

TRIAL OF WAR CRIMINALS.

Amended notes
(only amended by
inclusion of Royal
warrant) in Royal
Warrant file

Note on Conference held in Sir Frederick Bovenschen's
Room in the War Office on 22nd February, 1945.

<u>PRESENT:</u>	Sir Frederick Bovenschen	(in the Chair)
	Sir Thomas Barnes	Treasury Solicitor.
	Sir William Malkin	Legal Adviser to the Foreign Office.
	Sir Henry MacGeagh	Judge Advocate General.
	Major-General Gurney	Director of Personal Services.
	Brigadier Shapcott	Military Department, J.A.G.
	Colonel Osmond	J.A.G.'s Department.
	Lieutenant-Colonel MacLeod	A.G. 3.
	Mr. G.W. Lambert	A.U.S.

A. Procedure.

1. It was agreed that individual cases for prosecution should be sent for action direct from the British National Office, after the Attorney-General's fiat had been obtained, to the Military Department of the J.A.G., a copy of the case being sent to the Adjutant-General's branch (A.G. 3.) for information. Before that stage is reached, there would be previous consultation between the B.N.O. and the Military Department, commencing as soon as it seems likely, in a given case, that a case for prosecution will be made out.

2. It was further agreed that this procedure would apply to all cases to be handled by the British Government, other than those which a Commander in the field dealt with himself, as threatening the security or efficiency of the forces under his command.

(Note: This is the line taken in para.16 of S.H.A.E.F. 'Eclipse' Memorandum No.18 of 16th January, 1945, entitled "War Criminals and Security Suspects").

3. The Conference then considered the third draft Royal Warrant and Regulations thereunder, prepared by the J.A.G., and his notes on them, and agreed to the amendments shown below.

B. Royal Warrant - Preamble.

4. It was agreed that the commencing date, 2nd September, 1939, would require watching, in connection with any decision that might be reached with regard to accepting Allied cases for trial before military courts set up under the Warrant and Regulations (see para.9 below).

C. Regulations/