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ACC

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PRISON ACCOMODATION
MAY 1944

9 Date sheet No. 1

Date

Page

May

Lieut. V. Lewis to attend ^{at} report. / Attended ^{at} May 5

3651

ACC/178N/TNT

PRISON ACCOMMODATION

No	Precis	REMARKS
1	From ADMN. SEC. I May 44, conveying meeting to consider Prison Accommodation - 5 May 44	
2	Report of Meeting held on 5 May 44	
3	From RC & NG Section 20 May 44 on the subject of overcrowding of Civilian Prisons. (a) Overcrowding acute (b) Main causes of overcrowding NOTE:- Suggestions or recommendation invited. Circ. sent to RCs Regions , I,II,III,IV,V,VI and VII 5th and 8th Armies.	

3650

HEADQUARTERS
ALLIED CONTROL COMMISSION
R.C. & M.G. Section
APO 394

22 MAY 1944

Ref/317/81/CA.

20 May 1944.

SUBJECT: Overcrowding of Civilian Prisons.

TO : Regional Commissioners, Regions I, II, III, IV, V, VI, & VII
SCAO's 5th and 8th Armies.

1. Overcrowding in civilian prisons throughout Liberated Italy has become acute.

2. The main causes of overcrowding are:

- (a) Requisitioning of prisons by Allied Forces.
- (b) Use of prisons for detaining Italian Military prisoners.
- (c) Delay in dealing with prisoners awaiting trial.
- (d) War damage to prisons.

3. Representations have been made by the Commission to the Allied and Italian Military authorities to release prison accommodation.

4. The Minister of Justice is being pressed to arrange for the release on bail of prisoners awaiting trial on minor charges.

5. The Minister of Justice has also been impressed with the necessity of having an adequate staff to deal with prison matters. He has also been advised to institute a system of inspectors to visit prisons.

6. Regional Commissioners are requested to inform this HQ as a matter of urgency what steps they have been able to take to rebuild or repair damaged prisons. Where it has not been possible to make arrangements locally, recommendations for rebuilding specific prisons should be forwarded to this HQ stating briefly the extent of the repairs and the relative priority. Arrangements will then be made by this HQ to secure priority of labour and materials.

7. The overcrowding of prisons must be regarded as an urgent problem. All possible steps to reduce overcrowding must be taken locally. Suggestions or recommendations are invited.

M. S. LUSH, Colonel,
Brigadier,
Executive Commissioner.

Copy to: Regions VIII & IX.
Economic Section
Admin Section (4)

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TO : Regional Commissioners, Regions I, II, III, IV, V, VI, & VII
SCAO's 5th and 8th Armies.

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M. S. Lush

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Brigadier,
Executive Commissioner.

Copy to: Regions VIII & IX.
Economic Section
Admin Section (4)
Public Safety Sub-Comm.
Army Sub-Commission.

3649

125
REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
ADMINISTRATIVE SECTION

16.1/AS.

6 May 44.

Action Points : reference meeting on Prison Accommodation held at
Rear HQ ACC, APO 394 at 14.30 hrs 5 May 44.

Proposals for immediate improvement of prison accommodation situation.

1 Removal of Allied Troops from Italian Civil Prisons.

ACTION (by Adm Sec)

- a Press AAI to remove their troops from prisons and house them instead in camps in so far as is possible - emphasizing that short sentence personnel particularly should serve in camps.
- b Contact should be made with U.S. Army to facilitate above.

2 Removal of Italian Military from Civil Prisons.

ACTION (by Army Sub Comn)

- a Take steps with Italian Government to remove Italian military prisoners from civilian jails and prisons and place them in camps. (prison or penal battalions).

3

Clearance of Prisons used for other purposes.

ACTION (by Adm Sec and RS Sub Comn)

Make representations to R.N. (through Naval Sub Comn) for clearance of these prisons - AUGUSTO Prison in particular and any others that may be in this category.

4 Repair of Damaged Prisons.

ACTION (by AC & MD Section)

Note will be sent to Regional Commissioners and orders issued by EC & MD that jail repairs will be given high priority. This will be cleared first with Works and Finance Sub Comns.

5 Hastening of Trials.

ACTION (by Legal)

Legal will take steps to investigate with Minister of Justice possibility of forming courts of non-professional judges for critical areas as a temporary emergency measure. (will make representations to Ministry of Justice on same) Will submit representations for the over all problem.

6 Forming of Labour Battalions.

ACTION (by RS Sub Comn)

Colonel Young was instructed to contact Lt Col Poletti and try this plan out in Region III. (Persons with a three months sentence or less will be attached to Labour Battalions, will be fed, but not paid and will thus work out their sentences.

7 Possibility of using MONTEMARCHE Prison.

ACTION (by RS Sub Comn)

Matter to be taken up with AAI with a view to using as a military prison.

8 General Conclusion.

Action Points : reference meeting on Prison Accommodation held at
Rear HQ ACC, APO 394 at 14.30 hrs 5 May 44.

Proposals for immediate improvement of prison accommodation situation.

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ACTION (by Adm Sec)
 - a Press AAI to remove their troops from prisons and house them instead in camps in so far as is possible - emphasizing that short sentence personnel particularly should serve in camps.
 - b Contact should be made with U.S. Army to facilitate above.
- 2 Removal of Italian Military from Civil Prisons.
ACTION (by Army Sub Comn)
 - a Take steps with Italian Government to remove Italian military prisoners from civilian jails and prisons and place them in camps. (prison or penal battalions).
- 3 Clearance of Prisons used for other purposes.
ACTION (by Adm Sec and IS Sub Comn)
 - a Make representations to R.N. (through Naval Sub Comn) for clearance of these prisons - AUGUSTO Prison in particular and any others that may be in this category.
- 4 Repair of Damaged Prisons.
ACTION (by HC & MP Section)

Note will be sent to Regional Commissioners and orders issued by HC & MP that jail repairs will be given high priority. This will be cleared first with Works and Finance Sub Comms.
- 5 Hastening of Trials.
ACTION (by Legal)

Legal will take steps to investigate with Minister of Justice for possibility of forming courts of non-professional judges for critical areas as a temporary emergency measure. (will make representations to Ministry of Justice on same) Will submit representations for the over all problem.
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Colonel Young was instructed to contact Lt Col Poletti and try this plan out in Region III. (Persons with a three months sentence or less will be attached to Labour Battalions, will be fed, but not paid and will thus work out their sentences.
- 7 Possibility of using MANTOVANICO Prison.
ACTION (by IS Sub Comn)

Matter to be taken up with AAI with a view to using as a military prison.
- 8 General Conclusion.
ACTION
 - a Col Young must take from the meeting specific recommendations and contact proper Italian authorities.
 - b Future meeting will be held.
 - c A meeting with proper Italian authority will be held.

NEAR HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
ADMINISTRATIVE SECTION

6 May 44.

Minutes of Meeting on Prison Accommodation held at Near HQ ACC - 14.30 hrs - 5 May 44.

Present: Brigadier Lush (Executive Commissioner)
Lord Stansgate (VP Adm Section)
Colonel A.E. Young (Public Safety)
Lt Col R.R. Gripps (Adm Section)
Lt Col J.A. Phillips (AAI)
Lt Col G.F. Quin Smith (Army)
Lt Col R.G.B. Spicer (Interior)
Major R.A. Percell (Adm Sec)
Major A.B. Thackeray (Legal)
Major J.B. Reeves (RC & MG)
Major A.F. Wilcox (Public Safety)
Capt A.J. Stewart (P.A. to Exec Comd)
Capt H. Young (Public Safety)

The meeting was called to order at 14.30 hrs.

- 1 Lord Stansgate discussed the reason for holding the meeting which was to arrive at a course of action to reduce the present overcrowding of Italian Prisons. He stated that there were seven proposals for immediate improvement which he would have discussed immediately. He then asked Col Young (Deputy Director of Public Safety Sub Comd) to present the situation.
- 2 Col Young presented numerous figures which indicated that the condition is becoming serious among them were these:

PRISONS

	ACC Territory.	ACC Territory.	Totals.
Number of prisons (Femal and Judicial)	60	15	75
Maximum Accommodation	14,804	2,666	17,470
Present Population	15,840	4,093	19,933
Extent of overcrowding	1,036	1,427	2,463
Italian Military Prisoners (included above)	1,720	64	1,784

PRISON REQUISITIONED

In ACC territory.

REGION	LOCATION	CAPACITY	REMARKS
I	ADRIATO	400	Occupied by RN (Needs repair)
I	ASINCALE	125	Occupied by British Army
II	TRAMATO	85	Occupied by Br & Polish Armies.
		<u>610</u>	

In ACC territory.

Present: Brigadier Lush (Executive Commissioner)
 Lord Stanegate (VP Adm Section)
 Colonel A.E. Young (Public Safety)
 Lt Col H.R. Cripps (Adm Section)
 Lt Col J.D. Philipp (A.I.)
 Lt Col G.W. Quin Smith (Army)
 Lt Col R.G.B. Spicer (Interior)
 Major H.A. Parsell (Adm Sec)
 Major A.B. Thacker (Legal)
 Major J.S. ~~Reakes~~ (RC & MB)
 Major A.F. Wilcox (Public Safety)
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2 Col Young presented numerous figures which indicated that the condition is becoming serious among them were these:

a. PRISONS

ACC Territory. AMG Territory. Totals.

Number of prisons (Penal and Judicial)	60	15	75
Maximum Accommodation	14,504	2,666	17,170
Present Population	15,840	4,093	19,933
Extent of overcrowding	1,036	1,427	2,463

Italian Military Prisoners (included above) 1,720 64 1,784

b. PRISONS REQUISITIONED

In ACC territory.

REGION	LOCATION	CAPACITY	REMARKS
I	AUGUSTO	400	Occupied by RM (Needs repair)
I	ACQUALE	125	Occupied by British Army
II	TARANTO	85	Occupied by IR & Polish Armies.
		<u>610</u>	

In AMG territory.

REGION 3:	BENEVENTO	50	Requisitioned.
	POGGIOREALE	400	Court Martial & Holding Centre
	S. FRAMMO	200	F.P.C.
	S. Maria & Capua	50	American M.P.
	Vetere	100	British Detention Camp
	PORTICI	350	British
	NISIDA	100	Unknown
	SAN SEVERO	<u>1,250</u>	

TOTAL ACC & AMG TERRITORY: 1,860.

30.13

- 2 -

(contin)

c DAMAGED AND UNUSED PRISONS

REGION	LOCATION	POSSIBLE CAPACITY
I	CALTANISSETTA	126
VII	PALMI	115
I	FAVIGNANA	550
	(Closed as unsanitary 150 places damaged)	
III	NAPLES	300
	COLOMBIA	700
	(Repairs in progress to make 300 place available by June & remainder in 4 months)	

1,691

d SUMMARY BY COL YOUNG

- i Civilian accommodation for Italian military prisoners should be forbidden.
- ii Use of Italian prisons for Allied Military prisoners should be reduced to the minimum, and their use for billets, for storage and billeting should be forbidden.
- iii Damaged prisons and those in disrepair should be surveyed without delay and steps taken to make them habitable.
- iv The Italian prison administration has failed to grasp the problem and to energetically pursue a definite plan. There is poor liaison between prison directors and the Ministry of Justice. Records kept are poor and there is apathy. Transport is lacking for making transfers.

ACTION: AGC to indicate a plan for the Ministry of Justice and assist in seeing that it is followed. This will include recruiting and training staff and provision of equipment where possible.

- 3 Lord Stansgate offered the first proposal: the removal of Allied Troops from Italian Civil Prisons.
 - a Lt Col Philipp (M.I.) feared that nothing could be done about that, although he thought that there would be no further requisitioning of prisons by the army.
 - b Brig Lush asked if it was not providential that prison buildings existed at all. He suggested that the military must have made plans which provided for premises exclusive of jail and building use.
 - c Lt Col Philipp (M.I.) did not know what these plans were but emphasised the necessity of using jails etc to provide the proper prison atmosphere which could not be obtained in field punishment camps, especially when long time prisoners were concerned.
 - d Lt Col Quin Smith suggested that prisoners with short sentences (under 12 months) be placed in camps.
 - e Lt Col Spicer stated that camps of 3,000 operated smoothly in Palestine and useful labour was performed as well by the inmates.
 - f Brig Lush stated that perhaps civilian as well as military prisoners could be disposed of as suggested in d above.
 - g Lord Stansgate summarised by suggesting two steps -
 - i We must take steps with M.I. to see if they will remove their troops from prisons and house them in camps (those with short sentences of under 1 year).
 - ii We must communicate with U.S. Army to see if they can assist.
- 4 Lord Stansgate then offered the second proposal - Removal of Italian military from Italian Civil Prisons.
 - a Lt Col Quin Smith suggested the construction of large camps on an island.
 - b Lt Col Philipp did not concur.
 - c The LIPARI Islands were next suggested. However Col Young stated that two (2)

make 300 place available
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- a Lt Col Quin Smith suggested the construction of large camps on an island.
- b Lt Col Philipp did not concur.
- c The LIPARI Islands were next suggested. However Col Young stated that two (2) penal battalions were being formed this month the details of which will be available later.
- d Lord Stansgate stated that there were hundreds of the Italian military in Sardinian jails.
- e Major Thachrach stated that the Legal Sub Coman have been trying to push trials over to military courts with no noticeable effect as yet.
- f Brig Lush agreed that the utmost should be done to clear out the Italians from the jails. ^{stated}
- g Lord Stansgate that we must exploit -
 - i The use of prison camps
 - ii Take steps with the Italian Government to facilitate above/5

5 The next proposal - clearance of prisons used for other purposes - was presented by Lord Stansgate. This was agreed to in principle but will require further representations to AAI, with a list of prisons so used and in what manner.

6 Lord Stansgate then offered for discussion the fourth proposal. Repair of damaged prisons -

a Col Young will make an additional report on progress.

b Col Young's first figures were discussed

c Lord Stansgate summarised by stating that -

1 Jail repairs will take a high priority.

11 Note will be sent to HQ orders will be issued by HQ & MG Section and will be cleared with Works and Finance Sub Commissions.

7 The fifth proposal - Hastening of trials was discussed -

a Major Thackrah stated that Legal is working very hard on this. Requires close co-operation between MPs and CMM initially - and they should patrol together which will increase speed of handling prisoners. He also stated that lack of transport hinders rapid trials.

b Col Young stated that those awaiting trial outnumbered those tried and some thing must be done about it.

c Major Thackrah stated that particularly in Sardinia we are short of legal officers. The Italians are aware of this but the difficulty is finding officials who will go to Sardinia. He added that courts must sit longer.

d Lord Stansgate said that this was an Italian problem.

e Brig Lush asked about the advisability of special courts, which were agreed to in principle. Prefect's Courts were discussed, composed of non-professional judges.

f It was decided that Legal would make recommendations for the over all problem.

N.B.

(Legal has made plans with respect to Sardinia which are attached herewith as an appendix)

8 The forming of Labour battalions was the next proposal offered for discussion by Lord Stansgate.

a Lt Col Spicer stated that both civil and military can form them with real benefit to all. He advised that the 3 month to 10 year men should serve therein. They can be made self supporting and can accomplish instructive work (on roads etc)

b Lt Col Quinn Smith advised that the military have used these battalions.

c Brig Lush questioned we should try this scheme out first in AAG territory to see how it works out.

d It was decided that Col Young and Lt Col Poletti would try this out in Region III. (anyone with up to a three month sentence would labour without pay, but would be fed and attached to a Labour Battalion.

9 The next proposal discussed was - The possibility of using MANTOVANO Prison.

a Lt Col Philipp (AAI) stated that this was being used for Indians but that it was ruined except for a small part.

b Col Young agreed, stating that it is in fact an Italian Military Prison Bldg. added that it is being repaired for use by military prisoners.

c Lord Stansgate remarked that this is a matter which must be taken up with AAI also.

10 Lord Stansgate closed the conference by stating that -

a Col Young must take from this meeting specific recommendations and contact the proper Italian persons concerned.

b That a future meeting will be held.

c That a meeting with the proper Italian authority should be held.

- a Lord Stansgate summarised by stating that -
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 - b Col Young stated that those awaiting trial outnumbered those tried and something must be done about it.
 - c Major Thackrah stated that particularly in Sardinia we are short of legal officers. The Italians are aware of this but the difficulty is finding officials who will go to Sardinia. He added that courts must sit longer.
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 - b Lt Col Quinn Smith advised that the military ^{intend to} use these battalions.
 - c Brig Lush questioned we should try this scheme out first in AAI territory to see how it works out.
 - d It was decided that Col Young and Lt Col Poletti would try this out in Region III. (Anyone with up to a three month sentence would labour without pay, but would be fed and attached to a Labour Battalion.
- 9 The next proposal discussed was - The possibility of using MONTESARCHIO Prison.
 - a Lt Col Philipp (AAI) stated that this was being used for Indians but that it was ruined except for a small part.
 - b Col Young agreed, stating that it is in fact an Italian Military Prison Bldg, added that it is being repaired for use by military prisoners.
 - c Lord Stansgate remarked that this is a matter which must be taken up with AAI also.
- 10 Lord Stansgate closed the conference by stating that -
 - a Col Young must take from this meeting specific recommendations and contact the proper Italian persons concerned.
 - b That a future meeting will be held.
 - c That a meeting with the proper Italian authority should be held.
- 11 Meeting adjourned at 16.30hrs.

R.A. PERSELL,
Major Infantry. 30.22
Acting Secretary.

(2D)

APPENDIX TO - Minutes of meeting on Prison Accommodation held at Rear Headquarters
AGC -14.30 hrs 5 May 44.

Reference para 7. (WS)

Reference Hastening of Trials. the following is an excerpt from Minutes of Meeting with the Ministry of Pardon and Justice held on 3 May 44.

" After an extensive discussion it is agreed that the following steps shall be taken :

- a The Ministry will submit to the Legal Sub Commission a list of judicial personnel held as PWs with as many particulars as to their present location etc as is possible. The list will also include avvocati and procuratori who served with military courts at the time of their capture. Their re-pratriation will facilitate the release of civil judges at present serving on military courts for military service. The Minister will apply any possible pressure upon the Ministry of War to give priority to this personnel on their lists of PWs proposed for release.
- b 11 or 12 uditori of Cagliari will be granted judicial powers by decree which will be signed next Monday. A list of these officials will be communicated to this Sub Commission which will advise the Sardinian authorities by wire.
- c The Ministry shall by tomorrow communicate to the Legal Sub Commission four names of judges serving at Naples who will be promoted and sent by air to Sardinia.
- d The Ministry shall propose four names of uditori who will be given judicial status and take place of the four judges mentioned above under c.
- e The Ministry will issue a Circular to Primo Presidenti of Cagliari authorising him to appoint avvocati and procuratori legali to judicial offices as a temporary measure."

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
ADMINISTRATIVE SECTION

AOC/14215/PS.

1 May 44.

SUBJECT : Prison Accommodation.

TO : RC & MG Sec, PS, Legal, Interior & Army Sub Comm.

1 A meeting to consider this matter further will be held in Room 75 at 14.30 hrs on Friday, 5 May 44.

2 Attendance (a) The following will attend -

VF Adm Sec (Chairman)

Representatives of:- RC & MG Sec and the following Sub Comm.

Legal
Public Safety
Interior
Army Sub Comm

(b) A representative of "A" Branch AAI is being invited to attend.

3 AGENDA

(a) Explanation of present situation by Deputy Chief Public Safety.

(b) Proposals for immediate improvement.

(i) Removal of Allied Troops from Italian Civil Prisons.

(ii) " " Italian Military " " " "

(iii) Clearance of prisons used for other purposes. AGUARO in particular, (used as a warehouse by Naval Authorities).

(iv) Repair of damaged prisons.

(v) Hastening of trials.

(vi) Forming of Labour Battalions.

(vii) Possibility of using MONTESARCHIO Prison.

(c) Proposals for future.

(i) No further requisitioning of prison buildings.

(ii) To consider the possibility of reducing the number of suspects and persons committed without specific charges by NS, GID and Port Police.

(c) selection of representatives to meet representatives of the Italian Govt.

SUBJECT: Prison Accommodation.

TO : RC & MI Sec, PS, Legal, Interior & Army Sub Comm.

1 A meeting to consider this matter further will be held in Room 75 at 14.30 hrs on Friday, 5 May 44.

2 Attendance (a) The following will attend -

VP Adm Sec (Chairman)

Representatives of:- RC & MI Sec and the following Sub Comm.

- Legal
- Public Safety
- Interior
- Army Sub Comm.

(b) A representative of "A" Branch AAI is being invited to attend.

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(1) No further requisitioning of prison buildings.

(ii) To consider the possibility of reducing the number of suspects and persons committed without specific charges by INS, CID and Port Police.

(d) Selection of representatives to meet representatives of the Italian Govt.

Copy to : Executive Commissioner.
; Naval Sub Comm (for comment on 3(b) (iii).

P. R. G. G. G.
STANISLAW,
VP Adm Sec.

5023

