

ACC

10000/142/702

10000/142/702

JUVENILE OFFENDERS
AUG. 1943 - APR. 1945

FILE CLOSED 24 April 1945

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HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMMUNE
LEGAL DIVISION
APO 394

L-5019

24 April 1945

SUBJECT: Allied Military Courts : punishment of minors.

TO : HQ., Allied Commission (For Attention of Legal Sub-Commission)

1. Reference is made to your letter instruction AC/4002/L, 17 March 1945.

2. There are at present 14 minors in Poggio-reale prison who are serving indeterminate sentences subject however, to minimum terms of imprisonment.

3. In view of para 6 of the above described letter instruction, we are herewith enclosing for your consideration and advise letter and 14 Juridical Status enclosures from the Director of Prisons requesting that the indefinite terms of imprisonment imposed on the above mentioned minors be converted to definite terms of imprisonment, preferably to the minimum term imposed by the court.

For the Commissioner:

LEGAL SUBCOMMISSION	
CLO	
DCLO	
Chief Counsel	
CIO	
Italian Section	
CL RKS	

Frank L. Vecchiolla
FRANK L. VECCHIOLLA, by b b
Major, J.A.G.D.,
Senior Legal Officer.

Papers
returned

CCB/pv

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HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

AC/4002/L.

ICHO /pa.
17 March 1945

SUBJECT : Allied Military Courts : punishment of minors.

TO : Regional Commissioners (Attn: R.I.C.) Sicilia, Southern, Sardegna, Lazio-Umbria, Abruzzi-Marche, Toscana, Emilia, Liguria, Piemonte, Lombardia, Venezia and Venezia Giulia Regions,
SCAOs 5th and 8th Armie

1. From cases reviewed at this HQ, it is thought that Legal Officers are uncertain as to the sentence which should be imposed on minors convicted by Allied Military Courts, having regard to the practical difficulties which now obtain.

2. In theory, every prison should have a wing for minors: and throughout the country there should be a series of "Riformatori giudiziari" each serving a district. In practice, prisons are so congested that the wing for minors does not always exist: and for a variety of reasons some reformatories are not functioning.

3. The reformatories are intended as places where minors may be sent in addition to, or in lieu of, prison (see Penal Code Arts. 223, 224 and 225) to undergo discipline and instruction in some craft. Nowadays, owing to the lack of materials, it is not possible in reformatories to give this instruction: and a term in a reformatory is in practice not very different from a term in prison.

4. Every PLO should acquaint himself with the facilities for the detention of minors that exist in his province: this can best be done by asking the "Giudice di Sorveglianza". The Courts must then take a practical and realistic view and in each case must impose a sentence which is reasonable and practicable having regard to local conditions.

5. The following principles should be borne in mind :

- a. In appropriate cases, a minor may be given a suspended sentence and put under the care of the parents.
- b. In cases too serious for the above, a minor may be given a term of detention to be served in a reformatory: but in this case the term should be considered not as a period for reform and education but as a punitive term in a special place of detention for minors: it should be made correspondingly brief.
- c. In yet more serious cases, a term of imprisonment must be imposed: but legal officers should ask Public Safety officers to ensure that such minors are segregated from other inmates.

Regions, Piemonte, Lombardia, Venezia and Venezia Giulia
SCAOs 5th and 8th Armie

1. From cases reviewed at this HQ, it is thought that Legal Officers are uncertain as to the sentence which should be imposed on minors convicted by Allied Military Courts, having regard to the practical difficulties which now obtain.
2. In theory, every prison should have a wing for minors: and throughout the country there should be a series of "Reformati giudiziari" each serving a district. In practice, prisons are so congested that the wing for minors does not always exist: and for a variety of reasons some reformatories are not functioning.
3. The reformatories are intended as places where minors may be sent in addition to, or in lieu of, prison (see Penal Code Arts. 223, 224 and 225) to undergo discipline and instruction in some craft.
Nowadays, owing to the lack of materials, it is not possible in reformatories to give this instruction: and a term in a reformatory is in practice not very different from a term in prison.
4. Every PLO should acquaint himself with the facilities for the detention of minors that exist in his province: this can best be done by asking the "Giudice di Sorveglianza". The Courts must then take a practical and realistic view and in each case must impose a sentence which is reasonable and practicable having regard to local conditions.
5. The following principles should be borne in mind:
 - a. In appropriate cases, a minor may be given a suspended sentence and put under the care of the parents.
 - b. In cases too serious for the above, a minor may be given a term of detention to be served in a reformatory: but in this case the term should be considered not as a period for reform and education but as a punitive term in a special place of detention for minors: it should be made correspondingly brief.
 - c. In yet more serious cases, a term of imprisonment must be imposed: but legal officers should ask Public Safety officers to ensure that such minors are segregated from other inmates.
6. With effect from receipt hereof, the practice of ordering minors to a reformatory for an indefinite term will cease. If a Court wishes to impose a term of detention on a minor it will specify:
 - a) whether the term is to be served in a reformatory or in a prison: and
 - b) the length of the term.
7. This directive is issued for distribution to all legal officers in your Region.

By command of Rear Admiral STONE: *G. E. L. [Signature]*

Copy to: AC/4061/L.
AC/4083/1/L

G. R. WATSON, Dirig.
VP CA Sec, HQ AC.

*This copy for
file 4098*
ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

AME/WSW

35A

G-5: 000.5

6 March 1945

SUBJECT: Prosecution of minors under Italian law.

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

1. A question has been raised at this Headquarters concerning the Italian law respecting the prosecution of minors, and the view has been expressed that under Italian law persons under the age of 18 are not subject to criminal prosecution.

2. It would be appreciated if you could furnish this Section with a copy of any Italian law, or a statement of the practice in Italian courts respecting the criminal responsibility of minors. The information is required in connection with pilferage of WD property.

For the Asst. Chief of Staff, G-5:

A. M. BULLOWA,
1st Lt., AUS.

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ARE/ps

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

2 June 1944

ACC/4098/L.

SUBJECT : Juvenile offenders.

TO : R.L.O. (Thru RC) Region 3.
(Att. Officer i/c Italian Courts)

1. Reference is made to your letter dated 30 May 1944 and enclosure thereto.
2. The explanation given in para 5 of the above appears to dispose of the difficulty.
3. You are correct in regard to the power to delegate being exercised by the Procuratore Generale, the reference to the First President was made in error.

A. R. THACKERAY,
Lt. Col.,
for Chief Legal Officer.

HEADQUARTERS

REGION 3, ALLIED CONTROL COMMISSION
APO 394, U.S. ARMY

Naples, Italy
30 May 1944

WCH/LC

SUBJECT : Juvenile offenders. Pretura di CAMPOBASSO.
TO : G. L. O., Legal Subcommittee, Rear Headquarters Allied
Control Commission, SALERNO (Attention officer i/c
Italian Branch).

1. Reference is made to your letter of 23 May 1944 ACC/4098/L and to the accompanying letter of the Procuratore del Re of CAMPOBASSO under date of 3 May 1944.
2. It is pointed out that the requested power is not within the competency of the First President of the Court of Appeal, but is a power exercised by the Procuratore Generale.
3. It is further pointed out that under the existing Italian law the Procuratore Generale has no right to delegate this power even temporarily to a Procuratore del Re.
4. The delegation would have to be covered either by amendment to the Italian law, or by an A.C.C. order, and your direction is respectfully requested on this point.
5. The delegation of this power may possibly be considered unnecessary in view of the recent decision to permit the Italian judicial offices concerned to avail themselves of the A.C.C. courier service between Naples and Campobasso.

M. C. Holt

M.C. HOLT Major
Officer i/c. Italian Courts
A. C. C. REGION III.

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REDA PROCUA DI CALABASSO

67/22130: Imputati minori degli anni 18-

Campobasso li 3 maggio 1944

Urgente

All'Ufficio legale

dell'A.L.G. CALABASSO

Secondo l'art. 9 del R.D.I. 20 luglio 1934, n. 1404, riguardante la istituzione del Tribunale dei Minorenni, quando nel procedimento vi sono coimputati maggiori degli anni 18, il Procuratore Generale può ordinare che a carico del maggiore si proceda separatamente.

Secondo il successivo articolo 10, poi, quando il minore deve rispondere di reati, che, in base alle leggi vigenti, sono di competenza del pretore, il Procuratore del Re presso il Tribunale dei Minorenni, in casi eccezionali, per l'indole e per l'entità del reato, ovvero per ragioni attinenti alle difficoltà del trasferimento del minore nel luogo ove si trova la sede del tribunale, può, con provvedimento insindacabile, rimettere al pretore il procedimento.

Gra, ciò che a codesto Ca. le Ufficio è nota la difficoltà di comunicazione e del servizio postale con Napoli, dove ha sede il Procuratore Generale ed il Tribunale dei Minorenni, vede di esaminare la possibilità che le facoltà, demandate a detti organi giudiziali, siano momentaneamente devolute a questa R. Procura, e ciò nell'interesse della sollecita definizione di detti processi, in cui vi siano imputati minori o coimputati maggiorenni.

La richiesta ha carattere di urgenza.

IL PROCURATORE DEL RE
Filippo Icardi



F. Icardi

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Urgente

All'Ufficio Legale

dell'A.L.G. CAMBONASSO

Secondo l'art. 6 del R.D. 1.20 luglio 1934, nottato, rimanendo la
istituzione del Tribunale dei Minorenni, natio nel precedente vi
sono coimputati maggiori degli anni 12, il Procuratore Generale può
ordinare che a carico del maggiorenne si proceda separatamente.

Secondo il successivo articolo 10, poi, quando il minore deve ri-
spondere di reati, che, in base alle leggi vigenti, sono di competen-
za del pretore, il Procuratore del Re presso il Tribunale dei Minorenni, in casi eccezionali, per l'articolo 6, per l'entità del reato,
ovvero per ragioni attinenti alla difficoltà del trasferimento del
minore nel luogo ove si trova la sede del tribunale, può, con pro-
vvedimento insindacabile, rimettere al pretore il procedimento.

Ora, poiché è noto che la sede del tribunale, può, con pro-
vvedimento insindacabile, rimettere al pretore il procedimento di com-
unicazioni e del servizio postale con Napoli, dove la sede il Tribu-
nale Generale ed il Tribunale dei Minorenni, veda di esaminare la
possibilità che la facoltà, demandata a detti organi giudiziari, sia
non ritenuta devoluta a questa R. Procura, e ciò nell'interesse
se della sollecita definizione di molti procedimenti in cui vi siano
imputati minori o coimputati maggiorenni.

La richiesta ha carattere di urgenza.

IL PROCURATORE DEL RE
Filippo Lomardo



Lomardo
Lomardo pays obl. 22/10/34

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

GGH/ap

23 May 1944.

ACC/4098/L

SUBJECT : Juvenile Offenders. Pretura di
Campobasso.

TO : Regional Legal Officer (thru RC) Region III.

1. The enclosed letter of the Procuratore del Re of Campobasso was forwarded to this Subcommittee by the RLO Region 5 with a request that the First President of the Court of Appeal at Naples be asked to temporarily delegate the required power to the aforesaid Procuratore del Re.

2. It is the view of this Subcommittee in which the Ministry of Justice concurs that there is nothing in the way of the above delegation. Would you please arrange for the necessary order to be issued.

Arthur G. Hannaford
JOG. G. HANNAFORD,
Major,
Officer i/c Italian Branch,
for Chief Legal Officer.

REGIA PROCURA DI CAMPOBASSO

OGGETTO: Imputati minori degli anni 18 .

Campobasso li, 3 maggio 1944

URGENTE

All'Ufficio Legale dell'A.M.G.

CAMPOBASSO

Secondo l'Art.9 del R.D.L. 20 luglio 1934, n.1404, riguardante la istituzione del Tribunale dei Minorenni, quando nel procedimento vi sono coimputati maggiori degli anni 18, il Procuratore Generale può ordinare che a carico del maggiorenne si proceda separatamente.

Secondo il successivo articolo 10, poi, quando il minore deve rispondere di reati, che, in base alle leggi vigenti, sono di competenza del Pretore, il Procuratore del Re presso il Tribunale dei minorenni, in casi eccezionali, per l'indole o per l'entità del reato, ovvero per ragioni attinenti alle difficoltà del trasferimento del minore nel luogo ove si trova la sede del Tribunale, può, con provvedimento insindacabile, rimettere al Pretore il procedimento.

Ora, poiché a Codesto On/le Ufficio è nota la difficoltà di comunicazioni e del servizio postale con Napoli, dove hanno sede il Procuratore Generale ed il Tribunale dei Minorenni, veda di esaminare la possibilità che le facoltà, demandati a detti organi giudiziari, siano momentaneamente devoluti a questa R.Procura, e ciò nell'interesse della sollecita definizione di molti processi, in cui vi siano imputati minori o coimputati maggiorenni.

La richiesta ha carattere di urgenza.

IL PROCURATORE DEL RE
Filippo Leonardo.

TO C.E.C. Rea H.Q. A.C.C.
FROM H.Q. Region 5 A.M.G.
SUBJECT Juvenile Offenders, Italian Courts.
REF R5/511/9.

17 May 1944.

1. The attached request from the Procuratore del Re, Campobasso seems reasonable.
2. Could you please either arrange with the First President of the Court of Appeal at Naples for the required authority to be temporarily delegated to the Procuratore del Re, or if this is impossible arrange for an appropriate amendment to the existing procedure to be put into effect.

For the Regional Commissioner

W. E. PETREMS
Lt. Colonel
R.L.O.

WEB/EP



AMG
Headquarters
Region 2

4098

28

Ref: 2201/6/11

10 December 1943

Subject: Juvenile Offenders

To: Chief Legal Officer
HQ AMG

1. Referring to the directive of Nov. 4 (AMG/4098/L) on the above matter, I feel bound to call your attention to the virtual impossibility of carrying out the details of the instruction in Region 2.
2. At the present time there is one Welfare Officer in³ the Region. His time is of necessity given to the problems of large groups, and not to the problems of isolated individuals. It takes as much as four days to get from Regional HQ to the most distant Regional Provincial capital and it is therefore utterly impossible for him to drop larger matters to go to that point to look into the background of a child who has apparently violated one of the AMG orders.
3. This being the practical situation which we face I have taken the liberty to advise the LC's that if the Welfare Officer is not available at a particular place at a particular time when his services are needed in connection with the trial of a juvenile the Court should do its best to see that the spirit of your directive is not violated, and that they should² be careful to see that the provisions of paragraph 1 (c) of the directive are fully complied with.
4. It is hoped that this instruction will meet with your approval.

Ward M. Howe

Mark DeW. Howe, Major, AUS,
RCLO, Region 2

11/14/43
Conferred with Col. Pollock
Howe
J.D.D.

4098
✓

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REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394
Public Health Sub-Commission

ACG/3059/PH

7 April 1944

SUBJECT: - Juvenile Courts.

TO : - Legal Sub-Commission.

1. This Sub-Commission is preparing a memorandum defining the scope of its activity in relation to other Sub-Commissions. Following is a summary taken from the "Synopsis of the R.O.L. 20 July 1934, No. 1404" prepared by the Legal Sub-Commission. This summary is proposed for inclusion in the above-mentioned memorandum as a brief statement of the functions of the Legal Sub-commission in relation to delinquent children:

"6.B Legal Sub-Commission.

The Legal Sub-Commission is concerned with questions of law and its interpretation, and with the operations of the courts. Accordingly, this Sub-Commission is interested in the legal matters affecting children.

Legal proceedings in respect to juvenile offenders are handled by Juvenile Courts at the seat of each Court of Appeal, and Juvenile Court of Appeal Sections at the seat of each detached section of the Court of Appeal. In each such location there is an institute of re-education, a judicial reformatory, an institute for observation, and a prison for minors.

The Juvenile Court has exclusive jurisdiction over all crimes committed by delinquents under 18 years of age, except when there are co-defendants who are not minors. However, in the latter case, the Procureurs Generals at the Court of Appeals may order before the beginning of the trial that the senior co-defendants be tried separately.

Special investigations are provided for in cases against juvenile delinquents to ascertain their personal family background with due regard to the physical, psychological and moral conditions of the defendant and of his surroundings. Among those admitted to the trial, from which the public is excluded, are the representative of the supervising committee of the O.N.M.I. and representatives of such other organizations for the welfare and protection of children as the president of the tribunal considers suitable.

2. It is desired to know whether the suggested statements are accurate. Reference will be made in the memorandum to the complete synopsis, which was sent to Regions on 13 March 1944.

G. S. Parkinson
Brig

G. S. PARKINSON, Brigadier
Director, Public Health Sub-Commission.

PH/ECS/ja

*In Army sent juvenile under 18 are already
to be by juvenile court &
where practical delinquents sent to reformatory*

HEAD HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

GRU/gmf

28

ACC/4098/L

7 April 1944

SUBJECT: Juvenile Courts.

TO : Public Health Subcommittee.

Ref your ACC/3059/PH dated 7 April 44 your proposed summary is accurate. It is requested, however, that you should add the following:

"All Courts also sit as juvenile Courts where the accused is under 18 and where practicable offenders are sent to reformatories. Where no such facilities exist use is made of the power to impose suspended sentences except in the case of hardened criminals or in very serious cases".

G. R. UPJOHN
Colonel
Chief Legal Officer.

-30

2nd March 1944.

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MEMORANDUM OF THE B.O.I. 20 JUNE 1944, No. 1404.
 Establishment and functioning of the Juvenile Courts.

ORGANIZATION

1. At the seat of each Court of Appeal or detached section of Court of Appeal there are established an Institute for observation, an Institute for re-education, a judicial reformatory, and a prison for minors all of which are located in one building and called a Centre of re-education for minors. In the same locality and in the same building sit also Juvenile Courts and a Juvenile Court of Appeal Section for minors.
2. The tribunal for minors is composed of a President, a magistrate sitting the grade of Conseillers de Courte d'Appel, of a magistrate holding a grade of giudice and of a citizen experienced in social matters and selected from amongst students of biology, psychology, criminal anthropology and pedagogy. The jurisdiction of this court extends over the entire district of the Court of Appeal.
3. An office of "Pubblico ministero" is attached to each Juvenile Court. It is headed by a magistrate holding the rank of "Pubblico procuratore del Re" or of "Pubblico procuratore generale di Corte d'Appello". The Procuratore del Re initiates all penal proceedings for crimes committed by offenders under 18 years of age and all complaints, denunciations, and other forms of denunciations regarding such crimes are transmitted to him.
4. Appeals against the sentences of the Juvenile Court are heard by a Juvenile Court of Appeal section. On the bench a private citizen sits with the judges. The other judges will be selected whenever practicable from amongst former judges of the Juvenile Court.
5. The lay members of the Juvenile Courts and of the Juvenile Court of Appeal section are proposed by the Ministry of Justice and appointed for three years by Royal Decree. They serve without any compensation and may be reappointed after the lapse of their term.
6. The functions of the Judges of reformatory (supervising judge) and of the consigliere delegato (Deputy delegate) are performed by an ordinary judge of the Juvenile Court or of the Juvenile Court of Appeal Section respectively.
7. Special institutions for the observation of minors are devised for the custody of minors who were abandoned, obtained for means of public safety or awaiting sentence or an order for placement in an Institute for re-education. In the Institute for observation the minors are subjected to a scientific study with the view of designing the most suitable means for their restoration to society.

LEGAL PROCEEDINGS

8. The Juvenile Court has exclusive jurisdiction over all crimes committed by Juvenile delinquents under 18 years of age except where there are co-defendants who are not minors. However, in the latter case, the Juvenile Court of Appeal may order before the beginning of

and in the same building as the Juvenile Courts and a Juvenile Court of Appeal section for minors.

2. The tribunal for minors is composed of a president, a magistrate holding the grade of *Consejero de Corte de Apelaciones*, of a magistrate holding a grade of *abogado* and of a citizen experienced in social welfare and selected from amongst students of biology, psychology, criminal anthropology and sociology. The jurisdiction of this court extends over the entire division of the Court of Appeals.
 3. An office of "public administrators" is attached to each Juvenile Court. It is headed by a magistrate holding the grade of *abogado* and of *procurador del Reo* or of *defensor*. This office prosecutes *procurador del Reo* or *defensor*. The *procurador del Reo* initiates all penal proceedings for crimes committed by offenders under 18 years of age and all criminal, correctional, and other forms of delinquency regarding such crimes are transmitted to him.
 4. Appeals against the sentences of the Juvenile Court are heard by a Juvenile Court of Appeal section. On the bench a private citizen sits with the judges. The other judges will be selected whenever available from amongst former judges of the Juvenile Court.
 5. The lay members of the Juvenile Courts and of the Juvenile Court of Appeal section are proposed by the Ministry of Justice and appointed for three years by Royal Decree. They serve without any compensation and may be reappointed after the lapse of their term.
 6. The functions of the *Código de menores* (surviving judge) and of the *consejero delegado*. (Counselor delegate) are performed by an ordinary judge of the Juvenile Court and of the Juvenile Court of Appeal section respectively.
 7. Special institutions for the observation of minors are devised for the custody of minors who were abandoned, retained for reasons of public safety or awaiting sentence or an order for placement in an institution for re-education. In the institution for observation the minors are subjected to a scientific study with the view of designing the most suitable means for their reformation in society.
- LEGAL COMMENTARY
8. The Juvenile Court has exclusive jurisdiction over all crimes committed by juvenile delinquents *menores de edad* under 18 years of age except where there are co-defendants who are not minors. However, in the latter case, the *Procurador General* of the Court of Appeal may order before the beginning of the trial that the senior co-defendants be tried separately.
 9. Where the juvenile delinquent is charged with and on which ordinarily would fall within the jurisdiction of a private, the case may be referred to the *procurador del Reo* by the judge when the character of the case demands or classification connected with bringing the delinquent before the Juvenile Court into *la sala de audiencias*. NEW STEP *APPEAL*.
 10. Special investigations must be conducted in cases against juvenile delinquents to ascertain their personal and family background with the regard to the physical, psychological and moral conditions of the defendants and of the surroundings.

The "publico ministero" and the Juvenile Court of Appeal Section may hear opinions of experts, without observing any procedural formalities, for the purpose of determining the personality of the defendant and the reasons for his abnormal conduct.

11. Only such lawyers whose names are entered in a special register as defense counselors may act before the above courts. They are selected ~~with~~ view of their special competence and knowledge of the efforts of the State for the reeducation of juvenile offenders.

During the pretrial proceeding and upon the closing of the interrogatories the defense counsellor may be allowed by the Publico Ministero to confer with the juvenile defendant at any time.

112. Summary pretrial proceeding will be conducted in each case in chambers. The Procuratore del Re may propose to quash the proceeding at this stage.

13. The public is excluded from trials. The following persons are admitted in addition to the defendants: the offended party, witnesses and defense counsel, closest relatives of the defendant, his guardian or curator and the representative of the local Supervisory Committee of the National Organization for the Protection of Maternity and Infancy and representatives of such committees for Welfare and Protection of Minors whom the president considers suitable. The president may order that the defendant be removed during the presentation of any proof or during any part of the discussion.

14. Whenever the Juvenile Court finds that the punishment applicable in a case would involve imprisonment for not more than 2 years and/or a fine not exceeding 15000 lire, a judicial portion may be granted.

15. The execution of a sentence may be conditionally suspended whenever the imprisonment imposed does not exceed three years or fine inflicted the amount 15000 lire.

16. Any time during the course of the serving of sentence for imprisonment imposed for whatever term, the Minister may order conditional release (may parole the prisoner) provided the offender was under 18 years of age at the time he committed the offence. The Minister may provide in his decree that instead of granting the prisoner unsupervised liberty, he should be interned in a judicial reformatory if he still is younger than 21 or that he should be committed to an agricultural colony or to a working institution if he is older than 21. If the internment is ordered the time spent in any of such institutions will be counted in the duration of the term of the sentence.

of the term of the sentence.
 SECTION OF SUCH SENTENCE -

17. The release of juvenile delinquents, (be it from prison, or where provisional liberty was granted) from penal institutes, ^{and} from institutes for detention for security reasons, must be communicated to the R. Procurator of the Juvenile Court who will examine the necessity of applying the provision mentioned below under 20.

16. A list is kept at the Juvenile Court of persons and institutions of public welfare willing to provide for the education or assistance of the minors released on conditional liberty. If the minor released on conditional liberty is entrusted to his parents or to those who are under obligation to take care of him, to guard him or to persons or institutions mentioned in the aforesaid list, such persons or institutions exercise the supervision over him under direct control of the superintendent.

the defense counsellor may be allowed by the Pubbico Ministero to confer with the juvenile defendant at any time.

12. Summary pretrial proceedings will be conducted in each case in chambers. The Procuratore del Re may propose to quash the proceeding at this stage.

13. The public is excluded from trials. The following persons are admitted in addition to the defendants: the offended party, witnesses and defense counsellors, closest relatives of the defendant, his guardian or curator and the representative of the local Supervisory Committee of the National Organization for the Protection of Maternity and Infancy and representatives of such committees for welfare and protection of minors when the president considers suitable. The president may order that the defendant be removed during the presentation of any proof or during any part of the discussion.

14. Whenever the Juvenile Court finds that the punishment applicable in a case would involve imprisonment for not more than 2 years and/or a fine not exceeding 15000 lire, a judicial pardon may be granted.

15. The execution of a sentence may be conditionally suspended whenever the imprisonment imposed does not exceed three years or fine inflicted the amount of 15000 lire. 28

16. ^{AT} WHILE THE MINOR IS SERVING A TERM OF IMPRISONMENT ^{THE} Any time during the course of the serving of sentence for imprisonment imposed for whatever term, the Minister may order conditional release (any parole the prisoner) provided the offender was under 18 years of age at the time he committed the crime. The Minister may provide in his decree that instead of granting the prisoner unsupervised liberty, he should be interned in a judicial reformatory if he still is younger than 21 or that he should be committed to an agricultural colony or to a working institution if he is older than 21. If the internment is ordered the time spent in any of such institutions will be counted in the execution of the term of the sentence. COUNT TOWARDS THE

17. The release of juvenile delinquents, (be it from prison, or where provisional liberty was granted) from penal institutes, from institutes for detention for security reasons, must be communicated to the R. Procuratore at the Juvenile Court who will examine the necessity of applying the provision mentioned below under 20.

18. A list is kept at the Juvenile Court of persons and institutions of public welfare willing to provide for the education or assistance to the minors released on conditional liberty. If the minor released on conditional liberty is entrusted to his parents or to those who are under obligation to take care of him, to guard him or to persons or institutions mentioned in the aforesaid list, such persons or institutions exercise the supervision over him under direct control of the supervising judge (giudice di sorveglianza). Upon the act of presentation of the minor to such persons or institutes a record is made wherein the judge determines the ways and means of assistance to and supervision over the minor which may be verified from time to time. The supervising judge shall frequently interview the minor. ~~The supervising judge shall frequently interview the minor. If the reasons of RESCUATION are not satisfactory, this judge will order internment in a judicial REFORMATORY.~~

19. Special rehabilitation is admissible for crimes committed by offenders under 18 years of age. Such rehabilitation terminates all necessary penalties and all other effects provided for in penal, civil and administrative laws and regulations.

of the limitations established for the granting of additional suspension of penalty and for the granting of judicial pardon.

Whenever the juvenile offender has completed 18 years of age but has not yet reached 25 years and is not subject to any execution of a penalty or to any security measure, the Juvenile Court sitting at the place of residence of the juvenile offender, upon request of the interested party or of the pubblico ministero or of his own motion, shall examine the entire past record of the juvenile offender, and obtain information on his behaviour in family, at school, at work, in public and private institutions, in recreational and sport organizations etc. If the Court finds that the juvenile offender has fully improved so as to be fit for readmission to the society, they will pronounce the rehabilitation at chambers, without intervention of defense counsellors, and after having heard the opinion of provincial public safety authorities, of the pubblico ministero and of the person exercising the rights of the father (patris potestas) or the guardianship. The act of rehabilitation is noted in the judgments rendered against the minor and in the judicial registry. A copy of the act is transmitted to public safety authorities of the native comune and usual residence of the juvenile offender as well as to the respective provincial public safety authorities. Once the rehabilitation has been pronounced the criminal record of the juvenile offender shall not be revealed in the certificate of good conduct (certificato di buona condotta) even if requested by a public office except in connection with penal proceedings. The Rehabilitation may be revoked as set forth in Art. 600 of the Code of Penal procedure.

Administrative Competence.

20. Whenever a person under 18 years of age appears to be in need of moral education on account of manifest proof of habitual delinquency, the public safety authorities, the procuratore del Re, the parents, the guardian, curator, the National Organization for Protection of Maternity and Infancy and other organizations may report the facts to the Juvenile Court which, having obtained the necessary information, may order by a decree without right of recourse that the minor be interned in a corrective reformatory. The decision will be taken at chambers without intervention of defense counsellors and after the court has heard the provincial public safety authorities, the pubblico ministero, the minor and the person exercising the rights of the father or guardianship.

The Ministry of Pardon and Justice shall assign the minor to a government-owned reformatory or to a reformatory administered by a public institution with which it has concluded contracts for such purpose. The expenditures for maintenance in the reformatories will be charged against the parents or other ascendants. Where there are no parents or other ascendants the persons who exercise the guardianship are held responsible for reimbursement of such expenditures if the property of the minor so permits. The Court, before ordering the minor to a reformatory, may entrust him to one of the persons or institutions enumerated above under 18.

21. If the ¹⁵aggravated- of the minor is due to the fact that he has been abandoned and in some other enumerated cases, the Court before providing as under 20 above, may order that the minor be handed over to his father, other ascendant or to a guardian, for education and supervision under threat of inflicting a fine up to 2000 lire upon such persons. In case of persistent dereliction of duty on the part of such persons provisions of Arts 233, 269 no. 3 and 271 of the Civil Code will be applied upon the initiative of the pubblico ministero.

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Administrative Competence.

20. Whenever a person under 18 years of age appears to be in need of moral correction on account of manifest proof of habitual delinquency, the public safety authorities, the procuratore del Re, the parents, the guardian, curator, the National Organization for Protection of Maternity and Infancy and other organizations may report the facts to the Juvenile Court which, having obtained the necessary information, may order by a decree without right of recourse that the minor be interned in a corrective reformatory. The decision will be taken at chambers without intervention of defense counsellors and after the court has heard the provincial public safety authorities, the pubblico ministero, the minor and the person exercising the rights of the father or guardianship.

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22. The pubblico ministero may also request the application of provisions mentioned above under 20 if a penal proceeding against the juvenile offender is pending and the latter is not held in preventive custody or where he was acquitted for mental deficiency or granted judicial pardon or conditional suspension of penalty.

23. At least once a year the director of the reformatory will report to the Juvenile Court on the conduct and progress of the minor and the Court will frequently interview the minor. If the Court finds that there is no need for further detention of the minor and that he may be properly taken care of by his family or by the persons and institutions mentioned above under 18, and at any case when the minor has reached the age of 21 years, they will order his

release from the reformatory.

24. When a minor who ~~has never~~ ^{has never been} sentenced for a crime but ~~who~~ ^{and still} has been interned in an institute for reeducation ~~and completed~~ ^{and still} 18 years of age, he may ask the Court to declare him absolved. If such declaration is pronounced the detention in the Institute for reeducation will not be mentioned in the certificate of good conduct.

Civil Competence.

25. The Juvenile Court and their president ~~exercise jurisdiction in all matters for which competence is given to the President or their president relative to the exercise of the paternal rights or guardianship.~~

0530

Declassified E.O. 12356 Section 3.3/NND No. 785016

26

-4-

For which control of the paternal rights or guardianship.

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394.

(2.4)
ES/gmf

ACC/4098/L

17 March 1944.

SUBJECT: Transmittal of Documents.

TO : RLO (thru RC) HQ Region 3, ACC.

Enclosed herewith a copy of Synopsis of the RDL 20 July 1934
No. 1404 on Juvenile Courts in accordance with your request made to Major
Hannaford.

G. G. HANNAFORD, Major
Officer i/c Italian Section
for Chief Legal Officer.

ACC/4098/L

D R A F T

IT/gms

27 Feb 44

23

The Legal Subcommittee and its Attitude toward
Juvenile Offenders

In addition to occupying toward the Public Health Subcommittee the same rôle of advisor on legal matters, which it performs for other subcommittees, the Legal Subcommittee comes into contact with Public Health, in welfare policies, through its responsibility for the supervision of Military and Civil Courts, and particularly in the handling by these courts of juvenile offenders. For the purpose of demonstrating this role, the instructions to Military Courts on the subject may be briefly summarized.

Courts are instructed to apply principles governing juvenile courts in Great Britain and the United States. Juvenile offenders are offenders under 18 years of age. Military Courts are cautioned that when juveniles are tried alone, or with other juveniles, the particular court involved, whether General, Superior or Summary shall sit as a juvenile court. Upon the arrest of a juvenile offender, and if possible, prior to trial, a copy of the charges will be forwarded to the nearest Public Welfare officer for his investigation, report and recommendation.

Proceedings at the trial are to be informal and the court is to be closed to members of the public, other than members of the juvenile's family. Parents should be required to attend whenever possible, and if available the Welfare officer. Offenders under 18 may be punished as adults if the court is of the opinion that they are mentally and physically mature, but in other cases the courts are advised with respect to juveniles to observe the following principles:

(a) Juvenile offenders are not to be sent to prison for petty offenses unless having a previous record of convictions. Where reformatories are available, full use shall be made of them and, where not available, use may be made of the suspended sentence in petty cases.

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- (a) Juvenile offenders are not to be sent to prison for petty offenses unless having a previous record of convictions. Where reformatories are available, full use shall be made of them and, where not available, use may be made of the suspended sentence in petty cases.
- (b) In cases of conviction of a serious offense, juveniles should be sent to a reformatory when one is available. If sentence to a prison is necessary, because of lack of reformatory facilities, the youth accused is to be taken into consideration as well as the power of the court to suspend a portion of the sentence. Judges are advised of the common practice in Italian courts of reducing the sentence by one third if accused is between 16 and 18 years of age.
- (c) Where juvenile offenders appear to be hardened criminals, it may be necessary to impose substantial terms of imprisonment for offenses committed.

COPY

HEADQUARTERS
ALLIED CONTROL COMMISSION
REGION II

12 February 1944

REF: WEL/1/60

SUBJECT: - Reformatory Accommodations.

TO : - H.Q. A.C.C., Public Health Sub-Commission, Public Welfare
Sub-Section, ATTENTION: - Capt. Joel A. Earnest, Chief.

1. The letter copied below has just been dispatched to answer the inquiry regarding reformatory accommodations. This is for your information.

For the R.C.A.C.

/s/ Ransom Carver
/t/ RANSOM CARVER
Captain, AUS.
Welfare Officer

COPY

HEADQUARTERS
ALLIED CONTROL COMMISSION
Region 2.

11-2-1944

Ref: A/PS/11

SUBJECT: - Juvenile Delinquents.

TO : - Vice President, R.C. & M.G. Section, A.C.C. APO 394.

1. In reply to A.M.G./11205/PS dated 30 Dec. 1943 it is advised that the Reformatory at Catanzaro is being repaired and can now admit 100 boys.

2. Boys must bring with them, bedding (Blankets, sheets, mattresses, pillows) and any other stores necessary for their maintenance including eating utensils.

For the R.C.A.C.

(Signed)
W. Drummond-Young, Major, R.A.
Asst. Chief of Staff
Region 2.

23

file
4058
71
HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394

Public Health Sub-Commission

ACC/3059/FH

31 January 1944

SUBJECT: - Reformatory Accommodations

TO : - Legal Sub-Commission

1. Inclosed herewith letter from Regional Welfare Officer and copy of our reply thereto regarding the above subject.

For Brigadier G.S. PARKINSON

Joel G. Earnest
JOEL G. EARNEST
Captain, A.C.
Chief, Public Welfare Sub-Section

FH/JCE/ja

2 inclosures

1. Letter from Regional Welfare Officer, Region II dated 22.1.44
2. Copy letter to RCAF, Region II dated 31.1.44.

COPY

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
APC

REGION II

(Ref. : MG/3/6)

22 Jan. 44

SUBJECT: - Reformatory Accommodations.

TO : - A.M.C., H.Q., Public Health Sub-Commission, Welfare
Section; Attention: Capt. J.G. Earnest.

1. Re. our telephone conversation of a few days ago concerning reformatory accommodations. The following is the summary of information available.

2. The Reformatory at Avigliano has been requisitioned by the British Army. Most of the juveniles are at present being accommodated temporarily at the local orphanage, but it is very crowded and unsatisfactory. Fifty are housed in the Reformatory at Eboli, see below.

The Reformatory at Catanzaro was badly damaged by bombs and cannot be used. The juveniles are housed temporarily in a portion of the local Deaf and Dumb School.

The Reformatory at Eboli, near Salerno, can normally house one hundred fifty juveniles. Since the town was badly damaged by bombs, the Reformatory is now being used mainly for housing homeless families, who occupy all but one floor of the building. Fifty juveniles from Avigliano (see above) occupy that floor.

3. Captain H.W. Alden, Regional Supt. of Prisons, does not know yet whether any other such institution is functioning in the Region, but he believes not, and is giving it immediate attention.

4. Suitable accommodation for the desired juveniles is being sought now by Captain Alden. He is now in the field investigating some possible sites.

5. Attention is called to the distances in Region II, the lack of proper transportation facilities for officers at this Hq., and the slowness of travel. These make for considerable time being involved in making the investigations referred to in Paragraph 4. Also sections of this Region are filled with troops, who have taken all available accommodations. In addition, thousands of war refugees are being sent by ACC into the area.

6. Close attention is being given to the Reformatory matter, as you requested. We will immediately advise you when progress is made.

7. We attach copies of three letters for your information, in which you will find more details concerning this case problem.

TO

1 - A.M.O., H.Q., Public Health Sub-Commission, Welfare
Section; Attention: Capt. J.G. Earnest.

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3. Captain A.W. Alden, Regional Supt. of Prisons, does not know yet whether any other such institution is functioning in the Region, but he believes not, and is giving it immediate attention.

4. Suitable accommodation for the desired juveniles is being sought now by Captain Alden. He is now in the field investigating some possible sites.

5. Attention is called to the distances in Region II, the lack of proper transportation facilities for officers at this time, and the slowness of travel. These make for considerable time being involved in making the investigations referred to in Paragraph 4. Also sections of this Region are filled with troops, who have taken all available accommodations. In addition, thousands of war refugees are being sent by ACC into the area.

6. Close attention is being given to the Reformatory matter, as you requested. We will immediately advise you when progress is made.

7. We attach copies of three letters for your information, in case you have not seen them, as they concern this same problem.

For the WCAO

/s/ Ransom Carver.

/t/ RANSOM CARVER, Capt., AUS. RWO.

HEADQUARTERS
ALLIED CONTROL COMMISSION
APO 394

Public Health Sub-Commission

400/3059/21

31 January 1944

SUBJECT: - Reformatory Associations.

TO : - R.C.A.C., Region II
Att: - Captain Carter.

1. The information in your letter on the above subject and the inclosures are very helpful. If any assistance can be given by this Office in the essential solution, i.e., obtaining a reformatory, do not hesitate to call on us.

For Brigadier G. E. PATRICKSON:

JOEL C. BARTON
Captain, A.C.
Chief, Public Welfare Sub-Section.

400/3059/21

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
ROMA II

17 Jan 44

Ref: 2201/6/20

Subject: Juvenile Offenders

To : C.C.A.O. HQ AMT

1. The treatment of Juvenile Offenders gives rise to the greatest difficulty. Prisons for adults are already overcrowded, and reservation of portions for juveniles is therefore impracticable. The position in regard to the only three reformatories in Region II is as follows - That at

(a) Avigliano, with an approximate capacity of 300, is requisitioned by operational troops.

(b) Catanzaro, with a similar capacity cannot be used owing to damage by bombing. Repairs are in hand and will take a long time.

(c) Eboli is occupied by displaced families, but a portion is available and now holds 50 juveniles.

There is no known building suitable for requisition and adaptation as a reformatory, and apart from those at Eboli, juvenile offenders are housed in local orphanages, as to which saturation point has been reached.

2. Nevertheless trials of juveniles must be expected to increase, and there is at present no means of dealing with them, unless the more serious cases are sent to prison which is contrary to instructions, and the parents of minor delinquents fined. It is therefore requested that Military Courts be authorized to sentence juveniles to compulsory fatigues e.g. sweeping the street, for a fixed number of hours and days. These would be performed under supervision of the local authorities or of some local unit commander. Not only would the measure regarding accommodation of juveniles thus be solved, for they would live at home, but the measure would have a most desirable deterrent effect, since fatigues are particularly disliked by the Italians.

G. H. M. Caffery
G. H. MCAFERY
Lt. Col., Inf.,
ROAD

Top copy return to Adm. Directorate
with note: This was fully answered on 17 Jan 44 - AMH/4098/L to Col Stafford
John H. H. H.

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G. H. Mc Caffrey
G. R. Mc Caffrey
Lt. Col., Inf.,
RCAD

Top copy ret'd to Adm. Directorate
with note: "This was fully answered on 17 Jan 44 - A with 4098/L to Col Spafford
Wm J. Gorman
Maj. "A"
Chief Encl. 23/1/44

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
APO 394
LEGAL SUB-COMMISSION

AME/1098/L

EW/rfp
17 January 1944.

SUBJECT : Juvenile Delinquents in Region II.

MEMORANDUM TO: Colonel Spofford.

1. The question has been raised in Region II whether in the absence of adequate institutions in that region Allied Military Courts may sentence minors to report daily to the nearest office of the Carabinieri and be compelled to do certain manual work such as working on streets, cleaning public buildings, etc., over some set period, it being understood that in the absence of such institutions serious offenders will have to be lodged in penal institutions for adults.

2. Proclamation No. 2 provides for fine and imprisonment and in certain cases for forfeiture of goods. The suggested form of punishment is not specifically or inferentially provided for in any proclamation, and therefore is not permissible. There appears to be no precedent in Allied Military Government or in Italian law along these lines of suggested forced work.

3. Sentences may be suspended during good behavior and in conjunction with a suspension there is no reason why the sentenced person may not be required to report to some designated authority at fixed times. Such procedure may serve as a stop gap pending the acquisition of physical facilities so far as minor juvenile offenders are concerned.

4. From a social point of view, Public Welfare advises strongly against enforced work as was suggested.

5. Were the suggestion carried out, it would likely be the source of adverse comment in the United States and Great Britain.

6. It is further suggested that Public Safety, Region II be requested to make further efforts to find additional institutional space for sentenced juveniles and that, in the absence of success, efforts be made to have juveniles who have committed serious offences segregated in adult prisons. B

RICHARD H. WINTER,
Lt. Col., GAC,
Deputy Chief Legal Officer.

17 Jan 1944

16

Subj: Punishment of Juvenile Offenders in Region II

- I It appears that ^{physical} facilities are not presently available for juveniles convicted by Allied military Courts in Region II
- II The suggestion has been made that such juveniles be sentenced to what ~~are~~ ^{approximate} a work period ^{not} put the described as a period of enforced labor under the supervision and direction of the carabinieri while being not otherwise confined.
- III ~~Such~~ form of punishment is not provided for a contemplated by the applicable proclamation and accordingly not permissible
- IV Supervision of such juveniles without the accompanying work program could be accomplished by suspension of sentence conditioned ^{that} ~~that~~ ^{such procedure might serve them as a stopgap pending the acquisition of physical facilities}
- V Given if legally permissible Public Welfare is strongly opposed to the suggestion of enforced labor
- VI Such a program would duly answer strong ~~off~~ United States

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- V Given if legally permissible Public Welfare is strongly opposed to the suggestion of enforced labor.
- VI Such a program would duly answer strong ~~off~~ United States and British criticism.
- VII It is suggested that every effort be made to secure Nicolson facilities for juveniles only, and that juveniles in so far as it is necessary to confine juveniles to ~~actual~~ ^{make} these institutions, they

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Declassified E.O. 12356 Section 3.3/NND No. 785016

be segregated from the
male population.

91

0545

997

RWE 400.38
19/11/43.

NUMBERED MEMORANDA:
NO 25:

~~ARMED MILITARY~~
SICILY REGION HEADQUARTERS
APO 512

HEADQUARTERS
4098/C
25 NOV 1943
AMG.

CHILD WELFARE POLICIES AND PROCEDURES.

1. Objectives.

a. The overall objectives of provincial child welfare programs are set out in appendix No. 1 of Sicily Region Headquarters Order No. 6 issued November 1, 1943. The purpose of this present instruction, No. 25, is first, to establish certain Region-wide policies and standards, and second, to outline a number of procedures designed to assist the newly organized Child Welfare Divisions in accomplishing their tasks. In view of the second purpose an Italian translation is attached.

b. It shall be the responsibility of the Provincial Division of Child Welfare to be thoroughly acquainted with all child-caring institutions and agencies in his province and to exercise supervision over these in relation to the standards set forth below or to be developed later.

2. Policies.

- a. All children removed from their own homes because of neglect, delinquency, or improper home conditions shall receive care and treatment in appropriate agencies and institutions. Such care and treatment shall, in so far as possible, be based solely upon the needs of the individual child and be directed toward helping him become a useful and self-sustaining member of society.
- b. Child-caring institutions which apply for public funds must be certified by the Provincial Department of Social Welfare as meeting minimum standards established by the Director of Child Welfare before becoming eligible for same. They shall continue to receive such funds only so long as the Director of Child Welfare directly or thru his inspectorial staff, shall certify that said institutions continue to maintain minimum standards of care, are co-operative in the admission of children and in all forms of reporting required by the Provincial Director of Child Welfare.
- c. Provincial funds will be granted to such institutions only to supplement income from other sources. The amount of this supplement will as a rule be based on a per diem charge for children under care and will decrease as income from other sources is

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- c. Provincial funds will be granted to such institutions only to supplement income from other sources. The amount of this supplement will as a rule be based on a per diem charge for children under care and will decrease as income from other sources increases. Each provincial Department of Social Welfare will establish by conference with representatives of individual

Give date of report
see para 9 - p. 11

That is, when the
Public Welfare
is given
to the
Director

14
institutions a fair and equitable rate of pay per child in the respective institutions - which rate in no instance shall exceed \$12. per capita per day.

- d. Where it is deemed necessary from the standpoint of the welfare of the children to make a grant to an institution for physical repair and rehabilitation of the property, such a grant will be treated as an emergency expense of child care and not included in the per capita daily rate.
- e. Any situation which cannot be met within these limitations will be reported at once to the Regional Welfare Officer for review and recommendation.

3. Adequacy of Physical Facilities.

The following check list is suggested as a guide for the establishment of minimum requirements by provincial Child Welfare Divisions. Consideration must, of course, be given to such factors as war damage, the availability of supplies, and other related matters in applying any standards developed at this time. Whenever possible, however, the institutions should make provision for:

- a. Sleeping accommodation with sufficient light, air space, and separation of age and sex groups.
- b. Adequate school facilities if none are available in the community.
- c. Facilities for indoor and outdoor play.
- d. Adequate toilet, laundry and other sanitary facilities.
- e. Office facilities for management purposes and personal interviews with children, parents, relatives or visitors.
- f. Adequate facilities for storage, conservation, preparation and serving of food.
- g. Isolation facilities for the sick children especially for those suffering from infectious or contagious diseases.
- h. A special room or rooms for medical treatment.
- i. The care of infants in cubicles because the death rate among

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- h. A special room or rooms for medical treatment.
- i. The care of infants in cubicles because the death rate among infants under such care is generally lower than when cared for in open wards or rooms.

4. Treatment Under Care.

- a. A child's stay under care in an institution or any other form

of organization must be regarded as a substitute for normal family life. As far as possible, therefore, institutions must provide those elements of security, affection, self respect and opportunity which a child enjoys in a healthy family situation. A child needs contact with healthy adult personalities for his best development. Under ordinary conditions the parent exercises the greatest influence on his life. When he is placed away from his natural home, those adults who can do the most for him are the ones who direct and supervise his day-to-day activities in the institution. The Child Welfare Director must, therefore, be acquainted with the tone of social living in each of the institutions in his province.

b. At least three other elementary aspects of treatment should be present:

- (1) On the physical side - a program of adequate medical supervision and treatment - to clear up illnesses and lay the foundation of good health. Periodic health examinations are required.
 - (2) On the educational side - all children should have as a minimum the educational opportunities of children of like age in the community - in both religious and secular instruction. Emphasis should be placed on the teaching of useful trades.
 - (3) A recreational program to permit of genuine and carefree play and to teach children how to co-operate harmoniously with their fellows.
5. Discharges.
- a. Discharges from institutions should be made as soon as the child's development indicates that he is ready that his parents or relatives are prepared to receive him into a normal home, or that his training for living in the community is completed. Where a child is discharged the reason for his discharge must be given on his individual record stating that he has reached the age-limit of the organization or that his family home has been or is about to be re-established or that he can be self-supporting and has work available, etc.
 - b. If further care in another institution is required, that should be indicated in the record and such care provided.

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b. At least three other elementary aspects of treatment should be present:

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b. If further care in another institution is required, that should be indicated in the record and such care provided.

6. Provincial Child Welfare Personnel.

It will be essential that the Director of Child Welfare have on his staff specially qualified persons to act as his agents in studying

institutional programs, in making investigations of the family situations of children proposed for institutional care, to counsel regarding the discharge of children from institutions, and for work with the courts in regard to juvenile delinquents.

7. Provincial Central Registry.

a. The Director of Child Welfare shall establish and maintain in his central office a registry of all institutions and agencies in the province and of the children placed therein from time to time, as well as of children already under care as of 1 January 1944.

b. To establish the registry of organisations or institutions Form No. S.W.-1 (attached) should be used. This information should be a basis for future inspections, with new or additional information recorded from time to time.

c. In establishing a registry of children under care or admitted to care in the future, the following minimum information is required on each child:

- (1) Name (of child).
- (2) Parents' names and home addresses.
- (3) Orphan, illegitimate or delinquent.
- (4) Date of birth.
- (5) Age at admission.
- (6) Brief notation of medical, social and other findings on admission.

The registration form should leave room for information on the child's development under care and for ultimate statement of discharge from care and reasons therefor. It is emphasised that the objective of the Central Registry of children and institutions is to obtain the best possible care for a child in the light of his own needs and the facilities available. Hence, constant study of the Registry should afford information by which to govern admissions of children, to prevent the risk of duplicating organisations, and to secure the most complete use of all existing ones.

8. Investigation Prior to Placement.

a. To determine a proper placement for the child an investigation prior to placement should be made. In most instances the child

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8. Investigation Prior to Placement.

a. To determine a proper placement for the child an investigation prior to placement should be made. In most instances the child may remain where he is, pending the completion of such investigation. In special cases the child may need to be placed temporarily in a family or reception center type of institution during the process of investigation.

b. An investigation prior to placement should include the following:

(1) A medical examination - thoroughly done - preferably by a pediatrician for younger children. Where in the judgment of the physician it is required, an personnel is available, a psychiatric examination.

(2) A social investigation - is to be done with the greatest care by members of the Child Welfare Director's own staff. Information should be secured from the child's relatives, from members of the local public assistance staffs, from the parish priest, from the schools, and from other responsible sources in the community. Record should be made of the data secured, and if a decision is reached that his parents or relatives cannot give the child suitable care, the reasons for his placement in an institution should be clearly set forth in the record and a copy furnished to the institution.

9. Investigations for Juvenile Courts.

Members of the staff of the Child Welfare Department will make special investigations in cases of delinquent minors and make their findings available for the use of the courts in deciding such cases. This personnel should also be responsible for assisting the delinquent in making a readjustment in the community if the court decides that the child can be placed on probation. Visits at least once a month to the home, conferences with parents regarding the child's behaviour, visits to and conferences with the school teacher and parish priest are all essential. Monthly reports about the child's progress should be maintained and personal supervision, assistance and guidance should be rendered by the probation officer in order that further delinquent activities be discouraged. If the delinquent should not make the proper adjustment, the probation officer should appeal to the court for another hearing and ask that some other plan be made for the child's readjustment.

By Order of Lt. Col. Charles POLETTI

R.D. DRANE
Major
Regional Welfare Officer

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By Order of Lt. Col. Charles POLETTI

R.P. DRAKE
Major
Regional Welfare Officer

DISTRIBUTION:

Reg. Welfare Officer 30
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0335

FORM R.V.-1

ANGOT HEADQUARTERS.

S I C I L Y .
CHILDREN'S INSTITUTIONS.
ANGOT/3021/PH.
28 August, 1943.

To Director: Please fill out and Return.

1.	Name of Institution	---
2.	Address	---
3.	How many children in institution at present	---
4.	Total possible accommodations	---
5.	Actual beds available	---
6.	Water (yes or no)	Light
7.	Condition of buildings (good, fair, poor)	---
8.	Is institution supported by Religious, private, or public funds.	---
9.	If Public, by what office of Government and how much money from	---
10.	June 30, 1942-June 30, 1943.	---
11.	Funds now available	---
12.	What bank	---
13.	Type of children admitted (orphans, illegitimate, delinquents)	---
14.	Ages of children admitted	---
15.	Ages when discharged	---
16.	Boys or Girls	Number of each
17.	Are children admitted from all of Sicily or only from a certain locality	---
18.	Type of care provided (education or recreation or teaching of trades)	---
19.	Medical care available within Institution. Describe	---
20.	Name of Director	---
21.	Remarks	---

To Director: Please fill out and return.

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5. Actual beds available _____ Water (yes or no) _____ Light _____
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11. Boys or Girls _____ Number of each _____
12. Are children admitted from all of Sicily or only from a certain
locality _____
13. Type of care provided (education or recreation or teaching of
trades) _____
14. Medical care available within institution. Describe _____
15. Name of Director _____
16. Remarks _____

17. Number of Personnel
(Sisters, Teachers, Doctors, Instructors, Workers)

GOVERNO MILITARE ALLIATO
Quartiere Generale Regionale della
Sicilia

ISTRUZIONE AMMINISTRATIVA NO. 25

Oggetto: Direttive e procedimenti per l'Assistenza Infantile.

Agli : SOGNO ed a tutti gli Ufficiali dell'Assistenza Sociale.
1° e 2°

a) Gli scopi principali del programma dell'Assistenza Provinciale Infantile sono stati esposti nell'appendice No. 1 dell'ordine No. 6, pubblicato il 1° novembre 1943 dai Quartieri Generali della Regione di Sicilia.

Lo scopo della presente istruzione No. 25 è in primo luogo di stabilire alcuni provvedimenti e norme validi per tutta la Regione; in secondo luogo di suggerire alcuni provvedimenti destinati ad agevolare le Divisioni dell'Assistenza Infantile nell'adempimento dei loro compiti, e quel che si allega una traduzione italiana.

b) Il direttore provinciale dell'Assistenza Infantile deve avere piena conoscenza di tutti gli Istituti e gli Uffici di assistenza infantile della Provincia e deve controllare in conformità al suo dovere quelli ed a quello che dovranno essere ulteriormente emanati.

Il 1° è direttivo.

a) Tutti i bambini allontanati dalle loro case per abbandono, diligenza, ovvero non buone condizioni domestiche devono essere ricoverati ed assistiti in istituti adatti allo scopo. La cura e l'assistenza devono corrispondere per quanto è possibile ai bisogni di ciascun bambino e devono tendere ad aiutarlo a diventare socialmente utile ed indipendente.

b) Per gli Istituti per bambini che richiedono fondi pubblici l'Ufficio provinciale di assistenza sociale deve attestare che essi si attengono alla retta minima stabilita dal Direttore dell'assistenza infantile. Solvendo allora potranno usufruire di fondi pubblici. Essi continueranno a percepire tali fondi, soltanto se il Direttore dell'assistenza infantile direttamente ovvero per mezzo del suo personale direttivo verificava che gli Istituti stessi continuano ad attenersi alla retta minima collaborando alla ammissione dei bambini e presentano tutti i dati richiesti dal Direttore dell'assistenza infantile.

c) Fondi provinciali saranno concessi agli Istituti summenzionati soltanto come contributo integrativo delle altre entrate. L'ammontare del contributo, come regola, dipenderà dal costo giornaliero del mantenimento dei bambini e diminuirà a mano a mano che lo scatto delle entrate precedenti torneranno ad essere attivo. Ogni Ufficio provinciale di assistenza sociale stabilirà a mezzo di record presi con i rappresentanti dei singoli Istituti la retta giornaliera per i bambini che entrano.

Oggetto: Direttive e provvedimenti per l'Assistenza Infantile.

Agli : SCAC ed a tutti gli Ufficiali dell'Assistenza Sociale.

1° = Scopo

a) Gli scopi principali del programma dell'Assistenza Provinciale Infantile sono stati esposti nell'appendice No. 1 dell'ordine No. 6, pubblicato il 1° novembre 1943 dai Quartieri Generali della Regione di Sicilia.

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b) Il Direttore provinciale dell'Assistenza infantile deve avere piena conoscenza di tutti gli Istituti e gli Uffici di assistenza infantile della Provincia e deve controllare la conformità alla norma seguita ed a quelle che dovranno essere ulteriormente emanate.

il 1° = Direttive

c) Tutti i bambini allentati dalla loro casa per abbandono, diligenza, ovvero non idonee condizioni economiche devono essere ricevuti ed assistiti in istituti adatti allo scopo. La casa o l'assistenza devono corrispondere per quanto è possibile ai bisogni di ciascun bambino e devono tendere ad aiutarlo a diventare socialmente utile ed indipendente.

d) Per gli Istituti per bambini che richiedono fondi pubblici l'Ufficio provinciale di assistenza sociale deve attestare che essi si attengono alla retta minima stabilita dal Direttore dell'Assistenza infantile. Se tanto allora potranno usufruire di fondi pubblici. Essi continueranno a percepire tali fondi, soltanto se il Direttore dell'Assistenza infantile direttamente ovvero per mezzo del suo personale ispettivo verifiche che gli Istituti stessi continuano ad attenersi alla retta minima collaborando alla ammissione dei bambini e presentando tutti i necessari richiedi dal Direttore dell'Assistenza infantile.

e) Fondi provinciali saranno concessi agli Istituti summenzionati soltanto come contributo integrativo delle altre entrate. L'ammontare del contributo, come regola, dipenderà dal costo giornaliero del mantenimento dei bambini e diminuirà a mano a mano che la fonte delle entrate precedenti torceranno ad essere attive. Ogni Ufficio provinciale di assistenza sociale stabilirà a mezzo di accordi presi con i rappresentati dei singoli Istituti, la retta giornaliera per i bambini, che però per nessuna ragione deve superare lire 15 a persona.

f) Correzioni per la ricostruzione e la riparazione di Istituti che dal punto di vista dell'assistenza ai bambini risultano necessari, saranno considerati come spese di emergenza per l'assistenza infantile e perciò non dovranno essere comprese nella retta giornaliera.

e) Qualunque situazione che non possa essere regolata in conformità alle presenti direttive, dovrà essere immediatamente riferita all'Ufficio Regionale dell'Assistenza Sociale, per l'invio a la Direzione Provinciale per l'Organizzazione Sanitaria.

Si propone che le seguenti direttive per stabilire il controllo della assistenza da parte delle Divisioni provinciali dell'Assistenza infantile siano adottate nell'applicazione di norma emanate al questo momento: l'Organizzazione Sanitaria deve essere come il punto di riferimento per la cura materiale ed altre circostanze analoghe.

La per quanto è possibile, gli Istituti dovranno provvedere:

- a) per dormire con sufficiente luce, aria, spazio, e un ambiente secondo l'età e il sesso.

- b) per organizzare adeguatamente lo scuola se non si radono col comune.

- c) per organizzare ricreazioni nell'interno oppure all'esterno.

- d) per cessi adeguati, lavanderia ed altri luoghi sanitari.

- e) per organizzare un ufficio destinato a trattare questioni amministrative e relativi col leghi personali con i bambini, i genitori e parenti ed altri visitatori.

- f) per organizzare adeguatamente l'alimentazione, la conversazione, la preparazione e la distribuzione della cibaria.

- g) per organizzare l'isolamento dei bambini malati, specialmente di quelli affetti da malattie contagiose.

- h) per una o più sale riservate alla visita medica.

- i) per curare i bambini in piccoli ambienti isolati, merco' la media di normalita' dei bambini curati in tali ambienti e' generalmente minore di quella dei bambini curati in ambienti aperti.

iv) - Trattamento dei bambini assistiti.

a) Il soggiorno di un bambino in un istituto o in qualsiasi altra organizzazione deve essere considerato come una sostituzione della normale vita familiare, perco' gli istituti per quanto è possibile devono procurare quegli elementi di tutela, affetto, rispetto e opportunità del quale un bambino gode in un sano ambiente familiare. La normalita' ha bisogno di contatto con una personalità esatta per il suo migliore sviluppo. In condizioni normali i genitori sono gli adulti che esortano o la massima influenza sulla sua vita. Tolto dalla sua dimora naturale, gli adulti che possono influire di più su lui sono quelli che dirigono la sua attivita' quotidiana dell'istituto.

Perco' ogni direttore dell'assistenza infantile deve conoscere lo spirito della vita in comune di ogni singolo istituto della rispettiva Provincia.

b) Vi sono almeno tre punti elementari di trattamento che bisogna tener presente:

1) Dal punto di vista igienico bisogna eseguire un adeguato programma di controllo o di assistenza medica per allontanare malattie e porre le basi per una buona salute. Si faranno periodicamente visite mediche.

infertilità, dovendo essere coll'applicazione del nuovo metodo in questi momenti, bisognerebbe tener conto dei elementi come il grado di fertilità, possibilità di procurare materiali ed altre circostanze analoghe.

La parità è possibile, gli istituti dovranno provvedere:

a) per bambini con sufficiente luce, aria, spazio, e nutrizione secondo l'età e il sesso.

b) per organizzare adeguatamente lo scuola se necessario, e tenere al comune.

c) per organizzare ricreazioni all'interno oppure all'esterno.

d) per censi adeguati, lavanderia e altri impianti sanitari.

e) per organizzare un ufficio destinato a trattare questioni amministrative e mediche col loro personale, con i bambini, i genitori e parenti ed altri visitatori.

f) per organizzare adeguatamente l'alimentazione, la conversazione, la preparazione e la distribuzione della cibaria.

g) per organizzare l'isolamento dei bambini malati, specie durante di quelli affetti da malattie contagiose.

h) per una o più sale riservate alla visita medica.

i) per curare i bambini in piccoli ambienti isolati, tenendo la media di normalità dei bambini curati in tali ambienti o, generalmente minore di quella dei bambini curati in ambienti aperti.

La "segregazione dei bambini" esistenti.

a) Il soggiorno di un bambino in un istituto o in qualsiasi altra organizzazione deve essere considerato come una sostituzione della normale vita di famiglia, perciò gli istituti per quanto possibile dovranno procurare quegli elementi di tutela, affetto, rispetto e opportunità del quale un bambino gode in un suo ambiente familiare, anche se ha bisogno di contatto con una personalità adulta per il suo migliore sviluppo. La condizione normale dei genitori sono gli adulti che esortano e le maggiori influenze sulla sua vita. Molte delle sue dimore attuali, gli adulti che possono influire di più su lui sono quelli che dirigono la sua attività quotidiana dell'istituto.

Perciò ogni direttore dell'assistenza infantile deve considerare lo spirito della vita in comune di ogni singolo istituto della rispettiva Provincia.

b) Vi sono almeno tre punti elementari di trattamento che bisogna tener presente:

1° Dal punto di vista igienico bisogna eseguire un adeguato programma di controllo e di assistenza medica per allontanare malattie e porre le basi per una buona salute. Si faranno periodicamente visite mediche.

2° Dal punto di vista dell'educazione i bambini dovranno avere la possibilità di intrattenere anche religiosa che ha le idee e che è in corrispondenza, acquisite nello stesso comune. Bisogna intervenire specialmente per l'insorgimento di qualche malattia reattiva.

3° Dal punto di vista ricreativo si deve assicurare ai bambini che permettono un gioco spontaneo, libero ed inerte, nel quale con loro si agisce in modo armonioso insieme con i loro compagni per il miglioramento.

Il miglioramento deve avvenire, ma non lo escluda del tutto.

mostra che egli è maturo, quando i genitori o i parenti sono pronti a riceverlo in un ambiente domestico normale, o quando la sua preparazione alla vita sociale è completata. Quando un giovane viene rilasciato, dalla sua carta individuale deve risultare la ragione del licenziamento, sia che egli abbia raggiunto il limite di età prescritta per la permanenza nell'istituto che lo rilascia libero, sia che la sua famiglia si sia ricostituita, oppure stia per ricostituirsi, sia che possa mantenersi da sé e vi sia lavoro per lui.

b) Se bisognerà assisterlo in un altro istituto anche questo dovrà risultare dalla sua carta individuale e si dovrà provvedere a tale assistenza.

VII - Personale per l'assistenza provinciale infantile.

È indispensabile che il Direttore dell'assistenza infantile abbia un personale specializzato che, alla sua dipendenza, deve studiare i programmi degli Istituti, eseguire accertamenti intorno alle situazioni familiari dei bambini proposti per l'assistenza in Istituto, dare consigli circa il licenziamento di bambini da Istituti, ed occuparsi dei rapporti con i Tribunali per quanto riguarda i delinquenti minorenni.

VII - Registro provinciale centrale

a) Il Direttore dell'assistenza infantile istituire e manterrà in efficienza un Ufficio Centrale di registrazione di tutti gli Istituti ed Uffici della Provincia e di tutti i bambini ivi collocati.

b) Per fare il registro delle organizzazioni e delle istituzioni si adopererà il modulo N° R.W.1. Vale modulo dove costituire la base per le ispezioni future con aggiunta di ulteriori notizie segnate periodicamente.

c) Per compilare il registro dei bambini già assistiti o che dovranno essere assistiti in seguito, bisognerà avere almeno le seguenti indicazioni:

- 1 - Nome del bambino
- 2 - " dei genitori ed indirizzo
- 3 - Orfano, illegittimo, delinquente
- 4 - Data di nascita
- 5 - Età della data della ammissione
- 6 - Brevi cenni sullo stato di salute, sociale ed altri rilievi al momento dell'ammissione.

Nella registrazione si deve lasciare lo spazio per ulteriori informazioni intorno allo sviluppo del bambino assistito o per indicare in fine la ragione del licenziamento.

Bisogna rilevare che lo scopo principale del registro centrale dei bambini e degli Istituti è di ottenere la migliore assistenza possibile per il bambino in considerazione dello sue particolari esigenze e delle facilitazioni che per lui si possono ottenere.

Pertanto l'assiduo esame del registro deve fornire informazioni che indirizzino l'ammissione dei bambini, eliminando le istituzioni da cui l'organizzazione con scopi identici ed assicurino la completa utilizzazione di quelle esistenti.

dase e vi sarà lavoro per lui.

b) Se bisognerà assisterlo in un altro istituto anche questo dovrà risultare dalla sua carte individuale e si dovrà provvedere a tale assistenza.

VI° - Personale per l'assistenza provinciale infantile.

E' indispensabile che il Direttore dell'assistenza infantile abbia un personale specializzato che, alla sua dipendenza, deve studiare i programmi degli Istituti, eseguire accertamenti intorno alla situazione familiare dei bambini proposti per l'assistenza in Istituto, dare consigli circa il collocamento dei bambini da Istituti, ed occuparsi dei rapporti con i Tribunali per quanto riguarda i delinquenti minorenni.

VII° - Registro provinciale controllo

a) Il Direttore dell'assistenza infantile istituire' e manterrà' la efficienza un Ufficio Centrale di registrazione di tutti gli Istituti ed Uffici della Provincia e di tutti i bambini ivi collocati.

b) Per fare il registro delle organizzazioni e delle istituzioni si adopererà' il modulo No R.W.1. Vale modulo Govra' costituire la base per le iscrizioni future con aggiunte di ulteriori notizie segnate periodicamente.

c) Per compilare il registro dei bambini già assistiti o che dovranno essere assistiti in seguito, bisognerà avere almeno le seguenti indicazioni:

- 1 - Nome del bambino
- 2 - " dei genitori ed indirizzo
- 3 - Orfano, illegittimo, delinquente
- 4 - Data di nascita
- 5 - Età' della data della ammissione
- 6 - Brevi cenni sullo stato di salute, sociale ed altri rilievi al momento dell'ammissione.

nella registrazione si deve lasciare lo spazio per ulteriori informazioni intorno allo sviluppo del bambino assistito e per indicare in fine la ragione del collocamento.

Bisogna rilevare che lo scopo principale del registro centrale dei bambini e degli Istituti e' di ottenere la migliore assistenza possibile per il bambino in considerazione dello suo particolari esigenze e delle facilitazioni che per lui si possono ottenere.

Pertanto l'assiduo esame del registro deve fornire informazioni che indirizzino l'ammissione dei bambini, eliminano la istituzione di più organizzazioni con scopi identici ed assicurino la completa utilizzazione di quelle esistenti.

VIII° - Accertamenti prima del collocamento.

a) Per stabilire esattamente il collocamento più' adatto per il bambino, bisognerà' eseguire un accertamento preventivo. Nella Generalità' dei casi il bambino rimarrà' dove si trova fin tanto che tale accertamento sarà' completato.

6

In casi eccezionali dovrà essere affidato temporaneamente ad una famiglia, oppure in uno Istituto tipo centro di ricezione fino al completamento dell' accertamento.

b) L' accertamento che precede il collocamento dovrà comprendere quanto segue:

1) Un esame medico generale eseguito preferibilmente da un pediatra (quando si tratta di bambini piccoli)

Quando il medico lo giudichi necessario e sia possibile ricorrere ad uno specialista, sarà eseguito anche un esame psichiatrico.

2) Un accertamento sociale. Quest'ultimo deve essere eseguito con la massima delicatezza del funzionario della Divisione dell' Assistenza dei bambini. Le informazioni dovranno essere raccolte presso i parenti dei bambini, i funzionari dell' Assistenza pubblica locale, il parroco, le scuole ed altri elementi locali responsabili.

Bisognerà prendere nota dell' esito delle informazioni e se si è contestato che il genitore oppure i parenti non possono assistere dovutamente il bambino, bisognerà indicare chiaramente nel registro le ragioni del suo internamento in un Istituto e mandare all' Istituto un estratto del registro stesso.

L' Accertamento per i Tribunali per minorenni

a) I funzionari dell' Ufficio Assistenza Infantile eseguiranno speciali accertamenti nei casi di delinquenti minorenni e faranno pervenire i loro rapporti ai Tribunali per essere tenuti presenti nelle decisioni. I detti funzionari saranno anche responsabili dell' assistenza al minorenne per la sua riabilitazione sociale nei casi in cui il Tribunale avrà deciso che il giovane possa essere lasciato in prova.

Visite mensili in casa, colloqui col maestro di scuola e col parroco sono importanti. Sul progresso del minorenne devono essere compilati rapporti mensili ed il funzionario che segue il minorenne in prova deve controllarlo, assisterlo e guidarlo in modo da facilitarne da ulteriore attività criminale. Se il minorenne dovesse ravvedersi, il funzionario ammesso alla prova deve procurare al Tribunale un' altra istruttoria per un nuovo provvedimento per il ravvedimento del minorenne.

PER ORDINE DEL TENENTE COLONNELLO POZZETTI:

R. P. DRAKE,
Maggiore,
Ufficiale Regionale di

1) Un esame medico generale eseguito preferibilmente da un pediatra (quando si tratta di bambini piccoli)

Quando il medico lo giudichi necessario e sia possibile ri-

correre ad uno specialista; sarà eseguito anche un esame psichiatrico. 2) Un accertamento sociale. Questodeve essere eseguito con la massima delicatezza dal funzionario della Divisione dell'Assistenza dei bambini. Le informazioni dovranno essere raccolte presso i parenti dei bambini, i funzionari dell'Assistenza pubblica locale, il parroco; le scuole ed altri elementi locali responsabili.

Bisognerà prendere nota dell'esito delle informazioni e se si è contestato che il genitore oppure i parenti non possono assistere dovutamente il bambino, bisognerà indicare chiaramente nel registro le ragioni del suo internamento in un Istituto e mandare all'Istituto un estratto del registro stesso.

IXe Accertamenti per i Tribunali per minorenni

a) I funzionari dell'Ufficio Assistenza Infantile eseguendo speciali accertamenti nei casi di delinquenti minorenni e carando nervosi re i loro rapporti ai Tribunali per essere tenuti presenti nelle decisioni. I detti funzionari saranno anche responsabili dell'assistenza al minorenne per la sua riabilitazione sociale nei casi in cui il Tribunale avrà deciso che il giovane possa essere lasciato in prova. Visite consigli in casa, colloqui col maestro di scuola e col parroco sono importanti. Sul progresso del minorenne devono essere compilati rapporti mensili ed il funzionario che segue il minorenne in prova deve controllarlo, assisterlo e guidarlo in modo da distogliarlo da ulteriore attività criminale. Se il minorenne non dovesse ravvedersi, il funzionario addetto alla prova deve procurare dal Tribunale un'altra istruttoria per un nuovo provvedimento per il ravvedimento del minorenne.

PER ORDINE DEL TENENTE COLONNELLO POZZETTI:

R. P. DEBATE,
Maggiore,
Ufficiale Regionale di
Assistenza

FORM R.W.-1

ISTRUZIONI PER RISPONDERE.

Al Direttore: si prega compilare e restituire.

- 1.- Nome dell'Istituto.....
- 2.- Indirizzo.....
- 3.- Numero dei bambini ricoverati attualmente.....
- 4.- Possibilità massiva di accoglimento.....
- 5.- No. dei letti disponibili.....Acqua.....Luce.....
- 6.- Stato in cui trovasi il fabbricato.....
- 7.- Con quali fondi viene mantenuto l'Istituto: con fondi di religiosi, da privati o con fondi pubblici.....
- 8.- Se con fondi pubblici, da quale ufficio governativo o quali sono sono state ricevute da maggio 30, 1942 al 30 giugno, 1943.....
- 9.- Fondi attualmente disponibili.....
- 10.- Presso quali banche.....
- 11.- Quali fanciulli vengono ammessi (orfani, illegittimi, delinquenti).....
- 12.- Età' di ammissione.....
- 13.- Età' di congedamento.....No per ciascuno.....
- 14.- Fanciulli o fanciulle.....
- 15.- Vengono ammessi fanciulli provenienti da tutta l'Isola o soltanto quelli di una data località.....
- 16.- Tipo di avviamento educativo (culturale, ricreativo, od insegnamento di arte o mestieri).....
- 17.- Quali cure mediche sono a disposizione dell'Istituto;.....
- 18.- Descrizione.....

- 5.- Stato in cui trovansi il istituto.....Luce.....
- 6.- Con quali fondi viene mantenuto l'Istituto: con fondi di religione, da privati e con fondi pubblici.....
- 7.- Fondi attualmente disponibili.....
- 8.- Quali fascicoli vengono ammessi (orfani, illegittimi, delinquenti).....
- 9.- Età di ammissione.....
- 10.- Età di congedamento.....
- 11.- Fascicoli e Fascicolo.....No per ciascuno.....
- 12.- Vengono ammessi fascicoli provenienti da tutta l'Isola o solamente quelli di una data località.....
- 13.- Tipo di avvenimento educativo (culturale, ricreativo, ed insegnante di arte e mestieri).....
- 14.- Quali cure mediche sono a disposizione dell'Istituto;
Descrizione.....
- 15.- Nome del Direttore.....
- 16.- Osservazioni.....

17 - Personale: Numero degli impiegati.....

(Suore, insegnanti, dottori, istruttori, lavoratori)

Elenco nominativo:

(pagina mobile)

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.....
.....

HEADQUARTERS
LIMP MILITARY GOVERNMENT

ME/4090/L

5th November, 1945.

Subject: Commitment of Juvenile Offenders.

To: R.C.L.C. Region I.

The attached copy of a memo from Director, Public Health
Sub-Commission is forwarded for information.

G.C. HUGHES, Major,
for Chief Legal Officer.

1039

4098
ALLIED MILITARY GOVERNMENT (3)SUBJECT: Commitment of Juvenile Offenders.

FILE No. 3031/MI

TO: Chief Legal Officer.
AMG. HQ.

AMGOT HQ. SICILY

4 November 1943

1. Because of urgent military necessity, the Centro Di Rieducazione Dei Minorenni (Center of Re-education for Minors) in Palermo has been closed temporarily and all minors have been transferred to the Centro Rieducazione in San Cataldo, Province of Caltanissetta.

2. After November 4th, all minors committed by the courts of the Allied Military Government will be sent to the institution at San Cataldo.

3. All minors arrested in Palermo Province by Allied Military authorities or by Italian officials and formerly detained in the Centro di Rieducazione pending trial, will be detained in a special section now being established for juveniles in the Palermo Prison.

4. It is understood that as soon as the emergency requiring the military use of the buildings is over, that the buildings will again be used for the re-education of juvenile offenders.

It is recommended that these readjustments be made at the earliest possible time.

G. S. Parkinson
G. S. PARKINSON, Brigadier, *W*
Director, Public Health Sub-Commission.

*Passed
to
Chief Legal Officer
copy sent 4.9.44 3*

HEADQUARTERS
ALLIED MILITARY GOVERNMENT.

AMG/4098/L

4 November, 1943.

Subject: - Cases of Juvenile Offenders.

In order to ensure that no undue delay occurs in the holding of trials in which juveniles under 18 years of age are involved, by reason of the necessity of waiting for information from the Welfare Officer, amendments have been made to the Directive issued by me under the ~~AMG~~ 4034/L reference on 31 August, 1943. The Directive in the amended form is set out below:-

"It has come to the attention of the Chief Legal Officer that arrests have been made of juveniles under of 18 years of age who have violated AMG ordinances, laws or regulations.

1. (a) In these cases it is requested that the following procedure be followed:-

(i) That upon the arrests of minors and, if possible prior to trial, a copy of the charges will be given to the nearest Public Welfare Officer of AMG.

(ii) The Welfare Officer will procure or cause to be procured such information regarding the minor as may bear upon the case and will forward such information before trial, if possible, and in any event before sentence, together with a recommendation for use by the Judge in making his decision.

(iii) Such investigations and reports to the Judge will be made by the Welfare Officer at the earliest possible time in order not to delay the hearing unnecessarily.

(iv) The Welfare Officer will report back to the court on every case brought to his attention, even though no information on the individual in question can be furnished.

(v) Juveniles will be released pending trial on such conditions as may seem appropriate whenever possible. In those cases where detention of the juvenile is necessary, he or she must, if a ⁹ all possible, be held in a place separate from those housing adult offenders.

(b) If the Court feels that a juvenile over 16 years of age is of maturity, both physically and mentally, this individual could be dealt with as an adult offender after taking into consideration his limited experience.

(c) That judges of the military courts will base their procedure in hearing the cases of minors under 17 upon the accepted practices of juvenile courts in Britain and the U.S., namely:-

(i) That first consideration be given to rehabilitation of the child instead of punishment.

"It has come to the attention of the Chief Legal Officer that arrests have been made of juveniles under of 16 years of age who have violated AMG ordinances, laws or regulations.

1. (a) In these cases it is requested that the following procedure be followed:-

(i) That upon the arrests of minors and, if possible prior to trial, a copy of the charges will be given to the nearest Public Welfare Officer of AMG.

(ii) The Welfare Officer will procure or cause to be procured such information regarding the minor as may bear upon the case and will forward such information before trial, if possible, and in any event before sentence, together with a recommendation for use by the Judge in making his decision.

(iii) Such investigations and reports to the Judge will be made by the Welfare Officer at the earliest possible time in order not to delay the hearing unnecessarily.

(iv) The Welfare Officer will report back to the court on every case brought to his attention, even though no information on the individual in question can be furnished.

(v) Juveniles will be released pending trial on such conditions as may seem appropriate whenever possible. In those cases where detention of the juvenile is necessary, he or she must, if at all possible, be held in a place separate from those housing adult offenders.

(b) If the Court feels that a juvenile over 16 years of age is of maturity, both physically and mentally, this individual could be dealt with as an adult offender after taking into consideration his limited experience.

(c) That judges of the military courts will base their procedure in hearing the cases of minors under 17 upon the accepted practices of juvenile courts in Britain and the U.S., namely:-

(i) That first consideration be given to rehabilitation of the child instead of punishment.

(ii) That where parents seem to be responsible persons, the child be given an opportunity for readjustment in his own home under strict supervision of the parents or the police.

(iii) That where it is necessary to place the child in an institution, he be committed for an indefinite period to a school for juveniles, such as Centro Rieducazione Minorenni, until such time as the school decides that he will refrain from further delinquency and is ready for release.

- 2 -

- (iv) That the hearings be held informally in a closed chamber instead of open court.
- (v) That in cases of commitment, a court record of the case be forwarded to the institution together with any recommendations which may have been made regarding treatment.
2. In the case of minors under 18 tried by the courts of Italy, copies of the records, indicating the dispositions of such cases shall be forwarded promptly to the Public Health Sub-Commission (Public Welfare Section)."

WILLIAM C. LINCOLN, Lt. Col. F.A.
Chief Legal Officer.

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File (4098/L)	(1)
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Spare	(20)

Subject: - Cases of Juvenile Offenders

ALBON/4034/L

To: All Senior Legal Officers (Through S.O.A.O.S.)

31 Aug. 13.

It has come to the attention of the Chief Legal Officer that arrests have been made of juveniles under 16 years of age who have violated ALBON ordinances, laws or regulations.

1. (a) In these cases it is requested that the following procedure be followed:-

(i) That upon the arrests of minors and prior to trial, a copy of the charges will be given to the nearest Public Welfare Officer of ALBON.

(ii) The Welfare Officer will procure or cause to be procured such information regarding the minor as may bear upon the case and will forward such information before trial together with a recommendation for use by the Judge in making his decision.

(iii) Such investigations and reports to the Judge will be made by the Welfare Officer at the earliest possible time in order not to delay the hearing unnecessarily.

(iv) The Welfare Officer will report back to the court on every case brought to his attention, even though no information on the individual in question can be furnished.

(v) Juveniles will be released pending trial on such conditions as may seem appropriate whenever possible. In those cases where detention of the juvenile is necessary, he or she must, if at all possible, be held in a place separate from those hearing adult offenders.

(f) If the court feels that the juvenile over 16 years of age is of maturity, both physically and mentally, this individual could be dealt with as an adult offender after taking into consideration his limited experience.

(g) That judges of the military courts will base their procedure in hearing the cases of minors under 17 upon the accepted practices of juvenile courts in Britain and the U.S., namely:

(i) That first consideration be given to rehabilitation of the child instead of punishment.

(ii) That where parents seem to be responsible persons the child be given an opportunity for readjustment in his own home under strict supervision of the parents or the police.

(iii) That where it is necessary to place the child in an institution, he be committed for an indefinite period to a school for

followed:-

- (i) That upon the arrests of minors and prior to trial, a copy of the charges will be given to the nearest Public Welfare Officer of A.M.O.T.
- (ii) The Welfare Officer will procure or cause to be procured such information regarding the minor as may bear upon the case and will forward such information before trial together with a recommendation for use by the Judge in making his decision.
- (iii) Such investigations and reports to the Judge will be made by the Welfare Officer at the earliest possible time in order not to delay the hearing unnecessarily.
- (iv) The Welfare Officer will report back to the court on every case brought to his attention, even though no information on the individual in question can be furnished.
- (v) Juveniles will be released pending trial on such conditions as may seem appropriate whenever possible. In those cases where detention of the juvenile is necessary, he or she must, if at all possible, be held in a place separate from those housing adult offenders.
- (vi) If the court feels that the juvenile over 16 years of age is of maturity, both physically and mentally, this individual could be dealt with as an adult offender after taking into consideration his limited experience.
- (vii) That judges of the military courts will base their procedure in hearing the cases of minors under 17 upon the accepted practices of juvenile courts in Britain and the U.S., namely:
 - (i) That first consideration be given to rehabilitation of the child instead of punishment.
 - (ii) That where parents seem to be responsible persons the child be given an opportunity for readjustment in his own home under strict supervision of the parents or the police.
 - (iii) That where it is necessary to place the child in an institution, he be committed for an indefinite period to a school for juveniles, such as Centro Pledizione Minorenni, until such time as the school decides that he will refrain from further delinquency and is ready for release.
 - (iv) That the hearings be held informally in a closed chamber instead of open court.
 - (v) That in cases of commitment, a court record of the case be forwarded to the institution together with any recommendations which may have been made regarding treatment.

2. In the case of minors under 18 tried by the courts of Italy, copies of the records indicating the dispositions of such cases shall be forwarded promptly to the Public Health Division (Public Welfare Section) *W. Chamber*

JACOB H. Q.,
1st Army Group

W. CHAMBER,
Lt. Col. (AUS). Chief Legal Officer.

0 5 7 6