

- (f) who was detained solely because he had a sectional quarrel with the Nazi Party, e.g. persons detained for being involved in bomb outrages, or detained in recent purges of the Nazi Party. In exceptional cases, however, Military Government may approve Special Assistance for such people.
- (g) who was detained for an offence which under present criminal law would render him liable to a sentence of not less than (5) years imprisonment without the option of a fine;

NOTE: In many cases persons were detained for reasons quite other than those for which they were officially charged. It may not be possible to disprove the ostensible grounds for imprisonment. Such persons would not be entitled to assistance under this sub-paragraph, but they may apply to Military Government for a review of their case.

- (h) who, while in a concentration camp, assisted in the punishment or persecution of other inmates;
- (i) who, since the Occupation, has been tried by a military or civil court and sentenced to imprisonment.

NOTE: Persons excluded under this category who appeal to Military Government will be judged on their merits, e.g. the claim of a person imprisoned for a breach of curfew in mitigating circumstances might well be upheld.

- (k) who, in the opinion of the Special Assistance Committee referred to below, falls within a category similar in principle to the foregoing categories (d) to (i) or is of known bad character and undeserving relief: provided always that any such a case is immediately reported to Military Government, who may review the case and order assistance.

#### RE-ELIGIBILITY:

4. Any person who has qualified under this scheme, but has since lost his qualification by obtaining employment, and loses such employment through causes directly attributable to having been in a concentration camp, shall be re-eligible to make an application for these benefits, provided he applies within 14 days of losing such employment.

#### METHOD OF PROVIDING SPECIAL ASSISTANCE

##### 5. (a) Kreis Special Assistance Committees

In each Kreis there will be established a Committee to be called the "Kreis Special Assistance Committee". "P" Detachments will issue instruction to the Oberprasident for the formation of these committees.

These Committees will consist of:

- One legal representative (chairman)
- One member of the public
- One ex-inmate of a concentration camp, or in a Kreis where such a person is not available, one person who has actively opposed the Nazi regime or suffered at its hands, or a member of the Kreis Nominated Council.



609L/R Det Hamburg will instruct the Burgermeister to set up such number of Special Assistance Committees as are necessary to ensure that applications are dealt with expeditiously.

The Committees will be part of the organization of the Wohlfahrtsamt. An official of the latter will act as secretary and will be responsible for the co-ordination of the work of the Committee.

The Committees will not be paid for time spent in session, but will be reimbursed for their travelling and out-of-pocket expense from public funds.

They will have the power to co-opt such persons as are necessary for the purpose of obtaining expert opinions, e.g. doctors, mental specialists.

(b) CLAIMS

Claims by persons considering themselves eligible, will be made within two calendar months of the date of promulgation of this scheme. Claims will be made only to Special Assistance Committee of the Kreis in which the applicant normally resides. People released from D.P.s camps, hospitals who are known to have been in a concentration camp will henceforth be given a Military Government certificate to this effect. A questionnaire, to be filled in by applicants, is attached as the type of form which should be used. Copies printed in German, will be distributed in due course.

(c) VERIFICATION

Onus of proof of eligibility for special benefits rests with the claimant, whose claim must be endorsed by one of the following:-

- (i) Any British Military Government Officer, serving with a 'K' Detachment
- (ii) Polizeibehörde (Police Authority)
- (iii) Priests, Minister of Religion, judicial official, lawyers, notaries or other responsible officials.

If the necessary data for proof are submitted to the Special Assistance Committee, but verification is required from elsewhere, the following procedure will be adopted:-

- (iv) If verification can be obtained from within the British Zone, the Special Assistance Committee will communicate through the Kreis Wohlfahrtsamt direct by civil post with the Committee in the Kreis from which it is desired to obtain verification;
- (v) If verification is required from the Russian Zone, U.S. or French Zone, the Special Assistance Committee will communicate through the Kreis Wohlfahrtsamt direct by civil post with the Kreis authorities in the Zone concerned.



(d) APPEAL

Claimants will have the right of appeal to the local Military Government Detachment within 14 days of an adverse decision being given. Detachments receiving the appeals, will, after investigation, either uphold or reverse the decision of the Special Assistance Committee. Military Government may intervene of their own motion and squash any decision of the Committee without appeal being made.

(e) FALSE STATEMENTS

Any claimant knowingly making false statements either to the Kreis Special Committee or to the endorser of his claim in an endeavour to obtain these benefits will be liable to prosecution under Military Government Ordinance 1, Article 11.

HELP TO BE GIVEN

6. Assistance and benefits will be granted as follows:-

(a) FOOD

Successful claimants will be fed as medium heavy workers. Instructions on the ration scale to be issued are being sent to Food Office by Food and Agriculture Branch, Economic Division. This will apply to the claimant only and will not apply as a concession for the whole of his family.

(b) PRIORITY FOR HOUSING

A successful claimant will be entered in a special list in the Kreis Wohnungsamt. This office will make immediate inquiries as to his present housing accommodation and if that accommodation (excluding any kitchen not exceeding 8 sq. m. or any room of a type not normally used in the locality for living) provides less than 7 sq.m. of hygienic living space for himself and for each member of his family, if any, (excluding children under 1 year of age and counting each child between 1 year of age and 14 years of age as half a member), that office shall, within six months of his being declared eligible for relief, offer him, at a rent he can reasonably afford to pay, such additional or alternative accommodation as will provide the said standard of living space. If the repair of any accommodation is necessary to provide this standard within the said period, building materials shall be specially allocated for the purpose from such stocks as are, or may hereafter become, available to the Kreis.

(c) PRIORITY OF EMPLOYMENT

If a successful claimant resides in a district where employment suited to his capability is difficult to obtain, he will be given such priority over other applicants for work as may be necessary to ensure that he is placed in suitable employment with the minimum of delay; on such employment being given, all Public Assistance under paras. 6 (c) and (d) will automatically cease. Arbeitsamt will be instructed to accord this priority of treatment to any applicant who presents an identification card issued by a Kreis special Assistance Committee and appropriately endorsed in Serial 3 "Priority Employment".



(d) Financial Aid

- (i) A successful claimant shall receive public assistance, free from enquiry as to need, at a rate 50% above the Allgemeine Fursorge rate obtaining in the Kreis in which he resides, together with a reasonable allowance for rent, and such assistance shall be paid, if the applicant so desires, otherwise than on personal application. This 50% increase shall apply to all members of the applicant's family who are eligible for normal Public Assistance rates.

This special public assistance will be conditional upon able-bodied applicants registering for work at the Kreis Labour Exchange. Furthermore, if the applicant refuses work, both relief and allowances shall be subject to a Means Test.

Unemployed applicants will be encouraged to undergo training at technical or other training centres, thus serving the dual purpose of teaching a trade and restoring the individual's self-respect.

- (ii) These special assistance payments will be borne in the first instance by the Gemeinde: the Gemeinde will, however, be entitled to claim back from Reich funds the 50% excess Allgemeine Fursorge. The Gemeinde must submit to the competent Reich authorities certified lists of payments made in support of such claims.
- (iii) Provided an applicant qualifies, special public assistance will be paid, whether or not the applicant is in receipt of Social Insurance Benefits.

DURATION OF RELIEF

7. (a) The above special assistance will be granted initially for a period of 26 weeks. Thereafter, its continuation to any applicant will be conditional upon submission to a Means Test, and applicants will have to prove their inability to work. If they are then still eligible for relief, they will still be entitled to full benefits as in para 6(d)(i) for one further period of 13 weeks; after this period they will revert to normal public assistance rates.
- (b) Persons who qualify and have suffered physical or mental injury of a permanent or semi-permanent nature, sufficient to render them incapable of work will be made eligible for special assistance as in para 6 (d)(i) for an indefinite period of time, subject to annual review.



#### STATISTICS AND RETURNS

8. Statistics showing numbers of applications received, number interviewed, numbers awaiting interview and number to whom benefits have been granted as at the last day of each month, as on attached proforma will be forwarded by the Special Kreis Assistance Committees through Wohlfahrtsamt channels to Province Levels. From there they will be passed into British channels and will be forwarded to I.A. & C. division (Public Health and Welfare Branch) pending the formation of the Statistical Bureau at Main H.Q. Control Commission Germany (BE).

#### EFFECTIVE DATE AND PUBLICITY

9. Publicity of this scheme will be strictly withheld until Kreis Special Assistance Committees have been set up. Publicity will be undertaken by I.A. & C. Division (Public Health Branch) through PR & ISC Group; the former will be responsible for announcing the date of which this scheme will come into effect (dependent on progress in the formation of Special Assistance Committees).

#### BERLIN

10. This instruction will NOT apply to the British sector in Berlin unless it has been previously agreed upon by the Allied Kommandatura.

#### RESPONSIBILITY FOR SCHEME

11. I.A. & C. Division Main H.Q. Control Commission for Germany (British Element) will be responsible for the control and supervision of this scheme, consulting with other Divisions concerned as necessary

sgd J.W. TEMPLER

Major-General  
Director of Military Government



APPENDIX "M"

HQ/2099/Sec

Ext 214

Office of the Deputy Military  
Governor, (British Zone),  
Main Headquarters,  
Control Commission for Germany  
(British Element)

LUBBECKE  
BAOR

22 December, 1945.

Distribution; - As for Minutes

Subject: Communal Feeding

Attached are the minutes of the  
conference on Communal Feeding,  
held at LUBBECKE on 18th December  
1945.

F.S. Fielding Capt.

Secretariat.



## INTRODUCTION

1. The Chairman, outlining the objects of the conference stated that at the last 'P' Detachment Commanders conference, the question of Communal Feeding had been raised and summarily dismissed as being un-economic. As a result of second thoughts on the matter, the position was being reconsidered, and this conference was called.

The two main objects were:

- (a) to consider and spread both the experience and views of those who had tried out Communal Feeding, especially with regard to plans in different Corps Districts; and
- (b) to consider what assistance, if any, was required from Main H.Q. C.C.G.

Communal Feeding was basically a local matter, and systems would vary in different places owing to the variety of local conditions.

## PRESENT DEVELOPMENTS

2. Major Muller then outlined the system at work in Schleswig-Holstein. These were mainly works canteens, but there was an emergency winter communal feeding scheme, which would feed half a million people over the normal existing systems total of 350,000. One of the objects of the works canteens was to prevent the workers sharing their extra rations with their families.

The Chairman pointed out that works canteens were outside the immediate scope of this conference, and asked for information of the communal feeding scheme as far as it affects households. He was informed that preparations were made for the authorities in Kiel to take in peoples ration cards, draw the food and cook it. People draw the food from the central cooking depots, and either eat it or take it away.

Wing Commander Griffin said that both before and during the war the Germans had extensively organized Communal Feeding, and this organization still existed where any administration remained. It was on this basis that the Kiel organization rested.

It was confirmed that similar schemes were ready in Westphalia and North-Rhine Province, and were being prepared in Hannover. Brunswick and other districts were waiting to see how the scheme worked in Hannover before taking any action. The main difficulties were fuel and containers. (See below paras 5 and 6).

## RESPONSIBILITY

3. Wing Commander Griffin claimed that the responsibility for controlling Communal Feeding was not clearly laid down, but at the moment was being held by Econ 6; this should not be, for Econ 6 merely provided the rations, which would be the same whether communal feeding was organized or not.



Lt-Col Wolfe-Murray stated that the responsibility was that of Welfare (Public Health Branch) who would control it through the Wohlfahrtsamt. Welfare Branch was prepared to take over this work when more personnel arrived which, it was hoped, might be January. The Wohlfahrtsamt would do all the executive work, but would be controlled by Welfare.

'P' Detachments confirmed that their Welfare personnel (where they existed) were in charge of the organizations.

#### IT WAS AGREED

- (a) that the responsibility for running communal feeding was a German one;
- (b) that the sponsoring branch in C.C.G. would continue to be Econ 6 (Food and Agriculture Branch) until such time as Welfare was able to take over the scheme in its entirety.

#### COMMENCEMENT OF THE SCHEME

4. Throughout most of the British Zone, Communal Feeding was organized and merely waiting for the word to start.

Major Stevenson wished the scheme to be delayed, preferably until next March or April, but the Chairman pointed out that there were two advantages in starting the scheme as soon as possible.

These were

- (a) that it was more economical and food went further;
- (b) in the Ruhr and many large towns, the damage to residential property was so great that there was a possibility that many people were unable to cook meals at all.

#### IT WAS AGREED THAT

As the scheme was governed by local conditions, these should govern the date of inauguration of the scheme in the different areas.

#### MATERIALS

5. Captain LaBrosse put in a plea for the release of ex-Wehrmacht mobile field kitchens for use in bombed towns.

It was stated that this had already been considered, and the Chairman said he would take it up with H.Q. B.A.O.R.

- (a) to effect their release;
- (b) to ensure that they were not all ear-marked for Schleswig-Holstein.



Various suggestions for improvising containers were put forward e.g. new dustbins, which could be converted to hay-boxes; smoke containers from naval sources; milk churns. The possibility of containers being manufactured or released from Army salvage dumps was mentioned, and

IT WAS AGREED:

- (a) That Econ 6 should take up with Economic Division the possibility of manufacture or of release from already manufactured stocks.
- (b) Local representatives should investigate the possibilities of Army Salvage Dumps.

COAL

6. The Chairman outlined the various difficulties of coal allocations and the various quadripartite claims.

Major Daffern stated that in 8 Corps District fuel had been switched from the allocated to food processing, and also from slight stocks that restaurants etc, seem to have had.

Wing Commander Griffin stated that an allocation of coal for Communal Feeding should be made at the next allocation meeting. All 'P' Detachments had put in bids except 229 'P' Military Government Detachment, who were instructed by the Chairman to put an extra bid. Brigadier Borrodaile stressed that - although these bids for fuel for Communal Feeding would, being small amounts, probably be met, they will not take effect until February, as the January allocations had already been made. Until then, fuel must be found from the present allocations or by using peat and wood.

SWILL

IT WAS AGREED THAT

- 7. (a) as Hamburg had made a successful experiment with Army swill, Q Branch, H.Q. B.A.O.R. would investigate the possibility of putting as much swill as possible to Communal Feeding use instead of turning it over for animal consumption. The swill would be sold, not given, to the Germans.

FOOD REPLACEMENT

8. Wing Commander Griffin stated that food removed from the Germans by local purchase was replaced on a zonal basis, replacements being mainly of dried food, which was suitable for communal feeding.

- 9. (i) Wing Commander Griffin said he was unable to comprehend how the impression that Communal Feeding was uneconomical could possibly have crept in.



(ii) Summing up, the Chairman said that

- (a) plans for communal feeding are already made in all areas, but asked local representatives to consider whether any extension of the scheme was required.
- (b) the responsibility for looking after Communal Feeding rests with Food and Agriculture Branch at the moment; authority to implement any of the schemes was a matter of local decision.
- (c) 229 'P' Military Government Detachment will submit a bid for coal for Communal Feeding.
- (d) H.Q. B.A.O.R. will look into the question of release of ex-Wehrmacht field kitchens.
- (e) Econ 6 (Food & Agriculture) will take up the question of provision and containers.

DISTRIBUTION

G(SD) HQ BAOR  
Q(CO/ORD) HQ BAOR  
HQ 1 Corps Dist Mil Gov  
HQ 8 Corps Dist Mil Gov  
229 P Mil Gov  
307 " " "  
312 " " "  
714 " " "  
609 " " "



HQ/2899 (Sec M)  
26th November, 1945

SECRET  
ZON/PI(45)14

MAIN HQ CONTROL COMMISSION FOR GERMANY  
BRITISH ELEMENT

ZONAL POLICY INSTRUCTION No. 140F 26th NOVEMBER, 1945

"PRECAUTIONARY MEASURES AGAINST CIVIL DISTURBANCES"

Reference para 4 (b) of BAOR/806/1/4/Ops dated 19th November, 1945, the following instructions are particularly directed to Military Government Legal Officers at all levels.

1. The situation will be dealt with in the first instance by a Declaration of a State of Emergency. The responsibility for taking this step rests with Corps District Command. For this purpose the form of Declaration attached hereto at Appendix "A" will be used. Notice of the Declaration of such State Emergency will be given to the German population by the posting under Military Government arrangements of printed copies of the Notice. These will be distributed by this H.Q. at an early date.
2. As soon as it is known that public security and order are seriously endangered or disturbed the following action will be taken forthwith by the (P) Military Government Detachment concerned or by 609 (L/R) Military Government Detachment as the case may be:
  - (a) arrangements will be made for a responsible Military Government Legal Officer to be despatched immediately to the scene of the disturbance;
  - (b) arrangements will be made for the delegation to the Military Government Detachment Command nearest to the scene of the disturbance of authority to convene General Military Governments Courts
  - (c) the Senior Legal Officer will instruct the Legal Officer despatched under para 2 (a) above that in accordance with Rule 7 (1) Military Governments Courts, all cases arising out of the disturbance in the area in question shall be brought before a General Military Government Court for trial;
  - (d) the following instructions will be issued regarding the proceedings before any such General Military Government Court:-
    - (i) that the Legal Officer who has been present at the scene of the disturbance will himself sit as one of the members of the Court;
    - (ii) that the time allowed for the preparation of the defence is within the discretion of the court and that an extension of time will not be granted without very good cause. Whilst



sufficient time must be allowed to the Defence to prepare its case and call its witness the Defence must not be allowed to make this the occasion for delaying tactics;

- (iii) that the opening speeches by Counsel for the prosecution will be dispensed with;
- (iv) that when the Court has sentenced a person found guilty of committing an offence during a State of Emergency any petition for Review shall be lodged with the Court within 48 hours of the pronouncement of the sentence.
- (v) that in any case where sentence of death has been imposed by the Court the Case Record and Petition, if any, shall be despatched by the quickest and most direct means to Legal Division, Main H.Q., Control Commission for Germany (BE), Lubbecke.

3. (a) As mentioned in paragraph 3 (c) of BAOR/806/1/4/Ops dated 19th November, 1945, circumstances may arise in the case of a purely local disturbance or disorder in a particular area when it is not practicable for the procedure outlined in paragraphs 1 and 2 above the fully implemented and when the responsibility for the decision regarding the necessary remedial measures to be immediately undertaken will rest with the local Military Command.
- (b) In the event of these circumstances arising in a particular area the procedure outlined in paragraph 2 above will be followed as far as practicable. All cases which are to be sent for trial will be brought before General Military Government Courts whose procedure will be covered by paragraph 2 (d) above.

4. The decision as to when a State of Emergency shall be terminated will rest with Corps District Command. Notification of the decision will be in the form appearing at Appendix "B" hereto. Printed copies of this Notice in Blank Form will be distributed by this H.Q.

5. Legal Division letter reference Legal/MGC/52214 dated 1 Nov 45 is hereby cancelled.

(Sgd) G.V. Britten  
Brig.  
For Major General  
Director of Military Government.

DISTRIBUTION: FOR ACTION:

H.Q. 1 Corps District (MILGOV)  
H.Q. 8 " " "  
H.Q. 30 " " (A Branch)  
H.Q. British Troops BERLIN  
229 P Mil Gov Detachment  
307 " " " "  
312 " " " "  
714 " " " "  
609 L/R " " "



SECRET

APPENDIX A TO ZON/PL(45)14

MILITARY GOVERNMENT GERMANY

BRITISH ZONE OF CONTROL

NOTICE

DECLARATION OF STATE OF EMERGENCY

1. A state of emergency exists in -----
2. Any order issued by Military Government or by any member of the Allied Forces must be obeyed immediately.
3. Any person contravening any of the foregoing provisions is liable to be shot without challenge or to be prosecuted in a Military Court and upon conviction to be sentenced to any lawful penalty (including death).
4. A Military Government Court which has sentenced any person found guilty of committing an offence during a State of Emergency declared by Military Government, may direct that any Petition for Review shall be lodged with such Court within 48 hours of the pronouncement of Sentence.

BY ORDER OF MILITARY GOVERNMENT

Date \_\_\_\_\_

Time \_\_\_\_\_

SECRET

APPENDIX B TO ZON/PL(45)14

MILITARY GOVERNMENT GERMANY

BRITISH ZONE OF CONTROL

NOTICE

END OF STATE OF EMERGENCY

The Notice dated \_\_\_\_\_ declaring a State of Emergency in  
\_\_\_\_\_ IS hereby cancelled.

BY ORDER OF MILITARY GOVERNMENT

Date \_\_\_\_\_

Time \_\_\_\_\_



9/Civ Affairs/1/2  
 9/CCD/1  
 9/CCMD/1  
 1/CCMD/1

5 Feb 46

To: Capt. J.E.G. LaBrosse,  
 307 P. Mil Gov Det.,  
 B.A.O.R.

REPATRIATION - CANADIAN CIVIL AFFAIRS OFFICERS

Further reference is made to this Headquarters' correspondence of even file reference dated 2 Jun 45 concerning repatriation or continued employment of CA/MG officers.

2. As you are aware, you were previously informed that no commitment could be entered into that you would continue to be employed as a Canadian CA/MG officer after 31 Mar 46. This period has now been extended until 30 Jun 46, but it must be clearly understood that:

- (a) if you wish to continue service with the Control Commission after 30 Jun 46, you must, by 15 May 46, have submitted direct to this H.Q., with copy to British Authorities, an application for discharge in the U.K. in accordance with the Attached Appendix "B" to Overseas R.O. 5855 to assume a civilian appointment or be commissioned into the British Army for employment under Control Commission auspices;
- (b) if you wish to continue employment until 30 Jun 46 and then be repatriated, you must be returned to the U.K. in June 46; i.e. you must have vacated whatever CA/MG appointment you are holding, and be in the U.K. on 30 Jun 46;
- (c) If you wish to be repatriated in the meantime, application should be made direct to C.M.H.Q. with copy to British authorities, and the necessary steps will be taken to effect your return to Canada.

3. You are requested to complete and return IMMEDIATELY the pro forma Appendix "A" to this correspondence.

L.G. Scribner  
 For(A.B.MacLaren) Lt-Col  
 AAGS (MS)  
 Canadian Military Headquarters