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The Thunderbird



Number 2, 1997

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Military Police Cpl Patricia Kostiew from 4 Wing Cold Lake pauses for a rare breath while crawling through the "Belly Crawl" obstacle at the 1996 Thunderbird Challenge in Winnipeg at the end of June.

EDITORIAL POLICY

The **Thunderbird Journal**, the official journal of the Security Branch, is published quarterly and is an authorized DND periodical in accordance with CFAO 57-14.

The aim of the **Thunderbird Journal** is to provide a focal point for Branch activities, to provide a forum for the exchange of ideas, and to foster professionalism and esprit de corps.

Items suitable for publication in the **Thunderbird Journal** will vary in terms of topics and format but can include both items of Branch wide interest as well as more informal reports of local events. Articles may be submitted direct or through the normal chain of command subject to the approval of appropriate commanders as applicable.

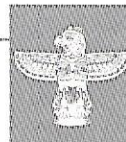
Letters to the Editor, questions or editorial comment will be welcome, however, the Editorial Board reserves the right to reject articles considered unsuitable for publication.

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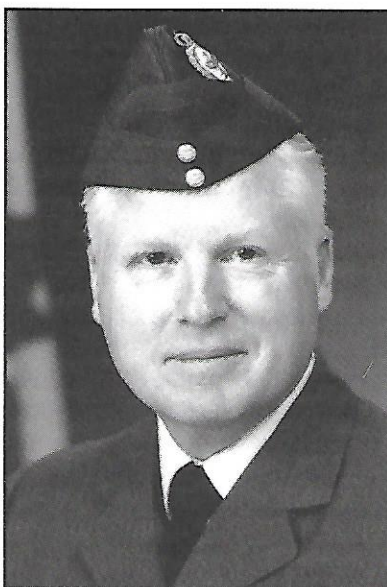
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LETTER FROM THE EDITOR-IN-CHIEF

BY LCOL D.V. McELREA

The time has come for me to pass on the mantle of Editor-in-chief of the Thunderbird Journal. Time has certainly passed quickly since my first issue last year. With the change I referred to in my first editor's letter, eventually came a posting for me to Directorate Information Technology Security and the passage of the reins as Editor-in-Chief to Lieutenant Colonel S.R. Hancock, newly appointed Deputy Provost Marshal Plans & Coordination, within the Canadian Forces Provost Marshal's Division at NDHQ.



We all have seen or experienced some changes in our work environment. At times this may have caused you concern as you wondered where this would all lead. However, if we go back to the core of what we do, has anything really changed! Many times the change you experienced was in the how it was done not in the what. We have always been Military Police as far back as one chooses to look. This is best exemplified by an extract from "The Argument of the Provost Marshal".

"It is a duty expected at this officers hands, to be a ready suppressor of all vice and disorder, and to be a maintenance and advancer of all those which have any semblance or likeness with an honest, sober and civil inclination; whence it behoveth him to have a ready and quick judging eye between the good and bad,

so that he may in an early house restrain all immoderate and unlawful gain, and rather compel the cutthroat to kill himself with envy, than to consume others with the rust and other canker of his unsatisfied covetousness," from Five Decades of Epistles of Ware, Francis Markham, 1622.

This issue of the Thunderbird Journal looks at both sides of your job. The continued need for what you have always done and the need for change in how it is done. The Military Justice System is reviewed by a

graduate of the Security Officers Advanced Course. Your professionalism is exhibited in an article on the MP Platoon in Bosnia and the rigorous competition of the Thunderbird Challenge, which demonstrates that you can rise to meet the need for change (reprinted with the kind permission of the author and Blue Line magazine). The rejuvenation of the Security Awareness Program is also explored.

In closing I want to acknowledge the capable assistance of Major J.M.M.Deschenes, ex-Captain P. Nichol and Sub-Lieutenant M.D. Paillé, who made this journal possible during my tenure! Thank you is also owed to the many branch members who have contributed articles. You are all urged to take your place in the Military Police community by becoming a part of this journal.



NOTES FROM THE BRANCH ADVISOR

CHANGES

By Colonel P.M. Samson, CD

If you have not noticed it, there are changes going on in the world, in Canada, in DND, in the CF and within the Military Police environment. As Military Police we have come a long way since the Creation of the Corps of Canadian Military Police. Though there have been a number of studies conducted on the military police organization, powers and mandate, none has impacted as much as the Special Advisory Group on Military Justice and Military Police Investigative Services and the Somalia Commission. The recommendations of these two groups are being translated into changes.

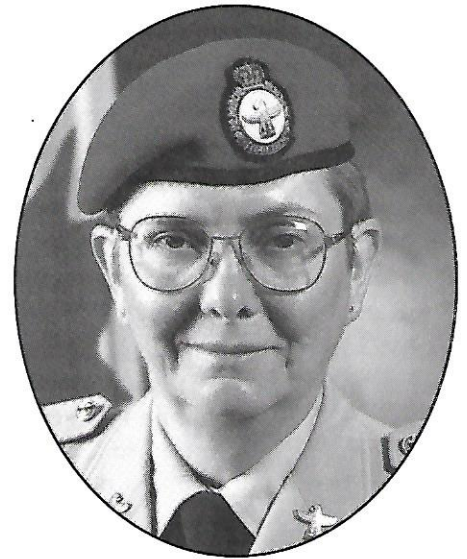
What has to change? First and foremost – us. The military police organization has been around many years, our values and the way we do things has become our culture. Like every other organization the military police culture has positive and negative aspects. On the positive side we are proud of our jobs, are enthusiastic workers despite the high-risk environment in which we work, and we are determined to fulfill our mandate. On the negative side, Military Police as a group maintain a traditional policing and parochial focus and we are out of step with the needs of the community we serve.

Well folks, believe it or not, the above reflects the way we are perceived. Our community wants us to be more responsive and accountable, better trained and

more professional in the conduct of our duties. We all may believe that what the community wants is what we are currently giving them, but this does not appear to be the case. So what must we do? We must all work to ensure that the community sees that we are responsive, accountable and professional. More specifically we must:

- upgrade our selection and recruiting standards,
- restructure our training (one formal course every four or five years is not acceptable),
- train our investigators better,
- evaluate military police functions on a recurring basis so we can become a learning organization,
- push ourselves “out of comfort zones and try new ideas”,
- be responsive and timely with the service, investigations and reports we provide,
- not accept below standard or unethical conduct from one another, and
- be professional in all our endeavours.

We all have a big challenge ahead, and it will not be easy or simple, but beware of the “nay sayers”, they will try to tell you what I just detailed above is not true. Do not believe them, we must all grow if we wish to



remain as part of the Defence Team and we, military police, must also all work together as a team. As the Ancient Chinese Proverb says:

*If you want one year of prosperity
grow grain*

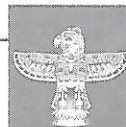
*If you want ten years of prosperity
grow trees*

*If you want one hundred years of
prosperity
grow people*

I want the military police organization to be here longer than one, two or ten years. Let us grow people and let's start with ourselves!

Tell me what you think! I can be reached on the Internet at:

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THE REQUIREMENT FOR AN INDEPENDENT MILITARY JUSTICE SYSTEM IN THE CF

ORIGINALLY SUBMITTED IN LONGER FORM FOR SOAC 9601 BY MAJOR R.M. LANDER

The double bladed ambiguity of the warrior's position is inescapable. The force by which the warrior protects society is the same force which threatens that society.¹

The appropriateness of maintaining a separate military justice system in those countries which do so is regularly called into question, and Canada is no exception. However, recent highly publicized events involving members of the Canadian Forces have created unusually intense interest in this subject in the decade of the 1990s. When this phenomenon is coupled with the current unprecedented level of restructuring and reorganization within the Department of National Defence it is both timely and relevant that this matter be reviewed again in detail. Decisions made now in this area will have significant impact in the decades to come on both the rights and obligations of Canadian service members, and the national interests and strategic aims of the country itself. Therefore, it is vital that any amendments made are necessary, appropriate and in the best interests of all concerned.

Military effectiveness, which depends on maintaining a high state of discipline, morale, welfare and efficiency, can best be maintained through the inclusion of an independent justice system within the Canadian Forces. The term 'independent' has two meanings. It refers both to a military justice system which is distinct from the Canadian civilian criminal justice

system, and also to a justice system which is in many important respects independent from inappropriate influence by the military chain of command. All countries which developed their legal and justice systems on the British model maintained separate arrangements for military justice.² The historical reasons for this can be traced to the crucial struggle for power between the Crown and parliament during the seventeenth century.

In attempting to control the power of the King, Parliament had made the country vulnerable to invasion. The solution was essentially a pragmatic one. A standing Army was established by Parliament, but its existence would be limited to a fixed period. The Mutiny Act 1689 not only recited the terms of the Bill of Rights but it also provided a basic disciplinary code for its members. Parliament had therefore stamped its authority over the very existence of the Army, but it had also given the right to the military authorities to try a limited number of offences, and if need be, to exact the death penalty. Moreover, the Act made it very clear that soldiers were liable also to the ordinary laws of the land.³

So from the very beginning of Anglo-American justice as we know it today, several principles were established with respect to the military. These were that soldiers were to be afforded the same basic rights as all citizens and were to be liable to the same ordinary laws as all citizens, but in addition, were to be subject to a disciplinary code which was to be administered and adjudicated by and for the military. Why was this felt necessary? Simply, although parliament recognized

the requirement for an armed force, it also feared the power therein and wished to control it through special disciplinary provisions. In the words of the original Mutiny Act:

...it being requisite for retaining such Forces as are or shall be raised during this Exigence of Affairs in their Duty an exact Discipline be observed. And that soldiers who shall mutiny or stir up Sedition, or shall desert Their Majesty's Service be brought to a more Exemplary and speedy Punishment than the usual Forms of Law will allow...⁴

This special requirement for discipline is central to the argument for retaining separate military justice systems in Canada and other countries which inherited or developed similar legal and democratic values. It is important to emphasize that the military justice systems in these countries are not modifications of their corresponding criminal justice systems, but separate and distinct methods of dealing with separate and distinct problems, which have been created and developed since the beginning to be different. Much of the criticism levelled at modern systems of military justice fails to recognize or validate this fundamental concept. Essentially, military law is "a variety of law that has developed to meet the particular requirements of a particular part of our polity".⁵ Further, the nature of military law is such that it is "...usually taking the form of a curtailment or abolition of such rights as the soldier would have had as a citizen."⁶ This has resulted in a dichotomy of sorts, which continues to evolve, between the requirement of the military to retain discipline and the requirement of all organs of the



state, including the military, to respect the fundamental rights of its citizens, including soldiers.⁷

Why do we need discipline in the military? The obvious answer is contained in this quote from part of a U.S. Supreme Court judgment regarding military justice:

*[The army's] law is obedience. No question can be left open as to the right to command in the officer, or the duty of obedience in the soldier. Vigor and efficiency on the part of the officer and confidence among the soldiers in one another are impaired if any question be left open as to their attitude to each other.*⁸

However, military discipline should not be thought of simply as a means of compelling obedience by the subordinates on the part of their superiors. It also means forcing correct and appropriate behaviour by all personnel toward each other regardless of rank. For soldiers to trust that their lives are being protected, risked or even expended, if necessary, in an appropriate manner, they have to have absolute faith that those above and around them are both competent and fulfilling their duties as required. It is a major function of military discipline to create and maintain this type and level of trust. No military force can be efficient, and therefore effective, without it. Not only would they be ineffective at national defence, but a military which did not trust and obey the established hierarchy would be a liability to the civilians it was designed to protect. An army without discipline is a dangerous force, as the framers of the original *Mutiny Act* recognized in 1689.

Assuming that the requirement for discipline, and therefore some form of a disciplinary code is accepted as being necessary in the

military, the next question to be addressed concerns the administration of this code. Can not the civilian criminal justice system, with perhaps some adaptations, administer and enforce this code? Joseph Bishop offers four reasons why this would be impractical. Firstly, the civilian justice system is inefficient and slow. This is a natural result of being based on the premise that the rights of the individual accused are paramount, and that it is better to let ninety-nine guilty individuals go unpunished than to punish one innocent one. This principle is in direct contravention of the requirement to maintain efficiency and obedience through discipline.

Secondly, there are strictly military offences such as disobedience of a lawful command, absence without leave, or striking a superior. Even if these offences could be incorporated into the civilian justice system, it would be unlikely that a civilian judiciary would have the knowledge or experience to either understand them sufficiently or be able to decide appropriate punishment in the interest of maintaining an appropriate level of discipline.

Thirdly, discipline, if it is to be maintained, must be the responsibility of the commander. Therefore, it should be the commander who plays a major part in the process of adjudicating and awarding punishment for behaviour which threatens the discipline required to retain efficiency.

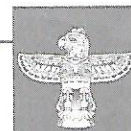
Finally, and perhaps most significantly, the system designed to dispense military justice must be completely deployable. Not only must soldiers accused of violating the code of service discipline be held accountable for their actions regardless where they occur, but the system charged with the

responsibility to learn of, investigate, report and adjudicate these breaches of discipline must be able to travel and function wherever the military forces are deployed. Civil courts and police forces do not normally have the jurisdictional ability to carry out these functions (the specific Canadian case in this regard will be examined in greater detail later in the essay).⁹

Essentially, the reason a separate military justice system exists in countries such as Canada is because of the fundamental differences between the reasons for its existence and those of the civilian criminal justice system. The civilian criminal justice system has been described as existing as a means of resolving conflicts between individuals and between individuals and the community as a whole.¹⁰ As stated, the *raison d'être* for a military justice system is based on, but not limited to, the requirement to maintain discipline.

*The object of military law has been stated as being to maintain discipline among the members of the armed forces. However military law must also, in the wider sense, be designed so as to support the military system as a whole and to assist the military organization to achieve the ends for which it was created.*¹¹

Naturally, one result of these divergent aims is that there exist major differences between the treatment of individuals within each of these systems. Citizens, on one hand, and soldiers on the other, are afforded varying degrees of freedom and required to fulfill different obligations. Problems may arise when the freedoms and rights afforded to the citizen are encroached by the individual's obligations as a soldier. Resolving these conflicts is a complex process which continues to evolve in all



countries utilizing the Anglo-American systems of justice. Generally speaking, the courts have tended to respect the differences between soldiers and other citizens, as part of a U.S. Supreme Court judgment in *re GRIMLEY* (1890) indicates:

*By enlistment the citizen becomes a soldier. His relations to the state and the public are changed. He acquires a new status, with correlative rights and duties; and although he may violate his contract obligations, his status as a soldier is unchanged.*¹²

The conflicting demands inherent in attempting to maintain an appropriate balance between the requirement to enforce discipline and yet protect the basic rights of soldiers has caused immense strain on military justice systems, especially in the period since WW II.¹³ This conflict has resulted in court challenges, some of which have resulted in modified procedures and processes, but in general have consistently upheld the principle that discipline in the military must take precedence over individual guarantees of rights and freedoms. In the United States, the Supreme Court has recognized this principle through such judgments as *Burns v. Wilson* (1953):

*Military law... is a jurisprudence which exists separate and apart from the law which governs in our federal judicial establishment. This Court has played no role in its development; we have exerted no supervisory power over courts which enforce it; to meet certain overriding demands of discipline and duty, and the civil courts are not the agencies which must determine the precise balance to be struck in this adjustment.*¹⁴

However, democratic societies have been consistently vigilant in ensuring that the legal rights of their soldiers may only be infringed

when it is clearly necessary to do so in the interest of good order and discipline, not arbitrarily or simply for reasons of convenience.¹⁵

One of the most contentious issues concerning systems of military justice has been the question of "command influence" affecting the independence of military tribunals. Naturally, "independent and impartial adjudication is essential to a free and democratic society",¹⁶ however, independence is difficult to attain and even more difficult to prove when the chain of command is intimately concerned with maintaining discipline, and also closely involved in deciding when and how military justice will be dispensed. Robert Sherrill, in his denunciation of military justice, makes the point that:

*...courts-martial are not convened unless the commanding officer believes the defendant is guilty; and since the officers who make up the trial panel know that the commandant is of this persuasion - and because they must often look to the commandant for promotion - they will often come through with the verdict he wants. It is in fact, that simple.*¹⁷

Although this statement takes a rather dim view of the professionalism and integrity of military officers, and ignores the fact that it is in every military person's (including officers) best interest to have a fair system, it is conceivable that such situations could occur. Furthermore, when one is concerned with guaranteeing individual rights as far as the requirement to maintain discipline will allow, it only makes sense to institutionalize procedures to ensure that command influence does not pervert the interests of military justice.

Fear of command influence in the U.S. military justice system was a major factor in the creation of the

Uniform Code of Military Justice in 1968, and various reforms since then have continued to address this issue in an attempt to guarantee the impartiality of the process. Similar reforms in the UK have had like results, including establishing the principle that courts-martial dealing with more serious offences will include a legally trained officer who is independent from the chain of command.¹⁸

In Canada, the impact of the *Constitution Act* (1982) with its Charter of Rights and Freedoms, has had a dramatic effect on the court-martial system. Even though the Charter recognizes the unique requirements of military law,¹⁹ several Supreme Court challenges have resulted in substantial changes to the establishment of and procedures concerning military tribunals. The *Généreux* case in particular dealt with the constitutionality of courts-martial, posing the question of whether the Charter guarantee at s.11(d) of an "independent and impartial tribunal" applied to courts-martial, and if so, their qualification in this respect. Lamer C.J.C held that s.11 did indeed apply to courts-martial and further found that a General Court Martial failed on all three of the 'essential conditions' of independence established in *Valente*. These three conditions are tenure, financial security, and institutional independence of the tribunal with respect to matters of administration bearing directly on the exercise of its judicial functions.²⁰

Even before the Supreme Court made the *Généreux* ruling, however, amendments had been made to the Queen's Regulations and Orders in order to address the concerns about the independence of courts-martial, which satisfied Lamer that the deficiencies had been corrected. Once again in Canada, as had



previously been the case in *Regina and Archer v White* (1956), the necessity for the existence of separate military tribunals was upheld, as this comment from the 1995 report to the Canadian Judicial Council indicates:²¹

*In the end...the separate system of military tribunals under the National Defence Act was affirmed by the Supreme Court. And in the light of the comments by Lamer C.J.C. on the recent amendments, military tribunals will probably withstand further Charter challenges either by not violating s.11(d) or, if they do, will be upheld under s.1 [as being demonstrably justified in a free and democratic society].*²²

The question of the requirement for and constitutionality of military tribunals having been established, the question now is one of jurisdiction. Over whom do such tribunals have jurisdiction, and what sort of matters are they responsible for adjudicating? This is not an easy question, and in this area military law has evolved somewhat differently in each country with Anglo-American legal traditions. Before concentrating on the Canadian example, an examination of some of the major decisions in the U.S. and UK is in order as they have had, and continue to have, some bearing on policies and procedures in Canada.

In the UK, the long tradition of trying soldiers within the military justice system for civilian offences was upheld in the *Army Act* of 1955. This act allows for soldiers to be charged for any offence punishable by any law in England, regardless of where the offence is committed.²³ One reason for this inclusion of civilian offences in the military disciplinary code is to give the military the ability to punish behaviour which, although in violation of civilian law, is also prejudicial to discipline. This is especially impor-

tant concerning those offences which may be considered not to be especially serious by the general public or civilian courts, but may have a major impact on discipline within the army (e.g. public drunkenness, soft drug usage etc.). Perhaps the major reason though, is the fact that there are very few offences which if committed by a British subject out of the UK, would be triable by a British court. In order to uphold British mores and standards wherever a soldier should deploy, it is, therefore, essential that behaviour by soldiers that would constitute an offence in the UK be within the jurisdiction of a military tribunal. In addition, a military tribunal will be set up especially for each specific case, and can therefore take place in the same location as the alleged offence, or anywhere else that the operational needs of the military dictate.²⁴

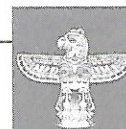
The inclusion of civilian offences in the disciplinary code allows for the application of civilian criminal law to soldiers regardless of where they may be serving, but it also requires that the same means of defence and standard of impartiality must apply to such cases. It would not be acceptable to the general public if the basic legal rights of a soldier were to be ignored simply because of the perceived requirements of the military.²⁵

In the U.S., this requirement for the military justice system to include civilian offences has been modified significantly over the years by several Supreme Court decisions. Essentially, whereas previously the status of the service member was enough to give jurisdiction to the military courts, now the offence must be in some way connected to the service for them to have jurisdiction. If this service connection or 'nexus' is absent, then the accused service member must be tried before a civilian court, where and if one exists having

normal geographic jurisdiction over the location where the offence is alleged to have occurred.²⁶

As a means of practical illustration, the following hypothetical examples can be considered. A sexual assault committed by a U.S. soldier on a civilian in an operational theatre of war, outside of U.S. territory, although essentially a civilian offence, would be tried by a military court-martial. On the other hand, a sexual assault committed by a U.S. soldier in a suburb of Chicago, having no connection to the military other than the accused's status, would have to be tried in civilian court.

In Canada, the situation, though based on the developments which have occurred in the U.S and the UK, is also unique. The *National Defence Act*, and the large body of regulations and orders which have been formulated pursuant to it, allows the Code of Service Discipline to include as offences all behaviour that would constitute an offence under any other Canadian law, any behaviour occurring outside of Canada that would constitute an offence if it had occurred inside Canada, and any behaviour occurring outside of Canada which constitutes an offence under the foreign law normally in operation where the behaviour took place.²⁷ In addition though, the act affirms that "...nothing in the Code of Service Discipline affects the jurisdiction of any civil court to try a person for any offence triable by that court."²⁸ The result of these provisions is to give the military justice system the ability to deal with any possible offences regardless of where they may occur, but to ensure also that the civilian courts retain jurisdiction over criminal offences with which they would normally deal. The issue of military 'nexus', where it arises, is dealt with on a case by case basis through discussion involving those authorities who may have an



interest in prosecuting.²⁹ Canada, therefore, has an extremely flexible military justice system, which allows for the enforcement of Canadian law and appropriate foreign laws, regardless of where an alleged offence may occur, while still giving primary jurisdiction over criminal law to the civilian criminal justice system.

The Canadian military justice system, as with its counterparts in the U.S. and UK, continues to evolve and adapt to the changes in the society it is designed to help protect. As previously mentioned, the court-martial structure and process has been adapted in order to ensure the requisite degree of independence and impartiality. The summary trial process, used to deal quickly with less serious offences, has faced similar pressures. The commanding officer, charged with maintaining discipline, must dispense summary justice in a fair and impartial manner. Though the offences dealt with by summary trial are normally clearly disciplinary in nature, the process is also quasi-judicial, with the powers of punishment allowed being quite severe, including detention, monetary fines and the allocation of extra work. The difficulties with the competing aims of fairness and discipline inherent in the system can be summed up as follows:

*The commanding officer has such divided responsibilities that, with the best will in the world, he will find it extremely difficult, if not impossible to meet them. As commanding officer his prime concern must be the welfare of all. As a disciplinary officer in the system of military justice, his prime concern must be to ensure that the individual accused is justly dealt with. Too often the situation will arise where one cannot be carried out except to the detriment of the other.*³⁰

As a result of these conflicting aims, the commanding officer is

subject to the ultimate degree of command influence, and the impartiality of the summary trial process is called into question. Why retain summary trials in the military justice system if such problems can not be avoided? The simple answer is because they are required in order to maintain discipline. It would be logistically and administratively impossible to deal with the vast number and myriad types of minor disciplinary offences which occur in the military by court-martial. Conversely, they must be dealt with, or the state of discipline will suffer. Soldiers must be trained and become accustomed to obeying orders immediately and efficiently. If they are allowed to get away with ignoring any sort of direction because the machinery to enforce compliance is too cumbersome to be effective, the entire state of discipline will invariably suffer.

Given the disciplinary requirement to hold summary trials, what can be done to ensure that the soldiers are being treated as fairly as possible? Some modifications, such as allowing the possibility of legal counsel to attend summary trials, and ensuring that accused soldiers have sufficient time to prepare their defence after being made aware of the specific charge being made against them, have already been made. In addition, further refinements to the process are currently being considered, such as removing the commanding officer's ability to award detention as a punishment, in an attempt to ensure maximum fairness to the soldier while retaining the essential ability to maintain discipline. Essentially, the process should be fine tuned as much as possible not only to ensure that it is effective, but also to ensure that any encroachment of individual rights is clearly justifiable in the interest of maintaining discipline.

It has been seen that the system of military tribunals, including courts-martial and summary trials, is both necessary and functional, having been designed to and capable of dealing impartially with offences wherever they occur. In other words, the system of adjudicating guilt or innocence of those subject to the Code of Service Discipline is deployable to wherever the Canadian Forces may be required to operate, and is designed to be as independent as possible. This system not only helps maintain discipline, but also promotes the welfare of the service members as it guarantees as far as possible that their rights will be respected and that they will be dealt with in a fair and impartial manner, whenever and wherever they are accused of having committed an offence. There is one other aspect of the military justice system, however, which must also be capable of operating in an impartial manner wherever the Canadian Forces may be deployed. This aspect concerns the efficient investigation and reporting of alleged offences on behalf of the appropriate authorities. The functions necessary to fulfill the requirements of this aspect of Canadian military justice are carried out by the military police.

The requirement for the inclusion of a professional, specialized investigative and reporting agency within the military is essential to the main objectives of the military justice system: the maintenance of discipline and the guarantee of impartial treatment free from command influence. In order to maintain discipline, alleged offences must be efficiently investigated and reported so that the necessary action can be taken. As military law can include every offence under all Canadian law and some foreign laws, as well as strictly military offences, it is clear that a highly trained, specialized agency is required to investigate



alleged offences anywhere in the world. Not only are civilian police institutionally unfamiliar with military law, but they are also jurisdictionally limited by geography to Canada, or parts thereof. Canadian military police suffer from neither of these limitations.

Accepting that military police are best suited to perform the investigative and reporting functions required by the military justice system, the next question must be directed toward whether or not they are sufficiently impartial and independent of command influence to be able to safeguard the rights of service members. This question is an extremely controversial one that is often in the headlines of the popular press.³¹ According to an 1994 external review headed by a retired provincial court judge:

*Military Police personnel are, after all, soldiers by trade and police officers by selection. The existence of a rigid military culture which demands, first and foremost, total loyalty to its own beliefs and institutions may not always be compatible with the dynamics of the law in its reflection of public values and attitudes. For example, while the civil police are held accountable to the public they serve, not only by the Courts, but by various external oversight committees, boards and commissions, the Military Police respond primarily to their own internal command structure. ...the lack of external controls must bring into question the objectivity of Military Police conducting investigations into the activities of military personnel and others who fall under their jurisdiction ...all of whom are entitled to the same freedoms and safeguards as other citizens...*³²

There is no doubt that there is in Canada a perception that at least the possibility of command influence exists with regard to the

operations of the military police. This perception exists despite the existence of formal, written military police policies outlining exactly what comprises undue influence, and what is to be done should it be encountered.

Organizational modifications to ensure both the substance and the appearance of freedom from command influence are welcome, if they help ensure that the military police are able to provide the required investigative and reporting expertise to the military justice system. A system of justice incapable of competently investigating and reporting alleged offences wherever they occur within its jurisdiction, could not be considered efficient or effective, and the military police ensure that this function exists within the military justice system.

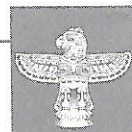
Another element found within the Canadian military justice system which has been the subject of some controversy is the Canadian Forces Service Prison and Detention Barracks (CFSPDB). This institution is the linchpin of a programme designed to allow the incarceration of service prisoners for the first two years of their sentences, and the detention of those service members who have been awarded such a punishment at a service tribunal. The former are generally released from the Canadian Forces after the two year period (either completely, or for transfer to a civilian prison for the remainder of their sentence). The latter are usually the object of an attempt at reform and rehabilitation in order to re-instill in them the requisite level of discipline to again function effectively within the Canadian Forces. As such, the CFSPDB is the final component in the complete military justice system. It may not be cost effective to maintain a service prison for the purposes for which it now exists (at least in

peacetime), but the ability to remove service detainees to a secure facility in order to facilitate their rehabilitation would seem to remain a valid requirement. In addition, the deterrent effect the existence of such an institution has on soldiers whose normal living conditions are often worse than those found in modern civilian prisons (especially on operations) should not be underestimated.

Some modification to the existing service prison and detention programme may be required, but the retention of an ability to reform those essentially good (and mostly young and misguided) soldiers is a necessary element of an effective military justice system. The continued existence of a service prison *pour encourager les autres*, if not as a nucleus for expansion during wartime is something for which a detailed cost analysis would be required.

It is axiomatic that to be effective a military must have a high state of discipline. A high state of discipline ensures that a military will be capable of operating efficiently, while ensuring the welfare of all of its personnel. This in turn helps promote a high standard of morale, which again increases efficiency and as a result effectiveness. Without discipline, a military would become a heavily armed, unruly mob presenting more of a threat to society than a form of protection. The existence of a military justice system is essential to the maintenance of discipline. Civilian criminal justice systems alone are incapable of providing the necessary elements of military justice wherever the military may be required to operate. This is as true for the Canadian Forces as it is for other militaries throughout the world.

The essential elements of a military justice system based on Anglo-American traditions, such as that



utilized by the Canadian Forces are a court-martial process, summary discipline powers, an investigative and reporting capability and a service prison/detention barrack. All of the foregoing must be as independent as possible in order to ensure impartiality and therefore protect the rights and freedoms of individual soldiers, as much as the requirement to maintain discipline will allow.

An effective, self-contained system of military justice is fully deployable and fully responsive to the operational requirements of the Canadian Forces. It can be modified and fine tuned in order to adapt to changing societal pressures, but no essential element contained within it should ever be eliminated.

An effective military is essential to Canada in order to guarantee national sovereignty, and an effective military requires an independent system of military justice which will promote a high state of discipline, welfare, morale and efficiency. The Canadian military justice system more than satisfies these demands. In addition, it is independent, deployable, flexible and responsive to the requirements of the service and the individuals within it. As a result, the current system meets the continuing requirement and therefore should be retained.

END NOTES

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- ² *re Grimley* Supreme Court of the United States, 1890 137 U.S. 147, 11 S.Ct. 54, L.Ed. 636, *United States Law and the Armed Forces: Cases and Materials on Constitutional Law, Courts-Martial, and the Rights of Servicemen*, ed by Willis E. Schug (New York: Praeger Publishers, 1972), p 123
- ³ Peter Rowe, *Defence: The Legal Implications of Military Law and the Laws of War* (London: Brassey's Defence Publishers, 1987), p 1
- ⁴ Joseph W. Bishop, Jr., *Justice Under Fire: A Study of Military Law* (New York: Charterhouse, 1974), p 7
- ⁵ *Ibid*, p xiv
- ⁶ *Ibid*, p 3

- ⁷ William T. Generous, Jr., *Swords and Scales: The Development of the Uniform Code of Military Justice* (Port Washington, New York: Kennikat Press, 1973), p 4
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- ⁹ Bishop, *Justice Under Fire...*, pp 19-25
- ¹⁰ W.T. McGrath, "Crime and the Concept of Justice", in *The Police Function in Canada*, ed by W.T. McGrath and Michael P. Mitchell (Toronto: Methuen Publications, 1981), p 2
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- ¹³ Generous, *Swords and Scales...*, p 15
- ¹⁴ *Burns v. Wilson* Supreme Court of the United States, 1953. 346 U.S. 137, 73 S.Ct. 1045, 97 L.Ed. 1508 *United States Law and the Armed Forces: Cases and Materials on Constitutional Law, Courts-Martial, and the Rights of Servicemen*, ed by Willis E. Schug (New York: Praeger Publishers, 1972), p 361
- ¹⁵ Rowe, *Defence: The Legal Implications...*, p 5
- ¹⁶ Martin L. Friedland, *A Place Apart: Judicial Independence and Accountability in Canada*, Report prepared for the Canadian Judicial Council, Ottawa, May 1995 (Ottawa: Canada Communication Group Publishing, 1995), p 1
- ¹⁷ Robert Sherrill, *Military Justice is to Justice as Military Music is to Music*, (New York: Harper and Row, 1970), p 76
- ¹⁸ Rowe, *Defence: The Legal Implications...*, p 20
- ¹⁹ Section 11(f) *Constitution Act*, 1982
- ²⁰ Friedland, *A Place Apart...*, p 14
- ²¹ Fay, *Canadian Military Law...*, pp 42,43
- ²² Friedland, *A Place Apart...*, pp 15-17
- ²³ Rowe, *Defence: The Legal Implications...*, p 17
- ²⁴ *Ibid*, p 19
- ²⁵ *Ibid*, pp 10,11&26
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- ²⁷ Sections 130,67&132 of the *National Defence Act*
- ²⁸ Section 71 of the *National Defence Act*
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- ³⁰ *Ibid*, p 84
- ³¹ Editorial, "The buck stops...where? *Toronto Sun*, 12 April 1996, p 11
- ³² R.J. Marin, *Audit of the Canadian Forces Special Investigation Unit*, Report to the Chief of the Defence Staff, Ottawa, July 1994 (Ottawa: Canada Communication Group, 1994) pp 6-8
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NATO IMPLEMENTATION FORCE TO BOSNIA-HERZEGOVINA

CANADIAN CONTINGENT IFOR MP PI (ALIAS 2 MP PI)

By Sgt D. Winfield

From 31 Dec 95 to 14 Jun 96, members of 2 MP PI were deployed in the Former Republic of Yugoslavia on the first ever NATO mission. You would be hard pressed to identify any major incident having occurred during this time period that did not involve the Military Police, who at minimum gave assistance/direction. We proved that it was a Police tasking from the start and maintained our lead role throughout the operation.

On the 3 Jan 96, 10 of the 12 members of 2 MP PI (WO Stubbett, Sgt Winfield, MCpl Wallis, Cpl's Elson, Okrainec, Scott, Vallee, Warren, Young and LS Butcher, soon to be followed by Capt Langs, Commanding Officer 2 MP PI/CCIFOR MP PI, and Cpl Crispin) who were to comprise the backbone of the CCIFOR MP PI arrived in Split (after travelling for 24+ hours in a Hercules aircraft), all but 2 serving for the first time in the former

Republic of Yugoslavia. Their arrival was the result of steady training throughout Dec 95 (never mind COP Cobra training from Jun to Sep 95), where the members worked steadily from dawn to dusk, seven days a week, receiving only three days for Christmas Leave prior to departure.

Once on the ground it became evident that MP assistance was required if CCIFOR members were ever going to reach their destinations (Velika Kladusa and Coralici), as the 50 vehicle convoy we were thrown in with was reduced by 4/5 within the first 20 km (not bad considering it was a 300 km route) so we quickly took control of the convoy, rounded up all the lost drivers, and led the way. All the while we performed convoy commander security. Thank God for the Michelin Road Maps we individually purchased prior to departure from Canada, as the convoy Commander (who knew

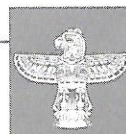
the route) failed to stay in sight of the convoy and there were no military maps to be had.

The drive through Croatia was uneventful but definitely exciting; it was our first sighting of entire towns that had been abandoned even though there were no signs of war damage. Entire towns had been destroyed by war, contained bombed/burned UN buildings or were overflowing with local soldiers and military equipment. The route itself brought us through flat prairie like lands into large mountain passes that seemed to put the Canadian Rockies (Rogers Pass) to shame. The weather quickly changed as we moved from the warm balmy coast into the snow covered, windswept, mountainous terrain of Bosnia-Herzegovina. However, with load carrying vests (with metal plates inserted) and flak vests being worn (at least for the next 6 months) the change in temperature was not immediately noticed.

Our first stop was Velika Kladusa (2 Svc Bn camp, soon to be called Black Bear Caserne (BBC)) where snickers and sighs of relief could be heard from people moving onto Coralici. However, this was short lived as Coralici proved to be in greater disrepair than BBC. At Camp Coralici we were placed in ISO's, commonly referred to as the Calcutta lines, which had been left disgustingly dirty by the UN Forces that departed the area. We immediately set to work scrubbing the ISO's down with toilet detergent, discarding the beds/mattresses, making heaters operational, and scrounging



From left to right: WO Stubbett, MCpl Wallis, Sgt Winfield, MCpl Low, Cpl Agnew, Cpl Scott, Cpl Young, Cpl Vallee, Cpl Okrainec, Cpl Roache, Cpl Ife, Cpl Clusiau, LS Butcher, Cpl Page, Cpl Crispin, Cpl Elson and Cpl Warren.



doors, shelves, and other accessories. Within ten hours we actually started feeling comfortable and believed we could be happy here.

Our primary job over the next 24 hours was to get the MP Guardhouse, complete with an MP Orderly Room, operational. This was done in record time, with a completely computerized 24/7 manned MPS operating by 0001 hrs, 6 Jan 96. We actually proved to be too efficient, as the stores which we brought from Canada were being seized by other units. Our software was taken by HQ & Sigs Sqn, our computer experts because none of the other units brought any, our binoculars, night vision goggles and shotgun were taken by the RCR D&S Pl because they had not brought any of this equipment. We were also the only personnel fully equipped with blast blankets and LCV protective plates (scrounged while in Sibinek), as well as forty five (you never know when one might break down) 524 radio sets for our eight vehicles. A lesson learned on this



MCpl Wallis attending a volatile demonstration/riot at Otoka Bridge.

mission: to survive you must be able to scrounge (taught by WO Stubbert).

This tasking was not just an MP field tasking or a Police tasking, it included all aspects of both jobs. As well it included duties which we were never trained for but were quick to adapt to. Since we operated as individual jeep teams with two men during our taskings, we were considered by Bde HQ to be non-confrontational, quick to respond, trustworthy and of course good observers. Therefore Bde HQ deployed us on every tasking that had to be handled immediately or taskings which they did not know how to handle (Duty Officers have always relied on MPs to solve their problems).

Initial taskings revolved around forcing the local security forces to abide by IFOR rules which resulted in us attending the Southern border crossing in Velika Kladusa and applying pressure to both the Croatian and Muslim border guards to get the border opened to IFOR traffic. MCpl Wallis led this foray, only to find he was turned back. But his second jeep team, led by Cpl Young, was quick-witted, reminding the Croatian guard that his government paid him DM 50 a month to open the gate and that he should start doing his job. The guard, tired of arguing with Cpl Young, allowed him to pass as well as any other Cdn MP vehicle that approached his position. However, he still refused to allow other IFOR vehicles to pass (NSE fixed this problem about two weeks later when they forced their way through with vehicles a little bigger than an Iltis jeep).

We were fully involved in the Mujahadin saga which spanned a 20 day period operating under a 24/7 cycle. This tasking involved some surprises, not all good, such as incorrect grid references (only 3 km difference) which found us

driving through a crowd of heavily armed Mujahadin rebels (130 +) and 5 Corps soldiers (odd since 5 Corps was supposed to be guarding the Mujahadin). After deciding to drive one of the Iltis jeeps into a three foot ditch (purposely getting it stuck..right!), we had a perfect vantage point to observe the Mujahadin Camp, however, within minutes we were being guarded by armed 5 Corps soldiers. This lasted for about two hours at which point a local civilian pulled our vehicle out of the ditch with his tractor and we were allowed to leave the area. The next phase saw us monitoring the movement of traffic coming from the camp at all hours of the day and night, however, this was ineffective so we were soon ordered (at 0100 hrs) to set up an Observation Post within 100 meters of the Mujahadin living quarters. This resulted in Sgt Winfield, LS Butcher, Cpl Vallee and Cpl Young being surrounded by armed Mujahadin rebels (no 5 Corps soldiers were seen) and having to talk their way out of a dangerous situation. The rest is history as within hours after our confrontation the camp was surrounded by British Warrior vehicles and our role changed to that of escort/observers as we pursued the Mujahadin ensuring they departed Bosnia-Herzegovina.

We were responsible for obtaining/securing all weapons seized from locals by IFOR troops, however, our role soon changed as we took the Canadian lead and started seizing weapons ourselves. Some Canadian units were advised to refrain from seizing weapons as the MPs are equipped with armoured vehicles (armoured Iltis', wow!) to handle this problem. On 1 Feb 96, WO Stubbert, Cpl's Elson, Okrainec and Warren were deployed to the Zone of Separation (ZOS) North of Otoka where the heavily



armed Croatian Police were in a Mexican stand-off with Czech IFOR. This volatile incident, lasting some three hours, resulted in the Croatian Police having their weapons seized (16 automatic weapons and four rocket launchers) and being escorted out of the ZOS. At a later date four Muslim Military Policemen were observed by Capt LANGS and Cpl YOUNG carrying machine pistols in Bihac which resulted in our patrols surrounding the individuals and seizing the weapons. It soon became obvious that Military Police had an advantage over the average soldier as we were used to applying the rules in a confrontational situation (we do it every time we issue a traffic ticket or charge somebody).

VIP visits became the norm as seemingly everybody in Canada wanted to visit CCIFOR, and of course they all had to travel through the Kuplensko Refugee Camp, a real safe place, where Croatian Police rule with an iron fist. Not an easy task getting co-operation through this area, however, it was managed and no one was the wiser. Fortunately it was decided that Close Protection would not be required as we had just enough manpower to escort the VIPs, never mind protect them while moving on foot.

A second MP Detachment was opened in Camp Maple Leaf, the resources of course coming from our group of 10 NCM's. This worked out well as it saved us close to 3 hours travelling time (due to weather/road conditions) whenever there was an accident or a tasking in the Kljuc/Sanski-Most area.

As February arrived new problems were created as we now had to man the R&R centre. We had personnel going on R&R and LTA, which meant that at any one time

we would be missing up to three personnel and we were already deploying everybody 18/7. To alleviate the problem all R&R's were cancelled, however, the MP on duty at the R&R centre (later two MP's due to the problems occurring) would stay there for eleven days (six days on duty and five off). It soon became evident that we did not have the manpower to perform all the tasks required of us so Bde HQ increased our numbers by six additional personnel (MCpl Low, Cpl Clusiau, Cpl Agnew, coming from 2 MP Pl, and Cpl Ife, Roache and Page coming from CFB Kingston). We also received three additional Ilitis' and trailers (badly needed equipment).

With the additional MP personnel came a bit of free time so that was quickly plugged up by Sgt Winfield who decided that we could now start a PT program. So within a couple of mornings, we had several hills picked out and a flat route for those more casual runs. We were well on our way to being even more exhausted, but physically fit. As well, we were able to commence standard police duties which included enforcing traffic laws and conducting equipment blitzes throughout the AO. At this time, we made lots of new friends as we stopped all IFOR nationalities, identified their failures, and sent letters to their unit commanders.

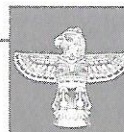
Field training was utilized extensively as we lived on the road moving continuously from one area to the next, living out of our Ilitis'. We manned halt areas during two extensive NSE road moves which saw the sea containers, arriving in Rijeka with CCIFOR supplies, moved to Black Bear Caserne, and later the excess equipment being moved back to Rijecka. Lastly we signed and maintained seven routes (some of which covered 300 km).

As far as police work we were involved in the peripheral investigation of mass graves and dead body sightings found within the Cdn AO. Our job revolved around attending the scene (not always easy as most bodies were found well away from the built up areas and required CZECH IFOR EOD to clear a route to the bodies), taking notes of what we observed, videotaping the scene, and compiling a quick file on our findings. The info was then forwarded to BRIT IFOR MPs who would be responsible for conducting further investigation into the matter.

Accidents were the norm as CCIFOR averaged one per day. Even we had our fair share of incidents (as we covered 42,000 km each month), from driving through hay trucks, driving into ditches, travelling airborne over bridges, falling off bridges, doing donuts down mountains, hitting walls and 18 wheeled trucks, rear-ending civilian vehicles, and of course aiding in the destruction of the British SAS in a head on collision. The Ilitis proved incapable of performing the task at hand, as we blew five engines and found at least 40% of our fleet grounded at any one time, never mind the fact that the monotonous hum of the vehicle was affecting our hearing.

The normal investigations into negligent discharges w/without injury, fires, cases considered controversial to the Canadian Forces, international investigations, hundreds of vehicle accidents/incidents, fatalities, and of course computer viruses (which were extricated by Cpl Page), occurred.

We were tasked to traverse the Southern part of our AO around Kulen Vakuf to search through Muslim towns looking for suspected military detention facilities. These reports proved false



as all towns were found to be vacant and severely war damaged. The local police station was also subjected to a forced inspection which saw two MPs entering the building with unarmed IPTF (International Police Task Force) members and forcing the local Bosnian Croat police to open the building up for inspection (prior liaison by MPs ensured the building was surrounded at this time by elite BRITFOR WFR troops, ensuring no problems would occur). This search resulted in grenades being found under barrack room beds.

We found ourselves stopping/ searching vehicles belonging to the different organizations operating in the area (Red Cross, IFOR, UN, UNHCR, etc.). Attending riots/ demonstrations/prisoner exchanges at Otoka Bridge and White Fang, and tearing down illegal police checkpoints throughout our AO.

Even on LTA, this unit was pushed to the limits as Cpl Elson, who had decided to travel to Israel, happened to be in a shopping mall that was being visited by a suicide bomber. Fortunately Cpl ELSON was unscathed by the subsequent

explosion which occurred within meters of his position.

Three days prior to the last member of 2 MP Pl departing theatre for home we were involved in a search of the Ministry of the Interior Police (secret police) building with members of 5 PPM, which resulted in six Air Defence Weapons being found (direct violation of DATUN). The results of this search were still outstanding when we left, however, this story can be finished by 5 PPM if they write about their activities in Bosnia.

CAPITAL 'M' CAPITAL 'P'

CANADA'S POLICE FORCE TO THE WORLD COMES TO WINNIPEG FOR THUNDERBIRD CHALLENGE '96!

by Dave Brown

Reprinted with the kindly permission of the BLUE LINE, Canada's National Law Enforcement Magazine, November 1996

These people are tough!

Feet planted safely and firmly on the ground, I had to strain upward just to see the top of the structure. Towering over 10 meters off the ground, each Military Police team member had to scramble up a cargo net, climb a short ladder and leap across a high log platform. They then had to descend a rope to the ground and scale a log fence to complete the first obstacle known as "The Tough One." No kidding!

This ultimate test of agility was only one of twenty-one various obstacles spread out over two kilometers of the St. Charles Rifle Range in Winnipeg. All ten "Wings" of the Canadian Forces Air Command Security and

Military Police (SAMP) were represented by teams here at the end of June in an intensive display of physical fitness, combat rifle shooting, and combat pistol proficiency called the Thunderbird Challenge Competition.

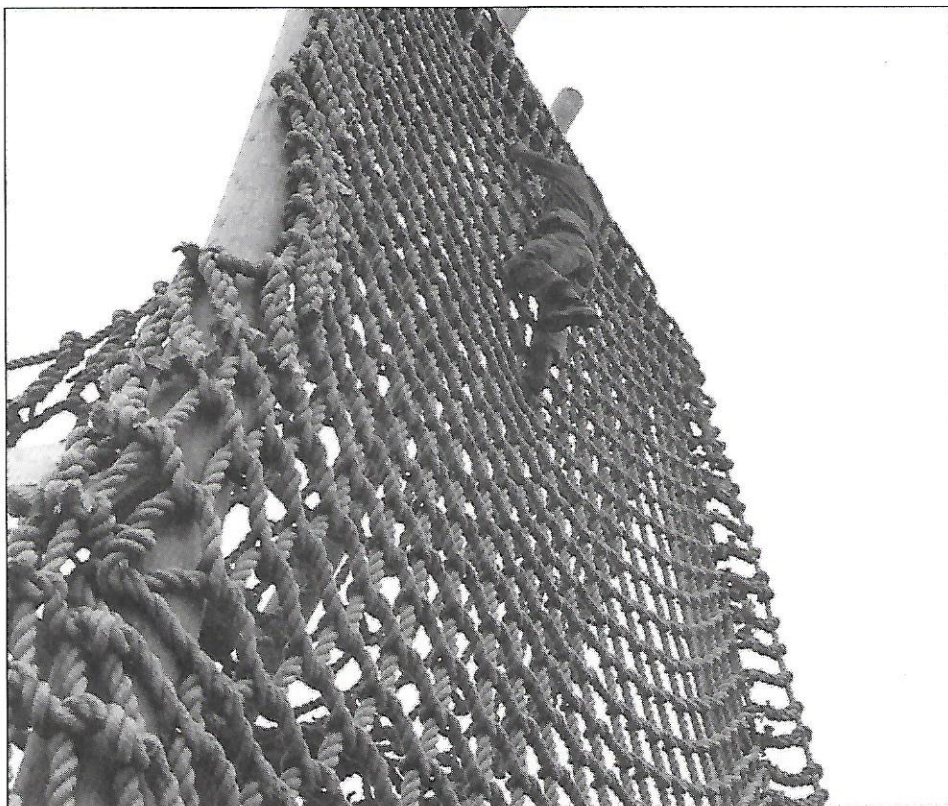
There will always exist a debate among the law enforcement personnel of Air Command about whether they should be viewed as "capital M" Military primarily, with the "small p" police secondary, or if their function is more correctly "small m" second and "capital P" Police first. Watching the physical fitness phase of the 1996 Thunderbird competition, I was convinced that Military Police personnel could all be described without exception as "Capital M, Capital P."

The Fitness Competition

The first full day of competition opened June 24 with light rain

showers that soon gave way to typical Manitoba sunshine. The morning began with the fitness competition. And we are not talking about fitness as in "I worked out with my Ab-roller while watching the Olympics on TV." We are talking about an extreme test of physical ability. Each of four team members completed a winding course of twenty-one obstacles, racing against the clock. Starting with the infamous "Tough One," one team member at a time negotiated each obstacle, which can be as low as a crawl under knee-high barbed wire to as high as a climb over a vertical 13 meter ladder. Winnipeg has been designated as the permanent home of the Thunderbird Challenge and the Canadian Forces spent over \$100,000 in the construction of the obstacle course. It definitely shows in the challenge and variety of the structures.





It looks awesome even from the safety of ground level. The "Tough One" was the first obstacle in the fitness competition.

High scramble walls and rolling balancing logs all added to the "fun" and competitors had to use feet, knees, bellies, arms, and hands to make it safely to the end. Just to be sure nobody had the slightest bit of energy left, a final one kilometer lap of the perimeter finished the day. Upper and lower body strength, as well as agility and endurance were all required to complete the course in a winning time.

The team from 17 Wing, Winnipeg, finished first in the overall fitness competition, and Master Corporal Murphy from Winnipeg demonstrated his mastery of the course by finishing first individually. Captain Delaney of Moose Jaw finished a close second. Upon completion of the fitness test, competitors now had the rest of the day to recover, but there were some interesting surprises in store for them on day two.

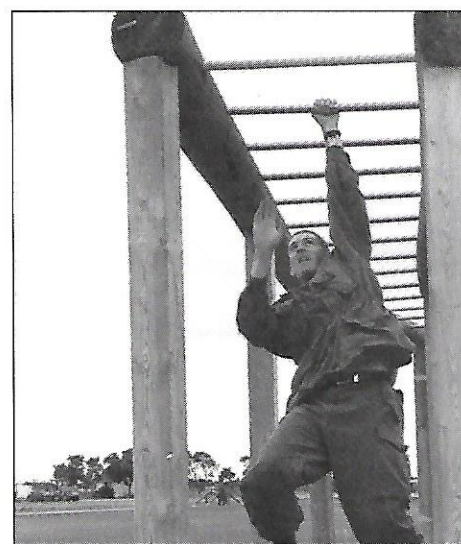
Combat Rifle

The second day of the competition combined the Combat Rifle competition at the St. Charles Rifle Range with the Combat Handgun competition at The Firing Line indoor pistol range. The Combat Rifle course of fire began with an Airfield Security Force (ASF) scenario in which teams responded to a simulated assistance call from an observation point on the perimeter of an airfield. To reach the initial jump-off point, each team had to effectively integrate map navigation skills, team movement tactics, and radio and hand signal communications.

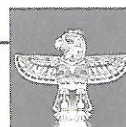
Once at the jump-off point at the 500 meter line of the rifle range, they moved downrange to engage 15 targets from 200 meters. The targets began appearing from various positions in the butts at scheduled intervals and each team member had

a total of 15 rounds to engage the targets with one shot each. A command of "Gas! Gas! Gas!" then signified a simulated gas attack and the team donned masks. Once secured, they moved as a squad to the 100 meter line and engaged one target each with 15 rounds.

An "All clear!" announcement signaled the end to the gas attack and the team moved uprange to 300 meters, and finally 400 meters, where they engaged further targets with one magazine each. Most teams managed to complete the firing portion with few problems and the issue Colt-designed C-7 (M-16) rifle worked reliably. Somewhat less reliable was team communications—where some teams were almost caught with their pants down as targets appeared on a fixed schedule—and team navigation skills. One experienced officer even managed to lead his team into a minefield when he read the compass upside down. 22 Wing from North Bay Ontario managed to edge out 17 Wing in this year's Combat Rifle competition, which has seen some tough battles in the past from these two traditionally adversaries.



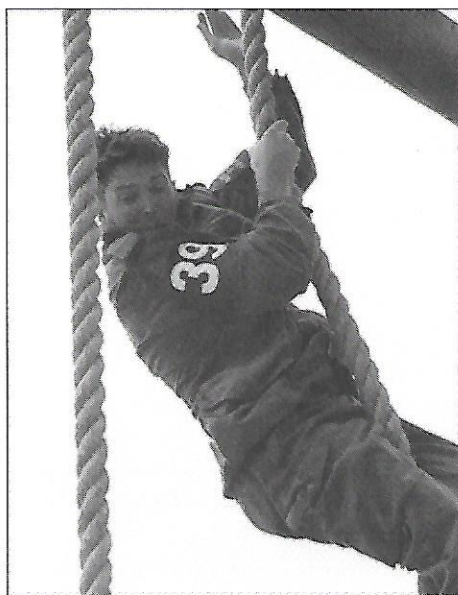
LS Dave Boyd of 15 Wing Moose Jaw, grabs for the next bar on the "Tarzan" obstacle during the Fitness Competition.



Many team members had experienced the Fitness competition and the Combat Rifle course before, but no one had yet to even see the Combat Pistol course. If they had known what was in store for them, some may not have been so eager to finish the Thunderbird Challenge. A few would have, at least, left their sunglasses at home!

Combat Pistol

In 1996, the Thunderbird Challenge Combat Pistol competition was held for the first time indoors. The Firing Line in Winnipeg was honoured to have been chosen to host the pistol competition and we tried to design a shoot that would be to be challenging, educational and fun. As each team arrived, they were issued 64 rounds of 9mm ammunition and briefed on the three phases of the pistol competition. Phase I was the simplest layout and yet one of the toughest stages from a marksmanship perspective. Two racks held five 8"-diameter knock-down plates each, spaced at 10 meters and 20 meters from the shooting position. Using their issue Browning service



"Stress" should be the real name of the game as can be seen in the face of Sgt J.L. Bakelaar as he descends the "Tough One" obstacle.

pistols, competitors had to draw and shoot down all ten plates in a time limit of 45 seconds, using only three 8-round magazines. If there was time and ammunition remaining, shooters could then fire at a 20 meter bonus target. 45 seconds is not a long time to fire that many accurate shots, especially including the time to draw, chamber a round, and reload as required. This stage of the competition really separated the pistol shooters from the "spray-and-pray" crowd.

Phase II was a type of "kick-in-the-door-and save-the-hostages" scenario that may never happen for real, but is fun and challenging to shoot. The entire backside of a building, complete with alleyway, window, and door, was reconstructed on the range. After a short briefing, each competitor had 45 seconds and three 8-round magazines to shoot at eight silhouette targets. This phase rewarded the fast and instinctive shooter as targets were as close as 2 meters. Targets could be engaged as they came into view but competitors were encouraged to use cover to their advantage. Two far targets were visible as the shooter started down the alley, but the next three could be seen only through a window downrange. Simulated "hostages" invoked severe penalty points for hits, and the final targets were visible only after the competitor moved sideways to kick open a door. Immediately behind the door were the last three targets and, of course, more hostages; one of whom had apparently "panicked" and was standing in full view of the competitor, neatly covering over half the entire target behind it. While most competitors finished Phase II cleanly, several chose to properly sacrifice a little time in order to use good tactics; "pie-slicing" around corners, and entering deliberately through the doorway while maintaining cover.



Cpl T.M. Utton from 22 Wing North Bay, tries not to look down as he prepares to descend the "Tough One" obstacle. Cpl Utton was one of the successful candidates to go on to the PEACEKEEPER Games in New Mexico on September 16th, 1996.

Phase III will be the stage most remembered by competitors. Set up as a full surprise scenario, each competitor received only a minimum briefing before they entered the closed range, one person at a time. Each shooter was only told there were 8 targets, with possible "bystanders." The competitor was immediately confronted by an unexpectedly dark range, lit only by the flashing blue and red lights from an "appropriated" lightbar. Competitors had 45 seconds and two 8-round magazines to find and identify the targets, all of which seemed to be everywhere. Competitors had to keep moving to find them all. Some were in the shadows of fences or telephone poles and one was only partially visible behind a bush. Targets were resealable plastic "pepper-popper" targets with IPSC silhouettes taped to the front so that only a center "vital area" hit would knock them down. Simulated "bystanders" added an extra measure of tension to the scene and the lack of light made getting a proper sight picture virtually impossible.



Most competitors walked off the range smiling, but there were a few grumblings, especially from the ones wearing tinted sunglasses. All the shooters agreed that this stage was about as realistic as possible in a competitive environment. The near-twilight lighting created problems in sight acquisition but these are exactly the type of conditions encountered daily on duty. Everyone walked away with a new-found respect for dim light shooting, and a vow to practice this type of scenario more often. 8 Wing from Trenton, Ontario snatched the pistol competition away with some very heads-up shooting, and Second Lieutenant Bell of 4 Wing, Cold Lake squadron was named the match "Top Gun" with the highest combined pistol and rifle scores in the competition.

On to PEACEKEEPER

Besides a chance to test and demonstrate their skills against their peers, the Thunderbird Challenge has another purpose. The "best of the best" at Thunderbird '96 go on to represent Canada at the international PEACEKEEPER Challenge held at Kirtland Air Force Base in New Mexico. The Thunderbird Challenge is used as a vehicle to select the team for this similar competition for Military Police personnel around the world. PEACEKEEPER attracts some of the best military law enforcement personnel from NATO countries and the competition is intense. Canada is relatively new to PEACEKEEPER competition, but a recent high point must be the unprecedented second-place finish in 1994. The low point for the team was definitely 1995, when one of the Canadian officers tragically suffered a heart attack and died on the fitness course.

The 1996 Thunderbird Challenge awards presentation saw an all-time high of 15 people invited to try out for the 1996 Canadian

team. Selection is based on many factors besides their performance during Thunderbird, including leadership ability and team building skills. After the final selection was complete, Canada sent a 9-member team to New Mexico in September. The 1996 Canadian PEACEKEEPER Team was led by Captain Rob Delaney of 15 Wing, Moose Jaw. 15 Wing also contributed Cpl. Aaron Piprell. Alberta team members included 2nd Lt. Ron Bell and Cpl. Ron Smithman of 4 Wing in Cold Lake. Cpl. T. Dwyer from 22 Wing in North Bay represented Ontario, and 17 Wing in Winnipeg sent Sgt. Blaine Ramsey, M/Cpl. D. Murphy, Cpl. Rod Flowers, and Cpl. J. Utton.

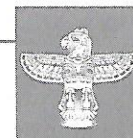
The 1996 PEACEKEEPER opened September 16 in New Mexico with the closest and most intense competitions ever. Canada was well represented by its most consistent overall showing. The pistol competition was the most noteworthy, as Canada was

headed for a strong first place finish until two errant rounds resulted in enough penalty points to knock them back to fifth out of the thirteen teams. They also finished in seventh place in both the rifle and machine-gun events, and eighth in the physical fitness competition. The consistent mid-pack finish is a tremendous accomplishment when one considers that Canada has just over 200 Military Police personnel to draw their team from, while the U.S. has over 20,000. In addition, they competed head-to-head with teams such as the U.S. Air Combat Command with over 10,000 eligible personnel.

Whether they got this opportunity to represent Canada or not, all of those who successfully complete the 1996 Thunderbird Challenge – in spite of some twists and surprises – are the elite of a small but professional group. All Canadians stand to benefit greatly from the ability of these Military Police members.



It takes precise balance and agility to swing across and then stop directly on the mark on the "Swing, Stop and Jump" obstacle.



The Changing Role of the Military Police

In the proud tradition of the original Royal Canadian Air Force, the duties of the Military Police extend around the globe. With the whole world as their jurisdiction, they must be prepared to tackle any assignment of any magnitude, with capability and professionalism. They follow Air Command units wherever they may go, and recent deployments of Military Police units to the tiny country of Haiti has proven their versatility as United Nations peacekeepers on their own.

The Military Police in Canada are moving away from the more traditional law enforcement duties

patrolling airbases and are now concentrating more on their function of the future in mobile airfield security. Personnel that once handing out speeding tickets around airforce bases in Canada are just as prepared to deal with volatile situations happening anywhere in the world. Acting as a deployable force in Airfield Security Force Squadrons, the Military Police are tasked with the mission to defend Air Command assets wherever they may happen to be; all the way from a single aircraft to an entire wing.

The personnel of Air Command are justifiably excited about this expanded role, and it means that they will truly be Canada's police force to the world. The skills they

demonstrate at Thunderbird Challenge are the same skills that they may require for real someday, somewhere in the world.

They are truly the "capital M, capital P" of police forces.

Dedicated to the memory of Captain Cletus Cheng, who gave everything he had for his country during PEACEKEEPER 1995.

Blue Line contributing writer Dave Brown is the Chief Firearms Instructor at The Firing Line in Winnipeg and designed the indoor Combat Pistol competition for the 1996 Thunderbird Challenge.

CREATION OF THE SECURITY AWARENESS LOGO

By MWO B Veysey

With the rapidly changing political social situation throughout the world, all members of DND/CF have a vital recurring requirement to be provided accurate and current security information. In addition to well established methods of providing this information, another mechanism providing this service is the Departmental Security Awareness Programme.

This programme is intended to provide a procedure allowing the effective broadcasting of new and recurring information related to the many facets of security (Physical, Personnel, Information Technology, Policing, etc.). The provision of such information allows a better appreciation by all departmental members for the wide variety of operational and social concerns in many geographical locations and situations in which we operate. To provide

support and focus to this programme the Director General Security and Military Police, Colonel P.M. Samson, is pleased to announce the creation and approval of a Security Awareness Logo. This logo was especially designed and intended for exclusive use in conjunction with any correspondence or products related to the promotion of the Departmental Security Awareness Programme.



This logo itself is comprised of two interlocking hooks enclosed within a red circle with the words "Security Awareness" in French and English inscribed on the perimeter of the logo. The circle design of the logo portrays the global concept that security awareness is everyone's responsibility. The red colour of the logo represents the Security discipline and the interlocking hooks reflect the "optimum state of security" that would be achieved if Security Awareness was applied in all aspects of our daily activities.

We anticipate that an electronic version, in most software formats, of this logo will be made available to everyone in the very near future. Please direct questions in regards to this initiative to NDHQ Director of Security 7-2 at Tel (613) 945-7289 or E-Mail MWO B Veysey@D Secur 3.



DCDS COMMENDATION AWARDS

The A/DCDS, BGen R.R. Henault, recently presented the DCDS Commendation to the following deserving persons:



Sgt A. Lacelle, D Police Svcs, for his contribution to the Military Police Fund for Blind Children. During the last fund-raiser he ran 30 Km to raise money for the fund. He also coordinated the project to develop the Blind Fund collection boxes. Sgt Lacelle is currently the Quebec Regional Representative for the MPFBC.



Capt R.K. Schnare, D Secur, for his stellar work as an accreditation analyst, and for his guidance and advice on IT Security in support of operations.



IN MEMORIAM Sergeant Mike Petrosky CD



It is with deep sorrow that we announce the sudden death by heart attack of Sergeant Mike Petrosky CD, as he was assisting his neighbour, on Wednesday 12 February 1997.

Sgt Petrosky enrolled into the Canadian Forces on 21 November 1968 and gave 27 plus years of dedicated service to his country as a Military Policeman. During his career he served at SIUS Ottawa, SIUS Quebec, 3 R22ER, 5° PPM, BFC Valcartier, CFS Senneterre, CFB Montreal, and

CFB Chatham. In November 1995, while posted at SIUS Ottawa, Sgt Petrosky took FRP and was on leave at the time of his passing. Sgt Petrosky his survived by his wife Nicole and their five children.

Mike will always be remembered for his loyalty, professionalism and his softhearted nature which he displayed throughout his career. He will be sadly missed by his brothers and sisters in arms and by all those who were fortunate to have known him.

Rest in Peace

