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Third Prosecutor Critical of Guantanamo Trials

ABC News (Australian Broadcasting Channel)
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A third US military prosecutor has walked out of the commissions process set up to try Guantanamo Bay detainees because of concerns it was unfair, the ABC has learned.

Australian detainee David Hicks is due to stand trial under the system.

Air Force Captain Carrie Wolf chose to take a reassignment along with other prosecutors.

Capt Wolf asked to leave the Office of Military Commissions at the same time as two other colleagues, Major Robert Preston and Captain John Carr.

Earlier this week, the ABC revealed that in March 2004, Maj Preston and Capt Carr requested transfers because they believed the process was "rigged" and pursuing "marginal" cases.

Maj Preston was nominated for the Air Force's outstanding judge advocate award last year and Captain Carr has been promoted to major since leaving the military commissions.

It is understood Capt Wolf shared her colleagues' concerns and also asked for a redeployment.

Capt Wolf did not return calls.

The ABC has also been able to speak to an Air Force judge advocate-general who was closely involved with the military commissions while these problems were unfolding.

He supports the process and agrees with the Pentagon's characterization that a total breakdown in personal relationships led to misunderstandings.

"The personality conflicts reached such a point that folks in the office weren't talking to each other and that led to a lot of misunderstandings," the judge said.

Foreign Minister Alexander Downer says the Australian Government has been reassured by the Pentagon's internal investigation.

"There was a very thorough, a very thorough investigation into these allegations because amongst the material in these emails are very serious allegations," he said.

The Pentagon says it has made changes to improve the legal process in the year since the emails were written.