

19th August 1987**MEMORANDUM****SUMMARY PUNISHMENT**

1. It has been observed that Officers exercising judicial power when awarding punishments to Offenders often give more than one punishment for the same offence.
2. Officers exercising judicial power should bear in mind that unless combination of punishments is necessary no more than one punishment should imposed for one offence.
3. When awarding punishments they should also bear in mind that certain punishments carry with them other consequences (Consequential punishments) which may arise indirectly as a result of the award. For example, a sentence of imprisonment or detention carries with it,
 - a. Deprivation of GCBs
 - b. Stoppage of pay during the term of imprisonment or detention
 - c. In the case of a Petty Officer disrating.
4. This does not amount to awarding several punishments for the same offence. What it means is that the single punishment awarded (in the above example imprisonment/detention) carries with it by law certain other consequences. This distinction between the punishment and its consequences must be understood clearly.
5. Every punishment awarded must further be in proportion to the gravity of the offence and the character of the offender; the award of a punishment more severe than the offence calls for or the award of one too mild for the offence committed would both demonstrate the CO's inability to assess the case.
6. Every punishment warrant must therefore clearly and separately indicate
 - a. Every punishment awarded
 - b. Every consequence which accompanies that award.
7. COs are reminded that the powers of punishment delegated to them must be judicially exercised; that is in full realisation of the responsibility entrusted to them to administer justice without fear or favour in the disciplinary interest of the Navy and the right of the individual.

Sgd/-
HA SILVA, VSV
Rear Admiral
COMMANDER OF THE NAVY

AUTHENTICATION

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