

ACC

10000/142/669

JURISDICTION OF RLO'S
OF SLO'S
AUG. 1944 - JUN. 1945

10000/142/669

JURISDICTION OF RLO'S OVER ARMY AREAS ON WITHDRAWAL
OF SLO'S
AUG. 1944 - JUN. 1945

FILE CLOSED 19 June 1945.

HEADQUARTERS
LIGURIA REGION
ALLIED MILITARY GOVERNMENT
APO 394

Lig/Leg/04

WGE/sf
10 June 1945

SUBJECT : Review of Cases.

TO : Headquarters, Allied Commission - APO 394.
(Attn: CLA, Legal Sub-Commission)

1. A question arises under Consolidated Instructions Art. 32 (3) as to the authority of RLO's to review cases in army areas. This Region is understood to be still in an army area. At least it is not yet under Regional control in the strict sense. If this is so it would appear that any case (no matter what sentence is pronounced) in which the accused submits a Petition for Review must be reviewed by the Chief Commissioner or by a Judicial Officer appointed by him for that purpose i.e. presumably the Chief Judicial Officer.

2. If this note is to be interpreted strictly it will cut down the RLO's power of review almost to nothing and impose extra work on the CJO. Is it possible to delegate to the RLO power to review cases under Art. 32(3)(a) (3) provided they are not otherwise within the category of cases reviewable by the Chief Commissioner or his nominee in terms of Art. 32?

3. Pending your reply all cases in which Petitions for Review are received will be forwarded to you for review.

file For the Regional Commissioner:

16

LEGAL SUB-COMMISSION

CLO

DCLO

Chief Counsel

CJO

Italian Section

CL RKS

W.G. Elder
W.G. ELDER,
Lt. Col., Cdn. Prov. C.,
Regional Legal Officer.

13 JUN 1945

HEADQUARTERS ALLIED COMMISSION
APC 294
LEGAL SUB-COMMISSION

SA

/ra.
14 June 1945.

10/1089/3/L.

SUBJECT : Review of cases.

TO : Regional Commissioner (et al. Regional
Legal Officer), ALLIED Region.

1. Reference your Hig/Leg/Ch. of 10th inst. (2 letters).
I enclose a copy of this Sub-Commission letter of 26 Aug. 44
ACC/1089/3/L. para 3 of which answers your query.

2. The case of CARBONE Giovanni (et al.) and MARINO Tommaso
is also returned as being within your review jurisdiction in view of
the above mentioned letter.

By command of Rear Admiral STONE:

W.E. Bennett

W.E. BENNETT,
Colonel,
Chief Legal Advisor.

Copy to : 10/1089/1/L.

15

Subject: Legal.

O.C., A.M.C. 2 Polish Corps.
 A.C.A.O. Region IV.
 A.C.A.O. Region V.
 A.C.A.O. Region III.
 A.C.A.O. Region IV.
 A.C.A.O. Region I.
 A.C.A.O. Region II.

P.C. Siena
 P.C. Florence
 P.C. Arezzo
 P.C. Perugia
 P.C. Macerata
 P.C. Ancona
 P.C. Pesaro

thru A.M.C. 2 Pol Corps.

thru H.Q., A.M.C.
 Eighth Army.

01/13

2 Aug. 44.

1. In view of the fact of this better Eighth Army A.M.C. ceases to have its own Legal Officer. The duties of Eighth Army Legal Officer will be assumed by Regional Legal Officer of the Region following up behind the Army.
2. The Regional Legal Officer of Region VIII will assume responsibility for the Provinces of AREZZO, SIENA and FLORENCE, that of Region IV for the Province of PERUGIA and that of Region V for the Provinces in MACERATA and ANCONA.
3. As further provinces are captured the responsibility on the legal side will fall on the Regional Legal Officer of the Region in which the Province comes.
4. All correspondence on legal matters, including Summary trial reports will go to the appropriate Provincial Legal Officers, who will forward and correspond direct with the appropriate Regional Legal Officer. Monthly reports from Provincial Legal Officers will go direct to Region.
5. It is requested that the Regional Legal Officer forward to this H.Q. a copy of his monthly reports to A.C.O.
6. Regional Legal Officers should, before sending out any policy instructions to provinces under the control of Eighth Army, consult with this H.Q. so as to ensure that nothing is circulated which conflicts with operational requirements or Army Orders. In other matters they should deal direct with Provincial Legal Officers.
7. Regional Legal Officers will have the right to enter any areas under the control of Eighth Army, including the forward Corps areas for the purpose of inspection and visiting provinces without reference to this H.Q. All concerns have been informed.
8. In the case of the Regional Legal Officer of Region V, it is requested that he should contact Col. Selby, Commanding A.M.C. 2 Polish Corps so as to make necessary arrangements on the spot.
9. Letter from Col. Marcor to all P.Cs and Regions IV, V and VIII - 01/13 of 3 August 44, re: legal.

4089/3

Legal SC

8440

Region 2.
P.O. Argona } three A.M.G. 2 Pol Corps.
P.O. Peharo }

1. As from the date of this letter Eighth Army A.M.G. ceases to have its own Legal Officer. The duties of Eighth Army Legal Officer will be assumed by Regional Legal Officer of the Region following up behind the Army.
2. The Regional Legal Officer of Region VIII will assume responsibility for the Provinces of ALGERIA, SYRIA and FLORINIA, that of Region IV for the Province of MARUGI and that of Region V for the Provinces in MACRADA and ALICADA.
3. All further provinces are covered the responsibility on the legal side will fall on the Regional Legal Officer of the Region in which the Province concerned.
4. In correspondence on legal matters, including Summary trial reports will go to the appropriate Provincial Legal Officers, who will forward and correspond direct with the appropriate Regional Legal Officer. Monthly reports from Provincial Legal Officers will go direct to Regions.
5. It is requested that the Regional Legal Officer forward to this H.Q. copy of his monthly reports to A.O.C.
6. Regional Legal Officers should, before sending out any policy instructions to provinces under the command of Eighth Army, consult with this H.Q. so as to ensure that nothing is circulated which conflicts with operational requirements or Army Orders. In other matters they should deal direct with Provincial Legal Officers.
7. Regional Legal Officers will have the right to enter any areas under the control of Eighth Army, including the Forward Corps areas for the purpose of inspection and visiting Provinces without reference to this H.Q. All concerns have been informed.
8. In the case of the Regional Legal Officer of Region V, it is requested that he should contact Col. Selby, Commanding A.M.G. 2 Polish Corps so as to make necessary arrangements on the spot.
9. Letter from Col. Muroor to all P.Os and Regions IV, V and VIII - 01/15 of 3 August 44, refers.

Copy to: A.M.G. Eighth Army Main.
C.S.I(b) Main Eighth Army.
R.C. & M.G. Section, H.Q., A.O.C.
Legal Sub-Comm. H.Q., A.O.C.
A.M.G.L.O. 13 Corps.
A.M.G.L.O. 10 Corps.
A.M.G.L.O. Canadian Corps (Major Grizard)

Group Captain,
Officer Commanding,
H.Q., A.M.G. Eighth Army Main.

HEADQUARTERS

LEGAL SUB-COMMISSION

CLO

DCLO

HEADQUARTERS
AMG FIFTH ARMY Chief Counsel
APO 464 U.S. ARMY

CJO

7 August 1944.

Italian Section 08/CA/12.

CL RKS

SUBJECT : Legal matters.

TO : See Distribution.

1. Owing to a shortage of legal officers, it has been decided by A.C.C. H.Q. that the legal divisions with A.M.C. 5th and 8th Armies should be closed and the Senior Legal Officers withdrawn for other work. This decision, which becomes effective forthwith, renders necessary the following changes in the method of handling A.M.C. legal matters in 5th Army Area.

2. A.M.C. Courts.

(i) Summary: If CAOs need assistance in the trial of cases in Corps Areas, Corps SCAGs will call upon the Provincial Legal Officer of the Province, in which the offence occurred, who will take such action as the circumstances may demand. Behind the Corps boundary, the Provincial Legal Officer will continue to be responsible for the proper handling of all cases in the Army Area, either directly or through the Provincial CAOs.

(ii) Superior and General: Application for the convening of a Superior or a General Court in the Army Area will be made to this HQ which will refer to the appropriate Regional Legal Officer for the nomination of duly qualified officers and for compliance with the requirements of Article 2 of the Consolidated Instructions.

3. Court Records and Applications for Review.

All records of trials held in areas under control of AMG 5th Army and all applications for Review received will be forwarded as soon as practicable by the trial-Court direct to the Provincial Legal Officer of the Province within which the trial was held, and will be dealt with by him in accordance with such instructions as he may from time to time receive from the Regional Legal Officer of his Region.

4. Reports.

Monthly reports, and interim reports on Italian Courts and Judicial Officials will be submitted by Provincial Legal Officers through the usual channels to the Regional Legal Officer of the Region with copies to this H.Q. for information. As no detailed legal reports will in future be rendered by this H.Q. to A.C.C. H.Q., all necessary information and statistics regarding legal activities in the Army Area will be transmitted to the Legal Sub-Commission through the Regional Legal Officer. Provincial

1. Owing to a shortage of legal officers, it has been decided by A.C.C. H.C. that the legal divisions with A.M.C. 5th and 8th Armies should be closed and the Senior Legal Officers withdrawn for other work. This decision, which becomes effective forthwith, renders necessary the following changes in the method of handling A.M.C. legal matters in 5th Army Area.

2. A.M.C. Courts.

(i) Summary: If CAOs need assistance in the trial of cases in Corps Areas, Corps SCAs will call upon the Provincial Legal Officer of the Province, in which the offence occurred, who will take such action as the circumstances may demand. Behind the Corps boundary, the Provincial Legal Officer will continue to be responsible for the proper handling of all cases in the Army Area, either directly or through the Provincial CAOs.

(ii) Superior and General: Application for the convening of a Superior or a General Court in the Army Area will be made to this HQ which will refer to the appropriate Regional Legal Officer for the nomination of duly qualified officers and for compliance with the requirements of Article 2 of the Consolidated Instructions.

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All records of trials held in areas under control of AMG 5th Army and all Applications for Review received will be forwarded as soon as practicable by the trial-Court direct to the Provincial Legal Officer of the Province within which the trial was held, and he may from time to time receive from the Regional Legal Officer of his Region.

4. Reports.

Monthly reports, and interim reports on Italian Courts and Judicial Officials will be submitted by Provincial Legal Officers through the usual channels to the Regional Legal Officer of the Region with copies to this H.C. for information. As no detailed legal reports will in future be rendered by this H.C. to A.C.C. H.C., all necessary information and statistics regarding legal activities in the Army Area will be transmitted to the Legal Sub-Commission through the Regional Legal Officer. Provincial Commissioners will keep this HQ informed of progress made by reference in their situation reports.

5. General Matters.

Provincial Legal Officers should refer direct to their Regional Legal Officers for advice on any legal problems of a technical nature or on matters affecting the conduct or procedure of

A.M.C. or Italian Courts, keeping of Records, returns etc. Where a question of policy in the Army area is concerned, the matter will be referred to this HC through the Provincial Commissioner for decision and any technical points involved will be taken up by this HC with the Regional Legal Officer.

6. Supplies.

Corps S.C.A.O.s should apply to Provincial Legal Officers for supplies of any Legal Forms required but will continue to draw Proclamations & General Orders through this HC. It will be borne in mind that only Proclamations Nos 1 - 4, Notices 1 & 2 and General Orders Nos. 1 and 26 will be posted in the Army Area unless express instructions are issued by this HC.

By Command of Brig. Gen. HUMPHREY

E B Mayne

F.B. MAYNE,
Colonel, U.F.F.,
Chief of Staff,
4th Fifth Army.

DISTRIBUTION:

SCAO	II Corps	} for P.L.O.
SCAO	IV Corps	
Major Holmgren		
P.Cs	Grosseto	
	Livorno	
	Pisa	
	Lucca	
	Pistoia	
	Arezzo	

F.C. Region VIII for F.L.O.

C.L.O. A.C.C. H.C.

A.M.C. Fifth Army.

✓ 4089/3

Legal S. C. 7c
HQ AMT Rear Eighth Army.

04/13

3 Aug 44.

8987

SUBJECT: Chief is for Legal Communications.

To: PG Perugia (attn FLO)
" Pesquera " "
" Ancona " "
" Mantovate " "
" Pesaro Urbino " "
" Arezzo " "
" Siena " "
" Firenze " "

For info: RC Region IV

RC " V
RC " VIII
CLO ACC (AGV)

1. The office of SLO Fifth and Eighth Armies has been abolished and the officers acting in such capacity have been re-assigned.
2. All matters which would otherwise go to or through SLO Eighth Army will, after receipt of this communication, go instead to the RC for attention RLO.
3. Matters in transit received at this HQ up to date will be disposed of where possible without returning same to office of origin in order to avoid delay.
4. All such matters received at this HQ after date will be returned to office of origin to be re-directed to or through RC of the Region concerned.

Edwin J. Mercer
Edwin J. Mercer, Lt. Col. Ord.,
For Officer Commanding,
AMT Eighth Army.

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	

For info: RG Region IV

RG 7

RG " VIII

CIA AGO (LAW)

1. The office of SIO Fifth and Eighth Armies has been abolished and the officers acting in such capacity have been re-assigned.

2. All matters which would otherwise go to or through SIO Eighth Army will, after receipt of this communication, go instead to the RG for attention HQ.

3. Matters in transit received at this HQ up to date will be disposed of as far as possible without returning same to office of origin in order to avoid delay.

4. All such matters received at this HQ after date will be returned to office of origin to be re-directed to or through RG of the Region concerned.

Edwin J. Harver
 Edwin J. Harver, Lt. Col. Crd.,
 1st Officer Commanding,
 1st Eighth Army.

LEGAL SUB COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Section	
QL RKS	
3 letters	

col Campbell
to see
particulars

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
AND 394

ACC/1089/3/L.

/pa.
26 Aug 1944.

SUBJECT : Legal Work in Army Areas.

TO : Regional Legal Officers, (thru Regional Commissioners) Regions 5,
8, 9, 10, 11 & 12.

1. The following instructions, which have been agreed with AMC 5th and 8th Armies, are issued to define your responsibilities in respect of provinces which are geographically within your region but portions of which may lie within an Army Area.

2. SCAG of the Army is responsible for the administration of law in such provinces : this responsibility the SCAG discharges through the appropriate Provincial Legal Officer, who will be working under command of the SCAG.

3. The review of cases tried in such provinces (except cases the review of which is reserved to the Chief Commissioner) will be carried out at Regional HQ : and for this purpose any such trial will be deemed to have been held within the region (see Consolidated Instructions for All Courts Art. 32, 3(b).)

4. Regional Legal Officers will be responsible for the storage and safe custody of Court Records of trials held in such provinces in accordance with the Consolidated Instructions Art. 31.

5. Regional Legal Officers may communicate with their respective Provincial Legal Officers on purely legal matters eg. advice on legal questions, acting as the channel of communication between the Legal Sub-Commission and Legal Officers in the field. They will refrain from interfering with the normal work of the Provincial Legal Officers who, so long as their respective provinces remain in Army Areas, are working under command of the SCAG.

6. To give effect to the above SCAG's of both Armies have issued instructions as follows :

To CAGs : to consult with the Provincial Legal Officer on legal matters: and to pass to the Provincial Legal Officer Court Records and Petitions for Review.

To RLCs : to cooperate with CAGs on the above : to consult with the Regional Legal Officer on purely legal matters: and to pass to the Regional Legal Officer cases for review and records for storage and safe custody.

Richard H. Winter
RICHARD H. WINTER,
Colonel, CAG,
Acting Chief Legal Officer.

Copy to : 5th and 8th Armies.

4089/3
HEADQUARTERS
LIED CONTROL COMMISSION
R.C. & M.G. Section
APO 394

(SA)
Phone:
478201

Ref/57/156/CA.

24 August 1944.

SUBJECT: Regional Legal Officers in Army Areas.

TO : Legal Sub-Commission. 1A

1. With reference to your letter ACC/4089/3/L dated 4 Aug 1944 your draft, with minor alterations as per attached copy, was submitted to AMG's Fifth & Eighth Armies.
2. AMG Fifth Army are in agreement and have issued instructions in accordance with your para.6. Their letter 208/CA/42 dated 7 Aug 44 (copy to you) refers.
3. AMG Eighth Army have not replied specifically, despite reminders, but have issued instructions on your para.6 in their letter CA/13 dated 4 Aug 44 copy to you. 2B
4. It is suggested that amended draft is now prepared for signature by Executive Commissioner and issue to Regions V, VIII, IX and "2". 3B

LEGAL COMMISSION

CID

Thorden
NORMAN E. FISKE
Colonel, Gpt
Deputy Executive
Commissioner.

Col Campbell -10

DRAFT

HEADQUARTERS
ALLIED CONTROL COM. BION
RC & MC SECTION

APO 394

Subject: Legal work in Army Areas.

To: Regional Legal Officers, Regions 5, 6, 9 and "11".

August 44.

1. The following instructions, which have been agreed with AWC 5th & 8th Armies, are issued to define your responsibilities in respect of provinces which are geographically within your region but portions of which may lie within an Army Area.
2. SCAO of the Army is responsible for the administration of law in such provinces: this responsibility/SCAO discharges through the appropriate Provincial Legal Officer, who will be working under command of the SCAO.
3. The review of cases tried in such provinces (except cases the review of which is reserved to the Chief Commissioner) will be carried out at Regional HQ: and for this purpose any such trial will be deemed to have been held within a Region (see Consolidated Instructions for AC Courts Art. 32, 3 (b).)
4. Regional Legal Officers will be responsible for the storage and safe custody of Court Records of trials held in such provinces in accordance with the Consolidated Instructions Art. 31.
5. Regional Legal Officers may communicate with their respective Provincial Legal Officers on purely legal matters eg. advice on legal questions, acting as the channel of communication between the Legal Sub-Commission and Legal Officers in the field. They will refrain from interfering with the normal work of the Provincial Legal Officers who, so long as their respective provinces remain in Army Areas, are working under command of the SCAO.
6. To give effect to the above SCAO's of both Armies have agreed to issue instructions as follows:

To CAOs: to consult with the Provincial Legal Officer on legal matters:
and to pass to the Provincial Legal Officer Court Records and
Petitions for Review.

2 carbon
copies.
Wot. 58

10, 11 & 12

are issued to define your responsibilities in respect of provinces which are geographically within your region but portions of which may lie within an Army Area.

2. SCMO of the Army is responsible for the administration of law in such provinces: this responsibility/SCMO discharges through the appropriate Provincial Legal Officer, who will be working under command of the SCMO.

3. The review of cases tried in such provinces (except cases the review of which is reserved to the Chief Commissioner) will be carried out at Regional level: and for this purpose any such trial will be deemed to have been held within a Region (see Consolidated Instructions for All Courts Art. 32, 3 (b).)

4. Regional Legal Officers will be responsible for the storage and safe custody of Court Records of trials held in such provinces in accordance with the Consolidated Instructions Art. 31.

5. Regional Legal Officers may communicate with their respective Provincial Legal Officers on purely legal matters eg. advice on legal questions, acting as the channel of communication between the Legal Sub-Commission and Legal Officers in the field. They will refrain from interfering with the normal work of the Provincial Legal Officers who, so long as their respective provinces remain in Army Areas, are working under command of the SCMO.

6. To give effect to the above SCMO's of both Armies have ~~agreed~~ to issue instructions as follows:

To CAOs : to consult with the Provincial Legal Officer on legal matters: and to pass to the Provincial Legal Officer Court Records and Petitions for Review.

To FLOs : to co-operate with CAOs on the above: to consult with the Regional Legal Officer on purely legal matters: and to pass to the Regional Legal Officer cases for review and records for storage and safe custody.

M S Lush
Brigadier
Executive Commander
Colonel
Acting Chief Legal Officer.

Copy to: 5th & 8th Armies.

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 39

(4A)

/pa.
13 Aug 44.

ACC/4089/3/L.

SUBJECT : Review of cases.

TO : RLO (thru RC) Region VIII.

1. In reply to R VIII/19/8000 of 8 August 44.
2. Consolidated Instructions Art. 32 (b) applies i.e. the trial will be regarded as having been held within a Region.
3. It is anticipated that a short directive on the duties of RLOs in " follow-up " regions will be issued soon.

R
RICHARD H. WILMER,
Colonel, GAC,
Acting Chief Legal Officer.

8

Legal (3A)
9520

8 August 1944

1. Enclosed are copies of letters from 5 Army and 8 Army.

2. Having regard to the position thereby disclosed, namely, the withdrawal of SLOCs from both armies, may a ruling please be obtained, as to whether reviews are to be made in areas within Region VIII but not yet handed over by Armies to Regional Control, in accordance with "Consolidated Instructions for Allied Military Courts" Article 32, paragraph 3 (a) thereof, or paragraph 3 (b). Paragraph 4 also refers.

RECEIVED
11 AUG 1944
A. C. C.

JOHN K. WEBER
Colonel Infantry
Regional Legal Officer

(38)

COPY

SUBJECT: Legal Officer US Eighth Army

MEMO H.Q., A.M.C.
Eighth Army.

GA/13

4 August 64

TO: All Spearhead Officers
A.M.C. Eighth Army.

1. As from the date of this letter, Eighth Army A.M.C. will no longer have its own Legal Officer. The position of the A.M.C. Army Legal Officer will be assumed by the Regional Legal Officer of the appropriate Region following up.
2. Regional Legal Officer and their staff will have the right to enter any area under the control of Eighth Army including the Forward Corps Area without reference to this H.Q.

(Sd) ??????????????????????
Group Captain,

Officer Commanding.

H.Q., A.M.C. Eighth Army Main.

Copies to: H.Q. Regions IV, V, VIII, IX, and X.

6

4089/3

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

Phone:
470201

-8 AUG 1944

7 August 1944.

Ref/57/ /CA.

SUBJECT: Legal Work in Army Areas.

TO : BCAC Fifth Army.
" Eighth Army.

1. Attached is draft of instructions it is proposed to send to Regions 5, 8, 9 and "Z".
2. Before issuing this will you please say if it meets your requirements.
3. It will be necessary for you to give instructions in accordance with para.6.

NORMAN E. WESKE,
Colonel,
Deputy Executive
Commissioner.

Copy to: Admin Sec.

HEADQUARTERS
AMG FIFTH ARMY
APO 464 U.S. ARMY

7 August 1944

208/ Ca/ 42

SUBJECT : Legal matters

TO : See Distribution

1. Owing to a shortage of legal officers, it has been decided by A.C.C. H.H. that the legal division with A.M.G. 5th and 8th Armies should be closed and the Senior Legal Officers withdrawn for other work. This decision, which becomes effective forthwith, renders necessary the following changes in the method of handling A.M.G. legal matters in 5th Army Area.

2. A.M.G. Courts.

(i) Summary : If CACs need assistance in the trial of cases in Corps Areas, Corps SCACs will call upon the Provincial Legal Officer of the Province, in which the offense occurred, who will take such action as the circumstances may demand. Behind the Corps boundary, the Provincial Legal Officer will continue to be responsible for the proper handling of all cases in the Army area, either directly or through the Provincial CACs.

(ii) Superior and General : Application for the convening of a Superior or a General Court in the Army Area will be made to this HQ which will refer to the appropriate Regional Legal Officer for the nomination of duly qualified officers and for compliance with the requirements of Article 2 of the Consolidated Instructions.

2. Court Records and Applications for Review

All records of trials held in areas under control of AMG 5th Army and all applications for Review received will be forwarded as soon as practicable by the trial-Court direct to the Provincial Legal Officer of the Province within which the trial was held, and will be dealt with by him in accordance with such instructions as he may from time to time receive from the Regional Legal Officer of his Region.

4. Reports.

Monthly reports, and interim reports on Italian Courts and Judicial Officials will be submitted by Provincial Legal Officers through the usual channels to the Regional Legal Officer of the Region with copies to this H. for information. As no detailed

26

1. Owing to a shortage of legal officers, it has been decided by A.C. H. that the legal division with A.M.G. 5th and 8th Armies should be closed and the Senior Legal Officers withdrawn for other work. This decision, which becomes effective forthwith, renders necessary the following changes in the method of handling A.M.G. legal matters in 5th Army Area.

2. A.M.G. Courts.

(i) Summary: If CACs need assistance in the trial of cases in Corps Areas, Corps SCAGs will call upon the Provincial legal Officer of the Province, in which the offence occurred, who will take such action as the circumstances may demand. Behind the Corps boundary, the Provincial legal Officer will continue to be responsible for the proper handling of all cases in the Army Area, either directly or through the Provincial CACs.

(ii) Superior and General: Application for the convening of a Superior or a General Court in the Army Area will be made to this HQ which will refer to the appropriate Regional Legal Officer for the nomination of duly qualified officers and for compliance with the requirements of Article 2 of the Consolidated Instructions.

3. Court Records and Applications for Review

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5. General Matters.

Provincial Legal Officers should refer direct to their Regional Legal Officers for advice on any legal problems of a technical nature or on matters affecting the conduct or procedure of A.M.G. or Italian Courts, keeping of Records, returns etc.

Where a question of policy in the Army Area is concerned, the matter will be referred to this Hq through the Provincial Commissioner for decision and any technical points involved will be taken up by this Hq with the regional legal officer.

6. Supplies

Corps S.O.A. Cs should apply to Provincial legal officers for supplies of any legal forms required but will continue to draw Proclamations & General Orders through this Hq. It will be borne in mind that only Proclamations Nos 1-4, Notices 1 & 2 and General Orders Nos 1 and 26 will be posted in the Army area unless express instructions are issued by this Hq.

By Command of Brig. Gen. HUME:

F. H. MAYNE,
Colonel, CDF,
Chief of Staff,
AMG FIFTH ARMY.

DISTRIBUTION:

SCAO II Corps
SCAO IV Corps
Major Holmgren
F. Cs, Grosseto
Livorno
Pisa
Lucca
Pistoia
Apuania

for F. L. O.

R.C. Region VIII for R.L.O.

C.L.O. A.C.C. H.Q.

A.M.G. Eighth Army.

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

/jpl

(1A)

ACC/4039/3/L

4 Aug. 44

Subject: Regional Legal Officers in Army Areas.

To : R.C. & M. G. Section.

1. Owing to the withdrawal of Senior Legal Officers from AMG 5th & 8th armies, it is wished to clarify the rights and duties of Regional Legal Officers whose regions are now, or may hereafter be, within army areas.

2. To this end it is wished to send out a directive on the lines of the attached draft. It is felt, however, that before such a directive is sent the concurrence of AMG 5th & 8th armies should be obtained.

3. If you agree, will you please submit the attached draft for their approval, and with a request for appropriate orders to be given in accordance with para 6.

RICHARD H. WILLMER
Colonel, OAC
Acting Chief Legal Officer.

Enc: draft.

2.

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

DRAFT

18

/jpl

ACC/4039/3/L

4 Aug. 44

Subject: Legal work in Army Areas.

To : Regional Legal Officers, Regions 5, 8, 9 and "Z".

1. The following instructions, which have been agreed with AMG 5th & 8th Armies, are issued to define your responsibilities in respect of provinces which are geographically within your region but which may from time to time be within an Army Area.

2. AMG of the Army is responsible for the administration of law in such provinces: this responsibility AMG discharges through the appropriate Provincial Legal Officer, who will be working under command of AMG.

3. The review of cases tried in such provinces (except cases the review of which is reserved to the Chief Commissioner) will be carried out at Regional HQ; and for this purpose any such trial will be deemed to have been held within a Region (see Consolidated Instructions for AM Courts Art. 32, 3 (b).)

4. Regional Legal Officers will be responsible for the storage and safe custody of Court Records of trials held in such provinces in accordance with the Consolidated Instructions Art. 31.

5. Regional Legal Officers may communicate with their respective Provincial Legal Officers on purely legal matters eg. advice on legal questions, and acting as the channel of communication between the Legal Sub-Commission and Legal Officers in the field. They will refrain from interfering with the normal work of the Provincial Legal Officers who, so long as their respective provinces remain in Army Areas, are working under command of AMG of the Army.

6. To give effect to the above AMG of both Armies have agreed to issue instructions as follows:

To CAGs: to consult with the Provincial Legal Officer on legal matters; and to pass to the Provincial Legal Officer Court Records and Petitions for Review.

To FLOs: to co-operate with CAGs on the above; to consult with the Regional Legal Officer on purely legal matters; and to pass to the Regional Legal Officer cases for review and records for storage and safe custody.

Copy to : 5th & 8th Armies.

RICHARD H. WILLMER
Colonel, CAG
Acting Chief Legal Officer.

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