martial." At an unknown date, this charge sheet was referred to the CMA. Further to that referral by the DMP representative, the CMA signed on 10 April 2008 a Convening Order in order to convene a Disciplinary Court Martial to dispose of the three charges on the charge sheet. The Convening Order indicates that the Disciplinary Court Martial was taking place on 12 May 2008 at 0900 hours at Building 22, third floor, 74 Polaris Avenue, Canadian Forces Base Trenton.

[7] On the time and date indicated on the Convening Order, the military judge assigned to the case, the panel members, the alternate panel members, the

prosecutor, the defense counsel and the accused were present at the location specified by the CMA. Then, the court martial was opened, oaths were taken, all these steps made in accordance with paragraphs 1 to 4 of QR&O article 112.05. Finally, this application was brought by the accused.

[8] It is agreed by both parties that between the time the CMAC decision was issued to the time counsel addressed the court martial on this application, which is between 24 April and 13 May 2008, the accused was never given an opportunity to choose the type of court martial he would like to be tried by, for the charges brought before this court martial.

THE ISSUE

A. Scope of the issue

i. The procedure

[9] The substance of the accused's application is exactly about the situation I have just described above, which he identified in his application as the fact that he was not provided his constitutional right to make an election as to his mode of trial, as guaranteed by section 7 and paragraph 11(*d*) of the *Canadian Charter of Rights and Freedoms* (the *Charter*).

[10] Because of this situation, he claims that this Disciplinary Court Martial has no jurisdiction to try him, and as a remedy, he requests that I stay the proceedings, probably in accordance with paragraph 24(1) of the *Charter*.

[11] Before proceeding with the analysis, I have to identify first what is the exact meaning of this procedure in order to appropriately dispose of the legal issue raised by the accused in his application.

[12] Subparagraphs 5(*b*) to 5(*d*) of article 112.05 of the QR&O do provide an opportunity to raise specific questions of law or mixed law and fact before a court martial at the beginning of the trial and for which he may request to specify, modify or stop the proceedings before the trial really starts, which is before the time a plea is entered by him.

[13] Subparagraph 5(*e*) of QR&O article 112.05 allows also both parties to raise any other legal issues that are not specially covered by subparagraphs 5(*b*) to 5(*d*) of QR&O article 112.05.

[14] When the jurisdiction of the court is at issue, it must be raised specifically under QR&O article 112.05(*b*) because it is the reason why the accused objects to the trial being proceeded with. This article also refers specifically to QR&O

article 112.24. As a plea in bar of trial, jurisdiction is specifically listed at QR&O article 112.24(1)(*a*):

> **112.24 – PLEAS IN BAR OF TRIAL**
>
> (1) An accused may plead in bar of trial that:
>
> (*a*) the court has no jurisdiction;
>
> ...

[15] QR&O article 112.24 paragraphs 6 and 8 provide the remedy that the court must apply for such application when it is allowed:

> (6) Where a plea in bar of trial has been allowed to all charges, the court shall terminate the proceedings.
>
> …
>
> (8) Where a plea in bar of trial has been allowed but not to all charges, the court shall:
>
> (*a*) Terminate the proceedings in respect of any charge to which a plea has been allowed: and
>
> (*b*) Proceed with the trial on any charge to which a plea has not been allowed."

[16] Then, it is clear for the court that the issue of jurisdiction must be treated as a procedural matter in accordance with the provisions of QR&O article 112.24 and not under an analysis of a potential infringement of the rights of the accused under section 7 and paragraph 11(d) of the *Charter*. However, this latter issue may be properly raised by the accused later in the proceedings, under subparagraph 5(*e*) QR&O article 112.05.

[17] I would also tend to agree with the prosecutor's affirmation that if I conclude that this Disciplinary Court Martial has no authority to try the accused, then I have certainly no authority to stay the proceedings. How can I stay something that will not start?

[18] It is my decision that the issue of jurisdiction raised by the accused in his application must be dealt with in accordance with the provisions found in QR&O article 112.05(*b*) and QR&O article 112.24. At this stage of the proceedings, it is my decision that the issue of jurisdiction does not require any legal analysis of an infringement of the constitutional rights of the accused as guaranteed by section 7 and paragraph 11(*d*) of the *Charter*, and also a legal analysis of the necessity for me to order a stay of the proceedings in accordance with paragraph 24(1) of the *Charter*.

ii. The CMAC decision in Trépanier

[19] On 24 April 2008, the Court Martial Appeal Court issued its decision in the matter of *Trépanier and Her Majesty the Queen and ex-Corporal Beek*, quoted above. Further to a reading of this decision, it is clear for me that the issue discussed was the constitutionality of the *NDA* and QR&O related provisions, and more specifically section 165.14 and subsection 165.19(1) of the *NDA* and article 111.02(1) of the QR&O, on the authority given to the DMP to determine the type of court martial that is to try an accused.

[20] First, the CMAC came to the conclusion that the ability for an accused to choose or elect the mode of trial is part of the right to full answer and defence and to control the conduct of his defence, as guaranteed by paragraph 11(*d*) of the *Charter* as part of the right to a fair hearing. On that issue, the CMAC said at paragraph 93 of its decision:

> [93] With respect, the right at play here is not the right to elect but the right for a person charged to make a full answer and defence and to control the conduct of his or her defence. This right to full answer and defence and control thereof is guaranteed by paragraph 11*d*) of the Charter as part of the right to a fair hearing. As previously mentioned, it is a constitutional right, which has been found by the Supreme Court of Canada to be required by the principles of fundamental justice in the *Swain* case. The respondent acknowledges that: see paragraph 48 of the respondent's memorandum of fact and law. It is at this juncture, however, that the right to choose the trier of facts may so interfere with the accused's constitutional right to a full defence and to control the conduct of that defence as to deprive him or her of that constitutional right in violation of the principles of fundamental justice.

[21] Then, the CMAC concluded that the authority given in the *NDA* to the DMP, the Director of Military Prosecutions, to determine the type of court martial that is to try an accused violates section 7 and paragraph 11(*d*) of the *Charter*, as it said at paragraph 103 of its decision:

> [103] For the reasons given, we believe that section 165.14, subsection 165.19(1) and article 111.02(1) of the QR&Os violate section 7 and paragraph 11*d*) of the Charter. In our view, to give the prosecution, in the military justice system, the right to choose the trier of facts before whom the trial of a person charged with serious *Criminal [Code]* offences will be held, as do section 165.14 and subsection 165.19(1) of the NDA, is to deprive that person, in violation of the principles of fundamental justice, of the constitutional protection given to offenders in the criminal process to ensure the fairness of their trial....

[22] The CMAC also concluded that these specific sections of the *NDA* and the QR&O could not be saved by section 1 of the *Charter* (see paragraphs 104-105 of the *Trépanier* decision).

[23] Discussions took place during this hearing about the scope of the remedy applied by the CMAC for section 165.14 and subsection 165.19(1) of the *NDA* and article 111.02(1) of the QR&O. On that issue, the CMAC said in its conclusion at paragraphs 137 and 138 of its decision:

> [137] For these reasons, we will allow the appellant's appeal in part and, as requested, declare that section 165.14, subsection 165.19(1) of the NDA and article 111.02(1) of the QR&Os violate section 7 and the right to a fair trial guaranteed by paragraph 11*d*) of the Charter and are of no force and effect.
>
> [138] We will deny the respondent's request for a one-year suspension of the execution of this decision.

[24] It is clear to me that the CMAC referred to paragraph 52(1) of the *Charter* and said that those provisions were invalid *ab initio*.

[25] First, the CMAC used the wording "are of no force and effect" at paragraph 137 of its decision, which reflects clearly the legal concept of invalidity of a law and which are also the exact words found at paragraph 52(1) of the *Charter*:

> 52. (1) The Constitution of Canada is the supreme law of Canada, and any law that is inconsistent with the provisions of the Constitution is, to the extent of the inconsistency, of no force or effect.

[26] Second, the CMAC proceeded with the analysis required in such matter as stated in the Supreme Court of Canada decision of *Schachter v. Canada*, [1992] 2 S.C.R. 679, and more particularly when it contemplated whether the declaration of invalidity of these sections of the *NDA* and the QR&O should be temporarily suspended.

[27] While it is clear that the entire section 165.14 of the *NDA* has been declared invalid by the CMAC, what is the situation for the two other provisions?

[28] Subsection 165.19(1) of the *NDA*, and article 111.02(1) of the QR&O which consists of an exact quote of subsection 165.19(1) of the *NDA*, refers to the authority of the CMA to convene a court martial in accordance with the determination of the DMP, which is made pursuant to section 165.14 of the *NDA*, and in a case of a General or Disciplinary Court Martial, to the CMA's authority to appoint its members further to the same determination made by DMP.

[29] By stating that subsection 165.19(1) of the *NDA* and article 111.02(1) of the QR&O are of no force and effect, does the CMAC mean that the CMA cannot

convene anymore a court martial and appoint members of a Disciplinary or General Court Martial?

[30] In *Schachter* quoted above, it is clear from that decision that a declaration of invalidity applies only to what was identified in the law by a court as inconsistent with the Constitution, giving this way full effect to meaning of the words "to the extent of the inconsistency" that can be found at paragraph 52(1) of the *Charter*. Justice Lamer said in that decision:

> There is nothing in s. 52 of the Constitution Act, 1982 to suggest that the court should be restricted to the verbal formula employed by the legislature in defining the inconsistency between a statute and the Constitution. Section 52 does not say that the words expressing a law are of no force or effect to the extent that they are inconsistent with the Constitution. It says that a law is of no force or effect to the extent of the inconsistency. Therefore, the inconsistency can be defined as what is left out of the verbal formula as well as what is wrongly included.

[31] It is clear for me that the only subject contemplated by the CMAC in its decision of *Trépanier* was the authority given by the *NDA* to the DMP to determine the type of court martial that is to try an accused, nothing more and nothing less. It is true that there is some reference in this decision to some other components of the court martial system, but it was done as an illustration of the need to modernize the military justice system, and it is certainly not the subject of the CMAC decision.

[32] Then, considering the clear meaning of the words "to the extent of the inconsistency" found in the supremacy clause, which is paragraph 52(1) of the *Charter*, and considering the decision of *Schachter*, both imposing on me the way to read the CMAC decision in *Trépanier*, I conclude that the CMAC declares invalid the law referring to the DMP legal authority to determine the type of court martial that is to try an accused, which represents only the portion of subsection 165.19(1) of the *NDA* and article 111.02(1) of the QR&O that refers to that authority. In other words, only the words "in accordance with the determination of the DMP under section 165.14" were aimed and must be considered as constitutionally invalid in subsection 165.19(1) of the *NDA* in order to give effect in law to the CMAC decision.

[33] The CMAC also discussed the issue of the accused's right to choose the mode of trial only for service offences punishable under section 130 of the *NDA*. It seems that it was suggested by the CMAC that those offences referring to the *Criminal Code* are serious enough to impose on the system of courts martial the obligation to provide an opportunity to the accused to choose the type of court martial. Nothing was said by the CMAC about pure military service offences that can be found under the Code of Service Discipline. Considering that for all those pure military service offences, it always exists a possibility for a court martial to deprive an accused of his

liberty if he is found guilty by it, I conclude that nothing preclude the court martial's system to also provide such opportunity to the accused to choose the type of court martial he wants to be tried by for service offences other than the ones punishable under section 130 of the *NDA*. It is interesting to note that the prosecutor, on that very same issue, told me that he had no problem if I reach such conclusion. For him, no distinction has to be made between 130 *NDA* offenses and all other service offences when comes the time to choose the type of court martial.

[34] Then, it is my conclusion that the CMAC decision in *Trépanier* did two things:

> a. Declared void *ab initio* the authority given to the DMP in the *NDA* to determine the type of court martial that is to try an accused, and consequently, declare constitutionally invalid section 165.14 of the *NDA* and the words "in accordance with the determination of the Director of Military Prosecutions under section 165.14" in subsection 165.19(1) of the *NDA* and article 111.02(1) of the QR&O; and
>
> b. Established that a person subject to the Code of Service Discipline and charged with a service offence must be given the opportunity to exercise his right to choose the type of court martial he wants to be tried by further to the preferral of charges by the DMP, and that such right does belong only to that person.

B. The questions to be answered by the military judge to determine the issue

[35] Having confirmed that the legal issue raised before me by the accused application is about the jurisdiction for this Disciplinary Court Martial to dispose of the charges on the charge sheet in light of the CMAC decision in *Trépanier,* quoted above, I must answer two questions in order to make my determination on that issue:

> a. First, considering that this court martial was convened before the CMAC decision in *Trépanier* was delivered, does the legality of the decision and of the documents reflecting the type of court martial chosen by the DMP representative and dealing with the charges on the charge sheet brought before this court, is affected?
>
> b. If the answer to the first question is no, then does this Disciplinary Court Martial, which is taking place after the CMAC decision in *Trépanier* was delivered, have jurisdiction in order to proceed with the charges on the charge sheet brought before it, despite the fact that the accused was not given an opportunity to exercise his right to choose the type of court martial he wants to be tried by?

i. The first question - The legality of the decisions and of the documents that led to the convening of this court

[36] The court martial's system is not different than any other criminal system relying on the presumption of innocence. A decision has to be made about the charges to deal with, which is a task belonging to the DMP and his representatives, and the charges have to be brought before a court for disposition, which is done by the CMA. What has been changed by the CMAC decision in *Trépanier* is about the person who will choose what type of court martial has to deal with the charges.

[37] For this Disciplinary Court Martial, a DMP representative identified charges in the charge sheet and the same person also indicated that these charges have to be brought before a Disciplinary Court Martial. Then, the CMA convened a Disciplinary Court Martial to dispose of those charges.

[38] All these events occurred before the CMAC decision in *Trépanier* was delivered and at no time the accused, which is here Corporal Strong, was given an opportunity to choose the type of court martial. In fact, such thing was impossible to do for him according to the *NDA*.

[39] As I expressed earlier, the authority given to the DMP in the *NDA* to determine the type of court martial has been declared invalid by the CMAC, and such effect goes back to the beginning of the existence of the provisions allowing such thing. So, if the DMP never had the authority to choose the type of court martial before which Corporal Strong is today, and he has no authority to direct the CMA about the type of court martial for which we were all convened, what is the validity, on the legal side of the things, of the DMP's decision and of the Convening Order signed by the CMA that brought us here?

[40] On this matter, the prosecutor had submitted that those two acts regarding this case and made by the DMP and the CMA are still valid because of the application of the *de facto* doctrine. Essentially, this doctrine was recognized and applied by the Supreme Court of Canada in *Re Manitoba Language Rights*, [1985] 1 S.C.R. 721. It validates acts and decisions made by a public officer based on an invalid authority from the time the provisions supporting them began to be in force an effect to the time of the declaration of their invalidity by the court. As stated in that decision at paragraph 79:

> There is only one true condition precedent to the application of the doctrine: the *de facto* officer must occupy his or her office under colour of authority. This is consistent with the rationale for the doctrine, *viz*., that the members of the public with whom the officer dealt relied upon his ostensible status. Simply put, "[a]n officer de facto is one who has the reputation of being the officer he assumes to be, and yet is not a good officer in point of law....

[41] It also extends to documents issued on the basis of an invalid act by a public officer to give effects to his decisions, as it was established by the Supreme Court of Canada in *Bilodeau v. A.G. (Man.)*, [1986] 1 S.C.R. 449, at paragraph 9

> The summons which the appellant received was issued pursuant to *The Summary Convictions Act*. This Act was enacted, printed and published in the English language only and is, in accordance with the decision of this Court in the *Reference re Manitoba Language Rights*, invalid. Nonetheless, the rights, obligations and other effects which have arisen under this Act will be forever enforceable if they arose out of, *inter alia*, reliance "upon the acts of those administering the invalid laws" under colour of authority. Actions performed pursuant to invalid Acts by courts and judges, acting under colour of authority, will be saved by the *de facto* doctrine. Thus in the present case, the *de facto* doctrine will preclude any challenge to the effectiveness or enforceability of the summons on the ground that it was issued pursuant to an invalid Act, since the summons was clearly issued under colour of the authority of *The Summary Convictions Act*.

[42] It is clear for me that the DMP and the CMA were officers for which the appointment is not challenge by the CMAC decision in *Trépanier*. The DMP was acting under colour of rights when he made the decision that a Disciplinary Court Martial will try the accused, and the CMA was also acting under colour of rights for the issuance of the Convening Order for this court martial.

[43] The prosecutor also relied on the principal identified in *Canada (Attorney General) v. Hislop*, [2007] 1 S.C.R. 429, where by creating new law because of its decision of invalidity of a law made pursuant to paragraph 52(1) of the *Charter*, a court may just grant a prospective remedy only. At paragraph 93 of the decision, the Supreme court of Canada says:

> The determination of whether to limit the retroactive effect of a s. 52(1) remedy and grant a purely prospective remedy will be largely determined by whether the Court is operating inside or outside the Blackstonian paradigm. When the Court is declaring the law as it has existed, then the Blackstonian approach is appropriate and retroactive relief should be granted. On the other hand, when a court is developing new law within the broad confines of the Constitution, it may be appropriate to limit the retroactive effect of its judgment.

[44] I do not rely on this principle to answer to the first question about the issue on this application, but however, I just want to say that this principle would have been probably applicable in order to make a decision on this specific question.

[45] Then, it is my conclusion that the DMP's decision to have the accused tried by a Disciplinary Court Martial, as indicated on the charge sheet before this court, and the Convening Order issued by the CMA giving effect to the DMP's decision on the type of court martial to be convened are both legal and valid.

[46] However, the effect of the *de facto* doctrine, which impact on the validity of such acts, stop at the time the CMAC decision in *Trépanier* was delivered. In fact, in the absence of a CMAC decision to suspend the effect of its declaration of invalidity, the DMP's legal authority to determine the type of court martial that is to try an accused and to direct the CMA on that issue during the convening process of a court martial is invalid since 24 April 2008.

[47] Considering what it is above mentioned, the answer to the first question is no.

ii. The jurisdiction of this Disciplinary Court Martial in the context of the CMAC decision in Trépanier

[48] Now, having established the legality of this Disciplinary Court Martial, I have to turn myself to the issue of giving effect to the CMAC decision in *Trépanier* to provide an accused the opportunity to choose the type of court martial he wants to be tried by.

[49] It is clear for me that since 24 April 2008, the responsibility for choosing the type of court martial that will try a person subject to the Code of Service Discipline belongs to the accused that is the subject of this court martial. Then, it means that every court martial that will take place after 24 April 2008 shall enforce the CMAC binding decision on that topic.

[50] In criminal procedure, until an accused charged with a hybrid indictable offence either elects or waives the procedure, the court has no jurisdiction to conduct either a trial or a preliminary inquiry, unless the offence is one on which the accused has no election. Trial jurisdiction flows from election for trial in provincial court and preliminary inquiry jurisdiction from election to be tried in the superior court. Always on the same matter, in criminal procedure, there is no jurisdiction to accept a guilty plea on such an indictable matter before the accused has elected because the court is not the trial court.

[51] I would say that the same reasoning applies in our case. The CMAC decision is loud and clear on that subject: since 24 April 2008, no court martial of any type can proceed with the charges brought before it for a specific accused until a choice is made by this same accused on the type of court martial he wants. It is part of the right of the accused for a fair trial under paragraph 11(*d*) of the *Charter*, and it is also part of the principle of fundamental justice of full answer and defence. Elements such as the composition of the court martial and its power of punishment may influence the way the accused contemplate to conduct his defence, and a choice can be made accordingly.

[52] In summary, a court martial of a specific type will become the trial court if, and only if, the accused made the choice to be tried by it.

[53] Then, the answer to the second question is maybe. It relies on the accused to choose if he wants this Disciplinary Court Martial to proceed.

[54] Then, in accordance with section 179 of the *NDA*, I have the authority to exercise the powers, rights and privileges as are vested in a superior court of criminal jurisdiction for the due exercise of the jurisdiction of this Disciplinary Court Martial. It would be totally ridiculous to terminate the proceedings in this case without giving an opportunity to the accused to tell this Disciplinary Court Martial legally convened if he wants to be tried by it.

[55] The situation is the following one: if I terminate the proceedings without asking the accused if he wants to be tried by this Disciplinary Court Martial, then this matter will be terminated and once a choice has been made by the accused about the type of court martial he wants in accordance with an unknown mechanism, it is possible that the same type of court martial as this one be convened. Then, why terminate a matter that may come back later before the same type of court martial. It will be mainly a waste of time and money.

[56] Essentially, it would be in the interest of the accused and would not be contrary to the public interest and would not bring the administration of justice into disrepute to ask if the accused wants to be tried by this Disciplinary Court Martial.

[57] It will also respect the fact that it relies solely on the choice of the accused to be tried or not by this Disciplinary Court Martial.

CONCLUSION

[58] The application made by the accused pursuant to QR&O article 112.05(5)(*b*) is allowed on all charges in part. The application of the following exceptional procedure must be apply in order for this Disciplinary court martial to determine if it has jurisdiction.

[59] In order to enforce the CMAC decision in *Trépanier*, and in accordance with the authority vested in this court martial pursuant to section 179 of the *NDA* for the due exercise of this Disciplinary Court Martial's jurisdiction, I will ask the accused if he wants to be tried by this Disciplinary Court Martial. If his answer is no, or he declines to answer to my question, then it will become clear to me that this court has no jurisdiction and I will terminate the proceedings on all charges. However, if his answer is yes, then it will become clear to me that this court has jurisdiction, and I will carry on with the proceedings for this Disciplinary Court Martial.

LIEUTENANT-COLONEL L.-V. D'AUTEUIL, M.J.

Counsel:

Major B.J.A. McMahon, Regional Military Prosecution, Central
Counsel for Her Majesty The Queen
Lieutenant-Colonel D.T. Sweet, Directorate of Defence Counsel Services
Counsel for Corporal S.A. Strong