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FRAUD ATTEM
SCREENING CO
APR., MAY 1946

0400

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

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FRAUD ATTEMPT BY ITALIAN NATIONALS AGAINST ALLIED
SCREENING COMMISSION
APR., MAY 1946

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4129/52/L.

4 May 1946.

SUBJECT : Fraud attempt against Allied
Screening Commission.

TO : Allied Screening Commission (Italy)
(Attn : Major W.C. SIMPSON).

1. Reference your letter ASC/11-4/TCD/CBH dated 26th April 1946.

2. Your letter has been submitted to the Executive Commissioner who has directed the following reply :-

- a) " Very careful consideration has been given to this matter. Trial by AMG Court in Italian Government territory is only authorised in exceptional circumstances. In this case it is not considered that Allied interests are involved to an extent which warrants trial by AMG Court. It is appreciated that trial by Italian Court may mean considerable delay, but it is felt that this must be accepted in this case."

For Chief Commissioner :

JOHN K. WEBER,
Colonel, Infantry,
Chief Legal Advisor.

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UNCLASSIFIED

Confidential
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HEADQUARTERS ALLIED COMMISSION.
AFO 394
CIVIL AFFAIRS SECTION.

Ref: AC/4129/52/2

3rd May, 1946

SUBJECT: Fraud attempt against
Allied Screening Commission.

TO: Director, Legal Sub-Commission.

I have discussed this case with the Executive Commissioner and he agrees with us that we should avoid trial by A.M.G. Court if possible. In our reply I do not think we should mention shortage of personnel as a reason for rejection of the proposal.

I suggest our reply should be based on the following:

"Very careful consideration has been given to this matter. Trial by AMG Court in Italian Government territory is only authorised in exceptional circumstances. In this case it is not considered that Allied interests are involved to an extent which warrants trial by AMG Court."

It is appreciated that trial by Italian Court may mean considerable delay, but it is felt that this must be accepted in this case."

LEGAL SUB-COMMISSION

CLO

DCLO

Chief Counsel

CJO

Italian Section

CL RK

4 May 46

M. CARR, Brigadier.
VP.CA. Section.

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HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4129/52/L.

/mda.

1 May 1946.


SUBJECT : Fraud attempt against
Allied Screening Commission.

TO : V.P. Civil Affairs Section.

1. Please note letter I A, which is self-explanatory.
2. I have examined the file, and have concluded that evidence exists upon which to prosecute a case of attempted fraud. It is to be observed that while the case is against Italian civilians, the attempted fraud is directed against the Allies.
3. In considering the recommendation made in I A,
- which speak for themselves without further comment on my part -
two premises must be weighed: -
 - a) The announced general policy of higher authority against the exercise of our Jurisdiction in restored territory.
 - b) The dearth of personnel available for the Court and the prosecution.
4. Because of the reasons stated in I A, I find it very difficult to recommend that the case be tried by Italian Courts. On the other hand, I must point out quite candidly that the tasks which the remaining personnel in the Legal Sub-Commission are called upon daily to perform are taxing us to the point of weariness. Definitely this is not a complaint. It is, however, an element to be weighed.

DOWN GRADED
UNCLASSIFIED

Col. Inf.
Chief Judicial Officer,
for Chief Civil Affairs Officer.


JOHN K. WEBER,
Colonel, Infantry,
Chief Legal Advisor.

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HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

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1 May 1946.

AC/4129/52/1.

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DOWN GRAD
UNCLASSIFIED

Col. Inf.
Chief Judicial Officer.
Chief Civil Affairs Officer.

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JOHN E. WEBER,
Colonel, Infantry,
Chief Legal Advisor.

Discussed with Ex Comm.
of 5 who agreed that we
should resist the proposal
to try this case by Italian Court
JW
Confidential

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HEADQUARTERS,
ALLIED SCREENING COMMISSION (ITALY),
C.M.F.

ASC/11-4/TCD/CLH

To: H.Q.,
Allied Commission,
C.M.F.**Confidential**Attempt by Italian Nationals to obtain money from Allied
Screening Commission (Italy) by fraud or false pretences.DOWN OR DEB
UNCLASSIFIED

At the suggestion of the Assistant Provost Marshal Rome area we enclose herewith two duplicate file copies of documents and statements referring to the above subject. - File No. I contains original documents. File No. II contains duplicate typewritten copies of all documents in file No. I. A complete history of the above case can be found in either of the two files enclosed.

Chief Justice
for Chief

In brief it is a case of two Italian brothers named SCIUBA of SULCONA, Aquila (one now living in Rome), who we consider have attempted to obtain a large sum of money from this Commission by false pretences, including falsifying documents and in one case by an alleged forgery. It may be found that other members of this family are also involved.

We are of the opinion that all the necessary proof is within these files and the case is complete and ready for legal action to be taken.

Although we have no normal objection to the case being dealt with by an Italian Court we wish to make a very strong plea that it be dealt with by an Allied Military Court for the following special reasons :-

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- (1) We suspect very strongly that certain Allied Military personnel are also involved, and should this prove to be the case, and details come out in an Italian Court, it may cause embarrassment to the Italian authorities.
- (2) Speed is essential in dealing with this matter owing to the fact that -
 - a) We continue to get a large number of false claims made against this Commission, and should this case be successful

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and consequently given proper publicity it would alleviate the present strain on this Commission and repercussions would be felt throughout Italy with beneficial results to this Commission's work and prestige.

- b) Doctor SCIURA and his brother both continue to harass this office with demands that we settle their claims without further delay.
 - c) As we suspect that certain personnel working in this Commission may be in collusion with Dr. SCIURA, and we think it possible that, during the trial, evidence may come out which will prove our suspicions, and consequently the utmost urgency is necessary in dealing with this case.
- (3) Owing to the alleged very doubtful activities of Vincenzo SCIURA during the German occupation (he is alleged to be on the Yugoslav Black List as a War Criminal, and he is thought to have been one of TAMBURINI'S pets, who was Chief of Police for Mussolini); and the fact that he was a partisan with the MAELLA Brigade (for a short time only and to acquire some merit with the Allies); and the fact that he is now employed by the Ministero del Interno, it might be a further cause of embarrassment to the Italian Government if he was tried in an Italian Court.
- (4) The claim refers entirely to activity during the German occupation, and except for the necessary time lag for making the claim and investigations etc., we presume the matter would normally have been dealt with under A.M.C.
- (5) As in the course of such a trial much evidence might come out which would entail giving details of the work of this Commission and our methods etc., and also perhaps details of our methods for rescuing escaped Ps/W and Allied agents, it is thought that less publicity would be given to such details if dealt with by Allied Military Court.

For the above reasons therefore, we once again strongly urge that this matter be dealt with by an Allied Military Court.

W.C. Simpson
W.C. SIMPSON, Major,
for Lt. Col. C.S.
Allied Screening Commission (Italy)
C.M.F.

26th April 1946.

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