

ACC

10000/143/73

10000/143/73

PRISON ORGANIZATION
AUG., SEPT. 1943

<u>Section No.</u>	<u>Date</u>	<u>Ref.</u>	<u>To/From</u>	<u>Subject</u>
1.	16 Aug		To CCAO.	Pearson Control
2	—	1028/ps.	D.O.O.P.	
3	18 th Sept	1029/ps.	—	Extract of similar C.A.P.O.s calling 279/43

TRANSLATION.

AMGOT/1036/ES

21 Aug 1943

Follows a short note written to remember very important things (for the Captain Bonjean) relative to the cares of the Central Prison in Caltanissetta.

1. It occurs to establish in a clear and exact way whom of the authorities should depend on the prisons and therefore the same thing for the Directors.

Before the coming of the Allied Forces the Prisons Administration belonged to the justice ministry and the Prisons were charged by the General Attorney, the King's Procurator and the Judge of surveillance. It is necessary to decide if such arrangement is to remain invariable or less - To my advice, for the modest experience acquired in about 20 years career, the Prisons and the Reformatories should be taken away from the magistrate which being elected for several degrees of the jurisdiction, causes automatically higher hierarchy that added to the Judge of surveillance (Institute made by the Fascist legislation), become a real body control local so the director's authority means almost nothing and the hierarchies dependence becomes doubtful. Instead its necessary for the good proceeding of the Prisons institutes, that the director should have the highest prestige and the highest authority what I mean is to be under control and orders of only one higher authority. To the judges is reserved only the faculty of disposing the prohibition of communication among determinate prisoners, the reason is to prevent the regular course of justice and to release the conversations with relatives till the closing of the trial and the postponement of court of justice.

2. It occurs to determinate the attributions of the Director particularly regarding the training of prisoners and the custody agents with particular regard to all the

Captain Bonjean) relative to the cares of the Central Prison in Calcutta.

1. It occurs to establish in a clear and exact way whom of the authorities should depend on the prisons and therefore the same thing for the Directors.

Before the coming of the Allied Forces the Prisons Administration belonged to the Justice Ministry and the Prisons were charged by the General Attorney, the King's Procurator and the Judge of surveillance. It is necessary to decide if such arrangement is to remain invariable or less - To my advice, for the modest experience acquired in about 20 years career, the Prisons and the Reformatories should be taken away from the magistrate which being elected for several degrees of the jurisdiction, causes automatically higher hierarchy that added to the Judge of surveillance (Institute made by the Fascist legislation), become a real body of control local so the director's authority means almost nothing and the hierarchies dependence becomes doubtful. Instead its necessary for the good proceeding of the Prisons institutes, that the director should have the highest prestige and the highest authority what I mean is to be under control and orders of only one higher authority. To the judges is reserved only the faculty of disposing the prohibition of communication among determinate prisoners, the reason is to prevent the regular course of justice and to release the conversations with relatives till the closing of the trial and the postponement of court of justice.

2708

2. It occurs to determinate the attributions of the Director particularly regarding the training of prisoners and the custody agents with particular regard to all the precautions of training and also administratives that were before exclusive competition of Ministry (assumptions, confirmations, dismissals, expulsions, mark of reward, increase of wages, marriage authorisation etc.).

PH

Per l'analisi 4

SEQUEIRO MORIA (PER IL CAPIT. BOUZAN RELATIVO
A PROVVEDIMENTI PER LE CARCERI CENTRALI DI CALTA=

NISSETTA

10) Occorre stabilire in modo chiaro e preciso da
chi gerarchicamente dovranno dipendere le Carceri
e quindi, i Direttori.

Prima dell'arrivo delle FORZE ALLIATE, l'Amministrazione Carceraria apparteneva al Ministero della Giustizia e nelle Carceri avevano ingerenza, il Procuratore Generale, il Procuratore del Re, e il Giudice di Sorveglianza.

E' necessario decidere se tale ordinamento deve rimanere immutato e meno.

A mio avviso, basandomi sulla modesta esperienza acquisita in circa 20 anni di carriera, le Carceri e i Riformatori dovrebbero essere sottratti alla magistratura la quale, per essere costituita di diversi gradi giurisdizionali crea automaticamente più superior gerarchici che, aggiunti al Giudice di Sorveglianza (Istituto creato dalla legislazione fascista), costituiscono un vero e proprio corpo di controllo locale da rendere pressoché nulla l'Autorità del Direttore e incerta e caotica la dipendenza

chi gerarchicamente dovranno dipendere le Carceri e quindi, i Direttori .

Prima dell'arrivo delle TORRE ALLIATE, l'Amministrazione Carceraria apparteneva al Ministero della Giustizia e nelle Carceri avevano ingerenza, il Procuratore Generale, il Procuratore del Re, e il Giudice di Sorveglianza.

E' necessario decidera se tale ordinamento deve rimanere immutato e meno.

A mio avviso, basandomi sulla modesta esperienza acquisita in circa 20 anni di carriera, le Carceri e i Riformatori dovrebbero essere sottratti alla magistratura la quale, per essere costituita di diversi gradi giurisdizionali crea automaticamente più superior gerarchici che, aggiunti al Giudice di Sorveglianza (Istituto creato dalla legislazione fascista), costituiscono un vero e proprio corpo di controllo locale da rendere pressoché nulla l'Autorità del Direttore e incerta e caotica la dipendenza gerarchica.

E' indispensabile invece, nell'interesse del buon

2707

andamento degli Istituti Carcerari, attribuire al Direttore il massimo prestigio e la massima autorità ben'inteso sotto il controllo e gli ordini di una sola Autorità superiore.

Ai Giudici é riservata soltanto la facoltà di disporre pel divieto di comunicazione fra determinati detenuti al fine di impedire il regolare corso della Giustizia e di rilasciare i colloqui coi parenti fino alla chiusura dell'Istruttoria e rinvio al giudizio.

2°) Occorre determinare le attribuzioni del Direttore particolarmente nei riguardi della disciplina dei detenuti e degli agenti di Custodia con particolare riguardo a quei provvedimenti disciplinari ed anche amministrativi che erano prima esclusiva competenza del Ministero (assunzioni, rafferme, licenzamenti, espulsioni, distintivo di merito, aumento di paga, autorizzazione di matrimonio etc.

1028/PS 13

*Extract from Minutes of CAPOs meeting Sep 43*14. PRISONS.

Major LOTHIAN stated that prisons, personnel, guards and prison staff were a national establishment, similar to the Carabinieri Reali.

The central prisons were looked upon by everyone as being national, and the general feeling was that local prisons were administered by the local authority. Most of the local prisons would be closed down when communes were restored. Plans were made to close thirty-seven in PALERMO PROVINCE. They could be made useful as police cells.

Present administration was Italian, under our control, and DR. COLOMEO had just been appointed Chief Director of Prisons.

2706

10281PS
The Prisoners are following 2

Manuscript =

STATE
TO
DIRECTOR OF CARCER GUARDIAN
CENTRAL
TO
CANCELLER OF CARCER
MANDAMANTALE

STATE TO
DIRECTOR OF CENTRAL JUDICIAL PRISON
(OF PROVINCE)
TO
OFFICE IN CHARGE OF DISTRICT PRISON

AT NOTE THE PRISONERS THAT ARE KEPT THERE
ARE FOR MORE THAN 10 YEARS (IN DISTRICT PRISON)
AT CENTRAL PRISON FROM 1 TO 10 YEARS
AT DISTRICT PRISON UP TO 1 YEAR.

LOCATIONS OF THE CENTRAL PRISONS

NOTE

PANERO

11

To
CANCELLIERE OF CARCERI
MANDAMENTALE

STATE TO CENTRAL JUDICIAL PRISON
DIRECTOR OF (OF PROVINCE)

TO
OFFICER IN CHARGE OF DISTRICT PRISON

At Noto the prisoners that are kept there
are for more than 10 years (inc. Dennis Smith)

At Central 5 prisoners from 1 to 10 years.

At District prisoners up to 1 year.

Locations of the Central Prisons

Noto

PALERMO
TRAPANI
AGRIGENTO
CALTANISSETTA
ENNA
RAGUSA
SIRACUSA
CATANIA
MESSINA

2705

over

Organization

HEADQUARTERS, A. M. G. O.
CIVIL PRISON SECTION.

Subject: Prisons Control.

AMGOT/1015/PS
16 August, 1943

To.

C. C. A. O.

AMGOT - (Through C. P. S.)

The supervision of Prisons and Detentive Establishments is a matter now requiring consideration. In order to facilitate the operations not only of the Prison Section but in a greater degree that of Provincial and Local Governments I desire to bring to notice the general method of Italian Control. All District Prisons, that is those Prisons within the Province for local sentences, receive individuals to undergo a sentence up to 1 year and in addition to these detained for trial or promulgation of sentence. The Judicial Prisons within a Province hold individuals to undergo sentences of varying lengths up to 10 years and also prisoners awaiting trial.

The Prisons within a province come under the direct control of the Director, an Italian, who has his headquarters at the main Judicial Prison of the Province. The Director has been subject to Prison Headquarters in Rome to where he did submit reports in all Provincial Prison matters and received orders direct. There is no subordinate local control. The Prison Service is, as in Britain, entirely National.

It is requested that confirmation be given and instructions issued to Provinces that the District Provincial Prisons do actually come under direct control of the Prison Section of AMGOT.

The Jails and Police Cells within a town and Country would, it is suggested, remain under Police Local Control.

Sgt. P. B. M.

Ident Colonel.
Superintendent Prison Section

The supervision of Prisons and Detentive Establishments is a matter now requiring consideration. In order to facilitate the operations not only of the Prison Section but in a greater degree that of Provincial and local Governments I desire to bring to notice the general method of Italian Control. All District Prisons, that is those Prisons within the Province for local sentences, receive individuals to undergo a sentence up to 1 year and in addition to those detained for trial or promulgation of sentence. The Judicial Prisons within a Province hold individuals to undergo sentences of varying lengths up to 10 years and also prisoners awaiting trial.

The Prisons within a province come under the direct control of the Director, an Italian, who has his headquarters at the main Judicial Prison of the Province. The Director has been subject to Prison Headquarters in Rome to where he did submit reports in all Provincial Prison matters and received orders direct. There is no subordinate local control. The Prison Service is, as in Britain, entirely National.

It is requested that confirmation be given and instructions issued to Provinces that the District Provincial Prisons do actually come under direct control of the Prison Section of AMGOT.

The Jails and Police Cells within a town and Country would, it is suggested, remain under Police Local Control.

Sgd. P.B.M.

Ident Colonel.
Superintendent Prison Section

2704

