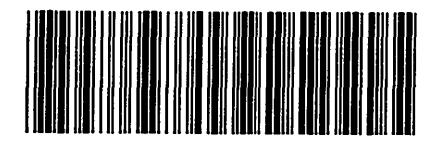
AWM52

Australian Military Forces, Army headquarters, formation and unit diaries, 1939-1945

1/7/9 MILITARY DISTRICTS, COMMANDS AND LINE OF COMMUNICATION AREAS

NSW Line of Communication Area Legal Branch

January - December 1945



1/7/9-0015

WAR DIARY OF INTELLIGENCE SUMMARY.

Army Form C. 2118
(adapted.)

	Unit_LEGAL_CORPS			Date and Time.—From 1 Jan 45 To 31 Jan 45	81 7455
	Place.	Date. 1945	Hour.	Summary of Events and Information.	Remarks and references to Appendices, Diaries, &c.
HU I	VSW L of C Area	Janua~v⊥		Number of applications for courts martial for year	
			***********************	ending 31 Dec 44 was 4999, number tried was 4298.	
11	'1 :1	ा १		Wajor J.S. Kennedy, 2 i/c promoted Lt-Col and appoint-	
				ed CLU Second aust Army as from 29 Pec 44.	
71	11 11 11	4 12		GUC conferred with Commissioner of Folice and Det.Set	
				Walcombe (in charge of Finger Print Section) APM and	
				the CLU. on the subject of furnishing the Police with	
				records of the military offences committed by soldiers	
				in order that the finger print card opened at the	
			• • • • • • • • • • • • • • • • • • • •	Police Department in respect of the soldiers' finger	
			149-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-	prints could be completed. It hal at one stage been	
	į			suggested that the rolice required summary offences	

WAR DIARY OF INTELLIGENCE SUMMARY.

Place. Date.	Hour.	Summary of Events and Information,	Remarks and references to
1945		Summary of Events and Information.	Appendices, Diaries, &c.
nt NSW = of C Ares Jan	13 (contin)	of the soldier but it was agreed at this conference	
		that these were unnecessary and the Police would not	
		require anything more than a record of the court	
		martial convictions.	
	<u>6</u>	Evidence was taken by Mr. Justice Reed in Sydney in	
1	8	connection with the anguir under the Mational	
2	0	Security (General) Regulations into the case of ex	
2	3	Pte. wilson and Others. In this case the Department	
		of the Army was represented by Mr. H.A. Henry of	
		Counsel instructed by the CLU.	
11 H H 12	R	Unuscolly terre number of courts mortist totalline	
		42 were misted for trial of which 28 wore tried.	

WAR DIARY OF INTELLIGENCE SUMMARY.

U_i	nit <u>Legal Car</u> ț	35	Date and Time.—From 15 To 51 Jan 15	St 7455
Place.	Date. 1945	Hour,	Summary of Events and Information.	Remarks and references to Appendices, Diaries, &c.
me new h of C A	rea Jon 24	.p p. 14 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4	Two courts sat trying 39 cases. From the 24 to the 27	•
			Jen. two courts for trial of P.O.W. (Japs) proceeded	**************************************
		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	at Cowre.	······································
19 27 27 27			for trial of which 414 ware tried.	
		, 		
•			, cni.	
		, , , , , , , , , , , , , , , , , , ,	78/38/45°.	
			78/8/4	
		ga es sono + + + + + + + + + + + + + + + +		
	1		1	

WAR DIARY OF INTELLIGENCE SUMMARY.

(Erase heading not required).

28 Feb 45 Unit Legal Office 1 Feb 45 Date and Time.-From. 84 7455 Remarks and references to Hour. Summary of Events and Information. Place. Date. 1945 Appendices, Diaries, &c. Augenty cross tried by DCM and three DCSM at Manworth. HO NEW LOS CAPES Fob Tries of P. D.W. (Italian) at Anthurst. Trial of P. J. w. (Italian) at Conomindra. One GCM as twenty three DCsM. Evidence taken at Brichand in connection with the 1.3 anguiry under the Mational Security (General) 15 16 Regulations into the case of or Pte. Wilson and Sl 11+2000 00 27 11 Court of Enquiry convened by Gov under Yrder dated

Army Form 2:2118 (adapted.)

WAR DIARY OF INTELLIGENCE SUMMARY.

Uni	t Legal O	ffice	Date and Time.—From 1 Feb 45 To 28 Feb 45	St 7455
Place.	Date. 1945	Hour.	Summary of Events and Information.	Remarks and references to Appendices, Diaries, &c.
H' NEW LOC C Ares	Feb 27		24 Feb 45 to investigate companies made by	
			Pte. Forsm and The Wiles concerning ill treatment	
			SUD and other matters at 15 A.D.B. Tamworth.	
			Court of Enquiry commenced at 15 A.D.B. Tamworth on	
			Tueslay 27 Feb 45.	
2 11 11 11	н 50		Court or imquire at Taprorth atili proceeding.	
			Cases convened for the month of February - 420,	
			number of cases tried by court martial 405.	
		·· ······· ···························	and the second of	
			- Surface	
		····	ر برایاب	

WAR DIARY OF INTELLIGENCE SUMMARY.

Army Form C. 2118

(Erase heading not required).

Date and Time.—From + Be not 1945 To 31 Mench 1945 Unit_ 5391 A. CORPS St 7455 Remarks and references to Hour. Place. Date. Summary of Events and Information. Appendices, Diaries, &c. 3.5 Court of Anguiry on Lamworth Dat Str. completed. HE NET L OF COME to the A Interim Report of Commissioner Mr Justice Feed C re Milcon issued and Milcon Chalmers and Derrick пошешлат. Director worst Services visited Cal. <u>.</u> ^ • ... It-Con Brock Cla Wear of C. no. minited Cla. 93 22 JaG addressed til Legal Officers including thous on The Personal m DI Total number of DUSH for the month of March 320 and

WAR DIARY OF INTELLIGENCE SUP

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Data and Time From 1 March 1945 To St March 1945

Army Form C. 2118 (sdapted.)

Uni	t LEG.	AA CORPS	Date and Time.—From 1 March 1945 To S1 March 1945	8t 7455
Place.	Date. 1845	Hour.	Summary of Events and Information.	Remarks and references to Appendices, Diaries, &c.
10 NSW L of C Area	Mor Ji		4 GC-M.	
			335 of the DOcti ware for Wa or tecention, 5 for	
			cteruing, 4 for offences we pay books - bewones	
·		·	fro various oftencer.	
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			(3)	
			CLO Make Sin	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
			•	

WAR DIARY or INTELLIGENCE SUMMARY.

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Unit______BPG - a__ GapRP**

Date and Time.—From 1 , pmil 1945 To 50 Apr 45

80 745B

Army Form ©. 2118 (cdapted.)

	<i>u</i>		Date and I me.—I i one	5t 7455
Place.	Date.	Hour.	Summary of Events and Information,	Remarks and references to Appendices, Diaries, &c.
्राक्षण अवश्रीता च	r pril 17		imageon Gam. Well took, a. of No. 5 Wort Momitting doyed	
			. Still over the state of OOE on its 1745 and confirmation	
			government from expensive existing the Confirm esson were	
			-show on the team that swill make he and been siven	
		·.;	of individation of an ountwilling court cratics	
			to the children of the	
11 11 11	, c	·	C.O conform of the Book Found A of Month with a view to	
			ు కా.వా	
			Learner and the 129 to at 129 to at 129 to a transport of the	
n ••	• 7.1	······································	promotesta Production of Armerican Control	
		*	Light for Probitition on them to Joens in the case	
		·	of Pto. Kantoli open. This olim to a trick at 70M	
			et this was on a rolling to notify to confirm the	
			<u>obtion outsing to bulk disation Probioision on the </u>	

WAR DIARY OF INTELLIGENCE SUMMARY.

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Date and Time.—From 4 22 45 To 20 + pr 45 Unit____ St 7455 Remarks and references to Summary of Events and Information. Hour. Place. Date. Appendices, Diaries, &c. 3.5 amount the time of the state of their for not subject to 110 mm = of 0 mm = 0 Clasters are a the deal Const head that under De APA he man a rougher in the section indicet to militage its. Place bundled on three DC 2 come hold during the wonth of seria, the creations mundar of courts-medical ever belief thigh in one month. In eddition there were Company of the compan Distinct the comption on good or any of the Meloda J.J. . Grant, Angeletia and, Alas Now that in 27% of the garage for the fight of the force of was give this Jacobann - Francisco Stand Cate THE RUNSWILL CO. 3 may 45

WAR DIARY or INTELLIGENCE SUMMARY.

Place.	Date. 1945	Hour.	Summary of Events and Information.	Remarks and references to Appendices, Diaries, &c.
MSW - of C Area	MAY		The question of punishment of members of the RAAF	
			in detention barracks was settled by Statutory fule	
			1945 number 49 which prescriped that such personnel	
	·········		would be subject to military law as if they were	
			soldiers of corresponding rank.	
				-
			AMR 319 was amended by Statutory Rule 1945 number 42	
			with a result that the Sentences of courts martial	
			are no longer notified to the accused until	
· · · · · · · · · · · · · · · · · · ·			_promu_gation.	
			Detailed report by Mr. Justice Reel on the inquiry	
			re ex Pte. Wilson was issued.	·

WAR DIARY or INTELLIGENCE SUMMARY.

(Erase heading not required).

LEGAL CURPS Date and Time. From + MAY, +345 To 31 MAY, 1945 Unit_ St 7455 Remarks and references to Summary of Events and Information. Place. Date. Hour. Appendices, Diaries, &c. **⊥945** Five hundred and fifty one District Courts Martial uy NSW - of C Are MAY were held at this Ho during the month of May and one General Yourt Hartial. This is the greatest number or couts martial ever held at this HQ. CLO HO KSW L of C Area

WAR DIARY OF INTELLIGENCE SUMMARY.

Army Form C. 2118 (adapted.)

Uni	t william C		Date and Time.—From 1 June, 1945 To 30 June, 1945	Bt 7485
Place.	Date.	Hour.	Summary of Events and Information.	Remarks and references t Appendices, Diaries, &c.
n: NS0 = 01 C	1945 June 25		General Court Martial was held at Tamworth to try	
1.7.69			m number of discharged soudiers on charges of mutiny	
			and escape. The point was taken by Defending Officers	
			end Counsel for the accused that being discharged	
			soldiers they could not commit the offence of	
			mutiny and were not subject to the Army Act at all.	
		····	the Court were in doubt and referred to the	
		·····	Convening authority for advice.	
ता ।। ।।	m 80	······································	There were 487 DOch held of this HQ during the	
		······································	month of June and 4 GCott. There were no Military	
			Courts on Prisoners of War the 12 t one being held	
			in May.	
			mank - 10 Tol.	
	<u> </u>		CLO HQ NSW 1. of G Area	

WAR DIARY or INTELLIGENCE SUMMARY.

(Erase heading not required).

Unit LEGAL CORPS

Date and Time.—From 1 July 1945

To 31 July 1945

81.7455

Place.	Date. 1945	Hour.	Summary of Events and Information.	Remarks and references to Appendices, Diaries, &c.
44 NSW L of C	July 3	###- 1741-## 127 WY T N	A General Court Martial trains discharged soldiers	
***************		*****	on charges of mutiny referred to the Convening	
			Authority for advice as to whether they had	
***************************************			jurisdiction to try discharged soldiers under the	
· · · · · · · · · · · · · · · · · · ·		***************************	Army Act. The Convening Authority adviced the Court	
			to proceed with the trial and the Court resumed on	
			9 Jul. 145. On the 12 Jul. 45 a Rule Nici prohibiting	
······································			the court morting proceeding with the trial was	
			iccued by the High Court of Australia and the matter	
			cime on For amendent mefore the High Court	
			on 25th and 22 July 45. Judgment was recorved.	
			The following lectures on discipline and law were	
			delivered during the month;-	
·			4 Dectures to F & C School; 2 Dectures to AWS The School	

WAR DIARY or INTELLIGENCE SUMMARY.

- Un	it LEGAG C	ORPS	Date and Time.—From 1 Jul 1945 To St July 1945	•	81.7455
Place.	Date. 1945	Hour.	Summary of Events and Information.		Remarks and references to Appendices, Diaries, &c.
IQ NSW L of C	July 9		2 rectures to Area Officers: 1 recture - 113 AGH:	1	
711 00	11 30		S restures to Provest School; 2 to LHC E. & M.E.School During the month of July there were held 451 district		
			courts martial Tro General Courts Martial and three		
			Military Courts on prisoners of war -		
			Quant.		
			51. 46 VSSS 1. 7. 1.1C6.		
			6 Cug 45?		
- <u> </u>					
				·····	
	<u> </u>	i			

WAR DIARY or INTELLIGENCE SUMMARY. (Erase heading not required).

Place.	Date. 1945	Hour.	Summary of Events and Information.	Remarks and references to Appendices, Diaries, &c.
NSW L of C	AREA Aug 20		The High Yourt made absolute the Pule Nisi pro-	
			hibiting the GCM proceeding with the trial or	
		,	discharged soldiers on a charge of mutiny in His	
			Majesty's rorces on the ground that as there were	1
711,22021			only dicharged soldiers concerned in the disturbance	
			there was not a mutiny in His Majesty's Forces."	
			The High Court held that discharged soldiers serving	
			sentences of detention could be tried by court martial	
			for charges that were appropriate to discharged	
			soldiers under the army act. The GCM was according as	
			disolved and arrangements made to try the discharged	
····			solliers by DCM. The name of the case - R v Cox and	
		······································	Others ex parte Smith.	
			On the same day the High Yourt also refused leave to	

WAR DIARY or INTELLIGENCE SUMMARY.

Place.	Date.	Hour,	Date and Time.—From 1/8/45 To 31/8/45 Summary of Events and Information.	Remarks and references to
- 1400.	1945		Committy of Divinishing International	Appendices, Diaries, &c.
NSW - or C ARE	A Aug 20	,,,,	appear in the case of R v Jack Martin where a	· · · · · · · · · · · · · · · · · · ·
			Tasmanian Judge had held that a sentence by a court	
			martial was not a "conviction" within the meaning	
······································			of the Tasmanian Criminal Act Section 106 and th.t	
			apparently a serving soldier escaping from gaol could	
			be tried civilly under the Commonwealth Crimes Act	
			Section 47 or by court martial under AA Section 7.	
			The cessation or hostilities did not diminish courts	
			martial in fact on the days proceeding cossation of	
			hostilities there were a large number of surrenders	
			by deserters. 460 -istrict -ourt; Martial were hera	
			at this He for the month, 2 Military courts on	
		· · · · · · · · · · · · · · · · · · ·	Prisoners of War were asso held in country centres.	

WAR DIARY or INTELLIGENCE SUMMARY.

	UnitLEGAL_CC	RPS	Date and Time.—From \(\perp\) Sep 45 To 30 Sep 45	86 7455
Place.	Date. 1945	Hour.	Summary of Events and Information.	Remarks and references to Appendices, Diaries, &c.
hç NSW - of C	AREA Sep 11		Some discharged soldiers awaiting trial on charges of	
			escaping from detention barracks endeavoured to break	
·····			out of the holding room at Victoria Barracks court	
			martial room. They were restrained after a struggle	
···			with the Provost. The papers correctly reported the	
			incident but the Daily Telegraph published an account	
			of the case in which a wars. Coggins was stated to have	
			said that she had seen Frovost kicking one ex soldier	
			in the stomach. This matter was mentioned in	
· ·		····	Partiament by a MHR and the Mini ster for the Army	1
		····	appointed Mr. Justice Reed the Commissioner under the	
			National Security (Inquiries) Regulations to investigate	
			the matter.	:
			The Commissioner sat in Sydney on 24th, 25th and 26th Sep	

WAR DIARY or INTELLIGENCE SUMMARY.

(Erase heading not required).

Unit.	LEGAL CO	RPS	Date and Time.—From 1 Sep 45 To 30 Sep 45	Se 7455
Place.	Date. 1945	Hour.	Summary of Events and Information.	Remarks and references to Appendices, Diaries, &c.
== NSW L of C AREA	Sep ll		then adjourned until 22 oct 45	
		. 49 444 MA > 1 ₁₂ 44444 - To44444	The Army witnesses were represented by Capt	
			W.H. Wilson *ALC and part of the sittings were	
			held at Victoria Barracks.	
		. ————————————————————————————————————	364 district courts martial were held during the	**************************************
			month of September.	
			Several conferences were held with legal officers	
			of the AFC and subsequently an inspection of 3	
			detention barracks was made by the CLO and wing Cdr.	
			James.	
		·····	(Quanti-	
			9 GCY 245. FE.Col,	
			CLO HQ XSW L W	

Army Equy C. 2118 (adapted.)

WAR DIARY or INTELLIGENCE SUMMARY.

Unit LEGAL CORPS			Date and Time.—From 1/10/45 To 31/10/45	8t 7465
Place.	Date. 1945	Hour,	Summary of Events and Information.	Remarks and references to Appendices, Diaries, &c.
HQ NSW L OF C AREA	October		The Inquiry by Mr. Justice Rece under the National Security Regulations into the alleged ill-treatment of an ex-soldier by the Provest was continued on 20 Oct 45 when the Commissioner took evidence from various ex-soldiers at Long Bay Gool. Three Courts-Martial were held during the month of October on Japanese prisoners of war at May. 508 District Courts-Martial were held at Victoria Barracks during the month of October.	
			> hore/s CLO EN 2511 DOLO TELES	
,				***************************************

WAR DIARY or INTELLIGENCE SUMMARY. (Erase heading not required).

U1	zit LEGAL	CORPS	Date and Time.—From 1 Nov 45 To 30 Nov 45	St 7405
Place.	Date. 1945	Hour,	Summary of Events and Information.	Remarks and references to Appendices, Diaries, &c.
HQ NSW L OF C	November	12/13	Board of Inquiry into Detention Barracks sat in	
124412			Sydney and took evidence from various witnesses.	
			226 District Courts Martial were held at Victoria	
			Barracks during the month of November.	
······································		······		
		······································	Quant.	
			CLO HQ NSW L of C Area	
*****))		
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WAR DIARY or INTELLIGENCE SUMMARY.

Unit EEGAL CORPS			Date and Time.—From 1 Dec 45 To 51 Dec 45	St 7458	
Place.	Date.	Hour,	Summary of Events and Information.	Remarks and references to Appendices, Diaries, &c.	
HQ NSW L OF C AREA	1945 December	######################################	160 District Courts Martial were held at Victoria Barracks during the month of December.		
			During the year ended 31 Dec 45, 4739 Courts Martial were held at HQ NSW L of C Area, and, in addition, there were 9 trials of Prisoners of War. The largest number of cases		
			ever held at this Headquarters was in May 45, when there were 551 Courts Martial. Since then the number per month has steadily declined, but it is noticeable that, while the		
			numbers of those arrested for Desertion and AWL have declined so steadily, there has been a definite increase in the number of cases of stealing.	· · · · · · · · · · · · · · · · · · ·	
-			Lectures were given to Officers attending an EME School, not at their camp, but at the Legal Office. The officers		
			appreciated being able to listen to a lecture and then immediately afterwards attend several actual Courts Mortial which illustrated some of the subjects covered by the		
			lecture.		
			4 Jan 46. GLULLYNSW LUC Area		
1	į.	ı	.		