Japanese war crimes in the Pacific
Australia’s investigations and prosecutions

Dr Narrelle Morris
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This guide is number 27 in the series of research guides published by the Archives. Guides include material known to be relevant to their subject area but they are not necessarily a complete or definitive guide to all material in the collection.

The National Archives reviews its collection to confirm the value of records for research, evidential and other purposes or to identify, in consultation with agencies, records for destruction. At the time of publication, all the Archives’ records described in this guide were present in the Archives’ collection. Subsequent to release of this publication, it is possible that some of the records may be destroyed if they are reviewed and considered not to be of enduring value.

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t (02) 6212 3600
e archives@naa.gov.au
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Front cover image: Entrance to the Manus Island war criminal compound. NAA: B5557, 15
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Acknowledgements

The genesis of *Japanese war crimes in the Pacific: Australia’s investigations and prosecutions* came out of a project designed by Professor Timothy McCormack of the Melbourne Law School (now Dean of Law at the University of Tasmania) to produce a comprehensive and systematic law reports series of the 300 Australian war crimes trials from records held in the National Archives of Australia. Funded by the Australian Research Council in two Linkage Grants, the project also received long-term and ongoing support from the Australian War Memorial and Department of Defence’s Defence Legal Division, for which the project members record their grateful appreciation.

I was appointed as the legal researcher on the Law Reports Series project and began reading the records of the trial proceedings in 2009. In drafting the law reports on the trials, I began generating a great deal of data possibly useful to other researchers that would never see the light of day, such as the indexes included in the appendixes to this guide.

In 2011–12, the National Archives of Australia granted me the Ian MacLean Award to produce this guide. Through its generosity, I was able to undertake a comprehensive review of additional files related to war crimes held in the national collection over a number of years. I record my thanks and acknowledgements to Hilary Rowell, Michaela Forster, William Edwards and the many archivists at the National Archives of Australia (Canberra, Melbourne, Sydney, Adelaide and Brisbane offices) and at the Australian War Memorial who have assisted me in my research over the years. I also thank Mayumi Shinozaki and other librarians at the National Library of Australia. Overseas, thanks are due to archivists and librarians at national archives and libraries of New Zealand, the United Kingdom, the United States, Canada and the Netherlands. I also thank Jim Zobel at MacArthur Memorial Library & Archives, Norfolk, Virginia. Finally, Hilary Rowell, Elizabeth Masters, Russell Pym, Jon Head, Andrew Cairns, Gaetane Burkolter and Graham Clayton were instrumental in editing and producing this manuscript. All errors, however, remain my own.

*Japanese war crimes in the Pacific: Australia’s investigations and prosecutions* is dedicated to the late historian DCS Sissons, who once aimed to produce this guide, and to Tim McCormack, for setting me on this path.

**Dr Narrelle Morris**
Using National Archives of Australia research guides

The National Archives of Australia preserves and cares for a diverse collection documenting the relationship between the Commonwealth government and the Australian people. This collection is a rich resource for the study of the nation’s history, society, families and individuals.

While the collection covers almost 200 years of Australian history, its main focus is Australian Government activities since Federation in 1901. The Archives also has significant holdings of 19th-century records transferred by the colonies to the Commonwealth government.

Archival resources

The guide is based on an examination of thousands of files and other items in the National Archives. The majority have not been listed as there is not enough space to report on each one, especially the investigation files. In most series that do contain a lot of relevant files, a small sampling has been included to indicate the breadth of records within the series and particularly interesting or unusual records.

The guide therefore provides a selective listing of records that document Australia’s investigation into Japanese war crimes in the Pacific and the prosecution of the accused. Many records are listed at the item level and the guide goes beyond the Archives’ online collection database, RecordSearch, in briefly summarising the types of records, subject matter and the names of correspondents contained within the items. These items are all available for access. Other records are described at the series level, either because they contain a very large number of relevant items or because many of the items have yet to be cleared for access.

Most of the records listed are held at the National Archives’ Canberra office, the remainder being held in Melbourne, with smaller quantities in other state and territory offices. Records held by the Australian War Memorial are also included. Footnotes to materials held in other collections are included where possible.

The guide is structured according to key functions and activities carried out by the Australian Government and the armed forces. Each chapter describes selected Archives’ holdings on relevant subjects and topics. This guide is not exhaustive; it does not seek to include every record associated with Australia’s investigation and prosecution of Japanese war crimes in the Pacific. However, it does highlight areas for further research.

Accessing records

Access to records held by the National Archives is governed by the Archives Act 1983. Under the Act, records in the open access period are eligible for public access. A change to the public access provisions of the Act in 2010 saw the open access period commence after 20 years – a 10-year reduction from the previous 30 years. This change is being phased in between 2011 and 2020, with the open period advancing by two years on 1 January each year. In the year of publication, 2019, records dating up to and including 1997 are in the open access period. More information on accessing records can be found on ‘Fact sheet 10 – Access to records under the Archives Act’ available on the National Archives’ website (naa.gov.au).

Under the Archives Act, there are provisions to withhold information from public access if that information calls into certain exemption categories. Most records (98 per cent) are wholly released for public access, while 1.75 per cent are released with some exempt
information deleted. Only 0.25 per cent of records are wholly withheld because they consist entirely of exempt information. If the National Archives refuses access, it is usually because the records contain sensitive information or information that is not in the open access period. Further information about the type of records that may be withheld can be found on ‘Fact sheet 46 – Why we refused access’, available on the website (naa.gov.au).

Many of the records are available as digital copies on the National Archives’ website. Research using the online collection database, RecordSearch, will identify digitised records.

To view records that have not been digitised, a researcher will need to visit the reading room of the state or territory office where the records are located. Advance notice of at least five business days is required before visits to view original records.

**Using this guide**

Each section of this guide lists relevant records relating to the subject covered. Records are listed as series (groups of records) or as items (individual records). An explanation of each element is provided below in a key.

| 1 | CORRESPONDENCE FILES, ALPHABETICAL SERIES, 1924-45 | A2937 |
| 2 | RECORDED BY: 1924-45 DEPARTMENT OF EXTERNAL AFFAIRS, LONDON (CA 1759) |
| 3 | QUANTITY: 8.56 METRES (CANBERRA) |
| 4 | This series holds files of the Department of External Affairs, London, otherwise known as the External Affairs Liaison Office London. The role of this office was to liaise between various British agencies and the Australian Government. It thus includes numerous files relating to war crimes. |
| 5 | War Crimes – Interrogation of ex-prisoners of war, 1945 | A2937, 304 |

**KEY**

1 Series title – the series title and the date range of the records that make up the series. A series is the organisational arrangement used by the National Archives to control and manage records. It may contain one or more items. Some series may contain hundreds or thousands of items. The series number is shown on the right-hand side. It provides the identifying number applied to the series.

2 Agency title – the agency responsible for the creation of the series. The number shown after the title provides the identifying number applied to the agency.

3 Quantity – gives the quantity in shelf metres of records in the series and the National Archives office where the series is located.

4 Description of series

5 Item title – the title given to an item within the series. The title is usually applied by the person or agency creating the record. Agencies created the file titles for their own internal use and often did not title them systematically or with details that would necessarily assist future researchers. Some items have very general titles such as ‘War Crimes Investigation’ often because the agency or section concerned had very few files on the subject and so had little need to be more specific. The National Archives has supplemented these titles where resources have allowed.

The date of the item contents is included at the end of the title. The item’s identifying number (control symbol) appears on the right-hand side, along with the number of the series.
Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

to which it belongs. In this example, the series number is A2937 and the control symbol is 304.

Wherever there are references to series in this guide, it is likely that a researcher will need to conduct further research to identify particular records within the series. This research can be conducted online using RecordSearch, or by checking hardcopy indexes or lists in National Archives reading rooms. Reading room staff can help with this research. Some series are only described at series level, with no individual items listed in RecordSearch.

In this guide the agency, series and item titles used on RecordSearch may have been modified to help with accessibility. Therefore, when searching for series or items it is recommended that a researcher uses series numbers and control symbols rather than titles.

Citing records

The correct citation of records is important, both when requesting records and referring to them in written or published works. Using proper citations not only helps staff locate records more readily, but also assists other researchers to find material. The correct form of citation for records held by the Archives is: ‘National Archives of Australia’ followed by a colon and a space, the series number followed by a comma and a space, then the item control symbol. For example:

National Archives of Australia: A2937, 304

‘National Archives of Australia’ may be abbreviated to ‘NAA’ provided the full name has been used in the first citation. Further details about correctly citing records are available in ‘Fact sheet 7 – Citing archival records’ available on the National Archives’ website (naa.gov.au).

Japanese names

Japanese names in this guide are given following Japanese custom, with surname first, except in the case of any authors who are more widely known for their English-language writings under their Western-style names. Macrons (such as ō, ū) have been included in names where the kanji (characters) for those names could be identified and read. Macrons have not been used in the case of well-known place names such as Tokyo.

Terminology for currency and measures

In 1966 Australia introduced a system of currency based on dollars and cents to replace pounds, shillings and pence. From the early 1970s the metric system of weights and measures began to replace the imperial system. No attempt has been made to convert those units expressed in imperial terms, however the following conversion scales may be applied:

- one pound (£1) = two dollars
- one shilling (1/–) (or 12 pence) = 10 cents
- one mile = 1.6 kilometres
- one acre = 0.4 hectares.

Military terminology

The Australian War Memorial has a helpful online glossary of military terms, available at awm.gov.au/learn/glossary
1. Introduction

That atrocities are an inevitable part of even a modern war was well known in Australia prior to World War I.\(^1\) That atrocities were also playing a part in the new war against Japan was very rapidly brought home to Australians in early 1942, as disturbing reports of breaches of the laws and usages of war began emanating from the field.

In April 1942, for instance, Australian military personnel who had escaped from the Japanese occupation of New Britain told horror stories to the press about ‘acts of ferocity’ by Japanese towards surrendered Australians.\(^2\) These included accounts of the ‘shocking’ and ‘cold-blooded’ massacre of Australian prisoners of war at Tol plantation, which had taken place in January 1942.\(^3\) Given that there had been semi-official reassurances after the fall of Singapore in early 1942 that Japan was properly treating Australian prisoners of war, and advice that the public should disregard ‘sensational stories’ and rumours spread by ‘morbid-minded people’,\(^4\) the impact of the horror stories was substantial.

One of the earliest Australian responses to alleged Japanese atrocities came in May 1942, when the Australian Army convened a Court of Inquiry which was instructed to inquire into and report on, among other things:

- any acts of terrorism or brutality practised by the Japanese against Australian troops
- the treatment of Australian prisoners of war by Japanese troops (including deaths occurring after capture)
- any breaches of International Law or rules of warfare committed by Japanese forces.\(^5\)

The Court of Inquiry found that the Tol massacre, for instance, had been established ‘beyond all possible doubt’ and that ‘[n]o excuse whatever existed for this outrage’, which was a clear and ‘most flagrant’ breach of international law.\(^6\) The Court of Inquiry also pointed out that the evidence that Australian prisoners of war being held by the Japanese in New Britain were being ‘reasonably well treated’ was ‘meagre’.\(^7\) While the Court of Inquiry’s report had limited circulation, a number of Australian Government departments and the military services were becoming ‘interested in this question of Japanese atrocities’.\(^8\)

By the end of 1942, only a year after the declaration of the war against Japan, the Australian Army had issued instructions to its commands that reports on allegations of breaches of rules of warfare be forwarded to Army Headquarters in Melbourne.\(^9\) In that same month, Australia also applied to be represented on the United Nations War Crimes Commission (UNWCC). In mid-1943, Sir William Flood Webb, the Chief Justice of the Supreme Court of Queensland, was given the first of three commissions to investigate and report on Japanese atrocities and war crimes.

\(^1\) Even as early as September 1914, various Australian newspapers instructed their readers at length on ‘what is fair fighting?’ and provided a list of ‘war crimes’ in response to claims that the Germans were committing them; see, for example, ‘War Crimes. What is Fair Fighting? Early Atrocities’, *Sydney Morning Herald*, 7 September 1914, p. 5.

\(^2\) Letter from Mr EG Bonney, Chief Publicity Censor to Mr [Brigadier] EG Knox, Director-General of Public Relations, Department of the Army, explaining the ‘background to Censorship policy with regard to enemy atrocities’, 3 December 1942, National Archives of Australia (NAA): A11663, PA33.

\(^3\) See, for example, ‘Jap Atrocities Against Australians’, *News* (Adelaide), 7 April 1942, p. 3; and ‘AIF Massacre. Survivor’s Story. Wholesale Murder. 125 Men Die; 2 Escape’, *West Australian* (Perth), 10 April 1942, p. 5.

\(^4\) From, for instance, Major General Gordon Bennett, the General Officer Commanding, Australian Infantry Force in Malaya, who had just controversially ‘escaped’ from the fall of Singapore: Adele Shelton Smith, ‘Special Interview with Major-General Bennett’, *Australian Women’s Weekly*, 14 March 1942, p. 7. See also ‘Gen Bennett’s Views on War Captives’, *News* (Adelaide), 11 March 1942, p. 3.

\(^5\) See the proceedings of the Court of Inquiry with Reference to Landing of Japanese Forces in New Britain, Timor and Ambon, Australian War Memorial (AWM): AWM226, 1/1.

\(^6\) Ibid, p. 23.

\(^7\) Ibid, p. 24.

\(^8\) Department of the Army Minute Paper, ‘Japanese Atrocities’, 7 April 1943, NAA: MP742/1, 336/1/1145.

\(^9\) Memorandum from Brigadier WJ Urquhart for Adjutant-General to the Secretary, Department of the Army attaching ‘Statement Concerning Action Taken to Apprehend Japanese War Criminals’, 27 September 1945, NAA: MP742/1, 336/1/980.
While the Australian Government, and the Army in particular, were quite active on the issue of Japanese atrocities during the war, the wartime censorship regulations meant that the Australian public remained rather uninformed about the subject. Edmund Bonney, the Chief Publicity Censor, was taken ‘severely to task’ over the fact that atrocity stories from New Britain had been passed for press publication. He warned all State Censors on 11 April 1942 that ‘further Japanese atrocity stories’ should be given ‘the closest scrutiny’. Indeed, the Advisory War Council – the bipartisan parliamentary body set up instead of a negotiated national government during the war – swiftly directed that ‘atrocity stories should not be published’, unless they were officially released under the name of a government minister, the chief of staff of an armed service or by General Headquarters and then only after it was decided whether the ‘probable effect on public morale would be good or bad’.

The Advisory War Council’s direction in early 1942 was effectively the start of concerted censorship of atrocity stories in Australia – and, therefore, censorship of knowledge of alleged Japanese war crimes. Censorship was authorised during the war under regulation 16 of the National Security (General) Regulations 1939 (Cth):

If it was necessary or expedient so to do […] in the interest of the public safety, the defence of the Commonwealth or the efficient prosecution of the war, or for maintaining supplies and services essential to the life of the community.

Under regulation 16, a Press Censorship Order was issued in October 1939, which specified a number of matters that were subject to censorship, prudently encompassing a variety of national security and military operational matters, and also:

Any other matter whatsoever information as to which would or might be directly or indirectly useful to the enemy or prejudicial to the public safety, the defence of the Commonwealth or of any other part of His Majesty’s dominions, the efficient prosecution of the war, or the maintenance of supplies and services essential to the life of the community.

In practice, this matter was interpreted from 1939 to 1944 as encompassing anything that might negatively affect public morale, which most definitely included press accounts of atrocities and war crimes committed by the enemy. Censorship directions that unofficial atrocity stories were not to be published were repeatedly issued by Bonney, the Chief Publicity Censor, throughout the war.

A.9. Atrocities. Publicity Censorship Directions, issued under the Press and Broadcasting Censorship Order, 31 October 1944. NAA: SP195/9, 11
After the war, there was a massive swell of publicity about Japanese atrocities, as personal accounts came from newly released Australian civilian internees and prisoners of war and returned service personnel. Press censorship was also lifted. The first of Sir William Webb’s war crimes reports was tabled in Parliament and lengthy extracts were republished in the press, often with graphic headlines.

Australian investigations into alleged Japanese war crimes kicked into high gear in late 1945 and prosecutions commenced in late November 1945. From 1945 to 1951 Australian Military Courts went on to try 812 accused Japanese of war crimes in 300 trials. Sir William Webb continued his war crimes career, as he was appointed as Australia’s judge and later President of the International Military Tribunal for the Far East, which tried Japanese major war criminals from 1946 to 1948.

Yet, after the flurry of postwar activity, it became reasonably difficult to acquire detailed knowledge of Australia’s war crimes investigations and prosecutions of Japanese. For many decades, war crimes investigation files and the trial proceedings were closed to the public. Even though the trial proceedings were finally opened for public access in 1975, the enormous wealth of Commonwealth records on war crimes investigations and prosecutions, scattered across several locations, has regrettably continued to preclude most scholars or researchers from delving into the area. The author hopes that this guide will help to remedy that situation, particularly as more and more records are digitised. For example, all of the Australian war crimes trial proceedings – bar a few large maps – are now online and freely available anywhere in the world, which is rare for post–World War II trials.

Researchers are advised that while the majority of war crimes records are now open to the public, a small minority of files (some of which are recorded here) are exempt from public access or are partially redacted. Under s33(g) of the Archives Act 1983 (Cth), a record is an exempt record if it contains ‘information or matter the disclosure of which under this Act would involve the unreasonable disclosure of information relating to the personal affairs of any person (including a deceased person)’. This section is often tripped in relation to war crimes files that contain documents dealing with identifiable victims of war crimes and atrocities that were perpetrated against them. In some cases, however, dedicated researchers will be able to identify persons whose names or personal information are redacted in some files. It is up to the individual researcher whether they choose to publish identifying information or not. For example, out of respect for descendants, the Australian War Crimes Trials project members at the Melbourne Law School have chosen not to publish the names of victims of cannibalism in their publications.

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16 The standard internationally-cited work on the Australian trials until recently, for instance, has remained Philip Piccigallo’s 1979 book, even though Piccigallo used newspaper reports of the trials, not the trial proceedings, for his analysis: Philip R Piccigallo, The Japanese on Trial: Allied War Crimes Operations in the East, 1945–1951, University of Texas Press, Austin, 1979, see Chapter 7 on ‘Australia and Other Commonwealth Trials (Canada, New Zealand)’, pp. 121–42.

What this guide covers

While Australians fought alongside the Allied powers in the European and Pacific theatres of World War II, and were the victims of atrocities in both, this guide covers generally only the Pacific theatre.

This decision reflects the reality that the bulk of Australian records on war crimes investigations and prosecutions concerns Japanese war crimes, not war crimes in Europe. Issues relating to war crimes in Europe were largely left by Australia to be dealt with by the United Kingdom. For example, while Australia made official reports to the United Nations War Crimes Commission of Australian cases of Japanese war crimes, the United Kingdom’s Treasury Solicitor’s Office made the official reports of Australia’s cases of German war crimes. Most significantly, of the 300 Australian war crimes trials, not a single one relates to the European theatre.

This guide covers:

- the Australian war crimes inquiries headed by Sir William Webb from 1943 to 1946 (Chapter 2)
- Australia’s involvement in the United Nations War Crimes Commission (as it covered both theatres of war) (Chapter 3)
- the Australian Army’s Directorate of Prisoners of War and Internees, which had charge of most of the postwar investigations and the war crimes trials (Chapter 4)
- files on war crimes investigations (Chapter 5)
- the War Crimes Act 1945 (Cth) and the Australian Military Court war crimes trials (chapters 6–7)
- the Australian War Criminals Compounds in which convicted war criminals were held (Chapter 8)
- the International Military Tribunal for the Far East, 1946–48, over which Sir William Webb presided (Chapter 9)
- the repatriation, parole and release of convicted war criminals (Chapter 10).

This guide also includes:

- a complete index of accused Japanese war criminals by surname (including their names in Japanese kanji script where known), which lists the charge/s they faced, trial location and outcome
- an index to the trial proceedings and related correspondence files in the archival records
- an index to the key documents in the digitised version of each trial.
2. The Australian War Crimes ‘Webb’ inquiries, 1943–46

Introduction

After the initial Army investigations into Japanese atrocities in early 1942, Australia’s national program to investigate alleged Japanese atrocities and war crimes got firmly underway in 1943. In response to a request by the Army in March 1943, Prime Minister John Curtin asked the Acting Attorney-General, John Beasley, in April 1943 to suggest a ‘suitable judicial appointment’ to undertake an inquiry into alleged Japanese atrocities.

Justice Roslyn Foster Bowie Philp of the Supreme Court of Queensland initially agreed to take the commission but withdrew when he became aware that the nature of the inquiry meant he would have to take evidence in New Guinea, which he was not prepared to do. Sir William Flood Webb, Chief Justice of the Supreme Court of Queensland, then agreed to undertake what became known as the Commission of Inquiry into Japanese Atrocities (CA 3866), which later became known more colloquially as the First Webb War Crimes Inquiry, after he had taken on the second commission.

Sir William Webb, c. 1947. NAA: C1748, PERSONALITIES/L8305

Webb was commissioned by Mr Beasley on 23 June 1943 pursuant to the National Security (Inquiries) Regulations 1941 (Cth). While Webb’s commission to conduct a

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19 Letter from Mr FM Forde for the Prime Minister to the Acting Attorney-General, 29 April 1943, NAA: A472, W18153 PART 1.
22 For Webb’s appointment, see letter from Prime Minister John Curtin to Mr FM Forde, Minister for the Army, 8 April 1943, NAA: MP742/1, 336/1/1145. For the regulations, see National Security (Inquiries) Regulations 1941 (Cth), Statutory Rules 1941, no. 35, made on 18 February 1941. The regulations ‘as made’ in 1941, and subsequent amendments, are available in full on the Federal Register of Legislation: www.legislation.gov.au.
government inquiry was publicly known (as Chief Justice, he could not just abruptly disappear from his position for lengths of time), the press was prohibited from speculation on the subject of the inquiry under a censorship instruction which was issued on 1 July 1943. The censors themselves were privately informed that the inquiry related to atrocities.\textsuperscript{23}

Indeed, Webb himself had ‘raised the matter of undesirable premature publicity’ in relation to the inquiry and ‘recommended censorship of any further additional reference to his appointment’.\textsuperscript{24}

Mr Keith G Brennan, who was legally trained, was seconded from the Department of the Army as Secretary to the Commission. Brennan had been associate to the Minister for External Affairs and Attorney-General Dr HV Evatt, when Evatt was a justice of the High Court of Australia from 1936 to 1940. Brennan later became a senior member of the Department of Foreign Affairs, including Australian ambassador to Ireland and Switzerland.\textsuperscript{25}

Mr Edwin JD Stanley of the Queensland Bar (later a judge of the Supreme Court of Queensland) was briefed by Mr Noel T Sexton of the Deputy Commonwealth Crown Solicitor’s Office to assist the Commission.\textsuperscript{26}

Webb was instructed to inquire into whether there had been ‘any atrocities or breaches of the rules of warfare on the part of members of the Japanese Armed Forces in or in the neighbourhood of the Territory of New Guinea or of the Territory of Papua’.\textsuperscript{27} During the course of the inquiry, Webb examined 471 witnesses, including Australians and Americans, at Brisbane, Rockhampton, Yungaburra, Sydney, Port Stephens, Melbourne, Port Moresby and Milne Bay, and considered 100 exhibits.\textsuperscript{28}

Although Webb was designated the Supreme Court’s Vacation Judge over Christmas in 1943 (that is, he was on call to deal with urgent judicial matters), he reported to the Secretary of the Attorney-General’s Department and Solicitor General, Sir George Knowles, that he was ‘giving the whole Vacation to the Atrocities Report’, as there was a ‘vast amount of evidence to consider’ – in fact ‘seven times as much as was anticipated’ when he was approached to take the commission.\textsuperscript{29} Knowles responded that ‘When I wished that job on to you I had no idea that it would prove such a huge task’ but thought that Australia was very fortunate in having appointed him.\textsuperscript{30}

The connection between Webb and the atrocities inquiry was finally made public on 31 January 1944, when Prime Minister John Curtin responded to accounts of Japanese atrocities revealed in the United Kingdom and the United States of America with his first detailed public comment on the subject.\textsuperscript{31} On the same day Evatt, as the Minister for External Affairs and Attorney-General, issued a lengthy statement on Webb’s commission, including the comment that Japan’s record of ‘crimes and barbarities’:

\textsuperscript{23} See Action Sheet for censorship instruction O2, 1 July 1943, NAA: SP106/1, PC551.
\textsuperscript{24} Reported in letter from the Acting Director General of Public Relations, Department of the Army, to the Chief Publicity Censor, 10 July 1943, NAA: SP109/3, 329/07. See the request for the Army to ask the Chief Publicity Censor to direct censorship on the ‘reason for the Chief Justice’s absence’ in letter from Brennan to Major Cummins, HQ, Qld L of C Area, 30 June 1943, NAA: J1889, BL43895/4.
\textsuperscript{26} Stanley briefly reminisces about his time working on the first Webb inquiry in his unpublished memoirs: EJD Stanley, ‘A Mingled Yarn: Being Recollections and Reflections’, held in both the Supreme Court of Queensland Library and in the Fryer Library, University of Queensland, UQFL252.
\textsuperscript{28} Lists of the places of hearing, names of witnesses and exhibits appear in ibid, third, fourth and fifth schedules.
\textsuperscript{29} Letter from Sir William Webb to Sir George Knowles 20 December 1943, NAA: A472, W18153 PART 1.
demonstrates Japan’s complete lack of civilised practice and stands as an indictment against the whole Japanese military administration and warrants the condemnation of the civilised world.\textsuperscript{32}

The first Webb report, entitled ‘A Report on Japanese Atrocities and Breaches of the Rules of Warfare’, was presented to the government on 15 March 1944.\textsuperscript{33}

Webb accepted an extension of his work on 24 February 1944 and was instructed in his new commission on 8 June 1944 to inquire into whether:
there have been any war crimes on the part of individual members of the Armed Forces of the enemy against any persons who were resident in Australia prior to the present war, whether members of the Forces or not.\textsuperscript{34}

The inquiry specifically encompassed the Japanese sinking of the hospital ship Centaur off Queensland in May 1943.

The deliberate broadening of the scope of the inquiry was to cover all matters that were within the purview of the United Nations War Crimes Commission in London (discussed in Chapter 3), in order to facilitate Australia’s official submissions on war crimes concerning Australians to the United Nations commission. Webb’s second appointment did not appear to be subject to censorship, for both his appointment and the subject matter of his inquiry were publicised.\textsuperscript{35}

Counsel was not briefed for the second commission, although Mr Sexton continued to assist. In July 1944 the commission’s secretary, Keith Brennan, was replaced by his brother John M Brennan, who was also legally trained. However, John Brennan suffered from repeated attacks of malaria and resigned in December 1944, without an immediate replacement. During the inquiry, Webb examined a further 110 witnesses at Melbourne, Sydney, Yungaburra and Brisbane.

By early 1945, Webb seemed to have become either weary of war crimes or of juggling government inquiries with his judicial workload in Queensland.\textsuperscript{36} After a tiring trip of several months to London to report on his work to the United Nations War Crimes Commission, he wrote to Evatt indicating his wish to retire from the position of war crimes commissioner.\textsuperscript{37}

Webb suggested that Brigadier E Gorman, a Victorian barrister in civilian life, or Mr JV Barry KC of the Victorian Bar could replace him as commissioner, and even personally sounded out Barry.\textsuperscript{38} Evatt apparently suggested to Sir William Glasgow that he might take over as commissioner.\textsuperscript{39} At the same time, however, Evatt urged Webb to continue his war crimes work with the comment:

I hope very much that you will continue the investigation of war crimes. You have established an outstanding reputation here in regard to the preparation and presentation of Australian charges and … it would be most regrettable if you were to give up after acquiring valuable knowledge of all aspects of this work.\textsuperscript{40}


\textsuperscript{34}See a copy of the instructions in ‘A Report on War Crimes by Individual Members of the Armed Forces of the Enemy against Australians by Sir William Webb’, October 1944, first schedule, NAA: A10950, 1. The second Webb inquiry was known more formally as the Australian War Crimes Commission [I], 1944–45 (CA 284).

\textsuperscript{35}See, for example, ‘Webb to Sift War Crimes’, Courier-Mail (Brisbane), 18 August 1944, p. 1.

\textsuperscript{36}In addition to the war crimes inquiries, Webb had also undertaken in the second half of 1944 an inquiry into censorship: see NAA: A472, W22283 PART 3. On Webb’s extra-judicial inquiries, see Peter Provis, ‘I hope to be of some real assistance to your government’: The Extra-Judicial Activities of Sir William Flood Webb, 1942–1948’, unpublished PhD thesis, Flinders University, 2015.

\textsuperscript{37}Letter from Sir William Webb to Dr HV Evatt, 27 February 1945, NAA: A10952, 6.

\textsuperscript{38}Telegram from Sir William Webb to Dr HV Evatt, 9 April 1945, NAA: A1066, H45/580/2/7.

\textsuperscript{39}Reported in letter from Sir William Webb to Mr N Makin, Acting Minister for External Affairs, 10 November 1945, NAA: A1066, H45/580/2/7.

\textsuperscript{40}Memorandum for the Acting Minister, ‘Continuation of the Australian War Crimes Commission’, 21 March 1945, NAA: A1066, H45/580/2.

\textsuperscript{41}Cablegram from Dr HV Evatt to Sir William Webb, 3 April 1945, NAA: A1066, H45/580/2.
Webb responded that he greatly valued Evatt’s response and reported that he was continuing to work concurrently on his commission and his judicial duties. Notwithstanding his attempt to retire as commissioner, Webb seemed to imply that he would continue, when he stated ‘assume your government will agree to further appointment [of] acting judge [to the Supreme Court of Queensland] should war crimes investigation require my whole attention.’ Evatt responded – probably with some relief that the status quo would continue – ‘Will assist you and Queensland Government in every way possible’.

The Queensland Government, however, was very reluctant to agree to Webb taking more time away from his judicial duties, citing the heavy workload of the Supreme Court. The Acting Premier, Edward Hanlon, advised the Prime Minister that, while the matter had been very carefully considered, the Queensland Government was ‘unable to accede to the wishes of the Commonwealth Government’ to release Webb from his duties.

Strong persuasion was applied by Acting Prime Minister, Ben Chifley, who pointed out that bringing the Japanese responsible for atrocities to justice was a ‘matter of supreme importance to the country as a whole’ and that Webb’s experience meant he was the ‘man most competent to carry out the important duties of War Crimes Commissioner’. The Queensland Government eventually agreed to Webb ‘continuing to do war crimes work in conjunction with State work, if that can be arranged without prejudice to the State work’.

Webb subsequently accepted a third commission in September 1945, this time to chair a Board of Inquiry to which Justice Alan James Mansfield of the Supreme Court of Queensland and Judge Richard Clarence Kirby of the New South Wales District Court were also appointed. However, the Board of Inquiry is typically referred to – even in its own correspondence – as the Australian War Crimes Commission (CA 3865).

A new secretary, Mr William E Cuppaidge, was also appointed. Counsel was not briefed but Webb sought for and gained the assistance of Lt Col Thomas B Stephens, a reserve officer from the Australian Army Legal Corps. The Board of Inquiry’s instructions, given on 3 September 1945, expanded the inquiry’s remit even further to embrace both British subjects and citizens of Allied nations. The Board was instructed to inquire into whether:

- any war crimes have been committed by any subjects of any State with which His Majesty has been engaged in war since the second day of September, one thousand nine hundred and thirty-nine, against any persons who were resident in Australia prior to the commencement of any such war whether members of the Defence Force or not, or against any British subject or against any citizen of an allied nation.

The Board was given a list of 35 war crimes with its instructions (Appendix A). It was essentially the list drawn up by the post–World War I Allied Commission on Responsibility of the Authors of the War and on Enforcement of Penalties in 1919, together with a few additional items: crimes against peace, cannibalism and mutilation of the dead.

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42 Telegram from Sir William Webb to External Affairs, 7 April 1945, NAA: A1066, H45/580/2.
43 Cablegram from Dr HV Evatt to Sir William Webb, 12 April 1945, NAA: A1066, H45/580/2.
44 Letter from EM Hanlon, Acting Premier of Queensland to the Prime Minister, 30 April 1945, NAA: A1066, H45/580/2.
45 Letter from Acting Prime Minister JB Chifley to the Acting Premier of Queensland, 23 May 1945, NAA: A1066, H45/580/2.
46 Letter from EM Hanlon, Acting Premier of Queensland to the Acting Prime Minister, 13 June 1945, NAA: A1066, H45/580/2.
Webb and Mansfield’s relations with Kirby went slightly awry in October 1945, when Kirby sought Commonwealth government approval to be detached to Lord Mountbatten’s headquarters in Kandy without first discussing the proposal with his fellow commissioners.\footnote{Cablegram from Judge Kirby to Acting Minister of External Affairs and others, 8 October 1945, NAA: A1066, H45/580/2/7.} Webb advised Evatt that Kirby’s action in not addressing his ‘colleagues alone in the first instance’ was regrettable and that, while detachment was a matter for the government to decide, he was ‘far from happy about this development’. Webb pointed out that detaching Kirby to be a ‘mere Australian war crimes liaison officer on Lord Mountbatten’s staff’ would greatly increase the evidence-gathering burden on himself and Mansfield.\footnote{Teleprinter message from Sir William Webb to Dr HV Evatt, 8 October 1945, NAA: A1066, H45/580/2/7.}

Mansfield seemed to concur, writing to Webb that Kirby’s action in directly addressing government ministers was ‘certainly extraordinary’. Mansfield thought that Webb’s response to Kirby was fully justified.\footnote{Letter from Justice Alan Mansfield to Sir William Webb, 11 October 1945, NAA: A6238, 3.} Kirby quickly apologised and accepted Webb’s opinion that he should have communicated in the first instance with his colleagues, although he did not think his action had ‘displayed lack of trust or co-operation between the commissioners’. Kirby argued that he had been prompted by the need for an urgent decision and was still in favour of being detached to Lord Mountbatten’s staff, although he did not agree that this would reduce him to a ‘mere Liaison officer’.\footnote{Cablegram from Judge Kirby to Canberra and repeated to London for Dr Evatt, 9 October 1945, NAA: A1066, H45/580/2/7.} The detachment did not go ahead.

Workloads for the war crimes commissioners did become more urgent a short time later when Mansfield was sent to London to assist the United Nations War Crimes Commission and Kirby was released to undertake a Royal Commission in Tasmania. Webb suggested in November 1945 that Mr Barry KC be appointed as a commissioner.\footnote{10 November 1945, NAA: A1066, H45/580/2/7.}
However, only a month later Webb seemed to acknowledge that the main work of the Board of Inquiry – the taking of evidence of atrocities from witnesses – was being overtaken by events. The Army was now taking the lead in investigating and prosecuting war crimes. Moreover, the war crimes commissioners did not have a role in the Australian Military Court war crimes trials, which were already running in several locations.

Webb recommended to the government that no further commissioners be appointed but asked for Barry’s help on a part-time basis to assist him with drafting the final report.\(^{54}\) Despite Webb’s recommendation, on 5 January 1946 Justice Philp, who had turned down the original war crimes commission in 1943, was appointed as a commissioner.\(^{55}\) Philp subsequently took evidence in Sydney and Melbourne.

By the end of the inquiry, a further 248 witnesses had been examined. The final report was signed by Webb and Mansfield on 31 January 1946. As Webb had belatedly realised, however, the bulk of war crimes investigative and prosecutorial duties had been, by late 1945, effectively taken over by the Australian Army, whose role will be discussed in Chapter 4.

**The Webb reports**

The three comprehensive reports that Webb (and his fellow commissioners in respect of the third report) produced are, not surprisingly, known as the Webb reports. However, details of the evidence being gathered from witnesses and the review of captured Japanese documents throughout 1943–45 remained closely held.

As Webb himself described in his first report in March 1944, he had been amply instructed from the very beginning of the need for ‘the utmost secrecy’ and that, when the subject matter of the inquiry was discussed in military correspondence, it was classified as ‘most secret’.\(^{56}\) He advised that he had, therefore, heard all evidence in camera, as he was empowered to do,\(^{57}\) and had warned each witness that their evidence was ‘most secret’.\(^{58}\) He also recommended against publishing any part of his first report.\(^{59}\)

When completed, the Webb reports were provided to the Australian Government under the terms of the various commissions, and summaries were provided to the United Nations War Crimes Commission and selected Allied nations, including the United Kingdom, several other British Commonwealth nations (including Canada and New Zealand) and the United States. Copies of the full reports and the summaries were typically marked ‘secret’.\(^{60}\)

The Australian Government did, apparently, briefly consider whether to make public all or some of the first Webb report in 1944. Certainly, the regulations under which Webb’s inquiries took place appeared to contemplate the eventual publication of the reports, as they offered protection against civil or criminal proceedings (such as defamation) being instigated against any person ‘publishing in good faith for the information of the public’.\(^{61}\)

Conferral with the United Kingdom and the United States about possible publication of the first Webb report, however, revealed that they ‘did not favour any further publicity on

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\(^{54}\) Letter from Sir William Webb to Major General CEM Lloyd, Adjutant-General, 10 December 1945; and letter from Sir William Webb to Mr N Makin, Acting Minister for External Affairs, 10 December 1945, NAA: A1066, H45/580/2/7.

\(^{55}\) For a copy of Philp’s appointment, see NAA: A6238, 5.


\(^{57}\) The whole or part of an inquiry’s proceedings might be ‘heard in private’ if the commissioner ‘considers that it is desirable in the public interest to do so’: see National Security (Inquiries) Regulations, r 15.


\(^{59}\) Ibid, p. 5.

\(^{60}\) See, for example, the draft ‘Summary of Report on Japanese Atrocities and Breaches of the Rules of Warfare presented to His Majesty’s Government in the Commonwealth of Australia on March 15, 1944, by Sir William Webb Kt’, which is marked as the secret copy for Evatt, NAA: A1066, H45/580/2/8/1. The summary despatched to the Australian Legation in Washington DC is in NAA: A3300, 316A.

\(^{61}\) National Security (Inquiries) Regulations, r 16.
Japanese atrocities at present’. The Australian Government decided in early July 1944, therefore, not to publish a detailed statement regarding the atrocities disclosed by Webb’s first inquiry.

Atrocity stories were routinely censored during the war pursuant to the censorship imposed by the National Security (General) Regulations 1939 (Cth). But, this time, the decision against publishing the first Webb report was seemingly not on the ground of the probable effect it might have on public morale, which was usually the rationale given for censorship of atrocity stories. Rather, the issue of whether to publish or publicise the Webb report became a fundamental part of broader and complex Allied policy discussions regarding the publicity campaign aimed at Japan in general (which encompassed propaganda about Japanese atrocities) and, in particular, the likely effect of further publicity of atrocity stories on efforts that were then ongoing to secure better Japanese treatment of Allied prisoners of war and internees.

Indeed, as Evatt informed the Advisory War Council, in making the decision not to publish the Webb report, the government had given ‘regard to the interests of the Australian prisoners of war in Japanese hands’. Prime Minister Curtin thus simply announced in July 1944 that the Webb report would ‘not be made public at present’. Instead, the Australian Government advised that Webb had received a second commission in order to continue his investigations; that the results of Webb’s inquiries would eventually be brought before the United Nations War Crimes Commission; and that Australia was ‘determined that those individuals responsible for atrocities shall be brought to justice and punished’.

When the war ended in September 1945 and censorship was about to be lifted, the imminent public release of the first Webb report saw it described in the press as ‘perhaps the most horrifying war document yet compiled’. Although the full report was classified ‘top secret’, extracts were laid before Parliament on 12 September 1945 and, when they were widely published in the press, caused a storm of public outrage. The third and final report, which was signed on 31 January 1946, was laid before Parliament on 10 April 1946 but to much less press attention.

Due to the onerous task of re-typing, only a handful of complete copies of the transcripts, exhibits and reports of the three Webb inquiries were ever made. For example, only one copy of the first Webb report was in existence in March 1945. A year later in March 1946, there were three copies of the first report: one copy was known to be in use by the Army at the Australian war crimes trials but the whereabouts of the other two copies were unknown. Similarly, only five copies of the third and final report were made and Parliament did not decide to print it.

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62 Reported in Advisory War Council Minute, 19 October 1944, NAA: A2680, 22/1945.
64 National Security (General) Regulations 1939 (Cth), Statutory Rules 1939, no. 87, made on 13 September 1939. The regulations ‘as made’ in 1939, and subsequent amendments, are available in full on the Federal Register of Legislation; www.legislation.gov.au.
66 ‘Atrocities Report Not to be Published Yet’, Advertiser (Adelaide), 6 July 1944, p. 5.
67 ibid.
69 Reported in memorandum from the Secretary of the Department of External Affairs to Webb, 14 March 1947, NAA: A1067, UN46/WC/11. The report was finally declassified in April 1947, with Webb’s concurrence, given that a number of requests to review it had been received from Commonwealth Government departments, individuals and law firms (reportedly for probate purposes): see further correspondence in NAA: A1067, UN46/WC/11.
70 As advised in letter from the Department of External Affairs to the Chancery, Australian Legation, Washington DC, 9 March 1945, NAA: A3300, 316A.
71 Cablegram from the Department of External Affairs to the Australian Government Representative, Tokyo, 4 March 1946, NAA: A1067, UN46/WC/11. Indeed, extracts from that report were tendered at several trials in Rabaul, including the trial of General Imamura Hitoshi, NAA: A471, 81635 PARTS A–F.
72 Letter from the Secretary of the Department of External Affairs to F/O T Westley, RAAF, 29 April 1946, NAA: A1067, UN46/WC/11.
The extremely limited distribution of copies created some difficulty when the original evidence and exhibits that were the basis of the first Webb report were urgently sought for use at the International Military Tribunal for the Far East in Tokyo, which is discussed in Chapter 9. Although these sorts of problems would not arise today, researchers are still hampered by the limited number of copies and distribution of the Webb reports.

Webb after the inquiries

Webb’s name joined a very select list when candidates were being considered in late 1945 and early 1946 for the position of Australian judge to the International Military Tribunal for the Far East. Webb was nominated in January 1946 as the Australian judge and, in May 1946, was also appointed to the bench of the High Court of Australia. Relations between Webb and Kirby appeared to have been restored by this point, as Kirby wrote from Hobart to congratulate Webb on his appointment and, at the same time, conveyed that it had been ‘very pleasing’ to him that he had been earlier selected to serve with Webb. In turn, Webb thanked Kirby for his ‘nice letter’ and recalled their ‘pleasant association’ together on the commission.

Overview of the records

This chapter sorts records into several sections:

- the report, transcript and exhibits for each inquiry
- the administrative, correspondence and other files of each of the inquiries
- the files of various government departments relating to the inquiries
- the issue of publicising Japanese atrocities.

Files held at the Australian War Memorial are listed separately at the end.

The First Inquiry

**COPIES OF ‘A REPORT ON JAPANESE ATROCITIES AND BREACHES OF THE RULES OF WARFARE BY SIR WILLIAM WEBB KT’ [FIRST WEBB REPORT], 1944** A10943

Recorded by: 1944 Commission of Inquiry into Japanese Atrocities (CA 3866)

Quantity: 0.18 metres (Canberra)

This series contains two copies of the first Webb report, dated 1 March 1944. The first copy appears to be a draft, as it contains annotations. The second copy is an unsigned final copy of the report.


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73 See, for example, the cablegram from Tokyo asking for the original evidence and exhibits which formed the basis of the first Webb report to be sent to Tokyo on an ‘urgent’ basis: cablegram from the Australian Government Representative, Tokyo to External Affairs, 2 March 1946, NAA: A1067, UN46/WC/11.

74 Letter from Judge RC Kirby to Sir William Webb, 17 April 1946 and letter in response from Webb to Kirby, 29 May 1946, NAA: M1418, 3.

75 Three full copies and a partial copy of this report are also held in a file entitled ‘War – Webb report on Japanese Atrocities 1944’, in the HV Evatt Collection, Flinders University Library, Special Collections.
TRANSCRIPT OF THE HEARINGS OF THE COMMISSION OF INQUIRY INTO JAPANESE FORCES ATROCITIES, 1943–44

Recorded by: 1943–44 Commission of Inquiry into Japanese Atrocities (CA 3866)

Quantity: 0.36 metres (Canberra)

This series of 11 files contains the original typed and amended transcript of the hearings of the first inquiry, each page signed by Webb as the commissioner and by the witnesses being heard. The pages are numbered sequentially from pp. 1–1899 but pp. 179–336 were (for an unknown reason) never used. Most of the files are classified as ‘open with exception’. Other topics covered included the Japanese treatment of Allied populations, including ‘natives’, nuns and missionaries; torture and massacres (including the Tol massacre); the bombing of hospitals and medical stations; and the use of explosive bullets.

Transcript of hearings of the Inquiry into Japanese Forces Atrocities (Webb Commission) held: 6 July 1943, New Guinea
Original: pages 1–37

This is the first part of the transcript.

TRANSCRIPT OF ADDRESS BY COUNSEL STANLEY TO COMMISSION OF INQUIRY INTO JAPANESE ATROCITIES, 1944

Recorded by: 1944 Commission of Inquiry into Japanese Atrocities (CA 3866)

Quantity: 0.18 metres (Canberra)

This series of six files contains an address by Mr EJD Stanley, counsel to the inquiry, made after the end of hearings. It presents the evidence received by the inquiry in an organised sequence.

Transcript of address given to War Crimes Commission by Counsel to the Commission, Mr Edwin JD Stanley, 1944

This is the first part of the transcript.

EXHIBITS OF THE COMMISSION OF INQUIRY INTO JAPANESE FORCES ATROCITIES, 1943–44

Recorded by: 1943–44 Commission of Inquiry into Japanese Atrocities (CA 3866)

Quantity: 0.63 metres (Canberra)

This series contains the 100 exhibits that were tendered during the first inquiry, each in a separate file. All exhibits, apart from numbers 1, 4 and 21 are held. (According to the inquiry transcript, these missing exhibits were maps.) The exhibits include extracts of written statements, reports, sketches, correspondence, photographs and captured Japanese papers. The title of each item in the series helpfully describes the exhibit, including its author (if any), and often gives a transcript reference point at which it was tendered.

National Security (Inquiries) Regulations: Inquiry by Sir William Webb; Keith G Brennan, Secretary – 10 August 1943
[Yungaburra, Atherton Tablelands, Queensland: List of nine questions regarding breaches of the laws and usages of war on the
part of the Japanese, given to Sergeant John Thomas Donohue, 2/1st Infantry Battalion, ‘A’ Company, 1943

This exhibit is a proforma of the one-page list of nine questions drawn up by Mr Stanley that formed the basic starting point for the questioning of witnesses.

National Security (Inquiries) Regulations: Inquiry by Sir William Webb; Keith G Brennan, Secretary – 7 March 1944 [Brisbane – Copy of Allied Translator and Interpreter Section, Southwest Pacific Area, Information Bulletin No 10, dated 6 March 1944: Special copy for Commission regarding breaches of the rules of warfare by the Japanese forces – comprises translations and photostat copies of captured documents and reports of the interrogation of certain prisoners], 1944

This exhibit comprises a large Allied Translator and Interpreter Section report on translated captured material concerning ‘Japanese violations of the Laws of War’ and was regarded as ‘highly confidential’.

The basic list of questions asked of witnesses. NAA: A6237, EXHIBIT 33

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76 A large number of these completed questionnaires can be found in NAA: J1889, BL43895/19.
The Second Inquiry

'A REPORT ON WAR CRIMES BY INDIVIDUAL MEMBERS OF THE ARMED FORCES OF THE ENEMY AGAINST AUSTRALIANS BY SIR WILLIAM WEBB KT' [SECOND WEBB REPORT], 1944

Recorded by: 1944 Australian War Crimes Commission [I] (CA 284)

Quantity: 0.09 metres (Canberra)

This series comprises an unsigned copy of the second Webb Report, dated October 1944.

A Report on War Crimes by Individual Members of the Armed Forces of the Enemy against Australians by Sir William Webb [Report to the Attorney-General and Minister for External Affairs, Dr Evatt], 1944

TRANSCRIPT OF EVIDENCE TAKEN AT THE INQUIRY INTO WAR CRIMES BY INDIVIDUAL MEMBERS OF THE ARMED FORCES OF THE ENEMY AGAINST AUSTRALIANS CONDUCTED BY SIR WILLIAM WEBB, 1944

Recorded by: 1944 Australian War Crimes Commission [I] (CA 284)

Quantity: 0.09 metres (Canberra)

This series comprises two copies of the transcript of hearings of the second inquiry.

Transcript of evidence taken before the Inquiry on War Crimes by Individual Members of the Armed Forces of the Enemy against Australians. Copy 1, 1944

FILES OF THE COMMISSION OF INQUIRY ON WAR CRIMES AGAINST AUSTRALIANS COMMITTED BY INDIVIDUAL MEMBERS OF THE ARMED FORCES OF THE ENEMY, 1944

Recorded by: 1944 Australian War Crimes Commission [I] (CA 284)

Quantity: 0.27 metres (Canberra)

This series of 11 items comprises the files of the commission, including reports, documents and correspondence. Several files also contain the Australian charges against Japanese war criminals which were submitted to the United Nations War Crimes Commission, the first of which related to the ill-treatment and murder of Flt Lt WE Newton VC in New Guinea in March 1943. Other commission files are held in series J1889, listed later in this chapter.

Australian War Crimes Commission. General file, 1944–45

Commissioner’s personal papers, 1944–45

Australian charges against Japanese war criminals, file 1, 1945

Australian charges against Japanese war criminals, file 2, 1945
The Third Inquiry

'AUSTRIALIAN WAR CRIMES BOARD OF INQUIRY: REPORT ON WAR CRIMES COMMITTED BY ENEMY SUBJECTS AGAINST AUSTRALIANS AND OTHERS' [BY SIR WILLIAM WEBB; KNOWN AS THE THIRD WEBB REPORT], 1946

Recorded by: 1946 Australian War Crimes Commission [II] (CA 3865)
Quantity: 0.29 metres (Canberra)

The original third Webb Report, dated January 1946 is held by the House of Representatives. The Archives holds a microfilm copy from which a digital copy has been made. Consult the digital copies online, attached to the following item descriptions.

A11049, ROLL 1

Report on War Crimes Committed by Enemy Subjects against Australians and Others by Sir William Webb: Volume 2, part 1 (continued) and part 2 Appendices (copy), 1945–46
A11049, ROLL 2

GENERAL CORRESPONDENCE FILES, SINGLE NUMBER SERIES, 1945–46

Recorded by: 1945–46 Australian War Crimes Commission [II] (CA 3865)
Quantity: 0.54 metres (Canberra)

This series comprises 24 general files of the Australian War Crimes Commission, dealing with matters of administration, finance, correspondence and other documents relating to the inquiry. The series includes separate files for commissioners Justice Mansfield, Judge Kirby and Justice Philp, which compile correspondence and other documents.

Australian War Crimes Commission: Personal and Administrative, 1945–46
A6238, 2

Australian War Crimes Commission: Mr Justice Alan James Mansfield, 1945–46
A6238, 3
This file contains some interesting correspondence between Mansfield and Webb recording not only their opinions on the investigations in late 1945 but also on other war crimes matters then at issue.

Australian War Crimes Commission: Judge Richard Clarence Kirby, 1945–46
A6238, 4

Australian War Crimes Commission: Roslyn Foster Bowie (Ross) Philip J, 1945–46
A6238, 5

A6238, 6
This file contains what appears to be the original Instruments of Appointment from 1943, 1944 and 1945 and a credential document signed by Dr HV Evatt for Webb in August 1945, in advance of the third commission.
Credentials signed by Dr HV Evatt for Webb, August 1945. NAA: A6238, 6

**UNNUMBERED FILES OF THE COMMISSION OF INQUIRY ON WAR CRIMES COMMITTED BY ENEMY SUBJECTS AGAINST AUSTRALIANS AND OTHERS, 1945–46**

Recorded by: 1945–46 Australian War Crimes Commission [II] (CA 3865)

Quantity: 0.54 metres (Canberra)

This series contains 24 miscellaneous files of the third Webb inquiry, including copies of various Allied Translator and Interpreter Section research reports on Japanese violations of the laws of war and various Australian Military Forces, United Nations War Crimes Commission and South East Asia Command lists of war criminal suspects which are also recorded elsewhere in this guide.


This file contains a small amount of correspondence to and from Webb in the period June 1943 to August 1945, during which time he headed the Commission of Inquiry into Japanese Atrocities and the Australian War Crimes Commission [I] and commenced work on the Australian War Crimes Commission [II]. Included is a personal letter from Evatt inviting Webb to renew his commission in February 1944 and the minutes of the first meeting of the commissioners of the third inquiry on 25 August 1945.
Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

Interrogations of Japanese: Justice Alan James Mansfield’s file of identifications and interrogations of Japanese by himself at Morotai 20 October 1945 and of those conducted at Labuan before his arrival, 1945

While the bulk of this file is interrogation reports, there is also some interesting correspondence from Webb to Mansfield.

**Prime Minister’s Department**

**CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES (THIRD SYSTEM)**

1934–50

Recorded by: 1934–50 Prime Minister’s Department (CA 12)

Quantity: 161.92 metres (Canberra)

**Enemy breaches of the rules of warfare (including Japanese atrocities) Part 1 [First section], 1942–46**

This file includes a summary of the Army’s 1942 Court of Inquiry report, a signed letter from Mr Beasley to Prime Minister Curtin advising of the selection of Webb to undertake an atrocities inquiry and other matters related to the inquiries.

**Department of Defence and Department of the Army**

**SHEDDEN COLLECTION [RECORDS COLLECTED BY SIR FREDERICK SHEDDEN DURING HIS CAREER WITH THE DEPARTMENT OF DEFENCE AND IN RESEARCHING THE HISTORY OF AUSTRALIAN DEFENCE POLICY], TWO NUMBER SERIES, 1937–71**

Recorded by: 1937–39 Department of Defence [II], (Central Administration) (CA 19)

1937–71 Sir Frederick Geoffrey Shedden KCMG, OBE (CP 320)

1939–42 Department of Defence Co-ordination, Central Office (CA 37)

1942–71 Department of Defence [II], Central Office (CA 46)

Quantity: 218.74 metres (Canberra)

This series contains records collected by Sir Frederick Shedden during his career with the Department of Defence and afterwards as a part of his research on the history of Australian defence policy.

**Japanese Atrocities: newspaper clippings and correspondence, 2 February 1942–14 March 1946**

This file contains newspaper clippings and correspondence on Japanese atrocities, including the need for a judicial authority to investigate war crimes.

**SECRET CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES WITH ‘401’ INFIX, 1936–45**

Recorded by: 1936–39 Department of Defence [II], Central Administration (CA 19)

1939–45 Department of the Army, Central Office (CA 36)
Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

Quantity: 26.31 metres (Melbourne)

This series comprises Army Headquarters correspondence files.

**War Crimes Commission, 1944**

MP729/6, 12/401/376

**SECRET CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES, 1945–55**

Recorded by: 1945–55 Department of the Army, Central Office (CA 36)

Quantity: 17.53 metres (Melbourne)

This series comprises Army Headquarters correspondence files.

**War Crimes Commission: reports received after the departure of the Commission to the UK, 1944–45**

MP729/8, 12/431/5

**War Crimes Commission, 1945**

This file includes correspondence from Webb to the Secretary of the Department of the Army in October 1945 advising that the Commission would now confine itself to limited activities.

**GENERAL AND CIVIL STAFF CORRESPONDENCE FILES AND ARMY PERSONNEL FILES, 1943–51**

Recorded by: 1943–51 Department of the Army, Central Office (CA 36)

Quantity: 170.08 metres (Melbourne)

This series contains numerous files relating to war crimes, most of which are recorded elsewhere in this guide.

**Commission on Japanese atrocities – expenses, 1943–45**

MP742/1, 1/10/37

This appears to be the main Army file regarding expenses for the first inquiry, including the cost of Webb’s salary and the authorisation for the expenditure of £2.9.11 to be paid to the Government Printer, Brisbane, for the cost of printing three copies of the first report.

**Sinking of “Centaur” Preliminary Investigation by Sir William Webb, War Crimes Commission, 1944**

MP742/1, 299/3/114

**War crimes interrogation of named personnel by Australian War Crimes Commission, 1945**

MP742/1, 336/1/74

This file deals with the arrangements for Webb to take evidence from various high-ranking or otherwise significant witnesses, including the handful of survivors of the Sandakan to Ranau death marches.

**War Crimes Commission – Organisation and functions, etc, 1945–46**

MP742/1, 336/1/216

**War criminals – Establishment of United Nations Commission, Australian War Crimes Commission, etc; war crimes – crimes against humanity, 1942–47**

MP742/1, 336/1/1145

This file includes internal Army matters, such as the organisation of Army witnesses to appear to give evidence.
Sir William Webb’s Report, etc, 1947
This file includes correspondence with Webb after excerpts from his first report were tendered at war crimes trials at Rabaul and his report received some negative press publicity.

**Department of External Affairs**

**CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES WITH YEAR PREFIX, 1942–45**

Recorded by: 1942–45 Department of External Affairs [II], Central Office (CA 18)

Quantity: 34.29 metres (Canberra)

This series deals with a range of subject matters concerning Australia’s relations with other countries specifically in the context of World War II. As such, it contains a number of files concerning atrocities generally and the war crimes inquiries.

- **Post War Reconstruction Atrocities (1)b Evidence of atrocities – Japanese, 1942–45**
- **Post War Reconstruction Atrocities (2) pronouncements, 1940–44**
- **Post War Reconstruction Atrocities (4) policy, 1941–44**
- **Post War Reconstruction Atrocities – Japanese atrocities – Tarawa executions, 1944**
- **Post War Reconstruction Atrocities – Commission for Investigation of War Crimes Committed against Australians, 1943–1944**

This file contains Evatt’s request to Webb to renew his commission in 1944 and Webb’s acceptance. It also contains Webb’s suggestion to appoint John Brennan as the new secretary to the commission.


This file contains the travel, expense and insurance details regarding Webb’s visit to the United Kingdom in late 1944 and early 1945, when he presented his findings to the United Nations War Crimes Commission.
An official air travel request for Sir William Webb, November 1944. NAA: A989, 1944/735/580/2/1

CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES WITH YEAR AND LETTER PREFIXES [MAIN CORRESPONDENCE FILES SERIES OF THE AGENCY]  A1066

Recorded by:  1945  Department of External Affairs [II], Central Office (CA 18)

Quantity: 34.56 metres (Canberra)

This series includes a number of files in the subject classification H45/580/* relating to atrocities generally and the war crimes inquiries. A small selection is listed below.

Atrocities: War Crimes Progress Report, July 1945 [includes progress reports dated 3 August, 19 October and 29 November 1945], June–December 1945.  A1066, H45/580/1/2

This file contains documents relating to the third inquiry, including a report by Webb to the acting minister dated 29 November 1945 on the progress of war crimes investigations. The subsequent file (A1066, UN46/WC/9) includes a progress report for 14 January 1946.
Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

Atrocities: Commission for Investigation of War Crimes Committed against Australians [correspondence], 1943–45  
A1066, H45/580/2

This appears to be the main file for correspondence to, from and about the war crimes inquiries. It includes a chain of correspondence dealing with Webb’s presentation of materials to the United Nations War Crimes Commission from late 1944 to early 1945 and his attempt to resign from his commission in early 1945.

Atrocities: Commission for Investigation of War Crimes against Australians – Personnel, 1945  
A1066, H45/580/2/2

Atrocities: Commission for Investigation of War Crimes Committed again Australians, 1945  
A1066, H45/580/2/7

This file contains correspondence from August to December 1945 on matters including the appointments of Justice Mansfield and Judge Kirby; the problems that arose when Kirby asked to be seconded to Lord Mountbatten’s staff; and the eventual appointment of Justice Philp as a commissioner.

A1066, H45/580/2/7/1

A1066, H45/580/2/8/1

This appears to be a draft in progress of a summary of the first Webb report for Dr HV Evatt as Attorney-General. It is drawn directly from the text of the first report.

Staff: War Crimes Commission, 1945–49  
A1066, S45/50

Includes lists of staff employed by the Commission and some details of salaries and allowances.

War Crimes Commission – office accommodation in Brisbane, 1945  
A1066, S45/152

CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES WITH YEAR AND LETTER PREFIXES, 1946  
A1067

Recorded by: 1946 Department of External Affairs [II], Central Office (CA 18)

Quantity: 32.22 metres (Canberra)

This series contains some files relevant to the war crimes inquiries, although the department’s focus by this stage had shifted to the Australian and international war crimes trials.

Judge Richard Clarence Kirby: War Crimes Commission, 1946  
A1067, T46/352

A1067, UN46/WC/11

This file includes correspondence from late 1945 into 1947 dealing with the release of Judge Kirby, the appointment of Justice Philp, the writing up and publication of the third and final report and hunts in early 1946 to find copies of the transcripts, exhibits and reports so that they could be used at the International Military Tribunal for the Far East in Tokyo. It also includes a helpful set of lists of files and
documents which were handed over by the Australian War Crimes Commission to the Army’s Directorate of Prisoners of War and Internees.

'CUMPSTON COLLECTION' OF DOCUMENTS RELATING TO THE HISTORY OF AUSTRALIAN FOREIGN POLICY, 1960–69

Recorded by: 1960–69 Department of External Affairs [II], Central Office (CA 18)

Quantity: 72.19 metres (Canberra)

This series contains files accumulated by Dr John Stanley Cumpston, a longstanding employee and departmental historian of External Affairs from 1959 to 1969. Since then, his collection (with contents from about 1870 to 1969) has been assessed for retention/destruction and some items have been re-sorted into their original External Affairs series. The Cumpston Collection today is what remains: a significant body of files on numerous subjects concerning External Affairs and the history of Australian foreign policy. While the series contains numerous files with ‘Australian War Crimes Commission’ in the title, most of these files relate to the United Nations War Crimes Commission or the International Military Tribunal for the Far East and do not really concern the war crimes inquiries.

Australian War Crimes Commission. Transcript of evidence given at inquiry into the sinking of HMAS CENTAUR, 1944

Folder – Australian War Crimes Commission – Cases of atrocities against Australians, 1942–45

This file contains information compiled by External Affairs on cases of atrocities, number WC 1 to WC 53 marked for submission to the Australian War Crimes Commission

Attorney-General’s Department

CORRESPONDENCE FILES, SINGLE NUMBER SERIES WITH ‘W’ [WAR] PREFIX, 1939–49

Recorded by: 1939–49 Attorney-General’s Department, Central Office (CA 5)

Quantity: 25.56 metres (Canberra)

This series contains files arising from wartime legislation. It includes a set of four correspondence files concerning the war crimes inquiries, dealing with the Prime Minister’s request to the Attorney-General to identify a ‘suitable judicial authority’ to hold an inquiry; the initial attempt to commission Justice Philp, Webb’s commission; other staff appointments; and the exact scope of the inquiries. Other matters discussed include Webb’s salary and allowances, the fees charged by counsel and the reimbursement required to Queensland for the cost of judges to act in place of Webb and, later, Justice Mansfield.


2. Manus Islands Trials – Mr Justice Townley, 1950–51  

<table>
<thead>
<tr>
<th>War Crimes – Salaries of Acting Judges in Queensland, 1945–46</th>
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</thead>
<tbody>
<tr>
<td>A472, W18153 PART 3</td>
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</table>

**Deputy Crown Solicitor, Brisbane**

**CORRESPONDENCE FILES, SINGLE NUMBER SERIES WITH 'BL' [BRISBANE LEGAL] PREFIX, 1942–63**  
**J1889**

Recorded by: Deputy Crown Solicitor, Brisbane, Queensland (CA 886)

Quantity: 49.32 metres (Brisbane)

This series contains the Deputy Crown Solicitor’s files of correspondence and legal documents, such as transcripts, judgments and other papers. It contains 55 files relating to the first inquiry in items with the prefix BL43895/, including administration and correspondence files, lists of witnesses and exhibits, a copy of Mr Stanley’s address to the commission in 1943 (also held in A10948) and several drafts of the first report, some with extensive amendments and marginalia. Some files relating to witnesses and evidence heard are closed or open with exemption. It also contains two files concerning Webb’s investigation in late 1944 into the May 1943 sinking of the *Centaur* hospital ship. A select number are listed below.

**National Security (Inquiries) Regulations – Enquiry by Mr Justice Webb into alleged atrocities by Japanese forces in New Guinea, 1943–45**  
**J1889, BL43895/1**

**J1889, BL43895/2**

**J1889, BL43895/19**

**A Report by Sir William Webb on Japanese Atrocities: Mr Stanley’s copies of draft of report and associated papers, c1943**  
**J1889, BL43895/22**

**J1889, BL43895/23**

**A Report by Sir William Webb on Japanese Atrocities: Final draft report – typed original with some amendments, 1943**  
**J1889, BL43895/25**

**Sinking of “Centaur” Hospital Ship 14 May 1943. Lists of witnesses, lists of exhibits, copies of some exhibits, Geneva Convention, 1943–44**  
**J1889, BL43895/26**
Other Departments

ADVISORY WAR COUNCIL AGENDA FILES, 1940–45  A2680
Recorded by:  1940–45  Advisory War Council (CA 495)

Quantity: 3.6 metres (Canberra)

This series contains the files for each Advisory War Council agenda.

This file – which supports Advisory War Council Agenda number 22/1945 (in series A2679) – includes a minute of the May 1944 meeting when the Minister for External Affairs read extracts from the first Webb report, correspondence concerning potential publicity of the report and various newspaper clippings.

CORRESPONDENCE FILES, ANNUAL SINGLE NUMBER SERIES, 1909–79  A1831
Recorded by:  1909–79  Auditor-General’s Office, Central Office (CA 559)

Quantity: 43.57 metres (Canberra)

Inquiry into Japanese atrocities, Papua and New Guinea - fee of 3500 pounds paid to Mr Edwin J D Stanley, 1944–45  A1831, 1944/709
This file also includes a memorandum regarding the reimbursement of Webb’s salary by the Department of the Army to the Department of Justice, Queensland.

Publicising Japanese atrocities

CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES WITH YEAR PREFIX, 1942–45  A989
Recorded by:  1942–45  Department of External Affairs [II], Central Office (CA 18)

See earlier entry for series A989 in this chapter.

Post War Reconstruction – Atrocities – Publication of details for propaganda purposes, 1944  A989, 1944/43/735/577/1

This file contains correspondence on atrocities and the publication of them in 1944, as well as dealing with the transmission of the first Webb report to other countries.

WAR CABINET AGENDA FILES, ANNUAL SINGLE NUMBER SERIES, 1939–46  A2671
Recorded by:  1939–46  War Cabinet Secretariat (CA 1468)

Quantity: 16.38 metres (Canberra)

War Cabinet Agendum – No 234/1945 – Publication of stories relating to Japanese cannibalism, 1945  A2671, 234/1945
This file includes the memorandum which prompted the agendum, the decision and associated correspondence. (Copies of the Agendum appear in A2670, 234/1945 and of the decision in A1066, IC45/17/4.)
<table>
<thead>
<tr>
<th>FILE RELATING TO JAPANESE ATROCITIES DURING WORLD WAR II, 1944–45</th>
<th>B4972</th>
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</thead>
<tbody>
<tr>
<td>Recorded by: 1944–45 Department of the Army, Central Office –</td>
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</tr>
<tr>
<td>Directorate of Public Relations (Army) (CA 36)</td>
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</tr>
<tr>
<td>Quantity: 0.09 metres (Melbourne)</td>
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<tr>
<td>This series contains only 3 parts of a file with correspondence</td>
<td></td>
</tr>
<tr>
<td>relating to Japanese atrocities in New Guinea, including</td>
<td></td>
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<tr>
<td>whether accounts of such atrocities should be published and</td>
<td></td>
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<tr>
<td>the issue of publicity censorship. The first part is:</td>
<td></td>
</tr>
<tr>
<td>Correspondence in relation to and accounts of Japanese</td>
<td>B4972,</td>
</tr>
<tr>
<td>atrocities in New Guinea, 1945</td>
<td>1 PART 1</td>
</tr>
</tbody>
</table>

| SECRET POLICY FILES REGARDING PROGRAMMING AND TRANSMISSION, | MP272/3 |
| ALPHA-NUMERIC SERIES, 1939–47                               |       |
| Recorded by: 1939–47 Shortwave Division, Department of      |       |
| Information (/from 1945) – Australian Broadcasting           |       |
| Commission, Radio Australia (CA 744)                        |       |
| Quantity: 0.9 metres (Melbourne)                            |       |
| This series includes copies of recommendations regarding     |       |
| Japanese atrocities and war crimes.                         |       |
| Treatment of Prisoners in Japanese Hands, 1943–44           | MP272/3, I/5C |

<table>
<thead>
<tr>
<th>SECRET CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES WITH '401' INFIX, 1936–45</th>
<th>MP729/6</th>
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<tr>
<td>Recorded by: 1936–39 Department of Defence [II], Central Administration</td>
<td></td>
</tr>
<tr>
<td>(CA 19)</td>
<td></td>
</tr>
<tr>
<td>1939–45 Department of the Army, Central Office (CA 36)</td>
<td></td>
</tr>
<tr>
<td>See earlier entry for series MP729/6 in this chapter.</td>
<td></td>
</tr>
<tr>
<td>This file discusses the policy responses to Japanese treatment of Allied</td>
<td></td>
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<tr>
<td>prisoners of war and whether to publicise them.</td>
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</table>

<table>
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<tr>
<th>CORRESPONDENCE RE PUBLICITY CENSORSHIP (PC FILES), 1939–45</th>
<th>SP106/1</th>
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<tr>
<td>Recorded by: 1939 Department of Information, Central Office</td>
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<td>(CA 34)</td>
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<tr>
<td>1939–45 State Publicity Censor, New South Wales (CA 8217)</td>
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</tr>
<tr>
<td>Quantity: 7.56 metres (Sydney)</td>
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</tr>
<tr>
<td>This series contains instructions, correspondence and other</td>
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</tr>
<tr>
<td>documents on the censorship of published material, mostly</td>
<td></td>
</tr>
<tr>
<td>newspapers and magazines, in New South Wales.</td>
<td></td>
</tr>
<tr>
<td>Japanese atrocity stories, 1939–45</td>
<td>SP106/1, PC551</td>
</tr>
<tr>
<td>This file contains documents showing the censorship handling</td>
<td></td>
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<tr>
<td>of atrocity stories during the war.</td>
<td></td>
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</tbody>
</table>
Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

GENERAL CORRESPONDENCE, DEWEY DECIMAL SYSTEM, 1945–46

Recorded by: 1945–46 Department of Information, Central Office (CA 34)

Quantity: 10.62 metres (Canberra)

Censorship. Atrocity stories, 1942–45
This file contains correspondence to and from the Chief Publicity Censor on atrocity stories.

SP109/3, 329/07

Files at the Australian War Memorial

CONFIDENTIAL AND SECURITY CLASSIFIED RECORDS ORIGINALLY MAINTAINED BY THE AUSTRALIAN WAR MEMORIAL LIBRARY, 1926–86

Recorded by: 1926–86 Australian War Memorial (CA 616)

Quantity: 4.14 metres (Australian War Memorial)

This series comprises confidential and security-classified records on various subjects originally maintained by the Australian War Memorial Library.


AWM51, 182A

WRITTEN RECORDS, 1939–45 WAR, 1926–93

Recorded by: 1926–39 Department of Defence [II], (Central Administration) (CA 19)
1942–93 Department of Defence [III], Central Office (CA 46)

Quantity: 213.5 metres (Australian War Memorial)

This series holds miscellaneous records that were transferred to the Australian War Memorial from the Military History Section of the Australian Army regarding the 1939–45 war. As such, it contains many files relating to war crimes, mostly (but not exclusively) in item numbers 1010/**, many of which are recorded elsewhere in this guide. The series includes a handful of files which appear to be evidence taken by the Australian War Crimes Commission and extracts from the first and second Webb reports.

War Crimes and Trials – General: Control copy of evidence, Synopsis of evidence, Index of names, 1946
This file contains an index of evidence taken by the Australian War Crimes Commission up to 1946 sent to the Directorate of Prisoners of War and Internees which lists the service member’s number, name, unit, date the evidence was sworn, geographical areas mentioned and a document list of evidence taken.

AWM54, 1010/1/8

War Crimes and Trials – Affidavits and Sworn Statements: Australian War Crimes Commission, questionnaire - statements by Indians, captured at Singapore, 1942, 1945–46

AWM54, 1010/4/164

War Crimes and Trials – Affidavits and Sworn Statements: Australian War Crimes Commission Questionnaire, Statements by Chinese civilians all of New Ireland, 1945

AWM54, 1010/4/165
War Crimes and Trials – Affidavits and Sworn Statements:
Australian War Crimes Commission questionnaire – Statements by missionaries captured, Rabaul in August 1942, 1942–45
AWM54, 1010/4/169

War Crimes and Trials – Affidavits and Sworn Statements:
Australian War Crimes Commission – statements by Indians, 1945
AWM54, 1010/4/170

AWM54, 1010/9/9

AWM54, 1010/9/129

This file contains a copy of the second Webb report.

RECORDS OF THE MILITARY HISTORY SECTION (ARMY), 1940–1961
AWM113
Recorded by: 1940–61 Department of the Army, Central Office (CA 46)
Quantity: 17.6 metres (Australian War Memorial)

This series holds the records of the Army’s Military History Section which recorded and collected material and items relating to the Army, including in the field during the war and the Allied occupation of Japan.

AWM113, MH 1/128

RECORDS OF WAR CRIMES ENQUIRIES AND TRIALS, 1939-45 WAR, 1942-55
AMW226
Recorded by: 1942–55 Department of the Army, Central Office (CA 36)
Quantity: 2 metres (Australian War Memorial)

This series holds records that were transferred to the Australian War Memorial from the Army Office, Department of Defence. It includes a copy of the Army’s 1942 Court of Inquiry into the landing of Japanese forces in New Britain, Timor and Ambon and copies of the Webb reports (the third report is incomplete). The series also holds documents, affidavits and transcripts of the Webb inquiries throughout 1943–46. Items 44–61 inclusive, for instance, contain affidavits and transcripts of interrogations catalogued by surname of witness. Only a brief selection of files is listed below.

AWM226, 5


This item contains only volume 1 of the report. (See also AWM226, 8/2)


[Records of war crimes enquiries and trials, 1939–45 War] Australian War Crimes Board of Inquiry, Australian War Crimes Commission, International Military Tribunal for the Far East, etc – affidavits (original and certified copies) and transcripts of interrogations – surnames letter “A”, 1943–46

AWM226, 7

AWM226, 8/1

AWM226, 40

AWM226, 44
3. The United Nations War Crimes Commission and Australia

Introduction

The creation of an international body to investigate evidence of atrocities in World War II was first publicly announced in the United Kingdom and the United States of America in October 1942. The United Nations Commission for the Investigation of War Crimes or the United Nations War Crimes Commission (UNWCC), as it soon became known, was finally constituted in London on 20 October 1943 and existed until 31 March 1948. The commission was initially located in the Royal Courts of Justice in the Strand, then in Westminster and finally in Berkeley Square, London.

It functioned as an autonomous international organisation financed by contributions from member governments, including the United Kingdom, which provided the premises and outfitting. In addition to a financial contribution, each member nation supported the work of the commission by means of its designated National Office which, for Australia, was the Department of External Affairs. The commission was remarkable for a number of reasons, not least the involvement of a significant number of nations, including some representatives of governments in exile but noticeably not the Soviet Union. Moreover, it was claimed in 1948 that the United Nations War Crimes Commission was the ‘least expensive International Commission known in history’.

Organisationally, the commission was headed by a chairman, consisted of representatives from each member nation and was supported by a small secretariat headed by a secretary-general. Although the representatives did meet as a commission, three principal committees were set up to deal with different matters:

- a Committee on Facts and Evidence (often referred to as Committee I)
- an Enforcement Committee (Committee II)
- a Legal Committee (Committee III).

Other miscellaneous committees were established over time, including an Executive Committee, a Finance Committee, a Public Relations Committee and a Legal Publications Committee. A Research Office also produced a multitude of reports, summaries, bulletins and circulars from May 1944.

The United Nations War Crimes Commission established a Far Eastern Committee in London but also established the Far Eastern and Pacific Sub-Commission (FEPSC) in Chungking, China, in which Australia participated. The sub-commission functioned like the United Nations War Crimes Commission, with its own secretariat, Committee on Facts and Evidence, and Finance Committee. While some thought was given to whether to establish a separate Australian sub-commission to the United Nations War Crimes Commission – perhaps with Sir William Webb’s war crimes commission at its core – one never eventuated.

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80 A list of significant personnel involved with the UNWCC can be found in History of the United Nations War Crimes Commission and the Developments of the Laws of War, Appendix 1. Detailed lists of secretariat staff were also routinely prepared: see lists dated August and October 1947 in NAA: A2937, 306. For an explanation of the various duties of the secretariat and some suggested reforms, see Dr J Litawski, ‘Memorandum on the Duties of the UNWCC Secretariat’, 16 July 1945, NAA: A2937, 271.

The primary tasks of the United Nations War Crimes Commission were initially identified as:

- the investigation of evidence of war crimes
- compilation of lists of persons wanted for trial as war criminals
- the reporting back to the national governments as to whether the evidence was sufficient to warrant further action.

The commission did not draw up its own list of what actions or omissions were war crimes but used as a ‘working list’ the non-exhaustive list of war crimes drawn up by the post–World War I Allied Commission on Responsibility of the Authors of the War and on Enforcement of Penalties in 1919, which was discussed in Chapter 2. Indiscriminate mass arrest, crimes against peace and crimes against humanity were also considered to be war crimes within the remit of the commission. As the United Nations War Crimes Commission did not have its own investigatory arm for fieldwork, the bulk of war crimes information and cases was

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63 UNWCC representatives and staff did venture forth into Europe to inspect, for example, liberated German concentration camps: see Visit of Delegation to Buchenwald Concentration Camp in Germany, Report adopted by the Commission on 3 May 1945, C.101, 5 May 1945, NAA: A2937, 286. UNWCC representatives were also observers at national and international war crimes trials in Europe and in the Pacific. UNWCC Chairman and Australian representative Lord Wright attended to observe both the International Military Tribunal (at Nuremberg) and the International Military Tribunal for the Far East in 1946: see, for example, cablegram from the External Affairs Officer, London to the Department of External Affairs, 7 March 1946, NAA: MP742/1, 336/1/408. For the arrangements for Lord Wright’s visit to Japan, see NAA: A1067, UN46/WC/15.
supposed to be provided by the national offices of member nations. This system of voluntary engagement did not, however, work very well or efficiently. In August 1944, for example, the United Nations War Crimes Commission Secretary-General pointed out that only the United Kingdom, Belgium, Czechoslovakia, France, the Netherlands, Poland and Norway had thus far transmitted cases to the commission and that the total number of cases transmitted was ‘unexpectedly small’. 

There were concerns in late 1944 to early 1945 that the apparent lack of significant progress on the primary tasks, if revealed to the public, would produce strong criticism. These concerns were compounded by the fact that the commission generally maintained a policy of quiet diplomacy, rather than active publicity, about its activities. In part, this was to maintain the illusion of Allied solidarity (even while the existence and purpose of the commission itself was contested) but also for fear that publicity would invite reprisals against Allied nationals, millions of whom were held prisoner by the Axis powers at that point.

Although both were very reasonable considerations, the commission’s lack of strong public engagement produced a vacuum of information that enabled press criticism. As one report urged in early 1945:

We cannot maintain the policy of ‘secret diplomacy’ practised up to date. The results are disastrous. If we had for instance published the fact that the Commission has already put Hitler and the members of his gang called Government, on [War Crimes Suspects] List No. 1 of November 22nd 1944, the whole Press Campaign of January 1945, also some stupid remarks about our attitude towards the arch-criminals would have been impossible.

The Public Relations Committee was established in early 1945 to better provide information to and deal with governments, military and other agencies, the press and the public at large.

By the end in 1948, the United Nations War Crimes Commission – through the Committee on Facts and Evidence (Committee I) – had examined 8178 charges involving over 36,000 suspects. The committee considered the war crimes cases submitted to it, usually in the presence of representatives of the submitting nation. The committee then placed the names of those against whom a prima facie case had been made on its official lists of war crimes suspects, which were then communicated to facilitate the apprehension of the suspects. In that sense, the United Nations War Crimes Commission functioned as a ‘committing magistrate’, the exact explanation used at the time to describe its role.

Responsibility for apprehending and trying those listed as war crimes suspects on the commission’s lists was, thereafter, largely the role of national governments or the international tribunals.

The commission’s primary tasks were expanded to also include:

- the examination of questions of law, method and policy regarding war crimes and international criminal law
- the making of formal recommendations to national governments.

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In relation to the Pacific theatre, for instance, the commission declared its views on bringing Japanese war criminals to justice in ‘Summary Recommendations Concerning Japanese War Crimes and Atrocities’, which was adopted by the commission on 29 August 1945, and endorsed by Australia in September 1945. A number of very significant legal issues were debated in detail in the commission, including:

- whether certain acts were war crimes
- the status of certain defences (such as military necessity and obedience to superior orders)
- the drafting of various international conventions
- whether a United Nations or International War Crimes Court should be established.

The records of the Legal Committee (Committee III) and various reports produced by the commission legal officers thus provide an important resource on the development of international criminal law in this period.

Although an official history of the United Nations War Crimes Commission was published in 1948, there was little research on the commission in the next several decades. One probable reason is that, after the dissolution of the commission, its records – some 464 boxes – were transferred to the United Nations in May 1949. During this transfer process, a ‘substantial portion’ of files of alleged ‘no historical value’ were destroyed, including, for example, the proceedings of seven sub-committees, such as the Executive Committee. Unfortunately, Australia’s collection of United Nations War Crimes Commission records does not hold copies of these destroyed original records.

Once in United Nations’ custody, the commission records were difficult and time consuming to access. The rules for accessing the archives were established by the United Nations in consultation with Lord Wright of Durley, the Australian representative and commission chairman, and Dr J Litawski, a legal officer of the commission. While general administrative and organisational records were opened, it was decided that ‘accusatory’ records should be restricted, except from the governments who had been members. In the decades since, with the commission no longer in existence, every country that had been involved in the commission had to debate possible changes to the rules for access.

Since the late 1980s, physical access to the United Nations War Crimes Commission archives at the United Nations has become somewhat easier, although researchers must still apply through their nation’s Permanent Representative or Observer at the United Nations and indicate the precise nature of their research and the records sought for access. In recent years, however, digitised copies of the commission records have become available at:

- the United Nations Archives
- the International Criminal Court’s (ICC) Legal Tools database

90 ‘Summary Recommendations Concerning Japanese War Crimes and Atrocities’, C.145, 29 August 1945, NAA: A2937, 297
91 See the recommendation to this effect in memorandum to the Minister, ‘War Crimes’, September 1945, NAA: A2937, 276.
92 See, for example, the file entitled War Crimes Question of definition – ‘preparation and launching of present war ...’, NAA: A2937, 324.
95 For correspondence on Israel’s request to gain access to the archives in the late 1980s, see NAA: A1838, 1550/9/1 PARTS 1-3.
97 Researchers are cautioned that not all records have been posted online by the United Nations Archive: https://search.archives.un.org/united-nations-war-crimes-commission-unwcc-1943-1948.
the United States Holocaust Memorial Museum (USHMM) Archives in Washington DC\textsuperscript{99}

- the Wiener Library for the study of the holocaust and genocide in London.\textsuperscript{100}

While the United Nations Archives and the International Criminal Court’s Legal Tools database have posted some digitised records online, the complete digitised copies at the Holocaust Memorial Museum and the Wiener Library can only be accessed at special terminals within the reading rooms of those two institutions: making advance contact with the institutions before visiting is recommended. These records comprise 187 microfilm reels which have been digitised into 456,156 jpg images.

The United Nations War Crimes Commission’s archives have been rightly described as a ‘little known treasure trove regarding the development of international criminal justice’.\textsuperscript{101} Fortunately, some of that trove is now easier to access and new scholarship is emerging.

**Australian membership of and representation on the United Nations War Crimes Commission**

Australia was a member of the commission from the outset in October 1943.\textsuperscript{102} For the first fiscal year of membership, Australia paid a base contribution of £400 in support, plus an additional sum to cover budgetary shortfall, which was apportioned between member nations on a sliding scale of allocation.\textsuperscript{103} Australia’s contributions fluctuated from year to year thereafter. Interestingly, when the commission was dissolved in 1948 and its accounts were settled, Australia received a refund of £126 10s 1d.\textsuperscript{104}

The first Australian representative was the Australian-born jurist, James Richard Atkin, the Rt Hon. Lord Atkin,\textsuperscript{105} of whom the United States representative to the United Nations War Crimes Commission colourfully wrote:

> his value as a public man is questionably very great. … his ideas are intelligent and practical [and] … because the English particularly respect the legal opinion of a Lord of Appeal and will not dare to brush it aside as the mere vapourings of a visionairy who knows nothing of the black art of law. … When Lord Atkin talks about it they have to listen.\textsuperscript{106}

After Atkin’s death in 1944, the Australian representative was the equally distinguished British jurist Robert Alderson, Lord Wright of Durley. Lord Wright represented Australia from July 1944 and also chaired the commission from January 1945 to 1948, its most intensive period. Although initially reluctant to take on the role of Australia’s representative due to the perceived workload, Lord Wright threw himself wholeheartedly into the job and appeared to be very well regarded, both privately and publicly, by other representatives. Mr John Oldham, who functioned as Australia’s deputy representative, wrote to a friend that Lord Wright was ‘a very able and energetic man, and despite his great age, his eagle eye has

\textsuperscript{99} https://collections.ushmm.org/search/catalog/irn79237. For the finding aid to UNWCC records held at the United States Holocaust Memorial Museum Archives, see: https://collections.ushmm.org=findingaids/RG-67.041M_01_fnd_en.pdf.

\textsuperscript{100} https://wiener.soutron.net/Portal/Default/en-Gb/RecordView/index/92681. The Wiener Library has not created its own finding aid but refers researchers to the United Nations and the United States Holocaust Memorial Museum finding aids.


\textsuperscript{103} Memorandum to the Secretary, Department of the Treasury, 15 March 1945, NAA: A1066, H45/580/1/1. Australia’s proportion of responsibility for extra payments (1.9%) was minuscule compared to that of the United Kingdom (36%) and the United States (36%), although above that of New Zealand (0.39%). UNWCC, Report of the Finance Committee on the Budget for the First Fiscal Period – 26 October 1944 to 31 March 1945, 22 February 1945, Annex B, NAA: A1066, H45/580/1/1.

\textsuperscript{104} Memorandum from the Acting Secretary General, UNWCC to the Commonwealth of Australia, NAA: A2908, C64/1.

\textsuperscript{105} On Lord Atkin, see Geoffrey Lewis, *Lord Atkin*, London: Butterworths, 1983. Lord Atkin is well known to lawyers as the author of the leading judgment in the UK case of *Donoghue v Stevenson* [1932] AC 562 – concerning the alleged adverse effects suffered by Mrs Donoghue of a snail said to have been consumed in a bottle of ginger beer manufactured by Mr Stevenson – that established the modern law of negligence.

\textsuperscript{106} Letter from Mr Herbert Pell, Offices of the United States Representative on the UNWCC to Mr John Oldham, Offices of the War Cabinet, 23 June 1944, NAA: A2937, 275.
not lost any of its piercing qualities’ and that he was ‘certainly an inspiring man to work for’. 107 Similarly, the Yugoslav representative to the commission publicly commended his ‘vigorous leadership’. Lord Wright, he said, ‘besides being a great lawyer, is well known as a man of action’. 108

Other Australians who played significant roles in the United Nations War Crimes Commission included the former Prime Minister, Stanley Melbourne Bruce, then High Commissioner in London, who attended the first meeting on 20 October 1943 and took an interest thereafter. As the Department of External Affairs functioned as Australia’s National Office, 109 a number of departmental officers located in London also directly participated in the United Nations War Crimes Commission. In November 1945, for instance, deputy representative Geoffrey Bridgland was a member of the influential Committee on Facts and Evidence and the Legal Committee (Committees I and II) and also sat on the Far Eastern Committee and the Finance Committee. 110

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107 Letters from Mr John Oldham to Mr Keith Officer, Australian Legation, Chungking, 10 April and 15 June 1945, NAA: A4144, 730/1945.
108 Record of conference held on 6 May 1945, between members of the United Nations War Crimes Commission and members of the United States Senate and House of Representatives, speech by Mr Radomir Zivkovic, C.115, 24 May 1945, p. 11, NAA: A2937, 286.
110 UNWCC Composition of Committees, 14 November 1945, C.155, NAA: A2937, 287.
Farewell letter from United Nations War Crimes Commission legal officer Dr Egon Schwelb to Australian deputy representative Mr Geoffrey Bridgland, NAA: A2937, 306

Australia’s inaugural representative to the Far Eastern and Pacific Sub-Commission in Chungking was Mr Keith Officer, the chargé d’affaires in the Australian Legation, Chungking. While Australia’s representative was usually a legation officer, Mr Douglas Berry Copland, the Australian Minister to China, served in the role for a brief period in 1946.
Table 1: Australian representatives at the United Nations War Crimes Commission and the Far Eastern and Pacific Sub-Commission

<table>
<thead>
<tr>
<th>Role</th>
<th>Name</th>
<th>Period</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Lord Wright of Durley</td>
<td>Jun 1944 onwards</td>
</tr>
<tr>
<td>Deputy Representatives to the United Nations War Crimes Commission</td>
<td>Mr John Egerton Oldham</td>
<td>1944–Oct 1945</td>
</tr>
<tr>
<td></td>
<td>F/O Geoffrey Stokes Bridgland</td>
<td>1945–47</td>
</tr>
<tr>
<td></td>
<td>Justice Alan Mansfield</td>
<td>Dec 1945–Jan 1946</td>
</tr>
<tr>
<td></td>
<td>Mr Peter Richard Heydon</td>
<td>1947</td>
</tr>
<tr>
<td>Australians appearing before the United Nations War Crimes Commission</td>
<td>Sir William Webb</td>
<td>late 1944 to early 1945</td>
</tr>
<tr>
<td></td>
<td>Professor Kenneth Hamilton Bailey</td>
<td>late 1945</td>
</tr>
<tr>
<td>Representatives to the Far Eastern and Pacific Sub-Commission</td>
<td>Mr Keith Officer</td>
<td>1944–45</td>
</tr>
<tr>
<td></td>
<td>Mr Henry Stokes</td>
<td>1945</td>
</tr>
<tr>
<td></td>
<td>Mr Patrick Shaw</td>
<td>1945–47</td>
</tr>
<tr>
<td></td>
<td>Mr Douglas BerryCopland</td>
<td>1946</td>
</tr>
<tr>
<td></td>
<td>Mr Charles Lee</td>
<td>1946</td>
</tr>
</tbody>
</table>

**Australian investigations presented at the United Nations War Crimes Commission**

Sir William Webb’s national commissions from 1943 to investigate atrocities and war crimes, as discussed in the previous chapter, overlapped with the investigatory and evidence compilation tasks of the United Nations War Crimes Commission. In the first year or so, however, there was not much attempt at a coordinated approach or a free flow of information. Although Webb presented his first war crimes report to the Australian Government in March 1944, it was not until August 1944 that a ‘Summary of the Report on Japanese Atrocities and Breaches of the Rules of Warfare’ was forwarded to London for presentation to the United Nations War Crimes Commission.116

However, as the title suggests, this document was only a brief summary. To make matters worse, as certain details in it were regarded as ‘most secret’ for military reasons, names of persons and units had been omitted.117 Although the then commission chairman, Sir Cecil Hurst, thanked Australia for forwarding the summary and said he would ‘study the report with interest’, its brevity does lead one to question how much use it might have been to the commission.118

Closer interaction began at the turn of 1945, when Webb travelled to London to appear before the United Nations War Crimes Commission. Webb was present at the meeting of the

116 Letter from Paul Hasluck for the Secretary, Department of External Affairs to the External Affairs Officer, London, 9 August 1944, NAA: A2937, 275.
117 ibid.
118 Letter from Sir Cecil Hurst, to Mr John Oldham, 28 September 1944, NAA: A2937, 275.
commission on 31 January 1945 when Lord Wright was elected as chairman.\textsuperscript{119} Webb’s main purpose in attending was to put before the commission Australia’s first war crimes cases which, at that stage, were largely supported by evidence drawn from his investigations.\textsuperscript{120} After examination by the Committee on Facts and Evidence (Committee I), the Australian cases were classified into:

- List A cases: war criminal suspects (by name or holding a particular position in a unit) who were to be apprehended for trial\textsuperscript{121}
- List A–Units cases: units which had systematically breached the laws of war, whose members were to be apprehended en masse for trial
- List C cases: where evidence was insufficient to identify a particular person and required further investigation.\textsuperscript{122}

Afterwards, the chairman of the committee complimented Australia on its preparation of cases, which had been the ‘best prepared of those which the Committee had received’.\textsuperscript{123} In due course, the United Nations War Crimes Commission issued its first Japan-related suspects list based exclusively on Australian information: the ‘Fourth List of War Criminals Together with List of Suspects and List of Witnesses (Japanese)’ in March 1945. As explained in its preface, the list of war criminals named:

> men believed to have been responsible for the commission of a war crime as to whom the Commission is satisfied there is, or will be at the time of trial, sufficient evidence to justify a prosecution.\textsuperscript{124}

Other Australians also appeared before the Committee on Facts and Evidence to present Australia’s cases. Justice Alan Mansfield, for instance, who had worked as a war crimes commissioner with Webb, was in London from December 1945 to January 1946, serving briefly as Australia’s deputy representative. Professor Kenneth Bailey, then Solicitor-General, also appeared before the committee in February 1946, when Australia was steadfastly pursuing the addition to the United Nations War Crimes Commission lists of ‘major Japanese war criminals’ whose ‘guilt’ was ‘evident’ in the same manner in which Hitler and other ‘arch criminals’ had been added, without the necessity for comprehensive documentation of their offences.\textsuperscript{125}

Two Australian lists of ‘major Japanese war criminals and those holding key positions’ were drawn up by ‘Australian experts in Japanese affairs’. The first list, which was also approved by Webb, included many of those Japanese who were tried at the International Military Tribunal for the Far East and a considerable number (including the Emperor at no. 7 on list no. 1) who were not.\textsuperscript{126}

After the Australian war crimes trial program commenced in late November 1945, Australia submitted to the United Nations War Crimes Commission various nominal rolls of those Japanese who were still being sought by Australia for trial: suspects who were being held in custody and those who had been tried under the \textit{War Crimes Act 1945} and the trial

\begin{footnotesize}
\begin{itemize}
\item UNWCC, Minutes of Forty-sixth meeting, M.46, 31 January 1945, NAA: A2937, 330.
\item For the cases, see NAA: A2937, 119.
\item Interestingly, very few names from List A were subsequently tried in the Australian trials. One notable exception was Lt Col Nagatomo Yoshitada, who was charged in charge no. 19 and listed at no. 65 on List A as the Chief of the No. 3 Branch of PWs in Burma. Nagatomo and a number of his subordinates were tried in the Singapore S12 trial.
\item It is not difficult to see why List C cases needed further information. For instance, No. 1 on List C was ‘The Commander (as yet unidentified) of a Japanese submarine (as yet unidentified)’: see UNWCC approved Lists A, A–Units and C in NAA: MP742/1, 336/1621. At the same time, it is also not difficult to understand why Webb presented this case to the UNWCC: the charge related to the infamous sinking of the hospital ship Centaur, which was torpedoed and sunk by the Japanese in May 1943 off the Queensland coast. See charge no. 11 as submitted to the UNWCC in NAA: A2937, 119.
\item Reported in memorandum for the Acting Secretary, Department of External Affairs, 13 February 1945, NAA: A1066, H45/580/1 PART 1. For a list of Australian cases ‘taken on’ by UNWCC Committee I, see NAA: A4311, 747/4.
\item ‘Fourth List of War Criminals Together with List of Suspects and List of Witnesses (Japanese)’, March 1945, p.1, NAA: A12576, 2.
\item See ‘For Meeting of Committee I (Facts and Evidence) Tuesday, February 5th at 4 P.M.’ and ‘Summary Minutes of the Meeting of Committee I held on 5th February, 1946’, no. 48, NAA: A2937, 279.
\item The list was not prepared relative to any judgement about importance but in alphabetical order; hence, the Emperor was listed under H for ‘Hirohito’. For both lists, see NAA: A2937, 10. For correspondence in relation to the preparation of these lists, see NAA: A6238, 8.
\end{itemize}
\end{footnotesize}
outcomes. These lists are discussed in Chapter 4. Researchers are warned, however, to approach United Nations War Crimes Commission’s statistical information regarding Australia’s war crimes investigations and prosecutions in both theatres of war with some caution:

- Firstly, as it was not a requirement that member nations be the specific reporter of war crimes cases involving their nationals, the United Kingdom in fact placed all cases involving Australian victims of German war criminals before the commission for consideration.
- Secondly, all commission records and publications were created well before the end of the Australian trial program in 1951 and are, therefore, incomplete or inaccurate.

**United Nations War Crimes Commission Law Reports Series and Official History**

The commission decided relatively early to prepare reports of some of the war crimes that had been committed in the theatres of war. One reason was to make clear:

at the appropriate moment … the connexion between the individual crimes of each type and the common policy which they expressed, thereby making it easier for the general public to comprehend the justification for and the necessity of the severity which had been shown towards their perpetrators.\(^{127}\)

The commission thus took steps from August 1945 to collect records of national war crimes trials. Lord Wright, by then chairing the commission, requested member nations on 30 August 1945 to ‘send regularly to the Commission the report or records of trials of war criminals’, as he was anxious that the task of recording the trials begin as soon as possible.\(^{128}\)

As with the earlier provision of information by member nations, however, progress was neither as swift nor as complete as had been hoped. By May 1946, for instance, when the commission was starting to contemplate actual publication of law reports, it had only received a single trial report from Australia’s trials.\(^{129}\) Lord Wright thus observed in July 1946 that while he could not say the commission had received no war crimes trial reports at all from the Far East, he had been:

very disappointed that no reports have reached us, except in a rather casual and scrappy way, and often the only news we had here [in London] of what was going on has come from the popular press.\(^{130}\)

Australia eventually provided the commission with copies of the Australian legislation and regulations for its trials, regular statistical ‘Progress Reports’ on the trials, brief reports of most of the trials (by forwarding a copy of the Record of Military Court document from the trial proceedings) and some full copies of trial proceedings.

The United Nations War Crimes Commission’s Legal Publications Committee was established in October 1946 to deal with publication of its law reports series. Fifteen volumes of the Law Reports of Trials of War Criminals were published between 1946 and 1949 (the last by a skeleton staff after the closure of the commission in March 1948). All 15 volumes are available online.\(^{131}\)

The volumes contained reports of selected national trials regarding war crimes committed in both the European and Pacific theatres of the war, chosen from the (sometimes


\(^{128}\) Mentioned in UNWCC, Minutes of Seventy-ninth Meeting, 26 September 1945, p. 3, NAA: A2937, 330.

\(^{129}\) ‘Tentative Proposals regarding the Publication of War Crimes Trial Reports by the Commission’, C.200, 27 May 1946, NAA: A1067, UN46/WC/10.

\(^{130}\) Letter from Lord Wright to Maj Gen Thomas H. Green, Judge Advocate General, Washington DC, 8 July 1946, C.211, 16 July 1946, p. 3, NAA: A2937, 288.

still limited) trial records provided by member nations to the commission to best illustrate the application and development of the law of war. The overwhelming majority of the published law reports came from trials convened by the United States, Britain and France, which accounted for 66 reports. Although about 90 of Australia’s war crimes trials were considered for inclusion, only five of the 300 trials were reported in volumes V and XI, as shown in the table below.

Table 2: Australian trials reported in the United Nations War Crimes Commission Law Reports Series

<table>
<thead>
<tr>
<th>Trial Number</th>
<th>Held</th>
<th>Accused</th>
<th>Published in UNWCC Law Reports</th>
</tr>
</thead>
<tbody>
<tr>
<td>R26</td>
<td>Rabaul, March 1946</td>
<td>Sgt Maj Ōhashi Shigeru and others</td>
<td>Volume V, pp. 25–31</td>
</tr>
<tr>
<td>R31</td>
<td>Rabaul, April 1946</td>
<td>Capt Shinohara Eitarō and others</td>
<td>Volume V, pp. 32–36</td>
</tr>
<tr>
<td>R59</td>
<td>Rabaul, May 1946</td>
<td>Capt Katō Eikichi</td>
<td>Volume V, pp. 37–38</td>
</tr>
<tr>
<td>R176</td>
<td>Rabaul, June 1947</td>
<td>Lt Gen Baba Masao</td>
<td>Volume XI, pp. 56–61</td>
</tr>
</tbody>
</table>

Australian cases had slightly better coverage than those of some other member nations: Canada and China had only one law report each from their war crimes trials included in the volumes. The scant representation was probably disappointing to one observer, who had suggested to Bridgland in 1947 that:

> it would be a scandal if there were not a least a number of cases conducted under Australian auspices to indicate to posterity a properly balanced view of war crimes in this war. There is, as you will realise, a risk of the volumes [of the Law Reports] being overloaded on the European side.\(^{132}\)

Volume V also contained a brief annex on ‘Australian law concerning trials of war criminals by military courts’.\(^{133}\) The final volume, XV, contains useful summaries on the sources of international criminal law, legal basis of courts and court procedures, parties to crimes, victims, offences, defence pleas and punishment.

The virtual tradition by now of slow national compliance with United Nations War Crimes Commission’s requests for information continued in relation to efforts to produce and publish the official history of the commission.

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\(^{132}\) Unsigned letter to GS Bridgland, 30 October 1947, NAA: A2937, 306. The writer was probably a friend, as the address was to ‘Geoff’ rather than the far more common ‘Bridgland’ seen in correspondence.

\(^{133}\) The Australian Government approved publication of its legislation. See memorandum from the Secretary, Department of External Affairs to the External Affairs Officer, London, 22 November 1946, NAA: A1067, UN46/WC/20.
One of the many commission requests to Australia for its history of war crimes prosecutions, 14 January 1948, NAA: A9992, 1940/1

The delays in providing Australia’s contribution led one observer to point out in March 1948 that, if Australia did not provide its account fairly swiftly, the volume would ‘appear with some short expression of regret that there is no reference to Australian work in the matter’.134

**Understanding United Nations War Crimes Commission records**

Australia’s national records necessarily include a great volume of copies of United Nations War Crimes Commission records, including minutes of the commission and various committees, official documents, periodical lists, reports and other publications. To aid in establishing context, the minutes of the commission meetings are numbered using the designation ‘M’ from M.1 to M.135. The minutes of the three principal commission committees, and various smaller committees, were also consecutively numbered. For example, the minutes of the Legal Publication Committee are numbered LPC/1 onwards. Commission official documents were designated:

- ‘C’ documents, numbered C.1 to C.267
- ‘A’ documents, numbered A.1 to A.67
- ‘Misc’ documents, numbered Misc.1 to Misc.126.

Official documents of the three principal United Nations War Crimes Commission committees bear various designations using roman numerals:

- Committee I (Facts and Evidence) documents are numbered I/1 to I/102
- Committee II (Enforcement) documents, including minutes, are numbered II/1 to II/51
- Committee III (Legal Committee) documents are numbered III/1 to III/118.

The Far Eastern and Pacific Sub-Commission numbered its minutes using the designation ‘SM’ from SM.1 to SM.38. Minutes of its Committee on Facts and Evidence and Finance Committee and other sub-commission documents were all numbered together using the designation ‘D’.

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134 Letter from unknown correspondent, Australia House, to Mr KCO Shann, Department of External Affairs, 5 March 1948, NAA: A4311, 766/2.
The United Nations War Crimes Commission and the Far Eastern and Pacific Sub-Commission produced a number of documents series for internal and external circulation, which were usually numbered and dated. These include the various commission and sub-commission periodical lists, such as Lists of War Criminals and Material Witnesses, and Lists of War Criminals Holding Key Positions. The Legal Committee and the Research Office were also particularly productive in relation to documents series. The Legal Committee produced:

- the ‘Law Reports Series’, which was numbered and dated. From issue no. 7, this series became known as the ‘Trial and Law Reports Series’. This series briefly summarised and analysed selected national trials from the European and Pacific theatres, which often went on to be reported in more detail in the United Nations War Crimes Commission’s published Law Reports of Trials of War Criminals.
- the ‘Synopsis of Trial Reports’ and supplements, which were numbered and dated. This series listed reports of national war crimes trials from the European and Pacific theatres received by the United Nations War Crimes Commission.
- the ‘Survey of Legal Literature’, which was numbered and dated. This series briefly analysed recent topical legal literature and was distributed as a supplement to the Research Office’s ‘Press News Summary’ or ‘War Crimes News Digest Series’, listed below.

The Research Office produced:

- the ‘Summary of Information’ numbered 1–55 and usually dated. Issue nos. 1–11 were known as ‘Reports’ but the name was changed to ‘Summary of Information’ from issue no. 12 to make clear that this series was not reports of the United Nations War Crimes Commission itself.
- the ‘Bulletins’ or, later, ‘Weekly Bulletins’ numbered 1–124 and dated. This series briefly listed and described external documents received by the Research Office for the purpose of informing national offices. All external documents received were given an ‘R’ registration number, with documents pertaining to Japan usually registered as R*/J/.
- the ‘Documents Series’, which reproduced important external documents verbatim or in translation, and were numbered 1–53 and dated.
- the ‘Press News Summary’, which was numbered and dated. From issue no. VII, the series was renamed the ‘War Crimes News Digest’. The series compiled official news, news from press sources, and the ‘Survey of Legal Literature’ supplement for internal circulation. Periodic subject indexes to runs of either five or ten issues were also produced.
- the ‘Research Circulars’, which reported on ongoing proceedings, issues and outcomes of both international and national trials, and were numbered and sometimes dated.

The Australian collection contains partial subject indexes to minutes and documents of the commission and partial chronological lists of ‘C’ and ‘Misc’ documents. No similar

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135 The UNWCC lists of Japanese war criminals, suspects and material witnesses are list nos. 4, 17–24, 29, 33–37, and 46–49 and can be located in a number of files.
136 The second letter in the registration code was usually a country-subject classification, for example R*/Gi – Germany; R*/Cz* – Czechoslovakia; or R*/P* – Poland, but sometimes by the country or organisation submitting, for example R*/US* – United States or R/UN* – United Nations. Documents submitted by Australia regarding Japanese war crimes were usually registered as either R*/Au* or as R*/Aus*. Note: R*/Au* did not relate to Australia but to Austria.
137 The indexes are held in NAA: A2937, 319 and A4311, 743/2.
138 Unfortunately, the preliminary subject index of UNWCC minutes and documents dated 1 March 1946 and the second supplement to this index, also released in 1946, have not been located in Australia. For the first supplement to the index, see NAA: A2937, 277; and for the
index or list of ‘A’ documents has been found. However, researchers are advised that the commission records held at the United Nations, and the copies held at the United States Holocaust Memorial Museum Archives and at the Wiener Library contain several invaluable indexes prepared by the United Nations Archives in 1949, including:

- a master subject index to minutes and documents of the United Nations War Crimes Commission, Committees I, II and III and Far Eastern and Pacific Sub-Commission (among others)\textsuperscript{140}
- a subject index to the documents of the Research Office.\textsuperscript{141}

Fortunately, both of these indexes have been made available online by the United Nations Archive.\textsuperscript{142}

\textbf{Overview of the records}

Given the United Nations War Crimes Commission’s international nature and that the Department of External Affairs served as Australia’s National Office, the majority of files relating to the commission are in series belonging to the Department of External Affairs. This chapter sorts records into several sections:

- minutes of United Nations War Crimes Commission meetings
- United Nations War Crimes Commission documents
- United Nations War Crimes Commission committees and documents
- documents relating to the Far Eastern and Pacific Sub-Commission in Chungking
- Australia’s general policy and correspondence regarding the United Nations War Crimes Commission
- Australian charges submitted to the United Nations War Crimes Commission
- the Far Eastern and Pacific Sub-Commission lists of war criminals
- the United Nations War Crimes Commission \textit{Law Reports of Trials of War Criminals} and \textit{Official History}.

Files relating to the United Nations War Crimes Commission held at the Australian War Memorial are listed separately at the end.

\textbf{Minutes of United Nations War Crimes Commission meetings}

\textbf{CORRESPONDENCE FILES, ALPHABETICAL SERIES, 1924–45} \hspace{1cm} \textbf{A2937}

Recorded by: 1924–45 Department of External Affairs, London (CA 1759)

Quantity: 8.56 metres (Canberra)

This series holds files of the Department of External Affairs, London, otherwise known as the External Affairs Liaison Office, London. The role of this office was to liaise between various British agencies and the Australian Government. It thus includes numerous files relating to the United Nations War Crimes Commission.

\textsuperscript{139} For chronological lists of ‘C’ documents from C.1 to C.240 and ‘Misc’ documents from Misc.1 to Misc.64 with description and date, see NAA: A2937, 288. A more complete version of the second supplement to the chronological lists can be found in NAA: A2937, 306.

\textsuperscript{140} For this index, see RG67.041 PAG-3/1.0 (reel 33).

\textsuperscript{141} For this index, see RG67.041 PAG-3/1.0 (reel 36).

\textsuperscript{142} https://search.archives.un.org/united-nations-war-crimes-commission-unwcc-1943-1948.
Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

A2937, 290

War Crimes – Minutes of United Nations War Crimes Commission, Part 2 – M44 to M80, 1945
A2937, 330

A2937, 317

These three files contain the minutes of the commission meetings from the first unofficial meeting designated M.1 in October 1943 but omit the final few minutes M.132 to M.135. Minute M.46 records the election of Lord Wright as chairman.

United Nations War Crimes Commission documents

CORRESPONDENCE FILES, ALPHABETICAL SERIES, 1924–45
A2937

Recorded by: 1924–45 Department of External Affairs, London (CA 1759)

See earlier entry for series A2937 in this chapter.

A2937, 284

This file contains ‘C’ documents in the range C.2 to C.66.1, including:

- C.2, the ‘Rules’ of the United Nations War Crimes Commission approved in January 1944
- C.29 ‘Declarations by United Nations Governments and Leaders on the Subject of War Crimes’, 14 June 1944
- C.62 ‘Proposal by Lord Wright (Australia) for a Modification of the System Now in Use for the Collection of Evidence in Respect of War Crimes’, 6 November 1944

A2937, 285

This file contains ‘C’ documents in the range C.67 to C.98, including:

- C.76 Report by Dr B Ećer, ‘Memorandum on the Present Position of the United Nations War Crimes Commission, the Work Already Done, and Its Future Tasks’, 8 February 1945

C.87, which laid out how to prepare, submit and present war crimes cases to the United Nations War Crimes Commission, is missing from the sequence.

A2937, 286

This file contains ‘C’ documents in the range C.99 to C.130, including:

- C.115 ‘Record of Conference held on May 6th, 1945, between Members of the United Nations War Crimes Commission and Members of the United States Senate and House of Representatives’, 24 May 1945
- C.123 ‘Order of Trial of War Criminals whose Delivery is asked for by more than one of the United Nations’, 18 June 1945
• C.127 ‘Report to the President of the United States by Mr Justice Robert H Jackson, Chief of Counsel for the U.S. in the Prosecution of Axis War Criminals’, 22 June 1945
• C.129 ‘Views of the Governments as to Whether the Preparation and Launching of the War is a War Crime. Opinion of the Government of Australia Communicated by Mr Oldham on behalf of Lord Wright’, 25 June 1945.

United Nations War Crimes Commission – Documents C131 to C175, 1945–46
This file contains ‘C’ documents in the range C.131 to C.175, including:
• C.141 Report by Mr E Schwelb, ‘The Decisions of the Potsdam Conference and the Problem of War Criminals, 3 August 1945
• C.147 Report by Dr R Malézieux, ‘Note on the Legal Problems Connected with the Surrender of War Criminals to the Authorities Competent to Try Them’, 22 September 1945
C.145 ‘Summary Recommendations Concerning Japanese War Crimes and Atrocities’, 29 July 1945, is missing from the sequence but can be found in A2937, 297.

This file contains ‘C’ documents in the range C.177 to C.264, including:
• C.179 ‘Problems of War Crimes on the Agenda of the First Session of the United Nations General Assembly’, February 1946
• C.191 ‘Far Eastern and Pacific Sub-Commission – Chungking First Progress Report’, 17 April 1946
• C.196 ‘Australian War Crimes Legislation with a Note on this Legislation by E Schwelb, Legal Officer’, 22 May 1946
• C.207 ‘Committee I Statistical Progress Report’, 27 June 1946
While C.200 ‘Tentative Proposals regarding the Publication of War Crimes Trial Reports by the Commission’, 27 May 1946, is missing from this file, a copy can be located in A1067, UN46/WC/10. For a continuation of ‘C’ documents, see A4311, 746/5.

This file contains ‘A’ documents in the range A.3 to A.59, including A.32, Dr E Schwelb, ‘Draft of a Note on the Legal Aspect of the work of the United Nations War Crimes Commission’. This is a 26-page brief history of the commission dated 29 January 1947 which was prepared for publication in the British Year Book of International Law.
Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

This file contains ‘Misc’ documents in the range Misc.2 to Misc.110, including:

- Misc.4 ‘Memorandum on the Recording of War Crimes Trials, Law Reporting, and Related Subjects by the Legal Officers’, 14 December 1945

It also includes several editions of Schwelb’s periodic ‘Bibliography of Legal Literature on the Law of War Crimes and Belligerent Occupation in the Second World War’. For a continuation of ‘Misc’ documents, see A4311, 746/5.

‘CUMPSTON COLLECTION’ OF DOCUMENTS RELATING TO THE HISTORY OF AUSTRALIAN FOREIGN POLICY, 1960–69
Recorded by: 1960–69 Department of External Affairs [II], Central Office (CA 18)

Quantity: 70.34 metres (Canberra)

This series contains files accumulated by Dr John Stanley Cumpston, a longstanding employee and departmental historian of External Affairs from 1959 to 1969. Since then, his collection (whose contents date from about 1870 to 1969) has been assessed for retention/destruction and some items have been re-sorted into their original External Affairs series. The Cumpston Collection today is what remains: a significant body of files on numerous subjects concerning External Affairs and the history of Australian foreign policy. It contains a number of files concerning the United Nations War Crimes Commission.

This file contains ‘C’ documents in the range C.99 to C.266 and ‘Misc’ documents in the range Misc.25 to Misc.125, thereby picking up where files A2937, 288 and 272 left off. These include C.267 ‘Committee I Final Statistical Progress Report’, 21 April 1948. It also contains several draft chapters of the History of the United Nations War Crimes Commission.

United Nations War Crimes Commission committees and documents

CORRESPONDENCE FILES, ALPHABETICAL SERIES, 1924–45
Recorded by: 1924–45 Department of External Affairs, London (CA 1759)

See earlier entry for series A2937 in this chapter.

United Nations War Crimes Commission: Committee I (Committee on Facts and Evidence), 1945–47
This file contains minutes of Committee I (the Committee on Facts and Evidence) from no. 5 of April 1945 to no. 119 of October 1947; and some official documents of the Committee. Alas, it does not contain much information on the presentation of Australian cases. Of interest are:

143 For the Australian cases put to the UNWCC and how Committee I considered them, see the section on Australian charges later in this chapter.
- doc I/47 which describes the exact process by which cases were processed and dealt with by Committee I
- doc I/78 which proposed the production of a historical and legal report on the activities of Committee I.

**United Nations War Crimes Commission: Committee 2**  
(Enforcement Committee), 1944–46  
A2937, 280

This file contains a few minutes of Committee II but principally contains official documents of the Committee, many of which dealt with draft conventions then being discussed, for example:
- the Draft Convention on the Transfer of War Criminals and Other War Offenders
- the Draft Convention on the Trial and Punishment of War Criminals

**United Nations War Crimes Commission: Committee 3 (Legal Committee), 1944–47**  
A2937, 281

This file contains a few minutes of Committee III but principally selected official documents of the Committee, which usually focused on questions such as whether certain acts were war crimes or on legal process. Of interest are:
- docs III/4, III/4(a) and III/5 discussing the ‘scope of retributive action’ of the Allied Powers
- doc III/107, a report by Dr J Litawski entitled ‘Historical Survey of the Problem of Violations of Human Rights (War Crimes and Crimes Against Humanity)’.

**United Nations War Crimes Commission: Legal Committee, 1945–47**  
A2937, 289

This file contains:
- the Legal Committee’s ‘Law Reports Series’, later ‘Trial and Law Reports Series’, from issues no. 4 to 46. This series produced short summary/analysis reports on individual national war crimes trials. Australia’s Wewak MW5 trial was reported in issue no. 16. Trials by other nations – including Britain, the Netherlands and China – of Japanese war criminals are reported
- ‘Synopsis of Trial Reports’, which lists national trial reports received by the United Nations War Crimes Commission. Trials by other nations are recorded
- ‘Survey of Legal Literature’ supplements to the Research Office’s ‘War Crimes New Digest’ series, as these were often produced by legal officer Dr E Schwelb
- regular minutes from July 1947 of the Legal Publications Committee overseeing the production of the *Law Reports of the Trials of War Criminals*.

**United Nations War Crimes Commission: Research Office, 1944–46**  
A2937, 291

This file contains various documents from the document series produced by the Research Office from 1944. Until late 1945, they deal almost exclusively with the European theatre. Received external documents that were Japan-related began to be listed in the ‘Bulletin’ from August 1945, for example, Australian Military Forces List No. 1 of Suspected Japanese War Criminals, which was registered as
R/II/29/1 in Bulletin no. 27 on 4 February 1946. The first Japan-related document to be reproduced verbatim in the ‘Document Series’ was in no. 9 in November 1945, which reproduced a letter by a high-ranking British official at Singapore describing Japanese atrocities.

This file contains various documents from series produced by the Research Office from April 1946 onwards.

This file contains the Research Office’s ‘Press News Summary’, later ‘War Crimes News Digest’ series, from issue no. II to no. XXXIV. References to Japan, including regarding the Australian war crimes trials and the International Military Tribunal for the Far East, were commonly in a section headed ‘The Far East’. Several of the periodic indexes to the digest are also held. The file also contains some press release documents (including drafts of proposed statements) from early 1945 onwards, when the commission decided to actively publicise its activities. On the punishment of Japanese war criminals, see, for example, ‘Press Release Approved at the meeting of the special Far Eastern & Pacific Committee Held on September 5th, 1945’.

'CUMPSTON COLLECTION' OF DOCUMENTS RELATING TO THE HISTORY OF AUSTRALIAN FOREIGN POLICY, 1960–69
Recorded by: 1960–69 Department of External Affairs [II], Central Office (CA 18)
See earlier entry for series A4311 in this chapter.

This file contains the Research Office’s ‘War Crimes News Digest’ from issues. no VI to XXXVI, including the final two issues XXXV and XXXVI which are omitted in A2937, 219. The file also contains a good run of the Research Office’s ‘Bulletin’, later the ‘Weekly Bulletin’, listing external documents received. Samples of other document series produced by the Research Office or Legal Committee are intermittently included, as are a number of ‘A’ documents, generally dealing with the International Military Tribunal for the Far East.

This file contains minutes no. 3–5 of the Legal Publication Committee and issues no. 21–22, 28, 38 and 47–49 of the Legal Committee’s ‘Trial and Law Reports Series’.

In addition to official documents, this file contains several minutes and documents of Committee I (Committee on Facts and Evidence). It also

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144 The final two issues of ‘War Crimes News Digest’, nos. XXXV and XXXVI can be found in NAA: A4311, 743/2.
145 Of particular interest might be ‘Unofficial Data Concerning Trials of War Criminals and Collaborators in Countries which do not furnish Reports to the U.N.W.C.C.’, Summary of Information, no. 52, July 1946, which covered Russia, Austria, Bulgaria, Italy, Rumania and Hungary.

Note from Ministry of Foreign Affairs, Republic of China to the Australian Legation, Chungking, regarding the establishment of the Far Eastern and Pacific Sub-Commission and English translation, 13 October 1944. NAA: A4144, 730/1944
Far Eastern and Pacific Sub-Commission (Chungking)

CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES WITH YEAR PREFIX, 1942–45

Recorded by: 1942–45 Department of External Affairs [II], Central Office (CA 18)

Quantity: 34.29 metres (Canberra)

This series deals with a range of subject matters concerning Australia’s relations with other countries specifically in the context of World War II. As External Affairs functioned as Australia’s National Office, the department holds the key government correspondence files relating to the United Nations War Crimes Commission. These files should be read in concert with correspondence files in series A2937 (the series of the Department of External Affairs, London Office) for, despite considerable overlap, External Affairs files created in Australia and in London each hold unique correspondence.

Post War Reconstruction: Atrocities – Chungking Panel (Far Eastern and Pacific Sub-Commission) of the United Nations War Crimes Commission, 1944

This file includes documents relating to the sub-commission, including the agenda for the first meeting on 29 November 1944, the minutes of that meeting, SM.1, and the ‘rules’ established for its operation. It also includes discussion on whether Sir William Webb’s commission should become the core of an Australian panel or a sub-commission of the United Nations War Crimes Commission.

CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES WITH YEAR AND LETTER PREFIXES, 1945

Recorded by: 1945 Department of External Affairs [II], Central Office (CA 18)

Quantity: 34.56 metres (Canberra)

This series contains the main correspondence files of the department. The number and contents of files demonstrably increased in that year, as the war in both theatres was coming to an end and all the preparation for postwar reconstruction started to become active. These files should be read in concert with correspondence files in series A2937 (the series of the Department of External Affairs, London Office) for, despite considerable overlap, External Affairs files created in Australia and in London each hold unique correspondence.


This file includes copies of minutes of various meetings of the sub-commission and other documents.

CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES WITH YEAR AND LETTER PREFIXES, 1946

Recorded by: 1946 Department of External Affairs [II], Central Office (CA 18)

Quantity: 32.22 metres (Canberra)
The files in this series should be read in concert with correspondence files in series A2937 (the series of the Department of External Affairs, London Office) for, despite considerable overlap, External Affairs files created in Australia and in London each hold unique correspondence.


This file includes intermittent copies of minutes from SM.18 to SM.38 and other documents, including final reports on the sub-commission and on its Committee on Facts and Evidence. While a delayed final report on the Committee on Finance was foreshadowed, no copy is included here.

**CORRESPONDENCE FILES, ALPHABETICAL SERIES, 1924–45**

Recorded by: 1924–45 Department of External Affairs, London (CA 1759)

See earlier entry for series A2937 in this chapter.


This file contains ‘C’ documents relating to the sub-commission, including C.13, C.25, C.73 and C.74. It also contains other ‘C’ documents selected for relevance to Japanese war criminals, such as C.145 ‘Summary Recommendations concerning Japanese War Crimes and Atrocities’.

**CORRESPONDENCE FILES, SINGLE NUMBER SERIES WITH YEAR SUFFIX, 1945–48**


1948 Australian Embassy, Republic of China [Nanking] (CA 1979)

Quantity: 6.93 metres (Canberra)

This series contains the main correspondence of this diplomatic post from 1941 to 1948. As Australian representatives to the Far Eastern and Pacific Sub-Commission came from the Legation, the bulk of sub-commission papers – including almost a full run of the minutes of sub-commission meetings – were filed in this series.

**War Crimes: Minutes of London based United Nations War Crimes Commission, Index and Pages 1–528, 1943–45**

These two files contain retyped copies of the minutes and documents of the United Nations War Crimes Commission, probably provided to the Far Eastern and Pacific Sub-Commission. Part 1 contains a useful list of the minutes and documents.
War Crimes: Minutes of Chungking Far Eastern and Pacific Sub-Commission, 1945
This file contains minutes of the sub-commission from SM.2 to SM.18 and also several early minutes of the Committee on Facts and Evidence and Finance Committee. It also contains other documents in the sub-commission’s ‘D’ series, such as D.12 ‘Summarized Opinions Expressed in the United Nations War Crimes Conference, May 31–June 4, 1945’.

War Crimes: Minutes of Chungking Far Eastern and Pacific Sub-Commission, 1946
This file contains minutes of the sub-commission from SM.19 to SM.35 (hence, omitting the final few minutes). The file also contains documents in the sub-commission’s ‘D’ series, such as D.16 ‘Statement on Expenditure of Far Eastern and Pacific Sub-Commission from December 1, 1944 to December 31, 1945’.

War Crimes correspondence concerning Far Eastern and Pacific Sub-Commission, 1944
War Crimes Correspondence concerning Far Eastern and Pacific Sub-Commission, 1945
War Crimes correspondence concerning Far Eastern and Pacific Sub-Commission, 1946
These three files contain sub-commission correspondence (for example, notices of sub-commission meetings and agendas) and documents, including D.8 ‘The Treatment of War Crimes and Crimes Incidental to the War’. Many pages have marginalia by the Australian representative. The files also include correspondence to and from the Australian Legation, which provide an interesting insider point of view into sub-commission operations.

War Crimes: General, 1947

National Offices Conference, 31 May–2 June 1945
CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES WITH YEAR AND LETTER PREFIXES, 1945
Recorded by: 1945 Department of External Affairs [II], Central Office (CA 18)
See earlier entry for series A1066 in this chapter.

This file contains correspondence about the conference held on 31 May 1945, including the appointment of John Oldham as Australia’s representative to the conference and Oldham’s summary written after the conference.

‘CUMPSTON COLLECTION’ OF DOCUMENTS RELATING TO THE HISTORY OF AUSTRALIAN FOREIGN POLICY, 1960–69
Recorded by: 1960–69 Department of External Affairs [II], Central Office (CA 18)
See earlier entry for series A4311 in this chapter.
Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

Conference held at the Royal Courts of Justice, London, May 31st to June 2nd 1945: Minutes and Documents, 1945

This file contains a bound edition of the ‘Minutes and Documents’ of the conference, including a list of representatives, the agenda, Lord Wright’s introductory speech as chairman and statements by various national offices. The same bound edition of ‘Minutes and Documents’ is held in the records of the Australian War Crimes Commission [II], see A10953, 17.

Australia: general policy and correspondence

CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES (THIRD SYSTEM), 1934–50

Recorded by: 1934–50 Prime Minister’s Department (CA 12)
Quantity: 161.92 metres (Canberra)

This file contains correspondence about the commission, including to the Prime Minister from former prime minister Stanley Bruce in London about setting up the commission.

CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES WITH YEAR PREFIX, 1942–45

Recorded by: 1942–45 Department of External Affairs [II], Central Office (CA 18)
See earlier entry for series A989 in this chapter.

Post War Reconstruction – Atrocities – War Crimes Commission, 1943–44
This file includes correspondence about the setting up and purpose of the ‘War Crimes Commission’, including the minutes of the 20 October 1943 meeting which created what would become the United Nations War Crimes Commission.

Post War Reconstruction – Atrocities – Chungking Panel (Far Eastern and Pacific Sub-Commission) of War Crimes Commission, 1944
This file includes correspondence relating to the sub-commission, including discussion on whether Sir William Webb’s commission should become the core of an Australian panel or a sub-commission of the United Nations War Crimes Commission.

CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES WITH YEAR AND LETTER PREFIXES, 1945

Recorded by: 1945 Department of External Affairs [II], Central Office (CA 18)
See earlier entry for series A1066 in this chapter.

Atrocities: United Nations War Crimes Commission Part 1, 1944–45

A4311, 776/17
A461
A461, B350/1/1
A989
A989, 1943/735/580/1
A989, 1944/735/580/4
A1066
A1066, H45/580/1 PART 1
Atrocities: United Nations War Crimes Commission Part 2, 1944–45


These are the main files held by External Affairs regarding the United Nations War Crimes Commission and pick up where the correspondence file for 1943–44 (A989, 1943/735/580/1) ended.


This file records Australia’s financial arrangements to support the commission and Australia’s representatives. Lord Wright, for instance, refused to accept remuneration for acting as Australia’s representative but was awarded a £500 per annum ‘entertainment’ allowance because of his ‘heavy expenditures’ as commission chairman. This sum was barely less than Australia’s overall contribution to the United Nations War Crimes Commission in the period April 1944 to March 1945 of £514.


This file contains correspondence relating to the sub-commission.

Atrocities: Australian Panel of United Nations War Crimes Commission, 1945

This file contains a submission to the Acting Minister of External Affairs in May 1945 urging the establishment of an Australian panel or sub-commission of the United Nations War Crimes Commission.


This file contains correspondence regarding attempts to persuade the USSR to join the commission.

CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES WITH YEAR AND LETTER PREFIXES, 1946

Recorded by: 1946 Department of External Affairs [II], Central Office (CA 18)

See earlier entry for series A1067 in this chapter.


This file includes correspondence about the sub-commission.

CORRESPONDENCE FILES, ALPHABETICAL SERIES, 1924–45

Recorded by: 1924–45 Department of External Affairs, London (CA 1759)

See earlier entry for series A2937 in this chapter.
Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

United Nations War Crimes Commission, Part 2, 1944–45
United Nations War Crimes Commission, Part 3, 1944–49
United Nations War Crimes Commission, Part 4, 1945
United Nations War Crimes Commission, Part 6, 1945–47

This set appears to contain the main files created by External Affairs in London regarding the commission, dating from its establishment (see Part 1). While the contents often replicate some documents held in the main External Affairs files created in Canberra in series A989, A1066 and A1067, they are noticeably closer to the action in London. The files routinely contain notices of meetings and the principal agenda to be considered that week in meetings of the commission and committees, enabling dates of discussion to be put to topics. The files contain a number of documents written by Stanley Bruce, Lord Atkin and Lord Wright and other high-level correspondence. Researchers are cautioned that the files are not chronologically consecutive and it is well worth reviewing each file.

Procedure for dealing with Japanese war criminals. Part 1, 1944–45
Procedure for dealing with Japanese war criminals. Part 2, 1945–46

These files contain the ongoing correspondence to and from the External Affairs Liaison Officer, London on war crimes procedural issues. The files thus record quite a bit of Sir William Webb’s war crimes work in London with the United Nations War Crimes Commission and British authorities in 1945 and later Justice Alan Mansfield’s work with the commission.

War Crimes Question of definition – “whether the preparation and launching of present war can be considered as a war crime”, 1944–45

This file deals with the definition issue, includes relevant United Nations War Crimes Commission minutes and ‘C’ documents on the subject, and incorporates some correspondence.

CORRESPONDENCE FILES, SINGLE NUMBER SERIES WITH ‘W’ [WAR] PREFIX, 1939–49

Recorded by: 1939–49 Attorney-General’s Department, Central Office (CA 5)
Quantity: 25.56 metres (Canberra)

This series contains files arising from wartime legislation. There are two files relevant to the United Nations War Crimes Commission.

Draft Convention for the Surrender of War Criminals, 1944–45

CORRESPONDENCE FILES, CLASSIFIED SINGLE NUMBER SERIES WITH ALPHABETICAL PREFIX, 1920–68

Recorded by: 1920–68 Australian High Commission, United Kingdom (CA 241)
Quantity: 27.36 metres (Canberra)
This series holds the classified correspondence files of the Australian High Commission, London.

**United Nations War Crimes Commission – Finance sub-committee, 1944–49**

A2908, C64/1

This file contains correspondence regarding Australia’s financial contribution to the commission, including the refund received in 1948.

**UNREGISTERED FILES ON WAR-TIME MATTERS KEPT BY JDL HOOD AS HEAD, POLITICAL SECTION AND ACTING SECRETARY, DEPARTMENT OF EXTERNAL AFFAIRS, 1944–46**

A12576

Recorded by: 1944–46 Department of External Affairs [II], Central Office (CA 18)

Quantity: 0.09 metres (Canberra)

This series contains six files that appear to have been created by Mr JDL Hood when he was acting as Secretary of the Department of External Affairs in 1945.

**War Crimes, 1944–1946. Including original ministerial submissions by JDL Hood, 1944–46**

A12576, 2

This file contains documents and correspondence relating to the United Nations War Crimes Commission.

**Australian charges submitted to the United Nations War Crimes Commission**

**CORRESPONDENCE FILES, ALPHABETICAL SERIES, 1924–45**

A2937

Recorded by: 1924–45 Department of External Affairs, London (CA 1759)

See earlier entry for series A2937 in this chapter.

**Japanese war crimes – Australian charges against Japanese war criminals, 1944–46**

A2937, 119

This file contains the first 21 Australian charges against Japanese war criminals submitted to the United Nations War Crimes Commission. Each numbered charge gave the particulars of the accused and the offence and included a statement of the evidence in support. Charge no. 1 concerned the infamous beheading execution of Flt Lt Newton VC in 1943, which was dated as received by the commission secretariat on 19 January 1945.

The file also includes a chart showing how the cases were dealt with by Committee I (Committee on Facts and Evidence), that is, whether they were classed as List A, List A–Units or List C cases.

**United Nations War Crimes Commission/Far Eastern and Pacific Sub-Commission lists of war criminals**

**CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES WITH YEAR AND LETTER PREFIXES, 1945**

A1066

Recorded by: 1945 Department of External Affairs [II], Central Office (CA 18)

See earlier entry for series A1066 in this chapter.
Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

United Nations War Crimes Commission: Lists of War Criminals, 1945  
A1066, H45/580/1/3

‘CUMPSTON COLLECTION’ OF DOCUMENTS RELATING TO THE HISTORY OF AUSTRALIAN FOREIGN POLICY, 1960–69  
A4311

Recorded by: 1960–69 Department of External Affairs [II], Central Office (CA 18)

See earlier entry for series A4311 in this chapter.

A4311, 742/1

A4311, 745/9

A4311, 745/12

- United Nations War Crimes Commission: Fourth List of War Criminals together with List of Suspects and List of Witnesses (Japanese), March 1945  
Note that three further copies of this list appear in A4311, 777/5.  
A4311, 745/16

- United Nations War Crimes Commission:  
Part 1, Twenty-Fourth List of War Criminals (Japanese);  
Part 2, Eleventh List of Suspects (Japanese); Part 3, Eleventh List of Witnesses (Japanese), 1946  
A4311, 745/29

- United Nations War Crimes Commission: Part I, Twenty-Ninth List of War Criminals (Japanese); Part II, Sixteenth List of Suspects (Japanese) – List Number 29 [includes duplicate], April 1946  
A4311, 755/3

- United Nations War Crimes Commission: Supplementary List of War Criminals, Suspects and Material Witnesses (Japanese) – Supplement to List Number 29, November 1946  
A4311, 755/4

A4311, 755/8

A4311, 756/10

A4311, 777/17
Japanese war crimes in the Pacific: Australia’s investigations and prosecutions


GENERAL AND CIVIL STAFF CORRESPONDENCE FILES AND ARMY PERSONNEL FILES, 1943–51

Recorded by: 1943–51 Department of the Army, Central Office (CA 36)

Quantity: 170.08 metres (Melbourne)
This series contains numerous files relating to war crimes, most of which are recorded elsewhere in this guide.


This file made up of eleven parts. It includes an Army memorandum explaining how listing by the United Nations War Crimes Commission operated.

United Nations War Crimes Commission Law Reports of Trials of war criminals and Official History of the commission

‘CUMPSTON COLLECTION’ OF DOCUMENTS RELATING TO THE HISTORY OF AUSTRALIAN FOREIGN POLICY, 1960–69 A4311

Recorded by: 1960–69 Department of External Affairs [II], Central Office (CA 18)

See earlier entry for series A4311 in this chapter.

Procedure for dealing with Japanese War Criminals, March 1946–1949 [Correspondence, War Crimes Trial lists and Records of Military Court rulings relating to Australian representation on the United Nations War Crimes Commission], 1946–49 A4311, 766/1

This file contains correspondence regarding the provision of Australian trial information to the commission for the purpose of the Law Reports and includes a draft of Volume V.

United Nations War Crimes Commission, 1948: January–March [Correspondence, War Crimes Trial lists and meeting minutes], 1947–48 A4311, 766/2

This file and 766/3 below contain notices of meetings, the agenda and minutes regarding the Law Reports and the Official History, as well as correspondence.

United Nations War Crimes Commission, April 1948 [Correspondence, War Crimes Trial Law Reports and meeting minutes], 1948–49 A4311, 766/3

Law Reports of Trials of War Criminals: Selected and prepared by the United Nations War Crimes Commission, Volume 1, 1947 A4311, 776/2

This file contains the print edition of Volume 1.

Law Reports of Trials of War Criminals: Selected and prepared by the United Nations War Crimes Commission, Volume 5, 1948 A4311, 776/3

This file contains the print edition of Volume 5, which included reports on three of the Australian trials. The issue cost 5 shillings and was available to purchase directly through His Majesty’s Stationery Office or ‘any bookseller’.

GENERAL AND CIVIL STAFF CORRESPONDENCE FILES AND ARMY PERSONNEL FILES, 1943–51 MP742/1

See earlier entry for series MP742/1 in this chapter.
Request by United Nations War Crimes Commission through Department of External Affairs for reports on various war crime trials, 1946–49
This file contains correspondence indicating which trials had their Records of Military Court forwarded and which trials had their full transcript forwarded to the United Nations War Crimes Commission in London. It shows that the commission received considerably more complete transcripts of Australian trials than might be suggested by the few trials actually reported in the Law Reports series.

United Nations War Crimes Commission – Australian Military Forces History [contribution to UNWCC history of prosecution of war crimes], 1948
This file contains External Affairs’ request in January 1948 for the Department of the Army to provide ‘as full an account as it is desired to give of Australia’s prosecution of war crimes in all its aspects’ for provision to the United Nations War Crimes Commission for its official history. The resulting 4-page report entitled ‘Account of Work done by the Australian Military Forces with Regard to the Investigation and Prosecution of War Criminals and the Result of Trials held before A.M.F. Courts Established under the War Crimes Act 1945’ is a useful short overview of the period 1942–48 but is wrong on at least one material point: the first Australian trial was not at Wewak on 26 November 1945.

Files held at the Australian War Memorial

WRITTEN RECORDS, 1939–45 WAR, 1926–93
Recorded by: 1926–39 Department of Defence [II], (Central Administration) (CA 19)
1942–93 Department of Defence [III], Central Office (CA 46)
Quantity: 213.5 metres (Australian War Memorial)
This series holds miscellaneous records that were transferred to the Australian War Memorial from the Military History Section of the Australian Army regarding the 1939–45 war. As such, it contains many files relating to war crimes, mostly (but not exclusively) in item numbers 1010/*/*, many of which are recorded elsewhere in this guide. As the United Nations War Crimes Commission was primarily dealt with by the Department of External Affairs, there are very few files at the War Memorial concerning the commission.


4. **The Directorate of Prisoners of War and Internees and the Australian War Crimes Sections**

**Introduction**

Until early 1945, administrative action and liaison work regarding war crimes was the responsibility of the Directorate of Personal Services, based at Army Headquarters (AHQ) in Melbourne. In early 1945, however, the Directorate of Prisoners of War and Internees (DPW&I), also at AHQ Melbourne accepted this responsibility. The four major duties of the Directorate of Prisoners of War and Internees were:

- the custody and control of civilian internees held in Australia
- the custody and control of enemy prisoners of war
- the protection of welfare and interests of Australian prisoners of war held by the enemy, and the organisation of arrangements for their recovery
- the tracing, apprehension and trial of minor war criminals.

The officer in charge of the directorate held the title of ‘Director’ and he had full executive responsibility for exercising and administrating war crimes investigations and prosecutions. The key officers in this role were Colonel Edgar Allan Griffin OBE (August 1945 – July 1947) and Lt Col John Warry Flannagan (July 1947 – July 1950), who was a barrister in civilian life.  

![Lt Col John Warry Flannagan. NAA: B883, VX65494](image)

Nominal rolls, at least in part, of officers serving or attached to the directorate can be located in the unpublished official history of the Directorate of Prisoners of War and Internees and their individual service records can be located in RecordSearch by searching by name or service number.

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146 Although this would suggest no involvement whatsoever with Japanese 'major' war criminals, this was not necessarily the case but DPW&I activity in relation to 'major' war criminals was certainly incidental to duties regarding 'minor' war criminals.

147 For their personnel files, see NAA: B883, VX108122 (Griffin) and VX65494 (Flannagan).

Organisation of DPW&I in 1946. NAA: A7711, VOLUME 1

In December 1945, a section of the Directorate of Prisoners of War and Internees devoted to war crimes matters was established. Its duties were:

- the collection and collation of evidence to assist with the prosecution of alleged war criminals
- the establishment of a registry of suspects
- the establishment of military courts for the trial of minor war criminals
- administrative action on court findings and sentences.

Various sections were established under the existing Assistant Adjutant General (AAG) (War Crimes), including administrative, registry and investigation sections, each of which was headed by a Deputy Assistant Adjutant General (DAAG). The Administrative Section was responsible for, among other things:

- control of general policy over war crimes
- the handling of personal records, postings and movements of staff
- arrangement of the movement of war crimes suspects and witnesses
- the handling of the war crimes trial proceedings.

The Registry Section was responsible for:

- the production and maintenance of a card registry system of all war criminals and suspects
- the compilation, maintenance and distribution of lists of war crimes suspects in custody, suspects not in custody but wanted and, in due course, war criminals sentenced by Australian Military Courts.

149 For the War Establishment dated 7 December 1945, see NAA: MP742/1, 96/1/2868.
151 For the instructions to the registry clerks, see ‘AMF Registry of Japanese War Criminals’ in NAA: MP742/1, 336/1/2196.
The War Crimes Investigation Section was responsible for:

- obtaining and examining evidence of war crimes
- searching for suspects.

The Investigation Section and the production of the Australian lists will be discussed in more detail in Chapter 5.

There are two comprehensive indexes to directorate files held at the Australian War Memorial (AWM). Many of these files can be located in series MP742/1; however, a number of them appear to have been destroyed, including some which have tantalisingly interesting titles.

**The Australian War Crimes Sections**

Outside Australia, the Directorate of Prisoners of War and Internees established two Australian War Crimes Sections (AWCS), known as 1AWCS and 2AWCS.

1AWCS was first based in Singapore, where it was attached to Allied Headquarters, South East Asian Command (SEAC), and worked closely with the British war crimes team based there. 1AWCS was both an investigation and prosecution section, responsible for trials at Singapore, Hong Kong and Manus Island. In what looks like wishful thinking in hindsight, Colonel EA Griffin estimated in early 1946 that the bulk of the work of 1AWCS would be ‘completed in approximately six to nine months’. However, 1AWCS was still in operation several years later, based in Hong Kong and later on Manus Island.

2AWCS was based in Tokyo, where it was established as the Australian Division of General Headquarters Supreme Commander of Allied Powers (GHQ SCAP) Legal Section from March 1946. Although it was originally assumed 2AWCS would be an investigation and prosecution section similar to 1AWCS, it was primarily an investigatory section. General Douglas MacArthur, the Supreme Commander, would never permit Australia to set up its own war crimes court in Japan. In addition to investigating cases that went on to be tried in the Australian war crimes trials, 2AWCS investigated cases that were tried by the United States military tribunals at Yokohama. Moreover, personnel for 2AWCS included an officer – Lt Col Francis GJ Place – whose duty was to act as the Australian court member on the US trials. Various other 2AWCS members also served as prosecutors on the US trials, including Major Douglas M Campbell, Major Herbert F Dick, Major Robert RB Hickson and Captain EG Thwaites.

The Yokohama trials are briefly discussed in Chapter 9.

Nominal rolls, at least in part, of officers and enlisted personnel serving over time with the two AWCS can be found in various files and in the unpublished official history of the Directorate of Prisoners of War and Internees.

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152 See AWM: AWM226, 36 and 37.
153 Memorandum from Lt Col EA Griffin, DPW&I to Maj Mackenzie, 9 January 1946, NAA: MP742/1, 251/1/2234.
154 For further information on the United States Yokohama trials, see Chapter 9.
While the nominal rolls for 1AWCS and 2AWCS often do not list female staff, civilian women worked for both sections, usually as clerical staff. A more unusual appointment was Miss Doris Heath, a graduate of the Army School of Languages and former sergeant in the Australian Women’s Army Service (AWAS), who worked as an interpreter and translator at 2AWCS.

While both Australian War Crimes Sections were Army units, other service personnel were attached as appropriate. For instance, several Royal Australian Air Force (RAAF) officers were attached to assist in investigations, as many victims of war crimes were RAAF personnel. As one senior officer put it in February 1946, there was ‘likely to be a public demand’ that the RAAF ‘be represented in the organization which seeks retribution’. These officers were not just air force liaisons in Army units; they were full investigators who played important roles. For instance, Flt Lt Lionel C Conduit, who was attached to both 1AWCS and 2AWCS, was highly praised and recommended for promotion, as he had displayed:

outstanding ability and application to duty as a result of which a number of known war crimes have been solved and a number of previously unsuspected war crimes … have

156 ‘Retribution’ was an unusual choice of words for a senior officer: see minute paper from W Cdr GO Reid, D/DFS (Cas) to the Secretary, Department of Air, 4 February 1946, p. 1, NAA: A705, 32/6/127.
Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

been unearthed … His mind is keen, his thinking clear and logical, and his capacity for work and attention to detail is limitless. 157

2AWCS even attached a New Zealander, Captain James G Godwin, New Zealand Expeditionary Force, who worked as an investigating officer.

Anecdotally, both AWCS were usually understaffed for the work they were meant to undertake, possibly as the war establishments had been drafted with excessive brevity of personnel numbers. As Lt Col Duncan LB Goslett, the Officer Commanding 2AWCS, pointed out in October 1947, his section was then covering 35 investigations with only four investigating officers, a load of eight investigations per officer. 158

By January 1948, the Directorate of Prisoners of War and Internees was pleading with the Army for more personnel for 2AWCS, to handle not only investigations but also outstanding cases. 159 In addition to shortages of investigators, court members, court staff, administrative staff and interpreters were also often in short supply. 1AWCS, for instance, pleaded for interpreters almost immediately in March 1946, as they were ‘being forced [to] use Japs for interrogations’ and ‘best results cannot be obtained without independent interpreter to conduct interrogation or check Jap interpreter’. 160 Similarly, by May 1946, the section was struggling with only one qualified court reporter. 161

Overwork undoubtedly compounded the general stress suffered by overseas war crimes personnel. Not only were they still serving long after many other officers and soldiers had been demobilised, they were stationed overseas and often in basic or adverse conditions, which all took a toll on both physical and mental wellbeing. For instance, Mr CV Rooney, the civilian prosecutor selected to try the cases at Manus Island in 1950–51, lasted only weeks before his severe asthma meant he was repatriated to Australia. Similarly, a court member was returned from Manus Island in 1950 suffering from urticaria (hives) and acute auditory and visual hallucinations. Shortages were compounded by attrition, as personnel sought release for a variety of reasons, including illness and compassionate grounds.

Other war crimes investigators

Apart from the two AWCS, there were smaller, less formal war crimes sections elsewhere, such as at the 8 Military District in Rabaul, New Britain. The local chief legal officer confided that the war crimes section there was known ‘more offensively’ as ‘the W.C. Section’. 162 Other Army units, such as the Australian Prisoner of War Contact and Inquiry Units (PWCIUs), were also engaged in war crimes investigation activities, particularly in relation to prisoners of war. For instance, Captain Eric B Bailey, 3PWCIU, wrote up a report on Sham Shui Po prisoner-of-war camp in Kowloon and the Japanese treatment of Allied prisoners of war which later was provided to the Australian War Crimes Commission. 163

In many areas of South-East Asia, however, war crimes investigations became the responsibility of local Allied military headquarters (that is, sometimes Australian Military Forces but often British), forward units or Australian liaison officers attached to other Allied

157 Memorandum from Lt DLB Goslett, OC, 2AWCS, to AHQ, n.d., NAA: MP742/1, 336/1/1096 PART 16.
158 Memorandum from Lt Col DLB Goslett, OC, 2AWCS to Lt Col JW Flannagan, DPW&I, 14 October 1947, NAA: MP742/1, 336/1/1096 PART 15. For Goslett’s personnel file see NAA: B2458, 240000
159 Memorandum from Lt Col JW Flannagan, DPW&I, ‘Staff Requirements – 2 Aust War Crimes Sec (SCA P), 22 January 1948, NAA: MP742/1, 336/1/1096 PART 16.
160 Message from 1AWCS to Landforces, 19 March 1946, NAA: MP742/1, 251/1/2234.
161 Letter from Lt Col RC Smith, OC, 1AWCS to Army Headquarters, Melbourne, 18 May 1946, NAA: MP742/1, 251/1/2234.
162 WC is an abbreviation for water closet, that is, toilet. Memorandum from Col Crofton Stephens, Chief Legal Officer, HQ, 8MD to Brig AS Lloyd, Director of Legal Services, HQ AMF, 11 March 1946, p. 1, NAA: MP742/1, 336/1/338. This gives an excellent overview of the operations of the section.
163 For Bailey’s report, see AWM: AWM226, 92.
forces. This meant that single officers sometimes carried the large burden of investigating war crimes in some areas.

Major Harold S Williams, for instance, was assigned as the Australian officer attached to the Recovered Personnel Division, Adv AFPAC (US Army Forces, Pacific) in Tokyo, where he spent quite a bit of time investigating, among other missing personnel, what had happened to Australian soldiers and civilians in Rabaul who had been shipped on the ill-fated Montevideo Maru. Williams conceded in a letter to the historian David Sissons in December 1975, however, that while his ‘attention and enthusiasm was focused upon a search for facts’ in relation to war crimes, the ‘administrative portion’ of his work was ‘of little interest’, which is why he recalled almost nothing about the organisational structure in Japan.

Unlike Harold Williams, sometimes these lone officers actually had little to no administrative support. For instance, Captain John Myles Williams (no relation), the legal officer for Headquarters 33rd Infantry Brigade, had no staff and only four months to investigate atrocities committed on Ambon after arriving there in September 1945. During this period, he had to collect evidence, arrest suspects and prepare prosecution cases. John Williams became a judge later in life, and an interesting series of his correspondence from this period is held in his papers in the State Library of New South Wales.

Similarly, in Western Java in late 1945, investigations into the deaths of about 1000 Australians, ‘many of whom had been brutally murdered’ after the Japanese occupation in 1942, were being carried out by a single officer. As that officer, Flt Lt HM McDonald, wearily observed:

volumes of evidence is snowballing in daily, and it is quite beyond the establishment of one junior officer to dessicate [sic] and classify it even if he did not have to travel many miles and interrogate people at the same time.

At this early stage, too, Australian policy regarding the investigation or prosecution of war criminals had not yet been established, so investigators were working without real knowledge of the parameters of their authority, duties or the actual end goal of their investigations. McDonald, for instance, had ‘found it increasingly difficult’ to ‘carry out his job effectively owing to the lack of a directive laying down the policy of the Australian Government regarding the eventual bringing to justice of the war criminals’.

McDonald was formally attached to 1AWCS in early 1946 but, despite Army assurances of extra assistance in Java, as well as increased status, authority and allowances, McDonald reported in February 1946 that he felt:

very strongly that justice is not being done to either, living or dead service personnel against whom crimes were committed, to the relatives of those missing, or to the hopelessly inadequate staff, who are endeavouring to do this job under difficult circumstances.

Lt Col RC Smith, the officer commanding 1AWCS, who thus now commanded McDonald, took a dim view of McDonald bypassing proper channels to send this complaint directly to no

164 See some of his reports in NAA: B3856, 144/14/81.
165 Letter from Harold Williams to Dr Scissons [sic], 18 December 1975, Papers of Harold S Williams, National Library of Australia, MS6681, Series 1, Box 4, File 30B.
167 ibid.
169 Flt Lt HM McDonald, Report on Situation in Java, 11 November 1945, p. 4, NAA: A705, 32/6/127.
170 Reported in memorandum from Brigadier --, General Staff, HQ Allied Forces, Netherlands East Indies, SEAC to CAS and RAAF HQ, Melbourne, 22 December 1945, NAA: A705, 32/6/127.
171 Flt Lt HM McDonald, Australian War Crimes Section, Batavia, to Casualty Section, RAAF Headquarters, Melbourne, and copy to Chief of Air Staff, 19 February 1946, p. 1, NAA: A705, 32/6/127.
less than the Chief of Air Staff. Smith asked for the question of McDonald’s continued attachment to 1AWCS to be considered as ‘one of urgency’. McDonald seemed about to be recalled to Australia amid some suspicions about his activities when, on 17 April 1946, he and another RAAF war crimes investigator who had subsequently arrived in Java, Sqn Ldr FG Birchall, were both killed in an ambush. They were buried at the Batavia (now Jakarta) War Cemetery.

**The end of the Directorate of Prisoners of War and Internees**

The magnitude of the directorate’s duties obviously increased and then waned over its existence. War crimes investigations by the directorate officially ended on 13 January 1950; however, certain administrative war crimes duties continued, such as receiving the records of trial proceedings from Manus Island.

**Overview of the records**

This chapter sorts records into several sections:
- official history of the Directorate of Prisoners of War and Internees (DPW&I)
- directorate operations, policies and correspondence
- records of the 1st Australian War Crimes Section (1AWCS)
- records of the 2nd Australian War Crimes Section (2AWCS)
- Japanese prisoner of war information.

Files held at the Australian War Memorial are listed separately at the end.

**Official History of the Directorate of Prisoners of War and Internees**

**REPORT ON THE DIRECTORATE OF PRISONERS OF WAR AND INTERNEES OF ARMY HEADQUARTERS, MELBOURNE, 1939–51**

A7711

Recorded by:
1939–42 Department of Defence Co-ordination, Central Office (CA 37)
1942–51 Department of Defence [II], Central Office (CA 46)

Quantity: 0.3 metres (Canberra)

This series consists of one item: the ‘Report on the Directorate of Prisoners of War and Internees at Army Headquarters, Melbourne, 1939–51’, compiled by Major DE Cleverly, which functions as the official history of the directorate during and after the war.


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172 Letter from Lt Col RC Smith, OC, 1AWCS, to HQ AMF, 22 March 1946, p.1, NAA: A705, 32/6/127.
173 ibid, p. 3.
174 For an account of their deaths, see memorandum by Air Vice Marshal, Chief of the Air Staff for the Minister, 26 April 1946, attaching a report, NAA: A705, 32/6/127.
Breakout escape attempt by Japanese prisoners of war in August 1944

This item consists of both volumes of the report. The preface and introduction in volume 1 cover the organisation and responsibilities of the directorate and the preparation of the report. Part V of volume 2, pp. 391–454, focuses on war crimes operations, covering:

- the United Nations War Crimes Commission
- the Australian war crimes commissions
- the directorate’s organisation and functions from December 1945
- trials of minor war criminals
- exchanges of war criminals between the Allied Powers
- trials of major war criminals in Japan
- excerpts from some Australian trials
- the 1 Australian War Criminals Compound.

Although the report concluded with a selection of photographs (see table of contents) and appendixes, the photographs and appendixes are not included in this file.

HISTORY RECORD SETS OF THE ARMY HISTORICAL RESEARCH STAFF, 1973–

Recorded by: 1973 Department of the Army, Central Office (CA 36)
1973–74 Army Office, Department of Defence [III] (CA 1568)
1974– Department of Defence [III], Central Office (CA 46)

Quantity: 0.36 metres (Canberra)

This series is a collection of ‘various odd files, histories and other historical material’ accumulated by the Army Historical Research Officers after 1973 (although materials predate that date).


Appendices to Volume 1, 1941–51

This file contains the appendixes to the report. The 31 appendixes were primarily establishments, orders, regulations and instructions relating to all operations of directorate, including appendixes:

- 28 ‘Interim Army Establishment – War Criminals Compound (Rabaul)’
- 29 ‘Statutory Rules. Regulations under the War Crimes Act 1945’
- 30 ‘Lower Establishment. War Criminals Compound (Manus)’.

Directorate of Prisoners of War and Internees operations, policies and correspondence

GENERAL AND CIVIL STAFF CORRESPONDENCE FILES AND ARMY PERSONNEL FILES, 1943–51

Recorded by: 1943–51 Department of the Army, Central Office (CA 36)

Quantity: 170.08 metres (Melbourne)

178 The Australian Army History Unit has a copy of the report digitised on its website under ‘Post War’ documents but, again, the photographs and appendixes are not included: http://www.army.gov.au/Our-history/Primary-Materials/Post-War-and-Korea-1946-to-1953/Documents. Copies of the report are also held by the AWM: see AWMS54, 780/1/6 and AWM: ORMF0024 later in this chapter.

179 These are the War Crimes (Imprisonment) Regulations 1951 (Cth), discussed in Chapter 6.
This series contains numerous files relating to war crimes, most of which are recorded elsewhere in this guide.

**War Establishment, A Branch, Directorate of Prisoners of War and Internees, 1945**
MP72/1, 96/1/2868
This file contains the War Establishment in December 1945.

**War Crimes Act: Regulations and delegations and opening of trials, 1945–57**
MP72/1, 336/1/382
This file is the Army’s main file concerning preparations for the trials. It contains administrative instructions, including a memorandum which explained the intention to establish an Australian War Criminals Register.

**Japanese war criminals possibly held as prisoners of war in Australia and not named on any lists, 1945–46**
MP72/1, 336/1/616
This file contains several key administrative instructions on apprehending and searching for suspected war criminals.

**War criminals – Secretary of Army’s file, 1945–46**
MP72/1, 336/1/980
It includes a memorandum by the Minister for the Army dated 26 September 1945 explaining that he was ‘not clear’ on the action necessary within the Army to ‘deal with War Criminals’; and a chronological ‘Statement Concerning Action Taken to Apprehend Japanese War Criminals’.

**War criminals: Administrative Instructions, etc, 1945–46**
MP72/1, 336/1/1143
This file compiles the Army’s administrative instructions issued in relation to war crimes, beginning with the Act and Regulations. Many of these instructions are held in other files; however this file has a useful index which provides the brief name and relevant number and date of the correspondence forming the instruction. Some documents are listed but are no longer in the file.

MP72/1, 336/1/1177
PART 14
This file contains correspondence (two pages) outlining the difficulties in obtaining affidavit evidence and suggesting that witnesses be persuaded to complete their affidavits before a Justice of the Peace.

**Affidavits required for war crimes investigations – Difficulties in obtaining, 1948**
MP72/1, 336/1/1634
This file includes correspondence discussing whether investigating officers from the Directorate of Prisoners of War and Internees should visit forward commands and districts to interview witnesses.

**Summary of Investigation Division cases considered at Investigation Division – Australian Division meeting of 8 April 1948, 1944–50**
MP72/1, 336/1/1949
PART 7
This file, one component of a large item, describes the outcome of a conference in April 1948 at the Investigation Division, Legal Section, General Headquarters, Supreme Commander for Allied Powers in
which it was decided what should fall into the investigatory scope of the Australian section of the division.

**Directorate of Prisoners of War and Internees – Index to files put away towards end of 1950 [Includes subject and alphabetical lists relating to Japanese war crimes/criminals], 1950**

MP742/1, 336/1/2125

**Australian Military Forces registry of Japanese war criminals – Staff instructions, 1946**

This file contains a useful description of the object and functions of the Australian Military Forces (AMF) Registry of Japanese War Criminals, whose duty it was to compile, maintain and distribute the AMF lists of war criminals.

**RESIDUE OF RECORDS RELATING TO PRISONERS OF WAR AND INTERNEES, WORLD WAR II, 1939-68**

B4141

Recorded by: 1939–55 Prisoner of War Information Bureau (CA 3055)
1955–68 Soldier Career Management Agency (CA 1999)

Quantity: 0.72 metres (Melbourne)

This series consists of 22 residual records relating to prisoners of war and internees in Australia and overseas, including administrative and personal information.

**Legislation relating to Prisoners of War (POW) and Internees, 1941–68**

B4141, 1


B4141, 3

**Records Procedures: Enemy Prisoners of War, 1941–45**

B4141, 4

**Japanese Prisoners of War: General Administration, 1944**

B4141, 6

**Prisoner of War Information Bureau: functions and procedures, 1942–45**

B4141, 14

**LIST OF DIRECTORATE OF PRISONERS OF WAR AND INTERNEES CORRESPONDENCE FILES TOP-NUMBERED INTO: (1) ARMY CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES, 1943–1951 (B1800) AND (2) GROUP [ARMY FORMATIONS] CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES WITH "GP" PREFIX, 1943–1946 (B1827), 1950**

B3926

Recorded by: 1950 Department of the Army, Central Office (CA 36)

Quantity: 0.09 metres (Melbourne)

This series contains three items with lists of Directorate of Prisoners of War and Internees correspondence files, most but not all of which files were later merged into other Army series. Items 1 and 2 have almost identical information and item 3 is a working copy of part of the lists in items 1 and 2.

**Classification of Directorate of Prisoners of War and Internees files – War Crimes files – list of files top-numbered into Army record system on 27 June 1950**

B3926, 1
Records of 1AWCS

GENERAL AND CIVIL STAFF CORRESPONDENCE FILES AND ARMY PERSONNEL FILES, 1943–51

MP742/1

Recorded by: 1943–51 Department of the Army, Central Office (CA 36)

See earlier entry for series MP742/1 in this chapter.

1 Australian War Crimes Section (South East Asia Command) – reorganisation of, 1945–47

This file contains various draft war establishments for the section.

1 Australian War Crimes Section (South East Asia Command) – raising of, 1945–46

This file contains correspondence on the establishment of the section (including a proposed temporary war establishment), nominations for staffing and the functions of the section. It also contains details of the operational problems of the section, as well as the turnover of the commanding officer in late 1946. See the application for release of Major HD Cullen dated 19 August 1946 as an illustration of the personal, physical and financial difficulties of working at 1AWCS.

Unit War diary – 1 Australian War Crimes Section (South East Asia Command), 1946

This file contains a copy of the unit’s war diary for June and July 1946 and the ‘Orders for Preparation and Trial of Cases’ issued in July 1946, which described how to prepare a case for trial, apply for trial and court procedure.

Unit War Diary – 1 Australian War Crimes Section, South East Asia Command, 1946–47

This file contains a copy of the unit’s war diary for January to May 1946, August to December 1946 and January to March 1947. It also contains Lt Col RC Smith’s Standing Orders for 1AWCS issued on 8 March 1946 and amendments.

1 Australian War Crimes Section Finance, 1947–48

As well as 1AWCS finance matters, this file contains documents regarding the payment of sufficient financial allowances to the Japanese defence counsel and interpreters at Hong Kong.

War crimes: classifications and returns South-East Asia Command area: [1] Miscellaneous 12, 1946–48


These two parts include some examples of classification and return reports from 1AWCS and other correspondence and documents showing cases under investigation, 1946–48. A report dated August 1948 shows that the investigation into the Banka Island massacre was still ongoing but was being transferred to the control of 2AWCS.


MP742/1, 336/1/1016

MP742/1, 336/1/1438

MP742/1, 336/1/1446 PART 1

MP742/1, 336/1/1446 PART 2

MP742/1, 336/1/1452 PART 2
This file contains Directorate of Prisoners of War and Internees guidance to 1AWCS on war crimes matters and reports from 1AWCS on current investigations and on the case files that were being closed.

Periodical reports from 1 Australian War Crimes Section (South East Asia Command) – Correspondence [and Forms:
'B' (Investigations concluded and result),
'C'(A) (Japanese in custody and charged),
'C'(B) (Japanese in custody and charged to be tried by British court), 'C'(D) (Japanese in custody and charged by Dutch),
'D' (Japanese suspects),
'E' (Australian trial results),
'F' (Japanese tried by Allied courts),
'G' (Japanese suspects no longer required)]

The nine parts provide examples of reports of investigations that had been concluded and their results, including where the suspect had been tried by the British military court ‘with Australian evidence added’. Examples of the parts are:

Periodical reports from 1 Australian War Crimes Section (South East Asia Command) – correspondence, 1946–48
MP742/1, 336/1/3597 PART 1

Periodical reports from 1 Australian War Crimes Section (South East Asia Command) – Form B, 1946–48
MP742/1, 336/1/3597 PART 2

Periodical reports from 1 Australian War Crimes Section (South East Asia Command) – Form C (A), 1946–48
MP742/1, 336/1/3597 PART 3

War crimes – Miscellaneous correspondence re criminals, suspects and trials [1] MISC 18 part 1, 1945–52
MP742/1, 336/1/1865 PART 1
This file contains a review of the strength of 1AWCS conducted in March 1950 and includes a nominal roll of personnel.

1 Australian War Crimes Section Manus (Staff), 1949–51
MP742/1, 336/1/2148
This file includes a draft establishment for 1AWCS Manus Island and consideration of staffing. It also includes a nominal roll of staff of the section from February 1951.

War Trials: Manus Disposal of personnel: 1 Australian War Crimes Section, 1950–51
MP742/1, 336/1/2187
This file includes the proposal to appoint (then) Captain KR Townley as president of the Manus Island court, including his particulars of service and an application for him to be commissioned.

WAR CRIMES INVESTIGATION FILES, SINGLE NUMBER SERIES WITH WC [WAR CRIMINALS] PREFIX, 1949
MP375/14
Recorded by: 1949 1 Australian War Criminals Compound (Rabaul, then Manus Island, Territory of Papua-New Guinea) (CA 9601)
Quantity: 0.36 metres (Melbourne)

Most files in this series were started at the Rabaul War Criminals Compound and later transferred to the Manus War Criminals
Compound and added to there, as well as being renumbered. The majority of the files concern the compounds or are investigation files and hence are recorded elsewhere in this guide.

**Promulgation, commutation and confirmation of sentences, 1946–47**

This file also holds a useful list of war crimes investigation files held by 1AWCS on Manus Island.

**SECRET CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES, 1945–55**

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This series comprises Army Headquarters correspondence files.

**Australian War Crimes Section (Staff), 1948–49**

This file contains correspondence about the staffing of 1AWCS in Hong Kong, including the release of personnel. It also contains some correspondence and draft war establishments for 1AWCS on Manus Island.

**GENERAL AND CIVIL STAFF CORRESPONDENCE FILES AND ARMY PERSONNEL FILES, MULTIPLE NUMBER SERIES, 1952–62**

<table>
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1 Australian War Crimes Unit Manus – disbandment, 1952

**CORRESPONDENCE FILES, MULTIPLE NUMBER (MELBOURNE) SERIES (PRIMARY NUMBERS 1–323), 1922–60**

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This is the main correspondence series used by the RAAF from 1922 to 1960. It contains a few files regarding war crimes.

**Director of Personal Services (Casualty Section) – Australian prisoner of war contact and War Crimes Units in Java, 1945–51**

This file contains details regarding RAAF war crimes investigations in Java, including reports made by Flt Lt McDonald about the difficulties of his duties in 1945–46; correspondence about attaching RAAF officers to 1AWCS, their role and duties; and the deaths of investigators Sqn Ldr Birchall and Flt Lt McDonald.
Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

ARMY ADMINISTRATION FILES, MULTIPLE NUMBER SERIES WITH ‘NCCR’ (NORTHERN COMMAND CENTRAL REGISTRY) PREFIX 1901–50

Recorded by: 1901–11 Commonwealth Military Forces, Queensland, (District) Headquarters (CA 1218)
1911–21 Headquarters, 1 Military District, Commonwealth (Australian) Military Forces (CA 1219)
1921–39 1 District Base, Australian Military Forces (CA 1220)
1939–42 Command Headquarters, Northern Command [I], Australian Military Forces (CA 1221)
1942–46 Headquarters, Queensland Lines of Communication Area, Australian Military Forces (CA 1222)
1946–50 Command Headquarters, Northern Command [II], Australian Military Forces (CA 1223)

Quantity: 2.52 metres (Brisbane)

This series contains correspondence relating to the administration, function and policy of Australian Military Forces commands in Queensland over time, including Northern Command, which was involved with 1AWCS on Manus Island.

Disbandment of 1 Australian War Crimes Section – Manus Island, 1951

This file includes the approval for the disbandment in July 1951.

GENERAL CORRESPONDENCE, ‘C’ (CONFIDENTIAL) SERIES, 1934–52

Recorded by: 1934–39 2 District Base, Australian Military Forces, New South Wales Headquarters (CA 4334)
1939–42 Headquarters, Eastern Command [I], Australian Military Forces (CA 1876)
1942–46 Headquarters, New South Wales Lines of Communication Area, Australian Military Forces (CA 1877)
1946–52 Headquarters, Eastern Command [II], Australian Military Forces (CA 1878)

Quantity: 7.02 metres (Sydney)

This series holds confidential correspondence, usually relating to officers’ appointments, postings, transfers, promotions and medals.

Records of 2AWCS

WAR CRIMES TRIALS – MOVEMENT OF 1 AUSTRALIAN WAR CRIMES SECTION TO MANUS, 1950

See earlier entry on series MP742/1 in this chapter.

High cost of living – members of 2 Australian War Crimes Section Japan, 1947–49

Records of 2AWCS

GENERAL AND CIVIL STAFF CORRESPONDENCE FILES AND ARMY PERSONNEL FILES, 1943–51

Recorded by: 1943–51 Department of the Army, Central Office (CA 36)

See earlier entry on series MP742/1 in this chapter.
Amendment to War Establishment 111/105/1 – Australian War Crimes Section – No.2 Section, 1947–48

MP742/1, 96/1/3263

2 Australian War Crimes Section (Army Forces, Pacific) – raising of, 1946

MP742/1, 240/1/2210A

Affidavit file – war crimes various camps [22 components]

MP742/1, 336/1/1096

PARTS 1–22

File number 336/1/1096 is made up of 22 components (renamed as parts), most of which are investigation files listed elsewhere in this guide. Several files concern 2AWCS, as listed below:

Affidavit file: war crimes various camps – 9K part 1: 2 Australian War Crimes Section (Army Forces, Pacific, Supreme Commander for Allied Powers), 1946–47

MP742/1, 336/1/1096

PART 14

This file contains information about the initial attachment of an Australian liaison officer (war crimes) to General Headquarters AFPAC Tokyo and the raising of 2AWCS and its operational duties.

Affidavit file: war crimes various camps – 9K part 2: 2 Australian War Crimes Section (Army Forces, Pacific, Supreme Commander for Allied Powers), 1946–47

MP742/1, 336/1/1096

PART 15

This file contains information on the staffing of 2AWCS and some interesting correspondence from Lt DLB Goslett, OC of 2AWCS, to the Directorate of Prisoners of War and Internees.

Affidavit file: war crimes various camps – 9K part 3: 2 Australian War Crimes Section (Army Forces, Pacific, Supreme Commander for Allied Powers), 1946–47

MP742/1, 336/1/1096

PART 16

This file contains information on the staffing of 2AWCS, including a nominal roll as of January 1948 and efforts to obtain more personnel for the section, and a review of current investigations dated March 1948. It also contains a very complimentary report by Lt DLB Goslett on Flt Lt LC Conduit.

Affidavit file: war crimes various camps 9K part 3A: 2 Australian War Crimes Section (Army Forces, Pacific, Supreme Commander for Allied Powers), 1946–47

MP742/1, 336/1/1096

PART 17

This file contains information about the admission to Japan of dependants (typically wives) of 2AWCS personnel.

Affidavit file: war crimes various camps – 9K 9: staff – 1 G Marunouchi Hotel, 1947–49

MP742/1, 336/1/1096

PART 19

The Marunouchi Hotel is where 2AWCS personnel took up residence in 1947, having previously resided at Empire House. This file contains details of the hotel and accommodation requirements and the support offered by British Commonwealth Occupation Force (BCOF) to non-BCOF personnel in Tokyo.

Affidavit file: war crimes various camps – 9K: staff Australian War Crimes Section Tokyo, 1947–49

MP742/1, 336/1/1096

PART 20
This file includes nominal rolls of 2AWCS from February 1949 and February 1950. It also includes Lt DLB Goslett’s advance recommendations in June 1949 for winding up 2AWCS and returning personnel to Australia.

**War crimes: Weekly reports of investigations by 2 Australian War Crimes Section**

File number 336/1/1965 is made up of 13 parts, which contain the weekly reports by various investigating officers Captain J Sylvester, Major HS Williams, Captain JG Godwin, Captain WB McLachlan, Captain JC Van Nooten, Captain EW Scott, Captain FM Wilson, Captain MB Tindale, Captain A Klestadt, Sergeant AH Weston and Flt Lt LC Conduit over set periods, as shown by the example listed below. Some cases – such as the Banka Island massacre of nurses – were handed from investigator to investigator over time, so researchers are cautioned that it can be worth checking all files. Part 1 only contains cover memos, not reports.

**War crimes: Weekly reports of investigations by 2 Australian War Crimes Section – Investigation reports by Captain J Sylvester, 5 December 1947–20 January 1950**

A report by Captain MB Tindale, 2AWCS, for week ending 24 December 1948. None of these cases moved to the prosecution stage. NAA: MP742/1, 336/1/1965 PART 8
PERSONAL PAPERS OF DORIS MARY HEATH, 1942–90

Recorded by: 1923–90 Doris Mary Heath (CP 577)

Quantity: 0.27 metres (Canberra)

This series contains several files of papers maintained by Heath, who served as an interpreter/translator at 2AWCS Tokyo.

Doris Heath – 2 Australian War Crimes Section – Tokyo, 1946–47

This file includes copies of the report filed by Flt Lt Conduit when he was applying for ‘redress of grievance’ in respect of his expenses given an insufficient allowance. It contains an interesting description of the Marunouchi Hotel in Tokyo, where he and other 2AWCS personnel resided and their general circumstances regarding messing and amenities.

CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES, 1912–64

Recorded by: 1912–21 2 Military District, New South Wales [I] (CA 6335)
1921–39 2 District Base, Australian Military Forces, New South Wales Headquarters (CA 4334)
1939–42 Headquarters, Eastern Command [I], Australian Military Forces (CA 1876)
1942–46 Headquarters, New South Wales Lines of Communication Area, Australian Military Forces (CA 1877)
1946–64 Headquarters, Eastern Command [II], Australian Military Forces (CA 1878)

Quantity: 64.65 metres (Sydney)

This series contains correspondence relating to the administration, function and policy of Eastern Command. It contains a number of files relating to war crimes.

2 Australian War Crimes Section (Army Forces, Pacific) – Redesignation and reorganisation as Australian War Crimes (Supreme Commander for Allied Powers), 1946

GENERAL CORRESPONDENCE, ‘C’ (CONFIDENTIAL) SERIES

Recorded by: 1934–39 2 District Base, Australian Military Forces, New South Wales Headquarters (CA 4334)
1939–42 Headquarters, Eastern Command [I], Australian Military Forces (CA 1876)
1942–46 Headquarters, New South Wales Lines of Communication Area, Australian Military Forces (CA 1877)
1946–52 Headquarters, Eastern Command [II], Australian Military Forces (CA 1878)

See earlier entry on series SP1048/6 in this chapter.

Personnel of Australia War Crimes Section, Japan, 1950

Personnel of Australia War Crimes Section (1 page only), 1950

Personnel of Australian War Crimes Section, 1950
Japanese prisoner-of-war information

NOMINAL INDEX CARDS TO REGISTERS AND DOSSIERS FOR ENEMY PRISONERS OF WAR AND INTERNEES, 1939–47

Recorded by: 1939–47 Prisoners of War Information Bureau (CA 3055)

Quantity: 7.56 metres (Melbourne)

This series contains index cards to registers and dossiers of enemy internees and prisoners of war held in camps in Australia and in Papua New Guinea. The index is arranged by nationality and, for Japanese, into ‘merchant seamen’, ‘internees’ and ‘prisoners of war’ and then by surname.

Nominal index cards to registers and dossiers for enemy prisoners of war and internees, 1939–47

REGISTERS CONTAINING ‘SERVICE AND CASUALTY’ FORMS (FORM A112) OF ENEMY PRISONERS OF WAR AND INTERNEES HELD IN CAMPS IN AUSTRALIA, 1939–47

Recorded by: 1939–47 Prisoners of War Information Bureau (CA 3055)

Quantity: 9.54 metres (Melbourne)

This series contains an item per enemy prisoner of war captured by the Allied powers or internee taken into custody. The items are not limited to Japanese but also other enemy nationals. However, more than 8800 records relate to Japanese nationals. A few of those held were later tried as war criminals but most war criminals do not have a file in this series. For example, there is no file for General Imamura Hitoshi, the senior officer who was tried at Rabaul in the R175 trial. Each item is generally only the one page of Form A112 as indicated in the series title. These forms contain detailed information about each person and their detainment, including movements. Many of the items have been digitised. The item control symbols are not always consistent but Japanese prisoners nearly always have ‘J’ in the prefix, as follows:

- PWJA: Japanese PW held by Australia
- PWJA (USA): Japanese PW held on behalf of United States
- PWJM: Japanese PW merchant seaman held by Australia
- PWJM (USA): Japanese PW merchant seaman held on behalf of United States
- IJ: Japanese internees held on behalf of the Netherlands East Indies Government
- CJ: Japanese internees held on behalf of the Free French authorities of New Caledonia
- HJ: Japanese internees from the New Hebrides held on behalf of the United Kingdom Government
- PJ: Japanese internees from various Pacific Islands held on behalf of the United Kingdom Government
- NZJ: Japanese internees from New Zealand
- BFJ: Japanese internees from Borneo

For internees apprehended in Australia, the prefix denoted where the internee was apprehended, for example, WJ – Japanese internee apprehended in Western Australia. In addition, ‘F’ was in the symbol if the person was female. Two examples from the series are:
Hayashi Akiko was a ten-year-old female child captured at Sandakan on 26 June 1945, along with her mother Hayashi Kino. They were held at Morotai and Labuan before being released in 1946.

Private Yasuda Ginichirō was captured at Tarakan on 30 June 1945. He was held at Morotai before he was eventually transferred to the Dutch authorities.

Yamawaki Hidematsu, an unmarried cook, was ‘captured’ at Campbelltown, New South Wales on 8 December 1941, as he was an ‘enemy alien’. He was interned at Hay camp in New South Wales.

Ikeuchi Masakiyo was the translator at Tan Toey prisoner-of-war camp on Ambon. He was captured at Amboina on 12 September 1945 and was tried in the Morotai M45 trial and sentenced to death.
• camp personnel, accommodation, rations, clothing and work
• deceased prisoners of war
• repatriation of prisoners of war
• the outbreak at Cowra prisoner-of-war camp in 1944
• the ‘disturbance’ at Hay prisoner-of-war camp in 1945.

Harada, Shigeru [files of deceased Chinese, Japanese and Italian Prisoners of War], 1944

PERSONAL FILES OF PRISONERS OF WAR [POWS], 1939–46

Recorded by: 1939–42 Headquarters, Eastern Command [I], Australian Military Forces (CA 1876)
1942–46 Headquarters, New South Wales Lines of Communication Area, Australian Military Forces (CA 1877)

Quantity: 2.7 metres (Sydney)

This series contains individual files for enemy prisoners of war and internees regarding personal details, including correspondence, reports of injuries, medical treatment, inquiry proceedings, escapes, arrests and trials. Some files contain photographs of the prisoners of war. The items are not limited to Japanese but also include other enemy nationals. Most but not all of the file titles have ‘J’ in the prefix for easy identification within the series.

Morisaburo Takaya [request for guard pending transfer to Singapore], 1946

Takaya was the first ‘camp leader’ of the War Criminals Compound in Rabaul, New Guinea but was never tried as a war criminal.180

PWJA 18124 G Hoshikawa [Camp leader, Japanese prisoner of war], 1944

Hoshikawa was a camp leader at Hay prisoner-of-war camp in New South Wales.

RECORD BOOKS OF JUDICIAL PROCEEDINGS INVOLVING ENEMY PRISONERS OF WAR, 1944–46

Recorded by: 1944–46 Department of the Army, Central Office – Directorate of Prisoners of War and Internees (CA 36)

Quantity: 0.18 metres (Melbourne)

This series consists of Army record books containing details of judicial proceedings against prisoners of war held in Australia, including Japanese prisoners of war. A reference officer can provide information on access to the books.

Record of Judicial Proceedings: Enemy Prisoners of War, 1944–45 B3841, 1

Record of Judicial Proceedings: Enemy Prisoners of War, 1945–46 B3841, 2

MILITARY COURTS – PRISONER OF WAR TRIAL FILES, SINGLE NUMBER WITH POW PREFIX, 1943–46

Recorded by: 1943–46 Attorney-General’s Department, Central Office (CA 5)

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Quantity: 0.9 metres (Canberra)

This series contains the proceedings of military courts convened for the trial of prisoners of war charged with offences while in Australian custody. The relevant files have ‘PWJ*’ in the file title for easy identification within the series, as shown in the examples below.

**Military Court – PWJA (USA) 145359 Naka, Masso, 1943–44**

Lt Naka Masso was tried at Cowra on 7 September 1943 with using personal violence towards an officer employed in connection with a prisoner-of-war camp and doing an act prejudicial to good order and discipline among prisoners of war. He was found guilty of the first charge and sentenced to be imprisoned with hard labour for two years.

**Military Court – PWJA 145535 Kanazawa, Akira, 1944–45**

Sgt Maj Kanazawa Akira was tried at Cowra on 24–26 January 1945 with offences relating to the outbreak of prisoners of war the previous year.

**Files held at the Australian War Memorial**

**2ND AIF (AUSTRALIAN IMPERIAL FORCE) AND CMF (CITIZEN MILITARY FORCES) UNIT WAR DIARIES, 1939–45 WAR, 1939–58**

Recorded by: 1939–58 Department of the Army, Central Office (CA 36)

Quantity: 454 metres (Australian War Memorial)

This series contains the war diaries of the 2nd Australian Imperial Force and Citizen Military Forces, many of which have now been digitised and are online at the Australian War Memorial website. The war diary of the Adjutant-General 6 (a) Prisoners of War and Adjutant General 13 (AG. 13) is included in this series. It records some interactions with government departments and the Australian War Crimes Commission regarding war crimes. The diary consists of 15 items, three of which are listed below as examples:

[Unit War Diaries, 1939–45 War] AG13(a) PW [Adjutant General, Prisoners of War] August–December 1945


**WRITTEN RECORDS, 1939–45 WAR, 1926–93**

Recorded by: 1926–39 Department of Defence [II], (Central Administration) (CA 19)
1942–93 Department of Defence [III], Central Office (CA 46)

Quantity: 213.5 metres (Australian War Memorial)

This series holds miscellaneous records that were transferred to the Australian War Memorial from the Military History Section of the Australian Army regarding the 1939–45 war. As such, it contains many
files relating to war crimes, mostly (but not exclusively) in item numbers 1010/*/*, many of which are recorded elsewhere in this guide.


This file contains a copy of the official history of the Directorate of Prisoners of War and Internees but not including the appendices. For preservation purposes, access copies are held under item control symbols 780/1/6A and 780/1/6B. A microfiche copy is also available at AWM: ORMF0024 (see below).

RECORDS OF THE ADJUTANT GENERAL REGARDING TRIALS OF SECOND WORLD WAR JAPANESE WAR CRIMINALS, 1948–51

Recorded by: 1948–51 Department of the Army, Central Office (CA 36)

Quantity: 0.2 metres (Australian War Memorial)

This series consists of six files which were compiled by the Adjutant-General’s Branch of the Department of Defence relating partially to the Hong Kong and more significantly to the Manus Island trials. The files listed below contain documents relating to 2AWCS on Manus Island.


This file contains an interesting memorandum showing the dispersal of Directorate of Prisoners of War and Internees and 2AWCS staff to other units in 1950.

RECORDS OF WAR CRIMES ENQUIRIES AND TRIALS, 1939–45 WAR, 1942–55

Recorded by: 1942–55 Department of the Army, Central Office (CA 36)

Quantity: 2 metres (Australian War Memorial)

This series holds records that were transferred to the Australian War Memorial from the Army Office, Department of Defence. As suggested by the series title, the files principally relate to the Australian war crimes investigations and prosecutions. However, several files contain periodic reports by 2AWCS to GHQ SCAP’s Legal Section on its investigation activities, excerpts of which became part of the Legal Section’s Monthly Summation reports.
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[Records of war crimes enquiries and trials, 1939–45 War] General HQ, Supreme Commander for the Allied Powers, Legal Section – Monthly Summation (Statistics and Reports), 1946

AWM226, 10

[Records of war crimes enquiries and trials, 1939–45 War] General HQ, Supreme Commander for the Allied Powers, Legal Section – Monthly Summation (Statistics and Reports), 1947

AWM226, 11


AWM226, 12

[Records of war crimes enquiries and trials, 1939–45 War] Index to Files, c1945–c1951

This is an index to files as of 1 August 1950, originally held by the Directorate of Prisoners of War and Internees. The index is divided into topics, often by region. Files were classified, for example, as ‘place name files’, ‘camp files’, ‘miscellaneous files’, ‘mixed subjects’ and ‘questionnaire files’. While some of these files appear to no longer exist, many can be found in NAA: MP742/1, 336/1/.*.

AWM226, 36


This is a differently organised and comprehensive index to files as of 21 June 1962. While some of these files appear to no longer exist, many can be found in NAA: MP742/1, 336/1/.*.

AWM226, 37


This file includes a handwritten early list of staff appointments to Directorate of Prisoners of War and Internees as of 5 July 1945.

AWM226, 96

MICROFILM


This microfiche is a copy of the official history of the Directorate of Prisoners of War and Internees.

ORMF0024

MANUSCRIPT

Durrant, Beverley, 1945–96

Durrant (née Floyd) served as the assistant to the commanding officer of 2AWCS in Tokyo from early 1948 to mid-1949. Her papers include a typewritten account of the history and activities of 2AWCS, including short profiles and photographs of key members of the section, including Lt Col DLB Goslett and the war crimes investigators. It also includes her criticism of books published by Ian Ward and James Mackay in the 1990s, which alleged misconduct by 2AWCS.

MSS1641

PRIVATE RECORDS

Birchall, Frederick George (Jock), (Squadron Leader, d: 1946), 1945–46

Birchall served as an investigation officer with 1AWCS. His letters describe his work with 1AWCS, including his view that some of the
war crimes committed in Malaya were ‘too horribly fantastic for words and far beyond one’s wildest imagination for bestial sadism of the most inhuman kind’. He also admitted that he looked the other way when an Australian soldier who had lost a brother in Malaya bashed a Japanese war crimes suspect he had just interrogated. Birchall was one of the investigators killed in Java in April 1946.

**Godwin, James Gowing (Captain, b:1923 – d:1995), 1947–51**

Godwin served as an investigation officer with 2AWCS. His papers include copies of some of his weekly investigation reports.

**FILM RECORDING**

**Minor war crimes trials, 31 August 1946**

This film comprises 5 minutes 47 seconds of silent black-and-white film footage of the United States war crimes trials at Yokohama. Several members of 2AWCS – including Lt Col DLB Goslett, the commanding officer, and Lt Col FGJ Place – are shown.

**SOUND RECORDING**

**Frank Neville John Hughes as a sergeant in an administrative role No 1 Australian War Crimes Section, Singapore 1945–1947, interviewed by Michael Carrel, 2 August 2003**

In this interview, Hughes recalls his work with 1AWCS in Singapore investigating war crimes.

**HERALDRY**

**Corona Four Typewriter: Captain M B Tindale, British Commonwealth Occupation Force, [made 1926]**

This typewriter was used in Japan by Captain Tindale, a member of 2AWCS in Tokyo.
5. Postwar investigations

Introduction

The Australian Army’s interest in investigating war crimes was ongoing throughout the war with Japan. One of the Army’s earliest actions was, in May 1942, to establish a Court of Inquiry into the landing of Japanese Forces in New Britain, Timor and Ambon. The Court of Inquiry found, for example, that the Tol massacre in New Britain earlier that year had been established ‘beyond all possible doubt’ and that ‘[n]o excuse whatever existed for this outrage’, which was a ‘clear’ and ‘most flagrant’ breach of international law. By December 1942, instructions had been issued to Army commands for reports ‘verified where possible by signed statements, on any allegations of breaches of the rules of warfare’ to be despatched to Army Headquarters (AHQ) in Melbourne. When Sir William Webb’s first inquiry was set up in 1943, the Army cooperated and ‘masses’ of information was eventually forwarded to Webb from 1943 onwards.

Throughout the war, recovered Allied prisoners of war and civilians were regarded as a prime source of information on war crimes, although only small numbers were recovered in the early years. Policies and procedures were first put in place in early 1944 to deal with the broader issues around recovered Allied personnel, including their interrogation regarding atrocities. Various forms were distributed to recovered personnel for this purpose, including:

- ‘Statement of Recovered PW and Civilian Relating to His or Her Self’, which contained a section on ‘general remarks with particular reference to treatment by the enemy, and brief outline of any known enemy atrocity’.
- ‘War Crimes Questionnaire’ or ‘Q’ form from the Australian War Crimes Commission, which was often separately filled out.

Other Allied personnel went through a British Combined Services Details Interrogation Centre (CSDIC), one of which was located in Brisbane, and completed Atrocity-Maltreatment Reports. Captured Japanese personnel were also interrogated on a range of topics, often by personnel from the Allied Translator and Interpreter Section (ATIS).

With Japan’s ‘sudden collapse’ in August 1945, it became clear to the Army that there would have to be ‘certain local improvisation’ to deal with the multitudes of Allied personnel now recoverable across the Pacific theatre and in Japan.

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181 See the proceedings of the Court of Inquiry with Reference to Landing of Japanese Forces in New Britain, Timor and Ambon, Australian War Memorial (AWM): AWM226, 1/1.
182 ibid, p. 23. Other Courts of Inquiry were also held over time and occasionally formed the basis of a prosecution. See, for example, the Court of Inquiry proceedings into the death of NX10420 Pte RS Goulden in Burma in July 1942, which are held with the trial proceedings of the Manus Island LN18 trial, NAA: A471, 81959.
183 ‘Statement Concerning Action Taken to Apprehend Japanese War Criminals’, NAA: MP742/1, 336/1/980.
185 Although mostly an Army issue in practice, the discussion about how to deal with recovered personnel reached the level of the War Cabinet in 1945, see agendum 214/1945 in NAA: A2671, 214/1945.
186 For an example of an ATIS Interrogation Report, see NAA: B6121, 179K.
187 Adv LHQ Administrative Instruction no. 58, 17 August 1945, NAA: B3856, 144/2/13.
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The Army established Prisoner of War Contact and Inquiry Units (PWCIU) and Reception Units to assist with personnel recovery matters. Now, however, the Army’s task was not limited to taking reports of atrocities and dealing with recovered personnel but quickly came to encompass the extremely difficult tasks of identifying and apprehending war crimes suspects.

Moreover, with the end of the war in August 1945, the geographical area in which war crimes investigations could now take place broadened immensely. By the end of 1945, the

188 HQ 1 Aust Corps, Aust PW Contact and Inquiry Units, 1 September 1945, NAA: B3856, 144/2/13.
Directorate of Prisoners of War and Internees (DPW&I) had effectively taken over the central role in investigating war crimes, relegating to the sidelines Webb’s third inquiry conducted together with Justice Mansfield and Judge Kirby, as discussed in Chapter 2.

Policy and procedures for investigating war crimes

The Army’s Adjutant-General and the Director of Directorate of Prisoners of War and Internees issued a large number of administrative instructions from late 1945, instructing forward commands and units on war crimes policies and the investigation and prosecution procedures to be followed. For instance, a memorandum on ‘Investigation of War Crimes’ was distributed to forward commands such as the First Army, Morotai Force and Line of Communication areas within Australia in January 1946. The memorandum opened by stating that:

The responsibility for conducting investigations into war crimes committed by the Japanese is vested in the Allied Forces who, subsequent to the Japanese capitulation, have occupied areas previously occupied by the Japanese.

The memorandum envisioned that the majority of war crimes investigations would take place in the area where the alleged crime was committed but further investigations might have to be made by interrogation of 1) former Allied prisoners of war or serving and discharged personnel; or 2) Japanese prisoners of war or surrendered personnel. Although it was never likely to be an achievable goal, investigative thoroughness was set as a firm policy:

It is the policy of the Australian and Allied Governments that no stone should be left unturned in bringing ALL Japanese war criminals to justice.

Unfortunately, the directorate never went so far as to issue all its administrative instructions on war crimes in a helpful manual, as did the United Kingdom.

The directorate’s War Crimes Investigation Section was responsible for obtaining and examining evidence of war crimes, selecting and organising appropriate evidence for the prosecution of charges and arranging for searches for suspects. Several officers held the position of Deputy Assistant Adjutant General of the War Crimes Investigation Section over time, including Major Ernest Stanley Elliot, Major Herbert Francis Dick, Major John Kevin Lloyd and Major Douglas John McBain. Although the Deputy Assistant Adjutant General and the section’s personnel were based in Melbourne, the bulk of the actual investigatory work took place in the field across South-East Asia, the Pacific and in Japan.

Once established, war crimes investigation cases were meant to be given an individual case number, with blocks of case numbers being centrally issued to the various war crimes sections for this purpose. In practice, however, each war crimes section or investigator often had their own system of case numbers or nomenclature, which can make it difficult to keep track of investigations over time. As investigations proceeded, they were also supposed to be classified into one of the following classes:

- ‘W’ class – war crimes for which sufficient evidence is held and suspects are in custody
- ‘T’ class – war crimes for which insufficient evidence is held but suspects are in custody

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189 For a brief index of the administrative instructions, see NAA: MP742/1, 336/1/1143.
191 ibid.
192 ibid, p. 3.
193 See, for example, ALFSEA (Allied Land Forces South East Asia) War Crimes Instruction No. 1, 2nd edition, May 1946, NAA: MP742/1, 336/1/636 PART 25.
194 See the system explained in a memorandum from Col EA Griffin, Director, DPW&I to 1AWCS and 2AWCS, 20 June 1946, NAA: MP742/1, 336/1/446.
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- ‘Y’ class – war crimes for which sufficient evidence is held but suspects are not in custody
- ‘Z’ class – war crimes for which insufficient evidence is held and suspects are not in custody.

Once identified and taken into custody, war criminal suspects were supposed to be given an Australian War Criminal (AWC) number, even though they had not yet been charged or convicted. General Imamura Hitoshi, who commanded the Japanese forces in New Guinea, for instance, was allocated AWC 2121. In practice, however, not every suspect was allocated a number. While Captain Shirozu Wadami, who was tried in the Morotai M45 trial, was allocated AWC 1257, many of his co-accused in that trial have no AWC number.

Indeed, the practice of allocating an AWC number to each suspect seems to have broken down within a year or so, as most accused in the Singapore, Hong Kong and Manus Island trials have no reported numbers. Researchers are cautioned that the AWC number system should not be confused with the different war criminals’ ‘serial’ number system, which is discussed in Chapter 7.

In addition to an AWC number, the war criminal suspects were themselves to be classified into categories ‘A’, ‘B’ and ‘C’:
- ‘A’ category – those suspected of or charged with the commission of a war crime solely against Australian nationals
- ‘B’ category – those suspected of or charged with the commission of a war crime against both Australian and Allied nationals
- ‘C’ category – those suspected of or charged with the commission of a war crime solely against Allied nationals.

An integral part of the investigatory process was to produce evidence that could be used in court. Many types of evidence were gathered or produced, including the war crimes questionnaire forms, statements (both sworn and unsworn), affidavits, official reports by recovered Allied senior officers, interrogation reports of Japanese suspects and witnesses in custody, translations of captured documents and, in due course, information provided by Japanese authorities after Japan’s surrender and the proceedings from the war crimes trials. As the official history of the Directorate of Prisoners of War and Internees pointed out in 1951, the task of progressing war crimes cases ‘through the stages of investigation, tracing, apprehension and prosecution was an extremely difficult and sometimes an impossible one’. 195

Gathering evidence from Australians

While many recovered Allied personnel filled out the war crimes questionnaires and forms, investigating officers often complained about the unsuitability of these standardised documents. Captain John Myles Williams, the legal officer for Headquarters 33rd Infantry Brigade, who was the sole investigating officer on Ambon, observed:

In many cases they were quite useless because they contained vague generalisations and accusations and most inadequate identification of the Japanese officers and officials concerned with prisoner [sic] of war affairs. 196

Indeed, gathering written evidence from Allied victims and witnesses in an appropriate form for use at the war crimes trials proved to be an ongoing problem. The Directorate of Prisoners of War and Internees issued various memoranda about how witnesses were to be handled and how written evidence was to be prepared. One instruction, for example, was that

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196 Draft article ‘War Crimes Trials’ for the Newcastle Morning Herald, circa late 1947, held in Papers of John Myles Williams, 1927–89, State Library of New South Wales, MLMSS 5426, Box 3, Folder 5.
affidavits were to be drawn so as to clearly and consistently identify war crimes suspects, as ‘Defending Counsel look for every opportunity of casting doubt on the bonafides [sic] of a deponent, particularly in matters of identification’. Many affidavits were returned from the directorate to investigators, together with correspondence identifying certain flaws that made them unsuitable for use in prosecutions, so that fresh affidavits could be prepared.

Finding suitable personnel who were trained in taking evidence for use at trial also proved difficult. In some areas in Australia, civilian solicitors were paid by the Army to assist ex-service personnel (such as former prisoners of war) in drawing up affidavits suitable for use at trial, with the going rate being based on Victorian law costs of two shillings per folio of 72 words. The ongoing problem of relatively legally unskilled investigators taking evidence led to a recommendation in the Report on the Directorate of Prisoners of War and Internees at Army Headquarters, Melbourne, 1939–51 that, in the future, the personnel allocated to the investigation of war crimes ‘if they have not already legal experience, receive some special training in this work’.

Identifying and locating Japanese suspects

The task of sufficiently identifying and locating Japanese suspects proved to be one of the ongoing problems facing war crimes investigators. While very early on the Army issued preliminary directives to detain all commandants, staff and guards of Japanese prisoners of war camps and seize all camp records, many suspects slipped through the net. Many lists of Japanese sought for questioning or prosecution were produced and circulated widely throughout the Allied powers, including lists drawn up by the United Nations War Crimes Commission (UNWCC) and by individual nations (including Australian lists, as discussed later in this chapter).

In Australia, names on these suspect lists were compared with the directorate’s Registry Section lists of Japanese prisoners of war and civilians held in Australian custody. However, in many cases, the extremely limited amount of identifying information known about a suspect – often just a surname – meant that the comparison effort was futile. For example, a comparison search for a war criminal suspect named ‘Tanaka’ – one of the most common Japanese names – in early 1946 discovered that 50 Japanese persons with that name were held in Australian camps alone: 24 at Hay, 14 at Murchison, one at Cowra, one at Gaythorne, five at Lae and five at Morotai.

In a few cases, questioning of a Japanese detainee in Australia led to a confirmed match in identity. For instance, Yunome Kunio, who was held in the Murchison Camp in Victoria, was tried in the Rabaul R143 trial for the murder of an Ambonese native at Rabaul in June 1946. Similarly, Horikoshi Hiroshi, who was also held in Murchison Camp, was transferred via Sydney to the custody of the United States at Manila for trial as a war criminal.

Once Japanese suspects or witnesses were in custody, gathering evidence from them was often simply a matter of asking questions, as many Japanese interrogated by war crimes investigators freely disclosed information about atrocities, including information that

198 Letter from Capt WF Brown, War Crimes Section, HQ N/Comd to Mr H Huggins, 1 March 1948, NAA: MP742/1, 336/1/1634.
200 As reported in letter from Mr Norman Makin, Acting Minister for External Affairs to Mr Frank Forde, Minister for the Army, 6 October 1945, NAA: MP742/1, 336/1980.
201 Memorandum for the Director of DPW&I, 14 January 1946 attaching reports, NAA: B3811, 70/1/571.
202 For the trial proceedings, see NAA: A471, 81041.
203 Memorandum from the Adjutant-General, ‘Transfer of PWJA (USA) 147100 Horikoshi, Hiroshi to Manila as War Criminal’, 10 January 1946, NAA: SP196/1, 22 PART 1.
incriminated themselves in the commission of war crimes. Even as early as January 1946 the Army pointed out that:

experience has shown that Japanese will in many cases, if carefully questioned, admit their complicity in a crime and give information to implicate some other Japanese. 204

Other Japanese, however, were not so forthcoming. Indeed, Japanese perpetrators and witnesses concocted and maintained for years several false stories designed to conceal war crimes until investigating officers ‘broke’ the stories. As the instructions on investigating war crimes urged:

Every effort must be made to try and obtain the necessary information from the Japanese by a process of cross examination and by astuteness, and determination on the part of the interrogating officer. 205

Captain John Myles Williams observed about his investigations on Ambon:

The toughest nut to crack was the Laha executions. Among the Japanese whom we interrogated there was at first a complete conspiracy of silence, but we found one man who finally gave a pretty full account of the first series of executions [there of Australian prisoners of war] early in Feb 42. 206

The Japanese Government and military authorities were also often less than forthcoming with information, to the extent that some thought there was an unofficial policy of non-cooperation in relation to war crimes. As Lt Col Duncan LB Goslett, commanding officer of 2 Australian War Crimes Section in Tokyo (2AWCS), commented in December 1946, the Japanese authorities had a ‘proven reluctance … to furnish information required’ and used ‘delaying tactics in making available for interrogation suspects, witnesses, and other informants’. He advised that this ‘suspected policy of non-cooperation’ had ‘virtually halted progress of several important investigations’, including ‘clarification’ of the Tol massacre in New Britain in 1942. 207 By 1948, Goslett was so convinced that the concealment of war crimes information was a deliberate policy, he contributed a statement entitled the ‘Wide-Scale Concealment of Evidence by Japanese Charged’ to a Supreme Commander for Allied Powers press release on the subject. 208

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205 ibid.
206 Letter from John Myles Williams to Capt John Charles Van Nooten, 21 February 1946, Papers of John Myles Williams, 1927–89, State Library of New South Wales, MLMSS 5426, Box 3, Folder 3.
207 ‘Report for Monthly Summation December 1946 from Australian Division Legal Section SCAP by Lt Col DLB Goslett Chief of Division’, p. 1, attached as appendix ‘A’ to Aust Division Checknote (33) WC 561, 24 December 1946, AWM: AWM226, 10.
208 For Goslett’s statement, see NAA: MP742/1, 336/1/1559.
Newspaper clipping from July 1949 kept by External Affairs suggesting the Japanese police were uncooperative in locating suspected war criminals. NAA: A1838, 3103/10/13/2 PART 1

Production of lists

As evidence of war crimes and alleged perpetrators was gathered, periodic lists of suspected and convicted war criminals were produced. The Department of External Affairs, for instance, took the lead in producing two lists of Major Japanese War Criminals and Those Holding Key Positions. The process for preparation of the first of these lists by officials from the Departments of External Affairs and Information, and later approval by Webb, is quite well documented. The Directorate of Prisoners of War and Internees Registry Section produced other periodic lists, including:

- Suspected Japanese War Criminals Not Yet in Custody
- Suspected Japanese War Criminals Held in Custody
- Japanese War Criminals Implicated in War Crimes Against Australians, and Held in SEAC or SCAP Areas
- Japanese War Criminals Charged under the War Crimes Act 1945 by Australian Military Authorities.

Various similar lists were produced by the other Allied powers. The British series of South East Asian Command (SEAC) Reproduction Lists in particular can be quite useful, as they reproduced other national lists in full. For example, SEAC Reproduction List no. 3 in October 1945 reproduced a list of suspected war criminals prepared by the War Crimes Branch, Judge Advocate Section of the United States Army Forces, Pacific in August 1945.

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209 See NAA: A6238, 8.
210 Seven successive lists of this list were produced, which were later consolidated into a master list entitled 'Japanese War Criminals Charged under the War Crimes Act 1945 by Australian Military Authorities 30 Nov 1945 to 9 Apr 1951 against Whom Findings and Sentences were Confirmed', a copy of which is in NAA: A1838 3103/10/13/2 ANNEX.
211 For SEAC Reproduction lists, see NAA: A10953, 13.
Exchange of suspects with other Allied powers

Australia was, of course, not the only Allied power ‘helping’ themselves to Japanese war crimes suspects in this period. Considerable interchange of correspondence on war crimes policies with the other Allied powers soon produced a general agreement regarding the exchange of suspects between nations, where necessary. The basic agreement was that:

- If the Allied nation with custody of the suspect did not want the suspect for trial and only one other nation was concerned in an alleged crime (that is, its nationals were the victims), the suspect was handed over to that nation.

- If the Allied nation with custody of the suspect did not want the suspect for trial and more than one other nation was concerned in an alleged crime, the suspect was handed over to the nation which was unanimously agreed by all nations concerned to be the most suitable to take custody.

- When the Allied nation with custody of the suspect desired to prosecute the suspect and other nationals were concerned in an alleged crime, the governments of those other nations were to be invited to be represented on the court.

- When the Allied nation with custody of the suspect had prosecuted the suspect, and another nation still wanted the suspect for trial, the suspect was handed over to the other nation, even if a conviction had already been secured.

Letter suggesting inquiries be made with the Netherlands in relation to one Arai Shoko.
NAA: A1838, 1550/9 PART 1

Australia handed over a number of suspected and convicted war criminals to the United Kingdom, the Netherlands and the United States over time, including a number of high-ranking officers. For example, after General Imamura Hitoshi was convicted in the Rabaul R175 trial in May 1947 and sentenced to 10 years’ imprisonment, he was handed over to the Netherlands in June 1948 for trial. After an unsuccessful trial, the Netherlands handed
Imamura back to Australia and he was returned to the Australian War Criminals Compound to serve out his sentence.

The Royal Netherlands Legation’s advice that the Netherlands was about to return Takasaki Masamitsu to Australian custody, after he was unsuccessfully prosecuted by the Dutch for war crimes.
NAA: A1838, 1550/9 PART 1

The official history of the Directorate of Prisoners of War and Internees concluded in 1951 that ‘[n]o particular difficulties were experienced’ in the exchange of suspects between Allied powers. However, this does not mean that there were no difficulties. When suspects were held by nations such as the Soviet Union, instead of the United Kingdom or the United States, the situation was certainly more complicated.

For example, 2AWCS was anxious in 1947 to locate and try Major Orita Masaru, who was allegedly in charge of the Japanese responsible for the Banka Island massacre of Australian nurses in February 1942. There was evidence to suggest that Orita was being held in the Soviet Union, so the Australian Legation in Moscow wrote to the Soviet Ministry of Foreign Affairs asking that Orita’s whereabouts be investigated and that he be surrendered to Australia for trial. The Ministry of Foreign Affairs responded, however, that ‘the competent Soviet organs have made enquiries but are unable to trace the war criminal Orita Masaru’. The Australian Legation in Moscow was instructed, therefore, ‘not to press the matter further’. Yet, Orita was repatriated from the Soviet Union to Japan in 1948, at which point he was arrested and detained in Sugamo Prison in Tokyo to await trial.

213 See the correspondence in NAA: A1838, 1550/9 PART 1.
**Closure of investigations**

While some war crimes investigations moved to the prosecution stage at the Australian trials or elsewhere, many other cases investigated by Australia were closed for a variety of reasons, including:

- failure to sufficiently identify a suspect
- inability or failure to locate an identified suspect, such as when the suspect had gone missing during the war or had died during or after the war or was simply unable to be located
- insufficient evidence to form a prima facie case of a war crime having been committed
- the suspect had already been convicted and sentenced to a term of imprisonment
- the case had been passed off to another Allied power for investigation/prosecution.

As Lt Col RC Smith, commanding officer of 1 Australian War Crimes Section (1AWCS) in Singapore advised in June 1946, his section’s case files had been reviewed:

so that those in which there is little or no hope of success [of prosecution] may be closed off and efforts concentrated on those cases where there is a reasonable prospect of bringing the responsible war criminal or criminals to trial.

For example, case C6/2, which concerned the shooting of a Private Merritt at Ubon in March 1945, had been ‘fully investigated’ but the ‘evidence is such that it is considered impossible to prove that the shooting amounts to a War Crime’.

Even if an identified suspect was able to be taken into Australian custody, and there was evidence of a war crime, this did not mean that a trial would occur. For example, although Australia had finally detained Orita Masaru in 1948, he committed suicide two days after being admitted to Sugamo Prison and before he could be interrogated about the Banka Island massacre. Lt Col Goslett, the commanding officer of 2AWCS, advised that he thought that Orita’s suicide would ‘hamper to some extent, but not seriously, the investigation of the crimes in which he and other Japanese were implicated’.

**The end of investigations**

Although official war crimes investigations by the Directorate of Prisoners of War and Internees and its sections ended on 13 January 1950, investigations into war crimes did continue. For example, the RAAF was still recovering bodies of airmen from graves in Rabaul in mid-1950, which revealed that some of the men had been mistreated and executed there, disproving the local Japanese commander’s claim that the men had been transferred to Japan on a ship that was later sunk. After the war crimes trials held on Manus Island in 1950–51, however, no further Australian war crimes trials were held.

**Overview of the records**

**Documents**

There are hundreds of files on atrocities and war crimes investigations, across several (principally Army) series. They are not indexed and, as mentioned in the Using National

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214 Memorandum from Lt Col RC Smith, O.C. 1AWCS to AHQ Melbourne, 17 June 1946 attaching list of Files Closed by 1 Australian War Crimes Section (SEAC), NAA: MP742/1, 336/1/1452 PART 2.

215 Ibid, Files Closed, p. 4.

216 Reported in memorandum from Patrick Shaw, Head of Australian Mission in Japan to the Secretary, Department of External Affairs, 13 September 1948, NAA: A1838, 1550/9 PART 1.


218 Memorandum to the Secretary, Department of External Territories, ‘War Crimes – Rabaul’, 3 July 1950, NAA: A518, DB16/2/1 PART 2.
Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

Archives of Australia research guides, agencies creating the files did not name them systematically or with details that would necessarily assist future researchers. A number of files are simply titled ‘War Crimes Investigation’, which obscures their specific subject matter. However, the majority of investigation files did not have file covers and titles, and so Archives staff, as resources allowed, allocated more specific titles which give more information about their contents.

Firstly, some investigation files are titled in relation to the officer who had charge of the investigation(s). For example, many of the files in MP742/1, 336/1/1949 PARTS 1–20B and 336/1/1965 PARTS 1–13 contain the investigating officer’s rank and surname in the title, for example ‘Investigating officer Flt Lt LC Conduit’ or ‘Reports of investigations by Capt. MB Tindale’. These files usually contain correspondence and other documents on multiple investigations over time, so the files have to be reviewed in full to ascertain their contents.

Secondly, some investigation files are titled in relation to the victim(s). For example, several files on the well-known execution of Sergeant Leonard G Siffleet contain his name:

- Statements concerning the execution of Sgt Leonard George Siffleet (NX143314). Statement of Lt Cdr Nakayama Hiroomi [reference copy].
- War crimes – Execution of Sergeant Leonard George Siffleet (NX143314) and two natives at Aitape, New Guinea [file consists of main file in two parts and two attachments – the titles are: Part 1; Part II; Photographs – execution of a European by Yunome; Duplicates] [Part 1 includes 18 photographs; first attachment includes 3 photographs].

Although personal names are often used in investigation file titles, the person’s service number is not usually included.

Thirdly, some investigation files are titled after a service unit or a class of victims or after prisoner-of-war camps or ships:

- [2/40 Battalion – Sparrow Force – correspondence re fate of personnel].
- Atrocities against Nauruan natives.
- War Crimes committed by the Japanese at Kinkaseki mining camp Formosa.
- “Rakuyo Maru” Correspondence concerning the torpedoed Japanese transport carrier, related newspaper cuttings and some statements of interrogation by rescued Prisoners of War.

Fourthly, many of the investigation files are titled after a specific geographic area, sometimes rather broadly, such as ‘Thailand. War Crimes’, ‘Suspected Atrocities Wewak area’ or ‘Japanese Atrocities at Hong Kong’. Some areas have multiple investigation files. For example, searching for ‘war crimes’ and ‘Timor’, will locate the following files:

- War Crimes - Timor - (Murder of Lt Wilkins Fitzallen (TX3482 ) and L/Sgt Bertram John West (TX3397) near Koepang June 1942) [supplementary search terms: Namasain, American Liberator 44-40398, Herbert D W (RAAF 433297); 4 photographs; 4 components; 8cm].

219 For instance, files in series MP385/3 – all of which are titled ‘War Crimes Investigation’ – generally relate to investigations into prisoner-of-war camps in Japan, Korea and on Hainan Island but one of them concerns the infamous Banka Island massacre of Australian nurses and includes the evidence of Vivien Bullwinkel, see NAA: MP385/3, 156/19/20.
220 See NAA: B1462, 6.
221 See NAA: MP742/1, 336/1/1210.
222 See NAA: B3856, 142/7/4.
223 See NAA: MP742/1, 336/1/735.
224 See NAA: MP1049/5, 1951/2/94.
225 See NAA: B3856, 144/1/28.
226 See NAA: A5019, 100/27/1.
227 See NAA: B3856, 146/1/27.
228 See NAA: MP729/6, 22/401/397.
229 See NAA: MP742/1, 336/1/973.
Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

- Timor 5: War crimes Timor (Torture of Services Reconnaissance Department personnel) [Supplementary search terms: Dili, Baucau; 109 folios; 3 components].
- War crimes – Timor Asia (general).

The Directorate of Prisoners of War and Internees maintained a list of investigation files by geographical area, which includes the following categories:

<table>
<thead>
<tr>
<th>Category</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ambon</td>
<td>French Indo-China</td>
</tr>
<tr>
<td>Aroe Island</td>
<td>Germany</td>
</tr>
<tr>
<td>Austria</td>
<td>Gilbert and Ellice Islands</td>
</tr>
<tr>
<td>Ballale Island</td>
<td>Greece</td>
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<tr>
<td>Banka Island</td>
<td>Hainan Island</td>
</tr>
<tr>
<td>Borneo</td>
<td>Halmahera Island</td>
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<tr>
<td>Bougainville</td>
<td>Italy</td>
</tr>
<tr>
<td>Burma</td>
<td>Japan</td>
</tr>
<tr>
<td>Burma/Siam Railway</td>
<td>Java</td>
</tr>
<tr>
<td>Celebes</td>
<td>Kai Island</td>
</tr>
<tr>
<td>China</td>
<td>Malaya</td>
</tr>
<tr>
<td>Dutch</td>
<td>Marshall Island</td>
</tr>
<tr>
<td>Dutch New Guinea</td>
<td>Miscellaneous</td>
</tr>
<tr>
<td>France</td>
<td>Nauru</td>
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<tr>
<td></td>
<td>New Britain</td>
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<td></td>
<td>New Guinea</td>
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<td>New Ireland</td>
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<td>Ocean Island</td>
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<td>Siam</td>
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<td>Singapore</td>
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<td>Sumatra</td>
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<td>Tanimbar Island</td>
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<td></td>
<td>Timor</td>
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<td>Truk</td>
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<td></td>
<td>USSR</td>
</tr>
<tr>
<td></td>
<td>Nago Island</td>
</tr>
</tbody>
</table>

The category ‘miscellaneous’ includes, for example, the various atrocities committed at sea and the investigation files for the senior officer trials at Rabaul, among others. Where a file number is scored through in this directorate list, then the file has been destroyed. There are two additional comprehensive indexes to directorate files (which include investigation files) held at the Australian War Memorial. Many of these files can be located in series MP742/1, however, a number of these appear to have been destroyed.

Finally, researchers need to be aware that investigation files do not always have ‘war crimes’ or ‘atrocity’ in their title. For instance, more than 20 files deal with the Japanese sinking of the hospital ship Centaur off Queensland in May 1943 but none at all have either ‘Centaur’ and ‘war crime’ or ‘Centaur’ and ‘atrocity’ in the title.

Researchers looking for information on a specific person from the armed services are recommended to first look at the person’s military record, to ascertain their unit and movements during the course of the war and, if they were taken prisoner of war, particularly in which camps they were held and how they were transported. Searching the Australian War Memorial’s database of 23,000 prisoners of war and missing personnel from the Far East and South West Pacific may be helpful.

Alternatively, there are a number of comprehensive alphabetical prisoner-of-war lists or prisoner-of-war camp lists, including several large reports published at the time which attempted to list, locate and provide information on all Japanese prisoner-of-war camps.

The Australian Red Cross archive of missing, wounded and prisoner-of-war enquiry cards,

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230 See NAA: MP742/1, 336/1/1213.
231 See NAA: MP742/1, 336/1/1724 PARTS 1-7.
232 This file is NAA: MP742/1, 336/1/2125. Another index to DPW&I investigation files can be found in NAA: B3925, 1.
233 See AWM: AWM226, 36 and 57.
234 Search AMF Prisoners of War and Missing in the Far East and South West Pacific Islands: https://www.awm.gov.au/people/roll-search/prisoners_of_war/. This search engine is a digitisation of records in AWM: AWM232, 1, which are now fragile.
235 See, for example, NAA: MP742/1, 336/1/1588.
now digitised at the University of Melbourne Archives, may also be helpful. Published unit histories or general military histories can also be useful to fill in gaps about the fate of certain Allied units, which may have been taken prisoner of war en masse. Researchers are cautioned that:

- Personal names of both Western and Japanese persons were sometimes incorrectly recorded or recorded with variants, so a wildcard search can be useful.
- Japanese terms are often incorrectly recorded, for example ‘Kemkei-Tai’ for kempeitai or, more correctly, kenpeita (military police).
- Spellings and abbreviations of terms do vary. For example:
  - while prisoner of war is generally abbreviated to either PW or POW, the plural can be PWs, POWs, PoW’s or PsW;
  - prisoner-of-war camps can have variant spellings of their name: Tan Toey camp on Ambon is also referred to as Tantoei or Tan Tui.
- Geographical place names can be different, as the Japanese military and civilian administrations sometimes renamed places in occupied territories. For example, the islands of Truk were renamed with Japanese names: Dublon Island was known to the Japanese as Natsushima (Summer) Island.
- Geographical place names have changed since the war, for example Jesselton, British North Borneo is now known as Kota Kinabalu, Sabah, Malaysia. Similarly, Dublon Island in Truk is now Tonowas Island in Chuuk State, Federated States of Micronesia.
- Many investigation files in some series are divided into multiple parts or components. A wildcard should be used alongside the principal item control symbol to ensure that all parts or components are located. For example, 336/1/1177* will locate all 49 components of that item in series MP742/1, each of which is individually titled.

Films, sound recordings and photographs

Unfortunately, there is very little film and sound record of war crimes investigations, probably due to the technology of the period and the challenging conditions and poor climate at many of the locations. The known films, held at the Australian War Memorial, are:

- 1 minute 2 seconds of silent black-and-white footage showing an identification parade of Japanese at Rabaul in November 1945. Although brief, it shows Japanese being lined up, being pulled out of line, saluting and being photographed.
- 41 seconds of silent black-and-white footage of an identification parade at Wewak, New Guinea in November 1945, where liberated Indian prisoners of war identify Japanese who had committed crimes against them. Identities were then checked against a photograph board.
- 1 minute 45 seconds of silent black-and-white footage showing interrogations being conducted at Cape Wom, New Guinea in October 1945. The first Japanese being interrogated is Lt Tazaki Takehiko, who was later tried and convicted of cannibalism at the Wewak MW1 trial.
In addition, the National Film and Sound Archive holds:

- a brief Fox Movietone newsreel entitled Thailand Prisoners Identify War Criminals from October 1945\(^2\)

There are considerably more photographs of investigations, locations of interest (such as prisoner of war camps), and of suspected war criminals, much of which is in the collection of the Australian War Memorial.

This chapter sorts records into several sections:

- Australian prisoners of war in Japanese custody
- interrogation of recovered prisoners of war and internees
- official inquiries and reports into atrocities
- Army investigation and evidence files
- other investigation and evidence files
- Australian lists of war criminals
- photographs of suspected war criminals.

Files held at the Australian War Memorial are listed separately at the end.

**Australian prisoners of war and civilians in Japanese custody**

**CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES WITH YEAR PREFIX, 1942–45**

Recorded by: 1942–45 Department of External Affairs [II], Central Office (CA 18)

Quantity: 34.29 metres (Canberra)

This series deals with a range of subject matters concerning Australia’s relations with other countries specifically in the context of World War II. As such, it contains a number of files concerning Allied prisoners of war and civilian internees and reports on Japanese camps.

- Treaties, Red Cross. Prisoners of War. Lists of POW and Civilians in Far East, including Casualty Lists. Part 1, 1942–43

- Treaties, Red Cross. Prisoners of War – Lists of POW and Civilians in Far East, including Casualty List. Part 2, 1943–45

- Prisoners of War: Reports on Japanese Camps, 1943–44


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\(^2\) National Film and Sound Archive (NFSA), item 90557.
Japanese war crimes in the Pacific: Australia’s investigations and prosecutions


Treaties: Red Cross. Prisoners of War and Internees in Far East – General, Part 2, 1944

Treaties: Red Cross. POW List of Allied Prisoners of War and Internees escaping from Japanese occupied territories, 1944

CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES WITH YEAR AND LETTER PREFIXES, 1945

Recorded by: 1945 Department of External Affairs [II], Central Office (CA 18)

Quantity: 34.56 metres (Canberra)

This series contains some files relevant to Allied prisoners of war and civilian internees.

Prisoners of War – Australians Abroad. Far East. Figures of Missing and Killed, 1945

Prisoners of War – Australian. Australian POWs in Far East. Failure of Japanese Government to Supply Information, 1945


Miscellaneous. Ministers’ Advisory Committee on Welfare of Prisoners of War and Internees in Japanese Hands, 1944

CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES WITH YEAR AND LETTER PREFIXES, 1946

Recorded by: 1946 Department of External Affairs [II], Central Office (CA 18)

Quantity: 32.22 metres (Canberra)

This series contains some files relevant to Allied prisoners of war and civilian internees, although at this point they were often about searching for missing persons or recording deaths.

Prisoners of War – Australian abroad. Far East searches for missing Prisoners of War, 1946

Prisoners of War – Australian abroad (Far East). Australian officers on Hainan Island, 1946–47

CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES, 1948–89

Recorded by: 1948–70 Department of External Affairs [II], Central Office (CA 18)

1970–87 Department of Foreign Affairs, Central Office (CA 1382)

1987–89 Department of Foreign Affairs and Trade, Central Office (CA 5987)

Quantity: 3434.32 metres (Canberra)
Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

This series includes the main correspondence files of the Department of External Affairs from 1948 to 1970. It contains some files relevant to Allied prisoners of war and civilian internees, although in this period they were often about exchange of records with Japan and reparation claims by former prisoners of war and civilian internees.


**Reparation – Payment to prisoners of war and internees, 1947–51**

This is the first of seven large files on this subject. Search for item control symbol 3101/10/3/1*.

**Japan – Reparations – Payments to prisoners of war and internees – Correspondence with Ex-servicemen’s representatives, 1951–57**

‘CUMPSTON COLLECTION’ OF DOCUMENTS RELATING TO THE HISTORY OF AUSTRALIAN FOREIGN POLICY, 1960–69

Recorded by: 1960–69 Department of External Affairs [II], Central Office (CA 18)

Quantity: 72.19 metres (Canberra)

This series contains files accumulated by Dr John Stanley Cumpston, a longstanding employee and departmental historian of External Affairs from 1960 to 1969. Since then, his collection has been assessed for retention/destruction and some items have been successfully re-sorted into their original External Affairs series. The Cumpston Collection today is what remains: a significant body of files on numerous subjects concerning External Affairs and the history of Australian foreign policy.


This file contains an incomplete run of the PACMIRS War Crimes Information Series issued by the Military Intelligence Division, US War Department for the use of Allied forces, including issues 1–9 and 17–20. The confidential series contained translations of Japanese documents concerning Allied prisoners of war and details of prisoner-of-war camps, amongst other subjects.

**Australian War Crimes Commission – Research Report Number 86 – Allied prisoners of war in Japanese hands, 1944**


REPORTS OF PRISONERS OF WAR FROM CONTACT AND ENQUIRY UNITS, 1944–45

Recorded by: 1944–45 Navy Office [IV], Department of the Navy [II] (CA 38)
This series contains principally reports from recovery teams in South East Asia and Japan, including statements by recovered prisoners of war on their treatment. As a Navy series, it predominantly concerns naval personnel held prisoner of war.

Reports from Prisoner of War contact officers, 1945

WORLD WAR II WAR GRAVES RECORD CARDS, 1939–47

Recorded by: 1939–47 Department of the Interior [II], Central Office – Australian War Memorial and War Graves (CA 31)

Quantity: 9.0 metres (Canberra)

This series contains 40 boxes of index cards recording military personnel who were killed or died while on active service in World War II in both the European and Pacific theatres. In addition to recording the cause of death, the cards record the location of burial, if known, including ‘buried at sea’.

ARMSTRONG James Hubert – TX3283 AIF; Year of Death – 1943; Cemetery – Adelaide River, NT, 1939–47

Corporal Armstrong was taken prisoner of war by the Japanese in Timor and died in June 1943. The charges in the Darwin D2 trial included ill-treatment of a prisoner of war by beating and torturing Armstrong. His name is listed on the Northern Territory Memorial.

NEWTON William Ellis; 205748 RAAF; Year of Death – 1943; Cemetery – Lae War Cemetery, PNG, 1939–47

Flt Lt Newton was executed by the Japanese on 29 March 1943. He posthumously received a Victoria Cross for his courageous operational flying, the only such award to a member of the RAAF in the Pacific theatre. Newton is buried in the Lae War Cemetery.

MONTEVIDEO MARU – SERIAL NAME LIST OF PRISONERS OF WAR AND INTERNEES WHO PERISHED, 1942–48


Quantity: 0.19 metres (Canberra)

This series contains 844 items on Australian prisoners of war and internees who died when the Montevideo Maru was lost at sea on 1 July 1942. They were part of a consignment of Japanese records on prisoners of war given to Australia in 2012.

Montevideo Maru – Serial name list of Prisoners of War and Internees who perished, 1942–46

The list contains two parts – one part in the Japanese katakana script, listing all prisoners of war and civilian internees reported as lost on board the ship and a second part written in English listing prisoners of war reported lost on board the ship. Information contained within the
record may be incomplete. A translation of the Japanese portion record is available from the National Archives at http://montevideomaru.naa.gov.au

AUSTRALIAN POW [PRISONER OF WAR] INDICES, 1942–48


Quantity: 1.61 metres (Canberra)

This series contains 4506 administrative cards with fields in Japanese and English used to identify Australian prisoners of war. They were part of a consignment of Japanese records on prisoners of war given to Australia in 2012. Each item tends to have the prisoner of war’s full name in the item title while the item control symbol tends to be the service number. This series represents only a small portion of the approximately 22,000 Australians taken prisoner of war by the Japanese.

DUNLOP Edward Ernest. Service Number VX259 Date of Birth: 12-07-1907 Father’s Name: Dunlop James Henry Mother’s Name: Dunlop Alice Emily Maud, 1942–48

Lt Col Edward ‘Weary’ Dunlop’s index card. NAA: A14171, VX259.

AUSTRALIAN PRISONERS OF WAR OF THE JAPANESE HELD IN THAILAND IN WORLD WAR II AS AT 1 NOVEMBER 1944, 1942–48


Quantity: 0.37 metres (Canberra)

This series contains only one item: 165 pages of lists of Australian prisoners of war held in Thailand up to November 1944, in alphabetical order by surname. They were part of a consignment of Japanese records on prisoners of war given to Australia in 2012.
Current at 1st of November Showa 19th year. Prisoners of War Name List already communicated Australia. Those who are current. Those who have died. Thailand Prisoner of War Camp, 1942–45

AUSTRALIAN MEDICAL CORPS PERSONNEL CAPTURED BY THE JAPANESE IN WORLD WAR II, 1942–48


Quantity: 0.37 metres (Canberra)

This series contains two copies of a 34-page list of Australian Medical Corps personnel taken as prisoners of war, in alphabetical order by surname. They were part of a consignment of Japanese records on prisoners of war given to Australia in 2012.

Captured Medical Corps Personnel Australia List [copy 1], 1942–45

LIST OF AUSTRALIAN PRISONERS OF WAR OF THE JAPANESE IN WORLD WAR II – CONFIRMED DEAD, 1942–48


Quantity: 0.37 metres (Canberra)

This series contains two copies of a 60-page list of Australian prisoners of war confirmed deceased, generally in alphabetical order by surname. They were part of a consignment of Japanese records on prisoners of war given to Australia in 2012.

Australian [List of confirmed dead Prisoners of War] [copy 1], 1942–45

LIST OF AUSTRALIAN CIVILIANS INTERNED BY THE JAPANESE IN WORLD WAR II, 1942–48


Quantity: 0.37 metres (Canberra)

This series contains three copies of lists of Australian civilians interned by the Japanese, by location and then in alphabetical order by surname. The lists are divided into ‘survivors’, ‘deceased’ and ‘unknown’ and include a list of burials. They were part of a consignment of Japanese records on prisoners of war given to Australia in 2012.

List of Civilian Internees Australian [copy 1], 1942–45

COMPLETE ALPHABETICAL LIST OF AUSTRALIAN PRISONERS OF WAR OF THE JAPANESE IN WORLD WAR II, 1942–48

Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

Quantity: 0.96 metres (Canberra)

This series contains two copies of what is said to be a ‘complete’ roster of Australian prisoners of war, divided by surname into A–K and L–Z. However, this series represents only a small portion of the approximately 22,000 Australians taken prisoner of war by the Japanese. The records were part of a consignment of Japanese records on prisoners of war given to Australia in 2012.

Complete Roster of Prisoners of War – Australia – A to K [Vol 1], 1942–45

Lt Col Edward ‘Weary’ Dunlop is listed here, as prisoner of war no. 5443.

Complete Roster of Prisoners of War – Australia – L to Z [Vol 2], 1942–45

ENVELOPES CONTAINING JAPANESE INFORMATION ON ALLIED PRISONERS OF WAR HELD AT AMBOINA, SINGLE NUMBER SERIES, 1942–45

Recorded by: 1942–45 Prisoners of War Information Bureau (CA 3055)

Quantity: 0.18 metres (Melbourne)

This series contains envelopes of information provided by Japan on Allied prisoners of war held on Ambon, including transfers to Hainan Island.

List of Australian Prisoners of War transferred to Hainan, 1942

VOLUMES OF PHOTOGRAPHS OF AMF, PRISONERS OF WAR AND MISSING SERVICEMEN IN THE FAR EAST AND SOUTH WEST PACIFIC, 1944

Recorded by: 1944 2 Echelon, Army Headquarters (CA 2002)

Quantity: 0.09 metres (Melbourne)

This series contains two volumes of photographs of Australian personnel either taken prisoner of war or missing in the Far East or the South West Pacific during the war, arranged by service number.

Australian Military Forces Prisoners of War and Missing in Far East and S.W. Pacific Islands as at 30th June 1944. Photographs in numerical order by Lines of Communication Areas of enlistment - QX, Q, NG, PX, NGX, NX, 1944

AIF service number prefixes include a regional prefix (based on place of enlistment) and an X prefix (indicating enlistment in the AIF) as follows:

Q, QX – Queensland
NG, NGX – New Guinea (used for Europeans who enlisted in New Guinea)
NX - New South Wales
PX – Papua (used for Europeans who enlisted in Papua)
Australian Military Forces Prisoners of War and Missing in Far East and S.W. Pacific Islands as at 30th June 1944. Photographs in numerical order by Lines of Communication Areas of enlistment - VX, SX, DX, WX, TX, 1944
AIF service number prefixes used in this item include:
VX - Victoria
SX - South Australia
DX - Northern Territory
WX - Western Australia
TX - Tasmania

CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES, 1939–54
B3856
Recorded by:
1939–48 2 Echelon, Army Headquarters (CA 2002)
1948–54 Soldier Career Management Agency (CA 1999)

Quantity: 14.65 metres (Melbourne)
This series was the main correspondence series of the two agencies. The majority of the files concern Australian prisoners of war and civilian internees and missing personnel overseas, including individual files, nominal rolls and lists and reports.

Lists of locations of Prisoner of War camps in the Near East, number of prisoners held and nationalities, 1943–45
B3856, 144/12/1

RESIDUE OF RECORDS RELATING TO PRISONERS OF WAR AND INTERNEES, WORLD WAR II, 1939–68
B4141
Recorded by:
1939–55 Prisoner of War Information Bureau (CA 3055)
1955–68 Soldier Career Management Agency (CA 1999)

Quantity: 0.72 metres (Melbourne)
This series consists of 22 residual records relating to prisoners of war and internees in Australia and overseas, including administrative and personal information.

Locations of Australians overseas – internees and prisoners of war, 1942–43
B4141, 20

Locations of prisoners of war abroad, 1941–46
B4141, 21

REPORT OF INTER-SERVICE CONFERENCE CONCERNING SEARCHING AND ENQUIRIES FOR AUSTRALIAN PRISONERS OF WAR AND MISSING IN THE FAR EAST, 15 NOVEMBER 1945
B4176
Recorded by:
1945 Department of the Army, Central Office – Directorate of Prisoners of War and Internees (CA 36)

Quantity: 0.18 metres (Melbourne)
This series contains a report of this inter-service conference held in November 1945, including a list of attendees, and prisoner of war statistics, recovery and tracing operations.

Report of Inter-Service Conference at Headquarters Australian Military Forces 15 Nov 1945 Concerning searching and enquires
Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

for Australian Prisoners of War and Missing in the Far East, 1945

NAVAL HISTORICAL FILES, SINGLE NUMBER SERIES WITH ALPHABETICAL SUFFIXES, BY 1943–

Recorded by: 1943–59 Navy Office [IV], Department of the Navy [II] (CA 38)
1959–79 Navy Office, Melbourne (CA 2615)
1979– Department of Defence [II], Central Office (CA 46)

Quantity: 25.41 metres (Melbourne)

This series was commenced by the Naval Historical Section to provide source material for the Official Naval History of World War II. While it has evolved in a historical reference collection, it remains principally centred on the war. It holds several files of interest, for example:

**Japanese Prisoner of War Camps, 1945**

This file contains several published reports that list, locate and describe Japanese prisoner of war and civilian internment camps, including ‘Allied Prisoners of War in Japanese Hands’, Allied Translator and Interpreter Section Research Report No. 86 (Suppl No. 1), November 1945; and two very comprehensive United States Pacific Fleet and Pacific Ocean Areas’ reports:


**ALPHABETICAL LISTS OF QUEENSLAND EX-SERVICEMEN AND WOMEN WHO WERE JAPANESE OR GERMAN PRISONERS OF WAR [1939/45 WAR], 1947**

BP382/3

Recorded by: 1947 Deputy Commissioner for Repatriation, Brisbane, Queensland (CA 876)

Quantity: 0.45 metres (Brisbane)

This series contains several items listing Queensland ex-service personnel who were held prisoner of war in either world war. There are several lists which jointly list Queensland prisoners of war of both Japan and Germany. List 6 specifically deals with Queensland prisoners of war of only Japan.

**List of Queensland ex-servicemen and women who were Japanese or German prisoners of war during World War II: Abel, M N – Zwoerner, R G, 1947**

BP382/3, LIST 5

This file appears to be a later consolidated list, as the range of surnames is broader.

**Lists of Queensland ex-servicemen and women who were Japanese prisoners of war: Males: Adams, C R – Young, G P; Females: Oxley, C S M – Twedell, J; Supplementary: Eford, F W and Haughey, E A, 1947**

BP382/3, LIST 6

**CORRESPONDENCE FILES, MULTIPLE NUMBER WITH ‘G’ PREFIX SERIES, 1954–**

K89

Recorded by: 1954–76 Deputy Commissioner of Repatriation, Western Australia (CA 880)

1976– Department of Veterans’ Affairs, Branch Office, Western Australia (CA 2370)

Quantity: 5.04 metres (Perth)
This series contains records of internal administrative correspondence, including several items on prisoners of war repatriated to Western Australia, for example:

**Statistics – prisoners of war (Japan) mortality, 1955–79**
K89, G84/5/31 V1

**Statistics – prisoners of war (Japan) mortality – yearly return, 1962–79**
K89, G84/5/31A V1

**Survey of Mortality Experience of Repatriated Prisoners of War (Japan), 1954**
K89, G62/1/7 PART 1

This is the first part of four parts surveying mortality from 1954 to 1975.

**SECRET CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES, 1945–55**
MP729/8

Recorded by: 1945–55 Department of the Army, Central Office (CA 36)

Quantity: 17.53 metres (Melbourne)

This series contains a number of Army Headquarters files under item control symbol 44/431/* concerning Allied prisoners of war.

**Japanese Treatment of Allied Prisoners of War, 1945**
MP729/8, 44/431/16

**Prisoners of War in Japanese Hands. Account of Conditions, 1945**
MP729/8, 44/431/40

**GENERAL AND CIVIL STAFF CORRESPONDENCE FILES AND ARMY PERSONNEL FILES, 1943–51**
MP742/1

Recorded by: 1943–51 Department of the Army, Central Office (CA 36)

Quantity: 170.8 metres (Melbourne)

This series contains numerous files relating to war crimes, most of which are recorded elsewhere in this guide. The series includes a number of files on the Japanese disposition and treatment of Allied prisoners of war.

**Japanese destruction of Prisoner of War documents, 1945–46**
MP742/1, 255/15/1495A

**Prisoners of War – Nagasaki, Japan, Nominal Roll, 1945–49**
MP742/1, 255/15/2072

**Manner of shipment to Japan of Prisoners of War, 1949**
MP742/1, 255/15/2059

This file contains a short report on Australian prisoners of war shipped to Japan, including ships and sailing dates from Singapore, Batavia and elsewhere.

**Alphabetical lists of prisoners of war held in Japan, Korea, and China areas [1]** MISC 35 – Alphabetical lists of Australian Prisoners of War, Japan, Korea and China areas, 1946–48.
MP742/1, 336/1/1588

**Alphabetical lists of prisoners of war held in Japan, Korea and China areas [2]** Alphabetical lists of Australian Prisoners of War, Japan, Korea and China areas (continuation), 1946–48
MP742/1, 336/1/1588 PART 2

MP742/1, 336/1/1588 PART 3

ALPHABETICAL LIST OF RAN PRISONERS OF WAR IN JAPANESE HANDS, 1942

Recorded by: 1942 Naval Department, Naval Staff Office, Western Australia (CA 7226)

Quantity: 0.45 metres (Perth)

This series contains one item only comprising lists of RAN personnel who were held prisoner of war by Japan and RAN personnel ‘missing in the war with Japan’, circa 1942.

Alphabetical List of Royal Australian Navy Prisoners of War in Japanese Hands, 1942

PP539/1, WHOLE SERIES

Interrogation of recovered prisoners of war and internees

CORRESPONDENCE FILES, ALPHABETICAL SERIES, 1924–45

Recorded by: 1924–45 Department of External Affairs, London (CA 1759)

Quantity: 8.56 metres (Canberra)

This series holds files of the Department of External Affairs, London, otherwise known as the External Affairs Liaison Office London. The role of this office was to liaise between various British agencies and the Australian Government. It thus includes numerous files relating to war crimes.

War Crimes – Interrogation of ex-prisoners of war, 1945

This file includes details about how former prisoners of war were interrogated in the European theatre as to their knowledge of war crimes, including several copies of the AMF form – known as the ‘Q’ Form – that they were handed to complete. The file also includes some personal accounts of how interrogations were carried out, including recommendations for reforms to ensure a better process for Australian prisoners of war returning from Japanese camps. One recommendation was that the interrogating officers ‘should be men, and if possible, lawyers’ and that it would be ‘an advantage for them to have an appreciation of the hardships the persons have undergone’.

CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES, 1939–54

Recorded by: 1939–48 2 Echelon, Army Headquarters (CA 2002)

1948–54 Soldier Career Management Agency (CA 1999)

See earlier entry for series B3856 in this chapter.

Notification to next of kin of execution by Japanese of Prisoners of War for attempted escape, 1945

This file contains correspondence and instructions that Australian next of kin of service personnel were only to be told ‘died while a prisoner of war’ if, in fact, they had been killed or died of wounds while attempting escape.

B3856, 142/1/32
Policy-procedure regarding Prisoners of War and civilians recovered from the enemy. [Includes enquiries made regarding Australian nurses and information on Indian personnel recovered from the Japanese], 1944–46

This file contains various drafts and correspondence discussing the procedures to be followed in relation to recovered prisoners of war and civilians, including in relation to interrogation in respect of war crimes. Lengthy interrogation proformas were appended to, for example, Adv LHQ (Advanced Land Headquarters) Administrative Instruction no. 43 of June 1945. The file also contains instructions and correspondence discussing various related issues, including the establishment of Prisoner of War Contact and Inquiry Units and Reception Units and the costs of dealing with recovered Allied civilians.

GENERAL AND CIVIL STAFF CORRESPONDENCE FILES AND ARMY PERSONNEL FILES, 1943–51

Recorded by: 1943–51 Department of the Army, Central Office (CA 36)

See earlier entry for series MP742/1 in this chapter.

Procedure re prisoners of war and civilians recovered from enemy, 1942–46

Reception, treatment and disposal of AMF ex-Prisoners of War returning to Australia, 1942–45

Reception, treatment and disposal of AMF ex-Prisoners of War on arrival in Australia, 1945

Reception, treatment and disposal of AMF ex-Prisoners of War on arrival in Australia, 1945–46

Official inquiries and reports into atrocities

CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES (THIRD SYSTEM), 1934–50 A461

Recorded by: 1934–50 Prime Minister’s Department (CA 12)

Quantity: 161.92 metres (Canberra)

Report on Japanese atrocities at Tarawa, Gilbert and Ellice Islands (execution of European prisoners at Betio, Tarawa on or about 15 October 1942), compiled by Major DCI Wernham, District Officer, Gilbert Islands, supplied to Australian government by High Commissioner for the Western Pacific, February 1944, 1944

CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES, 1939–54 B3856

Recorded by: 1939–48 2 Echelon, Army Headquarters (CA 2002)
1948–54 Soldier Career Management Agency (CA 1999)

See earlier entry for series B3856 in this chapter.

These are obviously other than the Webb Inquiries discussed in Chapter 2.
Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

Report on investigations in Manila and Japan re Australian Prisoners of War and civilians by Major Harold S Williams Liaison Officer No 1 Australian Prisoners of War Contact and Enquiry Unit (31 August–6 December 1945), 1945–46

Tan Toey Prisoner of War Camp, Ambon – Report of Court of Inquiry, 1945
A Court of Inquiry was held into the Tan Toey camp in September 1945. Several of the Morotai trials related to that camp.

War Crimes Australian Military Forces Personnel Wewak Area
Copies of proceedings of Boards of Inquiry on alleged War Crimes, 1946

War Crimes Chinese New Guinea Area Correspondence re proceedings of Board of Inquiry, 1946

PHOTOGRAPHIC NEGATIVES OF JAPANESE WAR CRIMES TRIALS DOCUMENTS, SINGLE NUMBER SERIES, 1945–50

Recorded by: 1945–50 Prisoner of War Information Bureau (CA 3055)
Quantity: 0.18 metres (Melbourne)

This series contains 18 cans of photographic negatives of documents relating to war crimes trials.

6th Australian Division Board of Enquiry, Boram. Prisoner of War Cage death of Allied Airmen. Rape of Native Women, Semel. [This item consists of a collection of papers assembled by the Board of Enquiry whilst investigating the deaths of the Allied (American) Airmen at Boram. Includes interrogation reports.], 1945–46

This item has been digitised and is available online.

GENERAL AND CIVIL STAFF CORRESPONDENCE FILES AND ARMY PERSONNEL FILES, 1943–51

Recorded by: 1943–51 Department of the Army, Central Office (CA 36)
See earlier entry for series MP742/1 in this chapter.


These three files contain information about the Boards of Inquiry established in relation to New Guinea.
Army investigation and evidence files

GENERAL AND CIVIL STAFF CORRESPONDENCE FILES AND ARMY PERSONNEL FILES, 1943–51

Recorded by: 1943–51 Department of the Army, Central Office (CA 36)

This is the principal Army series containing the Directorate of Prisoners of War and Internees’ instructions for war crimes investigations and hundreds of war crimes investigation files. Some files stand alone while others have multiple parts or components, often with each having a separate title. In addition to a number of files which just have ‘War crimes’ and a personal name/geographical region/prisoner-of-war camp in the titles, there are hundreds of files with either ‘Investigation File’ or ‘Affidavit file’ or both phrases in their title. Some of these are investigation files proper and others hold only single or multiple affidavits giving evidence of war crimes. If the latter, the file title often contains the name and service number of the affiant(s). It is, therefore, often difficult to determine what a file contains without reading it in full. The index by geographical area located in MP742/1, 336/1/2125 as updated in AWM: AWM226, 38 may be helpful. Only a small sample of files is listed below.


This is the first component of a 20 component item, each of which tends to correspond to a particular prisoner of war camp or camps in a specific area, eg ‘Bangkok camps’.

Affidavit file: war crimes various camps [22 components]

For example:


War criminals: Administrative Instructions, etc, 1945–46

This file compiles the Army’s administrative instructions issued in relation to war crimes, beginning with the Act and Regulations. Many of these instructions are held in other files; however this file has a useful index which provides the brief name and relevant number and date of the correspondence forming the instruction. Some documents are listed but are no longer in the file.


This is the first component of a 49-component item, each of which tends to contain affidavit evidence only.
Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

Affidavit file – Directorate of Prisoners of War and Internnees
Investigation File: Borneo 10 – Crucifixion of British Naval officer at Sandakan [includes one publication], 1945–47

This is the first part of a 2-component item, both of which concern the Sandakan prisoner-of-war camp.

War crimes – Classifications "T","W","Y","Z" and Returns
[Item consists of 4 separate lists – "T" no 2, "W" no 3, "Y" no 4 and "Z" no 5], 1946–50

This file appears to be Army Headquarters Melbourne’s copy of the various war crimes classification lists from 2AWCS, which appear to have been kept up to date throughout 1946-50.


These two parts include Directorate of Prisoners of War and Internees correspondence explaining how war crimes investigations would be classified into W, T, Y and Z categories.

New Guinea 4 Part 1 – Fate of Flight Sergeant McDonald (RAAF) and other Allied airmen – Amron Area New Guinea (near Madang) [Supplementary search terms: War Crimes, Alexishafen area, Salamaua, Flight Lieutenant LC Conduit], c1944–c1950

This is the first part of a 20-part item containing various investigation files, including several belonging to investigating officer Flt Lt LC Conduit, who was attached to both 1AWCS and 2AWCS.

War crimes – Rabaul area, 1946–50

This is the first part of of a 15-part item, all of which concern investigations into Rabaul and other areas in New Britain, including the Tunnel Hill prisoner-of-war camp. This file also bears the earlier file number New Britain 4 Part 1.

War crimes – reports of investigations by 2 Australian War Crimes Section, 1946–50

This 13-part item contains investigation reports by investigators at 2AWCS, including Capt J Sylvester, Maj Harold S Williams, Capt James Gowing Godwin, Capt WB McLachlan, Capt John Charles Van Nooten, Capt EW Scott, Capt FM Wilson, Capt MB Tindale, Capt A Klestadt, Sgt AH Weston and Flt Lt LC Conduit.

Directorate of Prisoners of War and Internees: Index to files put away towards end of 1950 [Includes subject and alphabetical lists relating to Japanese war crimes/criminals], 1950
SECRET CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES, 1940–48  B3811

Recorded by: 1940–48 Prisoners of War Information Bureau (CA 3055)

Quantity: 0.45 metres (Melbourne)

This series consists of the secret correspondence files of the Prisoners of War Information Bureau. The subjects covered include various matters relating to prisoners of war and internees.

Concerning war crimes – Includes a list of suspects, 1945–46  B3811, 70/1/571

This file contains some correspondence highlighting how difficult it was to identify suspected war criminals among prisoners of war and internees, when perhaps only a surname was known.

CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES, 1939–54  B3856

Recorded by: 1939–48 2 Echelon, Army Headquarters (CA 2002)
1948–54 Soldier Career Management Agency (CA 1999)

See earlier entry for series B3856 in this chapter.

This Army series contains hundreds of investigation files into missing and deceased service personnel, hence many of them also touch on atrocity or war crimes investigations. Files with item control symbols 144/*, 145/* and 146/* include many war crimes investigation files, often with the victim’s surname(s) or geographical place name in the title. However, researchers should not limit themselves to the 144-146/* range. Searches with keywords such as ‘interrogation’, ‘POW camp’, ‘death(s) at’, ‘death(s) of’ etc may be fruitful. Only a very small sample of files is listed below, chosen to illustrate the variations in file titles.

Burial returns – SBA A Hill (RAN) and W/O William Roderick McGuiigan (RAAF), 1945  B3856, 140/1/38

Hill and McGuiigan were unlawfully executed by the Japanese in Sario, Celebes in June 1945. Their murders were the subject of charges in the Morotai M14, M20 and M40 trials.

Captain Matthews, Lionel Colin VX24597, 1945–46  B3856, 140/11/2073

Matthews is famous for organising an uprising at the Sandakan prisoner-of-war camp. He was unlawfully executed by the Japanese at Kuching, British North Borneo in March 1944. His murder was the subject of charges in the Manus Island LN17 trial.

Search, inquiry and recovery – AMF [Australian Military Forces, Allied Forces and civilians in Japanese occupied territory], 1945  B3856, 144/2/15

List of personnel of Rabaul Detachment NGVR [New Guinea Volunteer Rifles] annotated to show those captured and those suspected killed at Tol, 1945–46  B3856, 144/14/25

The Tol massacre in New Britain in January 1942 was one of the early wartime events which started to attract Australian attention to Japanese atrocities.

Nominal rolls and reports regarding Prisoners of War [includes nominal roll of Nippon (Japan) party prisoner of war survivors of cruiser "Perth" and statements of Australian ex-PoWs] 1945–46  B3856, 144/14/40

Ambo Island (and Surrounding Islands): Deaths. [Statements re massacres and other atrocities], 1944–46  B3856, 144/14/70

Australian Prisoners of War reported lost on sinking of transport "Montevideo Maru" alleged to have been in Prisoner of War Camp in Japan, 1942–46  B3856, 144/26/35

Suspected war criminals – Nominal roll of Japanese prisoners of war and witnesses, 1945–46  B3856, 778/2/63

**LIST OF TITLES OF DIRECTORATE OF PRISONERS OF WAR AND INTERNEES INVESTIGATION FILES TOP-NUMBERED INTO**

1. **ARMY CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES, 1943–1957**
2. **GROUP CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES WITH "GP" PREFIX, 1943–1946**
3. **ARMY PERSONNEL FILES, ALPHA-NUMERIC SERIES, 1943–1951** B3925

Recorded by: 1950–73 Department of the Army, Central Office (CA 36)

Quantity: 0.09 metres (Melbourne)

This series contains one file of typed sheets listing Directorate of Prisoners of War and Internees investigation files, most but not all of which files were later merged into series MP742/1, 336/1/*.

List of titles of Directorate of Prisoners of War and Internees investigation files top-numbered into other series, 1950 B3925, 1

**PHOTOGRAPHIC NEGATIVES OF JAPANESE WAR CRIMES TRIALS DOCUMENTS, 1945–50** B4162

Recorded by: 1945–48 Prisoners of War Information Bureau (CA 3055)
1948–50 Soldier Career Management Agency (CA 1999)

Quantity: 0.54 metres (Melbourne)

This series holds a small number of photographic negatives of groups of documents principally relating to war crimes investigations, including that into the execution of Sgt LG Siffleet.

Statements relating to the Akikaze Massacre [reference copy], 1946 B4162, 1

Statements concerning the execution of Sgt Leonard George Siffleet (NX143314): Statement of Lt Commander Nakayama Hiroomi [reference copy], 1947 B4162, 6

**PHOTOGRAPHIC NEGATIVES OF JAPANESE WAR CRIMES TRIALS DOCUMENTS, SINGLE NUMBER SERIES, 1945–50** B4163

Recorded by: 1945–50 Prisoner of War Information Bureau (CA 3055)

See earlier entry for series B4163 in this chapter.
Atrocity/maltreatment reports numbers 116 to 176, with gaps – 'A'
Section, CSDIC [Combined Services Detailed Interrogation Centre] (I), 1945

This item has been digitised and is available online.

GENERAL CORRESPONDENCE, MULTIPLE NUMBER SERIES, 1923–53

Recorded by:
1923–40  Headquarters, 3 District Base, Australian Military Forces (CA 1842)
1940–42  Command Headquarters, Southern Command [I],
Australian Military Forces (CA 1843)
1942–46  Headquarters, Victorian Lines of Communication Area,
Australian Military Forces (CA 1844)
1946–53  Command Headquarters, Southern Command [II],
Australian Military Forces (CA 1845)

Quantity: 1.98 metres (Melbourne)

This is a general correspondence series of the 3rd Military District Southern Command and its successive agencies in Victoria. It contains 20 files with item control symbol 156/19/*, all but two of which are just titled ‘War Crimes Investigation’. Most of the files contain correspondence and affidavits, principally regarding prisoner-of-war camps in Japan and on Hainan Island.

War Crimes Investigation including correspondence and affidavits relating to the Banka Island massacre, 1945–46

This file stands out in this series: it contains material relating to the Banka Island massacre of nurses, including the evidence of survivor Vivien Bullwinkel.

SECRET CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES, 1945–55

Recorded by: 1945–55  Department of the Army, Central Office (CA 36)

See earlier entry for series MP729/8 in this chapter.

War Crimes – CSDIC [Combined Services Detailed Interrogation Centre] Atrocity – Maltreatment reports. Bound volume of signed statements 1 to 38; 106 to 168 (Duplicates of copies held by Lt. Col. John Warry Flannagan VX65494)

GENERAL CORRESPONDENCE, MULTIPLE NUMBER SERIES, 1928–53

Recorded by:
1928–40  Headquarters, 3 District Base, Australian Military Forces (CA1842)
1940–42  Command Headquarters, Southern Command [I],
Australian Military Forces (CA 1843)
1942–46  Headquarters, Victorian Lines of Communication Area,
Australian Military Forces (CA 1844)
1946–53  Command Headquarters, Southern Command [II],
Australian Military Forces (CA 1845)

Quantity: 7.02 metres (Melbourne)

This series contains correspondence relating to the administration, function and policy of the 3rd Military District Southern Command and
successive agencies in Victoria. The series was extensively culled for destruction in the 1960s, with only limited files retained.

**War Crimes Borneo Ill-treatment of Prisoners of War by Kemkel-Tai at Sandakan, 1947–49**

*MP897/1, 156/19/152*

**CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES [I], 1924–54**

Recorded by: 1924–39 (1) 6 District Base, Australian Military Forces [also (2) Contract Board, Tasmania, by 1927-1939] (CA 1573)
1939–42 District Headquarters, 6th Military District [II], Australian Military Forces (CA 1574)
1942–46 Headquarters, Tasmanian Lines of Communication Area, Australian Military Forces (CA 1575)
1946–51 District Headquarters, 6 Military District [III], Australian Military Forces (CA 1576)
1951–54 Command Headquarters, Tasmania Command, Australian Military Forces (CA 1577)

Quantity: 7.92 metres (Hobart)

This series contains correspondence relating to the administration, operations and activities of Southern Command, including one item containing affidavits made by Tasmanian service personnel in relation to Japanese prisoner-of-war camps in Japan and war crimes investigations.

**Index to files – Japanese Prisoner of War Camps/War Crimes – Affidavits from Tasmanian service men, 1946**

P617, 519/3/189

This is the first file of a six-part item containing affidavits.

**CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES, 1912–64**

Recorded by: 1912–21 2 Military District, New South Wales [I] (CA 6335)
1921–39 2 District Base, Australian Military Forces, New South Wales Headquarters (CA 4334)
1939–42 Headquarters, Eastern Command [I], Australian Military Forces (CA 1876)
1942–46 Headquarters, New South Wales Lines of Communication Area, Australian Military Forces (CA 1877)
1946–64 Headquarters, Eastern Command [II], Australian Military Forces (CA 1878)

Quantity: 64.65 metres (Sydney)

This series contains correspondence relating to the administration, function and policy of Eastern Command, New South Wales. It contains several hundred files with ‘War Crimes’, ‘War Crimes Affidavit’, ‘War Crimes – Affidavit’ or ‘War Crimes investigation(s)’ in the file title. These usually hold single or multiple affidavit(s) by service personnel the making of which was arranged under Eastern Command for forwarding to the Directorate of Prisoners of War and Internees. The majority but not all of the affiants have New South Wales service numbers. Only a few files are listed below, again showing the variance in file titles.
Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

War Crimes Affidavit [NX52532 RE Sanderson & CW Kavanagh & NX51653 EG Holtermann & NX50275 J Holcroft & NX38630 AH Johnson & NX32337 LG Hughes & NX25204 WA Crisp & NX37148 VJ Ledingham & NX10906 AH Cooper & NX5656 JM Beaver], 1946
These affidavits concern the Yamane prisoner-of-war camp.

War Crimes – Massacre at Parit Sulong, Malaya – NX71148 Lieutenant BC Hackney, 1946
Lt Hackney was a key witness at the Manus Island LN2 trial regarding the Parit Sulong massacre.

War Crimes Affidavit – Samuel Edward Lees Stening, 1946
Surgeon Lt SEL Stening was taken prisoner of war in the Sunda Straits, Java.

Trial of Major War Criminals: Tokyo – NX500662 JT Laughton; NX34713 JWS Chisholm; NX71148 BC Hackney; NX34763 PL Head, 1946–47

Other investigation and evidence files

CORRESPONDENCE FILES, SINGLE NUMBER SERIES, 1941–48
A373
Recorded by:
1941–45  Security Service, Central Office, Canberra (CA 660)
1945–46  Investigation Branch, Central Office, Melbourne and Canberra (CA 747)
1946–48  Commonwealth Investigation Service, Central Office (CA 650)

Quantity: 6.39 metres (Canberra)

This series contains correspondence files on matters of wartime security, which were inherited by the Australian Security Intelligence Organisation (ASIO) in 1949.

Interrogation of prisoners of war and civilians recovered from internment, 1945–46
A373, 12207
This file contains a list of Australian citizens recovered from internment, who had completed interrogation forms and their "Statement of Recovered PW and Civilian Relating to His or Her Self" forms. Mr Frank and Mrs Rose Anslow, for instance, were captured in Hong Kong and held in the Stanley Internment Camp until September 1945.

CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES WITH YEAR AND LETTER PREFIXES, 1945
A1066
Recorded by:
1945  Department of External Affairs [II], Central Office (CA 18)

See earlier entry for series A1066 in this chapter.

Atrocities: Investigation of War Crimes by Army, 1945
A1066, H45/580/2/6
Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

‘CUMPSTON COLLECTION’ OF DOCUMENTS RELATING TO THE HISTORY OF AUSTRALIAN FOREIGN POLICY, 1960–69

Recorded by: 1960–69 Department of External Affairs [II], Central Office (CA 18)

See earlier entry for series A4311 in this chapter.

Folder – Australian War Crimes Commission – Cases of atrocities against Australians, 1942–45

This file contains information compiled by External Affairs on cases of atrocities, number W.C. 1 to W.C. 53, marked for submission to the Australian War Crimes Commission.

NAVAL HISTORICAL FILES, SINGLE NUMBER SERIES WITH ALPHABETICAL SUFFIXES, BY 1943–

Recorded by: 1943–59 Navy Office [IV], Department of the Navy [II] (CA 38)
1959–79 Navy Office, Melbourne
1979– Department of Defence [II], Central Office (CA 46)

See earlier entry for series B6121 in this chapter.

Burma Railway Map – Prisoner of War Camps [includes map of camps on Bangkok - Burma railway], 1953

Rabaul – report by Lieut. H Mackenzie, RAN, 1942

Lt Mackenzie’s report discusses the events following the fall of Rabaul and includes his interviews of survivors of the Tol massacre.

Australian lists of war criminals

CORRESPONDENCE FILES, ALPHABETICAL SERIES, 1924–45

Recorded by: 1924–45 Department of External Affairs, London (CA 1759)

See earlier entry for series A2937 in this chapter.

Australian Military Forces – Lists of Japanese War Criminals Implicated in War Crimes against Australia, 1946–47

This file holds AMF Consolidated Suspect List No. 1 of Suspected Japanese War Criminals Not Yet in Custody, which consolidated, updated and corrected the earlier lists no. 1–8 of AMF Suspected Japanese War Criminals Not Yet in Custody; and also lists no. 2–5 of AMF Japanese War Criminals Implicated in War Crimes Against Australians, and Held in SEAC or SCAP Areas.

Australian Military Forces – Lists of Suspected Japanese War Criminals held in custody. Not held in custody, 1945–46

This file holds lists no. 1–10 of AMF Suspected Japanese War Criminals Held in Custody and lists no. 1–7 of Suspected Japanese War Criminals Not Yet in Custody.

Australian lists of major Japanese War Criminals, 1945–46

This file contains Australia’s First and Second List of Major Japanese War Criminals and Those Holding Key Positions.
Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

'CUMPSTON COLLECTION' OF DOCUMENTS RELATING TO THE HISTORY OF AUSTRALIAN FOREIGN POLICY, 1960–69

Recorded by: 1960–69 Department of External Affairs [II], Central Office (CA 18)

See earlier entry for series A4311 in this chapter.

United Nations War Crimes Commission – Australian National Office – First List of major Japanese War Criminals and those holding key positions, 1945
A4311, 780/4

A4311, 780/6

Australian Military Forces – Consolidated suspect List Number 2 of suspected Japanese War Criminals not yet in custody, 1948
A4311, 780/7

Australian Military Forces – List Number 6 of suspected Japanese War Criminals not yet in custody, 1946
A4311, 780/8

UNNUMBERED FILES OF THE COMMISSION OF INQUIRY ON WAR CRIMES COMMITTED BY ENEMY SUBJECTS AGAINST AUSTRALIANS AND OTHERS, 1945–46

Recorded by: 1945–46 Australian War Crimes Commission [II] (CA 3865)

Quantity: 0.54 metres (Canberra)

This series contains 24 miscellaneous files of Sir William Webb’s third inquiry, including various Australian and other lists of war criminal suspects.

Australian Military Forces. Lists of suspected Japanese war criminals held in custody – list 1, 1945
A10953, 9 PART 1

This file contains list No. 1 of AMF Suspected Japanese Held in Custody. File 9 PARTS 2–5 contain the subsequent lists no. 2–6.

South East Asia Command theatre, War Crimes Section. Reproduction lists of suspects. Lists 1 to 13, 1945–46
A10953, 13

CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES, 1939–54

Recorded by: 1939–48 2 Echelon, Army Headquarters (CA 2002)
1948–54 Soldier Career Management Agency (CA 1999)

See earlier entry for series B3856 in this chapter.

B3856, 146/1/32 PART 1

This file contains AMF lists no. 1–3 of Japanese War Criminals Charged under the War Crimes Act 1945 by Australian Military Authorities.

Copies of extracts of proceedings and lists (including List No 4, 5 Dec 1946) of Japanese war criminals charged under the War Crimes Act 1945, 1946–49
B3856, 146/1/32 PART 2
Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

GENERAL AND CIVIL STAFF CORRESPONDENCE FILES AND ARMY PERSONNEL FILES, 1943–51

MP742/1

Recorded by: 1943–51 Department of the Army, Central Office (CA 36)

See earlier entry for series MP742/1 in this chapter.

**Japanese major war criminals, 1945–46**

MP742/1, 336/1/148

This file contains correspondence about Australia’s first list of major Japanese war criminals, including its presentation to the United Nations War Crimes Commission and the Army’s circulation of the list to ascertain whether any person named was currently being held.

**Lists of suspected Japanese war criminals not held in custody by Australian Military Forces and war criminals not apprehended by the Australian Military Forces, 1945–49**

MP742/1, 336/1/1874

This file is part one of two parts which contain a number of AMF Lists of Suspected War Criminals Not Held in Custody.

CORRESPONDENCE FILES (GENERAL), 1923–50

MP1049/5

Recorded by: 1923–39 Navy Office [III], Department of Defence [II] (CA 2456)

1939–50 Navy Office [IV], Department of the Navy [II] (CA 38)

Quantity: 59.75 metres (Melbourne)

This series was used by the Navy for general correspondence files. It has several files with item control symbol 1877/* concerning war crimes.

**Japanese War Criminals Part one, 1945–46**

MP1049/5, 1877/13/382

**Japanese War Criminals Part two, 1946–47**

MP1049/5, 1877/13/395

These two files contain a number of solid runs of the various Australian lists.

**Consolidated list of Japanese Suspected War Criminals Allegedly implicated in War Crimes against Australia and not held in custody, 1949**

MP1049/5, 1877/13/404

CONSOLIDATED NAME INDEX TO AUSTRALIAN AND ALLIED LISTS OF WAR CRIMINAL SUSPECTS SOUGHT OR IN CUSTODY, C1945–50

MP1395/2

Recorded by: 1945–50 Department of Defence [III], Central Office – Directorate of Prisoners of War and Internees (CA 46)

Quantity: 1.08 metres (Melbourne)

This series consists of strip indexes in alphabetical order by surname showing the names of suspected war criminals either sought or in custody. The information provided is the suspect’s surname (full name if known and nickname, if any), rank, and the list on which the suspect was named, for example Australian Military Forces, South East Asia Command, Supreme Commander for Allied Powers etc. If the suspect was in custody, their location held was given for example ‘Held Sugamo’. The majority of those suspects listed are Japanese, Korean or Formosan [Taiwanese] but some from the European theatre are listed.
Photographs of suspected war criminals

**MISCELLANEOUS PHOTOGRAPHS AND NEGATIVES RELATING TO JAPANESE WAR CRIMES TRIALS, 1946–49**

Recorded by: 1946–48 Prisoners of War Information Bureau (CA 3055) 1948–49 Soldier Career Management Agency (CA 1999)

Quantity: 0.18 metres (Canberra), 0.54 metres (Melbourne), 0.18 m (Sydney)

This series consists of a miscellaneous collection of photographs, mainly group photographs of Japanese personnel suspected of war crimes. The majority of the photos of suspects appear to have been taken at Ambon and at Rabaul. A number of photos of the Japanese accused in the Morotai M45 trial are included.

**NEGATIVES OF SUSPECT JAPANESE WAR CRIMINALS HELD IN VARIOUS GAOLS, 1946–49**

Recorded by: 1946–48 Prisoners of War Information Bureau (CA 3055) 1948–49 Soldier Career Management Agency (CA 1999)

Quantity: 0.18 metres (Sydney), 2.63 metres (Melbourne)

This series contains negatives from which contact prints have been made – of suspected war criminals, taken in various locations, including Japan, South East Asia and Darwin.

**NEGATIVES AND PRINTS OF JAPANESE WAR CRIMINALS AND SUSPECT WAR CRIMINALS HELD BY ALLIED POWERS, LEXICOGRAPHICAL SERIES, 1946–49**

Recorded by: 1946–48 Prisoners of War Information Bureau (CA 3055) 1948–49 Soldier Career Management Agency (CA 1999)

Quantity: 0.09 metres (Sydney), 2.13metres (Melbourne)

This series consists of several hundred prints and negatives of Japanese investigated for war crimes, as well as those prosecuted and convicted. The photographs are generally in profile and frontal view. Item titles generally include surname and first name, rank and, occasionally, the relevant Australian War Criminal (AWC) number. The item control symbols are numbered in alphabetical order by name. Researchers are reminded that there are occasional misspellings of names in file titles.
Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

Imamura Hitoshi – General [Pack 1–1] [10 years], 1946–49
General Imamura Hitoshi was tried in the Rabaul R175 trial.

Kanda Masatane – Lieutenant General – [Pack 1–2], 1946–49
Lt Gen Kanda Masatane was investigated as a suspected war criminal but was never tried.

Taura Nidihara [Taura Hidehara] – Captain – War Criminal number 2784, 1946–49
Captain Taura Hidehara was tried at the Rabaul R139 trial. His AWC number is 2784.

Files at the Australian War Memorial

2ND AIF (AUSTRALIAN IMPERIAL FORCE) AND CMF (CITIZEN MILITARY FORCES) UNIT WAR DIARIES, 1939–45 WAR, 1939–58

Recorded by: 1939–58 Department of the Army, Central Office (CA 36)
Quantity: 454 metres (Australian War Memorial)
This series contains the war diaries of 2nd Australian Imperial Force and Citizen Military Forces, many of which have now been digitised and are online at the Australian War Memorial website.

[Unit War Diaries, 1939–45 War] AG6(a) PW [Adjutant General, Prisoners of War] November – December 1942
This is the first of 15 parts of the war diary of the Adjutant-General 6 (a) Prisoners of War and Adjutant General 13 (AG. 13), which includes administrative notes on actions in relation to Australian prisoners of war, such as arranging for recovered personnel to fill out war crimes questionnaire forms.

1 Prisoner of War Contact Team (July–October 1945)

3 Prisoner of War Contact Team (July–December 1945)

2 Prisoners of War Contact and Inquiry Unit (July–November 1945)

WRITTEN RECORDS, 1939–45 WAR, 1926–93, 1926–93

Recorded by: 1926–39 Department of Defence [II], (Central Administration) (CA 19)
1942–93 Department of Defence [III], Central Office (CA 46)
Quantity: 213.5 metres (Australian War Memorial)
This series holds miscellaneous records that were transferred to the Australian War Memorial from the Military History Section of the Australian Army regarding the 1939–45 war. As such, it contains many files relating to war crimes, mostly (but not exclusively) in item numbers 1010/*/*, many of which are recorded elsewhere in this guide.
The attention of researchers is drawn specifically to the files classified in their titles as:
[Prisoners of War and Internees] – 345 files and particularly:
Prisoners of War and Internees – Examinations and Interrogations:—171 files (with file numbers 779/3/*)
Prisoners of war (Australia) and Internees – Examinations and Interrogations:—7 files (with file numbers 780/3/*)
Prisoners of War and Internees – Camps – 18 files (with file numbers 779/13/*)
[War Crimes and Trials – General] – 41 files (with file numbers 1010/1/*)
[War Crimes and Trials – Identification of War Criminals] – 44 files (with file numbers 1010/2/*)
[War Crimes and Trials – Affidavits and Sworn Statements] – 204 files (with file numbers 1010/4/*)
[War Crimes and Trials – Investigation of Atrocities] – 130 files (with file numbers 1010/9/*).

Selected files are listed below.

[Prisoners of War and Internees:] Reports from 1 Australian PW Contact and Enquiry Unit [Includes: missing RAN personnel; Fukuoka, Yokakama, Hokkaido, Konan PW Camps; crashed aircraft in Talaud Sangihe Group; missing Allied PWs, Ambon, Bunka Camp; destruction of records; and MONTEVIDEO MARU] (Sep–Nov 1945) AWM54, 779/1/15

[Prisoners of War and Internees:] Detailed report on allied prisoners of war in Brunei, Miri, Kuching Area. Also interrogation reports and report on massacre of Indian prisoners of war at Kuala Belait (Jul–Aug 1945) AWM54, 779/1/17


[Prisoners of War and Internees – Exchange and Repatriation:] AMF Instructions on Procedure – Personnel repatriated or returned to Australia from enemy custody, 1943–44 AWM54, 779/9/16

[Prisoners of War and Internees – Camps (including Locations):] Chronological chart showing ex Prisoner of War camps in Japan proper, 1946–47 AWM54, 779/13/4

This file contains a long chronological report by region giving names, designations and locations of camps.

[War Crimes and Trials – General:] A file dealing generally with the procedure, regarding prisoners of war and civilians, recovered from the Japanese. Estimates of Australian prisoners by areas. Preliminary interrogation of QX 14380 Owen Colin Campbell, 2/10 Field Regiment AIF, 28 July 1945 escaped from Sandakan Area, British North Borneo, 1944–46 AWM54, 1010/1/2

[War Crimes and Trials – General:] Register only of statements and affidavits submitted by Australians, Japanese and Natives in connection with War Crimes and trials, c1947 AWM54, 1010/1/20

[War Crimes and Trials – General:] Messages and Instructions relating to War Crimes in Timor. Trials held during 1946, 1945–46 AWM54, 1010/1/37
This file contains an apparent press release entitled ‘Tracing War Criminals is Not Easy. Big Job in Timor’.


This file actually contains the first 12 South East Asia Command lists of Japanese war criminal suspects.


This file contains Australian Military Forces Lists no. 1–3 of Suspected Japanese War Criminals Held in Custody.

[War Crimes and Trials – Investigation of Atrocities:] Apprehension of Japanese War Criminals, Report of Board of Inquiry into ill treatment of Indians, Pte Rulia Singh; Pte Kirpa Ram; Pte Harnam Singh; Capt Nirpal Chand, 1945–46

RECORDS OF WAR CRIMES ENQUIRIES AND TRIALS, 1939–45 WAR, 1942–55

Recorded by: 1942–55 Department of the Army, Central Office (CA 36)

Quantity: 2 metres (Australian War Memorial)

This series holds records that were transferred to the Australian War Memorial from the Army Office, Department of Defence. As suggested by the series title, the files principally relate to the Australian war crimes investigations and prosecutions. The series holds a copy of the Army’s 1942 Court of Inquiry into the landing of Japanese Forces in New Britain, Timor and Ambon. Items 44–61 inclusive, for instance, contain affidavits and transcripts of interrogations catalogued by surname of witness. Only a very brief selection of files is listed below.

[Records of war crimes enquiries and trials, 1939–45 War] Court of Inquiry with reference to landing of Japanese forces in New Britain, Timor and Ambon, Volume 1 [Copy 1], 1942

This is volume 1 of the report of the Army’s Court of Inquiry.

[Records of war crimes enquiries and trials, 1939–45 War] Court of Inquiry with reference to landing of Japanese forces in New Britain, Timor and Ambon, Volume 2, 1942

[Records of war crimes enquiries and trials, 1939–45 War] Court of Inquiry with reference to landing of Japanese forces in New Britain, Timor and Ambon, Volume 3, 1942

Japanese war crimes in the Pacific: Australia’s investigations and prosecutions


This file contains copies of lists no. 1–7 of suspected war criminals who had been charged under the War Crimes Act 1945.

AWM226, 13

[Records of war crimes enquiries and trials, 1939–45 War] Index to Files, c1945–c1951

This is an index to files as of 1 August 1950, originally held by the Directorate of Prisoners of War and Internees. The index is divided into topics, often by region. Files were classified, for example, as ‘place name files’, ‘camp files’, ‘miscellaneous files’, ‘mixed subjects’ and ‘questionnaire files’. While some of these files appear to no longer exist, many can be found in NAA: MP742/1, 336/1/*.

AWM226, 36

[Records of war crimes enquiries and trials, 1939–45 War] Files P/A in Central Registry and Archives on 21 June 1962

This is a differently organised and comprehensive index to files as of 21 June 1962. While some of these files appear to no longer exist, many can be found in NAA: MP742/1, 336/1/*.

AWM226, 37


AWM226, 63

[Records of war crimes enquiries and trials, 1939–45 War] Photographs and drawings of POW camps, miscellaneous affidavits by war crime victims, statements (original and translated) by alleged Japanese war criminals, etc, 1945–46

AWM226, 64

[Records of war crimes enquiries and trials, 1939–45 War] Miscellaneous reports, statements, etc concerning Japanese war crimes, 1945–46

This file contains a report on the Banka Island massacre and a report on the Sandakan prisoner-of-war camp.

AWM226, 77

RECORDS OF 2ND ECHELON, LAND HEADQUARTERS – AUSTRALIAN MILITARY FORCES PRISONERS OF WAR AND MISSING, FAR EAST AND SOUTH WEST PACIFIC ISLANDS, 1944–46

Recorded by: 1944–46 Department of Defence [III], Central Office (CA 46)

Quantity: 0.4 metres (Australian War Memorial)

This series documents Australian Military Forces prisoners of war and missing personnel from operations in the Far East and South West Pacific Islands. The items include alphabetical lists by name, by unit and by locations, and photographs (for which the person’s service number is required information). The alphabetical lists by name in items 1 PART 1 and 1 PART 2 are too fragile to be used but have been digitised for searching, see: https://www.awm.gov.au/people/roll-search/prisoners_of_war/.

AWM232


AWM232, 3
6. The War Crimes Act 1945 and preparation for trials

Introduction

The Australian Government’s intention to prosecute and punish suspected Japanese war criminals who fell into its hands was relatively clear from 1943 onwards, even if it was not specifically articulated publicly. It was not until the end of the war with Japan approached in mid-1945, however, that minds in Commonwealth departments and the armed forces demonstrably began to turn to the question of the legal machinery for such trials.

Sir William Webb, while in London in early 1945 as Australia’s liaison to the United Nations War Crimes Commission (UNWCC), had joined in policy discussions in the United Kingdom on the legal machinery for the British war crimes trials. In particular, Webb was influential in the drafting of the rules of evidence for the British trials. In June 1945 a Royal Warrant, which attached regulations for military trials, was issued in the United Kingdom. While a copy of the Royal Warrant was promptly despatched to Australia for reference, the government took little action in relation to the formation of its own policies or procedures in the last months of the war.

However, by September 1945, fuelled by the public release of the first Webb Report into Japanese atrocities, the government came under intense pressure to prosecute and punish suspected war criminals. The question of the legal machinery for war crimes trials was thus transformed into one of urgency.

War Crimes Act 1945

While Australia could have followed a similar path to the United Kingdom and asked the King to issue a Royal Warrant for Australia’s use – a method which was considered – the government decided that it was ‘preferable that the military tribunals should be established under legislation’. The War Crimes Bill, as it then was, was drafted extremely fast – possibly within a few days – in late September 1945 by the Attorney-General’s Department, without much consultation with other government departments or the armed forces. On both counts, this is probably why there are so few records which explain the reasons behind the skeletal inelegance of the Bill’s drafting, particularly in relation to jurisdiction.

Having delayed the decision-making for months, the government just needed some legislation in place to provide for trials.

On 4 October 1945, the War Crimes Act 1945 (Cth) – ‘An Act to Provide for the Trial and Punishment of War Criminals’ – passed both the House of Representatives and Senate, with bipartisan support and without amendment. Although the constitutional validity of the legislation was never challenged at the time, Parliament was probably competent, under the defence power in the Constitution, to pass the Act. The then Minister for Defence, Mr John Beasley, explained to the House that that the Australian approach to the trials mimicked the

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245 Royal Warrant, Army Order No. 81, 18 June 1945. A copy of the Royal Warrant can be seen in NAA: A472, W28681.
246 Commonwealth, Parliamentary Debates, House of Representatives, 4 October 1945, p. 6510 (Beasley). For an unattributed report on the British Royal Warrant undertaken to consider the legislative ‘action necessary’ to institute war crimes trials by Australia, which considered various alternatives, see ‘Royal Warrant and Regulations for the Trial of War Criminals: Action Necessary to Constitute Australian War Crimes Courts’, n.d., NAA: A472, W28681In Webb’s view, either a Royal Warrant or legislation was an option open to Australia but the decision was ‘a political one upon which I venture to express no opinion’: letter from Sir William Webb to Dr HV Evatt, 30 January 1945, NAA: A2937, 222.
247 For the Attorney-General’s Department files developing the War Crimes Bill, see NAA: A2863, 1945/48 and A472, W28681.
British approach, in that military courts would function in a similar way to a field general courts martial and that:

the Governor-General or a delegate of the Governor-General will have power to convene military courts, appoint officers to constitute the courts and to give effect to the sentences of the courts, and, if necessary, mitigate or remit or suspend any such sentences. A military court is to consist of not less than three officers, and power is given to include in any court officers of allied or associated powers, provided that not more than half the members of the court, excluding the president, are such officers. A military court will have power to sit either within or outside the limits of the Commonwealth for the purpose of trying persons charged with war crimes committed either against a person who has been resident at any time in Australia or against any British subject or person of any allied or associated nation. The measure gives a military court very wide latitude in regard to the matters which it may take into consideration in trying war criminals. It will not he [sic] bound by the ordinary rules of evidence, and power is taken by the act to provide by regulation or rules for the procedure of the courts and for the nature of the evidence which may be received or admitted by the court.250

The Act comprised a preamble and 14 generally worded sections, which:

- broadly described the purpose of the Act
- created and vested powers in relation to the trials in the Governor-General, including a regulation-making power, and provided for the delegation of those powers
- set out the jurisdiction and application of the Act
- provided for the arrest of persons suspected of war crimes
- defined certain terms, including ‘war crime’
- set out the laws and rule of evidence applicable for the trials
- provided for certain punishments.

‘War crime’, for instance, was defined in section 3 of the Act as:

a. a violation of the laws and usages of war; or
b. any war crime within the meaning of the instrument of appointment of the Board of Inquiry appointed on the third day of September, One thousand nine hundred and forty-five, under the National Security (Inquiries) Regulations (being Statutory Rules 1941, No. 35, as amended by Statutory Rules 1941, Nos. 74 and 114 and Statutory Rules 1942, No. 273), committed in any place whatsoever, whether within or beyond Australia, during any war.

The Board of Inquiry identified in section 3(b) was the Board of Inquiry to which Sir William Webb, Justice Alan Mansfield and Judge Richard Kirby were appointed in September 1945, as discussed in Chapter 2. Their Instrument of Appointment included an enumerated list of 35 war crimes based on the list drawn up by the post–World War I Allied Commission on Responsibility of the Authors of the War and on Enforcement of Penalties in 1919,251 together with a few additional items: crimes against peace, cannibalism and mutilation of the dead. The modified list can be seen in Appendix A.

Of particular note in the Act was the modified rule of evidence provided for in section 9(1), similar to the rule of evidence which Webb helped to draft for the Royal Warrant, which read:

At any hearing before a military court the court may take into consideration any oral statement or any document appearing on the face of it to be authentic, provided the statement or document appears to the court to be of assistance in proving or disproving the charge, notwithstanding that the statement or document would not be admissible in evidence before a field general court-martial.

250 Commonwealth, Parliamentary Debates, House of Representatives, 4 October 1945, pp. 6510–11 (Beasley).
This rule of evidence would prove controversial, both then and now, and is still identified by contemporary critics of the postwar Allied international and national trials as evidence of ‘victors’ justice’ in operation.

**Preparations for trials**

Although the *War Crimes Act 1945* came into force on 11 October 1945, a number of practical issues had to be addressed and resolved before trials could begin. Indeed, as of only a fortnight earlier, the Army admitted that it had made ‘no arrangements … for the conduct of trials of war criminals’ and advised that, if it was to be made responsible for the trials, ‘questions of jurisdiction, composition and nature of tribunals and methods of procedure’ would ‘require careful investigation and consideration’.  

Yet, as it turned out, there was a mere seven weeks between when the Act came into force and the first trial began on Morotai on 29 November 1945. In that time, Dr HV Evatt, the Minister for External Affairs and Attorney-General, was agitating furiously about the delay in commencing trials, given that before the Act was passed he had given ‘an explicit warning that it was to be followed by speedy action’. As External Affairs departmental officer and later war historian Paul Hasluck has related, war crimes were one issue in which Evatt appeared to take a deep personal, as well as professional, interest.

The most pressing legal issue was the fleshing out of the Act with subsidiary legislation that provided more specific procedures and rules for the trials. The Department of the Army, perhaps as payback for the non-consultation over the Act, drafted and presented the Act’s principal regulations – the Regulations for the Trial of War Criminals 1945 (Cth) – to the Executive Council for approval without first submitting them to the Attorney-General’s Department.

Although purportedly drafted by Commander-in-Chief General Thomas Blamey, the Regulations in fact effectively copied the regulations attached to the Royal Warrant, with only minor amendments to take account of certain military organisational and procedural matters that were different in Australia. The Regulations were issued on 25 October 1945. Although comprising only 20 regulations, the final regulation sought to encompass any issue that was not specifically dealt with by instructing:

> In any case not provided for in these Regulations such course will be adopted as appears best calculated to do justice.

As Mr Beasley had made clear in Parliament, subject to the Act and the Regulations, the provisions of the Army Act and the Rules of Procedure relating to field general courts-martial also applied to the war crimes trials. Indeed, in practice, a great deal of both the procedural and substantive law applied in the trials came straight from Australian military law. Interestingly, although both the Act and the Regulations are brief by today’s legislative standards, the Act was not amended at all during its period of operation in 1945–51. The Regulations were amended twice in 1946 to insert two new regulations to overcome certain

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252 Memorandum from Brig WJ Urquhart for the Adjutant-General to the Secretary, Department of the Army, 27 September 1945, NAA: MP742/1, 336/1/980.

253 Cable from Dr HV Evatt to the Department of External Affairs, copied to the Attorney-General’s Department and the Army, 16 November 1945, NAA: MP742/1, 336/1/980.


255 The Act provided the Governor-General with the power to make regulations or rules on certain specified and necessary or convenient matters: *War Crimes Act 1945*, s 14.

256 The Army, ‘Memorandum for the Secretary’, October 1945, NAA: A472, W2868. The Attorney-General’s Department also did not appreciate the non-consultation, as can be seen by correspondence in this file.


258 Memorandum from the Adjutant-General to the Secretary of the Army’s Department, 27 September 1945, NAA: MP742/1, 336/1/980.

problems caused by the drafting of the Act. A separate set of regulations under the Act, concerning the imprisonment of the war criminals, was issued in 1951.260

Another legal issue to be resolved was how to properly delegate the powers created by the Act; otherwise, the Governor-General of the day would have been the only authority lawfully permitted to convene courts, to appoint officers to the courts, to confirm findings and sentences or to deal with punishment.261 The first set of delegations of power, including to the Commander-in-Chief, Australian Military Forces, was dated 24 October 1945 and gazetted the following day.262 Given that the Act allowed for the sentencing of convicted war criminals to death the most contentious delegations were whether military or civilian authority should be delegated to use the powers in relation to the confirmation of sentences and the mitigation, remission, commutation or suspension of punishment. These delegations were the subject of considerable inter-departmental and ministerial correspondence and apparently held up the commencement of the trials.263 The discussions eventually reached the level of the War Cabinet.264

Some argued that there should be some form of independent, extra-military oversight into the Army’s processes before death sentences were confirmed and executions ordered. Others argued, however, that leaving the power with the Governor-General or vesting it in another civilian authority would simply introduce unwarranted delay to the process, as it would be more expedient and efficient to also delegate powers in relation to sentences and punishment to senior Army officers.

As General Blamey pointed out on 1 November 1945, the ‘necessity’ of referring everything to the Governor-General would ‘inevitably result in considerable delay’ and ‘any needless delay in inflicting merited punishment on adjudged war criminals’ was ‘unwarranted’.265 Blamey and other senior Army figures not surprisingly held the view that decisions about confirming death sentences could be safely left in the professional hands of those officers already delegated to convene war crimes trials and who were already delegated to use similar powers of confirmation of sentences in respect of courts martial involving Australian service personnel, albeit not in relation to death sentences.266 In the end, the decision was made to also delegate the powers in relation to confirmation of sentences and punishment and not to incorporate independent oversight.

In addition to resolving the legal issues, both the Department of the Army and the Army, which were charged with operating the war crimes trials, had a vast task ahead of them to establish administrative processes and procedures for the trials and to allocate personnel and other resources.267 The administrative task was complicated by the lack of clarity as to how the Australian legislation was to operate within an international criminal law context. For instance, it was not initially clear whether the United Nations War Crimes Commission in London or the Australian War Crimes Commission, perhaps through Sir William Webb, had

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260 War Crimes (Imprisonment) Regulations 1951 (Cth), Statutory Rules 1951, no. 11, made under the War Crimes Act 1945 (Cth) on 16 February 1951 and notified in Gazette on 22 February 1951. The regulations ‘as made’ in 1951 are available in full on the Federal Register of Legislation: www.legislation.gov.au. For more information on these regulations, see Chapter. 8.

261 War Crimes Act 1945, ss 5 and 6.

262 See the helpful list of delegations made under the Act from October 1945 to June 1950 in NAA: MP742/1, 336/1/452. Ordinarily, delegations were worded so that they were made to every officer who at any time while the delegation was in force occupied a certain office or performed the duties of that office, rather than to specific persons. An exception was the delegation made by name to Lt Gen VAH Sturdee, then Chief of General Staff, on 20 March 1946.

263 See the very annoyed message from Mr Frank Forde, Minister for the Army to the Secretary of the Department of the Army suggesting that the Secretary had not conveyed his repeated instructions to the Army in October 1945 that it was to immediately issue instructions for the commencement of trials, even though delegations of powers in relation to findings, sentences and punishment had not yet been made, as these delegations ‘cannot be regarded in any way essential or necessary to the conduct of such trials’. Forde described the delays as ‘totally unacceptable [sic]’ and ‘incomprehensible’: teleprinter message, 22 November 1945, NAA: MP742/1, 336/1/822.(BC392536)

264 See War Cabinet Agenda no. 505/1945 and War Cabinet Minute no. 4545, 12 November 1945, NAA: A2670, 505/1945.

265 Letter from Gen TA Blamey to Mr FM Forde, Minister for the Army, 1 November 1945, NAA: MP742/1, 336/1/382.

266 See, for example, letter from Maj Gen CEM Lloyd, Adjutant-General to the Secretary, Department of the Army, 4 January 1946, NAA: A472, W28681.

267 For information on the Army’s Directorate of Prisoners of War and Internees, which administered the trials, see Chapter 4.
to authorise or approve the convening of a trial in relation to any particular case after having evaluated the evidence.

The Army’s task was also complicated by the difficulty of understanding what Parliament intended in certain sections of the Act and translating that into practical operation. For instance, section 7 of the Act provided that:

A military court shall have power to try persons charged with war crimes … against any person who was at any time resident in Australia.

A flurry of internal Army correspondence ensued in late 1945 in an attempt to clarify the meaning of both ‘resident’ and ‘Australia’. For instance, were ‘native’ or Chinese residents in Australia’s mandated territories ‘resident in Australia’ for the purpose of the Act? While the Army’s Adjutant-General eventually distributed on 26 November 1945 a three-page memorandum on ‘Trials of War Criminals’, which outlined the general administrative procedure to be followed, the lack of detailed explanation on the operation of the trials or how they were to operate in conjunction with the trials of other Allied powers meant that numerous questions seeking clarification or guidance were sent to the Army Headquarters in Melbourne. As a consequence, various departments and the Army, as well as interested parties such as Sir William Webb, continued discussing and settling aspects of the trial policies and procedures for the next several years. For instance, Webb was asked in December 1946 for his ‘views’ on bringing Australian prosecution policy into line with British prosecution policy, which was by then ‘mainly that only cases which warrant a sentence of death or of imprisonment for a least seven years will be tried’.

As time passed, the necessity of finding new locations in which to hold trials and, indeed, whether the trials should continue at all, imposed further matters for consideration, which will be discussed in Chapter 7.

The present status of the War Crimes Act 1945

The War Crimes Act 1945 is still in force as of 2019; however, it was significantly amended in the late 1980s in order to prosecute persons who had allegedly committed ‘serious’ war crimes in the European theatre of World War II and subsequently entered Australia and become citizens or residents. The amended version of the Act still on the statute books thus bears no resemblance to the Act that was in force during the period 1945–51. Unlike the immediate postwar period, when the Act was administered by the Department of the Army, the amended Act is administered by the Attorney-General’s Department. Under s21 of the amended Act, the Attorney-General’s Department is required to prepare a report to be laid before Parliament on the operation of the Act, including particulars of how many suspected offences against the Act were under investigation or in relation to which prosecutions had commenced. These reports almost routinely report nil action, apart from receiving the occasional request from other countries for extradition or assistance.

Both sets of regulations issued pursuant to the Act were entirely repealed in 1955 and no further regulations have been issued.

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268 See letter from Mr John Beasley, Acting Attorney-General to Mr Frank Forde, Minister for the Army, 11 October 1945, NAA: MP742/1, 336/1/980.
269 The answer was yes, so that crimes against them could be prosecuted under the Act, see NAA: MP742/1, 336/1/382.
270 Adjutant-General, Memorandum on ‘Trials of War Criminals’, no. 151625, 26 November 1945, NAA: MP742/1, 336/1/382. For other administrative instructions issued, see NAA: MP742/1, 336/1/1143. The brevity of the Australian instructions for war crimes trials can be contrasted with the British instructions set out in Allied Land Forces, South East Asia, War Crimes Instruction No. 1. The second edition of Instruction No. 1 is 15 pages long, plus appendixes A–M: see NAA: A4311, 747/10.
271 Telegram from External Affairs to Australian Political Liaison Officer, Tokyo, for Webb, 6 December 1946, NAA: M1418, 1.
Overview of the records

The National Archives holds a variety of records on the passage of the *War Crimes Act 1945*, (although not many that explain the drafting) and the preparations for trials to commence. This chapter sorts records into several sections:

- files relating to the War Crimes Bill and Act 1945
- delegation of powers
- preparing for the trials
- trial procedures and other issues;
- policy regarding death sentences and executions
- Allied liaison matters.

Files held at the Australian War Memorial are listed separately at the end.

The War Crimes Bill and Act 1945

**CORRESPONDENCE FILES, SINGLE NUMBER SERIES WITH ‘W’ [WAR] PREFIX, 1939–49**

Recorded by: 1939–49 Attorney-General’s Department, Central Office (CA 5)

Quantity: 25.56 metres (Canberra)

This series contains files arising from wartime legislation.

**War Crimes Bill and Regulations, 1945–46**

As the principal file on the Bill, this file contains:

- a copy of the British Royal Warrant; a June 1945 report by Dr E Schwelb, legal officer of the United Nations War Crimes Commission, on the British Regulations for the Trial of War criminals by Military Courts
- an undated unattributed but apparently domestic report on the ‘Action Necessary to Constitute Australian War Crimes Courts’
- what appears to be an early handwritten and annotated draft of the War Crimes Bill that shows the progress of drafting of clauses over time
- materials and correspondence on the Bill, Act, Regulations (including the few new regulations inserted made in 1946) and processes and procedures for the trials.

**BILL ASSENT FILES (AMENDED PRINTERS PROOFS), 1901–2006**

Recorded by: 1901–70 Attorney-General’s Department, Central Office (CA 5)

1970–2006 Office of Parliamentary Counsel (CA 2965)

Quantity: 476.34 metres (Canberra)

This series comprises drafts, proofs and final copies of bills and related correspondence.
Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

War Crimes Bill 1945 Act No 48 of 1945, 1945
This file contains several type-written drafts of the Bill and a printed Bill in a fairly advanced stage with some handwritten annotations, which shows the progress of drafting of clauses over time, including the key definition of ‘war crime’. It also contains notes for the Second Reading Speech of the Bill.

ASSENT COPIES OF ACTS OF PARLIAMENT, 1901–
Recorded by: 1901–70 Attorney-General’s Department, Central Office (CA 5)
1970– Office of Parliamentary Counsel (CA 2965)
Quantity: 44.05 metres (Canberra)
This series contains the ‘master set’ of signed Acts of Parliament, each signed by the Clerk of the House and by the Governor-General or Monarch.

An Act to provide for the Trial and Punishment of War Criminals – [War Crimes Act 1945], 1945

GENERAL AND CIVIL STAFF CORRESPONDENCE FILES AND ARMY PERSONNEL FILES, 1943–51
Recorded by: 1943–51 Department of the Army, Central Office (CA 36)
Quantity: 170.08 metres (Melbourne)
This series contains numerous files relating to war crimes, most of which are recorded elsewhere in this guide.

Amendment to regulations for trials of war criminals, 1946–57
This is the Army’s file concerning the amendment of the Regulations for the Trial of War Criminals by the insertion of two new regulations in 1946 designed to overcome certain problems with the drafting of the Act. It also contains the draft statutory rule to repeal the regulations in 1955, when they were no longer required.

Amendment of regulations for the trial of war criminals, 1946–47
This file contains a working draft of a warrant of commitment designed to be issued as part of the Regulations for the Trial of War Criminals and multiple requests for the regulations to be amended.

CORRESPONDENCE FILES, ANNUAL SINGLE NUMBER SERIES, 1929–
Recorded by: 1929– Attorney-General’s Department (CA 5)
Quantity: 2086.13 metres (Canberra), 291.06 metres (Sydney)
This series contains some files covering war crimes, related action within the department and correspondence with the Department of the Army, most of which are recorded elsewhere in this guide.

War crimes – United Nations inquiry, 1965
In the context of the United Nations’ Commission on Human Rights’ Resolution on the punishment of war criminals of April 1965, the Australian Government was asked to provide the text of any legislation or judicial decisions relating to the punishment of war crimes. The correspondence held in this file gives certain views from that period on
the War Crimes Act 1945, including whether the Act should be repealed (which it clearly was not).

**Delegation of powers**

**CORRESPONDENCE FILES, SINGLE NUMBER SERIES WITH ‘W’ [WAR] PREFIX, 1939–49**

Recorded by: 1939–49 Attorney-General’s Department, Central Office (CA 5)

See earlier entry for series A472 in this chapter.

**War Crimes Bill and Regulations, 1945–46**

In addition to being the principal file on the Bill, this file contains materials and correspondence on delegations, particularly the difficult issue of which authority – military or civilian – should be delegated to use the powers in relation to confirmation of sentences and punishment.

**REFERENCE SET OF WAR CABINET AGENDA WITH MINUTES, ANNUAL SINGLE NUMBER SERIES, 1939–46**

Recorded by: 1939–46 War Cabinet Secretariat (CA 1468)

Quantity: 11.7 metres (Canberra)

**War Cabinet Agendum – No 505/1945 – War Crimes Act – Delegation of powers, 1945**

This agendum for 12 November 1945 concerned the discussions regarding the appropriate delegation of powers and the decision recorded in minute no. 4545.

**WAR CABINET AGENDA FILES, ANNUAL SINGLE NUMBER SERIES, 1939–46**

Recorded by: 1939–46 War Cabinet Secretariat (CA 1468)

Quantity: 16.38 metres (Canberra)

**War Cabinet Agendum – No 505/1945 – War Crimes Act – Delegation of powers, 1945**

This file contains a copy of War Cabinet Agendum no. 505/1945 and minute no. 4545, described above.

**THE ‘SHEDDEN COLLECTION’ [RECORDS COLLECTED BY SIR FREDERICK SHEDDEN DURING HIS CAREER WITH THE DEPARTMENT OF DEFENCE AND IN RESEARCHING THE HISTORY OF AUSTRALIAN DEFENCE POLICY], TWO NUMBER SERIES, 1937–71**

Recorded by: 1937–39 Department of Defence [II], (Central Administration)

1937–71 Sir Frederick Geoffrey SHEDDEN KCMG, OBE (CP 320)

1939–42 Department of Defence Co-ordination, Central Office (CA 37)

1942–71 Department of Defence [III], Central Office (CA 46)

Quantity: 218.74 metres (Canberra)
This series contains records collected by Sir Frederick Shedden during his career with the Department of Defence and afterwards as a part of his research on the history of Australian defence policy.

**War Crimes Act – Delegation of Powers. War Cabinet Agendum No 505/45, 1945**

This file contains War Cabinet Agendum no. 505/1945 and minute no. 4545 described above.

**GENERAL AND CIVIL STAFF CORRESPONDENCE FILES AND ARMY PERSONNEL FILES, 1943–51**

Recorded by: 1943–51 Department of the Army, Central Office (CA 36)

See earlier entry for series MP742/1 in this chapter.

**War Crimes Act: Regulations and delegations and opening of trials, 1945–57**

The correspondence on delegations in this file includes the views of General Thomas Blamey, Commander-in-Chief, as expressed to the Minister for the Army in November 1945 and the Minister’s memorandum in support of War Cabinet Agendum no. 505/1945 on the delegation of powers.

**Delegation of powers under War Crimes Act from 1945 to 1950, including to Commander, Northern Territory Force, 1945–50**

This file appears to be the Army’s principal file on the delegation of powers under the War Crimes Act 1945. It includes a useful list of all delegations made from October 1945 to June 1950. A delegation in 1949 to the commander-in-chief of the British Commonwealth Occupation Force (BCOF) reflects the unrealised ambition to hold Australian war crimes trials in Japan.

**War criminals – Secretary of Army’s file, 1945–46**

This file includes considerable Army correspondence on the delegation of powers.

**CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES (’201’ SERIES), 1923–50**

Recorded by: 1923–39 Navy Office [III], Department of Defence [II] (CA 2456)

1939–50 Navy Office [IV], Department of the Navy [II] (CA 38)

Quantity: 132.35 metres (Melbourne)

This series holds the main Navy Office correspondence files.

**War Crimes Act 1945 – delegation to a member of the Commonwealth Naval Board, 1949–50**

This file contains the delegation to a member of the Commonwealth Naval Board in 1950, necessary due to the transfer of control of the Manus Island War Criminals Compound from the Department of the Army to the Department of the Navy.
Preparing for the trials

GENERAL AND CIVIL STAFF CORRESPONDENCE FILES AND ARMY PERSONNEL FILES, 1943–51

MP742/1

Recorded by: 1943–51 Department of the Army, Central Office (CA 36)

See earlier entry for series MP742/1 in this chapter.

**War Crimes Act: Regulations and delegations and opening of trials, 1945–57**

MP742/1, 336/1/382

This is the Army’s main file concerning preparations for the trials. It contains memoranda of instructions and correspondence seeking or providing clarification or guidance on a number of issues relating to the operation of the Act, trial procedure and war crimes cooperation with other Allied powers.

**Dates of commencement trials of war criminals, 1945–46**

MP742/1, 336/1/622

This file contains the Army’s correspondence regarding the commencement of the trials, including the annoyed Ministerial messages about delays and the necessity for immediate action. It also contains:

- advice of the commencement of the first trial on Morotai on 29 November 1945
- the suggestion that trials would also commence in due course on Tarakan, Macassar and Balikpapan (where trials in fact never took place)
- a draft press statement on the commencement of the trials.

**War criminals – Secretary of Army’s file, 1945–46**

MP742/1, 336/1/980

This appears to be the Secretary of the Department of the Army’s main file on preparing for the trials. It includes:

- a memorandum by the Minister for the Army dated 26 September 1945 explaining that he was ‘not clear’ on the action necessary within the Army to ‘deal with War Criminals’
- a copy of the Bill
- General Blamey’s draft of the regulations
- correspondence with the Attorney-General’s Department about the regulations
- correspondence detailing the involvement of Sir William Webb in the process and other matters.

It also contains Mr John Dedman, Minister for Post-war Reconstruction’s questionnaire on the war crimes trials of August 1946, and the responses drafted by the Army’s Legal Section, which provide interesting views on certain legal issues, including jurisdiction.

**War crimes – Ministerial and other requests for information, 1945–47**

MP742/1, 336/1/981

This file contains correspondence dealing with various requests for information on action taken to apprehend and prosecute war criminals. It includes a useful ‘Statement Concerning Action Taken to Apprehend Japanese War Criminals’, which is actually a chronological description of action taken referenced against certain instructions and correspondence. It also contains a number of letters from members of the public calling for action.
War criminals: Administrative Instructions, etc, 1945–46
This file includes the Army’s administrative instructions issued in relation to war crimes, beginning with the Act and Regulations. Many of these instructions are held in other files; however this file has a useful index which provides the brief name and relevant number and date of the correspondence forming the instruction. Some documents are listed but are no longer in the file.

Venue of trials of Japanese war criminals (Military Board Agendum), 1947

Proposed military courts – War criminals (Army custody) – [Establishment of machinery for war crimes trials], 1945–51
This file contains a variety of documents relating to the ‘machinery’ for trials, including:
- correspondence about the Royal Warrant, the Bill, Act and Regulations, including Blamey’s draft regulations
- correspondence from Sir William Webb suggesting names of experienced counsel for the prosecution teams
- how the trials were to be coordinated with the work of the Australian War Crimes Commission and the efforts of other Allied powers
- the oaths to be adopted in the trials.

CORRESPONDENCE FILES, ALPHABETICAL SERIES, 1924–45
A2937
Recorded by: 1924–45 Department of External Affairs, London (CA 1759)
Quantity: 8.56 metres (Canberra)
This series holds files of the Department of External Affairs, London, otherwise known as the External Affairs Liaison Office, London. The role of this office was to liaise between various British agencies and the Australian Government. It thus includes correspondence on war crimes issues.

Procedure for dealing with Japanese war criminals. Part 1, 1944–45
A2937, 222

Procedure for dealing with Japanese war criminals. Part 2, 1945–46
A2937, 223
These two files contain the ongoing correspondence to and from the External Affairs Liaison Officer in London on war crimes procedural issues. As the Minister for External Affairs, Dr HV Evatt, was in London in September–October 1945, some of the correspondence is to or from him, including a letter dated 30 October 1945 advising of his preference for legislation to deal with war criminals over the ‘indirect’ approach of a Royal Warrant, and a telegram dated 12 October 1945 providing him with an overview of the War Crimes Act 1945. Some of Evatt’s correspondence on procedural points is with Sir William Webb, who also updates Evatt about his war crimes work. The files provide a useful overview of international coordination on both major and minor war criminals.

Trial procedures and other issues

GENERAL AND CIVIL STAFF CORRESPONDENCE FILES AND ARMY PERSONNEL FILES, 1943–51
MP742/1
Recorded by: 1943–51 Department of the Army, Central Office (CA 36)
See earlier entry for series MP742/1 in this chapter.

Unit War diary – 1 Australian War Crimes Section (South East Asia Command), 1946  
MP742/1, 274/2/107
This file includes the ‘Orders for Preparation and Trial of Cases’, setting out the administrative process in Singapore once it was decided that ‘sufficient evidence’ was held to ‘justify trial’ and the procedure for trial.

Trials of Japanese war criminals – South-East Asia Command Area, 1945–46  
MP742/1, 336/1/128
This file holds correspondence showing the Australian and British war crimes coordination in the SEAC area and includes a memo marked ‘not sent’, which suggested that no Australian trials should be convened in the area.

Execution of spies in New Ireland – Legal position, 1946  
MP742/1, 336/1/295
This file, although about war crimes committed in New Ireland, contains the Army’s legal advice on the operation of the plea of obedience to superior orders.

Witnesses required to appear before courts [Includes file titled: Sec Directorate of Prisoners of War and Internees admin file 12(E) – witnesses], 1946–48  
MP742/1, 336/1/838
This file contains correspondence regarding the procedure for when witnesses were requested by the defence.

MP742/1, 336/1/1345/PART 3
This file contains legal advice on jurisdiction and the holding of joint or common trials.

MISCELLANEOUS WAR CRIMES PAPERS RELATING TO RABAUL AND HONG KONG TRIALS, 1945–48  
B4175
Recorded by: 1945–48 Department of the Army, Central Office (CA 36)
Quantity: 0.91 metres (Melbourne)
This series holds 30 files apparently collected by Lt Col JT Brock, who was chief legal officer at both the Rabaul and Hong Kong war crimes trials.

J T Brock [Judge Advocate] Trial of War Criminals [Item includes Army policy circulars re petitions by Japanese war criminals and apprehension and copy of War Crimes Act]  
B4175, 2
This file contains the Army’s instructions on how to deal with petitions submitted by the war criminals; and instructions on the oaths that should be adopted in the trials for the President and Members, judges-advocate, shorthand writers, interpreters and witnesses.

[Japanese war crimes] Lt Col Henry George Guinn (VX33) [Hong Kong trial notes and court proceedings], 1948  
B4175, 18
This file contains a typewritten copy of a lengthy guide intended for use by court reporters, which demonstrates the structure and procedures for trial and how the trial proceedings were to be properly
recorded. The guide is very useful for interpreting the trial proceedings, as it contains, for instance, a guide to the cipher codes used by court reporters, eg PROS, DEF, CT, XN etc, which will be unfamiliar to non-legal readers.

CORRESPONDENCE FILES, ANNUAL SINGLE NUMBER SERIES, 1929–

Recorded by: 1929– Attorney-General’s Department (CA 5)

See earlier entry for series A432 in this chapter.

Australian War Crimes Trials Liability of members of Courts Martial, 1950

This file contains President of the Manus Court Brigadier Kenneth Russell Townley’s enquiry about the liability of members of courts martial and the response.

Policy regarding death sentences and executions

GENERAL AND CIVIL STAFF CORRESPONDENCE FILES AND ARMY PERSONNEL FILES, 1943–51

Recorded by: 1943–51 Department of the Army, Central Office (CA 36)

See earlier entry for series MP742/1 in this chapter.

War criminals – Secretary of Army’s file, 1945–46

This file includes considerable correspondence on the issue of death sentences, including in the context of delegation of powers, whether the press should be admitted to witness executions and the delay in carrying out executions. It holds a number of relevant news clippings.

Executive action on death sentences – Instructions for executions, 1945–47

This file includes correspondence on the issue of death sentences, including the draft instructions for the Execution of Japanese War Criminals, SM223, issued 25 February 1946, which provided precise instructions for the carrying out of executions by shooting and hanging.

Australian War Crimes Section – General administration, 1948–49

This file contains information regarding the change in British policy on death sentences and how this might affect death sentences handed down by Australian courts in Hong Kong.

Possible executions of Japanese war criminals – Mandatory witness, 1950

This file contains President of the Manus Court Brigadier Kenneth Russell Townley’s view that it was inappropriate for a member of the Court to serve as the mandatory execution witness.
Allied liaison matters

CORRESPONDENCE FILES, SINGLE NUMBER SERIES WITH ‘W’ [WAR] PREFIX, 1939–49

Recorded by: 1939–49 Attorney-General’s Department, Central Office (CA 5)

See earlier entry for series A472 in this chapter.

Extradition of war criminals – Crimes against Australian and Netherlands subjects – Proposed agreement, 1947–49
A472, W32183

CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES, 1948–89

Recorded by: 1948–70 Department of External Affairs [II], Central Office (CA 18)
1970–87 Department of Foreign Affairs, Central Office (CA 1382)
1987–89 Department of Foreign Affairs and Trade, Central Office (CA 5987)

Quantity: 3434.32 metres (Canberra)

This series includes the main correspondence files of the Department of External Affairs from 1948 to 1970.

War Crimes – General, 1947–79
A1838, 1550/9

PART 1

This file contains some interesting correspondence between Australia and the Netherlands on the transfer of suspects and convicted war criminals, including General Imamura Hitoshi.

War crimes – Agreement with Netherlands on war criminals, 1946–53
A1838, 1550/10

War crimes – Formosan war criminals, 1947–52
A1838, 1550/21

This file deals with the war criminals originally from Formosa and diplomatic relations with the Republic of China.

GENERAL AND CIVIL STAFF CORRESPONDENCE FILES AND ARMY PERSONNEL FILES, 1943–51

Recorded by: 1943–51 Department of the Army, Central Office (CA 36)

See earlier entry for series MP742/1 in this chapter.

TANAKA, Toru – transfer to Ambon for trial, 1946
MP742/1, 336/1/399

Major General Tanaka Toru was in custody of HQ Timor Force and sought by both the Chinese and Dutch authorities. Tanaka was eventually transferred to the Dutch at Ambon.

War criminals – Negotiations with Chinese – Arrangements for trials, etc, 1945–52
MP742/1, 336/1/651

Suspects wanted by Netherlands East Indies Army, 1946–47
MP742/1, 336/1/1131

Dutch 2: Dutch liaison matters – Interrogation of Lt/Gen IMAMURA Hitoshi [Includes Java navigation chart], 1947
MP742/1, 336/1/1271
Extradition of war criminals – (Dutch authorities) Australia and Netherlands, 1947–56

Files at the Australian War Memorial

WRITTEN RECORDS, 1939–45 WAR, 1926–93

Recorded by: 1926–39 Department of Defence [II], (Central Administration) (CA 19)
1942–93 Department of Defence [III], Central Office (CA 46)

Quantity: 213.5 metres (Australian War Memorial)

This series holds miscellaneous records that were transferred to the Australian War Memorial from the Military History Section of the Australian Army regarding the 1939–45 war. As such, it contains many files relating to war crimes, mostly (but not exclusively) in item numbers 1010/*/*, many of which are recorded elsewhere in this guide, particularly in Chapter 7.

[Military Law – General:] Legal Terms and Phrases with Sentences for Illustration (Japanese) War Crimes and Trials, c1943

This file contains essentially a handwritten dictionary of legal terms and phrases – including many commonly used in the trials – in both English and Japanese.


[War Crimes and Trials – Investigation of Atrocities:] Warrant for Temporary detention of a person suspected of an offence against the War Crimes Act 1945, 1945–47

This file holds completed warrants, all dated February 1947, including for the detention of General Imamura Hitoshi.
7. **The Australian Military Courts war crimes trials, 1945–51**

In the period 1945–51 Australian Military Courts convened in Morotai, Wewak, Labuan, Rabaul, Darwin, Singapore, Hong Kong and Manus Island heard 300 war crimes trials. By the end, 812 principally Japanese but also including Korean or Formosan (Taiwanese) alleged war criminals had been tried, some more than once, for a variety of war crimes committed against Allied civilians or military personnel, including ill-treatment, murder and massacre, cannibalism and other violations of the laws and usages of war.\(^{274}\)

While the *War Crimes Act 1945* provided for the prosecution of those involved in planning, preparing, initiating or waging aggressive war, in practice only conventional war crimes, such as those mentioned, were prosecuted in the Australian trials. Moreover, while the Australian trials are generally described, along with the other national Allied war crimes trials, as BC class trials\(^ {275}\) – most of the convicted war criminals actually fell into class B for having committed conventional war crimes.

**Table 3: Location and details of war crimes trials**

<table>
<thead>
<tr>
<th>Location</th>
<th>Number of trials</th>
<th>Number of accused tried</th>
<th>Number of charges laid</th>
<th>Convictions on charges</th>
<th>Acquittals on charges</th>
<th>No finding made</th>
</tr>
</thead>
<tbody>
<tr>
<td>Morotai</td>
<td>25</td>
<td>140</td>
<td>147</td>
<td>82</td>
<td>65</td>
<td>0</td>
</tr>
<tr>
<td>Wewak</td>
<td>2</td>
<td>2</td>
<td>4</td>
<td>2</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Labuan</td>
<td>16</td>
<td>145</td>
<td>173</td>
<td>145</td>
<td>28</td>
<td>0</td>
</tr>
<tr>
<td>Rabaul</td>
<td>190</td>
<td>309</td>
<td>490</td>
<td>348</td>
<td>140</td>
<td>2</td>
</tr>
<tr>
<td>Darwin</td>
<td>3</td>
<td>20</td>
<td>35</td>
<td>16</td>
<td>19</td>
<td>0</td>
</tr>
<tr>
<td>Singapore</td>
<td>25</td>
<td>62</td>
<td>96</td>
<td>61</td>
<td>12</td>
<td>23</td>
</tr>
<tr>
<td>Hong Kong</td>
<td>13</td>
<td>42</td>
<td>53</td>
<td>46</td>
<td>7</td>
<td>0</td>
</tr>
<tr>
<td>Manus Island</td>
<td>26</td>
<td>92</td>
<td>142</td>
<td>77</td>
<td>65</td>
<td>0</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td><strong>300</strong>(^{276})</td>
<td><strong>812</strong>(^ {277})</td>
<td><strong>1140</strong></td>
<td><strong>777</strong></td>
<td><strong>338</strong></td>
<td><strong>25</strong></td>
</tr>
</tbody>
</table>

**Trial personnel**

The trials were organised and run by the Australian Army, through the Directorate of Prisoners of War and Internees (DPW&I) based in Melbourne and the directorate’s various War Crimes Sections located overseas\(^ {278}\). Hence, most Australian trial personnel – including the President and members of the various military courts, judges-advocate, prosecuting officers, defending officers and interpreters, were drawn from the Australian Army\(^ {279}\), and

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\(^{274}\) While the Australian war crimes trials are usually described, along with the other Allied national-level war crimes trials series, as B and C class war crimes trials, in fact, only B class war crimes or conventional war crimes were the subject of the Australian trials. There were no trials for crimes against peace, even though this crime was provided for in the definition of war crimes in section 3 of the *War Crimes Act 1945*.

\(^{275}\) This uses the classification system: Class A – crimes against peace; Class B – conventional war crimes; Class C – crimes against humanity. The International Military Tribunal for the Far East is often described as a Class A war crimes trial, although it encompassed far more crimes against peace in its charges.

\(^{276}\) This figure of 300 trials includes several trials which were convened but then dissolved before a finding was made. There was no deliberate plan for the total number of trials to reach the round number of 300. In fact, the Australian Army’s own statistics at that time did not include convened but dissolved trials, hence the figure for the number of trials was usually given as 296 trials. See, for example, the chart ‘Statistics of Australian War Crimes Trials’, compiled in February 1953 in NAA: A1838, 3103/10/13/2 PART 6.

\(^{277}\) This figure is the number of separate individuals who were charged, not the number of persons accused (including duplicates), which was 952.

\(^{278}\) The DPW&I is discussed in Chapter 4.

\(^{279}\) See the call for officers to volunteer for ‘special duty’ to prepare cases and appear at the Rabaul trials dated 2 November 1946, NAA: SP459/1, 407/16/232.
particularly from the Australian Army Legal Corps (AALC). Several Royal Australian Air Force (RAAF) officers served as court members when members of the RAAF were amongst the victims. British, Chinese and other Allied military officers occasionally served as court members, when their nationals were amongst the victims.

Only a handful of civilian personnel took part, as Australian civilian prosecutors at Rabaul and Manus Island, or as interpreters in languages other than Japanese, such as Mandarin, Cantonese or pidgin (Tok Pisin). For instance, Ma Na Fai, a resident of Hong Kong who had been working on Nauru when the Japanese occupied the island, was brought to Rabaul to give evidence and to work as a Mandarin and Cantonese interpreter. He later requested extra reimbursement for his expenses and financial losses suffered by the length of time he was forced to stay in Rabaul before he could be repatriated to Hong Kong.280

Japanese Army or Navy defending officers and civilian defence counsel were also part of some, not all, trials, although they were always allocated an Australian or British officer to advise and support them. Most Japanese counsel sincerely tried their hardest for the accused on trial, including in the uncongenial situation of ‘almost starving whilst carrying out their duties’, 281 but some were clearly out of their depth. 282

An interesting and detailed account of participating in the largest ever Australian war crimes trial – that of 91 accused Japanese at Ambon/Morotai in early 1946 – was subsequently published in Japan by defence counsel Dr Sōmiya Shinji.283 A number of Japanese interpreters, usually civilian interpreters who had been attached to the Japanese Army, also took part in the trials. Nishimura Jiro and Hattori Shoji, for instance, both worked as interpreters in a number of trials at Rabaul.

### Preparing for trial and trial procedures

There is some documentation of the pressing decisions about how the trials were to operate made in the period before trials commenced, which is discussed in Chapter 6. The general administrative procedures for preparing cases, for ‘applying’ for trial and the trial procedure, at least in relation to how they worked at 1 Australian War Crimes Section (1AWCS) in Singapore, is also extant.284

Legally, the trials were governed by the War Crimes Act 1945 and its subsidiary Regulations for the Trial of War Criminals 1945, although the Army Act and the Rules of Procedure, as contained in the Australian edition of the Manual of Military Law 1941, as amended, were applied. Although the general administrative and legal procedure is known, there is relatively little documentation regarding the day-to-day preparation for (the ‘getting up’) and operation of individual trials. One notable exception is the set of five trials at Rabaul collectively known as the senior officers’ or command responsibility trials, namely:

- Rabaul R172 trial of Maj Gen Hirota Akira
- Rabaul R173 trial of Lt Gen Adachi Hatazō

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280 Australian War Memorial (AWM): AWM54, 427/4/2.

281 Newspaper headlines in January 1948 reported on the ‘scandal’ at the Australian trials at Hong Kong, when the Japanese team asked for the Australian Military Court’s help, as they had been selling and pawning their belongings to buy food. An allowance which had been made to them by the British had ceased when Australian took over responsibility for them. See ‘Jap Court Officers Say Australians Starving Them’, Sun, 22 January 1948; and ‘Scandal at Kowloon War Crimes Trial’, Mail, 23 January 1948, clippings in NAA: MP742/1, 336/1/1438.

282 For example, Lt Col NF Quinton, President of the Australian Military Court at Hong Kong, characterised Japanese defence counsel Mr Sagano Kyuzo as ‘very incompetent’, which was adversely affecting the Japanese accused for whom he appeared, and, also, ‘extremely slow’ in court, which caused loss of court time: letter from Lt Col Quinton to OC, 1AWCS, 13 December 1948, NAA: MP729/8, 19/431/62.

283 Munemya Shinji, Anbonto senpan saihanki, Tokyo: Hōritsu shimposha, 1946. Sōmiya was also known as Munemiya Shinji. Sōmiya’s account was translated into English by Kazuo Yoshio as ‘The Account of Legal Proceedings of Court for War Crimes Suspects’, which is held in the AWM book collection; in the Papers of William Hector Sticpewich, folder 7, AWM: PR00637; and in several manuscript collections of the State Library of New South Wales: MLMSS 2207, 3944 and 5426 Box 3.

284 See 1 Aust War Crimes Sect (SEAC), Orders for Preparation and Trial of Cases, issued by Lt Col RC Smith, OC, 1AWCS, 3 July 1946, NAA: MP742/1, 274/2/107.
Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

- Rabaul R174 trial of Lt Gen Katō Rinpei
- Rabaul R175 trial of Gen Imamura Hitoshi
- Rabaul R176 trial of Lt Gen Baba Masao.

As the Directorate of Prisoners of War and Internees in Melbourne subjected these trials to considerably more guidance and coordination, there is more extant documentation of them. Another exception is the extensive documentation surrounding the Manus Island trials in 1950–51, which reached the level of discussion and decision-making in Cabinet.

Generally, the working notes and papers of those preparing for or participating in the trials – including the prosecuting and defending officers – are not to be found in the national collection, unless they were subsequently donated. For example, the papers of Athol Moffitt, who served as a prosecuting officer at the Labuan trials, are held in the Australian War Memorial (AWM). His papers include not only prosecution materials but his detailed private diary as the trials proceeded, which contains revelations about his prosecutorial decision-making and personal views of the accused.285 Moffitt also later published Project Kingfisher, a book on the massacres of prisoners of war in Borneo which were a focus of the Labuan trials.286

Similarly, the papers of John Myles Williams, who served as a war crimes investigating officer on Ambon and as a prosecuting officer at the Morotai trials, are held in the Mitchell Library at the State Library of New South Wales.287 Williams later wrote a minor thesis on the trials at the University of Sydney.288 One of Williams’ counterparts, Douglas Malcolm Campbell, reminisces about serving as a defending officer at Morotai in his unpublished memoirs held at the library of the Supreme Court of Queensland, where he later became a judge.289

**Selection of cases for trial and continuation of war crimes investigations and trials**

Trials proceeded at a somewhat irregular pace from the first trial at Morotai, which commenced on 29 November 1945, through trial series at Morotai, Wewak, Labuan, Darwin, Rabaul, Singapore and Hong Kong until late 1948. It is difficult, today, to ascertain exactly why some cases proceeded to trial and others did not. In the early years, if a case was ready for trial – if there was sufficient evidence of a prima facie case of a war crime having been committed by an identifiable suspect, who had also been located and was held in custody – then a trial generally proceeded in due course.

Sometimes Australian trials did not proceed because of policy decisions that other Allied nations would prosecute certain trials involving Australian victims. For example, cases concerning Australian prisoners of war held in Japan were entirely prosecuted by the United States’ military commission trials at Yokohama from December 1945.290 In relation to some cases, reports and correspondence from war crimes investigators, or advice from other Allied powers, explain why they were closed, such as if there was insufficient evidence or where the perpetrator of a war crime was unable to be identified, or had been identified but was now deceased or had been identified but could not be located.

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287 Papers of John Myles Williams, 1927–89, State Library of New South Wales, MLMSS 5426.
288 A copy of the thesis is available in ibid, Folder 7.
289 See ‘Campbell Biography’, Supreme Court of Queensland Library.
290 For geographical convenience, files relating to the US trials in Yokohama are listed in Chapter 9.
The Far Eastern Commission (FEC), which is discussed in Chapter 9, debated at length a recommendation in 1948 that all investigations and trials of Japanese war criminals should be completed by a specified date. However, the commission’s jurisdiction over national military courts outside Japan was doubtful and the most it could do in respect of the Australian Military Courts was to make recommendations. In due course, however, the commission recommended that war crimes investigations should be completed before 30 June 1949 and all trials be concluded, if possible, before 30 September 1949.

After the final Hong Kong trial in December 1948, an interim of a year and a half passed with no Australian Military Court trials, more or less for want of a trial location, but also because the question of whether war crimes investigations and prosecutions should, in fact, continue was becoming a contested subject in Australia. While war crimes investigators diligently continued their work, efforts to have an Australian court established in Japan – perhaps in the British Commonwealth Occupation Force (BCOF) area – repeatedly failed to secure the approval of General Douglas MacArthur, Supreme Commander for Allied Powers (SCAP). Finally in September 1949, General MacArthur threatened to release the 87 Japanese prisoners detained for Australia in Sugamo Prison in Japan unless Australia moved to prosecute or release them. As SCAP’s Legal Section pointed out:

More than four years after the termination of hostilities and from one to two years after the original apprehension of the majority of the suspects, their continued incarceration

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without specific charges and without even a certain prospect of eventual trial can scarcely be reconciled with fundamental concepts of justice.\textsuperscript{293}

A number of trial locations were considered for a final series of trials, including Darwin, Singapore, Port Moresby, Dreger and Manus Island. Manus Island, already home to the Australian War Criminals Compound, was eventually selected as the location for the final series of Australian trials, as a mainland Australian location could not be ‘recommended’\textsuperscript{294} and the other three locations were ‘found to be undesirable’.\textsuperscript{295}

Unlike trials in the earlier locations, where the only criterion was readiness for trial, Cabinet debated the specific criteria for cases to proceed to trial at Manus Island. The criteria was eventually fixed at cases where the victim or victims were preferably Australian and service personnel, not civilians; where there was a high probability of conviction and, if convicted, a death sentence ‘might appropriately’ be awarded. For some, however, the result of applying these criteria was a controversially ‘short’ list of cases to be prosecuted, leaving cases languishing that were ready for trial but that did not fit the criteria.

Flt Lt Lionel C Conduit of the RAAF, who had been a diligent investigator of cases involving murdered airmen, was extremely angry that none of the cases he had worked at for several years had made the trial list. He regarded this as, amongst other things, a ‘sickening’ betrayal of the public’s trust, as the government was allowing Japanese war criminals to escape justice.\textsuperscript{296} Conduit won the support of the Minister for Air and others, who also took up the call to expand the trial list. However, the Army suspected Conduit of having released ‘confidential information’ to ‘unauthorised’ persons in his attempt to gain traction for his cause to have the airmen cases tried at Manus Island.\textsuperscript{297} In a nice military euphemism, the Adjutant-General suggested that the Department of Air consequently might have to ‘take such action in the matter as may be considered appropriate’ against Conduit.\textsuperscript{298}

In October 1950, after the trials were well underway at Manus Island, the Minister for Air tried to persuade the Cabinet to add further trials to the list – including the airmen cases – but was unsuccessful.\textsuperscript{299} The final Australian war crimes trials took place at Manus Island in April 1951 and no further Australian trials of Japanese were ever held.

\textsuperscript{293} Cable from Australian Mission, Tokyo, quoting full text of correspondence from the Diplomatic Section of GHQ Supreme Commander for the Allied Powers, to the Department of External Affairs, 22 October 1949, NAA: A816, 19/304/447.
\textsuperscript{294} Memorandum from Maj Gen WM Anderson, Adjutant-General to the Secretary, Department of the Army, 14 April 1949, NAA: MP742/1, 336/1/1203.
\textsuperscript{295} Cabinet Agendum 2A, ‘Continuance of War Crimes Investigations and Trial of Japanese Suspect Minor War Criminals’, January 1950, p. 1, NAA: A4639, 2A. For a fuller report on Singapore, Port Moresby and Dreger as options, see appendix C of that agendum.
\textsuperscript{296} Flt Lt LC Conduit, Extract from Weekly Investigation Report, week ending 27 January 1950; and Report by Flt Lt LC Conduit, 9 February 1950, both in NAA: A705, 166/1/400.
\textsuperscript{297} Ibid 18 May 1950, p. 2.
\textsuperscript{298} Ibid 18 May 1950, p. 2.
\textsuperscript{299} See Cabinet Agendum no. 2B, ‘Continuance of War Crimes Investigations and Trial of Japanese Suspect Minor War Criminals’, October 1950, NAA: A4639, 2B.
Typed copy of joint petition by suspected war criminals detained in Sugamo Prison pleading not to be transferred to Manus Island for trial. NAA: A1838, 3103/10/13/2 PART 1

Post-trial procedure

As each trial concluded, the Directorate of Prisoners of War and Internes allocated each convicted war criminal a sequential ‘serial’ number according to rough date of sentence (not trial). For example, Lieutenant Tazaki Takehiko, the first accused tried at Wewak on 30 November 1945, received serial number 1, as his sentence was handed down that same day. By contrast, Captain Iwasa Tokio, who was in fact the very first accused to face trial, at Morotai on 29 November 1945, received serial number 41, as he was not sentenced until 13 December 1945. The practice of issuing sequential numbers meant that if an accused was tried and convicted more than once, they received unique serial numbers for each sentence. It was, therefore, often this serial number – not the Australian War Criminal (AWC) number (which remained the same for the person) – that is used to help clearly identify convicted war criminals and their sentence(s) in correspondence after the trials.

The conviction rate at the Australia trials was not particularly high, standing at about 68.16 per cent. About one third of all those charged were thus acquitted. Although there was no formal appellate process, the convicted were entitled to submit a written petition against the finding(s) and/or sentence within a set statutory period, and most did so.

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300 For a complete list of war criminals by serial number, see NAA: A1838, 3103/10/13/2 ANNEX. Researchers are cautioned that the chart entitled ‘Statistics Australian War Crimes Trials’ in this item is incorrect.

301 When calculated as a percentage of the number of convictions compared to charges laid.

302 One of the few convicted not to petition was Sgt Yaki Yoshio, who was tried for rape and torture in the Rabaul R1 trial. Historian and interpreter at Rabaul, David Sissons, reported that according to one of the Japanese defending officers, Yaki’s commander-in-chief, General
Petitions by family members, friends and other supporters were also common. For example, 1778 persons signed a petition organised by Mrs Yasuda Konoe, the mother of Captain Yasuda Tadashi, who had been convicted of murder and sentenced to life imprisonment in the Manus Island LN18 trial in November 1950.303 While most petitions are held with the trial proceedings, many others are not. The Australian authorities largely disregarded the set period in which to petition and accepted for consideration repeated petitions from the convicted or their supporters over time. These later petitions are often held in the Army’s trial-linked correspondence files or files relating to the War Criminals Compounds.

After the trial, a legal officer reviewed the trial proceedings before the file went to the Army’s Judge Advocate General for legal review. The Judge Advocate General reviewed the trial proceedings and any petitions received and made recommendations about the findings and sentences to the confirming authority, although the latter was not bound to accept those recommendations. As a matter of practice, Lieutenant General Vernon AH Sturdee, Acting Commander-in-Chief (December 1945–February 1946) and then Chief of General Staff (March 1946–April 1950) confirmed the vast majority of all findings and sentences during his period in those offices. 304 Regrettably, there is little insight possible into Sturdee’s decision-making, as he did not record reasons on the trial proceedings. If he recorded his thoughts on the trials elsewhere, then these were probably destroyed when he burned his private papers in 1951, allegedly commenting ‘I have done the job. It is over’.305

Of the 812 individual accused Japanese at the Australian trials, 137306 were eventually executed by hanging or shooting. 307 Many more war criminals were sentenced to terms of imprisonment, which were served in the Australian War Criminals Compound on Rabaul, then on Manus Island and, finally, in Sugamo Prison in Japan.308 Generally speaking, terms of imprisonment were reckoned to commence on the day on which the sentence was handed down and the trial proceedings signed by the President of the Court. This is because the duration of time already spent in custody up to and during trial was usually considered as a factor in the sentencing process. If a war criminal received multiple sentences in different trials, the sentences ran concurrently, with the longer of the sentences forming the war criminal’s actual period of imprisonment, subject to later suspension or remission, which systems are discussed in chapters 8 and 10. Only in a few instances – where war criminals had received multiple sentences from Australian trials (the earliest of which was later not confirmed) or had received multiple sentences from different Allied powers (which had different trial and sentencing practices) – was it more complicated to establish the date from which imprisonment ran. Being able to ascertain the precise date of imprisonment was important, as it affected the dates of eligibility for sentence remission, for parole and for the release of each war criminal.

Imamura Hitoshi, ‘regarded rape by a military policeman as such a heinous crime that he forbade the condemned man to appeal’; David Sissons, ‘The Australian War Crimes Trials and Investigations (1942–51)’, n.d., Papers of DCS Sissons, MS3092, Series 10, National Library of Australia. Other trials where the convicted did not petition include in the Darwin D1 trial, the Rabaul R10, R11, R14, R105, R153, R155, R165 and R187 trials and the Singapore S3, S8, S10, S14, S16 and S21 trials.

303 See the original petition and signatures in the trial proceedings in NAA: A471, 81959. Only the petition itself was translated into English, not the signatures.

304 Hence, Sturdee was not the confirming authority for the Manus Island trials in 1950–51.


306 This the number of actual persons executed, as a number of persons received more than one death sentence. Two war criminals who were sentenced to death but died before executions could be carried out are not included in this figure.


308 For the War Criminals Compounds, see Chapter 8 of this guide.
Promulgation of sentence after confirmation of finding and sentence read to Lt Gen Adachi Hatazō by Maj FJ Duval in the Rabaul War Criminals Compound. NAA: MP375/14, WC1

**Trial publicity**

The trials commenced in late 1945 in a blaze of publicity, which reached a height in early 1946, when apparently ‘light’ sentences were handed down in the Darwin trials.309 Thereafter, the attention of the press waxed and waned. Even the reporting on the last series of trials at Manus Island, which also included prominent senior Japanese officers, never quite reached the heights of the early years, undoubtedly aided by the fact that the trials were taking place on a far-flung secured military base to which the press had to apply for admittance. Nevertheless, government departments and the Army not surprisingly took a fairly careful note of reporting on the trials over time, as demonstrated by the various ‘Press’ files of newspaper clippings.310 Official attention to the press was particularly marked when the manner of reporting itself was the subject of forceful complaints by the public, including directly to the Prime Minister and the Minister for the Army. A recurrent theme of complaints was that the press freely reported horrific details of atrocities together with the names or pictures of Australian victims, sometimes when the victims’ families had not yet been told of their fate or had simply been told that they had died while a prisoner of war. In the postwar period, however, the government could no longer impose censorship on the press to control publication of atrocity stories, as it had done during the war.311 The government had to rely on the ‘co-operation of newspapers not to cause undue distress to soldiers’ relatives’.312

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309 One sub-branch of the Australian Legion of Ex-Servicemen & Women described the sentences as ‘ridiculous and outrageously light’ and viewed them as an ‘insult to the memory of thousands of our comrades who were starved and beaten to death whilst in Japanese hands’. See this and other letters of protest and various official responses in NAA: MP742/1, 336/1/981.

310 See, for example, a number of files held in series NAA: A5954.

311 See, for example, letter from the Secretary, Prime Minister’s Department to the General Secretary, R.S.S. & A.I.L.A., 23 August 1946, NAA: MP742/1, 336/1/981.

312 ibid.
Access to the trial proceedings

Aptly demonstrating how little was known publicly of the Australian trials even immediately after the trials concluded, Massey Stanley – who had been commissioned by publishers Angus and Robertson to write an entry on the trials for the forthcoming *Australian Encyclopaedia* – thought in 1951 that the ‘Australian trials mainly took place at Yokohama and at Manus Island!’[^313] Public knowledge of the details rapidly waned in the postwar years, as the trial proceedings were inaccessible and the war criminals themselves were largely out of public sight in their compound on Manus Island. Repeated requests by the Japanese Government for access to, or copies of, the trial proceedings were refused. It was not until 1975 that the trial proceedings were opened to the public, although permission was granted in the late 1960s for partial copies to be made available to Japan and to ‘bona fide Australian scholars’. In announcing his decision to lift the access restrictions to the trials, the Attorney-General, Mr Keppel Enderby QC, remarked:

> For too long Australian scholars have been hampered in their attempts to interpret Australia’s history. Restrictions like this one [on access to the trial proceedings] no longer serve a useful purpose … The past should be everyone’s property.[^314]

The trials have not yet been reported in a law reports series, although one is forthcoming.

Overview of the records

Documents

The trial proceedings have been retained virtually intact in Attorney-General’s Department series A471 (Canberra) and each is now digitised and available online.[^315] Only the proceedings from one trial in Singapore have disappeared, although some copies of the documents and the original exhibits have been located in other files.[^316] Of the other trials, only a handful of individual documents – usually exhibits – have gone astray over time, probably as they were borrowed for the purpose of other related trials and never returned to the original proceedings in which they were tendered.

When each trial proceeding reached the Army’s Directorate of Prisoners of War and Internees in Melbourne, it was assigned an alphanumeric reference code according to the location of trial. The alphabetical codes are:

- M – Morotai
- MW – Wewak
- ML – Labuan
- D – Darwin
- R – Rabaul
- S – Singapore
- HK – Hong Kong
- LN – Manus Island (for Los Negros Island).

[^313]: Letter from Mr Massey Stanley to Mr Josiah Francis, Minister for the Army, 24 October 1951, NAA: MP742/1, 336/1/2185. There were, of course, no Australian trials in Japan at all. The reference to Yokohama probably arose due to the fact that United States’ trials – which involved Australian victims and in which Australians participated – were held at Yokohama from December 1945, as discussed in Chapter 9.


[^315]: The only exceptions are a few large maps, which were tendered as exhibits, which have proven difficult to digitise.

[^316]: Copies of various documents from the Singapore S2 trial, including the Record of Military Court, the legal reviews and correspondence related to the trial, are held in NAA: MP742/1, 336/1/2094 and B5569 HAYASHI/EISHUN. As this case was re-tried at Singapore, the original exhibits are held with the Singapore S27 trial.
The numbers that were then assigned to the location codes were often arbitrary: the numbering has no correlation with the dates of or sequence of the trials. For example, while the Morotai M9 trial was the first trial convened in November 1945, there are also M6, M7 and M8 trials, all of which were convened after M9. The numbers that were assigned to the trials of each location are perfectly sequential in some cases, such as at Rabaul, where the trials run from R1 to R188, with no gaps. In other cases, the numbering is not sequential:

- For some locations, there are simply gaps in the numbering. For example, there were no Australian Singapore S1, S13, S15, S19 and S25 trials.
- For the trials from Wewak, Morotai and Labuan, while they received different location references, they were numbered together, hence Wewak MW 1 trial, Labuan ML2–ML4 trial; Wewak MW5 and then Morotai M6–M10, with Labuan and Morotai trial numbers mingled thereafter until M45, the final trial at Morotai.

Finally, several trials at Rabaul and Singapore were never formally numbered, as they were dissolved before findings were made. These are often referred to as RNN or SNN trials.\textsuperscript{317} The proceedings for the dissolved trials are usually held with the proceedings from when the trial was convened for the second time, including at a different trial location. For example, one of the RNN trials is held with the HK12 trial proceedings. It is these dissolved trials that usually account for the minute variance in the total number of trials – 296 instead of 300 – which is recorded in some secondary sources on the Australian war crimes trials.

The organisation of each trial proceedings in series A471 is fairly standard, generally comprising:

- the Record of Military Court (a summary of the proceedings)\textsuperscript{318}
- the legal reviews by the reviewing legal officer and the Judge Advocate General
- petition(s), if any\textsuperscript{319}
- the Form for Assembly and Proceedings of a Military Court\textsuperscript{320}
- warrant(s) of execution, if any
- trial transcript in date order\textsuperscript{321}
- documentary exhibits marked with exhibit number
- other documents, such as the prosecuting and defending officers’ opening and closing addresses, which were sometimes submitted in writing.

\textsuperscript{317} The author assumes that the NN stands for ‘no number’.
\textsuperscript{318} The Records of Military Court, while providing an excellent overview of the trial, should be referred to with caution, as they were always drafted after the trial and do contain the occasional error.
\textsuperscript{319} Interestingly, many of these petitions include both the English translation, to which the reviewing officer/JAG and confirming authority would have referred, as well as the Japanese language original. No comparative study of these has yet been made.
\textsuperscript{320} This form was the trial convening order, which also recorded the rank, name and unit of the President and the Court members; name(s) and unit(s) of the accused; the charge(s); the accused’s plea(s) to the charge(s); finding(s) and sentence(s); and confirmations. In addition to being signed by the convening officer, the form was signed by the President and judge-advocate certifying the correctness of the proceedings and finally by the confirming officer.
\textsuperscript{321} The transcript usually included at the start the names of the prosecuting and defending officers, interpreters and shorthand writers.
An index of each accused by surname can be found in Appendix B to this guide. An index to finding the item control symbol for each trial in series A471 can be found in Appendix C to guide. A brief page index to key documents within each trial proceeding can be found in Appendix D to this guide.

Many trials of size have their proceedings in series A471 broken into separate items, designated either numerically (for example PART 1) or alphabetically (for example PART A). However, researchers are cautioned that the designations are not always logically assigned: the Record of Military Court and the first part of the trial proceedings are not always in PART 1 or A. Similarly, exhibits are not always in the order which they were tendered and, if the run of exhibits has been broken into separate items, they are not always in order in successive parts.

The Directorate of Prisoners of War and Internees maintained a related correspondence file for each trial, which are now held in series MP742/1, 336/1/* (Melbourne). The files are indexed in MP742/1, 336/1/2125. The run of correspondence files has unfortunately been culled, with some files (principally relating to the trials at Rabaul) having been destroyed, with no discernible pattern as to retention or destruction. The surviving correspondence files provide a brief insight into the post-trial process, as they often contain standard, although occasionally unusual, correspondence between senior Army officers (including the Director of Legal Services and senior officers in the directorate) and with the Judge Advocate General, as well any additional petitions submitted after the trial proceedings had been dispatched from the trial location. On occasion, if trials or findings or sentences were controversial, these correspondence files can be substantial and hence very informative in their own right, such as
in the case of the Morotai M43 trial of Lt Katayama Hideo or the Manus Island LN2 trial of Lt Gen Nishimura Takuma.\textsuperscript{322}

**Films, sound recordings and photographs**

Unfortunately, very little film and sound record exists of the trials, probably due to the technology of the period and the challenging conditions and poor climate at many of the trial locations. The known films, held at the Australian War Memorial, are:

- 1 minute 29 seconds of silent black-and-white film footage of the Wewak MW1 trial held on 30 November and 1 December 1945. Although brief, the film shows the accused coming into the court, the president and members of the bench and the accused giving evidence, among other parts of the trial.\textsuperscript{323}
- 58 seconds of silent black-and-white footage of the Labuan ML2 trial held on 4 December 1945. Although even briefer, the film shows the accused being marched towards the court and the court members taking their place behind a flag-draped desk.\textsuperscript{324}

In addition, the National Film and Sound Archive holds:

- a short newsreel entitled No Reprieve for Jap War Criminals: Rabaul from February 1946\textsuperscript{325}
- a short newsreel entitled Jap Criminals Face Australian Court Martial: Rabaul from February 1946\textsuperscript{326}
- a newsreel entitled *News of the Week: Jap War Criminals* from November 1946.\textsuperscript{327}

The only known extant sound recording of the trials is held in Sydney and was taken by Australian Broadcasting Commission correspondent Talbot Duckmanton of the opening of the first ever trial, the Morotai M9 trial in November 1945.\textsuperscript{328}

A broader and more diverse photographic collection of the trials exists, much of which is in the collection of the Australian War Memorial. A significant majority of the photographs are of the three trials in Darwin in early 1946, due to the ease of attendance by press photographers and the attendance of Keith Davis, an official photographer from the Army’s Military History Section.

Some photographs of the Darwin trials were therefore published, such as the photograph of the members of the Court which appeared in the *Argus* (Melbourne) on 5 March 1946.\textsuperscript{329} There are also limited photographic records of trials held at some of the other locations, including Morotai, Labuan and Hong Kong. Some of these were taken by trial personnel for their own collections and later donated to public collections. However, while press correspondents attended the final series of trials at Manus Island in 1950–51, there are no known photographs in the national collection of the trials, as there appears to have been an Army order prohibiting such photography.\textsuperscript{330} Copies of photographs used as evidence at the trials at Morotai are held in a collection at the State Library of New South Wales.\textsuperscript{331}

\textsuperscript{322} For Katayama’s trial correspondence file see NAA: MP742/1, 336/1/1737 and, for Nishimura’s trial correspondence file, see NAA: MP742/1, 336/1/2137.

\textsuperscript{323} AWM: item F07379.

\textsuperscript{324} AWM: item F07405.

\textsuperscript{325} National Film and Sound Archive (NFSA), item 241098.

\textsuperscript{326} NFSA, item 90645.

\textsuperscript{327} NFSA, item 91036.

\textsuperscript{328} NAA: C102, 1127791.

\textsuperscript{329} Some of these can be located, with some difficulty, using the National Library of Australia’s Trove search. The State Library of Victoria holds some photographs from the Morotai and Darwin trials in its *Argus* Newspaper Collection of Photographs.

\textsuperscript{330} A message suggestive of a prohibition order, from Army Melbourne to Crimsec Manus dated 7 June 1950, read: ‘No objection to press photographing accused when moving between compound and courts provided naval security arrangements are observed. No photographs in court’, AWM: AWM166, 4. If this was an order, it is not clear why it was issued. Although the trials on Manus were taking place on a military base, this was true of earlier trials as well. Moreover, if the overall purpose was to protect military security of the naval base, it
This chapter sorts records into several sections:

- proceedings of the war crimes trials
- index materials to the trials
- the Army’s trial-related correspondence files
- the Army’s war crimes trials policies and correspondence
- other services’ and departments’ war crimes trials policies and correspondence
- use of the trials for casualty information
- trial information provided to other departments
- publicity about the trials
- release of trial records.

Records held at the Australian War Memorial are listed separately at the end.

**Proceedings of the war crimes trials**

_COURTS-MARTIAL FILES [INCLUDING WAR CRIMES TRIALS], SINGLE NUMBER SERIES, 1901–_  

**A471**

**Recorded by:**

1901–21 Department of Defence [I] (CA 6)
1901–87 Attorney-General’s Department, Central Office (CA 5)
1921–39 Department of Defence [II], Central Administration (CA 19)
1939–42 Department of Defence Co-ordination, Central Office (CA 37)
1942– Department of Defence [III], Central Office (CA 46)

**Quantity:** 572.18 metres (Canberra)

This series contains records of all courts martial proceedings conducted by the three armed services departments, including the 300 war crimes trials, which are held in the item control symbol range 80708–81970. Up until 1988, it was routine for such proceedings to be transferred to the Attorney-General’s Department for registration and storage. The trial proceedings went from the Attorney-General’s Department to the then Australian Archives and were finally opened to the public in 1975.

**War crimes trials proceedings**  

**A471, 80708–81970**

A complete index by name of the accused to these files can be found in Appendix B. Researchers should be aware that Japanese names were often misspelled when they were Romanised into English during this period; some files may bear minor misspellings in the file title.

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Index materials to the trials

NAME INDEX CARDS FOR COURTS-MARTIAL FILES [INCLUDING WAR CRIMES TRIALS], ALPHABETICAL SERIES, 1901–

Recorded by: 1901–88 Attorney-General’s Department, Central Office (CA 5)
1988– Department of Defence [III], Central Office (CA 46)

Quantity: 14.85 metres (Canberra)

This series contains index cards in alphabetical order by name of person charged to the courts martial files held in A471, hence it also contains cards for each of the war crimes trials. The cards are stored in 83 boxes.

Copies of Japanese war crimes trials name index cards for courts martial files in A471

This item contains photocopies of the index cards concerning the war crimes trials. Two to three such cards are shown per page, with each card recording the name of the accused, rank and unit, charge, sentence, date of sentence, and the A471 item number for the trial proceedings. Where the accused’s regimental number ought to have been recorded, some variation of Japanese war criminal is instead written.

Army trial-related correspondence files

GENERAL AND CIVIL STAFF CORRESPONDENCE FILES AND ARMY PERSONNEL FILES, 1943–51

Recorded by: 1943–51 Department of the Army, Central Office (CA 36)

Quantity: 170.08 metres (Melbourne)

This series contains numerous files relating to war crimes, most of which are recorded elsewhere in this guide.

This series held at one stage (generally) one file per trial, usually described as the ‘correspondence’ file. Larger trials – such as the senior officers’ trials at Rabaul – have more than one file. Some of the files have been destroyed but most are extant. Unfortunately, the files were not regularly numbered or named and can be difficult to identify. A complete index by trial location and number to these files can be found in Appendix C. Only a handful of correspondence files are not held in MP742/1; their location is similarly indicated in Appendix C.

Trial of Japanese war criminals – Lieutenant General Harada and others, 1946–50

This is the correspondence file for the Singapore S14 trial.

MP742/1, 336/1/1354

War crimes – Trial of Captain Saiki and others, 1946–48

This is the correspondence file for the Darwin D1 trial.

MP742/1, 336/1/1602

War crimes – Captain IWASA, Tokio, 1946–48

This is the correspondence file for the Morotai M9 trial.

MP742/1, 336/1/1694

ALPHABETICAL LIST OF FILES RELATING TO WAR CRIMINALS IN ARMY CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES, 1943–1951, 1950

B3924
Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

Recorded by: 1950 Department of the Army, Central Office (CA 36)

Quantity: 0.09 metres (Melbourne)

This series contains only one item, a register entitled Directorate of Prisoners of War and Internees Alphabetical list of war criminals

Alphabetical list of war criminals, 1950
This list, while incomplete, records the MP742/1, 336/1/* trial-linked correspondence file against its respective trial.

Army war crimes trials policies and correspondence

GENERAL AND CIVIL STAFF CORRESPONDENCE FILES AND ARMY PERSONNEL FILES, 1943–51

Recorded by: 1943–51 Department of the Army, Central Office (CA 36)

See earlier entry for series MP742/1 in this chapter.

In addition to the trial-linked correspondence files, this series holds numerous files regarding the Army’s war crimes policy and correspondence.

Trials of Senior Japanese Officers, Rabaul – Correspondence relative to appointment, movement, pay etc of Counsel for Prosecution, 1946–47


This file includes information regarding the transportation of the Japanese defence team to Hong Kong, information and statistics on war crimes and staffing matters.


These two files (Parts 21–22) contain 2AWCS Tokyo’s documents regarding the Manus Island trials, including requests to arrest suspects, instructions for moving accused from Japan to Manus Island and arrangements for the Japanese defence team. Part 21 includes the curricula vitae of the Japanese lawyers.

Arrangements and policy for war crimes trials, 1946–48
This file includes correspondence on the trials, including arrangements for trial locations and other policy matters.

Officers/witnesses: ITO Takeo, ADACHI Hataso, IMAMURA Hitoshi, IWAKIRI Giichi, TANAKA Kaneogoro, HYUTAKE
This very large file principally relates to the efforts directed towards prosecuting senior officers at Rabaul and includes correspondence and evidence, including copies of some exhibits tendered in the trial of Lt Gen Adachi Hatazō, which have gone missing from the trial proceedings in series A471. Some of those named were never prosecuted, such as Lt Gen Yoshihara Kane, who merely appeared as a witness at the Rabaul R174 trial of Lt Gen Katō Rinpei. Includes photographs, maps.

Periodical Reports – 1 Australian War Crimes Section (South East Asia Command) [1] Periodical reports – from 1 Australian War Crimes Section – Form ‘H’, 1946–47

These two files contain 1AWCS-produced summaries of the Singapore S2–S12, S14, S16–S18, S20–S24, S26–S28 and, also, several Australian/British ‘joint’ trials held at Singapore. Really, these latter are British trials but Australian personnel took part as Court members and prosecuting officers.

Trials of senior Japanese officers Rabaul - Directorate of Prisoners of War and Internees, General file no 2. [includes material relating to: KOBAYASHI, Lt Comd Akira; SUWABE, Col Masato; IMAMURA, Hitoshi; AKINAGA, Lt Gen Tutomu; TANAKA, Maj Gen Ryozaburo; KUZAKA, Vice Admiral Jinichi; MATSUI, Maj Gen Takoyoshi; NISHIMURA, Maj-Gen Kinzburo; SAKAI, Lt-Gen Yasushi; MAGATA, Maj-Gen Isaoshi; KATO, Lt-Gen Rinpei; KIYAMA, Admiral Tatsuo; TAKAYA, Col Morisabura; SHOGE, Lt-Gen Ryoichi; SAKAMOTO, Maj-Gen Sueo; HIROSE, Maj-Gen Shiro; and KANDA, Lt-Gen Masatane], 1946–50

This is the first file of 26 held in item 336/1/1247, all of which deal with the senior officers’ trials at Rabaul and a number of senior officers who were never tried. This particular file includes a very unusual memorandum from President Maj Gen JS Whitelaw privately summarising the reasoning behind the findings in the R172, R173 and R175 trials. The files held in Parts 2–26 each deal with one officer alone, although several have more than one file, for example Lt Gen Katō Rinpei, who is dealt with in Parts 14–17 or Lt Gen Kanda Masatane, who is dealt with in Parts 23–26.

Supplication by Imamura Hitoshi on behalf of war criminals condemned to death, 1947

This file contains General Imamura’s supplication to Premier Katayama Tetsu in July 1947 to lobby Australia for the postponement of the carrying out of certain death sentences and a note advising that the supplication was not forwarded to Japan.

Trials of senior Japanese officers Rabaul – Correspondence relative to movement, quartering etc of Japanese defence team and witnesses from Japan and Rabaul, 1946–47
This is one of four parts. It contains a comprehensive progress report on war crimes trials and related matters from 8 Military District Rabaul, November 1947.

War criminals trials Hong Kong, 1947–48
This file describes the arrangements between Australia and British authorities in Hong Kong for trials to be held there, including arrangements for premises and where to hold suspects in custody.

Trials of War Criminals charged with crimes against the Chinese, 1946–48
This file relates to the Rabaul trials involving Chinese victims, including reported Chinese dissatisfaction with the trials.

Approval for witnesses to attend war crimes trials in Singapore, Tokyo, Hong-Kong, 1947–49
This file amply demonstrates the expenses incurred by the Army when personnel were sent to trial locations to appear as witnesses.

1 Australian War Crimes Section – (Interpreters and Stenographers), 1947–48
This file contains descriptions of how court reporting was performed and complains of inadequate staffing of court reporters.

1 Australian War Crimes Section – General administration, 1948–49
This file contains correspondence regarding the Hong Kong trials, including the shortage of paper for use in court and space for holding prisoners and accommodation issues. It also holds letters of complaint by some Japanese defence counsel against others.

War crimes trials – Movement of Japanese and others (to and from Japan), 1946–51
Continuance of war crimes investigations and trial of suspect Japanese minor war criminals [component 1 of 2] 1946–50
[component 2 of 2], 1946–50
Policy – Trials of suspect minor war criminals [component 1 of 4], 1948–50
This file is the first of four parts.

Policy file No.2 – Trial of Japanese suspect minor war criminals, 1950–51
These two files contain the Army’s main correspondence files on war crimes trial policy. The latter file contains a useful 16-page document entitled ‘Summary – Japanese War Crimes Trials’ which describes policy discussions and decisions taken from October 1946 onwards.

War crimes trials at Manus Island – Prosecuting counsel [Mr C V Rooney K C], 1950
This file details the appointment of NSW prosecutor Mr CV Rooney as the civilian prosecutor for the Manus Island trials. Alas, Rooney’s tenure was brief, as he was repatriated to Australia on health grounds.
Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

Trial of Japanese suspect minor war criminals – Representations by Hon. W C Haworth, MP, 1950  
Mr WC Haworth, Federal Member for Isaacs, was concerned that Japanese war criminal suspects were being released instead of being sent for trial at Manus Island. This file contains Haworth’s letters, internal memoranda and the responses he was sent by the Minister for the Army.

Australian war crimes trials – Manus – Legal references [request for Brigadier Townley in connection with cases against General Yamawaki, Masataka and others], 1950  
MP742/1, 336/1/2066

Future conduct of present series of war crimes trials – Manus, 1950–51  
MP742/1, 336/1/2116

Recommendation for payment of fee to executioner of Japanese war criminals, 1951  
This file contains a letter from Lt Col NF Quinton, OC, 1AWCS, Manus Island reporting the carrying out of executions on Manus Island in June 1951 and praising the efficiency and care of the executioner.

Justice Townley’s acceptance letter to become President of the Manus Island trials.  
NAA: MP742/1, 336/1/2015
SECRET CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES, 1945–55 MP729/8
Recorded by: 1945–55 Department of the Army, Central Office (CA 36)

Quantity: 17.53 metres (Melbourne)

This series comprises Army Headquarters correspondence files.

Manus War Crimes Trials: Native Guards and GD Personnel for, 1950
Movement of Japanese Suspect War Criminals – Japan to Manus, 1950
Suspected Japanese War Criminals – Representations by Minister for Air, 1950

This file contains the Minister for Air’s complaint about certain cases involving murders of Allied airmen not being listed for trial at Manus Island and an 8-page memo by Maj Gen WM Anderson, Adjutant-General, explaining the reasoning behind the trial list to the Secretary of the Army.

CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES, 1939–54 B3856
Recorded by: 1939–48 2 Echelon, Army Headquarters (CA 2002)
1948–54 Soldier Career Management Agency (CA 1999)

Quantity: 14.65 m (Melbourne)

This series was the main correspondence series of the two agencies. The majority of the files concern Australian prisoners of war and civilian internees and missing personnel overseas, as well as internment records for camps in Australia and war crimes matters. Most of these files are recorded elsewhere in this guide.

War Crimes Trials Manus – List of deceased Australian Military Forces personnel – List of war crime cases, 1950

MISCELLANEOUS WAR CRIMES PAPERS RELATING TO RABAUL AND HONG KONG TRIALS 1945–48, B4175
Recorded by: 1945–48 Department of the Army, Central Office (CA 36)

Quantity: 0.91 metres (Melbourne)

This series holds 30 files of apparently collected by Lt Col JT Brock, who was chief legal officer at both the Rabaul and Hong Kong war crimes trials. It contains a number of files relating to the senior officers’ trials at Rabaul, a few of which are listed below. Items 13 to 20 concern trials at Hong Kong.
Japanese war crimes – Miscellaneous legal papers relating to trials of Lieutenant-General Kato, General Imamura and Lieutenant-General Baba [pencilled and annotated transcripts and statements, probably maintained by Judge Advocate JT Brock], 1945–47

[War crimes] trials of senior Japanese officers [Hirota, Adachi, Kato, Imamura]: Judge Advocate’s [J T Brock?] diary [handwritten and typed notes of court session times and dates], 1947

General Imamura Hitoshi [handwritten notes on war crimes trial and statements by Lieutenant-General Kuroda and Colonel Negishi], 1947

GENERAL CORRESPONDENCE, 'S' (SECRET) SERIES, 1922–51

Recorded by: 1922–39 2 District Base, Australian Military Forces, New South Wales Headquarters (CA 4334)
1939–42 Headquarters, Eastern Command [I], Australian Military Forces (CA 1876)
1942–46 Headquarters, New South Wales Lines of Communication Area, Australian Military Forces (CA 1877)
1946–51 Headquarters, Eastern Command [II], Australian Military Forces (CA 1878)

Quantity: 23.78 metres (Sydney)

This series holds secret correspondence relating to a number of subject matters.

Escort of war criminal suspects Yokohama – Manus Island, 1950

This file contains a report by Lt Noel R Charlesworth who escorted Japanese accused from Japan to Manus Island for trial in early 1950. It includes his orders to the escorts, a nominal roll of the accused and the accommodation plan for the ship.

Other services’ and departments’ war crimes trials policies and correspondence

CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES, FOURTH SYSTEM, 1951–55

Recorded by: 1951–55 Prime Minister’s Department (CA 12)

Quantity: 52.39 metres (Canberra)

This series contains correspondence files relating to a number of subjects, including the war.

Japanese war criminals – Trial by the Australian court, c1948–51

Among other things, this file contains the correspondence between the Prime Minister and the Premier of Queensland to release Justice Townley to become President of the Manus Island trials and a letter of thanks for Townley’s service.

Australian War crimes tribunal – Death sentence on Japanese – Representations on commutation, 1950–51
CORRESPONDENCE FILES, SINGLE NUMBER SERIES WITH ‘W’ [WAR] PREFIX, 1939–49

Recorded by: 1939–49 Attorney-General’s Department, Central Office (CA 5)

Quantity: 25.56 metres (Canberra)

This series contains files arising from wartime legislation.

1. Inquiry into Japanese Atrocities Committed against Australian Personnel – Inquiry by Sir William Webb. 2. Manus Islands Trials – Mr. Justice Townley (This Part) 1950–51

The third part of this file contains correspondence regarding the Manus Island trials.

CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES, 1928–56

Recorded by: 1928–41 Territories Branch, Prime Minister’s Department (CA 822) 1941–51 Department of External Territories [I], Central Office (CA 42) 1951–56 Department of Territories [I], Central Office (CA 60)

Quantity: 244.37 metres (Canberra)

Although this series began in 1928, it contains items that date back to 1899. It is concerned with the administration of Australia’s external territories, in particular the mandated territory of New Guinea, and thus includes files dealing with Manus Island.


This file has correspondence between the Department of External Territories and others regarding the leasing of land for the war crime trials. It includes a chart of the proposed Australian Military Forces ‘court area’ at Nutt Point.

Trial of senior Japanese officers at Rabaul – Entry to Papua New Guinea of Japanese civilian defence team, 1946–47

This file includes a list of Japanese solicitors, translators, interpreters and typists, and a single ‘administrator’, who were sent as the Japanese defence team at the Rabaul trials. For identification purposes, they were required to wear a white armband with ‘Japanese Legal Section’ in black lettering and an identity disc.

CORRESPONDENCE FILES, MULTIPLE NUMBER (MELBOURNE) SERIES (PRIMARY NUMBERS 1-323), 1922–60

Recorded by: 1922–39 Air Services Branch (CA 778) 1939–60 Department of Air, Central Office (CA 35)

Quantity: 805.45 metres (Canberra), 30.6 metres (Sydney), 14.4 metres (Melbourne)

This is the main correspondence series used by the RAAF from 1922 to 1960. It contains a few files regarding war crimes.
Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

War Crimes against RAAF personnel – Trial of Japanese suspects, 1950–54

A705, 166/1/400

This file contains correspondence and reports regarding the Manus Island trial list and Flt Lt LC Conduit’s attempts to have the list expanded to cover the airmen cases.

CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES [CLASSIFIED 301], 1935–58

A816

Recorded by: 1935–39 Department of Defence [II] (Central Administration) (CA 19)
             1939–42 Department of Defence Co-ordination, Central Office (CA 37)
             1942–58 Department of Defence [III], Central Office (CA 46)

Quantity: 95.31 m (Canberra)

This is the correspondence series for security classified matters dealt with by the departments.

Continuance of war crimes investigation and trials of Japanese suspects, minor war criminals, 1948–50

A816, 19/304/447

CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES, 1948–89

A1838

Recorded by: 1948–70 Department of External Affairs [II], Central Office (CA 18)
             1970–87 Department of Foreign Affairs, Central Office (CA 1382)
             1987–89 Department of Foreign Affairs and Trade, Central Office (CA 5987)

Quantity: 3434.32 metres (Canberra)

This series comprises the main correspondence files of the Department of External Affairs from 1948 to 1970. As such it contains a number of files on the ‘continuance of war crimes investigations and trials’, including the futile attempts to establish Australian trials in Japan and efforts to commence trials at Manus Island.

Japan – Establishment of Australian Military Court, 1948

A1838, 1469/2


A1838, 1550/7 PART 2

War crimes – Minor Japanese war criminals – Trials, 1946–53

A1838, 1550/7 PART 3

These two files contain correspondence about the getting up of the Manus Island trials.

Japan – Japanese war criminals – Australian war trials, 1946–50

A1838, 3103/10/13/2 PART 1

This file contains correspondence about the continuation of war crimes investigations and trials and the getting up of the Manus Island trials, as well as a large number of related news clippings. Although it is the first of 17 parts, the remainder of the files deal with post-trial issues, such as repatriation and release.
Japanese war criminals – Australian war trials, 1950–52

This file continues on from PART 1.

Japan/Australia relations – Minor war criminals – B and C – April 1958, 1958

This file contains a list drawn up in 1958 of all war criminals tried by Australia in order of trial date (from Wewak in 1945 to Manus Island in 1951), providing the accused’s serial number (not to be confused with their AWC number), name, charge, finding, sentence and place and date of trial. A separate list by accused’s name in alphabetical order, provides the serial number and general outcome (for example ‘not guilty’, ‘released on [date]’, ‘imprisoned for life on [date]’ or ‘executed on [date]’. Researchers are cautioned that the statistics chart provided in this item is incorrect.

CURTIN, FORDE AND CHIFLEY MINISTRIES - FOLDERS OF CABINET MINUTES AND AGENDA, 1941–49

Recorded by: 1941–49 Secretary to Cabinet/Cabinet Secretariat [I] (CA 3)

Quantity: 25.31 metres (Canberra)

This series contains folders of Cabinet minutes, agenda, submissions and other documents during these ministries.

Continuance of war crimes investigation and trial of Japanese suspect minor war criminals and the venue of trials subsequent to 31st August 1948

This file contains agendum no. 1471 ‘Continuance of War Crimes Investigation and Trial of Japanese Suspect Minor War Criminals, and the Venue of Trials Subsequent to 31 August 1948’, June 1948.

Continuance of war crimes investigations and trial of Japanese suspect minor war criminals

This file contains agendum no. 1471B ‘Continuance of War Crimes Investigation and Trial of Japanese Suspect Minor War Criminals’, August 1949.

THE FOURTH MENZIES MINISTRY – FOLDERS OF CABINET SUBMISSIONS AND ASSOCIATED DECISIONS, 1949–51

Recorded by: 1949–51 Secretary to Cabinet/Cabinet Secretariat [I] (CA 3)

Quantity: 1.62 metres (Canberra)

This series consists of cabinet submissions made to the Menzies Cabinet and some notes of decisions.

Continuance of war crimes investigations and trial of Japanese suspect minor war criminals [reference copy], 1949–50

Continuance of war crimes investigations and trial of Japanese suspect minor war criminals [reference copy], 1950
Continuance of war crimes investigations and trial of Japanese suspect minor war criminals [reference copy], 1950

These three files contain the separate Cabinet agenda 2, 2A and 2B from 1949–50 on the topic ‘Continuance of war crimes investigations and trial of Japanese suspect minor war criminals’.

FIFTH MENZIES MINISTRY – FOLDERS OF CABINET SUBMISSIONS (FIRST SYSTEM), 1951–54

Recorded by: 1951–54 Secretary to Cabinet/Cabinet Secretariat [I] (CA 3)
Quantity: 9.45 metres (Canberra)

This series consists of submissions made to the Menzies Cabinet and some notes of decisions.

Death sentences imposed by the war crimes court at Manus Island – decision 8, 1951
This file contains submission no. 1 ‘Death Sentences Imposed by the War Crimes Court on Manus Island’, May 1951.


Recorded by: 1958–67 Secretary to Cabinet/Cabinet Secretariat [I] (CA 3)
Quantity: 78.03 metres (Canberra)

This series is the main series maintained by the Cabinet Office in the period 1958–67 but it contains files relating back to 1949.

Trials of Japanese war criminals – Policy, 1949–50
This file contains Cabinet agenda 2, 2A and 2B from 1949–50 on the topic ‘Continuance of war crimes investigations and trial of Japanese suspect minor war criminals’ and other documents relating to the trial list for Manus Island.

Confirmation of death sentences imposed by the war crimes court at Manus Island, 1951
This file contains submission no. 1 ‘Death Sentences Imposed by the War Crimes Court at Manus Island’, May 1951 and the decision made.

Japanese war criminals sentenced by Australian military courts – Policy, 1952–53
This file contains submission no. 347 ‘Policy concerning Japanese War Criminals sentenced by Australian Military Courts’, September 1952; decision no. 637 made 23 Jan 1953; cabinet agendum no. 466 ‘same topic’ of 30 June 1953; decision no. 731 made Canberra 2 July 1953; and a press release of 7 July 1953.

CORRESPONDENCE FILES (GENERAL), 1923–50

Recorded by: 1923–39 Navy Office [III], Department of Defence [II] (CA 2456)
1939–50 Navy Office [IV], Department of the Navy [II] (CA 38)
Quantity: 59.75 metres (Melbourne)

This series holds several files created by the Navy in relation to the Manus compound.
Personnel concerned with trial of Japanese suspect minor war criminals: maintenance at Manus, 1950

MP1049/5, 1877/13/406

Use of the trials for casualty information

GENERAL AND CIVIL STAFF CORRESPONDENCE FILES AND ARMY PERSONNEL FILES, 1943–51

Recorded by: 1943–51 Department of the Army, Central Office (CA 36)

See earlier entry for series MP742/1 in this chapter.

Proceedings of courts and petitions [instructions concerning war crimes casualty information], 1945–47

This file contains the Army’s instructions about properly inspecting trial records for additional casualty information, which were sparked by complaints that newspaper reports of the trials in Darwin had revealed the name and particulars of the murder of an Australian Army corporal when his family had only been informed that he was missing and other similar incidents.

MP742/1, 336/1/1014

CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES, 1939–54

Recorded by: 1939–48 2 Echelon, Army Headquarters (CA 2002)
1948–54 Soldier Career Management Agency (CA 1999)

Quantity: 14.65 metres (Melbourne)

This series is the main correspondence series for the two agencies. The bulk of the extant files relate to Australian prisoners of war and civilian internees and other missing personnel.

Trials of War Criminals: Newspaper cuttings re trials; Correspondence re possibility of evidence disclosing information regarding missing or deceased Australian Military Forces Prisoners of War, 1945–46

B3856, 146/1/17

Trial information provided to other departments

CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES WITH YEAR AND LETTER PREFIXES, 1946

Recorded by: 1946 Department of External Affairs [II], Central Office (CA 18)

Quantity: 32.22 metres (Canberra)


A1067, UN46/WC/8 PART 1


A1067, UN46/WC/8 PART 2
These four files contain information provided by the Army to External Affairs. Parts 1–2 contain copies of the Records of Military Court; Part 4 contains various lists of confirmed sentences of Japanese war criminals and others; and Part 5 contains the Army’s statistical progress reports on the trials from January 1946 to December 1947. The statistics presented throughout, although thought correct at the time, contain some errors. Much of this information was provided to External Affairs for transmission to the United Nations War Crimes Commission.

**CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES, 1948–89**

Recorded by: 1948–70 Department of External Affairs [II], Central Office (CA 18)
1970–87 Department of Foreign Affairs, Central Office (CA 1382)
1987–89 Department of Foreign Affairs and Trade, Central Office (CA 5987)

See earlier entry for series A1838 in this chapter.

**War Crimes – Minor Japanese War Criminals Trials, 1946–51**

This file is the first of three parts. They contain information provided by the Army to External Affairs on the trials, including the Army’s statistical progress reports on the trials and some Records of Military Court. The final progress report dated 29 June 1951 is held in PART 1. The statistics presented throughout, although thought correct at the time, contain some errors. Much of this information was provided to External Affairs for transmission to the United Nations War Crimes Commission.

**GENERAL AND CIVIL STAFF CORRESPONDENCE FILES AND ARMY PERSONNEL FILES, 1943–51**

Recorded by: 1943–51 Department of the Army, Central Office (CA 36)

See earlier entry for series MP742/1 in this chapter.

**International records of Japanese war criminals, 1947–49**

This file contains monthly reports from 1947 onwards advising of persons detained as suspects, persons convicted of war crimes and persons released, which were sent to the Australian Mission in Japan for transmission to the Diplomatic Section of General Headquarters, Supreme Commander for Allied Powers.

**Publicity about the trials**

**CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES, FOURTH SYSTEM, 1951–55 A462**

Recorded by: 1951–55 Prime Minister’s Department (CA 12)

See earlier entry for series A462 in this chapter.
Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

Japanese war atrocities – Protest against publicity – Representations, 1950–51
This file contains complaints to the Prime Minister about newspaper accounts of atrocities arising out of the Manus Island trials and responses.

'THE SHEDDEN COLLECTION' [RECORDS COLLECTED BY SIR FREDERICK SHEDDEN DURING HIS CAREER WITH THE DEPARTMENT OF DEFENCE AND IN RESEARCHING THE HISTORY OF AUSTRALIAN DEFENCE POLICY], TWO NUMBER SERIES, 1937–71

Recorded by: 1937–39 Department of Defence [II], (Central Administration) (CA 19)
1937–71 Sir Frederick Geoffrey SHEDDEN KCMG, OBE (CP 320)
1939–42 Department of Defence Co-ordination, Central Office (CA 37)
1942–71 Department of Defence [II], Central Office (CA 46)

Quantity: 218.74 metres (Canberra)

This series contains records collected by Sir Frederick Shedden during his career with the Department of Defence and afterwards as a part of his research on the history of Australian defence policy.

This file contains newspaper clippings from December 1949 to April 1950 and covers the build up to the Manus Island trials.

Press File. War Guilt – Punishment of War Criminals. File No 1, 1942–49
This file contains newspaper clippings from October 1942 to January 1949 and covers matters such as the delay in commencing trials.

This file contains a small number of newspaper clippings from August 1946 to August 1953 and an extract from the House of Representatives Hansard of 12 September 1945.

MISCELLANEOUS WAR CRIMES PAPERS RELATING TO RABAUL AND HONG KONG TRIALS, 1945–48

Recorded by: 1945–48 Department of the Army, Central Office (CA 36)

See earlier entry for series B4175 in this chapter.

Trial of senior Japanese war criminals Rabaul March–May 1947 press cuttings [Relates to Lt-Gen Hatazo ADACHI, Maj-Gen Akira HIROTA, Colonel Masato SUWABE and others], 1947

GENERAL AND CIVIL STAFF CORRESPONDENCE FILES AND ARMY PERSONNEL FILES, 1943–51

Recorded by: 1943–51 Department of the Army, Central Office (CA 36)

See earlier entry for series MP742/1 in this chapter.
War crimes – Ministerial and other requests for information, 1945–47

This file contains correspondence dealing with various requests for information on action taken to apprehend and prosecute war criminals, including a number of letters from members of the public protesting about allegedly ‘light’ sentences handed down at Darwin.

United Nations War Crimes Commission – Australian Military Forces History [contribution to UNWCC history of prosecution of war crimes], 1948

This file contains External Affairs’ request in January 1948 for the Department of the Army to provide ‘as full an account as it is desired to give of Australia’s prosecution of war crimes in all its aspects’ for provision to the United Nations War Crimes Commission for its official history. The resulting 4-page report entitled ‘Account of Work done by the Australian Military Forces with Regard to the Investigation and Prosecution of War Criminals and the Result of Trials held before A.M.F. Courts Established under the War Crimes Act 1945’ is a useful short overview of the period 1942–48 but is wrong on at least one material point: the first Australian trial was not at Wewak on 26 November 1945.

Release of trial records

CORRESPONDENCE FILES, ANNUAL SINGLE NUMBER SERIES, 1929–

Recorded by: 1929– Attorney-General’s Department (CA 5)
Quantity: 2086.13 metres (Canberra), 291.06 metres (Sydney)

This series contains some files covering war crimes, related action within the department and correspondence with the Department of the Army, most of which are recorded elsewhere in this guide.

Japanese War Criminals – request by Japan for Trial Records, 1967–75

This file contains the official requests by Japan in 1959 and 1965 for copies of the trial proceedings, which the government considered very carefully, including seeking the views of other Allied Powers. The file also holds a 15-page report by departmental officer Miss Lyndel Prott dated April 1965, which critically assesses the trials, and considerable correspondence on the advantages and disadvantages of granting the second Japanese request.

CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES, 1948–89

Recorded by: 1948–70 Department of External Affairs [II], Central Office (CA 18)
1970–87 Department of Foreign Affairs, Central Office (CA 1382)
1987–89 Department of Foreign Affairs and Trade, Central Office (CA 5987)

See earlier entry for series A1838 in this chapter.

Japan – Japanese war criminals – Minor war criminals sentenced by Australian Military Courts, 1951–66

This file contains correspondence from 1951 to 1966 on the subject of Japanese and other access to the trial proceedings.
Japanese war criminals – Minor criminals sentenced by Australian Military Courts, 1966–75

This file contains correspondence from 1966 to 1975 on the subject of Japanese and other access to the trial proceedings.

Japan – Japanese war criminals – Minor criminals sentenced by Australian Military Courts – June 1975 [concerns access to transcript], 1975

This file contains the Attorney-General’s announcement in 1975 that the trial proceedings, held in the then Australian Archives, would be made open to the public. It also contains the Department of Foreign Affairs’ annoyed response to the announcement, as it had come without consultation on the eve of the Foreign Minister’s visit to Japan.

GENERAL AND CIVIL STAFF CORRESPONDENCE FILES AND ARMY PERSONNEL FILES, 1943–51

Recorded by: 1943–51 Department of the Army, Central Office (CA 36)

See earlier entry for series MP742/1 in this chapter.

Department of Information, 1946

This file contains the request by the Department of Information’s Short Wave Division in 1946 for copies of the trials to cross-check information for Japanese news broadcasts. The request was refused.

War criminals – Secretary of Army’s file, 1945–46

This file includes Mr John Dedman, Minister for Post-war Reconstruction’s questionnaire on the trials and drafts of the response by legal officer Captain WR Ham, 1946.

Australian War Memorial ACT – requests for proceedings of war crimes trials, 1946–51

This file includes the request in 1946 by the Australian War Memorial for copies of the trial proceedings. It was eventually provided with copies of the Records of Military Court.

Representations by Mr Frank Cayley re execution of number of Japanese since the war, 1949

This file contains correspondence from a member of the public to the Minister for the Army in 1949 regarding the number of executed war criminals. The figures he was provided in response are incorrect.

Mr M Stanley – Request for information re Japanese war criminals’ trials – Data to be used in compiling of the "Australian Encyclopedia", 1951–52

This file contains Massey Stanley’s request in 1951 to the Minister for the Army for access to information on the trials and for an ‘authority’ to consult on ‘salient points of Australian policy’ on the trials, as he had been commissioned to write for the *Australian Encyclopaedia*. It also contains a 4-page report on the war crimes investigations written by Captain HP Leach.
Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

GENERAL AND CIVIL STAFF CORRESPONDENCE FILES AND ARMY PERSONNEL FILES, MULTIPLE NUMBER SERIES, 1952–62

Recorded by: 1952–60 Department of the Army, Central Office (CA 36)
1960–62 Army Headquarters, Department of the Army (CA 2585)

Quantity: 49.51 metres (Melbourne)

Japanese War Crimes and Offences to Prisoners of War Ministerial request for information, 1957

This file contains repeated requests by Mr EJ Ward, Federal Member for East Sydney, who pressured the government in the late 1950s for detailed information about the trials, including permission to inspect the ‘official records’. The departments of the Army and External Affairs concurred, however, that Ward should be told that the records were ‘confidential’.

Files at the Australian War Memorial

WRITTEN RECORDS, 1939–45 WAR, 1926–93

Recorded by: 1926–39 Department of Defence [II], (Central Administration) (CA 19)
1942–93 Department of Defence [III], Central Office (CA 46)

Quantity: 213.5 metres (Australian War Memorial)

This series holds miscellaneous records that were transferred to the Australian War Memorial from the Military History Section of the Australian Army regarding the 1939–45 war. As such, it contains many files relating to war crimes, mostly (but not exclusively) in item numbers 1010/*/#, many of which are recorded elsewhere in this guide.

The attention of researchers is drawn specifically to the files classified in their titles as:
[War Crimes and Trials – General] – 41 files
[War Crimes and Trials – Investigation of Atrocities] – 130 files
[War Crimes and Trials – Transcripts of Evidence] – 126 files
[War Crimes and Trials – Exhibits] – 3 files

While many of these files contain some copies of trial documents (such as copies of statements), researchers are generally advised to begin with the original trial proceedings held in series A471 and only to supplement their research on specific trials with these files. The files only occasionally contain documents additional to the original trial proceedings, such as additional petitions.

The files recorded below have been selected due to their unusual contents.

[Punishments – Capital:] Execution of Japanese war criminals, 1946

This file contains Army instruction SM223 on the ‘Execution of Japanese War Criminals’.

AWM54, 807/2/1
[War Crimes and Trials – General:] Petitions by Japanese War Criminals against findings, and sentence by Military Court, arising from Hainan Island Trial, Reports on interrogation of Japanese war criminals by Australian War Crimes Section, 1947/1948, c1939–46

AWM54, 1010/1/1

[War Crimes and Trials – General:] Policy file dealing with aspects of Trials of War Criminals and War Crimes 1945, 1945–46

This file contains correspondence dealing with the establishment of the Morotai trials, including the court rules and a spectator pass. Although only 25 trials were eventually held at Morotai, a memorandum dated 28 November 1945 in this file records that 200 printed copies of the order for assembly of a military court had been despatched there, together with the advice that further supplies were available.

AWM54, 1010/1/7

[War Crimes and Trials – General:] 1st Australian War Crimes Section Hong Kong, Court Correspondence – Copy of death warrants of Japanese War Criminals. Lt Yoshimo Iwasaki – Lt Col Hideo Kondo – Major Yasumasa Otsuka found guilty of murder of Flight Lt A D Nelson RAAF and Sgt Engelsman of NEI Air Force, c1939–46

This file includes interim committal orders and administrative arrangements for executions in Hong Kong.

AWM54, 1010/1/9

[War Crimes and Trials – General:] Australian War Crimes No. 48, An act to provide for the trial and punishment of War Criminals, 1945–46

In addition to holding a copy of the Act and Regulations, this file contains a short memo dated 31 October 1945 answering questions about trial procedure.

AWM54, 1010/1/25

[War Crimes and Trials – General:] Translations of the last letters of executed Japanese, 1946

This file contains a register of ‘last letters’ and translations, generally of persons sentenced to death at Morotai and Labuan. It includes the ‘last letter’ of the first Japanese to be tried, Captain Iwasa Tokio in the Morotai M9 trial which began on 29 November 1945.

AWM54, 1010/1/29

[War Crimes and Trials – General:] Re-location of War Trials Timor to Darwin (not dated), c1939–46

This file contains correspondence regarding the relocation of trials relating to war crimes in Timor to Darwin given the difficulty of holding trials in Timor itself.

AWM54, 1010/1/36


This file contains correspondence dealing with the establishment of the Labuan trials, including the attachment of personnel, the selection of interpreters and trial instructions. It also includes a spectator pass.

AWM54, 1010/6/1

[War Crimes and Trials – Investigation of Atrocities:] Instructions regarding contemplated sending of Major General YAJIMA to Japan for purpose of organizing Japanese defence team, 1946

AWM54, 1010/9/44
Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

[War Crimes and Trials – Investigation of Atrocities:] List of outstanding war crimes trials, 1947  
This file contains a 2-page list of trials (as of January 1947) that were ‘likely to proceed’ to trial at Rabaul, including those of 18 senior officers (some of whom were never tried).

[War Crimes and Trials – Investigation of Atrocities:] Cases in which investigation completed, and which cannot be submitted for trial, because of insufficient evidence or identification, 1946  
This file contains a register of cases that did not proceed to trial at Rabaul, usefully explaining the reason in each case, including insufficient identification of the offender or insufficient evidence. Another reason was that the suspect had already been sentenced to imprisonment or execution.

This file constitutes one of the exceptions to the general advice, offered earlier, to focus on the original trial proceedings in series A471. Not only does this file contain missing defence exhibits from the Rabaul R172 trial of Maj Gen Hirotia Akira, which are not held in series A471, but it contains correspondence, additional petitions and a report into five Formosan war criminals (the four named in the file title and Furuya Eisuke) who had been convicted in the Rabaul R55 trial and sentenced to death. They successfully petitioned in 1947 and had their sentences commuted to life imprisonment.

Major McBain’s report on his war crimes work at Rabaul also contains some minor criticism of the process.

[War Crimes and Trials – Investigation of Atrocities:] Cases in which Investigations completed and concerning which it is considered there is not sufficient evidence to submit them to trial, c1939–46  
This file also records cases that did not proceed to trial at Rabaul and the reason in each case.

RECORDS OF THE MILITARY HISTORY SECTION (ARMY), 1940–61  
This series holds the records of the Army’s Military History Section which recorded and collected material and items relating to the Army, including in the field during the war and the Allied occupation of Japan.
**Japanese war crimes in the Pacific: Australia’s investigations and prosecutions**

[Records of the Military History Section (Army)] War Crimes – Records of Military Courts [file], 1947–53

This file contains correspondence between the Army, the Military History Section and the Australian War Memorial on various matters, including the provision of summaries of the trials to the Memorial.

**RECORDS OF THE ADJUTANT GENERAL REGARDING TRIALS OF SECOND WORLD WAR JAPANESE WAR CRIMINALS, 1948–51**

<table>
<thead>
<tr>
<th>Recorded by:</th>
<th>1948–51 Department of the Army, Central Office (CA36)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quantity:</td>
<td>0.2 metres (Australian War Memorial)</td>
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</table>

This series consists of six files which were compiled by the Adjutant-General’s Branch of the Department of Defence relating partially to the Hong Kong and more significantly to the Manus Island trials.

**AG Coord 218 – Transfer of Australian Military Court from Hong Kong to Japan, 1948–50**

This file addresses the problem of space for trials in Hong Kong, including efforts to relocate the court to Japan.

**AG Coord 219 – Trial of Japanese suspects minor war criminals, 1950**

**Future conduct of Manus Series of War Crimes Trials (March–April), 1950**

**AG Coord 220 – Trial of Japanese suspect minor war criminals (February–April), 1950**

**AG Coord 221 – Trial of Japanese suspect minor war criminals (April–July), 1950**

**AG Coord 222 – Trial of Japanese suspects minor war criminals, 19 July 1950 – 27 July 1951**

**RECORDS OF WAR CRIMES ENQUIRIES AND TRIALS, 1939–45 WAR, 1942–55**

<table>
<thead>
<tr>
<th>Recorded by:</th>
<th>1942–55 Department of the Army, Central Office (CA 36)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quantity:</td>
<td>2 metres (Australian War Memorial)</td>
</tr>
</tbody>
</table>

This series holds records that were transferred to the Australian War Memorial from the Army Office, Department of Defence. As suggested by the series title, the files principally relate to the Australian war crimes investigations and prosecutions. Many files are recorded elsewhere in this guide.


This file contains the JAG’s review of some trial proceedings (principally 1946–47) and other legal advice given.

**[Records of war crimes enquiries and trials, 1939–45 War] Files P/A in Central Registry and Archives on 21 June 1962**

This file is a bound book which serves as a file register.
Japanese war crimes in the Pacific: Australia’s investigations and prosecutions


This file contains various Cabinet agenda on war criminals.

AWM226, 87

WRITTEN RECORDS, 1939–45 WAR, SECOND SERIES, 1993–

Recorded by: 1935– Department of Defence [III], Central Office (CA 46)

Quantity: 3 metres (Australian War Memorial)

This series holds records that were transferred to the Australian War Memorial from Department of Defence and were identified in a survey of unserialised material in 1993.

Orders to Leading Seaman A.C. Horsfield relating to duties while escorting the undermentioned Japanese war criminal [HARA] from Manus Island to Japan – Arrangements for transportation, 1952

AWM254, 312

MICROFILM

ORMF*

War of 1939–45, war crimes papers [microform]: [PRO6995-7004] ORMF0069

This microfilm collection includes various British trial proceedings from series WO235 War Office. Judge Advocate-General’s Office.

War of 1939–45. War crimes papers.

MANUSCRIPT

MSS*

Durrant, Beverley

Durrant (née Floyd) served as the assistant to the commanding officer of 2AWCS in Tokyo from early 1948 to mid-1949. Her papers include a typewritten account of the Australian war crimes trials and newspaper clippings and photographs of the trials. It also includes extracts from correspondence between Durrant and others on the trials, including with Douglas Malcolm Campbell, who served as the defending officer in the Morotai M43 trial. It also includes copies of John Myles Williams’ address in 1989 to the cast of the film ‘Blood Oath’, based on the Morotai M43 trial which he prosecuted; and Athol Randolph Moffit’s address in 1986 to Sydney Legacy on the ‘Sandakan tragedy’ and the three trials at Labuan that he prosecuted.

PRIVET RECORDS

PR*

Travers, John Leo (Captain) 1900–1979 Copies of letters, 1945–46

Captain Travers served at the Morotai trials as a defending officer. His papers include many letters to his family describing the trials, including some thank you notes written to him by his Japanese clients.

PR82/147

332 Another copy of Durrant’s papers can be found in the Papers of the Papua New Guinea Association of Australia, Fryer Library, University of Queensland, UQFL387, Boxes 22 and 53.
Travers, John Leo (Captain, Legal Corps, b: 1900 d: 1979) – Papers entitled, “War Crimes in the East Indies and the Pacific” – possibly for broadcast

These papers contain copies of two radio addresses written by Captain Travers in August 1946 in which he colourfully describes his trial experiences. He observes that if the Japanese tendency he had witnessed of maintaining the same stoic facial expression, even as a death sentence was pronounced, could be imported into a poker school, it would be worth a small fortune.

McNicoll, David; Smith, Jeffrey; Underwood, Alan (Correspondent) – Papers including typed transcripts of despatches by press reporters McNicoll, Smith and Underwood describing the executions of five Japanese war criminals on Manus Island in June 1951.

Moffitt, Athol Randolph, Hon., CMG, QC (Captain, 1914–2007) – Papers include a typewritten copy of his diary during the trials, as well as papers relating to various trials and materials collected for his book *Project Kingfisher*, mentioned in the introduction to this chapter.

Richardson, Harold Alexander (Major), MBE – Papers include documents, newspaper clippings and correspondence relating to the Manus Island trials, on topics such as trial personnel, press access to the trials, complaints about and by the press and executions.

SOUND RECORDINGS

Dudley Frederick Field as a major, 2/22nd Battalion, interviewed by Hank Nelson for *The Keith Murdoch Sound Archive of Australian in the War of 1939–1945* (interviewed in 1991, Major Field discussed, among other things, his service as a member of the court in the three Darwin war crimes trials in early 1946.)

Brennan, Francis Gerard Sir AC KBE (interviewed in 2004, Sir Gerard Brennan, former Chief Justice of the High Court of Australia, served as associate to Justice Townley, the President of the Manus Island trials in 1950–51.)

ART

Lieutenant K Yamamoto, war criminal

This framed drawing by Max Newton from 1945 shows Lt Yamamoto Katsuji, who was tried and convicted at the Labuan ML11 trial in December 1945. Yamamoto’s name in kanji is included in the portrait.

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333 Possibly due to the passage of time, Field mistakenly says that there were only two trials held in Darwin. He served at all three of the trials as a member of the court.
8. The Australian War Criminals Compounds

Introduction

From 1945 to 1953, a number of Australian-run ‘war criminals compounds’ were set up in locations across South-East Asia. Many of the early ‘war criminals compounds’ in the immediate post–World War II period were temporary and the title somewhat of a misnomer: most held merely Japanese prisoners of war, disarmed Japanese personnel awaiting repatriation, Japanese war crimes witnesses or informants or suspects awaiting trial. For instance, the Australian compound at Balikpapan, Borneo was commonly referred to as a ‘War Criminals Compound’, even though it only held Japanese ‘awaiting trial’ and no trials ever took place at Balikpapan.

Apart from the temporary compounds, there were two permanent Australian War Criminals Compounds located at Rabaul from 1945 to 1949 and at Manus Island from 1949 to 1953 in which a mixture of suspected and convicted war criminals were held, albeit usually carefully separated from each other.

The imprisonment of war criminals at Rabaul and on Manus Island

The pressing question of what Australia should do with war criminals sentenced to terms of imprisonment (as opposed to those sentenced to death) was discussed at length among various Commonwealth Government departments and the Army from late 1945 onwards. Indecision was the primary reason that the initial war criminals compound was at Rabaul, as most Japanese personnel had been gradually concentrated there after the surrender.

The Rabaul compound was administered first by the Army’s 11 Australian Division, then Headquarters 8 Military District (HQ 8 MD) from 23 March 1946, when it took control of the Japanese camps in the Rabaul area, and lastly by Headquarters Northern Command. Under HQ 8 MD, the operational order of battle referred to the war criminals compound as the War Criminals Military Prison Rabaul, although the compound itself was a part of Japanese Labour Camp No. 4, which held disarmed Japanese. As such, the Rabaul compound likely operated according to the ‘Orders for Aust Camp Comds [Commanders]’, which were issued by 8 MD in respect of Japanese group and labour camps in the Rabaul area in April 1946.

The commandant of the Rabaul compound was Major TW Upson, who had been seconded from the Australian New Guinea Administrative Unit (ANGAU) to the Royal Papuan Constabulary and then attached to HQ 8 MD, and whose second-in-command was Major RH Hicks. While the staff of the Rabaul compound were from the Army, the war criminals were guarded by about 130 native police constabulary detached from the New Guinea Police Force. The Army eventually approved a formal war establishment for 1 Australian War Criminals Compound at Rabaul in October 1947. Regrettably, it is difficult to locate complete rosters of personnel, either before or after the raising of the war.
establishment, for the Rabaul compound.\textsuperscript{340} The war criminals themselves were led by a camp leader, an assistant camp leader and hut leaders, with ballots determining who among the war criminals served in these positions over time.\textsuperscript{341}

The Rabaul compound was visited by Mr Cyril Chambers, the acting Minister for External Territories, in January 1949. Chambers reported that his inspection of the compound had ‘revealed that the grounds were in excellent condition, gardens and lawns having been laid out and all buildings inspected were spotlessly clean and tidy’. Major Upson told Mr Chambers that discipline was ‘excellent’ and that, ‘generally speaking, the prisoners were good workers’.\textsuperscript{342} Several plans to build a proper military prison in Rabaul were debated in 1945–47 but appear to never have come to fruition.\textsuperscript{343} Similarly, a long-debated plan to transfer responsibility for the Rabaul compound from the Army to the Civil Administration of the Territory of Papua and New Guinea never eventuated.\textsuperscript{344}

Beginning in February 1949, the war criminals were transferred from Rabaul to a new compound on Manus Island, where they were to serve as a labour force. The Manus Island War Criminals Compound was initially still under the Army’s HQ Northern Command and still commanded by Major Upson. The Royal Australian Navy (RAN) assumed command of the compound in March 1950, renaming it the ‘RAN War Criminal Compound Manus’.

The Naval commandants of the Manus compound were, in order, Lt Cdr AI Chapman, Lt Cdr PH Baile and Lt Cdr EG Henry. The camp staff were on the books of HMAS Seealder and, later, HMAS Tarangau.\textsuperscript{346} In other respects, the Manus compound operated as a separate Naval establishment, under the direct control of the Naval Officer in Charge, New Guinea and later the Naval Officer in Charge, North Eastern Area. In 1952, the Navy estimated that it would be ‘economical’ until 1957 to retain the war criminals on Manus, given the ‘usefulness’ of their labour.\textsuperscript{347}

The operation of the compounds

While the War Crimes (Imprisonment) Regulations pursuant to the War Crimes Act 1945 were not issued until February 1951,\textsuperscript{348} both the Rabaul and Manus Island compounds operated under various standing orders, memorandums, written instructions and practices. For example, the standing orders for the Manus compound in February 1951 comprised 37 orders, including the instruction that staff and guards were to treat the war criminals ‘with kindness and humanity’ but ‘shall firmly maintain order and discipline and shall enforce complete obedience to these regulations and to all orders and instructions issued thereunder’.\textsuperscript{349} Life was extremely regulated for the war criminals. When the Manus compound wanted to issue toilet paper to the war criminals in August 1949, for instance, it applied to Army Headquarters in Melbourne for permission to include toilet paper on the

\textsuperscript{340} For example, see the lists held in NAA: MP742/1, 336/1/1434; and MP375/14, WC10.


\textsuperscript{343} See, for example, the First Army’s proposal entitled ‘Jap PW – War Criminals – Place of Imprisonment’ and attached ‘Military Prison for 500 Jap War Criminals at Rabaul’, 14 December 1945, AWM: AWM54, 327/30/2. See also NAA: MP742/1, 96/1/2003. See also the plans drawn up by the Department of Works and Housing for a ‘Prison for War Criminals’ in October 1946, NAA: A518, C16/2/6.

\textsuperscript{344} For correspondence on this plan, see NAA: A518, C16/2/6.

\textsuperscript{345} This name is, of course, incorrect, given that the compound contained more than one ‘war criminal’.

\textsuperscript{346} For a nominal roll of staff and their functions under Chapman’s command, see NAA: MP375/18, G.

\textsuperscript{347} Letter from TJ Hawkins, Secretary, Department of the Navy to the Secretary, Department of External Affairs, stamped 7 July 1952, NAA: A1838, 3103/10/13/2 PART 3.

\textsuperscript{348} War Crimes (Imprisonment) Regulations 1951 (Cth), Statutory Rules 1951, no. 11, made under the War Crimes Act 1945 (Cth) on 16 February 1951 and notified in Gazette on 22 February 1951. A minor amendment was made to the regulations later that year: see War Crimes (Imprisonment) Regulations (Amendment) 1951 (Cth), Statutory Rules 1951, no. 116, made under the War Crimes Act 1945 (Cth) on 27 September 1951 and notified in Gazette on 22 February 1951. The regulations ‘as made’ in 1951 are available in full on the Federal Register of Legislation: www.legislation.gov.au.

ration scale.\textsuperscript{350} The request was passed to the Department of the Navy, which was by then responsible for supporting the compound. More than two months later approval was granted for 10.5 rolls of toilet paper to be issued per 100 men per seven days.\textsuperscript{351} Regrettably, the documents do not offer any insight into what materials the war criminals had been using up to that point.

\begin{center}
\textbf{SCALE OF RATIONS AND COMMODITIES TO BE SUPPLIED TO WAR CRIMINALS.}
\begin{tabular}{|l|l|}
\hline
\textbf{Description} & \textbf{Quantity per day for each war criminal} \\
\hline
Tea & 3/4 of an ounce \\
Biscuits & 7 ounces \\
Bread & 8 ounces \\
Flour & 10 1/4 ounces \\
Rice & 3/4 of an ounce \\
Salt & 1/4 of an ounce \\
Fats & 1/4 of an ounce \\
Fruits, nuts, fish, meat & 1/4 of an ounce \\
Vegetables (tinned) & 3/4 of an ounce \\
Pickles, condiments & 3/4 of an ounce \\
Soda & 1/4 of an ounce \\
Vegetables (tinned) & 6 ounces \\
Potatoes & 8 ounces \\
Onions & 2 ounces \\
Carry Stuff (tinned) & 1/4 of an ounce \\
Soap & 1/4 of an ounce \\
Tobacco Powder & 1/4 of an ounce \\
Atebrin Tablets (when directed by a medical officer) & 1 tablet \\
\hline
\end{tabular}
\end{center}

\begin{center}
\textbf{SCALE OF RATIONS AND COMMODITIES TO BE SUPPLIED TO WAR CRIMINALS (Continued).}
\begin{tabular}{|l|l|}
\hline
\textbf{Description} & \textbf{Quantity for each one hundred war criminals} \\
\hline
Soda Ash & 6 pounds \\
Water Sterilising Powder & 15 pounds \\
Chloride of Lime & 3/4 of a pound \\
Mosquito Spray & 2 gallons \\
Phenyl & 1 gallon \\
\hline
\end{tabular}
\end{center}

Scale of rations and commodities set out in the War Crimes (Imprisonment) Regulations 1951 (Cth).

There were occasional reports in the Australian press that the war criminals were being treated too well in Australian compounds. One press correspondent, reporting on the Rabaul compound on 19 December 1945, for example, ‘saw signs of the prisoners being treated too easily’. He confided: ‘We do not want to “beat them up”, because that would be sinking to their standards. … But what I saw makes me feel that we may go too far the other way’.\textsuperscript{352} The theme of unwarranted leniency was one that would periodically appear in the Australian press throughout the life of the Rabaul and Manus Island compounds, and later about Sugamo Prison in Tokyo.

For their part, the war criminals quite naturally found plenty to complain about while held in the compounds, including the injustice of their trials and sentences, the climate, the food, the working hours and duties, their health and the monotony of incarceration.\textsuperscript{353} The

\textsuperscript{350} See Letter from Adm Comd, 1 Aust War Criminals Compound, Manus Island to Army Headquarters, Melbourne, 9 August 1949, NAA: MP375/13, WCC2/5.

\textsuperscript{351} Letters from the Director of Maintenance, Australian Military Forces, Military Board, Quartermaster-General to 1 Aust War Criminals Compound, Manus Island, 26 August 1949 and 31 October 1949, NAA: MP375/13, WCC2/5.

\textsuperscript{352} See, for example, HA Standish, ‘How Beaten Japanese Fare Under Australians’, \textit{Sydney Morning Herald}, 19 December 1945, p. 2.

\textsuperscript{353} See, for example, General Imamura Hitoshi’s description of the war criminals’ ‘monotonous life’ on the ‘isolated island’ of Manus in a letter to the International Red Cross Society, 18 July 1950, NAA: MP375/13, WCC2/4.
war criminals also occasionally complained about their treatment by Australian military personnel or the native guards, although not about Major Upson, who was even fondly thanked by war criminals who had been condemned to death. It was after the war criminals were repatriated, however, that stronger claims about poor conditions and ill-treatment surfaced. This might have been expected, given that the war criminals were subject to censorship of their outgoing mail. However, many of the post-repatriation claims make generalisations and are clearly exaggerated, if not untrue. The Tokyo Nichi Nichi newspaper, for example, published a series of 10 articles in June 1953 based on the ‘memoirs’ of a repatriated war criminal, which give a very negative account of what it was like to be imprisoned in the Morotai, Rabaul and Manus Island compounds, including that the Rabaul compound was a ‘living hell’. Forwarding these articles to Australia, the Australian Embassy in Japan explained that the Nichi Nichi was not unlike Sydney’s Daily Mirror in being ‘prone to sensationalism’ and ‘not particularly concerned with the accuracy of its reporting’, although it (regrettably) had ‘quite a large circulation’. Sensational claims by repatriated war criminals of being arbitrarily imprisoned and suffering through years of appalling ill-treatment fitted well with certain views in Japan about the postwar Allied war crimes trials being simply victors’ justice. For example, the Japanese House of Representatives Special Committee for the Repatriation of Japanese Nationals Abroad and Relief of Bereaved Families heard evidence from three repatriated war criminals in June 1953. While listening to their accounts of ill-treatment, a committee member declared that the war criminals on Manus had been imprisoned ‘as a result of false charges’ and that they were ‘suffering … in spite of their innocence’. The Australian Embassy delivered a polite refutation to the Japanese Ministry of Foreign Affairs about the ‘misleading picture’ voiced in the hearings and the issue was also discussed with a Foreign Ministry official. There was no formal system of parole on Manus, as it was thought that the compound’s ‘geographical position’ on the island made it ‘impracticable’. However, the regulations allowed for a system of graduated remission of sentence for good conduct and industry. For example, for a war criminal sentenced to life imprisonment, the Naval Board could, on the recommendation of the officer-in-charge of the compound, grant a remission of sentence of the unserved remainder of the sentence once 30 years of the sentence had been served.

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354 The extant records show a discernable trend of Japanese complaints regarding ill-treatment in the initial weeks and months after being taken into Australian custody in late 1945 and early 1946, when policies and practices regarding Japanese prisoners were still being formulated, anti-Japanese feelings were quite rampant; and there certainly seems to have been some ‘bad apples’ among compound staff or working party guards who had not yet been identified and weeded out. While the overall complaints by civilian interpreter Keiichi Masakyo and Lt Cdr Suzuki Masakiyo regarding the Morotai compound, for instance, were not upheld, it seems clear that a degree of rough treatment was meted out to them and others; see AWM: AWMS4, 779/2/13, 779/5/3 and 101/09/71. While many complaints did centre on the initial period in custody, that is not to say that ill-treatment did not occur at a later stage in the Rabaul and Manus compounds. See, for example, Lt Katayama Hideo’s extensive account of ill-treatment at the Rabaul compound in 1946 to early 1947, which he attributed to compound staff who disregarded the commandant’s policies in order to commit ‘great injustices’. He reported that after those staff were relieved of their posts in early 1947, however, the compound was ‘now a model prison’. AWM: AWML14, 423/10/36. For a number of letters of thanks to Upson, see NAA: MP375/19, 2. The war criminals appeared unaware that Upson, in addition to being the compound commandant, also functioned as the hangman. 355 See the English translation of the Memoirs of a Manus Island War Criminal’ articles in NAA: A1838, 3103/10/13/2 PART 8. 356 Memorandum from RJ Percival, Third Secretary, Australian Embassy, Tokyo to the Secretary, Department of External Affairs, 26 June 1953, NAA: A1838, 3103/10/13/2 PART 8. 357 Australian Embassy, Japan, Note Verbale, no. 133, 22 July 1953; and Memorandum from AB Jamieson, First Secretary, Australian Embassy to the Secretary, Department of External Affairs, 23 July 1953, NAA: A1838, 3103/10/13/2 PART 8. 358 Letter from TJ Hawkins, Secretary, Department of the Navy to the Secretary, Department of External Affairs, [indistinct] July 1950, NAA: A1838, 3103/10/13/2 PART 2. 359 War Crimes (Imprisonment) Regulations 1951 (Cth), reg 41. 360 ibid, reg 41(5). In reality, no war criminal sentenced to life imprisonment served 30 years, as all war criminals were released in 1957. The absolute longest sentence served was 12 years.
Table 4: Remissions for good conduct and industry under the War Crimes (Imprisonment) Regulations 1951 (Cth)

<table>
<thead>
<tr>
<th>Period of sentence of imprisonment</th>
<th>Period of sentence that must expire before remission available</th>
<th>Remitted period</th>
</tr>
</thead>
<tbody>
<tr>
<td>Period of less than 2 years</td>
<td>Seven-eighths of sentence</td>
<td>Remaining unserved period of sentence</td>
</tr>
<tr>
<td>Period of 2 years but less than 5 years</td>
<td>Five-sixths of sentence</td>
<td>Remaining unserved period of sentence</td>
</tr>
<tr>
<td>Period exceeding 5 years</td>
<td>Three-fourths of sentence</td>
<td>Remaining unserved period of sentence</td>
</tr>
<tr>
<td>Life</td>
<td>30 years of sentence</td>
<td>Remaining unserved period of sentence</td>
</tr>
</tbody>
</table>

There were no riots (such as occurred at Cowra prisoner-of-war camp in New South Wales in August 1944) and no escapes from either the Rabaul or Manus Island compounds. However, the war criminals committed a wide variety of prison offences, which saw them subjected to disciplinary action. Regulation 24 of the War Crimes (Imprisonment) Regulations 1951 listed 35 acts or omissions by war criminals that consisted of an offence that might be punishable, with the second-to-last being a rather handy catchall offence of ‘offends in any way against the good order and discipline of the compound’. Many of the offences that were committed were relatively minor, including:

- offences in relation to work, such as for being absent from work without permission, for refusing to work, for arguing when ordered to work, for feigning infirmity to avoid work, for being idle at work or for leaving work without permission
- offences in relation to attitude and conduct, such as for disobeying a lawful order or for behaving in a disrespectful, insubordinate or insulting manner towards a guard or for fighting or quarrelling with other war criminals
- offences in relation to unlawful possession of goods that were either prohibited outright or had not been lawfully issued or were possessed in excess of the amount permitted.

There was, however, one serious offence committed in the Manus compound: the murder of war criminal Ogata Sakari by fellow war criminal Yasusaka Masaji on 4 March 1949. From the facts, the murder appears to have been the outcome of ongoing antagonism between the pair and to have been, essentially, an accidental killing. Yasusaka was tried by the Supreme Court of the Territory of Papua-New Guinea for wilful murder of Ogata but was convicted of murder. He was sentenced to seven years’ imprisonment, which was suspended until the expiration of his sentences of imprisonment for war crimes.

A number of accused or convicted war criminals died in Australian custody in the compounds. For example, five war criminals were killed in accidents while on working parties, all of them from the Rabaul compound. Several war criminals also attempted or

363 For the official register of charges against the war criminals in relation to both compounds for the period December 1948 to May 1954, see NAA: MP375/2 VOLUME 1 and 2. It is unclear what system was in use prior to December 1948. For the personnel files of the war criminals at Manus, which also include information about offences and punishment, see NAA: MP375/15.

364 War Crimes (Imprisonment) Regulations 1951 (Cth) reg 24(ab).

365 For a full transcript of the murder trial proceedings and other correspondence relating to Yasusaka, see NAA: A518, BR836/3. See also a 1956 letter describing the trial and sentencing by the trial judge, Chief Justice Sir Beaumont Phillips, in NAA: A1838, 3103/10/13/2 PART 16. Yasusaka is discussed further in Chapter 10, as his civilian sentence for murder complicated his parole in 1956.

366 See letter from Mr TJ Hawkins, Secretary, Department of the Navy to the Secretary, Department of the Army, 21 August 1951 attaching ‘Nominal List of Japanese War Criminals Died or Executed Rabaul and Manus’, NAA: MT1131/1, A255/2/9. There is a Japanese account of several of the deaths at Rabaul – translated from Japanese newspaper articles – in NAA: A1838, 3103/10/13/2 PART 8.
were successful at committing suicide in the compounds. Army courts of inquiry were held into the attempted suicide of General Imamura Hitoshi and into the suicide of Lieutenant General Adachi Hatazō, both of which found no fault on the part of the compound or its staff and guards.367

Translation of Imamura’s note indicating he was intending to commit suicide. NAA: MP375/18, A

The closing of the Manus Island Compound

As the war criminals served out their sentences, they were repatriated to Japan, although some whose sentences had not been fully served were repatriated to Japan for medical reasons and were then held in Sugamo Prison.

367 For the Courts of Inquiry, see NAA: MP742/1, 336/1/1205 PART 13 and MP742/1, 336/1/1264.
One of these medical repatriates, Toyooka Eijirō, did escape from the Japanese hospital where he was being treated in October 1949 and, despite apparently vigorous attempts by the Japanese police to locate him, was never caught.\textsuperscript{368} His fate remains unknown. As discussed in Chapter 10, all remaining war criminals serving their imprisonment in the Manus compound were repatriated to Japan and the compound itself was closed on 31 July 1953. An article in the Sydney \textit{Sunday Herald} reported in August 1953 that the war criminals on Manus had been ‘well-nigh indispensable as a labour force’, as they ‘willing and diligent had almost an essential role in Australia’s slow, difficult rebuilding of the Manus base’.\textsuperscript{369}

\textbf{Overview of the records}

\textbf{Documents}

While there are a considerable number of records held in relation to the compounds (the majority being held in Melbourne), the files are spread across a number of series created by various agencies and it can be difficult to locate specific information about compound personnel, the war criminals individually or the management of the compounds. There is also a definite disparity between extant records for the Rabaul and Manus compounds. Considerably more detailed information is available about the day-to-day running of the Manus compound, particularly after it was taken over by the Navy.

\textbf{Films, sound recordings and photographs}

Unfortunately, there are very limited film or sound records or photographs of the compounds, probably due to the technology of the period and the challenging conditions and poor climate. The compound regulations would have prevented the war criminals from creating their own. The known films, held at the Australian War Memorial, are:

- 1 minute 43 seconds of silent black-and-white film footage from Rabaul in September 1945, which shows Japanese prisoners building a compound to house war criminals.\textsuperscript{370}
- 3 minutes 23 seconds of silent black-and-white film footage from the No. 5 compound at Balikpapan in November 1945, showing suspected war criminals.\textsuperscript{371}
- 5 minutes 10 seconds of silent black-and-white film footage from the Morotai compound in October 1945, where suspected war criminals were held, which shows the camp, inmates performing labour, including working in the vegetable garden, and interrogations being conducted.\textsuperscript{372}

Some official photographs were taken of the compounds, of working parties and also of the individual war criminals themselves for identification purposes. Military personnel and civilians occasionally took unofficial photographs for their own collections.\textsuperscript{373} Greatly hampering the photographic record, the Army and Navy both took active steps to keep press photographers away from Manus Island, right up until 1953 when the war criminals were being repatriated.

This chapter sorts records into several sections:

\textsuperscript{368} Toyooka had been serving a sentence of 15 years’ imprisonment for massacring 11 Allied prisoners of war. For correspondence regarding Toyooka’s medical condition, see NAA: MP375/14, WC10 and for his escape, including police reports on the search for him, see NAA: MP742/1, 336/1/1963.


\textsuperscript{370} AWM: item F07355.

\textsuperscript{371} AWM: item F07404.

\textsuperscript{372} AWM: item F07389

\textsuperscript{373} See, for example, the photographs of the Rabaul compound, its gallows and the war criminals awaiting transfer to the Manus Island compound in the Papers of the Papua and New Guinea Association of Australia, Fryer Library, University of Queensland, UQFL387.
• nominal rolls and registers of war criminals
• personal dossiers and photographs of convicted war criminals
• files relating to the so-called ‘war criminal compounds’ other than Rabaul and Manus
• files relating only to Rabaul
• mixed Rabaul/Manus files which were carried over between the compounds
• files relating only to Manus Island
• photographs of the compounds.

Files and artefacts relating to various compounds held at the Australian War Memorial are listed separately at the end.

**Nominal rolls and registers**

**CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES, 1948-89**  
A1838

Recorded by:  
1948–70 Department of External Affairs [II], Central Office (CA 18)  
1970–87 Department of Foreign Affairs, Central Office (CA 1382)  
1987–89 Department of Foreign Affairs and Trade, Central Office (CA 5987)

Quantity: 3434.32 metres (Canberra)

This series includes the main correspondence files of the Department of External Affairs from 1948 to 1970.

**War Crimes – Minor Japanese War Criminals Trials, 1950–52**  
A1838, 1550/7 PART 2

This file contains a useful alphabetical list drawn up after the Manus Island trials (hence not including the names of those who had already completed their sentences by 1951 or those sentenced to death) showing name of the convicted, former rank, former unit, sentence and date, name of next of kin and relationship and home address. It can be used, therefore, to easily distinguish between Japanese, Formosan and Korean war criminals, all of whom were tried under a Japanese name.

**Japan/Australia relations – Minor war criminals – B and C, April 1958**  
A1838, 3103/10/13/2

This file contains a list drawn up in 1958 of all war criminals tried by Australia in order of trial date (from Wewak in 1945 to Manus Island in 1951), providing the accused’s serial number (not to be confused with their Australian War Criminal (AWC) number), name, charge, finding, sentence and place and date of trial. A separate list by the accused’s name in alphabetical order, provides the serial number and general outcome, for example ‘not guilty’, ‘released on [date]’, ‘imprisoned for life on [date]’ or ‘executed on [date]’. Researchers are cautioned that the statistics chart provided in this item is incorrect.

**CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES, 1939-54**  
B3856

Recorded by:  
1939–48 2 Echelon, Army Headquarters (CA 2002)  
1948–54 Soldier Career Management Agency (CA 1999)  
Quantity: 14.65 metres (Melbourne)

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374 There is, in fact, apparently very little of this material extant, as most of the temporary ‘war criminal compounds’ were so short-lived. For example, despite the fact that there are photographs and film footage of the Balikpapan compound, as described here, I have not discovered any documents about that compound. Most of the extant material on the temporary compounds relates to the Morotai compound, and is recorded in the Australian War Memorial section of this chapter.
This series was the main correspondence series of the two agencies. The majority of the files concern Australian prisoners of war and civilian internees and missing personnel overseas, including individual files, nominal rolls and lists and reports.

**Suspected war criminals – Nominal roll of Japanese prisoners of war and witnesses, 1945–46**

This file contains a list of suspected war criminals marched into the Morotai prisoner-of-war compound from Labuan in March 1946.

**REGISTER OF JAPANESE WAR CRIMINALS HELD AT RABAUL, 1945–47**

Recorded by: 1945–47 War Criminal Military Prison, Rabaul (Territory of Papua-New Guinea) (CA 9600)

Quantity: 0.03 metres (Melbourne)

Register of Japanese War Criminals held at War Criminals Compound Rabaul, 1945–47

This series contains only one item, an oversized bound (now extremely fragile) volume containing a register of war criminals convicted from 1945 to 1947. The register shows gaol number, Australian War Criminal (AWC) number, name, age, rank, civil occupation, place of conviction, offence, date of conviction, sentence and date of expiry of sentence. It does not include entries for those sentenced to death.

**WAR CRIMES INVESTIGATION FILES, SINGLE NUMBER SERIES WITH WC [WAR CRIMINALS] PREFIX, 1949**

Recorded by: 1949 1 Australian War Criminals Compound (Rabaul, then Manus Island, Territory of Papua-New Guinea) (CA 9601)

Quantity: 0.36 metres (Melbourne)

The series holds 58 files which were started at the Rabaul compound but were transferred to Manus and added to there, as well as being renumbered. Files WC1–WC10 and WC12–WC13 contain materials relevant to the compounds and are recorded later in this chapter; the remainder in this series are war crimes investigation files and thus recorded elsewhere in this guide.

**War Criminals Compound General File, Running of Compound, 1947**

This file contains a nominal roll of the Japanese held in the ‘War Witness Compound’ and the War Criminals Compound at Rabaul, both circa May 1946.

**MISCELLANEA – MANUS WAR CRIMINALS COMPOUND, 1950–52**

Recorded by: 1950–52 RAN War Criminal Compound Manus Island (Territory of Papua and New Guinea) (CA 9602)

Quantity: 0.09 metres (Melbourne)

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375 Given its fragility, it is recommended that researchers do not seek access unless absolutely necessary. All of the information it contains is extremely basic and is easily found in other records listed here.
This series contains seven files from the Manus compound, including a number of nominal rolls of the war criminals compiled by different criteria, for example, in order of due date for release.

MP375/18, A

This file also contains an undated English transcript of a note by General Imamura Hitoshi, suggesting he was about to commit suicide, to the ‘officers and men and Formosans’ of the War Criminals Compound. Imamura did attempt suicide in the Rabaul compound overnight on 26–27 July 1946 but survived.

MP375/18, B

**War Crimes Trials – Manus 1950–1951: Alphabetical list of war criminals at Manus whose personal kits were transferred from Australian Military Forces to Royal Australian Navy War Criminals Compound; List of Formosans held in Manus compound; List of names and addresses of next of kin of all Japanese in the compound, 1950**  
MP375/18, F

**War Crimes Trials – Manus 1950–1951: List of functions of Royal Australian Navy staff, War Criminals Compound, Manus, 1951**  
MP375/18, G

This file contains a short report by commandant Lt Cdr Chapman, written sometime after June 1951, which provides a list and functions of staff and describes the working hours and watches of the compound, work being conducted, and conditions and morale in the compound, among other topics.

**GENERAL AND CIVIL STAFF CORRESPONDENCE FILES AND ARMY PERSONNEL FILES, 1943–51**  
MP742/1

Recorded by: 1943–51 Department of the Army, Central Office (CA 36)

Quantity: 0.09 metres (Canberra), 162.82 metres (Melbourne)

This series contains numerous files relating to war crimes, most of which are recorded elsewhere in this guide, including many relating to the establishment and operation of the Rabaul and Manus war criminal compounds.

**History sheets of Japanese personnel Rabaul under escort to Japan [part 1 of 4], 1945–48**  
MP742/1, 336/1/1428

This file is the first of four parts that contain the ‘history sheets’ of Japanese personnel, primarily convicted war criminals whose sentences had been served, who were being transferred out of Rabaul compound. The simple but invaluable sheets give the prisoner’s number, rank, name (also often written in kanji), unit, next of kin and kin’s address, last known permanent address, sentence and outcome. Some are occasionally more detailed and provide information such as a brief physical description, religion and parents’ names. It also holds a ‘List of the Latest Addresses of the Formosans’, which provides 87 Chinese names (not the Japanese names under which they were tried) and addresses of Formosan war criminals.
Nominal roll compiled in order of date due for release of war criminals – 1 War Criminals Compound, 1949–50

This file contains a nominal roll of war criminals held in the Manus compound as of October 1949. It includes Australian War Criminal (AWC) numbers, name, rank and sentencing information (location, date of sentencing, sentence and due date for release). It also contains some correspondence regarding errata in the roll.

History sheet of Lt Gen Adachi Hatazō, including his signature in kanji. MP742/1, 336/1/1428 PART 1

CORRESPONDENCE FILES (GENERAL), 1923–50

Recorded by: 1923–39 Navy Office [III], Department of Defence [II] (CA 2456)
1939–50 Navy Office [IV], Department of the Navy [II] (CA 38)

Quantity: 59.75 metres (Melbourne)

This series holds several files created by the Navy in relation to the Manus compound.
Japanese War Criminals: Proposal to transfer from Rabaul to Manus Island and to Naval Responsibility, 1948–1950

MP1049/5, 1824/2/246

This file contains a handwritten nominal roll of war criminals circa 1948 and their pre-war civilian occupations, as the move from Rabaul to Manus was under consideration.

**REGISTER OF WAR CRIMINALS HELD ON MANUS ISLAND, 1951–53**

MP375/1

Recorded by: 1951–53 RAN War Criminal Compound Manus Island (Territory of Papua and New Guinea) (CA 9602)

Quantity: 0.45 metres (Melbourne)

Register of War Criminals held on Manus Island, 1951–53

This series contains only one item, a bound (now fragile) volume containing the register of the war criminals held on Manus Island. The register shows the Australian War Criminal number, name, age, rank, civil occupation, place of conviction, offence, date of conviction, sentence and date of expiry of sentence.

**BOOK SHOWING ALPHABETICAL DISPOSITION OF WAR CRIMINALS [WORK PERFORMED], MANUS ISLAND, 1950–53**

MP375/4

Recorded by: 1950–53 RAN War Criminal Compound Manus Island (Territory of Papua and New Guinea) (CA 9602)

Quantity: 0.18 metres (Melbourne)

Book showing alphabetical disposition of war criminals [work performed], Manus Island, 1950–53

This series contains only one item, a bound volume containing a register of ‘disposition’ – meaning work performed – of war criminals drawn up on Manus Island. The register shows the Australian War Criminal number, name, work, date of conviction, sentence, date of expiry of sentence, date of remission and a remarks section, most of which are blank but occasionally noting ‘kit inspected’ and date or ‘time expired’. The ‘work’ column records the fascinating variety of places of work or occupations for the war criminals while incarcerated. Yasusaka Masaji, amongst others, was listed as a compound cook. ‘Sullage’ – dealing with sewage or waste – is unlikely to have been a popular job.

**LISTS OF CONFIRMED SENTENCES (WAR CRIMES BOOK – CONFIRMED SENTENCES), 1946–51**

MP375/16

Recorded by: 1946–47 War Criminal Military Prison, Rabaul (Territory of Papua-New Guinea) (CA 9600)

1947–50 1 Australian War Criminals Compound (Rabaul, then Manus Island, Territory of Papua-New Guinea) (CA 9601)

1950–51 RAN War Criminal Compound Manus Island (Territory of Papua and New Guinea) (CA 9602)

Quantity: 0.09 metres (Melbourne)

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376 This job enabled Yasusaka access to knives, the weapon which he accidentally used to kill Ogata Sakari, as noted in the introduction to this chapter. However, Yasusaka gave evidence during his trial that 80 per cent of the war criminals used to ‘take’ knives from the kitchen for the purpose of cutting up tobacco: see NAA: A518, BR836/3.
Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

Crimes Book, War Criminals Compound, Manus: Confirmed Sentences Lists 1–6 et al. [Lists of Japanese tried by Australian Military Courts: Findings, sentences, etc], 1946–51

This series contains only one item, a bound volume containing lists no. 1–6 issued between April 1946 and March 1949 of Japanese war criminals tried by Australian military courts. It is supplemented by typed lists dealing with the Manus Island trials of 1950–51, which fell outside the listing period.

BOOK LIST OF JAPANESE WAR CRIMINALS SENTENCED BY ALLIED POWERS, 1945–55

Recorded by: 1945–55 Department of the Army, Central Office (CA 36)

Quantity: 0.09 metres (Melbourne)

This series consists of one item, a record book indexing the Japanese war criminals by name. The information recorded includes family and personal name; nickname, if any; rank; crime; and sentence. A numbering system for each individual corresponds to numbers written on photographs held in series B4165 and B4166.

Personal dossiers and photographs

PHOTOGRAPHS OF JAPANESE WAR CRIMINALS SENTENCED TO DEATH, SINGLE NUMBER SERIES, 1946–49

Recorded by: 1946–48 Prisoners of War Information Bureau (CA 3055)
1948–49 Soldier Career Management Agency (CA 1999)

Quantity: 0.18 metres (Melbourne)

This series holds photographs showing principally frontal views of individual Japanese, with occasional profiles. The name and sentence is recorded on each photograph.

PHOTOGRAPHS OF JAPANESE WAR CRIMINALS SENTENCED TO IMPRISONMENT, SINGLE NUMBER SERIES, 1945–50

Recorded by: 1945–48 Prisoners of War Information Bureau (CA 3055)
1948–50 Soldier Career Management Agency (CA 1999)

Quantity: 0.3 metres (Melbourne)

This series holds photographs showing principally frontal views of individual Japanese, with occasional profiles.

MISCELLANEOUS PHOTOGRAPHS AND NEGATIVES RELATING TO JAPANESE WAR CRIMES TRIALS, 1946–49

Recorded by: 1946–48 Prisoners of War Information Bureau (CA 3055)
1948–49 Soldier Career Management Agency (CA 1999)

Quantity: 0.18 m (Canberra), 0.18 metres (Sydney), 0.54 metres (Melbourne)
This series consists of a miscellaneous collection of photographs relating to the war crimes trials, including a large number of photos of war criminals held in the Ambon compound who were tried in the Morotai M45 trial.

**NEGATIVES AND PRINTS OF JAPANESE WAR CRIMINALS AND SUSPECT WAR CRIMINALS HELD BY ALLIED POWERS, LEXICOGRAPHICAL SERIES, 1946–49**  
B5563

Recorded by:  
1946–48 Prisoners of War Information Bureau (CA 3055)  
1948–49 Soldier Career Management Agency (CA 1999)

Quantity: 0.09 metres (Sydney), 2.13 metres (Melbourne)

This series consists of prints and negatives of Japanese investigated for war crimes, as well as those prosecuted and convicted. The photos are generally in profile and frontal view. The 2866 photographs are listed on RecordSearch. Item titles generally include surname and first name, rank and occasionally the relevant Australian War Criminal (AWC) number. War criminals, as opposed to suspects, can generally be picked out by searching for ‘war criminal’ in the item title, although not in the cases of Lt Gen Adachi Hatazō or General Imamura Hitoshi, as below. The item control symbols are numbered in alphabetical order by name. Researchers are reminded that there are occasional misspellings of personal names in file titles and the correct spelling has not always been included.

**Adachi Hatazo – Lieutenant General [pack 1–1]**  
B5563, 13

Lt Gen Adachi Hatazō was tried in the Rabaul R173 trial.

**Ikeuchi Masakiyo – War Criminal number – Rabaul – 6 August 1947**  
B5563, 327

Ikeuchi Masakiyo, a civilian, was tried in the Morotai M45 trial.

**Imamura Hitoshi – General [Pack 1–1] [10 years]**  
B5563, 332

General Imamura Hitoshi was tried in the Rabaul R175 trial.

**Taura Nidihara [Taura Hidehara]– Captain – War Criminal number 2784**  
B5563, 1389

Captain Taura Hidehara was tried at the Rabaul R139 trial. His AWC number is 2784.

**FILES OF JAPANESE WAR CRIMINALS AND SUSPECT WAR CRIMINALS, LEXICOGRAPHICAL SERIES, 1946–49**  
B5569

Recorded by:  
1946–49 Department of the Army, Central Office – Directorate of Prisoners of War and Internees (CA 36)

Quantity: 2.52 metres (Melbourne)

This series contains internal directorate files relating to suspected or convicted war criminals, one file per individual. However, as there are only 147 files in the series, which is considerably fewer than the number of convicted war criminals, the exact premise on which these files were created is unclear. The files include suspected war criminals who were never found guilty of any charge and also convicted war criminals who were sentenced to imprisonment and to death (that is, the form of sentence is not the distinguishing factor). Moreover, the files span war criminals convicted in early 1946 up to and including
1950–51. The item control symbol is the war criminal’s name. Researchers are reminded that there are occasional misspellings in personal names in both file titles and control symbols.

Adachi, Hatazo, 1947–50

PRISON RECORDS OF JAPANESE WAR CRIMINAL SUSPECTS, 1950–53

Recorded by: 1950–53 RAN War Criminal Compound Manus Island (Territory of Papua and New Guinea) (CA 9602)

Quantity: 0.18 metres (Melbourne)

This series contains 38 files, one for each of 38 war criminal suspects who were processed into Sugamo Prison in Tokyo and were sent to Manus Island for trial in 1950–51. These files generally contain standardised documents, including personal details of the suspects (including medical records, fingerprints and photographs). If the suspects were acquitted at trial, the files also contain advice of acquittal and repatriation.

YAMAWAKI, Masataka [contains 2 photos], 1948–50

PERSONAL DOSSIERS OF JAPANESE WAR CRIMINALS, 1946–53

Recorded by: 1946–47 War Criminal Military Prison, Rabaul (Territory of Papua-New Guinea) (CA 9600) 1947–50 1 Australian War Criminals Compound (Rabaul, then Manus Island, Territory of Papua-New Guinea) (CA 9601) 1950–53 RAN War Criminal Compound Manus Island (Territory of Papua and New Guinea) (CA 9602)

Quantity: 0.48 metres (Melbourne)

This series contains 221 files, one per war criminal. Most of the files relate to war criminals held at the Rabaul compound and were created in 1946–47 but some relate to those held at the Manus compound and were created in 1950–51 (these latter files also contain papers sent from Sugamo Prison). Given the dates of creation, not all the convicted war criminals have a personal dossier in this series. In particular, there are no dossiers for those war criminals who were sentenced to death and executed. The files generally contain standardised documents, including personal details of the accused (often including fingerprints and photographs), warrant of commitment and disciplinary reports, if any. The files are particularly interesting in relation to the range of prison offences described in the disciplinary reports, as suggested in the examples below.

Igawa, Kichizaemon, 1946–52

This file contains disciplinary reports for fighting and unlawful possession of partly completed knife; for disobeying a lawful order to dispose of a coconut he was eating and for offering violence; for behaving in a disrespectful manner towards a guard; for leaving work without permission, for refusing to give assistance and for disobeying a lawful order.

377 As 92 Japanese accused were eventually tried at the Manus Island trials, this series clearly does not contain a file for each such person.
Karube, Saburo, 1946–53
This file contains a disciplinary report for attempting to pass on information contrary to the censorship regulations.

Umemura, Susumi [Susumu], 1946–53
This file contains disciplinary reports for failing to take due care of property issued to him (a ground sheet); for committing an act contrary to good order and discipline by eating on parade and carrying unauthorised food out of the compound; for leaving his place of work without permission and for changing places of work with another war criminal without authority.

Yoshino, Hikosuke, 1946–53
This file contains a disciplinary report for possessing sugar, milk and butter not lawfully issued to him.

Record of offences committed by Morioka Teikichi, Manus Island, 1952. NAA: MP375/15, 110
Files relating to ‘War Criminal Compounds’ other than at Rabaul and Manus Island

GENERAL AND CIVIL STAFF CORRESPONDENCE FILES AND ARMY PERSONNEL FILES, MULTIPLE NUMBER SERIES, 1943–51

Recorded by: 1943–51 Department of the Army, Central Office (CA 36)

See earlier entry for series MP742/1 in this chapter.

Acrobatic Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

AMBON WAR CRIMINAL FILES, MULTIPLE NUMBERS SERIES, 1943–51

Recorded by: 1943–51 Department of the Army, Central Office (CA 36)

See earlier entry for series MP742/1 in this chapter.

Files relating to the Rabaul compound

CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES WITH YEAR AND LETTER PREFIXES, 1945–46

Recorded by: 1946 Department of External Affairs [II], Central Office (CA 18)

Quantity: 33.22 metres (Canberra)

This series contains many files concerning war crimes, most of which are recorded elsewhere in this guide.

WAR CRIMES INVESTIGATION FILES, SINGLE NUMBER SERIES WITH WC [WAR CRIMINALS] PREFIX, 1949

Recorded by: 1949 1 Australian War Criminals Compound (Rabaul, then Manus Island, Territory of Papua-New Guinea) (CA 9601)

See earlier entry for series MP375/14 in this chapter.

Files relating to the Rabaul compound

CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES WITH YEAR AND LETTER PREFIXES, 1945–46

Recorded by: 1946 Department of External Affairs [II], Central Office (CA 18)

Quantity: 33.22 metres (Canberra)

This series contains many files concerning war crimes, most of which are recorded elsewhere in this guide.

WAR CRIMES. WAR CRIMINALS – IMPRISONMENT IN RABUAL, 1946

Recorded by: 1946 Department of External Affairs [II], Central Office (CA 18)

This file contains correspondence between External Affairs and the Administrator of the Territory of Papua-New Guinea in 1946 regarding responsibility for the war criminals.
This series contains documents that detail changes over time to Army Establishments for units, including changes to structure, manpower, location and command status.

**War Criminals Compound – Rabaul – Interim Army Establishment, 1947**

This file contains the documents outlining the composition of the Rabaul compound from October 1947 onwards.

**MISCELLANEOUS WAR CRIMES PAPERS RELATING TO RABAUL AND HONG KONG TRIALS, 1945–48**

Recorded by: 1945–48 Department of the Army, Central Office (CA 36)

Quantity: 0.91 metres (Melbourne)

This series holds 30 files apparently collected by Lt Col JT Brock, who was chief legal officer at both the Rabaul and Hong Kong war crimes trials.

[Miscellaneous papers of J T Brock: Contains annotated copy of Proceedings of a Military Court held at Hong Kong 1948; semi-official correspondence with HQ 8 Military District, Rabaul re winding down of 8 Military District]

This file contains Brock’s memoranda and letters from Rabaul which often contain sections on the War Criminals Compound, including the effect of the closing down of 8 Military District in Rabaul.

**ARMY ADMINISTRATION FILES, MULTIPLE NUMBER SERIES WITH ‘NCCR’ (NORTHERN COMMAND CENTRAL REGISTRY) PREFIX, 1901–50**

Recorded by: 1901–11 Commonwealth Military Forces, Queensland, (District) Headquarters (CA 1218)
1911–21 Headquarters, 1 Military District, Commonwealth (Australian) Military Forces (CA 1219)
1921–39 1 District Base, Australian Military Forces (CA 1220)
1939–42 Command Headquarters, Northern Command [I], Australian Military Forces (CA 1221)
1942–46 Headquarters, Queensland Lines of Communication Area, Australian Military Forces (CA 1222)
1946–50 Command Headquarters, Northern Command [II], Australian Military Forces (CA 1223)

Quantity: 2.52 metres (Brisbane)

This series contains correspondence relating to the administration, function and policy of Army Military Forces commands in Queensland over time, including Northern Command, which was involved with the Rabaul compound and the Manus Island compound until the latter was taken over by the Navy.

**Interim Army Establishment – raising of the 1st Australian War Criminals compound in Rabaul, 1947**

**War Criminals Compound – Rabaul – bomb disposal section Finschhafen; also includes lists of surplus stores held by the unit for disposal to civil administration, 1948–49**
This file includes a lengthy and precise list of stores from the compound to be disposed of to the civil administration.

[RABAUL COMPOUND] REGISTER OF OUTWARD SIGNALS AND MEMORANDA RE WAR CRIMES, 1947–49

Recorded by: 1947–49 1 Australian War Criminals Compound (Rabaul, then Manus Island, Territory of Papua-New Guinea) (CA 9601)

Quantity: 0.09 metres (Melbourne)

**Rabaul Compound: Register of Outward Signals and memoranda re war crimes, 1947–49**

This series contains a small exercise-type book containing the register (only a few pages) for the period 11 December 1947 to 1 June 1949. Each entry shows the number, date and particulars of the communication.

[RABAUL COMPOUND] REGISTER OF INWARD SIGNALS AND MEMORANDA RE WAR CRIMES, 1948–49

Recorded by: 1948–49 1 Australian War Criminals Compound (Rabaul, then Manus Island, Territory of Papua-New Guinea) (CA 9601)

Quantity: 0.09 metres (Melbourne)

**War Criminal’s Compound, Rabaul: Register of inward signals and memorandum re war crimes, 1948–49**

This series contains a small exercise-type book containing the register (only a few pages) for the period 15 January 1948 to 10 February 1949. Each entry shows the number, date and particulars of the communication.

MISCELLANEA – RABAUL WAR CRIMINALS COMPND, 1945–48

Recorded by: 1945–47 War Criminal Military Prison, Rabaul (Territory of Papua-New Guinea) (CA 9600)
1947–48 1 Australian War Criminals Compound (Rabaul, then Manus Island, Territory of Papua-New Guinea) (CA 9601)

Quantity: 0.18 metres (Melbourne)

This series contains several unrelated files from the Rabaul compound.

**Documents relating to War Criminals Compound Rabaul, issued for information November 1947**

This file includes various nominal rolls of the war criminals as well as maps of the compound.

**Letters of thanks to Officer in Charge Rabaul War Criminals Compound from condemned Japanese war Criminals, 1946–47**

**Warrants of commitment and promulgations of sentences – Japanese War Criminals, Rabaul War Criminals Compound, 1946–47**

**Instructions issued by Headquarters Australian Military Forces Melbourne for executions of condemned war criminals by hanging or by firing squad, 1946**
Given that this was probably the Rabaul compound’s own copy of the official execution instructions, it is somewhat disquieting to note the anonymous handwritten question (with no answer) on the final page of the instructions for hanging: ‘What happens if the drop does not break his neck?’

**GENERAL AND CIVIL STAFF CORRESPONDENCE FILES AND ARMY PERSONNEL FILES, MULTIPLE NUMBER SERIES, 1943–51**

**MP742/1**

Recorded by: 1943–51 Department of the Army, Central Office (CA 36)

See earlier entry for series MP742/1 in this chapter.

**Organization – War criminals Military Prison Rabaul [contains 11 plans including compound layout, buildings, watch tower and fence], 1946**

This file contains the First Army’s proposed provisional War Establishment for a military prison in Rabaul, dated January 1946.

**Raising of 1 Australian War Criminal Compound (Rabaul), 1947–48**

This file contains correspondence seeking the approval for and advising of the approval to raise 1 Australian War Criminals Compound (Rabaul) and the unit’s war establishment in October 1947.

**Issues to Japanese war criminal compound – Rabaul, 1947**

This file contains finance documents relating to the issue of rations and stores to the compound, including bills of lading.

**Finger printing of Japanese war criminals, 1946–47**

This file contains the orders and instructions to Headquarters 8 Military District to ensure that all convicted war criminals were finger-printed for identification purposes. The equipment to perform this function was on loan from the Victorian Police Department, which was requested for return in November 1947. The fingerprints usually became a part of the war criminals’ personnel dossiers held in series MP375/15.

**Sundry Rabaul matters [including administration of trials and War Criminals Compound], 1946–47**

This file contains sundry matters, including an incomplete list of officers posted to Rabaul for ‘war crimes duty’; a nominal roll of ‘European personnel’ posted to the compound; reports on the operation of the War Crimes Section (which usually included a report on the compound); a memorandum on the ‘Administration of Japanese War Criminals’; the closure of 8 Military District and the proposed handing over of the compound to the civil administration; and the issuance of draft regulations for the compound.

**1 Australian War Criminals Compound – Policy matters [good conduct remissions, privileges, etc; includes Statutory Rules, 1951 No 11, War Criminals (Imprisonment) Regulations], 1948–52**

This file contains correspondence relating to Australian and British policy regarding treatment of war criminals and sundry petitions regarding compound matters. It also holds an official copy of the War Criminal (Imprisonment) Regulations 1951 (Cth) but is of no assistance regarding the drafting of those regulations (see instead MP742/1, 336/1/2060).
Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

War Crimes (Imprisonment) Regulations and regulations for war criminals compound Rabaul [Includes 2 fabric samples of colour of clothing approved for war criminals], 1948–55

This file contains a copy of the early draft regulations prepared by commandant Major TW Upson, as well as correspondence relating to the various drafts of what became the War Criminal (Imprisonment) Regulations 1951 (Cth), including a typewritten draft with handwritten amendments and a June 1950 review and analysis of one such draft by an Assistant Parliamentary Draftsman. The file also contains two swatches of fabric which were presumably the colours used in the regulation clothing supplied to the war criminals. It also contains correspondence regarding Australia’s treatment of war criminals, including a United States’ request for information regarding Australian policy.

Mixed Rabaul Compound/Manus Island Compound files

CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES, 1928–56

Recorded by: 1928–41 Territories Branch, Prime Minister’s Department (CA 822)
1941–51 Department of External Territories [I], Central Office (CA 42)
1951–56 Department of Territories [I], Central Office (CA 60)

Quantity: 244.37 metres (Canberra)

Although this series began in 1928, it contains items that date back to 1899. It is concerned with the administration of Australia’s external territories, in particular the mandated territory of New Guinea, and thus includes files dealing with both the Rabaul and Manus war criminals compounds.

Japanese War Criminals at Manus, 1950–55

Murder of Japanese war criminal Ogata Sakari by Yasusaka Masaji, 1949–58

Territories – General – Japanese War Criminals Compound, 1946–53

REGISTERS OF CHARGES AGAINST WAR CRIMINALS FOR OFFENCES COMMITTED IN WAR CRIMINALS’ COMPOUND, 1948–53

Recorded by: 1948–50 1 Australian War Criminals Compound (Rabaul, then Manus Island, Territory of Papua-New Guinea) (CA 9601)
1950–53 RAN War Criminal Compound Manus Island (Territory of Papua and New Guinea) (CA 9602)

Quantity: 0.09 metres (Melbourne)

This series comprises two books with handwritten entries which record charges brought against the war criminals in the Rabaul and Manus Island compounds from December 1948 to May 1953. While the entries in the first volume are in alphabetical tabs by name, the entries in the second volume are in chronological order.

Registers of charges against War Criminals for offences committed in War Criminals’ Compound, 1948–53
Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

WAR CRIMES INVESTIGATION FILES, SINGLE NUMBER SERIES WITH WC [WAR CRIMINALS] PREFIX, 1949

Recorded by: 1949 1 Australian War Criminals Compound (Rabaul, then Manus Island, Territory of Papua-New Guinea) (CA 9601)

See earlier entry for series MP375/14 in this chapter.

Administrative instructions re Japanese prisoners, 1946–47
This file contains documents covering the duties of NCOs in the compound; rations; the reports into the suicides of various war criminals, including Lt Gen Adachi Hatazō in Rabaul in September 1947; materials on working parties; and visitors.

Information re Japanese prisoners, 1946–47
This file contains documents including the acknowledgements of warrants of commitment and promulgations of sentence; the reports on the accidental deaths and suicides of various war criminals. Also includes two photos and fingerprints.

Notification of incoming prisoners, 1946

Administrative Instructions, Japanese Prisoners, 1947
This file contains a list of administrative instructions and some correspondence on mail for the war criminals, working parties and stores issued to the compound.

War Criminals Compound General File, Running of Compound, 1947
This file contains a random wealth of materials on the compound in 1947, including correspondence regarding the closure of 8 Military District, an informative memorandum by Major Upson on the ‘layout and running’ of the compound and a complete list of medical and dental instruments, equipment and supplies held.

STATUTORY RULES, REGULATIONS, CAMP AND COMPOUND STANDING ORDERS, 1947–50

Recorded by: 1947–50 1 Australian War Criminals Compound (Rabaul, then Manus Island, Territory of Papua-New Guinea) (CA 9601)

Quantity: 0.09 metres (Melbourne)

This series holds five files that were created by the Army at Rabaul and then transferred to Manus Island. They contain several versions of informal camp regulations and standing orders.

War Criminals’ Compound, Rabaul and Manus Island: Statutory rules, regulations, camp and compound standing orders, 1947–50
In addition to the draft “War Crimes (Imprisonment) Regulations 1947”, this file contains instructions dated August 1949 to war criminals and native police guards regarding work, as it was then reportedly ‘far below standard’.

Compound, Rabaul and Manus Island: Statutory rules, regulations, camp and compound standing orders, 1947–50

201
Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

This file contains, as appendices to the Camp and Compound Standing Orders, instructions regarding hours and duties of staff, including the duties of the officer administering the native police.

**Compound, Rabaul and Manus Island: Statutory rules, regulations, camp and compound standing orders, 1947–50**

MP375/17, 5

This file contains the ‘War Criminal Compound Order No. 1 as at 1 October, 1949’, consisting of 68 orders and schedules. This would have been in use at Manus Island while it was still under Army control.

**GENERAL AND CIVIL STAFF CORRESPONDENCE FILES AND ARMY PERSONNEL FILES, MULTIPLE NUMBER SERIES, 1952–62**

MP927/1

Recorded by: 1952–60 Department of the Army, Central Office (CA 36) 1960–62 Army Headquarters, Department of the Army (CA 2585)

Quantity: 49.51 metres (Melbourne)

This series includes several files relating to the war criminals compounds.

**Punishment of Japanese war criminals – Establishment of Special Prison, Rabaul; War Criminals Compound Manus, 1948–52**

MP927/1, A336/1/19

This file contains two components, one covering Rabaul and one, Manus.

**Treatment of War Criminals at Manus and Rabaul Statements by Repatriated Japanese, 1953**

MP927/1, A336/1/37

**CORRESPONDENCE FILES (GENERAL), 1923–50**

MP1049/5

Recorded by: 1923–39 Navy Office [III], Department of Defence [II] (CA 2456) 1939–50 Navy Office [IV], Department of the Navy [II] (CA 38)

See earlier entry for series MP1049/5 in this chapter.

**Japanese War Criminals: Proposal to transfer from Rabaul to Manus Island and to Naval Responsibility, 1948–50**

MP1049/5, 1824/2/246

**GENERAL CORRESPONDENCE RELATING TO PERSONNEL, 1943–1951, MULTIPLE NUMBER AND ALPHABETICAL SERIES, 1939–63**

MT885/1

Recorded by: 1939 Army Headquarters, Department of Defence [II] CA 2671) 1939–59 Department of the Army, Central Office (CA 36) 1960–63 Army Headquarters, Department of the Army, Melbourne (CA 2585)

Quantity: 59.98 metres (Melbourne)

This series holds Army correspondence files relating to personnel but also this file below.

**1 Australian War Criminals Compound, Rabaul and Manus – Medical stores, 1948–49**

MT885/1, 220/1/4219

This file contains details regarding the medical care for war criminals at Rabaul (and some regarding Manus) including the provisional scale of medical supplies for issue to the compound.
Files relating to the Manus Island Compound

CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES, 1948–89

Recorded by: 1948–70 Department of External Affairs [II], Central Office (CA 18)
1970–87 Department of Foreign Affairs, Central Office (CA 1382)
1987–89 Department of Foreign Affairs and Trade, Central Office (CA 5987)

See earlier entry for series A1838 in this chapter.

Japanese war criminals – Australian war trials – Request by Japanese to visit Manus Island, 1952

This file contains correspondence regarding a request to visit the war criminals in 1952: it was refused.

ESTABLISHMENT RECORDS, 1937–71

Recorded by: 1937–39 Department of Defence [II], (Central Administration) (CA 19)
1939–42 Department of the Army, Central Office (CA 36)
1942–71 Department of Defence [III], Central Office (CA 46)

See earlier entry for series A10857 in this chapter.

War Criminals’ Compound (Manus Island), 1949–51

This file contains the documents outlining the composition of the Manus Island compound from mid-1949 onwards.

ARMY ADMINISTRATION FILES, MULTIPLE NUMBER SERIES WITH ‘NCCR’ (NORTHERN COMMAND CENTRAL REGISTRY) PREFIX, 1901–50

Recorded by: 1901–11 Commonwealth Military Forces, Queensland, (District) Headquarters (CA 1218)
1911–21 Headquarters, 1 Military District, Commonwealth (Australian) Military Forces (CA 1219)
1921–39 1 District Base, Australian Military Forces (CA 1220)
1939–42 Command Headquarters, Northern Command [I], Australian Military Forces (CA 1221)
1942–46 Headquarters, Queensland Lines of Communication Area, Australian Military Forces (CA 1222)
1946–50 Command Headquarters, Northern Command [II], Australian Military Forces (CA 1223)

See earlier entry for series BP129/1 in this chapter.

Authority for disbandment – War Criminals Compound – Manus Island, 1950

This file includes correspondence on the disbandment of the compound on Manus, when the compound was taken over from the Army by the Navy.

CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES (‘201’SERIES), 1939–50

See earlier entry for series MP150/1 in this chapter.
Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

Recorded by: 1939–39 Navy Office [III], Department of Defence [III] (CA 2456)
1939–50 Navy Office [IV], Department of the Navy [II] (CA 38)

Quantity: 110.53 metres (Melbourne)

This series holds a number of files created by the Navy relating to the Naval base on Manus Island, including several on the compound.

Funeral Services Manus Island, 1949 MP150/1, 446/201/1064
Logistic support – Manus Island War Criminals, 1948 MP150/1, 549/201/327
Alarm System – war criminals compound – Manus Island, 1950 MP150/1, 569/231/158

MANUS COMPOUND: RECORD BOOK OF CORRESPONDENCE AND RED CROSS CARDS FOR WAR CRIMINALS AND SUSPECTS, 1950–53 MP375/3

Recorded by: 1950–53 RAN War Criminal Compound Manus Island (Territory of Papua and New Guinea) (CA 9602)

Quantity: 0.18 metres (Melbourne)

MANUS COMPOUND: RECORD BOOK OF CORRESPONDENCE AND RED CROSS CARDS FOR WAR CRIMINALS AND SUSPECTS, 1950–53 MP375/3, VOLUME 1

This series holds only this volume recording the periodic receipt of correspondence by the war criminals in the Manus compound for September 1950 to July 1953.

MANUS WAR CRIMINALS COMPOUND: RECORD BOOKS OF DUTY WARDENS’ NIGHT ROUNDS, 1950–53 MP375/6

Recorded by: 1950–53 RAN War Criminal Compound Manus Island (Territory of Papua and New Guinea) (CA 9602)

Quantity: 0.18 metres (Melbourne)

War Criminals’ Compound, Manus Island: Record books of Duty Wardens’ Night Rounds, 1950–53 MP375/6, WOS

This series contains only this item, which holds 14 small books covering from 1 March 1950 to 30 July 1953. The entries are divided into First, Middle and Morning Watches and record rounds as ‘correct’, as well as notes on subjects such as the compound lights, mustering of parties and the movements of people in and out of the compound. Each entry is initialled by the duty warden and officer of the watch, with pages signed by the compound commandant.

MANUS WAR CRIMINALS COMPOUND: RECORD BOOKS OF MUSTERS OF WAR CRIMINALS, 1952–53 MP375/7

Recorded by: 1952–53 RAN War Criminal Compound Manus Island (Territory of Papua and New Guinea) (CA 9602)

Quantity: 0.18 metres (Melbourne)

War Criminals Compound, Manus Island: Muster Book, sick patients, 1952–53 MP375/7, VOLUME 1
MP375/7, VOLUME 2
This series contains two bound volumes recording the muster reports from an unknown date (probably late 1952) to February 1953 and from March to July 1953. Each volume is divided into sections which cover a two month period and then repeat throughout the volume. The war criminals’ names are listed by hut and each column representing one day is marked with a stroke if the war criminal was on normal duty, S if sick, H if in hospital and C/B if confined to the cell block.

**MANUS WAR CRIMINALS COMPOUND: REGISTER OF INWARD CORRESPONDENCE, 1952–53**

Recorded by: 1952–53 RAN War Criminal Compound Manus Island (Territory of Papua and New Guinea) (CA 9602)

Quantity: 0.18 metres (Melbourne)

This series contains one volume holding the register of inward correspondence.

**MANUS WAR CRIMINALS COMPOUND: SUBJECT INDEX TO FILES RELATING TO THE ADMINISTRATION OF THE COMPOUND, 1952**

Recorded by: 1952 RAN War Criminal Compound Manus Island (Territory of Papua and New Guinea) (CA 9602)

Quantity: 0.18 metres (Melbourne)

This series contains a subject index to files in use at the compound as of August 1952.

**FILES RELATING TO THE ADMINISTRATION OF THE MANUS ISLAND WAR CRIMINAL COMPOUND, 1950–53**

Recorded by: 1950–53 RAN War Criminal Compound Manus Island (Territory of Papua and New Guinea) (CA 9602)

Quantity: 0.72 metres (Melbourne)

This series holds the files created by the Navy after it took over the administration of the Manus Island compound and is the main series dealing with the compound. The files principally deal with the standing orders, memoranda and other instructions issued concerning the operation of the compound. The files also contain many requests or petitions submitted by the war criminals and responses to them, a brief selection of which are listed below.

- **War Criminals Compound Manus: Memorandums, 1950–53**
  MP375/13, WCC1/1

- **Compound Standing Orders – War Criminals Compound Manus – office copy, 1950–53**
  MP375/13, WCC1/2

- **HMAS “Tarangau” Executive Officer's memoranda – War Criminals Compound Manus, 1950–53**
  MP375/13, WCC1/3

- **War Criminals Compound Manus: Roster for duty officers and wardens, 1950–53**
  MP375/13, WCC1/4
Instructions to wardens – War Criminals Compound Manus, 1949–50
War Criminals Compound Manus: Commandant’s Orders, 1950–53
War Criminals Compound Manus: Temporary memorandums, 1950–53
Camp and Compounds Standing Orders. Internal Organisations – War Criminals Compound Manus 1950–53
War Criminals Compound Manus: Amenities for war criminals, 1949–53
This file holds correspondence about the requisitioning and prices of amenities for the war criminals, mostly relating to musical and sporting equipment.
War Criminals Compound Manus: Request for alteration to ration scale, 1949–53
This file holds various requests for the issue of food, soap, toilet paper and other items, including the toilet paper mentioned in the introduction to this chapter.
War Criminals Compound Manus: Request for alteration of electrical wiring – Latrine and shower room, 1950–52
This file holds various requests for changes to the latrine/shower room, for changes to the compound kitchen and for repairing the hospital.
Criminals Compound Manus: Alteration of [Compound] Liaison Group, 1950–53
This file outlines the history of the Japanese compound liaison and the various ballots which determined who held the positions of responsibility among the war criminals.
War Criminals Compound Manus: General duties of hut leaders, duty parties, cooks, pantrymen, etc, 1950–53
This file gives details of who held these positions from among the war criminals over time.
War Criminals Compound Manus: Request for permission to make clothes, 1950

GENERAL AND CIVIL STAFF CORRESPONDENCE FILES AND ARMY PERSONNEL FILES, MULTIPLE NUMBER SERIES, 1943–51

Recorded by: 1943–51 Department of the Army, Central Office (CA 36)
See earlier entry for series MP742/1 in this chapter.
Manus Island – disposal of accommodation [at Lorengau] used by 1 Australian War Criminals [Compound], 1950
This file holds the documents for the transfer in 1949 of the vacated war criminals compound located at Lorengau (after the compound moved to Lombrum) to the Administration of the Territory of Papua and New Guinea, including the Marching Out Certificate and an inventory of buildings, which were handed over in February 1950.
Maintenance of Japanese war criminals, 1949
This file contains correspondence on the financial accounts for the
compound, including a note that while no monies were being recovered
from Japan for expenditure, proper records were being kept should
such information being required when the policy on reparations was
settled.

Illness of Japanese war criminal No. 842 TOYOUKA, Eijiro
[includes 3 photographs], 1946–52
This file contains documents relating to the illness of war criminal
Toyooka Eijirō, his repatriation to Japan for medical treatment, his
absconding from custody in October 1949 and the unsuccessful search
for him.

War criminal medically unfit – AWC 2234, Tomiyasu Hisato,
1940–50
This file contains documents relating to the medical condition of war
criminal Tomiyasu Hisato, including the petitions by Japanese medical
officers for his repatriation to Japan.

CORRESPONDENCE SERIES, MULTIPLE NUMBER SERIES (‘201’ SERIES),
1923–50
Recorded by: 1923–39 Navy Office [III], Department of Defence [II] (CA 2456)
1939–50 Navy Office [IV], Department of the Navy [II] (CA 38)
Quantity: 19.47 metres (Melbourne)
This series contains only two files concerning war criminals, one of
which relates to the Manus compound.

Trials of Japanese suspect minor war criminals – [correspondence
relating to Manus Compound accommodation etc including two
plans], 1950
This file contains correspondence regarding the Manus compound,
including the enlargement of the compound to accommodate war
criminal suspects and the Japanese defence team arriving from Japan in
early January 1950.

GENERAL CORRESPONDENCE RELATING TO PERSONNEL, 1943–1951,
MULTIPLE NUMBER AND ALPHA-NUMERIC SERIES, 1939–63
Recorded by: 1939 Army Headquarters, Department of Defence [II] CA 2671
1939–59 Department of the Army, Central Office (CA 36)
1960–63 Army Headquarters, Department of the Army (CA 2585)
See earlier entry for series MT885/1 in this chapter.

War criminal compound Manus – Provision of staff, 1948–50
This file contains correspondence relating to the provision of
compound staff for Manus, particularly the transfer of Army staff from
Rabaul to Manus. It also details the injury sustained by Major Upson
after his transfer to Manus and the consideration given to his
replacement.

Major T W Upson – transfer [War crimes trials of Japanese war
criminals – Manus], 1950
This file contains correspondence relating to the transfer of Major Upson
from Rabaul to Manus and the court's consideration of his replacement.
This file contains details concerning the proposed use of Upson as the executioner for newly-convicted war criminals to be executed on Manus, which created controversy as it was before any war criminal suspects had been tried at Manus.

**Photographs of the war criminals compounds**

**MISCELLANEOUS PHOTOGRAPHS AND NEGATIVES RELATING TO JAPANESE WAR CRIMES TRIALS, 1946–49**

Recorded by:

1946–48 Prisoners of War Information Bureau (CA 3055)
1948–49 Soldier Career Management Agency (CA 1999)

See earlier entry for series B5557 in this chapter.

Photographs of the War Criminals compound Manus Island
[8 photographs] Entrance to the compound; General view of the compound; Compound sawmill; The machine shop; War criminals sleeping huts; Cells inside a sleeping hut; War criminals hospital and War criminals Mess hut, 1946–49

Entrance to the Manus Island Compound. NAA: B5557, 15
Mess Hut in the Manus Island Compound. NAA: B5557, 15

**Files relating to the war criminals compounds at the Australian War Memorial**

**WRITTEN RECORDS, 1939–45 WAR, 1926–93**

Recorded by: 1926–39 Department of Defence [II], (Central Administration) (CA 19)
1942–93 Department of Defence [III], Central Office (CA 46)

Quantity: 213.5 metres (Australian War Memorial)

This series holds miscellaneous records that were transferred to the Australian War Memorial from the Military History Section of the Australian Army regarding the 1939–45 war. As such, it contains many files relating to war crimes, mostly (but not exclusively) in item numbers 1010/*/*, many of which are recorded elsewhere in this guide. It contains a number of files relating to the compounds, including documents which are not found in other series, such as materials relating to the Morotai compound and Japanese complaints about ill-treatment by Australian personnel.


This file contains the correspondence concerning the proposed war criminals compound for Rabaul.

**Establishments and Amendments – [Miscellaneous:] [Part relates to Establishment of] Australian War Crimes Section and War Crimes compound Rabaul, 1941–51**

AWM54, 327/30/2

AWM54, 327/30/4
Part of this file, which relates to a number of miscellaneous matters, contains the interim army establishment for the Rabaul compound in October 1947.

AWM54, 779/1/7
This file contains the report into the accidental deaths while at work on 11 April 1946 of two war criminals from the Rabaul compound.

[Prisoners of War and Internees – Collection and Registration:] Enemy Prisoners of War – File of messages, statements and newspaper articles accusing the Australians of ill treating the Japanese Prisoners of War at Morotai, 1945
AWM54, 779/2/13

AWM54, 779/5/3

AWM54, 779/5/4

AWM54, 779/7/1
This file contains the standing orders for working parties at Morotai in early 1946.

AWM54, 779/9/18
This file contains correspondence regarding, including lists, of repatriated war criminals from the Manus compound to Japan, including those who were repatriated on medical grounds; also other Japanese who had been acquitted at the war crimes trials on Manus in 1950-51.

[Prisons and F P Compounds – Establishment:] War Criminals Compound Regulations for Control, Copy of draft of prison regulations prepared by Maj T W Upson and Maj H J Foster, 1947
AWM54, 783/2/2
The draft regulations relate to the Rabaul compound.

[Punishments – Capital:] Promulgation of Sentence – War Crimes Committee, Findings and Sentences of the Court at Rabaul, 1946–47
AWM54, 807/2/2
This file contains the promulgation slips from Rabaul for 1946–47, which were notices read and interpreted to the convicted advising them of the confirmation or non-confirmation of the findings and sentences and, if they had been sentenced to death, the date and time of their execution.

[War Crimes and Trials – General:] Policy file dealing with aspects of Trials of War Criminals and War Crimes 1945, 1945–56
AWM54, 1010/1/7
This file contains correspondence regarding the temporary Morotai compound, including the importance of segregation of classes of prisoners, for example, suspects from convicted war criminals.

[War Crimes and Trials – General:] War Criminals General, 1945
This file contains the Court of Inquiry documents into the death of Lieutenant Honda Junro in the Morotai compound, 29–30 October 1945.

[War Crimes and Trials – General:] Weekly reports of war criminals held, 1945
This file contains lists of suspected war criminals held at the Morotai compound from November 1945.

[War Crimes and Trials – General:] Shigetaka Chuji prisoner suicide War Criminal Compound Rabaul, 1946
This file contains Major Upson’s report into the suicide of Shigetaka Chuji in the Rabaul compound on 21 May 1946.

This file holds a substantial number of documents, including an undated list of ‘War Criminals and Suspected War Criminals’, undated list of ‘AWC Numbers of Japanese War Criminals and Suspects in Rabaul’ and undated ‘Nominal roll of Japanese held in War Criminals Compound Rabaul who are held on instructions from AHQ’.

War Crimes and Trials – Identification of War Criminals:
Nominal rolls, war criminals, Unit, place of birth, brief particulars of charge (not dated), c1939–46
This file contains a list of war criminals by Australian War Criminal number, their (A, B or C) category, rank and name, unit, place and date of birth, brief particulars of charge and various other details.

This file, as stated, contains nominal rolls of Japanese war criminals. The list of ‘terms of imprisonment imposed’ was compiled according to date of release.

[War Crimes and Trials – Investigation of Atrocities:] Warrant of commitment in execution of a sentence of a Military Court for the trial of war crimes, 1946–47
These files contain copies of warrants of commitment used at Rabaul. A memo on the front of the PART 1 file refers to certain warrants to be returned for cancellation and re-issue; hence, these may be the returned warrants.

[War Crimes and Trials – Investigation of Atrocities:]
Investigation into the alleged ill-treatment of Japanese War
Criminal Ikeuchi Masakiyo – Copy of proceeding of trial held at Morotai 1946, 1946–47
This file contains the investigation into Ikeuchi’s complaints of ill-treatment at the Morotai compound.

WRITTEN RECORDS – BRITISH COMMONWEALTH OCCUPATION FORCE (BCOF – JAPAN) AND BRITISH COMMONWEALTH FORCES, KOREA (BCFK), 1945–56

Recorded by: 1945–56 Department of Defence [III], Central Office (CA 46)
Quantity: 6.6 metres (Australian War Memorial)

This series holds records that were transferred to the Australian War Memorial from the Military History Section of the Australian Army, which were originally a part of series AWM54 but were withdrawn to form a separate series on the British Commonwealth Occupation Force (BCOF) in Japan. Nonetheless, it does contain the following file, probably as its contents were translated by BCOF staff.

[Intelligence – Reports, Post-War Japan: BCOF. CSDIC – translation of a Japanese manuscript containing charges of ill-treatment by Australian camp staff of Japanese war criminals, 1948
This file contains an English translation of a plea and a 58-page report by convicted war criminal Lt Katayama Hideo circa early 1947, shortly before he was executed at Rabaul. It includes many allegations of ill-treatment in the Rabaul compound, as well as Katayama’s thoughts on the war crimes investigations, trials and imprisonment. 378

RECORDS OF WAR CRIMES ENQUIRIES AND TRIALS, 1939–45 WAR, 1942–55

Recorded by: 1942–55 Department of the Army, Central Office (CA 36)
Quantity: 2 metres (Australian War Memorial)

This series holds records that were transferred to the Australian War Memorial from the Army Office, Department of Defence. As suggested by the series title, the files principally relate to the Australian war crimes investigations and prosecutions but they do contain materials relating to the war criminals.

This file contains a bound book dated 30 April 1958 containing an index by name, serial number and status (including not guilty, executed and ‘release on’ date).

[Records of war crimes enquiries and trials, 1939–45 War] Wewak, Labuan, Morotai and Darwin, 1945 [Register of sentences imposed in Australian War Crimes trials], 1945–50

[Records of war crimes enquiries and trials, 1939–45 War] Rabaul [Register of sentences imposed in Australian War Crimes trials], 1946–47

378 For another document by Katayama, see AWM: MSS0743 listed at the end of this chapter.
Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

[Records of war crimes enquiries and trials, 1939–45 War] Singapore, Hong Kong and Los Negros [Register of sentences imposed in Australian War Crimes trials], 1946–51

These three items are three red, bound books containing the names of war criminals, verdict, sentence, confirmation, promulgation, and dated executed/place imprisoned. Each book also contains a page entitled ‘Statistics of Australian War Crimes Trials’, which should be referred to with caution, as they are not accurate.

[Records of war crimes enquiries and trials, 1939–45 War] Rabaul – Photographing of war criminals, 1945–47

This file contains the instructions for ‘all Japs apprehended as war criminals to be photographed’ and lists of the war criminals photographed in various areas; alas, all prints and negatives have been detached at some point in the past.

WRITTEN RECORDS, 1939–45 WAR, SECOND SERIES, 1993–

Recorded by: 1993– Department of Defence [III], Central Office (CA 46)
Quantity: 3 metres (Australian War Memorial)

This series holds records that were transferred to the Australian War Memorial from Department of Defence and were identified in a survey of unserialised material in 1993.

Statements taken by Captain W D KECK relating to injury sustained by General IMAMURA Hitoshi former Commander in Chief of Japanese Eighth Army, in War Criminals Compound Rabaul, 26/27 July 1946, 1946

This file contains the statements relating to an injury suffered on 26 July 1946, as the result of a failed suicide attempt.

Orders to Leading Seaman A.C. Horsfield relating to duties while escorting the undermentioned Japanese war criminal [HARA] from Manus Island to Japan – Arrangements for transportation, 1952

This relates to the transfer of convicted war criminal Capt Hara Seizō from Manus to Japan, and well documents how such transfers were carried out.

MANUSCRIPTS

Katayama, Hideo (Lieutenant, Imperial Japanese Army)
Katayama was convicted and sentenced to death in the Morotai M43 trial. He was a Christian and fluent in English. This manuscript is a statement addressed to ‘All Japanese Christians’ written in 1946 while awaiting execution and discusses war crimes, his trial and the comfort of his beliefs.

McKinlay, James Lumsden, Colonel, OBE, MM, b: 1894
McKinlay served as President of the Morotai Court. The manuscript includes McKinlay’s description of the last request of Major Tamura Toshio, who had been convicted and sentenced to death in the Morotai
M10 trial. It also includes a cartoon drawn by another war criminal of Tamura’s execution.

Sherriff, William George (Sergeant b: 1927)  
MSS1564  
Sherriff served as a photographer in Rabaul, where his duties included photographing the war criminals. He later served in the British Commonwealth Occupation Force. His papers include a number of reproductions of photographs of war criminals and key Japanese officers, presumably taken by him.

PRIVATE RECORDS  
PR*  
Duckmanton, Sir Talbot Sydney: papers, 1945–46  
PR00238  
These private papers contain a report by then ABC correspondent, Talbot Duckmanton, on his visit to the Morotai compound.379

Ikeuchi, Masakiyo: papers, 1946–2001  
PR01049  
These private papers contain war criminal Ikeuchi Masakiyo’s complaints about his ill-treatment in the Morotai compound.380

ART  
ART*  
Japanese war criminals’ compound, Rabaul, 1945  
ART25256  
This pen and coloured wash sketch by Reg Rowed shows the war criminals compound at Rabaul.

Japanese war criminal stockades, Koepang, 1945  
ART26145  
This pen and wash sketch by Charles Bush shows the barbed wire compound where Japanese prisoners were held pending investigation into their responsibility for war crimes.

War criminal boob, Emery Point, 1946  
ART26356  
This oil on canvas painting by Charles Bush shows the war criminals compound in Darwin, Northern Territory.

Mitsuba suffering attack of malaria  
ART28712  
This pencil drawing on paper by Robert Thompson shows Japanese being held in the war criminals cage at Cape Wom, New Guinea.

HERALDRY  
REL*  
Autographed Japanese flag: Sergeant J Lanyon, War Crimes Trials, Morotai  
REL24184  
This autographed Japanese flag dated December 1945 was given to Sgt Lanyon, who guarded Japanese war criminals on Morotai.

Autographed Japanese flag: Sergeant J Lanyon, War Crimes Trials, Morotai  
REL24185  
This is a handkerchief dated February 1946 that has been autographed, cartooned and had a red sun added to the centre for conversion into a ‘flag’.

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379 A radio script for this report is also held in NAA (Sydney): SP300/3, 236.
380 The papers are very similar to those found in AWM54, 10109/71.
9. The International Military Tribunal for the Far East, 1946–48

Introduction

Better known than the Australian war crimes trials is the International Military Tribunal for the Far East (IMTFE), held in the former War Ministry office in Tokyo, 1946–48, otherwise referred to as the Tokyo Tribunal or the Tokyo Trial. This was the international A class trial of ‘major’ war criminals, although the charges put forward against the (initially) 28 defendants named in the indictment in fact encompassed crimes against peace, crimes against humanity and conventional war crimes.

The trial was held pursuant to the Charter of the Tribunal, issued by General Douglas MacArthur, the Supreme Commander, Allied Powers (SCAP), as a proclamation on 19 January 1946. During the Occupation of Japan, MacArthur was meant to be guided by the policies and principles decided by the Far Eastern Commission (FEC) in Washington DC, which were then transmitted to him by the United States Government. The Far Eastern Commission was established in December 1945 (replacing the Far Eastern Advisory Commission established in October 1945) and comprised representatives of the 11 Allied nations, including Australia, which had fought against Japan.

Similar to the United Nations War Crimes Commission (UNWCC) discussed in Chapter 3, matters at the Far Eastern Commission were discussed in committees before being forwarded to the commission as a whole for decision. The Far Eastern Commission’s Committee 5 on ‘War Criminals’ met somewhat irregularly from March 1946 onwards. The Committee’s proposed policy for the Apprehension, Trial and Punishment of War Criminals in the Far East was approved by the commission on 3 April 1946 as a directive to be forwarded to SCAP. Several other Far Eastern Commission policies on war criminals were also approved in 1947 and 1949. In practice, however, MacArthur could be rather hostile to Far Eastern Commission and sometimes acted without reference to the commission’s directives.

MacArthur was also meant to be guided by the Allied Council for Japan (ACJ), a four-power Allied advisory body in Japan on which Australian diplomat and scholar William MacMahon Ball first represented the British Commonwealth. Ball became increasingly frustrated over time by SCAP’s relegation of the Allied Council for Japan to obscurity. He advised in his official report for January 1947, for instance, that as MacArthur had not asked for any advice on any question that month, the ‘work of the Council dropped to a new low water mark of futility’.

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381 This uses the classification system: Class A – crimes against peace; Class B – conventional war crimes; Class C – crimes against humanity. The International Military Tribunal for the Far East is often described as a Class A war crimes trial even though it encompassed far more than crimes against peace in its charges.
382 A copy of Gen MacArthur’s proclamation and the Charter is held in NAA: A3312, PCPS 1/39. There is also a copy held in NAA: A10468, X.
383 For the call for members of the working committee to organise this committee, see NAA: A10468, WC5/1.
384 See this document, FEC 007/3 dated 29 March 1946, in NAA: A10468, X.
Table 5: Australian personnel at the Far Eastern Advisory Commission, Far Eastern Commission and the Allied Council for Japan

<table>
<thead>
<tr>
<th>Organisation</th>
<th>Role</th>
<th>Name</th>
<th>Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>Far Eastern Advisory Commission</td>
<td>Inaugural meeting</td>
<td>Dr HV Evatt</td>
<td>30 October 1945</td>
</tr>
<tr>
<td>Far Eastern Commission</td>
<td>FEC advisory visit to Japan(^{387})</td>
<td>Mr William D Forsyth</td>
<td>January 1946</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Major James Plimsoll(^{388})</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Dr John B Andrews</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mr AB Jamieson</td>
<td></td>
</tr>
<tr>
<td>Far Eastern Commission</td>
<td>Australian representative</td>
<td>Sir Frederic Eggleston(^{389})</td>
<td>February–March 1946</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lt Gen Sir John Lavarack(^{390})</td>
<td>March–May 1946</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Dr HV Evatt</td>
<td>May–July 1946</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Major James Plimsoll</td>
<td>July–October 1946</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mr William D Forsyth</td>
<td>1946–7</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mr John Oldham</td>
<td>1946–47</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mr Norman Makin(^{391})</td>
<td>October 1946–June 1951</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mr Percy Spender(^{392})</td>
<td>June 1951–April 1952</td>
</tr>
<tr>
<td>Far Eastern Commission Committee No. 5 attendees</td>
<td></td>
<td>Mr John Oldham</td>
<td>March 1946–April 1947</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Dr John Andrews</td>
<td>March 1946</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Major James Plimsoll</td>
<td>March–April 1947</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lord Wright of Durley(^{393}) (Australian representative and UNWCC chairman)</td>
<td>14 June 1946</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mr HW Bullock</td>
<td>March 1947</td>
</tr>
<tr>
<td>Allied Council for Japan</td>
<td>Australian representative</td>
<td>Mr William Macmahon Ball</td>
<td>April 1945–September 1947</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mr Patrick Shaw(^{394})</td>
<td>1947–1949</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Col William R Hodgson(^{395})</td>
<td>1949–1952</td>
</tr>
</tbody>
</table>

\(^{387}\) For the Australian delegation’s reports and various informal notes made by the delegation members, see NAA: A1838, 483/1/4.
\(^{393}\) The transcript of Lord Wright’s remarks to the FEC on this date – given on his way back from attending the opening of the IMTFE in Tokyo to London – is in NAA: A10468, X.
For further details on archival records on the aftermath of war with Japan, including the British Commonwealth Occupation Force (BCOF) and the peace treaty with Japan, see Pam Oliver’s separate archival guide.396

Choosing Australian personnel for the International Military Tribunal for the Far East

The United States originally asked Australia to designate three (later five) military officers or civilians qualified for appointment to the forthcoming international war crimes tribunal for major Japanese war criminals.397 Given his role as War Crimes Commissioner, as discussed in Chapter 2, Sir William Webb was accustomed to being consulted regularly by the Department of External Affairs and the Department of the Army on war crimes matters, so it probably appeared par for the course in late 1945 when he was ‘urgently’398 consulted by External Affairs about a response to the United States’ request for Australian nominees.399 To be fair, Webb seems to have never thought of himself as a likely nominee to the bench of an international war crimes tribunal. When asked for advice about Australia’s nominees, Webb simply suggested ‘Judges of High and State Supreme Courts, Kings Counsels and Professors of Law’, although, as Chief Justice of the Supreme Court of Queensland, he would have been included on that roster.400 Webb’s name seems to have been put forward in early November 1945 by Professor Kenneth Bailey to the Department of External Affairs, who then consulted Sir George Knowles, then Secretary of the Attorney-General’s Department and Solicitor-General.401 Knowles had initially suggested two judges of the High Court of Australia but then revised his list to include a state judge, two barristers, Bailey and Webb.402

When the list of civilian nominees was sent in late November 1945 to the Minister for External Affairs and Attorney-General, Dr HV Evatt, then overseas, Evatt responded that he was of ‘the opinion that experience in criminal jurisdiction was very essential’ to the nominees. He suggested Lord Wright of Durley (then Australian representative to and chairman of the United Nations War Crimes Commission based in London), Webb, Knowles or one of several prominent state judges.403 Lord Wright, Evatt’s ‘personal’404 preference, was consulted in late 1945 but he decided that his existing obligations would not allow him to be absent from the United Kingdom long enough to serve on the tribunal.405 Evatt’s second pick of Webb accepted his prospective nomination on 13 December 1945, ‘subject to my being qualified to act’. Webb appeared well aware that his nomination might attract criticism due to his war crimes work, pointing out in his acceptance that ‘[o]f course, I have so far made no finding against any major war criminal’.406

397 Cablegram from the Australian Legation, Washington to the Department of External Affairs, 19 October 1945, NAA: A1066, H45/59/0/3.
398 Cablegram from Department of External Affairs to Dr HV Evatt, 25 October 1945, NAA: MP742/1, 336/1/408.
399 Cablegram from the Australian Legation, Washington to the Department of External Affairs, 19 October 1945, NAA: A1066, H45/59/0/3.
400 Cablegram from Department of External Affairs to Australian Legation, Washington, 13 November 1945, NAA: MP749/8, 66/431/2.
401 Letter from Sir George Knowles to Dr HV Evatt, 13 November 1945, held in Evatt Collection, Flinders University Library, ‘War. War Crimes’ file.
402 Record of telephone conversation between ‘Hill’ and Knowles, 16 November 1945; and memorandum from Knowles to the Secretary, Department of External Affairs, 21 November 1945, NAA: A1066, H45/59/0/3.
403 Cablegram from Australian Legation, Washington to Department of External Affairs, 29 November 1945, NAA: MP742/1, 336/1/408.
404 Cablegram from the Department of External Affairs to the External Affairs Officer, London, 11 December 1945, NAA: A1066, H45/59/0/3.
405 Reported in cablegram from the External Affairs Officer, London, to Dr HV Evatt, 14 December 1945, NAA: A1066, H45/59/0/3.
With the United States pressing very hard for nominees – now reduced to a judge and an associate prosecutor – to be communicated in early January 1946, Evatt approved the nomination of Webb as the Australian member of the court and Justice Alan Mansfield as associate prosecutor.  

An assistant prosecutor to aid Mansfield was also selected from the Australian Army: Major Thomas Francis Edington Mornane, then a member of the Australian Army Legal Corps and, in civilian life, an assistant crown solicitor for Victoria.  

Mornane was promoted to lieutenant colonel and seconded from the Army to the Department of External Affairs for the trial.

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407 Cablegram from the Secretary, Department of External Affairs to the Secretary, Department of the Army, 16 January 1946, NAA: MP742/1, 336/1/408.

408 See Mornane’s particulars of service and qualifications in memorandum from Mr FR Sinclair, Secretary of the Department of the Army to the Secretary, Department of External Affairs, circa 1 February 1946, NAA: MP742/1, 336/1/408. See also Mornane’s service file, NAA: B883, VX102782.

409 Letter from the Secretary of the Department of the Army to the Secretary, Prime Minister’s Department, 20 November 1946, NAA: MP742/1, 336/1/1103.
Table 6: Key Australian and associated personnel at the International Military Tribunal for the Far East

<table>
<thead>
<tr>
<th>Role</th>
<th>Name</th>
<th>Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>Australian judge and President</td>
<td>Sir William Flood Webb</td>
<td>1946–48</td>
</tr>
<tr>
<td>Webb’s associates</td>
<td>Mr Rex Crane</td>
<td>1946–June 1947</td>
</tr>
<tr>
<td></td>
<td>Mr William Edmund Cuppaidge</td>
<td>1947–48</td>
</tr>
<tr>
<td>Secretary of the Office of the President</td>
<td>Mrs Mildred Splane (née Rich)</td>
<td></td>
</tr>
<tr>
<td>Webb’s staff</td>
<td>Miss Bettie Renner&lt;sup&gt;410&lt;/sup&gt;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mrs Frances P Morris (née Campbell)</td>
<td></td>
</tr>
<tr>
<td>Australian associate</td>
<td>Justice Alan Mansfield</td>
<td>January 1946–January 1947</td>
</tr>
<tr>
<td>prosecutors</td>
<td>Lt Col Thomas Francis Mornane</td>
<td>February 1947–48</td>
</tr>
<tr>
<td>Australian assistant prosecutor</td>
<td>Lt Col Thomas Francis Mornane</td>
<td>1946–47</td>
</tr>
<tr>
<td>associate</td>
<td>Mr Alistair R McDonald</td>
<td></td>
</tr>
<tr>
<td>Typists</td>
<td>Miss Betty Burrowes</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Miss Brotherson</td>
<td></td>
</tr>
</tbody>
</table>

General Douglas MacArthur then selected Webb – not without some controversy – to preside over the International Military Tribunal for the Far East, possibly as they had been acquainted since 1944. As Yuma Totani has contended, the Australian participants in the tribunal ‘profoundly shaped the course of the trial and left their deep imprint on its outcome’.<sup>411</sup>

The question of the Emperor

Not surprisingly, given that there were 11 Allied countries attempting to shape postwar policy towards Japan, views diverged on many topics. One of the most contentious topics was that of the Emperor. Australia took a sterner approach to the Emperor’s role and future than the United Kingdom or the United States. For example, one American official report described Australian ‘uneasiness’ about apparent ‘lenient’ postwar policy towards Japan and suggested that the Emperor was the ‘institution to which Australia most vehemently objects’.<sup>412</sup> Indeed, the report went on to say, ‘[t]he Australian Government is adamant in its position that Hirohito is a war criminal’.<sup>413</sup>

Although Webb’s view that the Emperor held responsibility for war crimes was undoubtedly influential, it is clear that others in the Australian Government held similar views. When Japan sought to accept the terms of the Potsdam Declaration on 10 August 1945, provided that the ‘prerogative of the Emperor as sovereign ruler of Japan’ was not compromised by those terms, the Australian Government responded by asserting that the ‘Emperor should have no immunity from responsibility for Japan’s acts of aggression and proved war crimes’.<sup>414</sup> This was because Japan’s ‘deliberate system of terrorism and atrocity … must have been known to the supreme authorities in Japan, not excluding the Emperor’.<sup>415</sup>

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<sup>410</sup> Miss Renner was actually an American lawyer.
<sup>413</sup> ibid.
<sup>414</sup> Cablegram from Commonwealth Government to Viscount Addison, Secretary of State for Dominion Affairs, no. 229, 11 August 1945, *Documents on Australian Foreign Policy*, vol. 8, 1945, p. 322. Interestingly, it took the remainder of the month for the government’s view on the Emperor to be widely published: see, for example, ‘Govt. View on Emperor and Surrender’, *News* (Adelaide), 29 August 1945, p. 1.
<sup>415</sup> ibid, p. 323.
Evatt, in particular, was personally concerned that the Emperor not be excluded when war crimes responsibility was discussed. In a telegram to Lord Wright on 18 August 1945, for instance, he wrote:

> It is very important that under new Article [concerning ‘crimes against peace’] as well as under general charge of encouraging and procuring atrocities responsibility should be imputed to all Japanese higher-ups including Hirohito and I hope that this will soon be done.\(^{416}\)

The Emperor was placed on Australia’s first list of major Japanese war criminals holding key positions in October 1945, a list which was approved by Webb before it was transmitted to the United Nations War Crimes Commission in London for consideration. However, Mansfield had little luck persuading the commission to approve it. Lord Wright, reluctantly, had to forward the Australian list on to the Far Eastern Commission, to the Allied Council for Japan and to the International Prosecution Section (IPS) in Tokyo,\(^{417}\) where it had little influence on the process of determining who was indicted at the International Military Tribunal.

Although General MacArthur had made it abundantly clear that he opposed indicting the Emperor,\(^{418}\) Australia continued to press for the Emperor’s prosecution, right up until early April 1946, when the trial was about to commence.\(^{419}\) The Australian associate prosecutor in Tokyo, Mansfield was instructed that:

> if you are satisfied that there is a case [against the Emperor], it is left entirely to you to act upon your considered view. At same time you should avoid any public protest if decision is against indictment or if MacArthur vetoes proposal. You are familiar with the facts and it has always been our view that if the facts warranted indictment, Hirohito is no more entitled to special immunity than the common soldiers who inflicted such cruel barbarities against Allied soldiers and civilians.\(^{420}\)

However, the Far Eastern Commission’s approval on 3 April 1946 of its policy regarding ‘understanding’ that the directive to be forwarded to SCAP ‘would be so worded as to exempt the Japanese Emperor from indictment as a war criminal without direct authorization’.\(^{421}\) Indeed, as Totani points out, this ‘no action without authorisation’ policy had already been made clear to MacArthur and no such authorisation ever came.\(^{422}\) Mansfield was reportedly the only prosecutor to urge for a vote on the Emperor’s inclusion on the list of defendants settled at a prosecutorial meeting\(^{423}\) but, as is well known, the Emperor was not included on the indictment.

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\(^{416}\) Telegram from ‘Minister’ to Lord Wright, 18 August 1945, NAA: A2937, 271.

\(^{417}\) As Totani points out, although the list reached FEC and the IPS, MacArthur did not forward the correspondence to the Allied Council for Japan but sent it on to Washington; Totani, *The Tokyo War Crimes Trial*, p. 56.


\(^{419}\) See advice to this point in memorandum for the Minister, ‘Major Japanese War Criminals’, 8 April 1946, NAA: A1067, UN46/WC/1.

\(^{420}\) Cablegram from Department of External Affairs to Australian Political Representative, Tokyo, for Alan Mansfield, 9 April 1946, NAA: A1067, UN46/WC/1.

\(^{421}\) See excerpt from the Minutes of the Seventh Meeting of the Far Eastern Commission, 3 April 1946 attached to Note by the Secretary General, ‘Apprehension, Trial and Punishment of War Criminals in the Far East, FEC 007/04, 4 April 1946, NAA: A10468, X.

\(^{422}\) Totani, *The Tokyo War Crimes Trial*, pp. 52–57.

\(^{423}\) Cablegram from Alan Mansfield to the Minister of External Affairs, 9 April 1946 NAA: A1067, UN46/WC/1.
Webb and the trial

As the trial commenced, Webb declared that ‘[t]here has been no more important criminal trial in all history’. As Arnold Brackman has pointed out, this declaration overlooked or ignored the International Military Tribunal at Nuremberg and, in his view, thereafter ‘hung around his neck like a dead albatross’. Brackman thought that Webb soon regretted the characterisation, as he publicly retreated to describing the trial thereafter, as ‘one of the most important trials in history’. Yet, the hyperbole continued in private, with Webb describing the tribunal as the ‘greatest criminal court ever constituted’ and his own role as president...
as ‘the heaviest responsibility ever cast on a judge’, with ‘no equal in history, ancient or modern’.  

Webb was a controversial president. From the outset, his appointment garnered criticism because of his earlier war crimes investigatory work, which led critics to suggest that he could not be impartial on the bench. He survived an early challenge on this point by the defence, which sought his disqualification. Judicial relations also became a flash point. Initially, Webb seemed to think that relations between the 11 judges were good, writing in early 1946 that he had ‘excellent relations with all his colleagues’, who were ‘all quite good fellows’ and that it ‘would indeed be hard to improve upon them’.

He did ‘not anticipate much trouble with them as a team’, although it was unfortunate that ‘not one of us can be called an expert in international law’. Regrettably, judicial relations soured thereafter, although never quite to a terminal point. Some of the blame can certainly be placed on Webb who, over time, became less tolerant, more irascible and prone to making unilateral decisions without consultation, or reacting badly when decisions were made that he did not like.

However, it is clear that Webb was being sidelined in Japan, as well as being deliberately undermined by several of the judges, including British judge Lord Patrick, New Zealand Justice Northcroft and Canadian Justice McDougall. Writing home, Lord Patrick called Webb a ‘quick-tempered turbulent bully’ who had ‘antagonised every member of his Tribunal’, thereby frustrating the tribunal’s purpose. Similarly, New Zealand Justice Erima Northcroft wrote home that Webb had an ‘unfortunate manner of expression, generally querulous, invariably argumentative and frequently injudicious’. Moreover, Webb was ‘often either, and sometimes both, hostile and un receptive of our [the judges’] suggestions or incapable of understanding their purport or purpose’. Their goal seems to have been to persuade their governments to persuade Australia to remove Webb from the tribunal, allowing them to take better control, as they saw it, of the bench and the trial.

Webb’s most significant complaint about the trial as it progressed was its duration, as he had originally thought he would be back in Australia in October 1946. Indeed, he lamented a year into the trial that if he had ‘known how long it was going to take’ he would ‘not have accepted appointment’. Webb generally attributed the length of the trial to a number of factors, including the scope of the indictment, the amount of evidence presented and the difficulties of language translation.

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430 Letter from Sir William Webb to Dr HV Evatt, 3 July 1946, NAA: M1418, 2.
431 Cablegram from Sir William Webb via Australian Political Representative, Tokyo to the Secretary, Department of External Affairs, 25 May 1946, NAA: A1067, UN46/WC/15; and letters from Sir William Webb to Chief Justice John Latham, 17 April and 8 May 1946, NAA: M1418, 3.
433 Copy of letter from Lord Patrick forwarded to the Lord Chancellor, circa early 1947, pp. 2, 6, National Archives (UK) (TNA): LCO 2/2992.
434 Copy of letter from Justice Northcroft to Chief Justice forwarded to the Lord Chancellor, 18 March 1947, pp. 2, 6, National Archives (UK) (TNA): LCO 2/2992.
437 See, for example, an unsigned document clearly written by Webb, ‘Length of the Trial’, 23 June 1947, NAA: M1418, 10.
Arguably, many of the criticisms of Webb’s performance can be partially attributed to fatigue and frustration: even before the tribunal commenced Webb had been working extremely hard since 1943 on war crimes, almost without a break, often while continuing to perform other judicial duties. He then watched in Tokyo – in the position of power but unable to exert much control – as the trial ponderously continued, year after year. In May 1947, for instance he described it as the ‘slowest case in history’. As he had personally invested so much time and energy in the trial, as well as sacrificing his professional and personal life in Australia, delays that meant more time in Japan understandably seemed to aggravate him. The North China Daily News defended him in September 1947, saying:

Sir William is apparently having to deal with people it is very difficult to suffer gladly, and that, even his critics will admit, is not the bounden duty of a judge to endure indefinitely. If Sir William has been exasperated he appears to have been justifiably so, but this in no way detracts from his judicial qualities.

Mansfield and the trial

As the Australian associate prosecutor in the International Prosecution Section, Mansfield took the lead in the phase of the trial dealing with offences committed against Allied prisoners of war, which both Australia and the Netherlands reportedly saw as ‘one of the most important phases’ of the trial. In Mansfield’s view, his approach was not to present a ‘historical record of atrocities committed by the Japanese in every area’ but a ‘picture of general conditions under which prisoners-of-war and civilians were confined’ which would ‘show that the conditions were similar everywhere’ and gave the ‘irresistible inference’ that

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440 According to Mansfield: see memorandum from Alan Mansfield to Joseph Keenan, 5 November 1946, p. 1, NAA: A1067, UN46/WC/15. For a very early broad description of the remit of his phase, see letter from Mansfield to Prime Minister JB Chifley, 14 May 1946, NAA: MP742/1, 336/1/1103.
‘the mistreatment was not the result of the orders of the individual camp and area commanders, but was part of the general policy of the Japanese Government’. Mansfield sought to prove the responsibility of the defendants by producing various orders in violation of the laws of war issued by them, their inaction when proof of mistreatment had been conveyed through neutral parties during the war, admissions made by them during interrogation and admissions of breaches of the laws of war made after the surrender by the Japanese Government.

In Mansfield’s view, the International Prosecution Section ‘suffered from many difficulties notably in administration’. He certainly appeared to share the opinion of others at the time, and since, that Keenan had been a poor choice as chief counsel. Mansfield informed Evatt that Keenan took ‘little active part either in the administration of the section or the conduct of the case’ and, by November 1946, that Keenan’s ‘lack of leadership’ was ‘becoming very serious’. Keenan was, of course, not the only impediment to a satisfactory prosecution: Mansfield complained that the prosecutors were ‘suffering from all sorts of bottle-necks and other difficulties in getting out material ready for trial’, with the ‘greatest obstacle’ being the translation and copying of documents. Every document, he pointed out, had to be copied about 125 times in English and about the same in Japanese. He advised that his own staff – consisting of Lt Col Thomas Mornane as assistant prosecutor and his judicial associate Mr Alistair R McDonald – were giving him ‘great assistance’. The typists, Misses Burrowes and Brotherson, were also ‘both doing excellent work’. For his part, and perhaps not unsurprisingly given their personal history, Webb thought that Mansfield was: doing a splendid job for the Prosecution … He is more experienced than most of those associated with him. He is well informed and speaks well. He is also very urbane and tactful. I am very proud of him.

After Mansfield had presented his phase of the case, he was released and returned from Japan in February 1947 to his position on the bench of the Supreme Court of Queensland. Australian assistant prosecutor, Lt Col Mornane, was named as his replacement in February 1947.

The majority, separate and dissenting judgments

Reflecting the difficulty of reaching judicial consensus with so many on the bench, eight of the eleven judges handed down a majority judgment in November 1948. It took Webb several days to read the majority judgment from the bench, which dismissed 38 of the 55 counts in the indictment.

441 Memorandum from Alan Mansfield to Joseph Keenan, ibid.
442 ibid.
443 Letter from Alan Mansfield to Dr HV Evatt, 18 October 1946, p. 2, NAA: A1067, UN46/WC/15.
444 ibid.
445 ibid.
446 Letter from Alan Mansfield to Dr HV Evatt, 2 December 1946, p. 2, NAA: A1067, UN46/WC/15.
447 Letter from Alan Mansfield to Dr HV Evatt, 3 July 1946, NAA: M1418, 2.
448 Cablegram from the Department of External Affairs to the Australian Political Liaison Officer, Tokyo, 10 February 1947. NAA: A1067, UN46/WC/15/1.
Table 7: Convicted major war criminals in alphabetical order by surname, and sentences.

<table>
<thead>
<tr>
<th>Convicted</th>
<th>Sentence</th>
</tr>
</thead>
<tbody>
<tr>
<td>Araki Sadao</td>
<td>Life imprisonment</td>
</tr>
<tr>
<td>Doihara Kenji</td>
<td>Death by hanging</td>
</tr>
<tr>
<td>Hashimoto Kingorō</td>
<td>Life imprisonment</td>
</tr>
<tr>
<td>Hata Shunroku</td>
<td>Life imprisonment</td>
</tr>
<tr>
<td>Hiranuma Kiichirō</td>
<td>Life imprisonment</td>
</tr>
<tr>
<td>Hirota Kōki</td>
<td>Death by hanging</td>
</tr>
<tr>
<td>Hoshino Naoki</td>
<td>Life imprisonment</td>
</tr>
<tr>
<td>Itagaki Seishirō</td>
<td>Death by hanging</td>
</tr>
<tr>
<td>Kaya Okinori</td>
<td>Life imprisonment</td>
</tr>
<tr>
<td>Kido Kōichi</td>
<td>Life imprisonment</td>
</tr>
<tr>
<td>Kimura Heitarō</td>
<td>Death by hanging</td>
</tr>
<tr>
<td>Koiso Kuniaki</td>
<td>Life imprisonment</td>
</tr>
<tr>
<td>Matsui Iwane</td>
<td>Death by hanging</td>
</tr>
<tr>
<td>Minami Jirō</td>
<td>Life imprisonment</td>
</tr>
<tr>
<td>Mutō Akira</td>
<td>Death by hanging</td>
</tr>
<tr>
<td>Oka Takasumi</td>
<td>Life imprisonment</td>
</tr>
<tr>
<td>Oshima Hiroshi</td>
<td>Life imprisonment</td>
</tr>
<tr>
<td>Satō Kenryō</td>
<td>Life imprisonment</td>
</tr>
<tr>
<td>Shigemitsu Mamoru</td>
<td>7 years’ imprisonment</td>
</tr>
<tr>
<td>Shimada Shigetarō</td>
<td>Life imprisonment</td>
</tr>
<tr>
<td>Shiratori Toshio</td>
<td>Life imprisonment</td>
</tr>
<tr>
<td>Suzuki Teiichi</td>
<td>Life imprisonment</td>
</tr>
<tr>
<td>Tōgō Shigenori</td>
<td>20 years’ imprisonment</td>
</tr>
<tr>
<td>Tōjō Hideki</td>
<td>Death by hanging</td>
</tr>
<tr>
<td>Umezō Yoshijirō</td>
<td>Life imprisonment</td>
</tr>
</tbody>
</table>

Two separate judgments concurring with the majority (including one from Webb) and three separate dissenting judgments were also handed down, although they were not read out from the bench. The most controversial dissentient was Indian Justice Pal, who argued that all defendants should have been acquitted.

While Webb drafted several versions of his separate judgment running to hundreds of pages over time, drafts of which can be read in various files, his final judgment was only ten pages in length.\(^{450}\) Pointedly amongst the topics on which Webb differed from the majority was the Emperor. Privately, Webb seems to have been fairly consistent in his view that while a case could be made against the Emperor, the question of prosecuting him was one for the highest authorities; those authorities had made their decision and he would not go against it. He wrote to MacArthur in August 1947, for instance, that he had advised the Australian Government that there was a prima facie case against the Emperor but that ‘the matter might be one for decision at the highest political level’. He continued:

> I have no desire to see the Emperor of Japan put on trial. If he were I would refuse to try him if asked to do so. It is quite immaterial to me that the decision at the highest political level was in the Emperor’s favor ….

Yet, in a section of Webb’s judgment headed ‘Immunity of the Emperor’, he stated that he thought that the Emperor’s authority in Japan had been ‘proven beyond question’ by his ending of the war. However, he reiterated that:

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… the Prosecution also made it clear that the Emperor would not be indicted … I do not suggest that the Emperor should have been prosecuted. That is beyond my province. His immunity was, no doubt, decided upon in the best interests of all the Allied Powers. Justice requires me to take into consideration the Emperor’s immunity when determining the punishment of the accused found guilty: that is all.\textsuperscript{452}

On this basis, he pressed, unsuccessfully, for the death penalty not to be given to any convicted war criminal. However, seven of the convicted war criminals were sentenced to death, including Tōjō Hideki.

**Sentencing review and executions**

Under the terms of the Charter of the International Military Tribunal for the Far East, General MacArthur had the power to review the sentences. MacArthur reportedly received 10,000 petitions from Japanese individuals seeking to sway him, although their nature was not disclosed.\textsuperscript{453} Some Australians, too, wrote letters of protest about the death sentences.\textsuperscript{454} While MacArthur sought to consult with representatives of the involved countries, the Australian position was that final decision on sentences was ‘entirely’ one for the Supreme Commander.\textsuperscript{455} In the end, MacArthur chose to uphold the sentences as handed down. A defence appeal to the US Supreme Court was unsuccessful, as the Court decided it had no power to review, affirm, set aside or annul the judgment and sentences of the tribunal.\textsuperscript{456} The executions were carried out at Sugamo Prison in the early morning of 24 December 1948. Australian Patrick Shaw, by then representing the British Commonwealth on the Allied Council for Japan, witnessed the executions.

\textsuperscript{453} Memorandum from Patrick Shaw, Head of Mission, to the Secretary, Department of External Affairs, 24 November 1948, NAA: A1838, 1550/6 PART 2.
\textsuperscript{454} See, for example, the concerted letter campaign by H Tossell of Kadina, South Australia in NAA: A1838, 1550/6 PART 2.
\textsuperscript{455} Cablegram from the Department of External Affairs to the Australian Mission, Tokyo, 18 November 1948, NAA: A1838, 1550/6 PART 2.
\textsuperscript{456} Hirota v. MacArthur 338 US 197 (1948).
US war crimes trials at Yokohama

From December 1945, the United States ran its own national military tribunal war crimes trials at Yokohama. The records and proceedings of these trials are held at the United States National Archives and Records Administration (NARA), although if the trials had an Australian connection, usually some information about the trials is held in Australia. Many of the Yokohama trials concerned war crimes committed against Allied prisoners of war who had been held in camps in Japan, which included many Australian prisoners of war.

If Australians were amongst the victims, Australian officers were often seconded to serve on the bench (including as president) or participate in the trials (usually as prosecutors). In one large trial conducted in June 1946, for instance, the bench of seven judges included four Australian officers – Lieutenant Colonel FGJ Place (a member of 2AWCS, Tokyo), Wing Commander JM Davidson, Major DH Isaksson and Major EG Laver (all attached for special duty with GHQ SCAP) – and the accused were prosecuted by Major Douglas M Campbell, also a member of 2AWCS who had experience of the Australian war crimes trials at Morotai.
Affidavit evidence from Australian witnesses was also often tendered at the Yokohama trials, although occasionally Australian witnesses appeared in person to give evidence. The Australian contribution to the US trials was not insubstantial: by March 1948, 2AWCS members had ‘actively participated’ in the prosecution of 36 Japanese accused war criminals in the trials at Yokohama and had ‘assisted’ American prosecutors in a ‘further 58 trials involving 144 accused’.457

**Further international war crimes trials**

When the International Military Tribunal for the Far East commenced in 1946, further international trials of Japanese were expected to be convened. Indeed, a number of suspected war criminals were detained in Sugamo Prison for several years, awaiting a decision about further trials. However, Allied policy in relation to prosecuting major war criminals diverged in some cases from policy regarding minor war criminals. For instance, while the Australian Mission in Tokyo recommended in December 1947 that investigations of offences continue, as well as trials of minor war criminals before Australian Military Courts, it recommended against further A class trials after the tribunal concluded.458

As the tribunal finally wound to a conclusion in late 1948, SCAP tried two more major war criminals: Admiral Toyoda Soemu from 19 October 1948 to 6 September 1949; and Lieutenant General Tamura Hitoshi from 29 October 1948 to 23 February 1949. Their trials have become known as the ‘subsequent’ trials (that is, subsequent to the tribunal). These were international trials but their character as such was significantly reduced compared to the tribunal: apart from the United States, only Australia and China took part. Australia was represented by Brigadier John William O’Brien, who served as the President of the Tribunal for Toyoda’s trial.459 Published copies of both trial proceedings are held in the Australian War Memorial.460

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457 ‘Report for Monthly Summation March 1948 from Australian Division Legal Section SCAP by Lt Col DLB Goslett Chief of Division’, p. 3, attached as appendix ‘A’ to Aust Division Checknote (33/1) WC 2725, 25 March 1948, AWM: AWM226, 12.


459 O’Brien’s papers, including photographs relating to the Toyoda trial, are held in the Australian Defence Force Academy Library, MSS 124.

460 A microform copy of the transcript of Toyoda’s trial is also held in the National Library of Australia.
John William Alexander O’Brien on enlistment in 1940. NAA: B883, VX15127

For complex reasons, undoubtedly including the interminably lengthy duration of the tribunal, no further international joint trials were held. The release of all former A class war criminal suspects was announced on 24 December 1948 and the International Prosecution Section was disbanded on 11 February 1949.

Webb after the trial

Prime Minister JB Chifley informed Webb on 15 November 1948 that the Australian Government was ‘most gratified at the able manner in which you have carried on the onerous and important duties of President of the Tribunal’ and that he had done ‘much to enhance not only your own reputation but also the international prestige of Australia’.461

Webb left Japan for Australia in late November 1948. He had been appointed to the High Court in early 1946 and, having been sworn in on 18 November 1947, he resumed his seat on the High Court until his retirement in May 1958. Webb afterwards – regrettably – wrote very little about his experience on the International Military Tribunal. While he remained resolute in his views about the Emperor’s responsibility for war crimes, he came to believe by the 1970s that the decision to ‘save’ the Emperor from prosecution had been a worthy one, given that the Emperor had helped to guide Japan through the postwar period to be an economically powerful state.462

Overview of the records

Documents

With 11 countries represented on the International Military Tribunal bench in Tokyo, records relating to the tribunal were soon scattered all over the world. Moreover, the difficulties of copying documents meant that few copies were sometimes made. At one point in 1949, for instance, Webb had to borrow a copy of the majority judgment from the Australian War Memorial (AWM), as he had no copy of his own.463 Researchers wishing to refer to key tribunal documents (such as the Charter) and the transcript of the proceedings may find it easier to use The Tokyo War Crimes Trial, a published multi-volume book series which is

461 Cablegram from Prime Minister JB Chifley to the Australian Mission, Tokyo for Webb, 15 November 1948, NAA: A1838, 1550/6 PART 2.
463 See the correspondence on the loan in NAA: A1838, 1550/6 PART 2.
easily accessible in Australia. Key documents, including the judgments, are also published in other books on the tribunal. Key documents, the transcript and the judgments can also now (finally) be found online at the ICC Legal Tools Database under ‘Other International(ised) Criminal Jurisdictions’.

Fairly complete sets of tribunal records, as well as many documents created or accumulated by Webb or his staff during his time on the bench, are also available in Australia in the National Archives of Australia, at the Australian War Memorial and at the Library of the Supreme Court of Queensland. Webb’s personal papers are held at the Australian War Memorial, although his correspondence in this period is variously held across the National Archives of Australia, the Australian War Memorial and the National Library of Australia. For Japanese-literate researchers, the National Library of Australia also holds many Japanese language books and periodicals relating to the tribunal.

Outside of Australia, the holdings relating to the tribunal at the National Archives and Records Administration (NARA) in the United States and The National Archives (TNA) in the United Kingdom are also very substantial. Microfilmed copies of some of NARA’s tribunal records are also available at the University of Queensland. In New Zealand, a fairly complete set of tribunal records is available at the EH Northcroft Collection at the University of Canterbury. Online, the University of Virginia School of Law maintains an extensive archive in its ‘The Tokyo War Crimes Trial Digital Collection’, including official tribunal records, personal papers, news clippings, photographs, films and other materials.

In addition to official tribunal records and related documents, series belonging to External Affairs and, to a lesser extent, the Army contain many documents regarding international and Australian policy regarding major war criminals.

Films, sound recordings and photographs

While there is a good film and sound record of the tribunal, little of it is held in Australia. The known films and sound holdings include:

- 4 minutes 3 seconds of silent black-and-white footage showing the defendants disembarking from a bus outside the trial building, members of the public queuing to enter as spectators, the judges filing in to take their places on the bench and selected happenings in the court room, including former puppet Emperor of Manchuria, Pu Yi, giving evidence.
- a 2-hour 30-minutes sound recording of Webb handing down the verdicts on 12 November 1948. This recording was made by the Army Amenities Service of the British Commonwealth Occupation Force from a radio announcement of the verdicts in Japan.

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464 R John Pritchard, Sonia M. Zaide and Donald Cameron Watt, The Tokyo War Crimes Trial, New York and London: Garland, 1981. This 22-volume series of documents and transcript, together with a five-volume index, is held at the National Library of Australia and various other state and university libraries throughout Australia.
467 A memo briefly listing the contents of Webb and Cuppaidge’s document ‘packing crates’ home from Tokyo can been seen in NAA: A1838, 1550/6 PART 2.
468 Correspondence in the NAA and in the AWM are listed later in this guide. Webb’s correspondence in the National Library of Australia is found in Sir William F Webb Correspondence 1945-1946 [manuscript], NLA: MS5192.
469 This is a partial microfilm copy of National Archives and Records Administration RG 238.
470 Justice Emma Harvey Northcroft Tokyo War Crimes Trial Collection, University of Canterbury, MB1549. See the useful finding aid here: http://library.canterbury.ac.nz/mlb/war_crimes/toc.shtml.
472 Compared to the film and sound holdings on the IMTFE held at NARA, see RG238.
473 AWM: item F07480.
474 AWM: item S00013.
Original film and sound recordings of the trial are often incorporated into documentary films, some of which are also available in Australia.\footnote{475}{See, for example, The Tokyo Trial (Kodansha Ltd, Tokyo, 1975) held at the Supreme Court Library Queensland or Tokyō Saiban [International Military Tribunal for the Far East] (King Record Company, Tokyo, 2004), held at the Monash University Library. A 2011 Japanese motion picture film on the trial, Puraido: umei no toki, is also widely available on DVD.}

While the US Army Signals Unit extensively photographed the International Military Tribunal, this collection is held at National Archives and Records Administration in the United States. In Australia, there is a small photographic collection of the trial, much of which is in the collection of the Australian War Memorial. A good selection of photographs, including some rare coloured photographs and some personal photographs of Sir William and Lady Webb in Japan, are held in the private collection of the MacArthur Museum Brisbane.\footnote{476}{MacArthur Museum Brisbane: http://www.mmb.org.au/}

While some photographs of the trial were published in Australian newspapers, articles tended to use stock photographs of MacArthur, Webb or the defendants for illustration. Some more interesting photography of the trial was published in BCON (British Commonwealth Occupation News), the paper for British Commonwealth Occupation Force members in Japan, which is available at the National Library of Australia. Due to the large number of Allied trial staff and the press coverage, considerable numbers of memoirs covering the tribunal have also been published, some with personal photographs.\footnote{477}{See, for example, Arthur C Brackman, The Other Nuremberg: The Untold Story of the Tokyo War Crime Trials, London: Collins, 1989. Brackman was a news correspondent who covered the trials.}

This chapter sorts records into several sections:

- records relating to the production of Australia’s first list of major Japanese war criminals
- records relating to the tribunal of the Department of External Affairs
- records relating to the tribunal of the Department of the Army and the Army
- records relating to Sir William Webb’s association with the tribunal
- official records of the Australian delegation to the tribunal.

Files relating to the tribunal held at the Australian War Memorial, including Webb’s personal papers and its set of tribunal records, are listed separately at the end.

**Australia’s first list of major Japanese war criminals**

**CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES WITH YEAR AND LETTER PREFIXES, 1945**

Recorded by: 1945 Department of External Affairs [II], Central Office (CA 18)

Quantity: 34.56 metres (Canberra)

**Atrocities. Treatment of Japanese War Criminals, 1945–46**

This file contains early consideration of the International Military Tribunal, including the issue of the Emperor.

**Atrocities. Major Japanese War Criminals, 1945**

This is the key file concerning the production of Australia’s first list of major Japanese war criminals, including the issue of the Emperor.

**GENERAL CORRESPONDENCE FILES, SINGLE NUMBER SERIES, 1945–46**

Recorded by: 1945–46 Australian War Crimes Commission [II] (CA 3865)

Quantity: 0.54 metres (Canberra)
This series comprises 24 general files of the Australian War Crimes Commission, dealing with matters of administration, finance, correspondence and other documents relating to the inquiry.

**Sir William Webb; Australian War Crimes Commission – Major war criminals, 1945–46**  
A6238, 8  
This is another key file concerning the production of the first list of major Japanese war criminals.

### Records of the Department of External Affairs

**CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES WITH YEAR AND LETTER PREFIXES, 1945**  
A1066  
Recorded by: 1945 Department of External Affairs [II], Central Office (CA 18)  
See earlier entry for series A1066 in this chapter.

**Atrocities: Internal Military Tribunal to try major Japanese war criminals in Japan, 1945**  
A1066, H45/590/3  
This file contains correspondence regarding the selection of Australian nominees to the tribunal, including Webb’s letter accepting provisional nomination dated 13 December 1945.

**CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES WITH YEAR AND LETTER PREFIXES, 1946**  
A1067  
Recorded by: 1946 Department of External Affairs [II], Central Office (CA 18)  
Quantity: 32.22 metres (Canberra)

**War Crimes. Major Japanese War Criminals, 1945–46**  
A1067, UN46/WC/1  
This file includes correspondence on Australian and international policy concerning the major war criminals, how they should be tried and the settling of the indictment. Several key memos explain why the Emperor was included on Australia’s first list of major Japanese war criminals.

A1067, UN46/WC/8 PART 3  
This file contains correspondence discussing the press coverage of the trial and Webb’s return to Australian to engage in High Court work in late 1947.

**International Court to try major Japanese War Criminals in Japan, 1945–47**  
A1067, UN46/WC/15  
This file contains correspondence about the selection of and arrangements for travel of Webb, Mansfield, Mornane and many of the Australian witnesses who travelled to Tokyo to give evidence. It also includes correspondence on selected International Military Tribunal issues, including withdrawal of Higgins, the US judge, and Mansfield’s correspondence to Evatt on his difficulties in working in the International Prosecution Section under Keenan.

**War Crimes. Release of Mr Justice Mansfield from International Military Tribunal for the Far East, 1946–47**  
A1067, UN46/ WC/15/1
This file contains correspondence in late 1946 about Mansfield’s release from the tribunal, including a letter from the Queensland Premier asking for his return. It also contains Mansfield’s report to Evatt after presentation of his phase of the prosecution case.

Hon. Alan James Mansfield – Australian Associate Prosecutor at International Military Court to try Japanese War Criminals, 1946

This file includes a copy of Mansfield’s appointment as associate prosecutor.

CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES WITH YEAR AND LETTER PREFIXES, 1947

Recorded by: 1947 Department of External Affairs [II], Central Office (CA 18)

Quantity: 39.96 metres (Canberra)

This series contains the main correspondence files of the Department of External Affairs for 1947 but curiously contains only a single file concerning the International Military Tribunal.

Sir William and Lady Webb to Japan, 1947

CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES, 1948–89

Recorded by: 1948–70 Department of External Affairs [II], Central Office (CA 18) 1970–87 Department of Foreign Affairs, Central Office (CA 1382) 1987–89 Department of Foreign Affairs and Trade, Central Office (CA 5987)

Quantity: 3434.32 metres (Canberra)

This series includes the main correspondence files of the Department of External Affairs from 1948 to 1970 and hence includes many files concerning the Far Eastern Commission, the Allied Council for Japan, Supreme Commander for Allied Powers and the International Military Tribunal.

War Crimes – Financial arrangements, 1946–48

This file contains correspondence on the Commonwealth’s outlay to reimburse Queensland for the loss incurred by the loss of (at that stage) two judges and their associates to the International Military Tribunal. It also contains information about the allowances and insurance of Webb, Mansfield and Mornane.

War Crimes – International Military Tribunal for the Far East – Documents and Summaries, 1950

This file contains summaries no. 1–23 summarising the Final Judgment of the tribunal.


This file contains tribunal related correspondence, including discussion of whether more international war crimes trials of Japanese should be convened.
Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

This file includes lengthy discussion of the death sentences, General MacArthur’s review and the US Supreme Court appeals challenging the legality of the trials.

War crimes – Military Tribunal for trial of former 'A' Class Japanese war crimes suspects, 1948–49
This file contains correspondence from October 1948 onwards regarding further A class war crimes trials in Japan, as well as Australian participation in the ‘subsequent’ trials of Tamura and Toyoda.

Japanese war criminals – General, 1948–49
This file contains correspondence and news clippings from 1948 to 1949, including an interesting survey by the Australian Embassy in Japan of Japanese press opinion on the International Military Tribunal judgments and sentences, as well as External Affair’s decision-making on how Australia should respond to General MacArthur’s call for the opinions of involved nations in relation to his review. It also contains some correspondence on the subsequent trial of Toyoda, including the appointment of Brigadier O’Brien as President.

Japanese war criminals – General, 1949–50
This file contains correspondence and news clippings from 1949 to 1950, including a number of documents on the USSR’s proposal in this period to try the Emperor for war crimes.

Japanese war criminals – General, 1950–52

Japanese war criminals – General, 1952–53

Folders of Preparatory Committee for the Peace Settlement (PCPS) Background Papers, Single Number Series with 'PCPS' Prefix and Alphabetical Infix, 1947
Recorded by: 1947 Department of External Affairs [II], Central Office (CA 18)
Quantity: 1.08 metres (Canberra)
This series contains copies of documents prepared by the Preparatory Committee for the Peace Settlement.

Proclamation establishing the International Military Tribunal for the Far East together with Charter, 1945–47
This file contains a copy of General MacArthur’s proclamation of 19 January 1946 establishing the tribunal and the charter of the tribunal.
CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES WITH ‘L’ (LONDON?)
PREFIX, 1948–50

Recorded by: 1948–50 Department of External Affairs, London (CA 1759)

Quantity: 7.47 metres (Canberra)

This series holds files of the Department of External Affairs, London, otherwise known as the External Affairs Liaison Office, London. The role of this office was to liaise between various British agencies and the Australian Government.


CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES WITH ‘L’ (LONDON?)
PREFIX, 1948–50

Recorded by: 1948–50 Department of External Affairs, London (CA 1759)

Quantity: 7.47 metres (Canberra)

This series holds files of the Department of External Affairs, London, otherwise known as the External Affairs Liaison Office, London. The role of this office was to liaise between various British agencies and the Australian Government.


'CUMPSTON COLLECTION' OF DOCUMENTS RELATING TO THE HISTORY OF AUSTRALIAN FOREIGN POLICY, 1960–69

Recorded by: 1960–69 Department of External Affairs [II], Central Office (CA 18)

Quantity: 70.34 metres (Canberra)

This series contains files accumulated by Dr John Stanley Cumpston, a longstanding employee and departmental historian of External Affairs from 1960 to 1969. Since then, his collection has been assessed for retention/destruction and some items have been successfully re-sorted into their original External Affairs series. The Cumpston Collection today is what remains: a significant body of files on numerous subjects concerning External Affairs and the history of Australian foreign policy. It contains files concerning the International Military Tribunal, including the indictment, summaries of proceedings, excerpts from the judgment and the separate judgments of Webb and Justice Pal. It also contains numerous files concerning the related bodies of the Allied Council for Japan, the Far Eastern Commission, the Supreme Commander for Allied Powers and the Preparatory Committee for Peace Settlement.

Australian War Crimes Commission – Bundle Judgment International Military Tribunal for the Far East, Part B, Chapter 4, 1948


War Crimes Commission, 1946: International Military Tribunal for the Far East Judgements, Part A chapters 1, 2, 3, 7 and 8, 1948

Australian War Crimes Commission – International Military Tribunal, Indictment No 1, 1945

Australian War Crimes Commission – Bundle – International Military Tribunal, Indictment No 1, 1945

Australian War Crimes Commission – War crimes. Miscellaneous papers [including the prosecution’s opening address], 1946
Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

International Military Tribunal for the Far East – Number 1 – Indictment, 1945–52  
A4311, 747/2

Australian War Crimes Commission – War crimes, summary of proceedings, defence's case, 1947  
A4311, 747/7

Australian War Crimes Commission – War crimes. Trial transcripts, 1947  
This file does not contain the entire transcript of the International Military Tribunal but only a small selection dated August 1947.  
A4311, 747/13

A4311, 748/1

A4311, 748/2

A4311, 748/3

Judgement – International Military Tribunal for the Far East – Findings on Courts of the Indictment – Part C Chapter 9, 1948  
A4311, 749/1

War crimes – Japanese – International Military Tribunal for the Far East: The USA and others versus ARAKI Sadao – Judgement of Mr Justice PAL, member from India, c1946–47  
A4311, 758/1

A4311, 758/2

A4311, 766/1

This file contains correspondence on the International Military Tribunal, including the search for the original exhibits gathered by Webb for use at the tribunal and progress reports.

OFFICIAL FAR EASTERN COMMISSION DOCUMENTS RECEIVED FROM WASHINGTON, ALPHABETICAL SYSTEM, 1945–52  
A10468

Recorded by: 1945–52 Department of External Affairs [II], Central Office

Quantity: 7.89 metres (Canberra)

This series consists of 112 files of official documents received by the Department of External Affairs from the Far Eastern Commission in Washington DC. The Commission’s Committee No. 5 dealt with policy regarding war criminals. This Committee’s documents include meeting agenda, minutes and documents (marked C5 and numbered consecutively) on topics under discussion and periodically include
helpful lists of Supreme Commander for Allied Powers instructions (SCAPINS) issued regarding war criminals.

**Policies and Directives issued to the Supreme Commander Allied Forces, 1945**

- Far Eastern Advisory Commission. Apprehension and Punishment of War Criminals in the Far East. Note by the Secretary, 1945
  - A10468, A3

- Far Eastern Commission. Apprehension and punishment of War Criminals in the Far East. Note by the Secretary General, 1946
  - A10468, A13

- Far Eastern Commission. Apprehension and Punishment of War Criminals in the Far East. Note by the Secretary General, 1946
  - A10468, A14

- Far Eastern Commission. FEC Working Committee No 5. War Criminals, 1945
  - A10468, WC5/1

  This file contains the call for a meeting in November 1945 to organise Committee No. 5.

- Far Eastern Commission. FEC Working Committee No 5. War Criminals, 1945
  - A10468, WC5/2

  - A10468, WC5/4/1

- Far Eastern Commission. Committee 5. War criminals X1 to X29, 4 March 1946–10 December 1947
  - A10468, X

  This file contains agenda, minutes and documents, including a transcript of the meetings of Committee No. 5 held on 14 June and 25 June 1946, which were addressed at length respectively by Lord Wright and Keenan, the International Military Tribunal prosecutor. This file also includes a printed booklet containing the tribunal’s Opening Statement by the prosecutor, the Charter of the tribunal and the Indictment.

**UNREGISTERED FILES ON WAR-TIME MATTERS KEPT BY JDL HOOD AS HEAD, POLITICAL SECTION AND ACTING SECRETARY, DEPARTMENT OF EXTERNAL AFFAIRS, 1944–46**

- A12576

  Recorded by: 1944–46 Department of External Affairs [II], Central Office (CA 18)

  Quantity: 0.09 metres (Canberra)

  This series contains six files that appear to have been created by Mr Hood when he was acting as Secretary of the Department of External Affairs in 1945.

- War Crimes: Including original ministerial submissions by J D L Hood, 1944–46
  - A12576, 2

  This file contains advice for the Minister of External Affairs dated 30 August 1945 that a proposal before the United Nations War Crimes Commission had suggested that Australia should be represented on the forthcoming international military tribunal of major Japanese war criminals.
Records of the Department of the Army and the Army

SECRET CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES, 1945–55  
Recorded by:  
Department of the Army, Central Office (CA 36)  
Quantity: 17.53 metres (Melbourne)  
This series comprises Army Headquarters correspondence files.

US policy in connection with the apprehension and trial of war criminals in the Far East, 1945  
Procedures proposed by USA for trial of Japanese war criminals, 1945–46  
This file contains correspondence regarding the Far Eastern Commission recommendation as to when investigations and trials of war crimes should end.

GENERAL AND CIVIL STAFF CORRESPONDENCE FILES AND ARMY PERSONNEL FILES, 1943–51  
Recorded by:  
Department of the Army, Central Office (CA 36)  
Quantity: 170.08 metres (Melbourne)  
This series contains numerous files relating to war crimes, most of which are recorded elsewhere in this guide. The series contains files concerning the International Military Tribunal and the US Military Commission war crimes trials at Yokohama from December 1945, including the ‘subsequent’ trials of Toyoda and Tamura.

This is the first of eight parts of the file. They contain key records of US war crimes trials at Yokohama, some of which concerned Australian victims or in which Australians participated.

International Court – Trial of major Japanese war criminals [Nominations and procedures], 1945–46  
This file contains correspondence regarding the selection of Australian nominees to the International Military Tribunal

Documents relative to war crimes Japan – General Japan 24, 1945–46  
This is the first part of three parts of the file which contain records of the US war crimes trials at Yokohama, including correspondence seeking affidavits from former Australian prisoners of war held in Japan and other evidence for use.

Release of Mr Justice Mansfield from Australian Division of International Prosecution Section, Tokyo to return to Supreme Court, Queensland, 1946  
This file contains correspondence regarding Mansfield’s release from the International Military Tribunal. It also contains an interesting letter.
by Mansfield written to Prime Minister Chifley, then in Japan, outlining the range of evidence he sought to present as a part of his phase of the prosecution. It also contains lists of affidavits of evidence of Japanese war crimes provided to Mansfield for use at the tribunal.

**Trials of major war criminals Tokyo, 1946–47**
This file contains correspondence on the issue of paying the expenses in connection with providing Australian witnesses to give evidence at the International Military Tribunal. Although many of the witnesses were Army personnel, the Army regarded External Affairs as bearing the responsibility for prosecuting the major war criminals.

**War crimes – Information Summaries (American Court) [1] Sgt UNO, Hiroichi, 1947–48**
This is the first of 12 parts of the file. They are examples of compiled Public Relation Information Summaries on the US trials, all dating from early 1947.

This is the second of four parts of the file. It contains GHQ Supreme Commander for Allied Powers ‘Regulations Governing the Trials of Accused War Criminals’ for US Military Commissions, 5 December 1945.

**War crimes – Informational Summaries (American Court) YANAGIZAWA, Akira and others [SUSUKI Yoshiro, UISHIKI Eiichi, OSHIMA Morismase, SEKIHARA Masaji, OBINATA Hiroshi, AKIYAMA Yonesaku; Naoetsu Camp 4B (Australian personnel)], 1947–48**
This file contains documents on the US trial relating to the deaths of Australian prisoners of war at Naoetsu 4B camp.

**Far East Commission 'A' class suspects – Trial as minor war criminals [USA Military Tribunals, TOYODA Soemu, TAMURA Hiroshi], 1948–49**
This file contains the US invitation to have Australian representation on the subsequent trials of Toyoda and Tamura.

This is the second of two parts of this file. It contains the complete judgment in Toyoda’s case.

**FILE RELATING TO UNITED STATES’ YOKAHAMA WAR CRIMES TRIAL OF MURAKAMI, TAKUJI AND 13 OTHERS, 1946**
Recorded by: 1946 Department of the Army, Central Office (CA 36)
Quantity: 0.18 metres (Melbourne)
This series comprises one file relating to this US war crimes trial at Yokohama, which related to Australian prisoners of war held in Japan.
Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

Tokio [Tokyo] War Criminal Charges [File relating to United States' Yokahama war crimes trial of MURAKAMI, Takuji and 13 others]  
MP1559/1, WHOLE SERIES

GENERAL AND CIVIL STAFF CORRESPONDENCE FILES AND ARMY PERSONNEL FILES, MULTIPLE NUMBER SERIES, 1952–62  
MP927/1

Recorded by:  
1952–60 Department of the Army, Central Office (CA 36)  
1960–62 Army Headquarters, Department of the Army (CA 2585)

Quantity: 49.51 metres (Melbourne)

Sydney Daily Telegraph report on Japanese attack on War Crime Trial major war criminals, 1956  
MP927/1, A336/1/67

This file contains a news clipping from the Sydney Daily Telegraph on 8 May 1956, which reported on the ‘attack’ by several former Japanese defence counsel on the International Military Tribunal, including in relation to Webb’s appointment.

GENERAL CORRESPONDENCE RELATING TO PERSONNEL, 1943–1951, MULTIPLE NUMBER AND ALPHA-NUMERIC SERIES, 1939–63  
MT885/1

Recorded by:  
1939 Army Headquarters, Department of Defence [II] CA 2671)  
1939–59 Department of the Army, Central Office (CA 36)  
1960–63 Army Headquarters, Department of the Army (CA 2585)

Quantity: 59.98 metres (Melbourne)

Trial of major war criminals – Tokyo – Witnesses – Lieutenant Colonel Ernest Edward Dunlop; Major Bruce Arlee Hunt; Lieutenant Ben Charles Hackney; Lieutenant Vivian Bullwinkel; Lieutenant Colonel Albert Ernest Coates OBE; Lieutenant Alexander Gordon Weyton; Lieutenant John Charles Van Nooten; Major Phillip Lyburn Head; Lieutenant Colonel John Munslow Williams; Lieutenant Penrod Vance Dean; Colonel Arthur Seaforth Blackburn VC, ED, OBE, 1946–47  
MT885/1, W/3/5309

This file contains the particulars of service for each listed witness and correspondence about arrangements for their appearance at the International Military Tribunal. Note that several of these appearances were later cancelled, including that of Lieutenant Colonel ‘Weary’ Dunlop.

PERSONAL PAPERS OF DORIS MARY HEATH, 1942–90  
M3344

Recorded by:  
1923–90 Doris Mary Heath (CP 577)

Quantity: 0.27 metres (Canberra)

This series contains several files of papers maintained by Ms Heath, who served as an interpreter/translator at 2AWCS Tokyo.

Doris Mary Heath – 2 Australian War Crimes Section – Tokyo [Reference copy], 1946–47  
M3344, 10

This file contains some information on the US trials at Yokohama, including the transcript of a speech on the trials given on 9 Nov 1948 by Lieutenant Colonel Allan R Browne, Judge Advocate of the US Eighth Army, and details of the Yokohama trials which had an
Australian connection, such as an Australian prosecutor or Australian victims.

**Sir William Flood Webb**

**HIGH COURT JUDGES PERSONAL HISTORY FILES**

Recorded by: 1946–72 Attorney-General’s Department, Central Office (CA 5)

Quantity: 0.18 metres (Canberra)

This series contains one file, which is Webb’s personal file after appointment as a High Court judge in 1946.

**Personal file, 1946–72**

The file contains a copy of Webb’s official appointment, congratulatory messages from Chief Justice Sir John Latham and others to Webb; correspondence about administrative arrangements, including Webb’s retirement from the High Court. It also contains some documents and correspondence relating to International Military Tribunal for the Far East matters.

**CORRESPONDENCE FILES, ANNUAL SINGLE NUMBER SERIES WITH OCCASIONAL ‘G’ [GENERAL REPRESENTATIONS] INFIX, 1956–**

Recorded by: 1956–71 Prime Minister’s Department (CA 12)

1971– Department of the Prime Minister and Cabinet (CA 1401)

Quantity: 965.89 metres (Canberra)

This series contains correspondence files relating to general and policy matters, handled by the Prime Minister’s Department and its successor.

**Death of the former Chief Justice of Queensland – Sir William Webb, 1972**

This file contains the notification of Webb’s death in 1972 to the Prime Minister, copies of William McMahon’s personal and official messages of condolence and funeral arrangements.

**Official records of the Australian Delegation**

**RECORDS ACCUMULATED AS LEGAL SECRETARY AND ASSOCIATE TO SIR WILLIAM WEBB (CP333) PRESIDENT AND AUSTRALIAN MEMBER OF THE INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST, 1946–48**

Recorded by: 1946–48 Australian Delegation to the International Military Tribunal for the Far East (CA 3867)

1946–48 William Edmund Cuppaidge (CP 2)

Quantity: 1.44 metres (Canberra)

This series consists of 72 files of records accumulated by William Cuppaidge in his role as Webb’s associate. It includes official copies of trial documents, including the indictment, photographs of the defendants, summaries of the proceedings, internal memoranda, correspondence, papers relating to the drafting of the judgments (including Webb’s), newspaper clippings and other materials. Only a few of the files are listed below.
Papers relating to the drafting of the President of the International Military Tribunal for the Far East, Sir William Webb’s opinions and judgements, 1947–48

M1417, 32

Papers relating to the drafting of the President of the International Military Tribunal for the Far East, Sir William Webb’s judgement, 1947–48

M1417, 33

USA and others v Araki and others. Judgement of the President of the International Military Tribunal for the Far East, Sir William Webb, concerning trial of Japanese war criminals, 1948

M1417, 34

PERSONAL AND OFFICIAL CORRESPONDENCE ACCUMULATED WHILE PRESIDENT AND AUSTRALIAN MEMBER OF THE INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST, 1945–48

M1418

Recorded by: 1945–48 Australian Delegation to the International Military Tribunal for the Far East (CA 3867) 1945–48 The Hon William Flood Webb

Quantity: 0.18 metres (Canberra)

This series consists of 11 files of Webb’s official and personal correspondence during his time on the International Military Tribunal for the Far East. Correspondents included Dr HV Evatt, the Minister for External Affairs; General MacArthur; the other judges; and Webb’s wife and family. Note: in addition to ‘personal files’ of correspondents with surnames from A to L and M to Z, there are two other files of miscellaneous correspondence. Although there is often less detail about the trial in personal correspondence, Webb was often more forthcoming about his views with his family and friends.

Personal correspondence, Sir William Webb, as President of the International Military Tribunal for the Far East. Personal – Dr Evatt, Minister for External Affairs and Attorney General, 1946–47

M1418, 2

Personal correspondence, Sir William Flood Webb as President of the International Military Tribunal for the Far East: A to L, 1946–48

M1418, 3

This file includes correspondence with Chief Justice John Latham of the High Court of Australia, after Webb was appointed a high court judge.

Personal correspondence, Sir William Webb, as President of the International Military Tribunal for the Far East: M to Z inclusive, 1946–48

M1418, 4

Personal correspondence, Sir William Webb, as President of the International Military Tribunal for the Far East – to Commander in Chief [later Supreme Commander for the Allied Powers], 1946–47

M1418, 6

Personal Correspondence Sir William Flood Webb as President of the International Military Tribunal for the Far East: with Judges, 1946–47

M1418, 8
**Files held at the Australian War Memorial**

**RECORDS OF THE INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST (IMTFE), 1946–48**

Recorded by: 1946–48 Attorney-General’s Department, Central Office (CA 5)  
1946–48 Department of External Affairs [II], Central Office (CA 18)  
1946–48 Department of Defence [III], Central Office (CA 46)

Quantity: 20.2 metres (Australian War Memorial)

This very large series of 274 files contains effectively a full set of the records of the International Military Tribunal, including the indictment, vols. 1–148 of the record of proceedings, summation of the prosecution, vols. 1–24 of the closing addresses, summaries of proceedings, the judgments, indexes of witnesses and exhibits and other documents. The series also contains a record of the ‘subsequent’ trials of Tamura and Toyoda at Yokohama. Only a few files are listed below.

  - This is the first of 148 volumes of the Record of Proceedings.

- **International Military Tribunal for the Far East: Indictment, 1946**
  - AWM83, 167

- **International Military Tribunal for the Far East: Index of Witnesses, etc, June 1946–February 1948**
  - AWM83, 180

- **International Military Tribunal for the Far East: Index of Exhibits, 1–2282 (Prosecution), c1946–48**
  - AWM83, 181

- **International Military Tribunal for the Far East: Index of Exhibits, 2283–3915 (Defence), 1946–48**
  - AWM83, 182

  - This is the first of 44 volumes of the documents presented in evidence.

- **International Military Tribunal for the Far East: Judgment, 1 Nov 1948, 1–431, 1948**
  - AWM83, 232
  - This is the first of three volumes of the majority judgment.

- **International Military Tribunal for the Far East: USA and Others versus Araki and Others, Judgment of the President, c1946–48**
  - AWM83, 241
  - This is Webb’s separate judgment.

- **United States of America versus Hiroshi Tamura: Military Tribunal, SCAP [Supreme Commander for the Allied Powers], Tokyo, Japan, 20 October 1948–23 February 1949, Volume 1**
  - AWM83, 247
  - This is the first of eight volumes containing the Tamura trial proceedings.

- **United States of America versus Soemu Toyoda: Military Tribunal, SCAP [Supreme Commander for the Allied Powers], Tokyo, Japan, 19 October 1948–6 September 1949, Volume 1**
  - AWM83, 255
  - This is the first of 19 volumes containing the Toyoda trial proceedings.
Reviews of the Yokohama Class B and Class C war crimes trials by the US Eighth Army Judge Advocate 1946–1949 [microform].
This microfilm collection is copied from the records of the US Eighth Army’s Office of the Judge Advocate General regarding the Yokohama trials.

Webb, William (Sir, International Military Tribunal For the Far East)
Webb’s papers were transferred to the Australian War Memorial from the Attorney-General’s Department in 1958, having previously been stored in his former chambers in the High Court of Australia in Sydney. They comprise eight boxes of materials, including International Military Tribunal documents and internal memoranda; various drafts of his judgment; notes on individual cases; correspondence with General MacArthur, the judges and others; and other documents.

Durrant, Beverley
Durrant (née Floyd) served as the assistant to the commanding officer of 2AWCS in Tokyo from early 1948 to mid-1949. Her papers include a copy of a card issued to spectators at the International Military Tribunal.

A study for the trial of General Tojo
These three pencil-on-paper drawings of the International Military Tribunal are by Albert Tucker in 1947. Tucker had planned to do a painting of Tōjō’s trial but never did.

Hirota, Oshima, Hiranuma, Umezui, Shigemitsu, Muto
These monochrome engravings by Meyer Isaacman in 1946 show caricatures of these six top ranking officials tried at the International Military Tribunal.

Webb, Keenan, Tojo
These monochrome engravings by Meyer Isaacman in 1946 show caricatures of Webb, Keenan and Tōjō.

Itagaki, Togo, Oka, Hoshino, Suzuki, Shiratori
These monochrome engravings by Meyer Isaacman in 1946 show caricatures of these six top ranking officials tried at the International Military Tribunal.

478 More papers of Beverley Durrant are held in the Fryer Library, University of Queensland, UQFL387.
Araki, Kaya, Minami, Koiso, Hata, Shimada
These monochrome engravings by Meyer Isaacman in 1946 show caricatures of these six top ranking officials tried at the International Military Tribunal.

Pal, Northcroft, McDougall, Mei, Jaranilla, Cramer, Zarayanov, Roling, Patrick, Bernard
These monochrome engravings by Meyer Isaacman in 1946 show caricatures of all the judges except Webb.

Hashimoto, Sato, Doihara, Matsui, Kido, Kimura
These monochrome engravings by Meyer Isaacman in 1946 show caricatures of these six top ranking officials tried at the International Military Tribunal.

**FILM RECORDINGS**

**Minor war crimes trials**
This film comprises 5 minutes 47 seconds of silent black-and-white film footage of the United States war crimes trials at Yokohama. Several members of 2AWCS, including Lieutenant Colonel DLB Goslett, the commanding officer, are shown.

**War crimes trials at the International Military Tribunal Far East**
This film comprises 4 minutes 3 seconds of silent black-and-white footage showing the defendants disembarking from a bus outside the trial building, members of the public queuing to enter as spectators, the judges filing in to take their places on the bench and selected happenings in the court room, including former puppet Emperor of Manchuria, Pu Yi, giving evidence.

**SOUND RECORDINGS**

**War crimes trial, Tokyo Japan, 12 November 1948: findings and sentences handed down by the President of the International Military Tribunal for the Far East, Chief Justice Sir William Webb KBE LLD**
This recording is on a lacquer sound disc but has been digitised and is available online
10. Repatriation, parole and release of war criminals

Introduction

War criminals convicted by Australian military courts and sentenced to terms of imprisonment began pleading, both individually and in groups, to be repatriated to Japan to serve out their sentences almost as soon as they were convicted. Their efforts, and those of family members and other advocates on their behalf, increased as other Allied nations gradually repatriated war criminals to Japan to serve out their sentences.

For instance, ‘all war criminals’ held on Manus Island signed a petition on 10 September 1951 requesting that they be repatriated to Japan to serve their sentences. In doing so, they pointed out that, within the British Commonwealth, they were the only war criminals still imprisoned outside Japan.479 Similarly, ‘all’ the war criminals signed a petition to the ‘Australian Diet’ on 28 March 1952.480 Quite a public movement sprang up in Japan desiring the return of war criminals. Relatives of war criminals organised mass petitions on their behalf. Politicians also took up the cause: the Japanese House of Representatives’ Committee on Repatriation petitioned the Queen on the occasion of her coronation in June 1953 to allow the war criminals to return to Japan to complete their sentences.481

Despite many such pleas, in the first few years after 1945 only those war criminals who had completed their sentences were repatriated. They often had to wait a considerable period in limbo for a ship to transport them home, as transport by sea to Japan was difficult to obtain and expensive. At Rabaul released war criminals complained that some of them had been ‘detained’ in the Australian War Criminals Compound for three months after completing their sentences and, to make matters worse, were still ‘treated in the same way as war criminals’.482 This was, in fact, Australian policy. When the War Crimes (Imprisonment) Regulations 1951 (Cth) (the Regulations) were finally issued in 1951, the regulations specified that war criminals who had served out their sentence were, pending repatriation, to be detained and treated ‘as a war criminal’ in respect of discipline.483 The requirement to repatriate them to their country of origin was only ‘as soon as practicable’.484

While war criminals sentenced by Australian Military Courts in Singapore and Hong Kong were held in prisons in British custody and were repatriated to Japan by the United Kingdom in 1951, the bulk of war criminals in Australian custody were by then held in the Australian War Criminals Compound on Manus Island, as discussed in Chapter 8.

Transport by sea from Manus Island to Japan was also difficult, as the island was well off the main shipping routes and re-routing of ships was expensive. Those Japanese acquitted at the Manus Island trials in 1950–51, as well as the Japanese legal defence team, found themselves ‘stranded’ on Manus Island after the trials until a ship called in.485 Protracted negotiations took place in 1952 to organise the Japanese-owned SS Osaka Maru to repatriate war criminals from Manus Island, forcing the Japanese Repatriation Relief Agency later to

479 Petition from All War Criminals in the WCC, Manus Island to the Chief of the Naval Board of Australia, 10 September 1951, National Archives of Australia (NAA): MP375/13, WCC2/27.
480 Japan’s Parliament is known in English as the Diet: petition from All the Japanese in WCC, Manus Island to the Members of the Australian Diet, 28 March 1952: NAA: MP375/13, WCC2/27.
481 Memorandum from Mr E Ronald Walker, Ambassador, Australian Embassy, Tokyo to the Secretary, Department of External Affairs, 5 June 1953 and attached petition, NAA: A462, 446/1/13.
482 See the undated, but circa September 1948, copy of this petition for quick repatriation in NAA: MP742/1, 336/1/1973.
483 See regulation 42 of the War Crimes (Imprisonment) Regulations 1951 (Cth), Statutory Rules 1951, no. 11, made under the War Crimes Act 1945 (Cth) on 16 February 1951 and notified in Gazette on 22 February 1951. The regulations ‘as made’ in 1951 are available in full on the Federal Register of Legislation: www.legislation.gov.au
484 ibid.
485 ‘Japanese Defence Team Stranded at Los Negros’, The Age, 12 April 1952, news clipping held in A1838, 3103/10/13/2 PART 2.
compensate the Osaka Shōsen Kaisha (Osaka Steamship Company) about £1875 for the inconvenience.  

In addition to those war criminals who had completed their sentences, a handful of war criminals who had not completed their sentences were returned to Japan by ship in order to receive medical treatment. Afterwards, they were not returned to Australian custody but were detained on Australia’s behalf in Sugamo Prison in Tokyo. Transport home to Japan was even more difficult to arrange for these medical repatriates, as sometimes ship captains (including the master of the SS Osaka Maru) tried to refuse to carry them if they were also carrying ordinary passengers.

The idea of repatriation of war criminals en masse from Manus Island to Japan to serve their sentences began to be raised in 1950, even before the Manus Island trials were completed. Humanitarian reasons were cited, as well as the elimination of the costs associated with keeping the war criminals on Manus Island. However, arguments in favour of repatriation were usually regarded in the early 1950s as being significantly outweighed by the arguments against repatriation, including the need to respect Australian public opinion – usually negative – on the war criminals. For instance, a draft Cabinet agendum warned:

And so at last the day of the signing of the treaty arrived; they [the war criminals] glued themselves to the wireless and listened, and all their dreams and hopes were in vain ... In an abyss of disappointment, despair and sadness we stumbled to our beds saying, ‘We

Assurances about respecting sentences of imprisonment were given by General Douglas MacArthur, the Supreme Commander, Allied Powers (SCAP), but SCAP’s assurances would only last until a peace treaty with Japan came into force, as the war criminals would then become the responsibility of the Japanese Government. To address concerns about Japan’s overall intention towards its war criminals, the Treaty of Peace with Japan (often referred to as the San Francisco Peace Treaty) included Article 11, which read: Japan accepts the judgments of the International Military Tribunal for the Far East and of other Allied War Crimes Courts both within and outside Japan, and will carry out the sentences imposed thereby upon Japanese nationals imprisoned in Japan. The power to grant clemency, to reduce sentences and to parole with respect to such prisoners may not be exercised except on the decision of the Government or Governments which imposed the sentence in each instance, and on the recommendation of Japan. In the case of persons sentenced by the International Military Tribunal for the Far East, such power may not be exercised except on the decision of a majority of the Governments represented on the Tribunal, and on the recommendation of Japan.

Article 11 did not, however, deal with the issue of repatriation, bitterly disappointing the war criminals held on Manus Island. Repatriated in late 1951 after serving out his sentence, Katayama Fumihiko said of their dashed hopes:

And so at last the day of the signing of the treaty arrived; they [the war criminals] glued themselves to the wireless and listened, and all their dreams and hopes were in vain ... In an abyss of disappointment, despair and sadness we stumbled to our beds saying, ‘We

486 See the negotiations in NAA: A1838, 3103/10/13/2 PART 3. The cost was reported in a cablegram from the Australian Embassy, Tokyo, to the Minister and Department of External Affairs, 5 May 1953, NAA: A1838, 3103/10/13/2 PART 6.
488 Revised draft of proposed Cabinet agendum, ‘Policy Concerning Japanese War Criminals Sentenced by Australian Military Courts’, September 1952, p. 4, NAA: A1838, 3103/10/13/2 PART 4. This quoted sentence was not in the final agreed draft later presented to Cabinet.
have been forgotten!’ … For the last six years our one dream had been that when peace came we would return to Japan to serve our sentences.  

After the San Francisco Peace Treaty came into force on 28 April 1952, responsibility for war criminals imprisoned in Japan was transferred to the Japanese Government. The Japanese Government passed the ‘Law Concerning the Enforcement of the Provisions of Article XI of the Treaty of Peace’, Law No. 103, in April 1952. This law provided for a scale of remissions of sentence for war criminals (awarded for good conduct) and for parole eligibility, which was quite similar to that which SCAP had employed. A Prison Rating System was established for Sugamo that same month, which provided for rating war criminals on a scale from ‘very excellent’ to ‘unsatisfactory’. At this stage, however, this law and system only applied to war criminals held in Japan. Only a small number sentenced by Australian military courts at Singapore and Hong Kong fell into this category, as they had been repatriated by the United Kingdom. The Prison Rating System did not apply to the war criminals on Manus Island.

**Explanation of Sugamo Prison’s ‘Conduct Rating System’ for inmates.**
NAA: A1838, 3103/10/13/2 PART 3

Formal recommendations by the National Offenders’ Prevention and Rehabilitation Commission (NOPAR) in Japan for the parole of the small group of war criminals held in Sugamo on Australia’s behalf soon followed in mid-1952. One of its earliest

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491 This is the general date on which the treaty came into force. Australia ratified the treaty on 10 April 1952.

recommendations to Australia was for the release on parole of Ōtsuki Shigetada, who had been sentenced at Hong Kong in June 1948 to 7 years’ imprisonment and had been transferred by the United Kingdom to Sugamo Prison in May 1951. Ōtsuki’s conduct in Sugamo was rated as ‘excellent’. Parolees like Ōtsuki had to abide by a short list of parole conditions, including that they would live at a fixed abode, make an ‘honest living’, ‘not maintain a contact with a derelict or a miscreant’ and not leave their abode for more than three days or move more than a specified number of kilometres away from their abode without prior approval from the parole supervisor.

Notwithstanding Japan’s apparent broad acceptance of Allied war crimes judgments and sentences as asserted in article 11 of the San Francisco Peace Treaty, some niggling problems remained. Although the Japanese Government held the view that article 11 applied to all war criminals held in Japan, others argued that as the article specifically referred to ‘Japanese nationals’, it did not apply to war criminals who were actually Korean or Formosan (Taiwanese) and who had lost their Japanese nationality with the end of the war. In July 1952 a case was brought in the Japanese Supreme Court on behalf of 30 Korean and Formosan-born war criminals then held in Sugamo Prison. It argued that as they were no longer Japanese nationals, there was no authority to imprison them and they should be released. This argument was rejected by Justice Kuriyama Shigeru.

Australia took a healthy interest in these Japanese legal proceedings, undoubtedly as at this point Australia held 76 Formosan war criminals on Manus Island. Australia refused several applications by the Chinese Nationalist Government to separately repatriate the Formosans war criminals to Formosa. One such refusal, sent to the Chinese Embassy in Canberra pointed out:

In the view of the Australian Government the validity of the sentences is in no way affected by any subsequent change in the nationality of the criminals. This is also the view of the Japanese Government.

Yet, Australia’s confidence in the extent to which Japan adhered to its view that the present nationality of the war criminals was irrelevant was shaken in the same month as the Supreme Court’s judgment. Japan’s Ministry of Foreign Affairs submitted recommendations to Australia in July 1952 that five Korean war criminals be released from Sugamo Prison on several grounds, including their youth and lack of family in Japan. The recommendations concluded with a suggestive comment that Japan did, in fact, regard Korean war criminals as different from Japanese war criminals, namely:

Now the Peace Treaty has come into force, it is unbearable for Japan to make them serve their sentences as Japanese nationals like other war criminals.

**Repatriation of minor war criminals from Manus Island**

After the signing of the San Francisco Peace Treaty, the Australian Government faced increased pressure to repatriate all the war criminals from Manus Island, including formal and informal approaches from the Japanese Government, as well as a deluge of petitions from Japanese local government bodies, organisations and individuals. The Australian Embassy in Japan warned in August 1952, for example, that it was ‘becoming an almost full-time job’

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495 A translation of the Supreme Court’s judgment rejecting the application can be seen in NAA: A432, 1952/1519.
496 Appendix to Cabinet Agendum no. 347, ‘Policy Concerning Japanese War Criminals Sentenced by Australian Military Courts’, September 1952, p. 1, NAA: A432, 1952/1519. This is the figure given in this draft of the Cabinet agendum but it may be incorrect, given that there was occasionally minor confusion over who was Korean or Formosan.
497 Letter to the Chargé d’Affaires, Chinese Embassy, Canberra, 23 September 1952, NAA: A1838, 3103/10/13/2 PART 5.
498 Quoted in ibid, p. 2. A copy of the NOPAR recommendation for these five war criminals can be seen in NAA: A1838, 3103/10/13/2 PART 3.
Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

receiving the petitioners who were requesting the release of war criminals. The embassy suspected that ‘some form of concerted campaign is being organised to wear us down by sheer weight of numbers’. The First Secretary of the embassy was somewhat surprised by one deputation of petitioners in September 1952, which included relatives of a war criminal then on Manus Island, describing it as ‘a quite novel performance as far as this Embassy is concerned’.

Account describing a ‘quite novel performance’ of Japanese petitioning at the Australian Embassy, September 1952. NAA: A1838, 3103/10/13/2 PART 4

The targeting of the petitions was also often careful and deliberate: Mrs Pattie Menzies, the prime minister’s wife, was addressed in one such petition, which was handed over in Japan to Mrs Louise Walker, the wife of the Australian ambassador.

In the course of renewing Japan’s official request for repatriation of the war criminals from Manus Island in November 1952, the Ministry of Foreign Affairs advised the Australian Embassy that it, too, was being ‘flooded with petitions’ from relatives of the war criminals, as well as the ‘public in general’. The extent of the organisational effort can be seen in a petition headed by Mrs Imamura, the wife of General Imamura Hitoshi, which was handed over by the Japanese Embassy in Canberra to the Prime Minister’s Department in March

499 Memorandum from HS Currie, Third Secretary, Australian Embassy in Tokyo to the Secretary, Department of External Affairs, ‘Petitions for Release of War Criminals’, 29 August 1952, NAA: A1838, 3103/10/13/2 PART 4. The embassy forwarded regular lists of petitions received, which can be seen in NAA: A1838, 3103/10/13/2 PART 5, PART 6 and PART 8. Copies of some significant petitions can also be seen in various parts of this sub-series.

500 Memorandum from AB Jamieson, First Secretary, Australian Embassy, Japan, to the Secretary, Department of External Affairs, 2 September 1952. NAA: A1838, 3103/10/13/2 PART 4.

501 See copy of this petition in NAA: A1838, 3103/10/13/2 PART 6.


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1953. The petition was supported by the signatures in books of some 889,324 petitioners from various parts of Japan.

In September 1952, the ministers for the Army and External Affairs jointly prepared a Cabinet agendum on ‘Policy Concerning Japanese War Criminals Sentenced by Australian Military Courts’. The ministers recommended that Japan’s request for unconditional release of the war criminals be rejected. The agendum acknowledged, however, that Australia was by then, apart from the USSR and the Philippines, the only country still holding Japanese war criminals outside of Japan. However, the agendum was deferred by Cabinet on several occasions before an updated version was considered in July 1953. By then, Australia was the only country which had ratified the San Francisco Peace Treaty that clearly intended to continue holding war criminals outside Japan. The ministers sponsoring the agendum recommended that Japan’s request for unconditional release be rejected but stated that they made no recommendation as to the request for repatriation.

In a Cabinet meeting on 2 July 1953, Arthur Fadden, the Treasurer, asked how they would explain to the public a decision to repatriate the war criminals to Japan. RG Casey, the Minister for External Affairs, pointed out that ‘we aren’t releas[ing] them – just changing the gaol’ and that there was ‘great political value in sending them back’. After consideration, Cabinet decided to agree to Japan’s request to transfer all the war criminals from Manus Island to Sugamo Prison.

This decision turned on a number of factors, including that the rate of war criminals due for repatriation after completing their sentences was increasing and that the usefulness of the war criminals as a labour force overall was rapidly diminishing. The decision to repatriate the war criminals was subject to, amongst other things, Japan giving an undertaking to ensure that the sentences imposed by the Australian military courts would be carried out. Other provisos were also communicated to Japan, including that:

- the costs of transportation would be borne by Japan
- the arrangements and conditions on board ship would be appropriate to the war criminals still being under sentence
- the war criminals would be detained in Sugamo promptly, with no opportunity for public attention
- the repatriation overall would be conducted with a minimum of publicity.

On 31 July 1953, 147 ‘transferees’ (war criminals being transferred) and 18 ‘repatriates’ (war criminals who had served out their sentences) embarked on the SS Hakuryū Maru (also owned by the Osaka Shōsen Kaisha) for Japan. The remains of two war criminals who had died and been buried on Manus Island were exhumed and also repatriated. After arrival in Yokohama on 8 August 1953, the ‘transferees’ were detained in...
Sugamo Prison. Thereafter, Australia routinely received Sugamo monthly reports and the National Offenders’ Prevention and Rehabilitation Commission’s Statistical Reports on War Criminals in Sugamo Prison, which give basic headcount statistics, the latter reports being comparative statistics of detainees held on behalf of each of the Allied powers in Sugamo.514

**Parole and release of minor war criminals from Sugamo Prison**

The repatriation of all war criminals held by Australia to Japan did not stop the flood of petitions to Australian authorities, although now the petitioners turned their focus to issues of parole, clemency and release. The Australian Embassy in Japan observed somewhat dolefully in late 1953, for example, that petitions urging the release of all war criminals ‘continue[d] to pour into this Embassy from all parts of Japan’.515 By early 1955, Australia was the only country that had not granted formal parole or any degree of clemency to the war criminals held on its behalf, other than remission of sentence for good conduct, even though the National Offenders’ Prevention and Rehabilitation Commission had submitted dozens of recommendations for parole. Short periods of ‘provisional parole’ had been granted to some war criminals to deal with emergencies, such as critical illnesses and deaths of family members or natural disasters.

However, only those war criminals whose sentences had been served out in full or the remaining portion of their sentence had been remitted for good conduct and industry were released. Many war criminals had had their sentences remitted in this manner. General Imamura Hitoshi, for instance, was released from Sugamo on 13 November 1954, having served more than seven years of his ten year sentence handed down at Rabaul in May 1947 and the remaining one-fourth of his sentence having been remitted for good conduct and industry.516 This release date was, in fact, deliberately set two days before Imamura was actually eligible for release, in an attempt to limit the chance for an organised demonstration casting him as a hero.517

Giving the visibility of Australia standing alone in its refusal to grant parole, the Department of External Affairs prepared in January 1955 a draft Cabinet submission recommending the introduction of a system of parole and release.518 When the Cabinet submission was finally considered in early April 1955, it was co-sponsored by the ministers of External Affairs and the Army.519 Cabinet decided that minor war criminals would become eligible for parole after they had served one-third of their sentence or a maximum of ten years’ imprisonment (provided that this was not contrary to the requirements or practices of British Commonwealth countries), and that the Adjutant-General should be empowered to grant such parole.520

The new parole system took time to implement and had little impact at first, as only seven minor war criminals were released on parole in 1955.521 It also did not apply to Formosan or Korean war criminals, as the Japanese Government did not recommend parole for them. Instead, the Japanese Government favoured amnesty, release and repatriation to the war criminals’ own countries, an action Australia would not have agreed with.

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514 See monthly reports and NOPAR statistical reports in NAA: A1838, 3103/10/13/2 PART 9 and later parts in that sub-series.
515 Memorandum from RJ Percival, Third Secretary, Australian Embassy in Japan to the Secretary, Department of External Affairs, 18 November 1953, NAA: A1838, 3103/10/13/2 PART 10.
516 Minute paper by Colonel Gilchrist, Director of Personal Services to the Adjutant-General, 26 October 1954; and memorandum from PHill, Third Secretary, Australian Embassy in Japan to the Secretary, Department of External Affairs, 24 November 1954, both in NAA: MT1131/1, A336/1/70.
517 Memorandum from TK Crichley for Assistant Secretary, Department of External Affairs to the Australian Embassy, Tokyo, 2 November 1954, NAA: A1838, 3103/10/13/2 ANNEX A PART 12.
520 Cabinet Decision no. 381, 14 April 1955, NAA: A1838, 3103/10/13/2 PART 12.
Efforts to ‘step up’ the parole rate were soon recommended, with the hope that Australia would not at any time replace the United States as the government detaining the most war criminals in Sugamo. One suggestion was that minor war criminals should become eligible for parole after serving one-third of their sentence or a maximum of ten years’ imprisonment calculated from their date of arrest as a suspect (ie, not the date of sentence). The date from which eligibility for parole was calculated was crucial, as shown by a chart drawn up by the Japanese authorities to show how prospective dates differed if they were calculated under the sentencing and parole practices of Australia versus the United Kingdom.

This chart showed that war criminals administered by Australia were at a ‘great disadvantage’ compared to those administered by the United Kingdom. The disadvantage was on a sliding scale but, for war criminals sentenced to ‘life’ imprisonment, the difference in times served could almost be 20 years. It was soon pointed out, however, that the Australian military courts took time in custody into consideration when sentencing, so the date of imprisonment had to be calculated from the date of sentence.

<table>
<thead>
<tr>
<th>Name</th>
<th>Sentence</th>
<th>Date of Detention</th>
<th>Date of Sentence</th>
<th>Date of Parole (Australia)</th>
<th>Date of Parole (United Kingdom)</th>
</tr>
</thead>
</table>

Comparative (but strictly notional) dates of discharge under Australian and United Kingdom practices.

NAA: A1838, 3103/10/13/2 PART 14A

523 ‘Japanese War Criminals Transferred to Australian Jurisdiction’ and attached ‘List of Japanese War Criminals Transferred to Australian Jurisdiction’, 31 January 1956, NAA: A1838, 3103/10/13/2 PART 14A. Note: the reference in the document titles to transferral of jurisdiction is misleading. The war criminals listed as examples suffering disadvantage were tried and sentenced by Australia in Singapore and Hong Kong but were among the group transferred to Sugamo by the United Kingdom in 1951. After confusion at Sugamo about which country held responsibility for these war criminals, they were notionally ‘transferred’ from United Kingdom back to Australian jurisdiction in Sugamo’s records. No actual transfer of jurisdiction, legally or geographically, took place. But this group provided a persuasive case study, as far as Japan was concerned, of how different ways of calculating dates of eligibility for parole could result in significant (but strictly notional) differences in time served behind bars.
Another Cabinet submission in May 1956 recommended revising the parole system to eliminate its disproportionate operation and to extend it to Formosan and Korean war criminals, who would be allowed to return home to serve their parole. However, after consideration, Cabinet decided that the war criminals would now be regarded as eligible for remission (not parole) after they had served one-third of their sentence or a maximum of ten years’ imprisonment. Cabinet also extended the remission system to Formosan and Korean war criminals.

The effect of this decision was that the parole system was replaced by a system of remission of sentences, albeit with the same criteria for eligibility. This meant that war criminals already on parole were now eligible for termination of their sentences and for unconditional release. When the decision was publicly announced, therefore, it was described as implementing a ‘revised system of remission of sentences’.

High level discussions about releasing the remaining war criminals detained on Australia’s behalf in Sugamo continued in 1956 and into early 1957. Although the Australian Government remained sensitive to Australian public opinion about the war criminals, and resisted being manipulated on the subject by Japan, political pragmatism about Australia’s relations with Japan was also influential. For instance, a memorandum for the Minister for External Affairs pointed out in early 1957 that:

Our continued refusal to release them [the war criminals] … could cause this question to develop into a major irritant in our relations with Japan, damaging to some extent the good relations we have been fostering … It would also be desirable to remove this war criminal problem from our relations with Japan before either yourself [the Minister] or the Prime Minister visits Japan.

The reality was, by this stage, only Australia and the United States were still holding war criminals in Sugamo Prison and, in respect of Australia, the effect of the remission system meant that the number had been reduced to very few. By April 1957, only 14 war criminals were still detained in Sugamo on Australia’s behalf, principally those who had been sentenced to life imprisonment. One exception to this general rule was Yasusaka Masaji, who had been sentenced at Rabaul in March and April 1946 respectively to sentences of 15 years’ and 20 years’ imprisonment. In 1949, however, Yasusaka had been also convicted in a civilian criminal trial of murdering a fellow war criminal in the Manus Island compound, as discussed in Chapter 8. His sentence of 7 years’ imprisonment for murder was suspended at the time, pending the expiration of his war crimes sentences. Unsurprisingly, the departments of the Army and of Territories (which was then administering Papua and New Guinea) regarded Yasusaka’s conviction for murder carried out in the compound as eliminating him from consideration for remission of his war crimes sentences for reason of good conduct.

525 Cabinet Decision no. 197, 18 May 1956, NAA: A1838, 3103/10/13/2 PART 14B. Interestingly, this Cabinet decision also stated that the word ‘minor’ should not be used in relation to war criminals.
527 Mr J Plimsoll, Assistant Secretary, Memorandum for the Minister, ‘Japanese War Criminals’, not dated, pp. 1–2, NAA: A1838, 3103/10/13/2 PART 16.
528 Letter from N Takase, First Secretary, Embassy of Japan, 23 April 1957 attaching table entitled ‘Number of War Criminals in Sugamo Prison’, 10 April 1957, NAA: A1838, 3103/10/13/2 PART 16.
While Yasusaka had satisfied the requirements for parole or remission eligibility, as he had been imprisoned for more than 10 years, neither department thought that the Japanese recommendation in 1956 that Yasusaka be paroled was justified. Indeed, the Minister for Territories remarked:

I can find no arguments in support of the recommendation [for Yasusaka’s parole] except that to adopt the recommendation might save us from bothering about the case any more [sic].

The acute problem with Yasusaka was that, if the remaining periods of his war crimes sentences were remitted, he would become liable to serve his sentence for murder. There was no extradition treaty between Japan, where Yasusaka was now held, and Papua and New Guinea, where he had been convicted and sentenced for murder. After some discussion back and forth, Japan’s Ministry of Justice agreed to take, after Yasusaka’s release, ‘appropriate steps in the light of the examination of the [murder] case in accordance with relevant Japanese laws.’

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529 Quoted in letter from Department of Territories to the Secretary, Department of the Army, 4 September 1956, NAA: A1838, 3103/10/13/2 PART 16.
530 Embassy of Japan, Note Verbale no. 31, 5 April 1957, NAA: A1838, 3103/10/13/2 PART 16.
The Australian Government finally agreed to release the few remaining war criminals by the end of June 1957 in a decision that was announced on 12 June 1957. Some newspaper reports linked the decision to release the war criminals to trade negotiations between Australia and Japan. Correspondent Gilbert Mant, for instance, had labelled the ‘back-door release’ of war criminals for ‘the sake of a trade treaty’ as a ‘sneaky sort of thing that should never have happened’. While political pragmatism undoubtedly played a part in the decision, the Australian Government strongly resisted any suggestions that the decision was linked to trade with Japan.

Quite naturally, the decision to release the war criminals – although they were few in number by that time – drew some very strong objections in Australia, including from the Returned Sailors’ Soldiers’ and Airmen’s Imperial League of Australia (RSSAILA), which was renamed the Returned Services League of Australia (RSL) in 1965. Another critic was the combative Mr EJ Ward, the member for East Sydney, who had taken up the causes of returned Australian prisoners of war with some vehemence and who was very concerned that the war criminals appeared to be getting off lightly.

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The Japanese Ambassador to the United Kingdom, where Prime Minister Robert Menzies was then visiting, wrote to Menzies that he was delighted to hear of the pending release of the remaining war criminals and commented:

Your Excellency has always shown sympathetic understanding on this difficult problem and by your statesmanship you have now brought about its final solution to the gratification of all my countrymen.\footnote{Letter from Mr H Nishi, Ambassador, Embassy of Japan, United Kingdom, 29 June 1957. NAA: A1838, 3103/10/13/2 PART 17.}

Yasusaka was one of the last five war criminals to be released, on 4 July 1957.\footnote{See text of Japanese Ministry of Foreign Affairs, Note Verbale, 12 July 1957, quoted in letter from Mr HD Anderson, Head of Chancery, Australian Embassy, Tokyo to the Secretary, Department of External Affairs, 17 July 1957, NAA: A1838, 3103/10/13/2 PART 1.} On his release, Yasusaka was retried for causing Ogata’s death in the Tokyo District Court in July 1957 and was eventually sentenced to ‘three years’ servitude’; however, this sentence was suspended for three years.\footnote{See the Japanese explanation for the suspension quoted in letter from Mr HD Anderson, First Secretary, Australian Embassy, Tokyo to the Secretary, Department of External Affairs, 24 March 1958, NAA: A1838, 3103/10/13/2 PART 15A.}

**Release of major war criminals from Sugamo Prison**

After the sentences of the International Military Tribunal for the Far East were upheld by General Douglas MacArthur, and the United States Supreme Court declined to interfere with them in late 1948, major war criminals sentenced to terms of imprisonment were detained in Sugamo Prison, where they had been held awaiting and during the trial.
Media reports in Japan and Australia occasionally suggested that the war criminals were now living a ‘fantastic life of pampered ease’ in Sugamo Prison, similar to earlier suggestions about comfortable imprisonment in the Australian compounds. Major war criminal Araki Sadao greatly contributed to the controversy over whether being imprisoned in Sugamo was really punishment in late 1955, when he characterised the prison as ‘nothing but an apartment-house in which they [the war criminals] merely sleep’ in an article for a Japanese language journal. Araki quickly denied he had written the article and claimed that he had talked only ‘in a manner of an idle talk’ with the reporter, who had sensationalised the comments. Japan’s Ministry of Foreign Affairs stated that the report was ‘grossly exaggerated and contrary to fact’. Despite this, the issue of lenient treatment of war criminals in Sugamo gained quite a bit of publicity, including in Australia.

The issue of parole and clemency for the major war criminals arose seriously from 1952 onwards, when the San Francisco Peace Treaty came into effect. By then, several of the major war criminals sentenced to imprisonment had died of natural causes, leaving only a dozen in prison. As it did for the minor war criminals, article 11 of the San Francisco Peace Treaty was meant to provide the basis for the procedure to follow in relation to the major war criminals for the granting of clemency, the reduction of sentences or the granting of parole:

In the case of persons sentenced by the International Military Tribunal for the Far East, such power may not be exercised except on the decision of a majority of the Governments represented on the Tribunal, and on the recommendation of Japan.

Debate ensued as to whether the right to exercise the powers under article 11 was held by the eleven nations represented on the tribunal or only those nations represented there which were now parties to and had ratified the San Francisco Peace Treaty – namely Australia, Canada, France, the Netherlands, New Zealand, Pakistan (as a legal successor state to unified India), the Philippines, the United Kingdom and the United States.

The latter interpretation would exclude the USSR, China, India and the Philippines from the decision-making process. India, in particular, protested about being excluded, maintaining that it had a right to be involved, given that it had been represented on the tribunal, and certainly had more right to be involved than Pakistan, who had not been represented on the tribunal. Australia concurred with the decision of other governments, however, to confine the process to signatories of the San Francisco Peace Treaty, which India was not. India continued to protest the decision to exclude it well into 1954.

Each of the eligible governments’ internal processes leading up to decision-making was up to them. However, various procedural matters did have to be agreed upon among the governments, including:

- how consultations would take place
- how decisions would be made and conveyed to Japan
- whether Japan would be notified only of the ‘net effect’ of the overall decision-making or would be told of each government’s individual decision
- whether the governments would publicise the decisions or leave publicity to Japan, unless the consequent publicity was inaccurate.

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536 ‘Jap war criminals have life of ease’, Daily Telegraph Magazine (Sydney), 9 February 1954, p. 15, clipping in NAA: MP927/1, A336/1/54.
537 For two different translations of the Bungei Shunju article and subsequent media coverage in Japan, see NAA: A1838, 3103/10/13/2 PART 14A and MP927/1, A336/1/54.
538 Reported in cablegram from the Australian Embassy, Tokyo to the Minister and Department of External Affairs, 17 October 1955, NAA: A1838, 3103/10/13/2 PART 14A.
540 For an Australian legal (not political) analysis of the validity of India’s claim, see Legal and Treaty Section, memorandum for the Secretary and Mr Harry, 20 May 1953, NAA: A1838, 3103/10/13/1 PART 5. For drafts of Australia’s response to India, see NAA: A1838, 3103/10/13/1 PART 6.
541 See the extensive correspondence and notes of meetings in NAA: A1838, 3103/10/13/1 PART 5.
Once the procedure was agreed and the basics of it communicated to Japan on 9 March 1953, the National Offenders’ Prevention and Rehabilitation Commission began submitting individual cases recommending clemency for consideration by the eligible governments. Recommendations for clemency for (or failing that, parole of) Araki Sadao, Minami Jiro and Hata Shunroku were the first to be submitted to Australia in April 1953, with these three allegedly carefully chosen by the commission due to their advanced ages, their health and good conduct in prison. In support of Araki’s recommendation, for instance, Australia was told, among other things, that he was now 75 years old with high blood-pressure, he had been an obedient prisoner and that his prison rating was ‘very excellent’. The early indications were that most of the governments favoured parole on compassionate grounds but not unconditional release. The Department of the Army advised External Affairs, for instance, that:

If clemency is extended adequate safeguards must be imposed to preserve the standing and dignity of the International Military Tribunal for the Far East and of any future similar War Crimes Tribunal. Therefore the criminal must, during the period of the sentence awarded by the Tribunal, be prevented from propagating and pursing the ideals and methods which culminated in his present sentence. Conditional parole should provide the necessary safeguards.  

While engaged in consultations with the other governments, External Affairs simultaneously began to canvass how to form Australia’s official views on the applications for clemency. External Affairs suggested that a Parole Committee be established to consider the applications for clemency, which could be advised by a panel of advisors. Prospective panel members were suggested, including Sir George Holland (President of the RSSAILA), Dr AE Coates (who had been attached to the Australian delegation to the San Francisco Peace Conference), and Brigadier AS Blackburn VC and Colonel EE ‘Weary’ Dunlop (both of whom had been prisoners of war).  

542 NOPAR, A Decision on Recommendation Re Clemency – Araki Sadao, 10 April 1953, NAA: A1838, 3103/10/13/1 PART 5.  
543 Memorandum from FR Sinclair, Secretary, Department of the Army to the Secretary, Department of External Affairs, 22 May 1953, NAA: A1838, 3103/10/13/1 PART 5.  
The Minister for External Affairs’ suggestion that ‘Weary’ Dunlop should be involved in the advisory panel. NAA: A1838, 3103/10/13/1 PART 6

While the Attorney-General agreed with the idea, the Army did not favour such a committee and, if one was established, did not want to be represented on it, as the International Military Tribunal had largely been the province of the departments of External Affairs and the Attorney-General.

The eligible governments were still negotiating with each other on the applications in respect of Araki, Minami and Hata when Japan presented a recommendation in respect of Kaya Okinori in September 1953. The deadlock in views was still ongoing at the end of 1953, when the rapidly deteriorating health of Minami meant that his application had to be urgently resolved. Minami was approved for release on special medical parole, with Australia’s decision on it being conveyed to Japan’s Ministry of Foreign Affairs on 3 January 1954, as did the Tokyo missions of the other governments involved. The decision to release Minami did not result in any immediate unanimity of views on how to approach applications for clemency – neither did the influx in 1954 of Japanese recommendations for clemency for the remaining major war criminals, nor did the additional materials submitted in support of earlier recommendations.

International negotiations continued with little prospect at times of majority agreement on the course of action. In due course, however, the governments did come to grudging agreements to release more of the war criminals on special medical parole. Hata and Oka, for instance, were approved for special medical parole in late 1954 and Shimada and Araki in 1955.

545 NOPAR, A Decision on Recommendation Re Clemency – Kaya Okinori, 16 July 1953, NAA: A1838, 3103/10/13/1 PART 6.
546 Australian Ambassador, Note Verbale to Minister of Foreign Affairs, Tokyo, 3 January 1954, NAA: A1838, 3103/10/13/1 PART 7.
In Australia, Cabinet decided in April 1955 that the Minister for External Affairs should be authorised to approve the release or parole of major war criminals on ‘terms to be agreed upon with the majority of other states signatories to the Japanese Peace Treaty provided that this majority included all relevant members of the British Commonwealth’, 547 international negotiations continued throughout 1955 on the issue of whether, as the United States proposed, the war criminals should be eligible for parole after 10 years’ imprisonment or, as the United Kingdom favoured, they should be granted unconditional release according to a sliding scale. The Department of External Affairs recommended to its minister that Australia should support the United States’ proposal on the basis that:

- release on parole, not unconditional release, would probably be more acceptable to the Australia public
- as Australia was planning to parole minor war criminals, it would be ‘anomalous’ to privilege major war criminals by unconditionally releasing them
- release on parole would still afford the Japanese Government and the Allied governments some measure of control over the major war criminals
- the institution of a parole system would mean ‘almost immediate release of all major war criminals’, which ‘should produce valuable goodwill in Japan’. 548

The minister approved this approach on 18 July 1955, conditional on all the other British Commonwealth countries also accepting the United States’ proposal. Eventually all the

547 Cabinet Decision no. 381, 14 April 1955, NAA: A1838, 3103/10/13/2 PART 12.
548 Memorandum for the Minister, ‘Japanese “A” Class War Criminals, 10 June 1955, NAA: A1838, 3103/10/13/1 PART 9.
governments agreed to adopt the United States’ parole scheme with the proviso that parole was to be considered in each case, not just automatically approved. The first three war criminals eligible for parole were Hashimoto, Kaya and Suzuki, who were released in September 1955. Hoshino, Ōshima and Kido were released on parole in December 1955, leaving Satō Kenryō as the last remaining major war criminal in Sugamo until he was paroled in March 1956.

Sugamo Monthly Report for December 1955 showing only one major war criminal remaining in Sugamo. NAA: A1838, 3103/10/13/1 PART 9

Table 8: Outcomes for the convicted major war criminals.

<table>
<thead>
<tr>
<th>Convicted</th>
<th>Sentence in 1948</th>
<th>Outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>Araki Sadao</td>
<td>Life imprisonment</td>
<td>Paroled in June 1955</td>
</tr>
<tr>
<td>Doihara Kenji</td>
<td>Death by hanging</td>
<td>Executed</td>
</tr>
<tr>
<td>Hashimoto Kingorō</td>
<td>Life imprisonment</td>
<td>Paroled in September 1955</td>
</tr>
<tr>
<td>Hata Shunroku</td>
<td>Life imprisonment</td>
<td>Paroled in October 1954</td>
</tr>
<tr>
<td>Hiranuma Kiichirō</td>
<td>Life imprisonment</td>
<td>Died in 1952</td>
</tr>
<tr>
<td>Hirota Kōki</td>
<td>Death by hanging</td>
<td>Executed</td>
</tr>
<tr>
<td>Hoshino Naoki</td>
<td>Life imprisonment</td>
<td>Paroled December 1955</td>
</tr>
<tr>
<td>Itagaki Seishirō</td>
<td>Death by hanging</td>
<td>Executed</td>
</tr>
<tr>
<td>Kaya Okinori</td>
<td>Life imprisonment</td>
<td>Paroled in September 1955</td>
</tr>
<tr>
<td>Kido Kōichi</td>
<td>Life imprisonment</td>
<td>Paroled December 1955</td>
</tr>
<tr>
<td>Kimura Heitarō</td>
<td>Death by hanging</td>
<td>Executed</td>
</tr>
<tr>
<td>Koiso Kuniaki</td>
<td>Life imprisonment</td>
<td>Died in 1950</td>
</tr>
<tr>
<td>Matsui Iwane</td>
<td>Death by hanging</td>
<td>Executed</td>
</tr>
<tr>
<td>Minami Jirō</td>
<td>Life imprisonment</td>
<td>Paroled in January 1954</td>
</tr>
<tr>
<td>Mutō Akira</td>
<td>Death by hanging</td>
<td>Executed</td>
</tr>
<tr>
<td>Oka Takasumi</td>
<td>Life imprisonment</td>
<td>Paroled in October 1954</td>
</tr>
<tr>
<td>Ōshima Hiroshi</td>
<td>Life imprisonment</td>
<td>Paroled December 1955</td>
</tr>
<tr>
<td>Satō Kenryō</td>
<td>Life imprisonment</td>
<td>Paroled March 1956</td>
</tr>
<tr>
<td>Shigemitsu Mamoru</td>
<td>7 years’ imprisonment</td>
<td>Released in November 1950</td>
</tr>
</tbody>
</table>

549 Memorandum from the Department of External Affairs to the Australian Embassy, Tokyo, 9 September 1955, NAA: A1838, 3103/10/13/1 PART 9.
On 7 April 1958, the 10 surviving parolees – Araki, Hata, Hoshino, Kaya, Kido, Oka, Ōshima, Sato, Shimada and Suzuki – were each unconditionally released, with their sentences reduced to time served.\(^{550}\)

### Overview of the records

This chapter sorts records into two sections:

- repatriation, parole and release of minor war criminals
- parole and release of major war criminals.

Files held at the Australian War Memorial are listed separately at the end.

#### Repatriation, parole and release of minor war criminals

**CORRESPONDENCE FILES, ANNUAL SINGLE NUMBER SERIES, 1929–**

Recorded by: 1929– Attorney-General’s Department (CA 5)

Quantity: 2086.13 metres (Canberra), 291.06 metres (Sydney)

This series contains some files relating to war crimes, related action within the Department and correspondence with the Department of the Army. The files below deal with issues of detention of war criminals, parole, clemency and repatriation in the early 1950s.

- **Japanese War Criminals, 1948–58**
  - A432, 1952/1519

- **Japanese War Criminals – establishment of a parole committee, 1952–55**
  - A432, 1953/2473

- **Japanese War Criminals – proposal to count period of suspension of sentence as part of period of sentence, 1953**
  - A432, 1953/3089

**CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES, FOURTH SYSTEM, 1951–55**

Recorded by: 1951–55 Prime Minister’s Department (CA 12)

Quantity: 52.39 metres (Canberra)

This series contains correspondence files relating to a number of subjects, including the repatriation of convicted war criminals.

  - A462, 446/1/2

\(^{550}\) For correspondence on this initiative, see NAA: A1838, 3103/10/13/1 PART 10.
Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

This file contains the petition addressed to the Queen on her coronation day.

CORRESPONDENCE FILES, ANNUAL SINGLE NUMBER SERIES WITH OCCASIONAL ‘G’ [GENERAL REPRESENTATIONS] INFIX, 1956–

Recorded by: 1956–71 Prime Minister’s Department (CA 12)
1971– Department of the Prime Minister and Cabinet (CA 1401)

Quantity: 965.89 metres (Canberra)

This series contains correspondence files relating to general and policy matters handled by the Prime Minister’s Department and its successor.

Japanese war criminals – General representations, 1951–57
This file contains letters and petitions to the prime minister regarding the war criminals.

CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES [CLASSIFIED 301], 1935–58

Recorded by: 1935–39 Department of Defence [II] (Central Administration) (CA 19)
1939–42 Department of Defence Co-ordination, Central Office (CA 37)
1942–58 Department of Defence [III], Central Office (CA 46)

Quantity: 95.31 metres (Canberra)

This is the correspondence series for security classified matters dealt with by the departments.

Japanese war criminals – Clemency. Part 1, 1952–54

CORRESPONDENCE FILES, ANNUAL SINGLE NUMBER SERIES [CLASSIFIED] WITH OCCASIONAL C [CLASSIFIED] SUFFIX, 1957–

Recorded by: 1957–71 Prime Minister’s Department (CA 12)
1971– Department of the Prime Minister and Cabinet (CA 1401)

Quantity: 1250.38 metres (Canberra)

This series contains security classified files relating to general and policy matters of the two agencies.

Japanese War Criminals – Policy, 1951–56

Japanese War Criminals – Policy, 1956–59

This file contains the original letter of thanks from the Japanese Ambassador upon the release of all war criminals.

A462, 446/1/13
A463, 1956/590
A816, 19/304/511
A816, 19/304/542
A1209, 1957/4600
PART 1
A1209, 1957/4600
PART 2
CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES, 1948–89

Recorded by:

1948–70 Department of External Affairs [II], Central Office (CA 18)
1970–87 Department of Foreign Affairs, Central Office (CA 1382)
1987–89 Department of Foreign Affairs and Trade, Central Office (CA 5987)

Quantity: 3434.32 metres (Canberra)

This series includes the main correspondence files of the departments. It contains significant sub-series on the repatriation, parole and release of both minor and major war criminals, the latter of which are listed later in this chapter. The sub-series below predominantly concern minor war criminals.

**Japan – Japanese war criminals – Australian war trials – Documents relating to request for parole, 1953–55**

**War Crimes – General, 1947–79**

This file deals with the repatriation of minor war criminals generally, as well as the repatriation by the United Kingdom of war criminals sentenced by Australia from Singapore and Hong Kong.

**War crimes – Formosan war criminals, 1947–52**

This file deals with the war criminals originally from Formosa and diplomatic efforts by the Republic of China on their behalf.

**Japan – Japanese war criminals – Australian war trials, 1946–50**

This is the first part of a 17-part item on this subject. Parts 1 and 2 primarily concern the Manus Island trials but some correspondence on issues of repatriation, parole and release does start in Part 2. From Part 3, the files proceed chronologically from 1952 to 1957, enabling the relatively easy location of internal and external correspondence on issues or events of particular years relating to repatriation, parole and release. Part 9 contains nominal rolls of war criminals who were repatriated in July 1953 and an interesting memorandum from the Australian Embassy describing the publicity given to their arrival back in Japan. From Part 9 onwards, therefore, the contents turn away from repatriation to the issues of parole and release. Part 12 contains a useful nominal roll of war criminals held in Sugamo on Australia’s behalf – divided into Japanese, Formosan and Korean nationality – as of 15 February 1955. Part 17 contains the messages of gratitude from Prime Minister Kishi and others on the release of the remaining war criminals in 1957.

**Japan – Japanese war criminals – Australian war trials – Documents relating to requests for parole, 1952**

This is the first of a 12-part item. The files proceed chronologically from 1952 to 1955 and, for each recommendation for parole, generally contain the National Offenders’ Prevention and Rehabilitation Commission’s decision on recommendation and various materials in support of the application, including opinion of the Governor of
Sugamo Prison. There is no index, so finding the application in respect of any individual war criminal is a matter of searching the files for the approximate year of release. Researchers are cautioned that some applications for parole are also held in the main 3103/10/13/2 subseries above, not in this Annex A subseries.

**FIFTH MENZIES MINISTRY – FOLDERS OF CABINET SUBMISSIONS (FIRST SYSTEM), 1951–54**

Recorded by: 1951–54 Secretary to Cabinet/Cabinet Secretariat [I] (CA 3)

Quantity: 9.45 metres (Canberra)

This series consists of submissions made to the Menzies Cabinet and some notes of decisions.

*Policy concerning Japanese war criminals sentenced by Australian military courts – decision 637, 1952–53*  
A4905, 347

*Policy concerning Japanese war criminals sentenced by Australian military courts – decision 731, 1953*  
A4905, 466

This file contains Cabinet decision no. 731 in July 1953 by which Cabinet approved the transfer of war criminals held on Manus Island to Sugamo.

**SIXTH MENZIES MINISTRY – FOLDERS OF CABINET SUBMISSIONS, 1956–58**

Recorded by: 1956–58 Secretary to Cabinet/Cabinet Secretariat [I] (CA 3)

Quantity: 13.95 metres (Canberra)

This series contains the submissions prepared for the Menzies Cabinet and some notes of decisions.

*Japanese war criminals – Decision 197, 1956*  
A4926, 158

**MENZIES AND HOLT MINISTRIES – CABINET FILES ‘C’ SINGLE NUMBER SERIES, 1958–67**

Recorded by: 1958–67 Secretary to Cabinet/Cabinet Secretariat [I] (CA 3)

Quantity: 78.03 metres (Canberra)

This series is the main series maintained by the Cabinet Office in the period 1958–67 but it contains files relating back to 1949.

*Japanese war criminals sentenced by Australian military courts – Policy, 1952–53*  
A4940, C702

*Release and parole of Japanese war criminals – Policy, 1955–56*  
A4940, C1233

**CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES [CLASS 441] [CLASSIFIED], 1956–64**

Recorded by: 1956–64 Department of the Army, Central Office – Secretary’s Branch, Central Registry (CA 36)

Quantity: 24.93 metres (Canberra)
This series contains files relating to the Department of the Army’s administration of military defence and organisation, including training and control of the military forces, organised by subject.


This file contains correspondence regarding the minor war criminals.

**FILES RELATING TO THE ADMINISTRATION OF THE MANUS ISLAND WAR CRIMINAL COMPOUND, 1950–53**

<table>
<thead>
<tr>
<th>Recorded by:</th>
<th>1950–53 RAN War Criminal Compound Manus Island (Territory of Papua and New Guinea) (CA 9602)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quantity:</td>
<td>0.72 metres (Melbourne)</td>
</tr>
</tbody>
</table>

This series holds the files created by the Navy after it took over the administration of the Manus Island compound and is the main series dealing with the compound. It holds several files relating to repatriation issues.

- **Repatriation of Japanese War Criminals to Japan, 1949–53**
- **Time Expired and Repatriation of Japanese war criminals to Japan, 1952**
- **Petitions [relating to repatriation of Japanese war criminals] referred to Higher Authority, 1950–53**
- **Request by tuberculosis suspects for repatriation to Japan, 1950–53**

**SECRET CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES, 1945–55**

<table>
<thead>
<tr>
<th>Recorded by:</th>
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</tr>
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<tr>
<td>Quantity:</td>
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</table>

This series comprises Army Headquarters correspondence files and includes a number of files dealing with war crimes matters.

- **Japanese War Criminals: External Affairs Considerations for Cabinet Agenda, 1952**
### Japanese War Criminals Cabinet Agendum on Policy


### War criminals

- War criminals of Korean origin in Sugamo Prison [transfer to Korea or parole], 1955
  - MP729/8, 66/431/26
- War criminals of Formosan and Korean origin [granting of parole], 1955–56
  - MP729/8, 66/431/27

### OTHER RECORDS

**GENERAL AND CIVIL STAFF CORRESPONDENCE FILES AND ARMY PERSONNEL FILES, 1943–51**

<table>
<thead>
<tr>
<th>Series</th>
<th>MP742/1</th>
</tr>
</thead>
</table>

Recorded by: Department of the Army, Central Office (CA 36)

Quantity: 0.09 metres (Canberra), 170.08 metres (Melbourne)

This series contains numerous files relating to war crimes, most of which are recorded elsewhere in this guide.

#### Application for parole to General Headquarters Supreme Commander for the Allied Powers – Australian cases, 1948–50

- MP742/1, 336/1/2127

This file concerns the parole of Otaki Akira, who was convicted in the United States’ trials at Yokohama by an Australian officer prosecuting him for crimes against Australian prisoners of war. Hence, when Otaki applied for parole, the United States consulted Australia but the Army decided not to express an opinion or comment on Otaki’s application.

#### Parole system for Japanese war criminals held in Sugamo prison, 1950–52

- MP742/1, 336/1/2193

**FILES RELATING TO THE ADMINISTRATION OF THE MANUS ISLAND WAR CRIMINAL COMPOUND, 1950–53**

<table>
<thead>
<tr>
<th>Series</th>
<th>MP375/13</th>
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</table>

Recorded by: RAN War Criminal Compound Manus Island (Territory of Papua and New Guinea) (CA 9602)

Quantity: 0.72 metres (Melbourne)

This series holds the files created by the Navy after it took over the administration of the Manus Island compound and is the main series dealing with the compound. The files principally deal with the standing orders, memoranda and other instructions issued concerning the operation of the compound. The files also contain many requests or petitions submitted by the war criminals and responses to them, a brief selection of which are listed below.

#### Petitions referred to Higher Authority, 1950–53

- MP375/13, WCC2/27
### GENERAL AND CIVIL STAFF CORRESPONDENCE FILES AND ARMY PERSONNEL FILES, MULTIPLE NUMBER SERIES, 1952–62

**Recorded by:**  
1952–60  Department of the Army, Central Office (CA 36)  
1960–62  Army Headquarters, Department of the Army (CA 2585)

Quantity: 49.51 metres (Melbourne)

This series is similar in content to MT1131/1.

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<tr>
<th>Record Type</th>
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<tr>
<td>Review of Sentences Japanese War Criminals, 1952</td>
<td>MP927/1</td>
<td>MP927/1, A336/1/3</td>
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<tr>
<td>Suspension of sentences of imprisonment – Japanese War Criminals, 1950–53</td>
<td>MP927/1</td>
<td>MP927/1, A336/1/6</td>
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<tr>
<td>Repatriation of Japanese War Criminals Prisoners due for release, 1950–53</td>
<td>MP927/1</td>
<td>MP927/1, A336/1/34</td>
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<tr>
<td>Japanese War Criminals enforcement of sentences at Sugamo Prison, 1954–59</td>
<td>MP927/1</td>
<td>MP927/1, A336/1/54</td>
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<tr>
<td>Japanese War Criminals undergoing medical treatment in Japan, 1955</td>
<td>MP927/1</td>
<td>MP927/1, A336/1/59</td>
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<tr>
<td>Authority for release on parole of Japanese war criminals, 1955–56</td>
<td>MP927/1</td>
<td>MP927/1, A336/1/60</td>
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### GENERAL AND CIVIL STAFF CORRESPONDENCE FILES AND ARMY PERSONNEL FILES, MULTIPLE NUMBER SERIES, 1952–62

**Recorded by:**  
1952–60  Department of the Army, Central Office (CA 36)  
1960–62  Army Headquarters, Department of the Army, Melbourne (CA 2585)

Quantity: 98.17 metres (Melbourne)

This series is similar in content to MP927/1. It contains a number of files concerning the repatriation, parole and release of war criminals.

<table>
<thead>
<tr>
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<th>Description</th>
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<tr>
<td>Transfer of War Criminals from Singapore and Hong Kong to Japan, 1950–58</td>
<td>MT1131/1</td>
<td>MT1131/1, A336/1/4</td>
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</table>
Japanese war criminals in the Pacific: Australia’s investigations and prosecutions

**Release of war criminals of Korean origin, 1952–55**  
MT1131/1, A336/1/17

**Japanese War Criminals – Applications for parole, 1952–56**  
MT1131/1, A336/1/22

**Formosan War Criminals held at Rabaul and Manus, 1947–53**  
MT1131/1, A336/1/23

**Transfer Japanese War Criminals from Manus to Sugamo Prison, 1952–54**  
MT1131/1, A336/1/27

**Japanese war Criminals – Enforcement of sentences in Sugamo Prison, 1952–54**  
MT1131/1, A336/1/41

**War Criminals on parole and monthly reports, 1953–56**  
MT1131/1, A336/1/43

**Release of Japanese War Criminals, 1953–57**  
MT1131/1, A336/1/55

**War Criminals on Parole and Monthly reports, 1955–58**  
MT1131/1, A336/1/69

**Japanese War Criminals – release from Sugamo Prison Japan, 1953–57**  
MT1131/1, A336/1/70

**Representation to Minister by Attorney-General on behalf of Returned Sailors’, Soldiers’ and Airmens’ Imperial League of Australia (RSSAILA) protesting against release of three Japanese War Criminals, 1958–59**  
MT1131/1, A336/1/75

This file contains a letter of protest by the Returned Sailors’, Soldiers’ and Airmens’ Imperial League of Australia somewhat belatedly in December 1958 to Sir Garfield Barwick, then Attorney-General, about the release of war criminals in mid-1957.

### Parole and release of major war criminals

**CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES, 1948–89**

**A1838**

**Recorded by:**  
1948–70 Department of External Affairs [II], Central Office (CA 18)  
1970–87 Department of Foreign Affairs, Central Office (CA 1382)  
1987–89 Department of Foreign Affairs and Trade, Central Office (CA 5987)

See earlier entry for series A1838 in this chapter.

**Japanese war criminals – General, 1950–52**  
A1838, 3103/10/13/1 PART 4

This file contains policy discussion and correspondence on the procedure to be adopted by the eligible Allied powers regarding clemency for major war criminals.

**Japanese war criminals – General, 1952–53**  
A1838, 3103/10/13/1 PART 5

This file continues on from Part 4 and also holds the first National Offenders’ Prevention and Rehabilitation Commission recommendations submitted to the eligible Allied powers in April 1953 in relation to Araki, Minami and Hata.

**Japanese War Crimes – General, 1953**  
A1838, 3103/10/13/1 PART 6

This file continues on from Part 5 with recommendations in relation to Araki, Minami and Hata. It also includes the National Offenders’ Prevention and Rehabilitation Commission recommendation in relation to Kaya.
Japanese War Criminals – Major – General, 1953–54

Japan – Japan War Criminals Major – General, 1955–75
This file contains correspondence concerning the eventual agreement of all eligible governments regarding the adoption of the parole scheme.

Japan – Japanese war criminals, 1956–79

Japan – Military occupation – Applications on behalf of Major war criminals, 1953–55

SECRET/TOP SECRET CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES (SECOND SYSTEM) (WASHINGTON), 1952–53
A5461
Recorded by: 1952–53 Australian Embassy, Washington (CA 1817)
Quantity: 3.69 metres (Canberra)

Japanese war criminals – (Review of sentences), 1952–53
This file contains correspondence, primarily with the Department of External Affairs, the US State Department and other embassies in Washington on sentencing issues. It also contains notes on the meetings held between national representatives of the eligible governments relating to the major war criminals. It has an amusing exchange of correspondence on official stationery between Mr JL Allen, the Second Secretary of the Australian Embassy and Mr RH Wade, the First Secretary of the Embassy of New Zealand.

SECRET/TOP SECRET CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES (THIRD SYSTEM) (WASHINGTON), 1954–57
A5462
Recorded by: 1954–57 Australian Embassy, Washington (CA 1817)
Quantity: 11.25 metres (Canberra)

Japanese war criminals, 1954–57
This file continues the correspondence in file A5461, 3/11/5/1/1.

CORRESPONDENCE FILES, MULTIPLE NUMBER SERIES [CLASSIFIED], 1956–64
A6059
Recorded by: 1956–64 Department of the Army, Central Office – Secretary’s Branch, Central Registry (CA 36)
See earlier entry for series A6059 in this chapter.

Major war criminals, 1953–58
A6059, 72/441/1 PART 2

GENERAL AND CIVIL STAFF CORRESPONDENCE FILES AND ARMY PERSONNEL FILES, MULTIPLE NUMBER SERIES, 1952–62
MP927/1
Recorded by: 1952–60 Department of the Army, Central Office (CA 36)
1960–62 Army Headquarters, Department of the Army (CA 2585)
See earlier entry for series MP927/1 in this chapter.
Files at the Australian War Memorial

WRITTEN RECORDS, 1939–45 WAR, 1926–93

Recorded by: 1926–39 Department of Defence [II], (Central Administration) (CA 19)
1942–93 Department of Defence [III], Central Office (CA 46)

Quantity: 213.5 metres (Australian War Memorial)

This series holds miscellaneous records that were transferred to the Australian War Memorial from the Military History Section of the Australian Army regarding the 1939–45 war. As such, it contains many files relating to war crimes, mostly (but not exclusively) in item numbers 1010/*/*, many of which are recorded elsewhere in this guide. The attention of researchers is drawn specifically to the files classified by the title of ‘[Prisoners of War and Internees – Exchange and Repatriation:]’.


This file contains correspondence and lists of war criminals repatriated from Manus Island to Japan, including the medical repatriates.


This file contains a nominal roll of war criminals sentenced at Rabaul, Morotai, Labuan, Wewak and Darwin (not including Singapore, Hong Kong or Manus Island) to terms of imprisonment compiled in date of release order.

NAVAL HISTORICAL COLLECTION, 1943–87

Recorded by: 1943–73 Navy Office [IV], Department of the Navy [II] (CA 38)
1973–74 Navy Office [V], Department of Defence [III] (CA 1569)

Quantity: 28 metres (Australian War Memorial)

This series holds naval records that were transferred to the Australian War Memorial from the Naval Historical Records Section (and its successor). It holds the following files concerning the Manus compound.

[Naval Historical Collection] Gaol Register (Japanese War Criminals) [war criminals convicted at Morotai, Labuan, Rabaul, Darwin and Manus Island, 1945–1951], 1946–53

AWM124, 4/413
This file contains a leather-bound book listing war criminals convicted at Morotai, Rabaul, Labuan and Darwin in 1945–47 and Manus Island in 1950–51 (but does not include details of those convicted at Singapore or Hong Kong or provide an explanation for why they are omitted). It includes repatriation details, including the names of ships and the dates of repatriation.

[Naval Historical Collection] Transfer and repatriation of Japanese war criminals from Manus Island [correspondence between Navy and Department of External Affairs. Includes nominal lists.], 1951–53

This file contains correspondence between the Navy and External Affairs about the repatriation of the war criminals from Manus to Japan.

RECORDS OF WAR CRIMES ENQUIRIES AND TRIALS, 1939–45 WAR, 1942–55

Recorded by: 1942–55 Department of the Army, Central Office (CA 36)

Quantity: 2 metres (Australian War Memorial)

This series holds records that were transferred to the Australian War Memorial from the Army Office, Department of Defence. As suggested by the series title, the files principally relate to the Australian war crimes investigations and prosecutions.


This file contains a bound book dated 30 April 1958 containing an index by name, serial number and status (including not guilty, executed and ‘release on’ date).

[Records of war crimes enquiries and trials, 1939–45 War] Wewak, Labuan, Morotai and Darwin [register of sentences imposed in Australian War crimes trials], 1945–50

[Records of war crimes enquiries and trials, 1939–45 War] Rabaul [Register of sentences imposed in Australian War Crimes trials], 1946–47

[Records of war crimes enquiries and trials, 1939–45 War] Singapore, Hong Kong, Los Negros [register of sentences imposed in Australian war crimes trials], 1946–51


This file contains Cabinet agenda from 1952 to 1953 and decisions.


This file contains Cabinet submission no. 316 of April 1955 relating to the parole system.


This file contains the Cabinet decision relating to submission no. 316.
Appendix A: Instrument of Appointment of the Board of Inquiry – list of war crimes

This list of war crimes was contained in the Board of Inquiry’s Instrument of Appointment, September 1945. It is based on the list drawn up by the post–World War I Allied Commission on Responsibility of the Authors of the War and on Enforcement of Penalties (usually known as the Paris Peace Commission) of 1919. The Australian additions and amendments to the list are indicated in italics below. Item i. is Crimes against Peace as it appears in the Charter of the International Military Tribunal (for Nuremberg).

War crimes to include:

i. Planning, preparation, initiation or waging of a war of aggression or a war in violation of international treaties, agreements or assurances, or participation in a common plan or conspiracy for the accomplishment of any of the foregoing.

ii. Murder and massacre, systematic terrorism.

iii. Putting hostages to death.

iv. Torture of civilians.

v. Deliberate starvation of civilians.

vi. Rape.

vii. Abduction of girls and women for the purpose of enforced prostitution.

viii. Deportation of civilians.

ix. Internment of civilians in inhuman conditions.

x. Forced labour of civilians in connection with the military operations of the enemy.

xi. Usurpation of sovereignty during military occupation.

xii. Compulsory enlistment of soldiers among the inhabitants of occupied territory.

xiii. Attempts to denationalise the inhabitants of occupied territories.

xiv. Pillage and wholesale looting.

xv. Confiscation of property.

xvi. Exaction of illegitimate or of exorbitant contributions and requisitions.

xvii. Debasement of the currency and issue of spurious currency.

xviii. Imposition of collective penalties.

xix. Wanton devastation and destruction of property.

xx. Deliberate bombardment of undefended places.

xxi. Wanton destruction of religious, charitable, educational and historical buildings and monuments.

xxii. Destruction of merchant ships and passenger vessels without warning and without provision for the safety of passengers and crew.

xxiii. Destruction of fishing boats and of relief ships.

xxiv. Deliberate bombardment of hospitals.

xxv. Attack on and destruction of hospital ships.

xxvi. Breach of other rules relating to the Red Cross.

xxvii. Use of deleterious and asphyxiating gases


552 Crimes Against Peace as it appears in the Charter of the International Military Tribunal for the Far East is worded differently.
xxviii. Use of explosives or expanding bullets, and other inhumane appliances.
xxix. Directions to give no quarter.
xxx. Ill-treatment of wounded and prisoners of war including,
xxxi. transportation of prisoners of war under improper conditions
xxxii. public exhibition or ridicule of prisoners of war and
xxxiii. failure to provide prisoners of war or internees with proper medical care, food or quarters.
xxxiv. Employment of prisoners of war on unauthorised work.
xxxv. Misuse of flags of truce.
xxxvi. Poisoning of wells.
xxxvii. Cannibalism.
xxxviii. Mutilation of the dead.
### Appendix B: Index of accused Japanese war criminals by surname

**Abbreviations:**
- PW – prisoner/s of war
- PW and I – prisoner/s of war and internees
- BNB – British North Borneo
- NEI – Netherlands East Indies

<table>
<thead>
<tr>
<th>Family name</th>
<th>Given name</th>
<th>Japanese name in kanji if known</th>
<th>Rank</th>
<th>AWC No. if any</th>
<th>Serial No. if convicted</th>
<th>Charge(s)</th>
<th>Court location</th>
<th>Trial reference</th>
<th>Finding(s)</th>
<th>Sentence imposed at trial</th>
<th>Confirmed sentence [Death] and execution date</th>
<th>Confirmed sentence [Imprisonment]</th>
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</thead>
<tbody>
<tr>
<td>Abe</td>
<td>Akihisa</td>
<td>安部明久</td>
<td>Lt</td>
<td>2838</td>
<td></td>
<td>Assaulting a German civilian near ULAMONA and TORIU, New Britain, about March 1944</td>
<td>Rabaul</td>
<td>R6</td>
<td>Not Guilty</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Abe</td>
<td>Kazuo</td>
<td>阿部一雄</td>
<td>Capt</td>
<td>700</td>
<td></td>
<td>(1) Murder of numerous unknown PW between SANDAKAN and RANAU, BNB, between 01/1945 and 28/02/1945 (2) Alternative charge – Ill-treatment of PW thereby causing deaths between SANDAKAN and RANAU, BNB, between 29/01/1945 and 28/02/1945</td>
<td>Labuan</td>
<td>ML36</td>
<td>(1) Guilty (2) Not Guilty</td>
<td>Death by shooting</td>
<td>Retrial ordered</td>
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<tr>
<td>Abe</td>
<td>Kazuo</td>
<td>阿部一雄</td>
<td>Capt</td>
<td>700 592</td>
<td></td>
<td>(1) Murder of numerous unknown PW between SANDAKAN and RANAU, BNB, between 29 January and 28 February 1945 (2) Alternative charge - Ill-treatment of PW thereby causing death between SANDAKAN and RANAU, BNB, between 29/1/1945 and 28/2/1945</td>
<td>Rabaul</td>
<td>R125</td>
<td>(1) Guilty (2) Not Guilty</td>
<td>Death by hanging</td>
<td>Hanging 9/10/1946</td>
<td></td>
</tr>
</tbody>
</table>

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553 Japanese names for this table are sourced from the Australian war crimes trial proceedings in series A471, usually from written statements or petitions signed by the accused. Some names are unknown (as no sample of their signature could be found) or are incomplete (as individual kanji could not be read). Although every effort has been made to be accurate, there may be errors in the Japanese name column.

554 Although all suspected war criminals were meant to be allocated an Australian War Criminal Number (AWC No), this practice seemed to cease fairly early on. This is regrettable, as the suspects were meant to retain the same AWC number which, if known, is evidence that two individuals with the same name in different trials were the same person.

555 Serial numbers related to an individual’s particular conviction and sentence in a trial. Hence the same individual can have more than one serial number if convicted in different trials.

556 As the charges have been taken from the trial proceedings, the original spelling of place names has been retained, e.g. Sourabaya and Soerabaja.
<table>
<thead>
<tr>
<th>Family name</th>
<th>Given name</th>
<th>Japanese name in kanji if known</th>
<th>Rank</th>
<th>AWC No.</th>
<th>Serial No.</th>
<th>Charge(s)</th>
<th>Court location</th>
<th>Trial reference</th>
<th>Finding(s)</th>
<th>Sentence imposed at trial</th>
<th>Confirmed sentence [Death] and execution date</th>
<th>Confirmed sentence [Imprisonment]</th>
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<td>Abe</td>
<td>Keiji</td>
<td>阿部経治</td>
<td>Sgt Maj</td>
<td>2600</td>
<td>509</td>
<td>Murder of nine Indonesian PWs and one Indian PW at KOKOPO, New Britain, in February 1944</td>
<td>Rabaul</td>
<td>R73</td>
<td>Guilty</td>
<td>20 years</td>
<td>20 years</td>
<td></td>
</tr>
<tr>
<td>Abe</td>
<td>Raisaku</td>
<td>阿部雷作</td>
<td>Capt</td>
<td>1905</td>
<td>329</td>
<td>Ill-treatment of PW at DILI and BACAU in Timor between September 1943 and September 1945</td>
<td>Darwin</td>
<td>D1</td>
<td>Guilty</td>
<td>1 month</td>
<td>1 month</td>
<td></td>
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<tr>
<td>Adachi</td>
<td>Hatazō</td>
<td>安達二十三</td>
<td>Lt Gen</td>
<td>2314</td>
<td>702</td>
<td>Violation of the Laws and Usages of War in that he between November 1942 and September 1945, being a Commander of the Japanese armed forces in New Guinea, unlawfully disregarded and failed to discharge his duty as Commander and to control the conduct of members of his Command, whereby they committed atrocities and other high crimes against people of the Commonwealth of Australia and its Allies</td>
<td>Rabaul</td>
<td>R173</td>
<td>Guilty</td>
<td>Life</td>
<td>Life</td>
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<tr>
<td>Adachi</td>
<td>Taiheiji</td>
<td>安田泰平</td>
<td>WO</td>
<td>2215</td>
<td></td>
<td>Murder of two Indian PW at AIN, New Guinea, in October 1944</td>
<td>Rabaul</td>
<td>R19</td>
<td>Not Guilty</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Agata</td>
<td>Yūzaburō</td>
<td>安田勇治</td>
<td>CPO</td>
<td>334</td>
<td>835</td>
<td>Murder at KOKAS, New Guinea, about December 1944 of a member of the RAAF</td>
<td>Manus</td>
<td>LN7</td>
<td>Guilty</td>
<td>15 years</td>
<td>15 years</td>
<td></td>
</tr>
<tr>
<td>Aizawa</td>
<td>Harumoto</td>
<td>相澤幸則</td>
<td>Cpl</td>
<td>2615</td>
<td>318</td>
<td>(1) Murder of 10 Chinese PW at RABAUL, New Britain, 29/01/1943  (2) Murder of six Chinese PW at RABAUL, New Britain, 4/02/1943</td>
<td>Rabaul</td>
<td>R14</td>
<td>(1) Guilty (2) Guilty</td>
<td>Life</td>
<td>Life</td>
<td></td>
</tr>
<tr>
<td>Aizawa</td>
<td>Harumoto</td>
<td>相澤幸則</td>
<td>Cpl</td>
<td>2615</td>
<td>392</td>
<td>(1) Murder of 24 Chinese at RABAUL, New Britain, about 3/03/1943  (2) Murder of six Chinese at RABAUL, about 11/03/1943</td>
<td>Rabaul</td>
<td>R55</td>
<td>(1) Guilty (2) Guilty</td>
<td>Death by hanging 17/07/1946</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Aizawa</td>
<td>Teiichirō  (Sadaichirō)</td>
<td>相澤一郎</td>
<td>WO</td>
<td>2623</td>
<td>441</td>
<td>Cannibalism at TANOURA, New Britain, about 5/04/1943</td>
<td>Rabaul</td>
<td>R48</td>
<td>Guilty (not confirmed)</td>
<td>10 years (not confirmed)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ajima</td>
<td>Yūchi</td>
<td>安見勇一</td>
<td>Cpl</td>
<td>2809</td>
<td></td>
<td>Ill-treatment of an Indian PW at [possibly KOMORIYAMA] New Britain about June 1945</td>
<td>Rabaul</td>
<td>R94</td>
<td>Not Guilty</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Akinaga</td>
<td>Tsutomu</td>
<td>秋永弘</td>
<td>Lt Gen</td>
<td>2112</td>
<td></td>
<td>Murder of two United States airmen at TARLENA, Bougainville, about December 1943</td>
<td>Rabaul</td>
<td>R167</td>
<td>Not Guilty</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Family name</td>
<td>Given name</td>
<td>Japanese name in kanji if known</td>
<td>Rank</td>
<td>AWC No. if any</td>
<td>Serial No. if convicted</td>
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<td>Court location</td>
<td>Trial reference</td>
<td>Finding(s)</td>
<td>Sentence imposed at trial</td>
<td>Confirmed sentence [Death] and execution date</td>
<td>Confirmed sentence [Imprisonment]</td>
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<td>Akiyoshi</td>
<td>Hideo</td>
<td>秋吉秀夫</td>
<td>CPO</td>
<td>794</td>
<td>(1) Ill-treatment of PW at HAINAN Island between November 1942 and August 1945 (2) [not charged with charge 2]</td>
<td>Hong Kong</td>
<td>HK3</td>
<td>Guilty</td>
<td>5 years</td>
<td>4 years</td>
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<td>Akuzawa</td>
<td>Kisaburō</td>
<td>佐久間喜雄</td>
<td>Capt</td>
<td>1904</td>
<td>Ill-treatment of PW at DILI and BACAU in Timor between September 1943 and September 1945</td>
<td>Darwin</td>
<td>D1</td>
<td>Not Guilty</td>
<td></td>
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<td>Ameshima</td>
<td>Hisanori</td>
<td>亀田久範</td>
<td>CPO</td>
<td>1200</td>
<td>II-treatment of Australian and Dutch PW at TAN TOEY Camp, Ambon, between February 1942 and August 1945</td>
<td>Morotai</td>
<td>M45</td>
<td>Guilty</td>
<td>3 years</td>
<td>3 years</td>
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<td>Anetai</td>
<td>Sōji</td>
<td>姉帯宗治</td>
<td>Civ</td>
<td>2101</td>
<td>Ill-treatment of 11 civilians (10 Nauruans, one Trukese) at TRUK, about 28/10/1944</td>
<td>Rabaul</td>
<td>R74</td>
<td>Not Guilty</td>
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<td>Aoki</td>
<td>Fumio</td>
<td>青木文雄</td>
<td>WO</td>
<td>1299</td>
<td>Ill-treatment of Australian and Dutch PW at TAN TOEY Camp, Ambon, between February 1942 and August 1945</td>
<td>Morotai</td>
<td>M45</td>
<td>Guilty</td>
<td>5 years</td>
<td>5 years</td>
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<td>Aoyama</td>
<td>Shigeo</td>
<td>青山茂雄</td>
<td>Capt</td>
<td>781</td>
<td>(1) Ill-treatment of PW at HAINAN Island between November 1942 and August 1945 (2) [not charged with charge 2]</td>
<td>Hong Kong</td>
<td>HK3</td>
<td>Guilty</td>
<td>Death by hanging</td>
<td>18 years</td>
<td></td>
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<td>Arai</td>
<td>Hideo</td>
<td>新垣英夫</td>
<td>Gd</td>
<td>765</td>
<td>(1) Ill-treatment of PW who were employed on the Burma-Siam Railway between THANBUZYAYAT, Burma and NIKI, Siam, between 25/10/1942 and 1/05/1944 (2)(7) [not charged with charges 2-7]</td>
<td>Singapore</td>
<td>S12</td>
<td>(1) Guilty</td>
<td>20 years</td>
<td>20 years</td>
<td></td>
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<tr>
<td>Arai</td>
<td>Hideo</td>
<td>新垣英夫</td>
<td>Gd</td>
<td></td>
<td>(1) Ill-treatment of PW who were employed on the Burma-Siam Railway between THANBUZYAYAT, Burma and NIKI, Siam, between 25/10/1942 and 1/05/1944 (2) Unlawfully ordered and caused to be shot, three recaptured escaped Dutch PW at THANBUZYAYAT, Burma, about 13/12/1942 (3) Unlawfully ordered and caused to be shot and killed three recaptured</td>
<td>Singapore</td>
<td>SNN</td>
<td>Trial aborted</td>
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<td>Given name</td>
<td>Japanese name in kanji if known</td>
<td>Rank</td>
<td>AWC No. if any</td>
<td>Serial No. if convicted</td>
<td>Charge(s)</td>
<td>Court location</td>
<td>Trial reference</td>
<td>Finding(s)</td>
<td>Sentence imposed at trial</td>
<td>Confirmed sentence [Death] and execution date</td>
<td>Confirmed sentence [Imprisonment]</td>
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<td>Arai</td>
<td>Kakuzō</td>
<td>荒井角藏</td>
<td>CPO</td>
<td>2075</td>
<td>456</td>
<td>Murder of natives unknown at OCEAN ISLAND about 20/08/1945</td>
<td>Rabaul</td>
<td>R53</td>
<td>Guilty</td>
<td>7 years</td>
<td>7 years</td>
<td></td>
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<tr>
<td>Arai</td>
<td>Koei</td>
<td>新井宏栄</td>
<td>Gd</td>
<td>758</td>
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<td>(1) Ill-treatment of PW who were employed on the Burma-Siam Railway between THANBUYZAYAT, Burma and NIKI, Siam, between 25/10/1942 and 1/05/1944 (2)-(7) [not charged with charges 2-7]</td>
<td>Singapore</td>
<td>S12</td>
<td>Guilty</td>
<td>Death by hanging</td>
<td>Hanging 25/02/1947</td>
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<td>Arai</td>
<td>Koei</td>
<td>新井宏栄</td>
<td>Gd</td>
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<td>(1) Ill-treatment of PW who were employed on the Burma-Siam Railway between THANBUYZAYAT, Burma and NIKI, Siam, between 25/10/1942 and 1/05/1944 (2) Unlawfully ordered and caused to be shot, three recaptured escaped Dutch PW at THANBUYZAYAT, Burma, about 13/12/1942 (3) Unlawfully ordered and caused to be shot and killed three recaptured escaped Dutch PW at THANBUYZAYAT, Burma, about 27/12/1942 (4) Unlawfully ordered and caused to be shot and killed a recaptured escaped Australian PW at THANBUYZAYAT, Burma, about 2/02/1943 (5) Unlawfully ordered and caused to be shot and killed a recaptured</td>
<td>Singapore</td>
<td>SNN</td>
<td>Trial Aborted</td>
<td>7 years</td>
<td>7 years</td>
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<tr>
<td>Family name</td>
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<td>Serial No. if convicted</td>
<td>Charge(s)</td>
<td>Court location</td>
<td>Trial reference</td>
<td>Finding(s)</td>
<td>Sentence imposed at trial</td>
<td>Confirmed sentence [Death] and execution date</td>
<td>Confirmed sentence [Imprisonment]</td>
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<td>Arai</td>
<td>Shokai</td>
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<td>Gd</td>
<td>675</td>
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<td>IIll-treatment of Australian, American, British and Dutch PW at NAKOM PATHON, Siam, between December 1943 and September 1945</td>
<td>Singapore</td>
<td>S3</td>
<td>Guilty</td>
<td>15 years</td>
<td>15 years</td>
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<td>Arai</td>
<td>Taizō 新井泰三</td>
<td></td>
<td>Sgt Maj</td>
<td>1935</td>
<td></td>
<td>Ill-treatment of PW at DILI and BACAU in Timor between September 1943 and September 1945</td>
<td>Darwin</td>
<td>D1</td>
<td>Not Guilty</td>
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<td>Arita</td>
<td>Seikichi</td>
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<td>PO</td>
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<td>Ill-treatment of Australian and Dutch PW at TAN TOEY Camp, Ambon, between February 1942 and August 1945</td>
<td>Morotai</td>
<td>M45</td>
<td>Not Guilty</td>
<td></td>
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<tr>
<td>Aritake</td>
<td>Hideo 有竹英夫</td>
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<td>Cpl</td>
<td>2876</td>
<td>574</td>
<td>Unlawful assault of five Chinese nationals at TANOURA NEW BRITAIN, about August 1945</td>
<td>Rabaul</td>
<td>R114</td>
<td>Guilty</td>
<td>6 months</td>
<td>6 months</td>
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<td>Asakusa</td>
<td>Katsuji 浅尾一彦</td>
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<td>Sgt Maj</td>
<td>701</td>
<td>146</td>
<td>Ill-treatment of PW and I at KUCHING, Sarawak, between 15/05/1942 and 12/09/1945</td>
<td>Labuan</td>
<td>ML37</td>
<td>Guilty</td>
<td>15 years</td>
<td>15 years</td>
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<td>Asao</td>
<td>Yoshiteru 麻生通勝</td>
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<td>CPO</td>
<td>1289</td>
<td>225</td>
<td>Ill-treatment of Australian and Dutch PW at TAN TOEY Camp, Ambon, between February 1942 and August 1945</td>
<td>Morotai</td>
<td>M45</td>
<td>Guilty</td>
<td>2 years</td>
<td>2 years</td>
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<tr>
<td>Asaoka</td>
<td>Toshi 阿甲</td>
<td></td>
<td>Lt</td>
<td></td>
<td></td>
<td>Murder of a PW at BEO, TALAUD ISLAND, Celebes about 23/03/1945</td>
<td>Morotai</td>
<td>M6</td>
<td>Not Guilty</td>
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<td>Baba</td>
<td>Hidetoshi</td>
<td></td>
<td>Cpl</td>
<td></td>
<td></td>
<td>Murder at TOMOHON, Celebes, about July–August 1945 of RAAF PW</td>
<td>Morotai</td>
<td>M29</td>
<td>Not Guilty</td>
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<td>Rank</td>
<td>AWC No. if any</td>
<td>Serial No. if convicted</td>
<td>Charge(s)</td>
<td>Court location</td>
<td>Court reference</td>
<td>Finding(s)</td>
<td>Sentence imposed at trial</td>
<td>Confirmed sentence [Death] and execution date</td>
<td>Confirmed sentence [Imprisonment]</td>
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<tr>
<td>Baba</td>
<td>Masao</td>
<td>馬場正郎</td>
<td>Lt Gen</td>
<td>2961</td>
<td>705</td>
<td>Violation of the Laws and Usages of War between December 1944 and September 1945 in Borneo, whilst a Commander of Armed Forces of Japan failed to discharge his duty to control the conduct of members of his Command whereby they committed brutal atrocities and other high crimes against the people of the Commonwealth of Australia and its Allies</td>
<td>Rabaul</td>
<td>R176</td>
<td>Guilty</td>
<td>Death by hanging</td>
<td>Hanging 7/08/1947</td>
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<tr>
<td>Beppu</td>
<td>Yoichi</td>
<td>別府與市</td>
<td>Sg Maj</td>
<td>117</td>
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<td>Massacre of five unknown PW near RANAU, BNB, about 1/08/1945</td>
<td>Labuan</td>
<td>ML25</td>
<td>Guilty</td>
<td>15 years</td>
<td>15 years</td>
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<td>Chiba</td>
<td>Kihatsu</td>
<td>千葉喜八</td>
<td>Sg</td>
<td>2704</td>
<td></td>
<td>Ill-treatment of an Indian PW at [TABUNA] NEW BRITAIN, about 8/09/1945</td>
<td>Rabaul</td>
<td>R79</td>
<td>Not Guilty</td>
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<td>Chiba</td>
<td>Korin</td>
<td>千葉??</td>
<td>Gd</td>
<td>741</td>
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<td>(1) Inhumane treatment of PW employed on construction of airfield at LIENG KHAN, French Indo-China, between 15/04/1945 and 23/07/1945 (2) [not charged with charge 2] (3) Inhumane treatment contributing to death of one PW at TONCHAN Camp, Siam, in June 1943</td>
<td>Singapore</td>
<td>S7</td>
<td>(1) Guilty (3) Guilty</td>
<td>Death by hanging</td>
<td>Hanging 21/1/1947</td>
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<td>Chiba</td>
<td>Tsuneo</td>
<td>千葉常雄</td>
<td>CPO</td>
<td>2040</td>
<td>489</td>
<td>Murder of Chinese civilian at NAURU ISLAND about 3/12/1944</td>
<td>Rabaul</td>
<td>R69</td>
<td>Guilty</td>
<td>Death by hanging</td>
<td>Hanging 21/8/1946</td>
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<td>Dan</td>
<td>Tatsuo</td>
<td>市津男</td>
<td>SN</td>
<td>345</td>
<td>870</td>
<td>Murder near KOEPANG, Dutch Timor, about February 1942 of Australian and Allied PW</td>
<td>Manus</td>
<td>LN16</td>
<td>Guilty</td>
<td>10 years</td>
<td>10 years</td>
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<td>Ebine</td>
<td>Shichinouke</td>
<td>海老根七之介</td>
<td>Sg Maj</td>
<td>2795</td>
<td>499</td>
<td>Murder of an Indian PW at WARANGOL, New Britain, 17/10/1944</td>
<td>Rabaul</td>
<td>R71</td>
<td>Guilty</td>
<td>Death by hanging</td>
<td>Hanging 15/08/1946</td>
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<td>Eishō</td>
<td>Minoru</td>
<td>伊東敏男</td>
<td>CPO</td>
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<td>Ill-treatment of Australian and Dutch PW at TAN TOEY Camp, Ambron, between February 1942 and August 1945</td>
<td>Morotai</td>
<td>M45</td>
<td>Not Guilty</td>
<td></td>
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<tr>
<td>Endō</td>
<td>Keiichi</td>
<td>遠藤健一</td>
<td>Sg</td>
<td></td>
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<td>Concerned in the unlawful killing of two Australian PW, one Dutch PW, all then recaptured escaped PW, and a Dutch civilian at or near BOGOR, JAVA on 5/9/1943</td>
<td>Singapore</td>
<td>S11</td>
<td>Not Guilty</td>
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<td>Endō</td>
<td>Shin'ichi</td>
<td>遠藤新一</td>
<td>Maj Gen</td>
<td>330270 /3999</td>
<td>188</td>
<td>Neglecting to ensure proper treatment of PW in Northern CELEBES whereby RAAF PW were killed between December 1944 and September 1945</td>
<td>Morotai</td>
<td>M38</td>
<td>Guilty</td>
<td>5 years</td>
<td>5 years</td>
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<td>Japanese name in kanji if known</td>
<td>Rank</td>
<td>AWC No. if any</td>
<td>Serial No. if convicted</td>
<td>Charge(s)</td>
<td>Court location</td>
<td>Trial reference</td>
<td>Finding(s)</td>
<td>Sentence imposed at trial</td>
<td>Confirmed sentence [Death] and execution date</td>
<td>Confirmed sentence [Imprisonment]</td>
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<tr>
<td>Enomoto</td>
<td>Eizō</td>
<td>榎本栄蔵</td>
<td>Sgt Maj</td>
<td></td>
<td></td>
<td>(1) Murder of an Australian PW at AIRNONA, Timor, on or about 12/06/1943 (2) Murder of a British PW at AIRNONA, Timor, on or about 12/06/1943</td>
<td>Darwin</td>
<td>D3</td>
<td>(1) Not Guilty (2) Not Guilty</td>
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<td>Fujii</td>
<td>Magatarō/ Magotarō</td>
<td>藤井孫右郎</td>
<td>Ens 804</td>
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<td>Murder of an Australian PW at sea near TANIMBAR Islands about May 1944</td>
<td>Hong Kong</td>
<td>HK9</td>
<td>Guilty</td>
<td>12 years</td>
<td>12 years</td>
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<tr>
<td>Fujikawa</td>
<td>Tetsuo</td>
<td>藤岡俊夫</td>
<td>Gd 704</td>
<td>22</td>
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<td>Massacre near MIRI, Sarawak, about 10/06/1945 killing by shooting and bayonetting about 15 PW</td>
<td>Labuan</td>
<td>ML4</td>
<td>Guilty</td>
<td>Death by shooting</td>
<td>10 years with hard labour</td>
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<td>Fujiki</td>
<td>Kenzō</td>
<td>藤木巌</td>
<td>CPO</td>
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<td>Ill-treatment of Australian and Dutch PW at TAN TOEY Camp, Ambon, between February 1942 and August 1945</td>
<td>Morotai</td>
<td>M45</td>
<td>Not Guilty</td>
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<td>Fujimoto</td>
<td>Yoshio</td>
<td>藤本義雄</td>
<td>Gd 705</td>
<td>155</td>
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<td>Ill-treatment of PW and I at KUCHING, Sarawak, between 15/05/1942 and 12/09/1945</td>
<td>Labuan</td>
<td>ML37</td>
<td>Guilty</td>
<td>3 years</td>
<td>3 years</td>
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<tr>
<td>Fujimura</td>
<td>Shigeru</td>
<td>藤端映</td>
<td>Gd 706</td>
<td>172</td>
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<td>Ill-treatment of PW and I at KUCHING, Sarawak, between 15/05/1942 and 12/09/1945</td>
<td>Labuan</td>
<td>ML37</td>
<td>Guilty</td>
<td>10 years</td>
<td>10 years</td>
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<tr>
<td>Fujisaki</td>
<td>Masao</td>
<td>藤崎政男</td>
<td>Pte 330022</td>
<td>33</td>
<td></td>
<td>Murder of a PW at BEO, TALAUD ISLAND, Celebes about 23/03/1945</td>
<td>Morotai</td>
<td>M7</td>
<td>Guilty</td>
<td>10 years</td>
<td>5 years</td>
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<td>Fujita</td>
<td>Masaharu</td>
<td>藤田貞</td>
<td>Cpl 2624</td>
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<td>Murder of an Indian PW at NONGA, New Britain, about 5/05/1943</td>
<td>Rabaul</td>
<td>R61</td>
<td>Not Guilty</td>
<td></td>
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<td>Fujita</td>
<td>Yoshio</td>
<td>藤田義雄</td>
<td>Gd 707</td>
<td>178</td>
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<td>Ill-treatment of PW and I at KUCHING, Sarawak, between 15/05/1942 and 12/09/1945</td>
<td>Labuan</td>
<td>ML37</td>
<td>Guilty</td>
<td>3 years</td>
<td>3 years</td>
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<td>Fujiwara</td>
<td>Kameichi</td>
<td>藤原善一</td>
<td>Intpr 1201</td>
<td>222</td>
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<td>Ill-treatment of Australian and Dutch PW at TAN TOEY Camp, Ambon, between February 1942 and August 1945</td>
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<td>On the high seas between 4/07/1944 and 8/09/1944 on a voyage from Singapore to MOJI (Japan) were responsible for inhuman treatment of PW, thereby contributing to their physical and mental suffering</td>
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<td>Murder of two Indian PW at NISHI ZAKIYAMA, New Britain, about 29/11/1944</td>
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<td>Murder of two Indian PW at NISHI ZAKIYAMA, New Britain, about 29/11/1944</td>
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<td>Murder of numerous unknown PW between SANDAKAN and RANAU, BNB, between 29/05/1945 and 26/06/1945</td>
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<td>Murder of an Australian PW at GASMATA, New Britain, about August 1943</td>
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\(^{553}\) Fukushima Masao was tried at Labuan ML18 and in the Rabaul 121 trials as a private; he was then tried as a civilian in the Rabaul R122 trial.
### Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

<table>
<thead>
<tr>
<th>Family name</th>
<th>Given name</th>
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<th>Court reference</th>
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<th>Sentence imposed at trial</th>
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<td>Fukuyama</td>
<td>Shōdō</td>
<td>福山正道</td>
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<td>Unlawfully assaulted a Chinese national at [MUGUAU] BOUGAINVILLE about April 1943</td>
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<td>Funato</td>
<td>Chikayuki</td>
<td>船戸親之</td>
<td>Sgt</td>
<td>Maj</td>
<td>723</td>
<td>In Burma between December 1942 and January 1944 inhumanely treated PW employed on BURMA-SIAM Railway</td>
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<td>古川定二</td>
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<td>Torturing a German/Austrian civilian about November 1943 to January 1944, New Britain</td>
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<td>398</td>
<td>(1) Murder of 24 Chinese at RABAUL, New Britain, about 3/03/1943  (2) Murder of six Chinese at RABAUL about 11/03/1943</td>
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<td>Murder of a PW at BEO, TALAUD ISLAND, Celebes about 23/03/1945</td>
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<td>Daisaku</td>
<td>後藤大作</td>
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<td>(1) Murder of three natives at BUKA Island, NORTH BOUGAINVILLE (2) Murder of native at BUKA Island, NORTH BOUGAINVILLE (3) Murders of natives at BUKA Island, NORTH BOUGAINVILLE (4) Murder of natives at SOhana Island, NORTH BOUGAINVILLE, all between September 1943 and October 1945</td>
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<td>R58</td>
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<td>Murder of numerous unknown PW between SANDAKAN and RANAU, BNB, between 29/05/1945 and 26/06/1945</td>
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<td>Massacre of about 23 unknown PW near SANDAKAN, BNB, about 13/07/1945</td>
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<td>浜田利</td>
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<td>Concerned in the unlawful killing of two Australian PW, one Dutch PW, all then recaptured escaped PW, and a Dutch civilian at or near BOGOR, JAVA on 5/9/1945</td>
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<td>Kyōho</td>
<td>浜中匡甫</td>
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<td>Murder – unlawfully ordered at TONSEALAMA about June 1945 and caused to be carried out the killing of one RAAF and one RAN PW at SARIO, North Celebes</td>
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<td>Murder of persons unknown at OCEAN ISLAND about 20/08/1945</td>
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<td>原清</td>
<td>Lt Col</td>
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<td>Concerned in unlawful killing of three RAAF when PW at TANDJONG PRIOK, Java, between 28/01/1945 and 6/02/1945</td>
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<td>Murder at AMBON about August 1943 of Australian and Allied PW</td>
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<td>Ill-treatment of a Chinese PW at NAMALE, New Britain, in February 1945</td>
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<td>Murder of an Indian PW at WARANGOI, New Britain, 17/10/1944</td>
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<td>Takayoshi</td>
<td>長兵将司</td>
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<td>Murder of Australian and Allied PW near KOEPANG, Dutch Timor, between March and May 1942</td>
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<td>Saburō</td>
<td>波多三郎</td>
<td>Sgt</td>
<td>2223</td>
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<td>Murder of four Indian PW at YAWA, New Guinea, in February 1945</td>
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<td>Murder of Chinese civilian at NAURU ISLAND about 3/12/1944</td>
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<td>Ill-treatment of PW and I at KUCHING, Sarawak, between 15/05/1942 and 12/09/1945</td>
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<td>森俊</td>
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<td>Ill-treatment of an Australian PW at NIKI, Siam, about 23/12/1943 resulting in his death at 4/01/1944</td>
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<td>Guilty (not confirmed, retried in S27)</td>
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<td>At 131 KILO Camp, Niki, Siam, on or about 23/12/1943, inhumanely treated an Australian PW by violently kicking him in the abdomen so that the said PW died at 143 KILO Camp, Siam, on or about 4/01/1944</td>
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<td>Ill treatment of PW at SANDAKAN, BNB, between October 1942 and June 1945</td>
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<td>Murder of an Australian PW near RANAU, BORNEO, about April 1945</td>
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<td>Ill-treatment of natives at TARIK ISLAND, Truk, about 26/08/1944</td>
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<td>Massacre of approx eight unknown PW near RANAU, BNB about 10/06/1945</td>
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<td>Court location</td>
<td>Finding(s)</td>
<td>Sentence imposed at trial</td>
<td>Confirmed sentence [Death] and execution date</td>
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<td>(1) Inhumane treatment of PW employed on construction of airfield at LIENG KHAN, French Indo-China, between 15/04/1945 and 23/07/1945 (2) [not charged with charge 2] (3) [not charged with charge 3]</td>
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<td>Murder of two Indian PW at AIN, New Guinea, in October 1944</td>
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<td>MW5</td>
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<td>Murder near KOEPANG, Dutch Timor, about February 1942 of Australian and Allied PW</td>
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<td>Ill-treatment of Australian and Dutch PW at TAN TOEY Camp, Ambon, between February 1942 and August 1945</td>
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<td>(1) Ill-treatment of PW who were employed on the Burma-Siam Railway between THANBUYZAYAT, Burma and NIKI, Siam, between 25/10/1942 and 1/05/1944 (2)- (5) [not charged with charges 2-5] (6) Responsible for unlawful shooting and killing of an Australian PW at THANBUYZAYAT, Burma, about 14/12/1942 (7) [not charged with charge 7]</td>
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<td>(1) Ill-treatment of PW who were employed on the Burma-Siam Railway between THANBUYZAYAT, Burma and NIKI, Siam, between 25/10/1942 and 1/05/1944 (2) Unlawfully ordered and caused to be shot, three recaptured escaped Dutch PW at</td>
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<td>Ill-treatment of Australian and Dutch PW at TAN TOEY Camp, Ambon, between February 1942 and August 1945</td>
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<td>(1) Ill-treatment of PW who were employed on the Burma-Siam Railway between THANBUYZAYAT, Burma and NIKI, Siam, between 25/10/1942 and 10/05/1944 (2) (7) [not charged with charges 2-7]</td>
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<td>Death by hanging</td>
<td>Hanging 25/02/1947</td>
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### Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

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<th>Trial reference</th>
<th>Finding(s)</th>
<th>Sentence imposed at trial</th>
<th>Confirmed sentence [Death] and execution date</th>
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<td>Murder of persons unknown at OCEAN ISLAND about 20/08/1945</td>
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<td>(1) Murder of numerous unknown PW between SANDAKAN and RANAU, BNB, between 01/1945 and 28/02/1945 (2) Alternative charge – Ill-treatment of PW thereby causing deaths between SANDAKAN and RANAU, BNB, between 29/01/1945 and 28/02/1945</td>
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<td>Concerned in the unlawful killing of two Australian PW, one Dutch PW, all then recaptured escaped PW, and a Dutch civilian at or near BOGOR, JAVA on 5/9/1943</td>
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<td>(1) Ill-treatment of PW at HAINAN Island between November 1942 and August 1945 (2) [not charged with charge 2]</td>
<td>Hong Kong</td>
<td>HK3</td>
<td>Guilty</td>
<td>1 year</td>
<td>1 year</td>
<td></td>
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<tr>
<td>Hirayama</td>
<td>Hideo</td>
<td></td>
<td>Gd</td>
<td>725</td>
<td>23</td>
<td>Massacre near MIRI, Sarawak, about 10/06/1945 killing by shooting and bayonetting about 15 PW</td>
<td>Labuan</td>
<td>ML4</td>
<td>Guilty</td>
<td>Death by shooting</td>
<td>10 years with hard labour</td>
<td></td>
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<tr>
<td>Hiromura</td>
<td>Kakurai</td>
<td>村村来</td>
<td>Gd</td>
<td>769</td>
<td></td>
<td>Inhumane treatment of PW at HINTOK, Siam, between March and August 1943</td>
<td>Singapore</td>
<td>S26</td>
<td>Guilty</td>
<td>Death by hanging</td>
<td>20 years</td>
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<td>Hironaka</td>
<td>Teruma</td>
<td>弘村龍</td>
<td>Lt</td>
<td>2003</td>
<td>502</td>
<td>Murder of 15 Indian PW at ARIGUA, Bougainville, about 24/04/1945</td>
<td>Rabaul</td>
<td>R72</td>
<td>Guilty</td>
<td>Death by hanging</td>
<td>Hanging 13/8/1946</td>
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<td>Hironaka</td>
<td>Teruma</td>
<td>弘村龍</td>
<td>Lt</td>
<td>2003</td>
<td>535</td>
<td>Murder of nine Indonesians at TENINBAUBAU, Bougainville, about August 1944</td>
<td>Rabaul</td>
<td>R86</td>
<td>Guilty</td>
<td>Death by hanging</td>
<td>Hanging 13/8/1946</td>
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<td>Hirooka</td>
<td>Tokio</td>
<td>龍崎時男</td>
<td>Cpl</td>
<td>2224</td>
<td>383</td>
<td>Murder of four Indian PW at YAWA, New Guinea, in February 1945</td>
<td>Rabaul</td>
<td>R39</td>
<td>Guilty</td>
<td>15 years</td>
<td>15 years</td>
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<tr>
<td>Hirota</td>
<td>Akira</td>
<td>麗玥</td>
<td>Maj Gen</td>
<td>2120</td>
<td>701</td>
<td>Violation of the Laws and Usages of War in that he, in New Britain between December 1942 and July 1945 while a Commander of armed forces of Japan, unlawfully disregarded and failed to discharge his duty to control the conduct of members of his Command, whereby they committed atrocities and other high crimes against people of the Commonwealth of Australia and its Allies</td>
<td>Rabaul</td>
<td>R172</td>
<td>Guilty</td>
<td>7 years</td>
<td>7 years</td>
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<td>Given name</td>
<td>Japanese name in kanji if known</td>
<td>Rank</td>
<td>AWC No. if any</td>
<td>Serial No. if convicted</td>
<td>Charge(s)</td>
<td>Court location</td>
<td>Trial reference</td>
<td>Finding(s)</td>
<td>Sentence imposed at trial</td>
<td>Confirmed sentence [Death] and execution date</td>
<td>Confirmed sentence [Imprisonment]</td>
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<tr>
<td>Hirota</td>
<td>Eiji</td>
<td>弘田禜治</td>
<td>Lt</td>
<td>745</td>
<td></td>
<td>Inhumane treatment of PW employed in construction of Burma-Siam Railway at HINTOK KANU area, Siam between May and August 1943</td>
<td>Singapore</td>
<td>S9</td>
<td>Guilty</td>
<td>Death by hanging</td>
<td>Hanging 21/1/1947</td>
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<tr>
<td>Hirota</td>
<td>Ginjirō</td>
<td>廣田銀次郎</td>
<td>Gd</td>
<td>726</td>
<td>59</td>
<td>Murder of numerous unknown PW between SANDAKAN and RANAU, BNB, between 29/05/1945 and 26/06/1945</td>
<td>Labuan</td>
<td>ML18</td>
<td>Guilty</td>
<td>15 years</td>
<td>15 years</td>
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<tr>
<td>Hirota</td>
<td>Ginjirō</td>
<td>廣田銀次郎</td>
<td>Gd</td>
<td>726</td>
<td>88</td>
<td>Murder of 17 PW near RANAU, BNB, about August 1945</td>
<td>Labuan</td>
<td>ML21</td>
<td>Guilty</td>
<td>Life</td>
<td>Life</td>
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<td>Hirota</td>
<td>Motoi</td>
<td>廣田基</td>
<td>Sgt Maj</td>
<td>2601</td>
<td></td>
<td>Murder of nine Indonesian PW and one Indian PW at KOKOPO, New Britain, in February 1944</td>
<td>Rabaul</td>
<td>R73</td>
<td>Not Guilty</td>
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<td>Hirota</td>
<td>Nobuo</td>
<td>廣田基</td>
<td>Gd</td>
<td>726</td>
<td></td>
<td>Massacre of about 23 unknown PW near SANDAKAN, BNB, about 13/07/1945</td>
<td>Labuan</td>
<td>ML24</td>
<td>Not Guilty</td>
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<td>Hirota</td>
<td>Seiichi</td>
<td>廣田慎一</td>
<td>Gd</td>
<td>728</td>
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<td>Massacre near MIRI, Sarawak, about 10/06/1945 killing by shooting and bayoneting about 15 PW</td>
<td>Labuan</td>
<td>ML4</td>
<td>Guilty</td>
<td>Death by shooting</td>
<td>10 years with hard labour</td>
<td>10 years with hard labour</td>
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<tr>
<td>Hirotomi</td>
<td>Asao</td>
<td>廣富朝夫</td>
<td>Pte</td>
<td>729</td>
<td>16</td>
<td>Massacre near MIRI, Sarawak, about 10/06/1945 killing by shooting and bayoneting about 15 PW</td>
<td>Labuan</td>
<td>ML3</td>
<td>Guilty</td>
<td>Death by shooting</td>
<td>10 years with hard labour</td>
<td>10 years with hard labour</td>
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<tr>
<td>Hirouchi</td>
<td>Jirō</td>
<td>廣內次郎</td>
<td>Gd</td>
<td>730</td>
<td>60</td>
<td>Murder of numerous unknown PW between SANDAKAN and RANAU, BNB, between 29/05/1945 and 26/06/1945</td>
<td>Labuan</td>
<td>ML18</td>
<td>Guilty</td>
<td>12 years</td>
<td>12 years</td>
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<tr>
<td>Hirouchi</td>
<td>Jirō</td>
<td>廣內次郎</td>
<td>Gd</td>
<td>730</td>
<td>89</td>
<td>Murder of 17 PW near RANAU, BNB, about August 1945</td>
<td>Labuan</td>
<td>ML21</td>
<td>Guilty</td>
<td>15 years</td>
<td>15 years</td>
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<tr>
<td>Hisatsugi</td>
<td>Hisao</td>
<td>廣田基</td>
<td>CPO</td>
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<td>Ill-treatment of Australian and Dutch PW at TAN TOEY Camp, Ambon, between February 1942 and August 1945</td>
<td>Morotai</td>
<td>M45</td>
<td>Not Guilty</td>
<td></td>
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<td>Hiwaki</td>
<td>Tasushi</td>
<td>廣田基</td>
<td>PO</td>
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<td>Ill-treatment of Australian and Dutch PW at TAN TOEY Camp, Ambon, between February 1942 and August 1945</td>
<td>Morotai</td>
<td>M45</td>
<td>Not Guilty</td>
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<td>Hodoshima (Hodojima)</td>
<td>Namiji</td>
<td>程島浪二</td>
<td>Pte</td>
<td>731</td>
<td>19</td>
<td>Massacre near MIRI, Sarawak, about 10/06/1945 killing by shooting and bayoneting about 15 PW</td>
<td>Labuan</td>
<td>ML3</td>
<td>Guilty</td>
<td>Death by shooting</td>
<td>10 years with hard labour</td>
<td>10 years with hard labour</td>
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<tr>
<td>Honda</td>
<td>Minoru</td>
<td>本田實</td>
<td>L/Cpl</td>
<td>2823</td>
<td></td>
<td>Ill-treatment of an Indian PW at RABAUL, New Britain, about September 1944</td>
<td>Rabaul</td>
<td>R106</td>
<td>Not Guilty</td>
<td></td>
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<tr>
<td>Hondo</td>
<td>Kazuma</td>
<td>本田基</td>
<td>Sgt Maj</td>
<td>2823</td>
<td></td>
<td>Murder of two RAAF PW about August 1945 at KAATEN, Celebes</td>
<td>Morotai</td>
<td>M27</td>
<td>Not Guilty</td>
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<td>Japanese name in kanji if known</td>
<td>Rank</td>
<td>AWC No. if any</td>
<td>Serial No. if convicted</td>
<td>Charge(s)</td>
<td>Court location</td>
<td>Trial reference</td>
<td>Finding(s)</td>
<td>Sentence imposed at trial</td>
<td>Confirmed sentence [Death] and execution date</td>
<td>Confirmed sentence [Imprisonment]</td>
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<td>Honji</td>
<td>Mataji</td>
<td>本地又二</td>
<td>Sub Lt</td>
<td>202</td>
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<td>Murder of an Australian PW near HALONG, Ambon, about 30/04/1945</td>
<td>Morotai</td>
<td>M42</td>
<td>Guilty</td>
<td>Death by shooting</td>
<td>Shooting 16/5/1946</td>
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<tr>
<td>Horiguchi</td>
<td>Yoshio</td>
<td>堀口芳夫</td>
<td>CPO</td>
<td>775</td>
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<td>Massacre of 23 Australian citizens at KAVIENG, New Ireland, about March 1944</td>
<td>Hong Kong</td>
<td>HK1</td>
<td>Guilty</td>
<td>4 years</td>
<td>4 years</td>
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<tr>
<td>Horikawa</td>
<td>Kōichi</td>
<td>堀川浩一</td>
<td>Lt</td>
<td>732</td>
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<td>(1) Murder of numerous unknown PW between SANDAKAN and RANAU, BNB, between 01/01/1945 and 28/02/1945 (2) Alternative charge - Ill-treatment of PW thereby causing deaths between SANDAKAN and RANAU, BNB, between 29/01/1945 and 28/02/1945</td>
<td>Labuan</td>
<td>ML36</td>
<td>(1) Not Guilty (2) Guilty</td>
<td>Death by shooting</td>
<td>Retrial ordered</td>
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<tr>
<td>Horikawa</td>
<td>Kōichi</td>
<td>堀川浩一</td>
<td>Lt</td>
<td>732</td>
<td>591</td>
<td>(1) Murder of numerous unknown PW between SANDAKAN and RANAU, BNB, between 29/1/1945 and 28/2/1945 (2) Alternative charge - Ill-treatment of PW thereby causing death between SANDAKAN and RANAU, BNB, between 29/1/1945 and 28/1/1945</td>
<td>Rabaul</td>
<td>R125</td>
<td>(1) Not Guilty (2) Guilty</td>
<td>10 years</td>
<td>10 years</td>
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<tr>
<td>Hoshi</td>
<td>Aiki</td>
<td>星愛夫</td>
<td>Lt</td>
<td>754</td>
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<td>(1) Ill-treatment of PW who were employed on the Burma-Siam Railway between THANBUYZAYAT, Burma and NIKI, Siam, between 25/10/1942 and 1/05/1944 (2) (7) [not charged with charges 2-7]</td>
<td>Singapore</td>
<td>S12</td>
<td>Guilty</td>
<td>Death by hanging</td>
<td>Hanging 25/02/1947</td>
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<tr>
<td>Family name</td>
<td>Given name</td>
<td>Japanese name in kanji if known</td>
<td>Rank</td>
<td>AWC No. if any</td>
<td>Serial No. if convicted</td>
<td>Charge(s)</td>
<td>Court location</td>
<td>Trial reference</td>
<td>Finding(s)</td>
<td>Sentence imposed at trial</td>
<td>Confirmed sentence [Death] and execution date</td>
<td>Confirmed sentence [Imprisonment]</td>
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<tr>
<td>Hoshi</td>
<td>Aiki</td>
<td>星愛?</td>
<td>Lt</td>
<td></td>
<td></td>
<td>(1) Ill-treatment of PW who were employed on the Burma-Siam Railway between THANBUYZAYAT, Burma and NIKI, Siam, between 25/10/1942 and 1/05/1944 (2) Unlawfully ordered and caused to be shot, three recaptured escaped Dutch PW at THANBUYZAYAT, Burma, about 13/12/1942 (3) Unlawfully ordered and caused to be shot and killed three recaptured escaped Dutch PW at THANBUYZAYAT, Burma, about 27/12/1942 (4) Unlawfully ordered and caused to be shot and killed a recaptured escaped Australian PW at THANBUYZAYAT, Burma, about 20/2/1943 (5) Unlawfully ordered and caused to be shot and killed a recaptured escaped Australian PW at THANBUYZAYAT, Burma, about 16/03/1943 (6) Responsible for unlawful shooting and killing of an Australian PW at THANBUYZAYAT, Burma, about 14/12/1942 (7) Unlawfully ordered and caused to be shot and killed an Australian PW at 18 KILO WORK Camp, Burma, about 26/12/1942</td>
<td>Singapore</td>
<td>SNN</td>
<td>Trial Aborted</td>
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<tr>
<td>Hoshijima</td>
<td>Susumu</td>
<td>星雄進</td>
<td>Capt</td>
<td>733</td>
<td>128</td>
<td>Ill-treatment of PW at SANDAKAN, BNB, (1) Authorised and permitted close confinement and cruel beatings of PW whereby certain PW died (2) Authorised and permitted torture and cruel beatings by soldiers under his command (3) Failed to provide proper medical care and food for PW (4) Authorised and permitted sick and underfed PW to be employed on heavy manual labour</td>
<td>Labuan</td>
<td>ML28</td>
<td>(1) Guilty (2) Guilty (3) Guilty (4) Guilty</td>
<td>Death by hanging</td>
<td>Hanging 6/4/1946</td>
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<tr>
<td>Hosotani</td>
<td>Naoji</td>
<td>細田次</td>
<td>Sgt</td>
<td>734</td>
<td>54</td>
<td>Murder near 15.5 mile marker, Labuk Rd, SANDAKAN, BNB, about June 1945 of two PW</td>
<td>Labuan</td>
<td>ML16</td>
<td>Guilty</td>
<td>Death by shooting</td>
<td>Shooting 6/3/1946</td>
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<tr>
<td>Hosumi</td>
<td>Susumu</td>
<td>穂積?</td>
<td>Capt</td>
<td>735</td>
<td></td>
<td>(1) Unlawfully killing an Australian PW at SONGKRAI PW Camp, Siam, about 14/08/1945 (2) [not charged with charge 2]</td>
<td>Singapore</td>
<td>S6</td>
<td>Guilty</td>
<td>Death by hanging</td>
<td>Hanging 21/1/1947</td>
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<td>Japanese name in kanji if known(^{553})</td>
<td>Rank</td>
<td>AWC No. if any(^{554})</td>
<td>Serial No. if convicted (^{555})</td>
<td>Charge(s)(^{556})</td>
<td>Court location</td>
<td>Trial reference</td>
<td>Finding(s)</td>
<td>Sentence imposed at trial</td>
<td>Confirmed sentence [Death] and execution date</td>
<td>Confirmed sentence [Imprisonment]</td>
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<td>Kenzō</td>
<td>仏山謙三</td>
<td>PO</td>
<td>777</td>
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<td>Murder of an Australian missionary at DOBO in the AROE Islands about 5/02/1943</td>
<td>Hong Kong</td>
<td>HK2</td>
<td>Guilty</td>
<td>Death by hanging</td>
<td>Life</td>
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<td>Hyōdō</td>
<td>Naoyoshi</td>
<td>兵頭義義</td>
<td>CPO</td>
<td>1205</td>
<td>233</td>
<td>Ill-treatment of Australian and Dutch PW at TAN TOEY Camp, Ambon, between February 1942 and August 1945</td>
<td>Morotai</td>
<td>M45</td>
<td>Guilty</td>
<td>5 years</td>
<td>5 years</td>
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<tr>
<td>Ichihashi</td>
<td>Shigeo</td>
<td>市橋秀雄</td>
<td>Sgt Maj</td>
<td>131</td>
<td></td>
<td>Murder at KAKASKASEN, North Celebes, of three RAAF PW about 5/03/1945</td>
<td>Morotai</td>
<td>M31</td>
<td>Guilty</td>
<td>6 years</td>
<td>6 years</td>
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<td>Ichikawa</td>
<td>Kōichi</td>
<td>市川一</td>
<td>Sgt Maj</td>
<td>740</td>
<td></td>
<td>(1) Inhumane treatment of PW employed on construction of airfield at LIENG KHAN, French Indo-China, between 15/04/1945 and 23/07/1945 (2) [not charged with charge 2] (3) [not charged with charge 3]</td>
<td>Singapore</td>
<td>S7</td>
<td>Guilty</td>
<td>12 years</td>
<td>12 years</td>
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<tr>
<td>Ichikawa</td>
<td>Yoshimori</td>
<td>市木義利</td>
<td>Capt</td>
<td></td>
<td></td>
<td>Murder at SOURABAYA, Java, about March and April 1945 of four Australian and Allied PW</td>
<td>Manus</td>
<td>LN21</td>
<td>Not Guilty</td>
<td></td>
<td></td>
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<td>Ichise</td>
<td>Shin'ichi</td>
<td>上出信一</td>
<td>V/Adm</td>
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<td>Murder of an Australian PW near GALALA, Ambon, about 24/06/1945</td>
<td>Morotai</td>
<td>M41</td>
<td>Not Guilty</td>
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<td>Ichiyama</td>
<td>Yasuo</td>
<td>内山雄一</td>
<td>Capt</td>
<td>2625</td>
<td></td>
<td>Murder of Chinese soldier at NAMALE, New Britain, about 3/05/1945</td>
<td>Rabaul</td>
<td>R12</td>
<td>Not Guilty</td>
<td></td>
<td></td>
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<td>Igarashi</td>
<td>Kinsaku</td>
<td>飯島進一</td>
<td>Capt</td>
<td>2222</td>
<td></td>
<td>Murder of Indian PW at KARKAR, New Guinea, June 1945</td>
<td>Rabaul</td>
<td>R25</td>
<td>Not Guilty</td>
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<td>Igawa</td>
<td>Kichizaemon</td>
<td>井川治男</td>
<td>Pte</td>
<td>735</td>
<td>14</td>
<td>Massacre near MIRI, Sarawak, about 10/06/1945 killing by shooting and bayonetting about 15 PW</td>
<td>Labuan</td>
<td>ML3</td>
<td>Guilty</td>
<td>Death by shooting</td>
<td>10 years with hard labour</td>
<td></td>
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<tr>
<td>Iguchi</td>
<td>Masazumi</td>
<td>井上正男</td>
<td>Lt</td>
<td>347</td>
<td>877</td>
<td>Murder at VICTORIA POINT, Burma, on 12/07/1942 of an Australian PW</td>
<td>Manus</td>
<td>LN18</td>
<td>Guilty</td>
<td>5 years</td>
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<td>Iida</td>
<td>Einosuke</td>
<td>須田義助</td>
<td>Sgt Maj</td>
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<td>Unlawfully assaulted a number of Chinese nationals at BUIN, Bougainville, about 1943</td>
<td>Rabaul</td>
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<td>鈴木寛</td>
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<td>Murder of persons unknown at OCEAN ISLAND about 20/08/1945</td>
<td>Rabaul</td>
<td>R68</td>
<td>Guilty</td>
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<td>Sentence imposed at trial</td>
<td>Confirmed sentence [Death] and execution date</td>
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<td>Capt</td>
<td>736</td>
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<td>(1) Murder of numerous unknown PW between SANDAKAN and RANAU, BNB, between 01/1945 and 28/02/1945 (2) Alternative charge – Ill-treatment of PW thereby causing death between SANDAKAN and RANAU, BNB, between 29/01/1945 and 28/02/1945</td>
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<td>(1) Murder of numerous unknown PW between SANDAKAN and RANAU, BNB, between 29/01/1945 and 28/2/1945 (2) Alternative Charge - Ill-treatment of PW thereby causing death between SANDAKAN and RANAU, BNB, between 29/1/1945 and 28/2/1945</td>
<td>Rabaul</td>
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<td>池葉東馬</td>
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<td>Murder of nine Indonesians at TENINBAUBAU, Bougainville, about August 1944</td>
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<td>Confirmed sentence [Death] and execution date</td>
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<td>Unlawfully assaulted a Chinese national at [MUGUAI] BOUGAINVILLE about April 1943</td>
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<td>M45</td>
<td>Not Guilty</td>
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<td>Hitoshi</td>
<td>今村秀</td>
<td>Gen</td>
<td>2121</td>
<td>704</td>
<td>Violation of the Laws and Usages of War between November 1942 and September 1945, being a Commander of Japanese armed forces in New Guinea, New Britain and other islands within the Area of Command of 8 Japanese Army Group unlawfully disregarded and failed to discharge his duty as such Commander to control the members of his command whereby they committed brutal atrocities and other high crimes against the people of the Commonwealth of Australia and its Allies</td>
<td>Rabaul</td>
<td>R175</td>
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<td>Murder of an Indian PW at BUT, New Guinea, in April 1944</td>
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<td>R17</td>
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<td>Court location</td>
<td>Trial reference</td>
<td>Finding(s)</td>
<td>Sentence imposed at trial</td>
<td>Confirmed sentence [Death] and execution date</td>
<td>Confirmed sentence [Imprisonment]</td>
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<td>(1) Ill-treatment of three Indian PWs at New Guinea about September 1943; (2) Ill-treatment of an Indian PW at New Guinea in October 1943; (3) Ill-treatment of two Indian PWs at BOIKEN about April 1944; (4) Ill-treatment of an Indian PW at RAINBOA about August 1944; (5) Ill-treatment of two Indian PWs at YAWA about January 1945</td>
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<td>Tokujirō</td>
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<td>807</td>
<td>Murder at sea near NAURU Island in 1943 of former residents of Australia</td>
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<td>HK10</td>
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<td>稲垣勝</td>
<td>Sgt</td>
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<td>Torture of six Chinese civilians at RABAUL about April to June 1943</td>
<td>Rabaul</td>
<td>R2</td>
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<td>Murder of a Chinese civilian about October 1944 at MASSOWA, New Britain</td>
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<td>R3</td>
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<td>Murder of 18 natives at VUNARIMA, New Britain, about 18/09/1944</td>
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<td>Ill-treatment of Australian and Dutch PW at TAN TOEY Camp, Ambon, between February 1942 and August 1945</td>
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<td>M45</td>
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<td>Not Guilty</td>
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<td>(1) Ill-treatment of PW at WAN YAI, SIAM between 1/07/1943 and 24/12/1944; (2) Ill-treatment of PW at TAKELIN, SIAM between 20/12/1944 and 19/08/1945; (3) Unauthorised employment of PW at TAKELIN, SIAM between 20/12/1944 and 19/08/1945</td>
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<td>Massacre of approx eight unknown PW near RANAU, BNB about 10/06/1945</td>
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<td>Sub Lt</td>
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<td>Murder of persons unknown at OCEAN ISLAND about 20/08/1945</td>
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<td>(1) Ill-treatment of PW who were employed on the Burma-Siam Railway between THANBUZAYAT, Burma and NIKI, Siam, between 25/10/1942 and 1/05/1944 (2)-(7) [not charged with charges 2-7]</td>
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<td>SNN</td>
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Ishii’s rank was given in the trial as guard, implying he was Formosan. However, a document created while he was imprisoned at Rabaul gave his rank as lance corporal and his birthplace as Nagasaki.
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<th>Japanese name in kanji if known</th>
<th>Rank</th>
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<th>Serial No. if convicted</th>
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<th>Court location</th>
<th>Trial reference</th>
<th>Finding(s)</th>
<th>Sentence imposed at trial</th>
<th>Confirmed sentence [Death] and execution date</th>
<th>Confirmed sentence [Imprisonment]</th>
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<td>Ill-treatment of PW and I at KUCHING, Sarawak, between 15/05/1942 and 12/09/1945</td>
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<td>Murder of two Indian PW at RANIMBOA, New Guinea, in September 1944</td>
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<td>Shigeo</td>
<td>板橋茂雄</td>
<td>Cpl</td>
<td>2819</td>
<td>566</td>
<td>Murder of an Indian PW at KOMORIYAMA, New Britain, about 4/06/45</td>
<td>Rabaul</td>
<td>R108</td>
<td>Guilty</td>
<td>20 years</td>
<td>Not confirmed</td>
<td></td>
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<tr>
<td>Itō</td>
<td>Hiroshi</td>
<td>伊藤博</td>
<td>Lt</td>
<td></td>
<td></td>
<td>Murder near BABAOE, Dutch Timor, on 20/02/1942, of two Australian PW</td>
<td>Manus</td>
<td>LN10</td>
<td>Not Guilty</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Itō</td>
<td>Hiroshi</td>
<td>伊藤博</td>
<td>Lt</td>
<td></td>
<td>878</td>
<td>(1) Murder near KOEPANG, Dutch Timor, about March 1942 of two Australian PW (2) Ill-treatment near KOEPANG, Dutch Timor, in March 1942 of two Australian PW (3) Murder at KOEPANG, Dutch Timor, in March 1942 of an Allied PW (4) Ill-treatment at KOEPANG, Dutch Timor, about March or April 1942, of an Allied PW</td>
<td>Manus</td>
<td>LN19</td>
<td>(1) Guilty (2) Not Guilty (3) Not Guilty (4) Guilty</td>
<td>15 years</td>
<td>3 years</td>
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<td>Itō</td>
<td>Hiroshi</td>
<td>伊藤博</td>
<td>Lt Cdr</td>
<td>902</td>
<td></td>
<td>Murder of Australian and Allied PW near KOEPANG, Dutch Timor, between March and May 1942</td>
<td>Manus</td>
<td>LN23</td>
<td>Guilty</td>
<td>Life</td>
<td>Life</td>
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<td>Itō</td>
<td>Isamu</td>
<td>伊藤義</td>
<td>Sgt</td>
<td>2727</td>
<td></td>
<td>Ill-treatment of Indian PW at TALLILI, New Britain, between July 1943 and December 1944</td>
<td>Rabaul</td>
<td>R77</td>
<td>Not Guilty</td>
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<td>Rank</td>
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<td>Charge(s)</td>
<td>Court location</td>
<td>Trial reference</td>
<td>Finding(s)</td>
<td>Sentence imposed at trial</td>
<td>Confirmed sentence [Death] and execution date</td>
<td>Confirmed sentence [Imprisonment]</td>
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<tr>
<td>Itô</td>
<td>Shigeo</td>
<td>伊藤茂男</td>
<td>Capt</td>
<td>2933</td>
<td>706</td>
<td>(1) At SOEMBA ISLAND, NEI, between 27/04/1945 and 16/05/1945, ill-treated a number of RAAF PW (2) Alternatively, at SOEMBA ISLAND, NEI, between 27/04/1945 and 16/05/1945 did permit personnel under his Command to ill-treat a number of RAAF PW</td>
<td>Rabaul</td>
<td>R177</td>
<td>Guilty Alternative Charge</td>
<td>2 years</td>
<td>2 years</td>
<td></td>
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<td>Takeo</td>
<td>伊東武夫</td>
<td>Lt Gen</td>
<td>2113</td>
<td></td>
<td>Murder of a number of Chinese, half-caste Chinese, civilians and natives at New Ireland about 1944 and 1945</td>
<td>Rabaul</td>
<td>R127</td>
<td>Not Guilty</td>
<td>Death by shooting</td>
<td>Not confirmed</td>
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<td>Itô</td>
<td>Hiroshi</td>
<td>伊藤博</td>
<td>CPO</td>
<td>2042</td>
<td>487</td>
<td>Murder of a Chinese civilian at NAURU ISLAND about 3/12/1944</td>
<td>Rabaul</td>
<td>R69</td>
<td>Guilty</td>
<td>Death by hanging</td>
<td>Hanging 21/8/1946</td>
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<td>Itô</td>
<td>Taichi</td>
<td>伊藤太一</td>
<td>Capt</td>
<td>2025</td>
<td></td>
<td>Murder of two United States airmen at TARLENA, Bougainville, about December 1943</td>
<td>Rabaul</td>
<td>R167</td>
<td>Not Guilty</td>
<td></td>
<td></td>
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<tr>
<td>Itô</td>
<td>Tekio</td>
<td>伊藤道彦</td>
<td>Capt</td>
<td>2615</td>
<td>506</td>
<td>Murder of nine Indonesian PWs and one Indian PW at KOKOPO, New Britain, in February 1944</td>
<td>Rabaul</td>
<td>R73</td>
<td>Guilty</td>
<td>Death by hanging</td>
<td>Hanging 7/9/1946</td>
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<td>Itô</td>
<td>Toyoji</td>
<td>伊藤豊治</td>
<td>L/Cpl</td>
<td>2821</td>
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<td>Ill-treatment of an Indian PW at KUMRIYAMA, New Britain, about September 1944</td>
<td>Rabaul</td>
<td>R103</td>
<td>Not Guilty</td>
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<tr>
<td>Itsui</td>
<td>Hiroshi</td>
<td>伊藤浩</td>
<td>Maj</td>
<td>812</td>
<td></td>
<td>Murder at TAVOY, Burma, on 6/01/1942 of eight Australian PW</td>
<td>Manus</td>
<td>LN1</td>
<td>Guilty</td>
<td>Life</td>
<td></td>
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<td>Itsui</td>
<td>Hiroshi</td>
<td>伊藤浩</td>
<td>Maj</td>
<td>858</td>
<td></td>
<td>Murder at MERICU, Burma, on 18/06/1942 of two Australian PW</td>
<td>Manus</td>
<td>LN14</td>
<td>Guilty</td>
<td>Life</td>
<td></td>
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<td>Itsui</td>
<td>Hiroshi</td>
<td>伊藤浩</td>
<td>Maj</td>
<td>875</td>
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<td>Murder at VICTORIA POINT, Burma, on 12/07/1942 of an Australian PW</td>
<td>Manus</td>
<td>LN18</td>
<td>Guilty</td>
<td>Life</td>
<td></td>
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<td>Iwabe</td>
<td>Shigeru</td>
<td>岩部茂</td>
<td>Sgt</td>
<td>743</td>
<td>78</td>
<td>Massacre of approx eight unknown PW near RANAU, BNB about 10/06/1945</td>
<td>Labuan</td>
<td>ML19</td>
<td>Guilty</td>
<td>14 years</td>
<td>14 years</td>
<td></td>
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<td>Iwamoto</td>
<td>Masatoshi</td>
<td>岩本敏</td>
<td>PO</td>
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<td>Ill-treatment of Australian and Dutch PW at TAN TOEY Camp, Ambon, between February 1942 and August 1945</td>
<td>Morotai</td>
<td>M45</td>
<td>Not Guilty</td>
<td></td>
<td></td>
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<td>Iwasa</td>
<td>Tokio</td>
<td>伊澤道彦</td>
<td>Capt</td>
<td>41</td>
<td></td>
<td>Murder of RAAF PW in TALAUD ISLAND, Celebes, about March 1945</td>
<td>Morotai</td>
<td>M9</td>
<td>Guilty</td>
<td>Death by shooting</td>
<td>Shooting 6/3/1946</td>
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<td>Given name</td>
<td>Japanese name in kanji if known</td>
<td>Rank</td>
<td>AWC No. if any</td>
<td>Serial No. if convicted</td>
<td>Charge(s)</td>
<td>Court location</td>
<td>Court reference</td>
<td>Finding(s)</td>
<td>Sentence imposed at trial</td>
<td>Confirmed sentence [Death] and execution date</td>
<td>Confirmed sentence [Imprisonment]</td>
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<td>Iwasaki</td>
<td>Yoshiho</td>
<td>岩崎雅穂</td>
<td>Lt</td>
<td>798</td>
<td></td>
<td>Murder of an Australian PW and a Dutch PW at KILWICK Island about November 1944</td>
<td>Hong Kong</td>
<td>HK5</td>
<td>Guilty</td>
<td>Death by hanging</td>
<td>Hanging 1/10/1948</td>
<td></td>
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<tr>
<td>Izumi</td>
<td>Namio</td>
<td>出倉雅男</td>
<td>Capt</td>
<td>2210</td>
<td>339</td>
<td>Murder of Indian PW at KARKAR, New Guinea, June 1945</td>
<td>Rabaul</td>
<td>R25</td>
<td>Guilty</td>
<td>Death by hanging</td>
<td>Hanging 22/06/1946</td>
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<tr>
<td>Kaga</td>
<td>Zenshi</td>
<td>加賀善史</td>
<td>L/Cpl</td>
<td>676</td>
<td></td>
<td>Ill-treatment causing bodily injury to an Australian PW at RAJBURI, Siam, about 15/05/1945</td>
<td>Singapore</td>
<td>S4</td>
<td>Guilty</td>
<td>3 years</td>
<td></td>
<td>3 years</td>
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<tr>
<td>Kagawa</td>
<td>Haruo</td>
<td>香川浩男</td>
<td>CPO</td>
<td>1229</td>
<td>211</td>
<td>Ill-treatment of Australian PW at TAN TOEY Camp, Ambon, between February 1942 and August 1945</td>
<td>Morotai</td>
<td>M44</td>
<td>Guilty</td>
<td>8 years</td>
<td></td>
<td>8 years</td>
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<td>Kageyama</td>
<td>Toshio</td>
<td>影山浩雄</td>
<td>Sgt</td>
<td>1920</td>
<td>413</td>
<td>(1) Murder of an Australian PW at AIRNONA, Timor, on or about 12/06/1943 (2) Murder of a British PW at AIRNONA, Timor, on or about 12/06/1943</td>
<td>Darwin</td>
<td>D3</td>
<td>(1) Guilty (2) Guilty</td>
<td>4 years with hard labour</td>
<td></td>
<td>4 years with hard labour</td>
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<tr>
<td>Kagiyama</td>
<td>Kaneki</td>
<td>鍵山健樹</td>
<td>Capt</td>
<td>839</td>
<td></td>
<td>Murder at AMBON about August 1943 of Australian and Allied PW</td>
<td>Manus</td>
<td>LN9</td>
<td>Guilty</td>
<td>10 years</td>
<td></td>
<td>10 years</td>
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<tr>
<td>Kagiyama</td>
<td>Kaneki</td>
<td>鍵山健樹</td>
<td>Capt</td>
<td>855</td>
<td></td>
<td>Murder at AMBON between September 1943 and February 1944 of two Australian PW</td>
<td>Manus</td>
<td>LN13</td>
<td>Guilty</td>
<td>12 years</td>
<td></td>
<td>12 years</td>
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<td>Kagiyama</td>
<td>Kaneki</td>
<td>鍵山健樹</td>
<td>Capt</td>
<td>881</td>
<td></td>
<td>Murder of two Australian PW at AMBON about October 1943</td>
<td>Manus</td>
<td>LN20</td>
<td>Guilty</td>
<td>14 years</td>
<td></td>
<td>14 years</td>
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<td>Kajiwara</td>
<td>Tsugio</td>
<td>甲斐武男</td>
<td>CPO</td>
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<td>Ill-treatment of Australian and Dutch PW at TAN TOEY Camp, Ambon, between February 1942 and August 1945</td>
<td>Morotai</td>
<td>M45</td>
<td>Not Guilty</td>
<td></td>
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<td>Kakinuma</td>
<td>Morio</td>
<td>柿沼正夫</td>
<td>Sub Lt</td>
<td>191</td>
<td></td>
<td>Murder of four AIF PW near PASO, Ambon, about 26/03/1945</td>
<td>Morotai</td>
<td>M39</td>
<td>Guilty</td>
<td>Death by shooting</td>
<td>Shooting 11/5/1946</td>
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<tr>
<td>Kakuda</td>
<td>Iwao</td>
<td>鎌田義夫</td>
<td>PO</td>
<td></td>
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<td>Murder of an Australian PW near GALALA, Ambon, about 24/06/1945</td>
<td>Morotai</td>
<td>M41</td>
<td>Not Guilty</td>
<td></td>
<td></td>
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<td>Iwao</td>
<td>鎌田義夫</td>
<td>PO</td>
<td></td>
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<td>Ill-treatment of Australian and Dutch PW at TAN TOEY Camp, Ambon, between February 1942 and August 1945</td>
<td>Morotai</td>
<td>M45</td>
<td>Not Guilty</td>
<td></td>
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<tr>
<td>Kamimoto</td>
<td>Shigei</td>
<td>神本繁栄</td>
<td>L/Cpl</td>
<td>1917</td>
<td></td>
<td>Ill-treatment of PW at DILI and BACAU in Timor between September 1943 and September 1945</td>
<td>Darwin</td>
<td>D1</td>
<td>Not Guilty</td>
<td></td>
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<td>Family name</td>
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<td>Rank</td>
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<td>Charge(s)</td>
<td>Court location</td>
<td>Trial reference</td>
<td>Finding(s)</td>
<td>Sentence imposed at trial</td>
<td>Confirmed sentence [Death] and execution date</td>
<td>Confirmed sentence [Imprisonment]</td>
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<tr>
<td>Kamimura</td>
<td>Sōichi</td>
<td>上村宗一</td>
<td>Gd</td>
<td>744</td>
<td>68</td>
<td>Murder of numerous unknown PW between SANDAKAN and RANAU, BNB, between 29/05/1945 and 26/06/1945</td>
<td>Labuan</td>
<td>ML18</td>
<td>Guilty</td>
<td>10 years</td>
<td>10 years</td>
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<td>Kaminaka</td>
<td>Tsunejirō</td>
<td>上中?次郎</td>
<td>Sgt Maj</td>
<td>2920</td>
<td>622</td>
<td>Murders of Indian PW near PAROM, PAROM TO KURRINGE and at KURRINGE, New Guinea, about 1944 (15 charges of murder; although charges 7 and 10 were offered in the alternative of ill-treatment)</td>
<td>Rabaul</td>
<td>R142</td>
<td>Guilty</td>
<td>Death by hanging</td>
<td>Hanging 6/11/1946</td>
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<td>Kamioka</td>
<td>Shigeri</td>
<td>上岡重位</td>
<td>SN</td>
<td>829</td>
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<td>Murder at SOEAKODA, Ambon, about 5/02/1942 of Australian and Allied PW</td>
<td>Manus</td>
<td>LN6</td>
<td>Guilty</td>
<td>15 years</td>
<td>15 years</td>
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<tr>
<td>Kanae</td>
<td>Shinbee</td>
<td>坂本新兵衛</td>
<td>L/Cpl</td>
<td>2746</td>
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<td>Ill-treatment of a number of Indian PW at various locations including KOMORIYAMA NEW BRITAIN about 1944 and 1945</td>
<td>Rabaul</td>
<td>R111</td>
<td>Not Guilty</td>
<td></td>
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<tr>
<td>Kanai</td>
<td>Tomokazu</td>
<td>金井一</td>
<td>L/Cpl</td>
<td>2653</td>
<td>673</td>
<td>Ill-treatment of a Chinese PW at Rabaul, New Britain, about 5/05/1945</td>
<td>Rabaul</td>
<td>R148</td>
<td>Guilty</td>
<td>1 year</td>
<td></td>
<td>1 year</td>
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<tr>
<td>Kanamoto</td>
<td>Keigo</td>
<td>金本嘉雄</td>
<td>WO</td>
<td>919</td>
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<td>Murder of a number of Australian PW near LAHA Airfield on AMBON island about 14/02/1942</td>
<td>Manus</td>
<td>LN24</td>
<td>Guilty</td>
<td>Life</td>
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<td>Kanashige</td>
<td>Masayoshi</td>
<td>金澤正吉</td>
<td>Gd</td>
<td>748</td>
<td>21</td>
<td>Massacre near MIKI, Sarawak, about 10/06/1945 killing by shooting and bayoneting about 15 PW</td>
<td>Labuan</td>
<td>ML4</td>
<td>Guilty</td>
<td>Death by shooting</td>
<td>10 years with hard labour</td>
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<td>Kanazawa</td>
<td>Kisou</td>
<td>金次郎</td>
<td>Lt</td>
<td></td>
<td>(1)</td>
<td>(1) Murder at JESSELTON, BORNEO, in 1944 of three members of the AMF (2) Violation of Laws and Usages of War at JESSELTON, Borneo, in 1944 by disregarding and failing to try three members of AMF who were executed</td>
<td>Manus</td>
<td>LN15</td>
<td>(1) Not Guilty (2) Not Guilty</td>
<td></td>
<td></td>
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<tr>
<td>Kanazawa</td>
<td>Masao</td>
<td>金剛隆</td>
<td>L/Cpl</td>
<td>682</td>
<td></td>
<td>Inhumane treatment of Australian PW at BATAVIA, NEI between 17/06/1945 and 14/08/1945</td>
<td>Singapore</td>
<td>S8</td>
<td>Guilty</td>
<td>8 years</td>
<td>8 years</td>
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<tr>
<td>Kaneko</td>
<td>Chōroku</td>
<td>金子長録</td>
<td>Gd</td>
<td>763</td>
<td></td>
<td>(1) Ill-treatment of PW who were employed on the Burma-Siam Railway between THANBUYZAYAT, Burma and NIKI, Siam, between 25/10/1942 and 1/05/1944 (2) [not charged with charges 2-7]</td>
<td>Singapore</td>
<td>S12</td>
<td>Guilty</td>
<td>Death by hanging</td>
<td>Hanging 25/02/1947</td>
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<td>AWC No. if any</td>
<td>Serial No. if convicted</td>
<td>Charge(s)</td>
<td>Court location</td>
<td>Trial reference</td>
<td>Finding(s)</td>
<td>Sentence imposed at trial</td>
<td>Confirmed sentence</td>
<td>Confirmed sentence [Imprisonment]</td>
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<tr>
<td>Kaneko</td>
<td>Chōroku</td>
<td>金子長録</td>
<td>Gd</td>
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<td>(1) Ill-treatment of PW who were employed on the Burma-Siam Railway between THANBUYZAYAT, Burma and NIKI, Siam, between 25/10/1942 and 1/05/1944  (2) Unlawfully ordered and caused to be shot, three recaptured escaped Dutch PW at THANBUYZAYAT, Burma, about 13/12/1942  (3) Unlawfully ordered and caused to be shot and killed three recaptured escaped Dutch PW at THANBUYZAYAT, Burma, about 27/12/1942  (4) Unlawfully ordered and caused to be shot and killed a recaptured escaped Australian PW at THANBUYZAYAT, Burma, about 2/02/1943  (5) Unlawfully ordered and caused to be shot and killed a recaptured escaped Australian PW at THANBUYZAYAT, Burma, about 14/12/1942  (6) Responsible for unlawful shooting and killing of an Australian PW at THANBUYZAYAT, Burma, about 16/03/1943  (7) Unlawfully ordered and caused to be shot and killed an Australian PW at 18 KILO WORK Camp, Burma, about 26/12/1942</td>
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<td>Murder of two Indian PW near WONGINARA, New Guinea, in September 1944</td>
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<td>Murder of nine Indonesians at TENINBAUBAU, Bougainville, about August 1944</td>
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<td>Murder of one RAAF and one RAN PW on 19/06/1945 in Northern CELEBES</td>
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<td>Mitsuo</td>
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<td>Ill-treatment of a Chinese PW at NAMARIA, New Britain, about 5/07/1946</td>
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<td>Murder of a native at RAMATA, New Britain, about May 1945</td>
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<td>Murder of 4 RAAF PW near GALALA, Ambon, about 16/08/1944</td>
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<td>(1) Murder of natives at BUKA Island, NORTH BOUGAINVILLE between September 1943 and October 1945 (2) Murder of natives at BUKA Island, NORTH BOUGAINVILLE between September 1943 and October 1945</td>
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<td>Murder of a PW between 10/03/1945 and 20/03/1945 at KAPARAPKO, Dutch New Guinea</td>
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<td>Ill-treatment of Chinese PW at NAMARIA, New Britain, about 6/05/1945</td>
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<td>Murder of Chinese soldier at NAMALE,</td>
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<td>R12</td>
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### Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

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<th>Sentence imposed at trial</th>
<th>Confirmed sentence [Death] and execution date</th>
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<td>Katō</td>
<td>Rinpei</td>
<td>加藤鈴平</td>
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<td>2959</td>
<td>Violation of the Laws and Usages of War between November 1942 and September 1945, being a Commander of Japanese armed forces in New Guinea, New Britain and other islands within the Area of Command of 8 Jap Army Gp unlawfully employed PW on work having a direct connection with Jap Military Operations</td>
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<td>750 171</td>
<td>Ill-treatment of PW and I at KUCHING, Sarawak, between 15/05/1942 and 12/09/1945</td>
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<td>Yoshio</td>
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<td>Maj</td>
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<td>Concerned in the unlawful killing of two Australian PW, one Dutch PW, all then recaptured escaped PW, and a Dutch civilian at or near BOGOR, JAVA on 5/9/1943</td>
<td>Singapore</td>
<td>S11</td>
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<td>(1) Murder of Chinese PW at MALIN, New Guinea, in October 1944 (2) Cannibalism at MALIN, New Guinea, in October 1944</td>
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<td>Shizuma</td>
<td>川崎長司</td>
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<td>2338</td>
<td>In May 1945, as Commander 51 Div, improperly confirmed sentence of death on two natives of KANBANBURU, New Guinea, well knowing that they had not been afforded a fair and proper trial</td>
<td>Rabaul</td>
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<td>Murder of 18 natives at VUNARIMA, New Britain, about 18/09/1944</td>
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<td>603</td>
<td>Murder of a number of Chinese, half-caste Chinese, civilians and natives at New Ireland about 1944–45</td>
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<td>Murder of Indian PW at KARKAR, New Guinea, June 1945</td>
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### Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

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between October 1942 and June 1945
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<th>Confirmed sentence [Death] and execution date</th>
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<td>甲武雄</td>
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<td>Murder – unlawfully ordered at MANADO, North Celebes, about January – February 1945 the killing at BOE on 23/03/1945 of 3 RAAF PW</td>
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<td>(1) [not charged with charge 1] (2) [not charged with charge 2] (3) Murder of several Indian PW at KOMORIYAMA, New Britain, between January and August 1945 (Alternative charge) Failed to provide PW with proper medical care, food and quarters at KOMORIYAMA, between January and August 1945</td>
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<td>AWC No. if any</td>
<td>Serial No. if convicted</td>
<td>Charge(s)</td>
<td>Court location</td>
<td>Trial reference</td>
<td>Finding(s)</td>
<td>Sentence imposed at trial</td>
<td>Confirmed sentence [Death] and execution date</td>
<td>Confirmed sentence [Imprisonment]</td>
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<td>Masaka</td>
<td>Setsuzō</td>
<td>真坂節三</td>
<td>Civ</td>
<td>2836</td>
<td>691</td>
<td>(1) Murder of a resident of New Ireland at NAMATANAI, New Ireland, about 15/06/1943 (2) Confiscation of property of residents of New Ireland about June and August 1943</td>
<td>Rabaul</td>
<td>R169</td>
<td>(1) Guilty (not confirmed) (2) Guilty</td>
<td>4 years</td>
<td>12 months</td>
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<tr>
<td>Masaki</td>
<td>Fumio</td>
<td>正木文雄</td>
<td>Gd</td>
<td>2104</td>
<td>727</td>
<td>At 83 KILO Camp, APERON, Burma, and at 80 KILO Camp, Burma, between May and September 1943, inhumanely treated PW whereby contributing to the death of an Australian PW which occurred about 9/09/1943 at 80 KILO Camp, and causing suffering to the other PW</td>
<td>Singapore</td>
<td>S21</td>
<td>Guilty</td>
<td>15 years</td>
<td>15 years</td>
<td></td>
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<tr>
<td>Masugi</td>
<td>Kazuo</td>
<td>馬杉一雄</td>
<td>Lt Col</td>
<td>719</td>
<td></td>
<td>Concerned in unlawful killing of three RAAF when PW at TANDJONG PRIOK, Java, between 28/01/1945 and 6/02/1945</td>
<td>Singapore</td>
<td>S14</td>
<td>Guilty Death by hanging Hanging 25/2/1947</td>
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<td>Matsuba</td>
<td>Shōkichi</td>
<td>松葉政吉 or 正吉</td>
<td>Gd</td>
<td>769</td>
<td>66</td>
<td>Murder of numerous unknown PW between SANDAKAN and RANAU, BNB, between 29/05/1945 and 26/06/1945</td>
<td>Labuan</td>
<td>ML18</td>
<td>Guilty</td>
<td>12 years</td>
<td>12 years</td>
<td></td>
</tr>
<tr>
<td>Matsuba</td>
<td>Shōkichi</td>
<td>松葉政吉 or 正吉</td>
<td>Gd</td>
<td>769</td>
<td>100</td>
<td>Massacre of 11 unknown PW at RANAU, BNB, about 01/08/1945</td>
<td>Labuan</td>
<td>ML22</td>
<td>Guilty</td>
<td>20 years</td>
<td>20 years</td>
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<tr>
<td>Matsubayashi</td>
<td>Takeo</td>
<td>松林武雄</td>
<td>Gd</td>
<td>770</td>
<td>164</td>
<td>Ill-treatment of PW and I at KUCHING, Sarawak, between 15/05/1942 and 12/09/1945</td>
<td>Labuan</td>
<td>ML37</td>
<td>Guilty</td>
<td>10 years</td>
<td>10 years</td>
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<tr>
<td>Matsuda</td>
<td>Buichi</td>
<td>松田武一</td>
<td>Gd</td>
<td>771</td>
<td>160</td>
<td>Ill-treatment of PW and I at KUCHING, Sarawak, between 15/05/1942 and 12/09/1945</td>
<td>Labuan</td>
<td>ML37</td>
<td>Guilty</td>
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<td>Matsuda</td>
<td>Kenji</td>
<td>松田憲次</td>
<td>Gd</td>
<td>772</td>
<td>70</td>
<td>Murder of numerous unknown PW between SANDAKAN and RANAU, BNB, between 29/05/1945 and 26/06/1945</td>
<td>Labuan</td>
<td>ML18</td>
<td>Guilty</td>
<td>20 years</td>
<td>20 years</td>
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<td>Matsuda</td>
<td>Masao</td>
<td>松田武雄</td>
<td>PO</td>
<td>1239</td>
<td>237</td>
<td>Ill-treatment of Australian and Dutch PW at TAN TOEY Camp, Ambon, between February 1942 and August 1945</td>
<td>Morotai</td>
<td>M45</td>
<td>Guilty</td>
<td>15 years</td>
<td>15 years</td>
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<tr>
<td>Matsuda</td>
<td>Nobunaga</td>
<td>松田武雄</td>
<td>Gd</td>
<td></td>
<td></td>
<td>Murder of 17 PW near RANAU, BNB, about August 1945</td>
<td>Labuan</td>
<td>ML21</td>
<td>Not Guilty</td>
<td></td>
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<tr>
<td>Matsuda</td>
<td>Takeo</td>
<td>松任武雄</td>
<td>Gd</td>
<td>774</td>
<td>111</td>
<td>Massacre of about 23 unknown PW near SANDAKAN, BNB, about 13/07/1945</td>
<td>Labuan</td>
<td>ML24</td>
<td>Guilty</td>
<td>15 years</td>
<td>15 years</td>
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<td>Japanese name in kanji if known</td>
<td>Rank</td>
<td>AWC No. if any</td>
<td>Serial No. if convicted</td>
<td>Charge(s)</td>
<td>Court location</td>
<td>Trial reference</td>
<td>Finding(s)</td>
<td>Sentence imposed at trial</td>
<td>Confirmed sentence [Death] and execution date</td>
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<tr>
<td>Matsuda</td>
<td>Takeshi</td>
<td>松田武</td>
<td>Gd</td>
<td>773</td>
<td>151</td>
<td>Ill-treatment of PW and I at KUCHING, Sarawak, between 15/05/1942 and 12/09/1945</td>
<td>Labuan</td>
<td>ML37</td>
<td>Guilty</td>
<td>15 years</td>
<td>15 years</td>
<td></td>
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<tr>
<td>Matsui</td>
<td>Kichi Jirō</td>
<td>松井吉次郎</td>
<td>Cpl</td>
<td>2273</td>
<td></td>
<td>(1) Murder of an Indian PW at MOI, New Guinea about January 1945; (2) Murder of an Indian PW at MOI, New Guinea about January 1945</td>
<td>Rabaul</td>
<td>R96</td>
<td>Not Guilty</td>
<td></td>
<td></td>
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<td>Matsukawa</td>
<td>Chuzō</td>
<td>松尾藏</td>
<td>Lt</td>
<td>791</td>
<td></td>
<td>(1) Ill-treatment of PW at HAINAN Island between November 1942 and August 1945 (2) [not charged with charge 2]</td>
<td>Hong Kong</td>
<td>HK3</td>
<td>Guilty</td>
<td>5 years</td>
<td>2 years</td>
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<tr>
<td>Matsukawa</td>
<td>Kiyoshi</td>
<td>松尾光</td>
<td>PO</td>
<td></td>
<td></td>
<td>Ill-treatment of Australian and Dutch PW at TAN TOEY Camp, Ambon, between February 1942 and August 1945</td>
<td>Morotai</td>
<td>M45</td>
<td>Not Guilty</td>
<td></td>
<td></td>
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<td>Matsumoto</td>
<td>Akio</td>
<td>松本義</td>
<td>WO</td>
<td></td>
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<td>Ill-treatment of Australian and Dutch PW at TAN TOEY Camp, Ambon, between February 1942 and August 1945</td>
<td>Morotai</td>
<td>M45</td>
<td>Not Guilty</td>
<td></td>
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<td>Matsumoto</td>
<td>Genhachi Rō</td>
<td>松本兼部</td>
<td>SN</td>
<td></td>
<td></td>
<td>Murder near BABAOE, Dutch Timor, on 20/02/1942, of three Australian PW</td>
<td>Manus</td>
<td>LN11</td>
<td>Not Guilty</td>
<td></td>
<td></td>
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<tr>
<td>Matsumoto</td>
<td>Hideo</td>
<td>松本秀夫</td>
<td>Gd</td>
<td>776</td>
<td>7</td>
<td>Massacre near MIRI, Sarawak, about 10/06/1945 killing by shooting and bayoneting about 15 PW</td>
<td>Labuan</td>
<td>ML3</td>
<td>Guilty</td>
<td>Death by shooting</td>
<td>10 years with hard labour</td>
<td></td>
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<tr>
<td>Matsumoto</td>
<td>Tomeyoshi</td>
<td>松本照義</td>
<td>Capt</td>
<td>862</td>
<td></td>
<td>(1) Murder at JESSELTON, BORNEO, in 1944 of three members of the AMF (2) Violation of Laws and Usages of War at JESSELTON, Borneo, in 1944 by disregarding and failing to try three members of AMF who were executed</td>
<td>Manus</td>
<td>LN15</td>
<td>(1) Not Guilty</td>
<td>(2) Not Guilty</td>
<td></td>
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<td>Matsumoto</td>
<td>Toratarō</td>
<td>松本宗太郎</td>
<td>WO</td>
<td>2671</td>
<td>36</td>
<td>Torture of six Chinese civilians at RABAUL about April - June 1943</td>
<td>Rabaul</td>
<td>R2</td>
<td>Guilty</td>
<td>Life</td>
<td>10 years</td>
<td></td>
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<tr>
<td>Matsumoto</td>
<td>Tsugiji</td>
<td>松本次二</td>
<td>WO</td>
<td>2669</td>
<td></td>
<td>Murder of Chinese civilian at LUMBURUA, New Ireland, about January 1945</td>
<td>Rabaul</td>
<td>R24</td>
<td>Not Guilty</td>
<td></td>
<td></td>
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<tr>
<td>Matsumoto</td>
<td>Tsugiji</td>
<td>松本次二</td>
<td>WO</td>
<td>2669</td>
<td>361</td>
<td>Torturing a Chinese civilian at LAGURAMAU, New Ireland, about January 1945</td>
<td>Rabaul</td>
<td>R35</td>
<td>Guilty</td>
<td>Death by hanging</td>
<td>Hanging 26/6/1946</td>
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<td>Rank</td>
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<td>Serial No. if convicted</td>
<td>Charge(s)</td>
<td>Court location</td>
<td>Court reference</td>
<td>Finding(s)</td>
<td>Sentence imposed at trial</td>
<td>Confirmed sentence [Death] and execution date</td>
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<tr>
<td>Matsumoto</td>
<td>Tsugiji</td>
<td>松本次二</td>
<td>WO</td>
<td>2669</td>
<td>601</td>
<td>Murder of a number of Chinese, half-caste Chinese, civilians and natives at New Ireland about 1944–1945</td>
<td>Rabaul</td>
<td>R127</td>
<td>Guilty</td>
<td>Death by hanging</td>
<td>Not confirmed</td>
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<td>Matsumura</td>
<td>Tadashi</td>
<td>松村忠</td>
<td>Sgt Maj</td>
<td>2244</td>
<td></td>
<td>Murder of an Indian PW at PAROM, near BOIKEN, New Guinea, in July 1944</td>
<td>Rabaul</td>
<td>R141</td>
<td>Not Guilty</td>
<td></td>
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<td>Matsumura</td>
<td>Tadashi</td>
<td>松村忠</td>
<td>Sgt Maj</td>
<td>2244</td>
<td>626</td>
<td>Murder of an Indian PW at [MOI] NEW GUINEA about September 1944</td>
<td>Rabaul</td>
<td>R146</td>
<td>Guilty</td>
<td>Death by hanging</td>
<td>Hanging 19/10/1946</td>
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<td>Matsuo</td>
<td>Masaru</td>
<td>松尾勝</td>
<td>Lt</td>
<td>337</td>
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<td>Murder of seven unknown Indian PW at YAWA, New Guinea, December 1944</td>
<td>Rabaul</td>
<td>R23</td>
<td>Guilty</td>
<td>Death by hanging</td>
<td>Hanging 18/5/1946</td>
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<tr>
<td>Matsuoka</td>
<td>Yoshio</td>
<td>松岡芳雄</td>
<td>Sgt</td>
<td></td>
<td></td>
<td>(1) Murder of an Australian PW at AIRNONA, Timor, on or about 12/06/1943 (2) Murder of a British PW at AIRNONA, Timor, on or about 12/06/1943</td>
<td>Darwin</td>
<td>D3</td>
<td>(1) Not Guilty (2) Not Guilty</td>
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<tr>
<td>Matsushima</td>
<td>Tōzaburō</td>
<td>松島藤三郎</td>
<td>Sgt</td>
<td>2910</td>
<td>391</td>
<td>(1) Murder of 24 Chinese at RABAUL, New Britain, about 3/03/1943 (2) Murder of 6 Chinese at RABAUL about 11/03/1943</td>
<td>Rabaul</td>
<td>R55</td>
<td>(1) Guilty (2) Guilty</td>
<td>Death by hanging</td>
<td>Hanging 17/07/1946</td>
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<tr>
<td>Matsutaka</td>
<td>Katsushi</td>
<td>松尾隆</td>
<td>Sgt Maj</td>
<td>778</td>
<td>144</td>
<td>Ill-treatment of PW and 1 at KUCHING, Sarawak, between 15/05/1942 and 12/09/1945</td>
<td>Labuan</td>
<td>ML37</td>
<td>Guilty</td>
<td>7 years</td>
<td>7 years</td>
<td></td>
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<tr>
<td>Matsuura</td>
<td>Toshisato</td>
<td>松村道二</td>
<td>2nd Lt</td>
<td>2250</td>
<td>700</td>
<td>Murder of two Indian PW at [between BOIKEN and MOI] NEW GUINEA about September 1944</td>
<td>Rabaul</td>
<td>R171</td>
<td>Guilty</td>
<td>Death by hanging</td>
<td>Not confirmed</td>
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<tr>
<td>Matsuzaki</td>
<td>Minoru</td>
<td>松本三</td>
<td>Lt</td>
<td>755</td>
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<td>(1) Ill-treatment of PW who were employed on the Burma-Siam Railway between THANBUUYZAYAT, Burma and NIKI, Siam, between 25/10/1942 and 1/05/1944 (2)-(7) [not charged with charges 2-7]</td>
<td>Singapore</td>
<td>S12</td>
<td>Guilty</td>
<td>Life</td>
<td>Life</td>
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<td>Japanese name in kanji if known</td>
<td>Rank</td>
<td>AWC No. if any</td>
<td>Serial No. if convicted</td>
<td>Charge(s)</td>
<td>Court location</td>
<td>Trial reference</td>
<td>Finding(s)</td>
<td>Sentence imposed at trial</td>
<td>Confirmed sentence [Death] and execution date</td>
<td>Confirmed sentence [Imprisonment]</td>
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<tr>
<td>Matsuzaki</td>
<td>Minoru</td>
<td>松崎稔 (Matsuzaki Minoru)</td>
<td>Lt</td>
<td></td>
<td></td>
<td>(1) Ill-treatment of PW who were employed on the Burma-Siam Railway between THANBUYZAYAT, Burma and NIKI, Siam, between 25/10/1942 and 1/05/1944 (2) Unlawfully ordered and caused to be shot, three recaptured escaped Dutch PW at THANBUYZAYAT, Burma, about 13/12/1942 (3) Unlawfully ordered and caused to be shot and killed three recaptured escaped Dutch PW at THANBUYZAYAT, Burma, about 27/12/1942 (4) Unlawfully ordered and caused to be shot and killed a recaptured escaped Australian PW at THANBUYZAYAT, Burma, about 2/02/1943 (5) Unlawfully ordered and caused to be shot and killed a recaptured escaped Australian PW at THANBUYZAYAT, Burma, about 16/03/1943 (6) Responsible for unlawful shooting and killing of an Australian PW at THANBUYZAYAT, Burma, about 14/12/1942 (7) Unlawfully ordered and caused to be shot and killed an Australian PW at 18 KILO WORK Camp, Burma, about 26/12/1942</td>
<td>Singapore</td>
<td>SNN</td>
<td>Trial Aborted</td>
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<tr>
<td>Mawatari</td>
<td>Kuniyoshi</td>
<td>馬渡國義 (Mawatari Kuniyoshi)</td>
<td>Sgt</td>
<td>2110</td>
<td>470</td>
<td>Murder of an Indian PW at NONGA, New Britain, about 5/05/1944</td>
<td>Rabaul</td>
<td>R61</td>
<td>Guilty</td>
<td>Death by hanging</td>
<td>Hanging 1/8/1946</td>
<td></td>
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<tr>
<td>Mayama</td>
<td>Mihachi</td>
<td>関上八 (Mayama Mihachi)</td>
<td>Cpl</td>
<td>2750</td>
<td>654</td>
<td>(1) Ill-treatment of Indian PW at KOMORIYAMA, New Britain, about 12–13/05/1945 (2) [not charged with charge 2]</td>
<td>Rabaul</td>
<td>R161</td>
<td>Guilty</td>
<td>6 months</td>
<td>6 months</td>
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<tr>
<td>Mayama</td>
<td>Mihachi</td>
<td>関上八 (Mayama Mihachi)</td>
<td>Cpl</td>
<td>2750</td>
<td>655</td>
<td>(1) Ill-treatment of Indian PW near KERAVAT, New Britain, in September to November 1944 (2) Ill-treatment of Indian PW at KOMORIYAMA, New Britain, about 1/08/1945</td>
<td>Rabaul</td>
<td>R162</td>
<td>(1) Guilty (2) Guilty</td>
<td>7 years</td>
<td>7 years</td>
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<td>Given name</td>
<td>Japanese name in kanji if known</td>
<td>Rank</td>
<td>AWC No. if any</td>
<td>Serial No. if convicted</td>
<td>Charge(s)</td>
<td>Court location</td>
<td>Trial reference</td>
<td>Finding(s)</td>
<td>Sentence imposed at trial</td>
<td>Confirmed sentence [Death] and execution date</td>
<td>Confirmed sentence [Imprisonment]</td>
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<tr>
<td>Mena</td>
<td>Hisaho</td>
<td>目名久保</td>
<td>L/Cpl</td>
<td>2346</td>
<td></td>
<td>(1) Mutilation of the dead in that he at [SOARIN] NEW GUINEA on or about 20/07/1945 mutilated the dead body of a deceased soldier (2) Cannibalism in that he at [SOARIN] NEW GUINEA on or about 20/07/1945 ate portion of the dead body of an Australian soldier</td>
<td>Rabaul</td>
<td>R101</td>
<td>(1) Not Guilty (2) Not Guilty</td>
<td></td>
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<td></td>
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<tr>
<td>Mieke</td>
<td>Tadao</td>
<td>見明雄</td>
<td>Gd</td>
<td>781</td>
<td>61</td>
<td>Murder of numerous unknown PW between SANDAKAN and RANAU, BNB, between 29/05/1945 and 26/06/1945</td>
<td>Labuan</td>
<td>ML18</td>
<td>Guilty</td>
<td>12 years</td>
<td>12 years</td>
<td></td>
</tr>
<tr>
<td>Mieke</td>
<td>Tadao</td>
<td>見明雄</td>
<td>Gd</td>
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<td>91</td>
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<td>Murder of an Indian PW at BUT, New Guinea, in April 1944</td>
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<td>Murder of four Indian PW at YAWA, New Guinea, in February 1945</td>
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<td>Murder of two Indian PW at PAROM, New Guinea, in August 1944</td>
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Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

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<th>Court location</th>
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<th>Finding(s)</th>
<th>Sentence imposed at trial</th>
<th>Confirmed sentence [Death] and execution date</th>
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<td>Teishu</td>
<td>森武</td>
<td>Capt</td>
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<td>Ill-treatment of PW at DILI and BACAU in Timor between September 1943 and September 1945</td>
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<td>Murder of an Indian PW at FOURWAYS, New Britain, about 29/08/1944</td>
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<td>(1) Ill-treatment of PW who were employed on the Burma-Siam Railway between THANBUYZAYAT, Burma and NIKI, Siam, between 25/10/1942 and 1/05/1944 (2) [not charged with charges 2-7]</td>
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<td>Surg Lt 2755</td>
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<td>(1) Murder of an Indian PW at KOMORIYAMA, New Britain, between 25/07/1945 and 1/08/1945 (2) Murder of an Indian PW at FUJIMITAI, between 11/10/1944 and 15/10/1944 (Alternative charge) Ill-treatment of Indian PW at FUJIMITAI between 11/10/1944 and 15/10/1944 (3) Murder of several Indian PW at KOMORIYAMA, New Britain, between January and August 1945 (Alternative charge) Failed to provide PW with proper medical care, food and quarters at KOMORIYAMA, between January and August 1945</td>
<td>Rabaul</td>
<td>R164</td>
<td>(1) Guilty (2) Not Guilty (3) Guilty</td>
<td>25 years</td>
<td>25 years</td>
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<td>Court location</td>
<td>Trial reference</td>
<td>Finding(s)</td>
<td>Sentence imposed at trial</td>
<td>Confirmed sentence [Death] and execution date</td>
<td>Confirmed sentence [Imprisonment]</td>
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<tr>
<td>Murai</td>
<td>Kōichi</td>
<td>村井幸一</td>
<td>Lt</td>
<td>2212</td>
<td>323</td>
<td>Murder of an Indian PW at BUT, New Guinea, in April 1944</td>
<td>Rabaul</td>
<td>R17</td>
<td>Guilty</td>
<td>20 years</td>
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<td>Murai</td>
<td>Kōichi</td>
<td>村井幸一</td>
<td>Lt</td>
<td>2212</td>
<td>340</td>
<td>Murder of two Indian PW at AIN, New Guinea, in October 1944</td>
<td>Rabaul</td>
<td>R19</td>
<td>Not Guilty</td>
<td></td>
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<td>Murai</td>
<td>Kōichi</td>
<td>村井幸一</td>
<td>Lt</td>
<td>2212</td>
<td></td>
<td>Murder of an Indian PW at KARKAR, New Guinea, June 1945</td>
<td>Rabaul</td>
<td>R25</td>
<td>Guilty</td>
<td>Death by hanging</td>
<td>Hanging 22/06/1946</td>
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<tr>
<td>Murakami</td>
<td>Hiroshi</td>
<td>村上博</td>
<td>Capt</td>
<td>135</td>
<td></td>
<td>Ill treating a PW member of RAAF at KAOE, Halmahera Island in January 1945</td>
<td>Morotai</td>
<td>M34</td>
<td>Guilty</td>
<td>6 months</td>
<td>Not confirmed</td>
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<tr>
<td>Murakami</td>
<td>Kiichi</td>
<td>村上博</td>
<td>CPO</td>
<td>1295</td>
<td>229</td>
<td>Ill-treatment of Australian and Dutch PW at TAN TOEY Camp, Ambon, between February 1942 and August 1945</td>
<td>Morotai</td>
<td>M45</td>
<td>Not Guilty</td>
<td></td>
<td></td>
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<tr>
<td>Murao</td>
<td>Kamio</td>
<td>村尾神男</td>
<td>Sgt Maj</td>
<td>2857</td>
<td>311</td>
<td>Torturing a civilian at RABAUL, New Britain, about May 1943</td>
<td>Rabaul</td>
<td>R11</td>
<td>Guilty</td>
<td>3 years</td>
<td>3 years</td>
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<tr>
<td>Murasawa (Konishi)</td>
<td>Kensuke</td>
<td>長野健介</td>
<td>Surg Lt</td>
<td>360</td>
<td>901</td>
<td>Mutilation of the dead body of an Allied PW at SOERABAJA, Java, in April 1945</td>
<td>Manus</td>
<td>LN22</td>
<td>Guilty</td>
<td>1 year</td>
<td>1 year</td>
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<tr>
<td>Murata</td>
<td>Sanemi</td>
<td>村田敏英</td>
<td>CPO</td>
<td>1295</td>
<td>229</td>
<td>Ill-treatment of Australian and Dutch PW at TAN TOEY Camp, Ambon, between February 1942 and August 1945</td>
<td>Morotai</td>
<td>M45</td>
<td>Guilty</td>
<td>5 years</td>
<td>5 years</td>
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<td>Murayama</td>
<td>Seiji</td>
<td>村山清</td>
<td>CPO</td>
<td>830</td>
<td></td>
<td>Murder at SOEAKODA, Ambon, about 5/02/1942 of Australian and Allied PW</td>
<td>Manus</td>
<td>LN6</td>
<td>Guilty</td>
<td>15 years</td>
<td>15 years</td>
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<td>Murayama</td>
<td>Seiji</td>
<td>村山清</td>
<td>CPO</td>
<td>830</td>
<td></td>
<td>Murder near LAHA airfield, AMBON about 7/02/1942 of Australian and allied PW</td>
<td>Manus</td>
<td>LN12</td>
<td>Not Guilty</td>
<td></td>
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<td>Murozumi</td>
<td>Hisao</td>
<td>室住隆雄</td>
<td>Sgt Maj</td>
<td>786</td>
<td>106</td>
<td>Massacre of about 23 unknown PW near SANDAKAN, BNB, about 13/07/1945</td>
<td>Labuan</td>
<td>ML24</td>
<td>Guilty</td>
<td>Life</td>
<td>Life</td>
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<tr>
<td>Nagahiro</td>
<td>Masao</td>
<td>長沼弘男</td>
<td>Gd</td>
<td>787</td>
<td>57</td>
<td>Murder of numerous unknown PW between SANDAKAN and RANAU, BNB, between 29/05/1945 and 26/06/1945</td>
<td>Labuan</td>
<td>ML18</td>
<td>Guilty</td>
<td>12 years</td>
<td>12 years</td>
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<tr>
<td>Nagahiro</td>
<td>Masao</td>
<td>長沼弘男</td>
<td>Gd</td>
<td>787</td>
<td>120</td>
<td>Massacre of five unknown PW near RANAU, BNB, about 1/08/1945</td>
<td>Labuan</td>
<td>ML25</td>
<td>Guilty</td>
<td>15 years</td>
<td>15 years</td>
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<tr>
<td>Nagamura</td>
<td>Eiki</td>
<td>永村輝</td>
<td>Gd</td>
<td>788</td>
<td>175</td>
<td>Ill-treatment of PW and I at KUCHING, Sarawak, between 15/05/1942 and 12/09/1945</td>
<td>Labuan</td>
<td>ML37</td>
<td>Guilty</td>
<td>7 years</td>
<td>7 years</td>
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<td>Court location</td>
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<td>Sentence imposed at trial</td>
<td>Confirmed sentence [Death] and execution date</td>
<td>Confirmed sentence [Imprisonment]</td>
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<td>Nagasato</td>
<td>Aizō</td>
<td>永里愛造</td>
<td>WO</td>
<td>221</td>
<td></td>
<td>Ill-treatment of Australian and Dutch PW at TAN TOEY Camp, Ambon, between February 1942 and August 1945</td>
<td>Morotai</td>
<td>M45</td>
<td>Guilty</td>
<td>1 year</td>
<td>1 year</td>
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<td>Nagata</td>
<td>Shin'ichi</td>
<td>永田信一</td>
<td>Civ</td>
<td>789</td>
<td>112</td>
<td>Massacre of about 23 unknown PW near SANDAKAN, BNB, about 13/07/1945</td>
<td>Labuan</td>
<td>ML24</td>
<td>Guilty</td>
<td>12 years</td>
<td>12 years</td>
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<tr>
<td>Nagata (Kiyokawa)</td>
<td>Tomio</td>
<td>永田雄</td>
<td>Gd</td>
<td>766</td>
<td>149</td>
<td>Ill-treatment of PW and I at KUCHING, Sarawak, between 15/05/1942 and 12/09/1945</td>
<td>Labuan</td>
<td>ML37</td>
<td>Guilty</td>
<td>15 years</td>
<td>15 years</td>
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<td>Nagatani</td>
<td>Takeji</td>
<td>永田健</td>
<td>PO</td>
<td>1242</td>
<td>239</td>
<td>Ill-treatment of Australian and Dutch PW at TAN TOEY Camp, Ambon, between February 1942 and August 1945</td>
<td>Morotai</td>
<td>M45</td>
<td>Guilty</td>
<td>12 years</td>
<td>12 years</td>
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<tr>
<td>Nagatomo</td>
<td>Yoshitada</td>
<td>永田吉佐</td>
<td>Lt Col</td>
<td>752</td>
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<td>(1) Ill-treatment of PW who were employed on the Burma-Siam Railway between THANBUYZAYAT, Burma and NIKI, Siam, between 25/10/1942 and 1/05/1944 (2) Unlawfully ordered and caused to be shot, three recaptured escaped Dutch PW at THANBUYZAYAT, Burma, about 13/12/1942 (3) Unlawfully ordered and caused to be shot and killed three recaptured escaped Dutch PW at THANBUYZAYAT, Burma, about 27/12/1942 (4) Unlawfully ordered and caused to be shot and killed a recaptured escaped Australian PW at THANBUYZAYAT, Burma, about 2/02/1943 (5) Unlawfully ordered and caused to be shot and killed a recaptured escaped Australian PW at THANBUYZAYAT, Burma, about 16/03/1943 (6) Responsible for unlawful shooting and killing of an Australian PW at THANBUYZAYAT, Burma, about 14/12/1942 (7) [not charged with charge 7]</td>
<td>Singapore</td>
<td>S12</td>
<td>(1) Guilty (2) Guilty (3) Guilty (4) Guilty (5) Guilty (6) Not Guilty</td>
<td>Death by hanging</td>
<td>Hanging 16/09/1947</td>
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<td>(1) Ill-treatment of PW who were employed on the Burma-Siam Railway between THANBUYZAYAT, Burma and NIKI, Siam, between 25/10/1942 and 1/05/1944 (2) Unlawfully ordered and caused to be shot, three recaptured escaped Dutch PW at THANBUYZAYAT, Burma, about 13/12/1942 (3) Unlawfully ordered and caused to be shot and killed three recaptured escaped Dutch PW at THANBUYZAYAT, Burma, about 27/12/1942 (4) Unlawfully ordered and caused to be shot and killed a recaptured escaped Australian PW at THANBUYZAYAT, Burma, about 2/02/1943 (5) Unlawfully ordered and caused to be shot and killed a recaptured escaped Australian PW at THANBUYZAYAT, Burma, about 16/03/1943 (6) Responsible for unlawful shooting and killing of an Australian PW at THANBUYZAYAT, Burma, about 14/12/1942 (7) [not charged with charge 7]</td>
<td>Singapore</td>
<td>SNN</td>
<td>Trial Aborted</td>
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<td>AWC No. if any</td>
<td>Serial No. if convicted</td>
<td>Charge(s)</td>
<td>Court location</td>
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<td>Finding(s)</td>
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<td>Confirmed sentence [Death] and execution date</td>
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<tr>
<td>Nagayama</td>
<td>Takuro</td>
<td>长谷川武夫</td>
<td>Gd</td>
<td></td>
<td></td>
<td>THANBUYZAYAT, Burma, about 13/12/1942 (3) Unlawfully ordered and caused to be shot and killed three recaptured escaped Dutch PW at THANBUYZAYAT, Burma, about 2/02/1943 (5) Unlawfully ordered and caused to be shot and killed a recaptured escaped Australian PW at THANBUYZAYAT, Burma, about 16/03/1943 (6) Responsible for unlawful shooting and killing of an Australian PW at THANBUUYZAYAT, Burma, about 14/12/1942 (7) Unlawfully ordered and caused to be shot and killed an Australian PW at 18 KILO WORK Camp, Burma, about 26/12/1942</td>
<td>Singapore</td>
<td>S7</td>
<td>Not Guilty</td>
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<td>Nagayoshi</td>
<td>Seiichi</td>
<td>長崎清一</td>
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<td>790</td>
<td>167</td>
<td>(1) Inhumane treatment of PW employed on construction of airfield at LIENG KHAN, French Indo-China, between 15/04/1945 and 23/07/1945 (2) [not charged with charge 2] (3) [not charged with charge 3]</td>
<td>Labuan</td>
<td>ML37</td>
<td>Guilty</td>
<td>3 years</td>
<td>3 years</td>
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<td>Naitō</td>
<td>Katsuo</td>
<td>内藤勝雄</td>
<td>Sgt</td>
<td>2783</td>
<td>619</td>
<td>Ill-treatment of Indian PW at SANKAKUYAMA, New Britain between April and August 1945</td>
<td>Rabaul</td>
<td>R139</td>
<td>Guilty</td>
<td>4 years</td>
<td>4 years</td>
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<td>Nakade</td>
<td>Jinō</td>
<td>上出定</td>
<td>Sgt</td>
<td>2890</td>
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<td>Ill-treatment of an Chinese PW at PILAPILA, New Britain, about 22/04/1945</td>
<td>Rabaul</td>
<td>R112</td>
<td>Not Guilty</td>
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<td>Nakade</td>
<td>Yoshikazu</td>
<td>中出義俊</td>
<td>Cpl</td>
<td>2633</td>
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<td>Ill-treatment of an Indian PW at [KOKOPO] NEW BRITAIN about June 1944</td>
<td>Rabaul</td>
<td>R131</td>
<td>Not Guilty</td>
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<td>Charge(s)</td>
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<td>Trial reference</td>
<td>Finding(s)</td>
<td>Sentence imposed at trial</td>
<td>Confirmed sentence [Death] and execution date</td>
<td>Confirmed sentence [Imprisonment]</td>
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<td>Nakagawa</td>
<td>Ken’ichi</td>
<td>中川建一</td>
<td>Cdr</td>
<td>2940</td>
<td>717</td>
<td>(1) Murder of a number of unidentified Australian PW at SOEWAKODA, AMBON, about 5/02/1942 (2) Murder of a number of unidentified Australian PW at TAWIRI-SOEWAKODA area AMBON, about 6/02/1942 (3) Murder of a number of unidentified Australian PW at TAWIRI, AMBON about 20/02/1942</td>
<td>Rabaul</td>
<td>R186</td>
<td>(1) Guilty (2) Guilty (3) Guilty</td>
<td>20 years</td>
<td>20 years</td>
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<td>Nakagawa</td>
<td>Masaichi</td>
<td>中川政一</td>
<td>CIV Inpr</td>
<td>683</td>
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<td>Inhumane treatment of Australian PW at BATAVIA, NEI between 17/06/1945 and 14/08/1945</td>
<td>Singapore</td>
<td>S8</td>
<td>Guilty</td>
<td>14 years</td>
<td>14 years</td>
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<td>Nakagawa</td>
<td>Masao</td>
<td>中川正男</td>
<td>Sgt Maj</td>
<td>722</td>
<td></td>
<td>Concerned in unlawful killing of three RAAF when PW at TANDJONG PRIOK, Java, between 28/01/1945 and 6/02/1945</td>
<td>Singapore</td>
<td>S14</td>
<td>Guilty</td>
<td>7 years</td>
<td>7 years</td>
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<td>Nakajima</td>
<td>Hiroshi</td>
<td>中岡弘</td>
<td>Li</td>
<td>2032</td>
<td>460</td>
<td>Torture of a native at NAURU ISLAND on a date unknown</td>
<td>Rabaul</td>
<td>R54</td>
<td>Guilty</td>
<td>Death by hanging</td>
<td>Hanging 17/08/1946</td>
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<td>Nakamura</td>
<td>Hajime</td>
<td>中村寛</td>
<td>WO</td>
<td></td>
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<td>Ill-treatment of Australian and Dutch PW at TAN TOEY Camp, Ambon, between February 1942 and August 1945</td>
<td>Morotai</td>
<td>M45</td>
<td>Not Guilty</td>
<td></td>
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<tr>
<td>Nakamura</td>
<td>Hirosato</td>
<td>中村寛</td>
<td>Surg Capt</td>
<td>922</td>
<td></td>
<td>(1) Murder at SOERABAJA, Java, about April 1945 of 15 natives of LOMBOK (2) Unlawful killing of 15 LOMBOK natives at SOERABAJA, Java, about April 1945 by an injection of a deleterious substance (3) Ill-treatment of 17 LOMBOK natives at SOERABAJA, Java, about April 1945 by injection of a deleterious substance, whereby 15 of such natives died</td>
<td>Manus</td>
<td>LN25</td>
<td>(1) Not Guilty (2) Guilty (3) Not Guilty</td>
<td>4 years</td>
<td>4 years</td>
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<tr>
<td>Nakamura</td>
<td>Jisaburō</td>
<td>中村治三郎</td>
<td>Cpl</td>
<td>2763</td>
<td>638</td>
<td>Ill-treatment of Indian PW at NISHIHODAI, New Britain about 2/06/1945</td>
<td>Rabaul</td>
<td>R154</td>
<td>Guilty</td>
<td>2 years</td>
<td>2 years</td>
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<td>Nakamura</td>
<td>Jisaburō</td>
<td>中村治三郎</td>
<td>Cpl</td>
<td>2763</td>
<td>662</td>
<td>(1) Ill-treatment of an Indian PW at KOKOPO, New Britain, about 10/02/1944 (2) [not charged with charge 2]</td>
<td>Rabaul</td>
<td>R163</td>
<td>Guilty</td>
<td>3 years</td>
<td>3 years</td>
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<td>Nakamura</td>
<td>Kameo</td>
<td>中村範雄</td>
<td>Cpl</td>
<td>2893</td>
<td>579</td>
<td>Ill-treatment of a Chinese PW at MANGO, New Britain, about April 1945</td>
<td>Rabaul</td>
<td>R119</td>
<td>Guilty</td>
<td>4 years</td>
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<td>Japanese name in kanji if known</td>
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<td>Serial No. if convicted</td>
<td>Charge(s)</td>
<td>Court location</td>
<td>Trial reference</td>
<td>Finding(s)</td>
<td>Sentence imposed at trial</td>
<td>Confirmed sentence</td>
<td>Confirmed sentence [Imprisonment]</td>
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<td>Nakamura</td>
<td>Kesanori</td>
<td>中村謙之</td>
<td>PO</td>
<td>2802</td>
<td>432</td>
<td>Ill-treatment of Australian and Dutch PW at TAN TOEY Camp, Ambon, between February 1942 and August 1945</td>
<td>Morotai</td>
<td>M45</td>
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<td>Moriyuki</td>
<td>中村森之</td>
<td>Capt</td>
<td>1243</td>
<td>218</td>
<td>Murder of two Indian PW at NISHI ZAKIYAMA, New Britain, about 29/11/1944</td>
<td>Rabaul</td>
<td>R34</td>
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<td>Ryōsuke</td>
<td>中村照輔</td>
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<td>218</td>
<td>Ill-treatment of Australian and Dutch PW at TAN TOEY Camp, Ambon, between February 1942 and August 1945</td>
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<td>Shikao</td>
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<td>SN</td>
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<td>Murder of a number of Australian PW near LAHA Airfield on AMBON island about 14/02/1942</td>
<td>Manus</td>
<td>LN24</td>
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<td>中村禎三</td>
<td>Lt Col</td>
<td>2080</td>
<td>Murder of 12 Indians at TENINBAUBAU, Bougainville, about 23/01/1945</td>
<td>Rabaul</td>
<td>R90</td>
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<td>中村保</td>
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<td>Ill-treatment of an Indian PW at [NAGADA] NEW GUINEA about July 1943</td>
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<td>Ill-treatment of an Indian PW at [NAGADA] NEW GUINEA about July 1943</td>
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<td>中村豊</td>
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<td>Cannibalism at TANOURA, New Britain, about 5/04/1943</td>
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<td>R48</td>
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<td>Jirōhei</td>
<td>中野潔平</td>
<td>L/Cpl</td>
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<td>At NIKI, Siam, in or about July and August 1945, when concerned in the care and supervision of PW, inhumanely treated the same PW</td>
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<td>Murder near BABAOE, Dutch Timor, on 2/02/1942, of three Australian PW</td>
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<td>中田稔</td>
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<td>Ill-treatment of PW at KUCHING, Sarawak, between 15/05/1945 and 20/05/1945 thereby causing death</td>
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<td>ML11</td>
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<td>Murder at SOURABAYA, Java, about March and April 1945 of four Australian and Allied PW</td>
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<td>LN21</td>
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<td>Nakaya</td>
<td>Morie</td>
<td>中谷勇一郎</td>
<td>SN</td>
<td>915</td>
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<td>Murder of Australian and Allied PW near KOEPANG, Dutch Timor, between March and May 1942</td>
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<td>LN23</td>
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<td>Finding(s)</td>
<td>Sentence imposed at trial</td>
<td>Confirmed sentence [Death] and execution date</td>
<td>Confirmed sentence [Imprisonment]</td>
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|-------------|------------|--------------------------------|------|----------------|-------------------------|-----------|----------------|----------------|------------|--------------------------|---------------------------------------------|---------------------------------
<p>| Nakayama    | Hiroji     | 長谷川寛一 | Pte  |                |                         | Massacre near MIRI, Sarawak, about 10/06/1945 killing by shooting and bayoneting about 15 PW | Labuan | ML3           | Not Guilty                     |                                                        |                                                      |
| Nakayama    | Hiroomi    | 中谷博臣  | Lt Cdr | 2029         |                         | Murder of two Chinese civilians at NAURU ISLAND, about 9/09/1942 | Rabaul | R76           | Not Guilty                     |                                                        |                                                      |
| Nakayama    | Hiroomi    | 中谷博臣  | Lt Cdr | 2029         | 549                     | Murder of five civilians at NAURU about 26/03/1943 | Rabaul | R93           | Guilty                     | Death by hanging | Hanging 10/8/1946 |                                                      |
| Nakayama    | Junzo (Jyunzo) | 中山利雄  | Sgt Maj |             |                         | Concerned in the unlawful killing of two Australian PW, one Dutch PW, all then recaptured escaped PW, and a Dutch civilian at or near BOGOR, JAVA on 5/09/1943 | Singapore | S11           | Not Guilty                     |                                                        |                                                      |
| Nakayama    | Ken’ichi   | 中山健一  | Gd    | 795           | 24                     | Massacre near MIRI, Sarawak, about 10/06/1945 killing by shooting and bayoneting about 15 PW | Labuan | ML4           | Guilty                     | Death by shooting | 10 years with hard labour |                                                      |
| Nakayama    | Kumerō     | 中原俊男  | SN    |              |                         | Murder at SOURABAYA, Java, about March and April 1945 of four Australian and Allied PW | Manus | LN21         | Not Guilty                     |                                                        |                                                      |
| Nakayama    | Tamao      | 中原隆男  | Gd    | 794           | 58                     | Murder of numerous unknown PW between SANDAKAN and RANAU, BNB, between 29/05/1945 and 26/06/1945 | Labuan | ML18         | Guilty                     | 12 years | 12 years |                                                      |
| Nakayama    | Tamao      | 中原隆男  | Gd    | 794           |                         | Massacre of five unknown PW near RANAU, BNB, about 1/08/1945 | Labuan | ML25         | Not Guilty                     |                                                        |                                                      |
| Nakayama    | Yoshio     | 中原義雄  | Sgt   |              |                         | (1) Murder of an Australian PW at AIRNONA, Timor, on or about 12/06/1943 (2) Murder of a British PW at AIRNONA, Timor, on or about 12/06/1943 | Darwin | D3           | (1) Not Guilty (2) Not Guilty |                                                        |                                                      |
| Nakazono    | Hidemori   | 中原秀朗  | Sgt   | 2020         | 640                    | Unlawfully assaulted a number of Chinese nationals at BUIN, Bougainville, about 1943 | Rabaul | R155         | Guilty                     | 1 year | 1 year |                                                      |
| Nango       | Hiroshi    | 南條直  | Gd    | 796           | 9                      | Massacre near MIRI, Sarawak, about 10/06/1945 killing by shooting and bayoneting about 15 PW | Labuan | ML3           | Guilty                     | Death by shooting | 10 years with hard labour |                                                      |
| Nara        | Yoshio     | 大原義男  | Lt    | 2058         | 447                    | Murder at OCEAN ISLAND about 20/08/1945 of natives | Rabaul | R51           | Guilty                     | Death by hanging | 20 years |                                                      |
| Naruse      | Masami     | 大村義男  | L/Cpl | 2850         |                         | Murder of 18 natives at VUNARIMA, New Britain, about 18/09/1944 | Rabaul | R26           | Not Guilty                     |                                                        |                                                      |</p>
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<th>Sentence imposed at trial</th>
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<td>Naruta</td>
<td>Eiji</td>
<td>成田栄治</td>
<td>Sgt Maj</td>
<td>1906</td>
<td>Ill-treatment of PW at DILI and BACAU in Timor between September 1943 and September 1945</td>
<td>Darwin</td>
<td>D1</td>
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<td>根岸主計</td>
<td>Col</td>
<td>2960</td>
<td>Permitting personnel under his command to ill-treat Indian PW at SANKAKUYAMA, New Britain, about April and May 1945</td>
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<td>Col</td>
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<td>Permitting personnel under his command to ill-treat an Indian PW at SANKAKUYAMA, New Britain, about April and May 1945</td>
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<td>Nemoto</td>
<td>Toyoji</td>
<td>根本豊</td>
<td>Capt</td>
<td>2329</td>
<td>When a member of a Military Court in May 1945 at BRANBA, New Guinea, failed to ensure that two natives accused were afforded a fair and proper trial</td>
<td>Rabaul</td>
<td>R31</td>
<td>Guilty</td>
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<td>Ninomiya</td>
<td>Kiichi</td>
<td>二宮喜市</td>
<td>Sgt Maj</td>
<td>2865</td>
<td>Ill-treatment of Indian PW at NEW BRITAIN at times unknown by failing to provide PW with proper food</td>
<td>Rabaul</td>
<td>R132</td>
<td>Guilty</td>
<td>1 year</td>
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<td>Nishikawa</td>
<td>Moriji</td>
<td>西村義徵</td>
<td>Pte</td>
<td>798</td>
<td>Massacre of 11 unknown PW at RANAU, BNB, about 13/08/1945</td>
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<td>Massacre of about 23 unknown PW near SANKAKAN, BNB, about 13/07/1945</td>
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<td>Takuma</td>
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<td>814</td>
<td>Murder at PARIT SULONG in Malaya, on 22 January 1942 of a number of Australian and Allied PW</td>
<td>Manus</td>
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<td>Capt</td>
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<td>Murder of three Indian PW at SANGRIMAN, New Guinea, about July 1945</td>
<td>Rabaul</td>
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<td>Guilty of manslaughter</td>
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<td>CPO</td>
<td>867</td>
<td>Murder near KOEPANG, Dutch Timor, about February 1942 of Australian and Allied PW</td>
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<td>Murder of Australian and Allied PW near KOEPANG, Dutch Timor, between March and May 1942</td>
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<td>Murder of nine Indonesian PW and one Indian PW at KOKOPO, New Britain, on February 1944</td>
<td>Rabaul</td>
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<td>野村貞男</td>
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<td>686</td>
<td>Inhuman treatment resulting in severe physical suffering to PW at KAORIN Camp, Siam, between 28/09/1944 and 15/03/1945</td>
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<td>Murder of a PW in TALAUD ISLAND,</td>
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<td>Murder at PARIT SULONG in Malaya, on 22 January 1942 of a number of Australian and Allied PW</td>
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<td>法村秀雄</td>
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<td>Kiyohisa</td>
<td>能登清久</td>
<td>Capt</td>
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<td>Murder of an Australian PW and two Indonesian PW at AITAPE, New Guinea, about October 1943</td>
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<td>Yoshimasa</td>
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<td>Col</td>
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<td>Inhumane treatment of Australian PW at BATAVIA, NEI between 17/06/1945 and 14/08/1945</td>
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<td>S8</td>
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<td>Naoji</td>
<td>小原邦彦</td>
<td>Ldg SN</td>
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<td>Ill-treatment of PW at HAINAN Island between November 1942 and August 1945 (2) [not charged with charge 2]</td>
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<td>HK3</td>
<td>Guilty</td>
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<td>Hideo</td>
<td>青木清雄</td>
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<td>468</td>
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<td>WO</td>
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<td>Murder of nine Indonesian PW and one Indian PW at KOKOPO, New Britain, in February 1944</td>
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<td>Murder – unlawfully ordered killing of three unidentified RAAF at TOMOHON, Celebes, about February 1945</td>
<td>Morotai</td>
<td>M15</td>
<td>Not Guilty</td>
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<td>Ill-treatment of a Chinese PW at NAMARIA, New Britain, about August 1944</td>
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<td>Ill-treatment of a number of Indian PW at [various places in] NEW BRITAIN, between June 1943 and August 1945</td>
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<td>(1) [not charged with charge 1] (2) At TRUK about July 1945 in company with Tanaka T, ill-treated a native of NAURU displaced to TRUK by beating him</td>
<td>Rabaul</td>
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<td>Murder of a Nauruan native at NAURU Island about September 1944</td>
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<td>Murder of two Indian PW at KABRIMAN, New Guinea, about July 1945</td>
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<td>Murder of 18 natives at VUNARIMA, New Britain, about 18/09/1944</td>
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<td>Ill-treatment of two Indian PW at KOMORIYAMA, New Britain, about April 1945</td>
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<td>Confirmed sentence [Death] and execution date</td>
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<td>(1) Unlawfully killing an Australian PW at SONGKRAI PW Camp, Siam, about 14/08/1945 (2) Inhumanely treated an Australian PW at SONGKRAI PW Camp, Siam, from about 22/07/1945 to about 14/08/1945</td>
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<td>Ill-treatment of Australian PW at TAN TOEY Camp, Ambon, between February 1942 and August 1945</td>
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<td>Murder of a Chinese civilian about October 1944 at MASSOWA, New Britain</td>
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<td>(1) Murder of a Chinese at RABaul, New Britain, about July 1944 (2) Unlawfully assaulting a Chinese at RABaul, New Britain, thereby occasioning him actual bodily harm</td>
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<td>(1) Ill-treatment of PW who were employed on the Burma-Siam Railway between THANBUYZAYAT, Burma and NIki, Siam, between 25/10/1942 and 1/05/1944 (2)–(7) [not charged with charges 2–7]</td>
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<td>(1) Ill-treatment of PW who were employed on the Burma-Siam Railway between THANBUYZAYAT, Burma and NIki, Siam, between 25/10/1942 and 1/05/1944 (2) Unlawfully ordered and caused to be shot, three recaptured escaped Dutch PW at THANBUYZAYAT, Burma, about 13/12/1942 (3) Unlawfully ordered and caused to be shot and killed three recaptured escaped Dutch PW at THANBUYZAYAT, Burma, about 27/12/1942 (4) Unlawfully ordered and caused to be shot and killed a recaptured escaped Australian PW at THANBUYZAYAT, Burma, about 20/2/1943 (5) Unlawfully ordered and caused to be shot and killed a recaptured escaped Australian PW at THANBUYZAYAT, Burma, about 16/03/1943 (6) Responsible for unlawful shooting and killing of an Australian PW at THANBUYZAYAT, Burma, about 14/12/1942 (7) Unlawfully ordered and caused to be shot and killed an Australian PW at 18 KILO WORK Camp, Burma, about 26/12/1942</td>
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### Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

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<td>Concerned in the unlawful killing of two Australian PW, one Dutch PW, all then recaptured escaped PW, and a Dutch civilian at or near BOGOR, JAVA on 5/9/1943</td>
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<td>Kazuo</td>
<td>小崎一夫</td>
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<td>319</td>
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<td>Murder of Chinese PW at RABAUL, New Britain, about 2607/1944</td>
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<td>R15</td>
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<td>Death by hanging</td>
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<td>Osaki</td>
<td>Ken’ichi</td>
<td>小崎健一</td>
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<td>Ill-treatment of Australian and Dutch PW at TAN TOEY Camp, Ambon, between February 1942 and August 1945</td>
<td>Morotai</td>
<td>M45</td>
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<td>Kikatsu</td>
<td>太田黒記勝</td>
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<td>Murder of an Indian PW between BUT and MAPRIK, New Guinea, about August 1944</td>
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<td>Murder of natives unknown at OCEAN ISLAND about 2008/1945</td>
<td>Rabaul</td>
<td>R52</td>
<td>Guilty</td>
<td>Death by hanging</td>
<td>Hanging 10/8/1946</td>
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<td>Kenji</td>
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<td>2644</td>
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<td>Murder of an Indian PW at NUNGA, New Britain, about 28/10/1944</td>
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<td>R113</td>
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<td>大坪貞真</td>
<td>Lt</td>
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<td>(1) Murder of three Indian PW at KATA KATA, New Britain, about 9/04/1945 (2) Murder of an Indian PW at TABUNA, New Britain, about 14/08/1945</td>
<td>Rabaul</td>
<td>R49</td>
<td>(1) Guilty (2) Guilty</td>
<td>Death by hanging</td>
<td>Hanging (died in accident on 28/5/1946 before execution)</td>
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<td>Masanori</td>
<td>大塚昌雄</td>
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<td>Murder of a number of Chinese, half-caste Chinese, civilians and natives at New Ireland about 1944–45</td>
<td>Rabaul</td>
<td>R127</td>
<td>Guilty</td>
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<td>Riichi</td>
<td>大塚利一</td>
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<td>2321</td>
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<td>Murder of a Chinese civilian at SALAMAUA, New Guinea, in May 1943</td>
<td>Rabaul</td>
<td>R80</td>
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<td>Murder of an Australian PW and a Dutch PW at KILWICK Island about November 1944</td>
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<td>Masao</td>
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<td>(1) Unlawfully killing an Australian PW at SONGKRAI PW Camp, Siam, about 14/08/1945 (2) [not charged with charge 2]</td>
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<td>S6</td>
<td>Guilty</td>
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<td>Matsuo</td>
<td>大槻松男</td>
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<td>Murder of two Indian PW at AIN, New Guinea, in October 1944</td>
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<td>R56</td>
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<td>(1) Ill-treatment of PW at HAINAN Island between November 1942 and August 1945 (2) [not charged with charge 2]</td>
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<td>Masao</td>
<td>大内正雄</td>
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<td>Murder of an Indian PW at PORTON, Bougainville, about 28/04/1944</td>
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<td>Tatsuo</td>
<td>大和辰雄</td>
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<td>(1) Ill-treatment of an Indian PW at [KOKOPO] NEW BRITAIN about May 1944 (2) Ill-treatment of an Indian PW at [KURANA KUNEI] NEW BRITAIN about March 1945 (3) Ill-treatment of an Indian PW at [NAGA NAGA] NEW BRITAIN about October 1943</td>
<td>Rabaul</td>
<td>R117</td>
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<td>Massacre of five unknown PW near RANAU, BNB, about 1/08/1945</td>
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<td>Seikyō</td>
<td>大山哲雄</td>
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<td>Seikyō</td>
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<td>(1) Ill-treatment of PW who were employed on the Burma-Siam Railway between THANBUZYAYAT, Burma and NIKI, Siam, between 25/10/1942 and 1/05/1944 (2) Unlawfully ordered and caused to be shot, three recaptured escaped Dutch PW at THANBUZYAYAT, Burma, about 13/12/1942 (3) Unlawfully ordered and caused to be shot and killed three recaptured escaped Dutch PW at THANBUZYAYAT, Burma, about 27/12/1942 (4) Unlawfully ordered and caused to be shot and killed a recaptured escaped Australian PW at THANBUZYAYAT, Burma, about 2/02/1943 (5) Unlawfully ordered and caused to be shot and killed a recaptured escaped Australian PW at THANBUZYAYAT, Burma, about 16/03/1943 (6) Responsible for unlawful shooting and killing of an Australian PW at THANBUZYAYAT, Burma, about 14/12/1942 (7) Unlawfully ordered and caused to be shot and killed an Australian PW at 18 KILO WORK Camp, Burma, about 26/12/1942</td>
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<td>Pte</td>
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<td>Murder of 18 natives at VUNARIMA, New Britain, about 18/09/1944</td>
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<td>Ill-treatment of a Chinese PW at MANGOR, New Britain, during February 1945</td>
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<td>Ryōkai</td>
<td>Tsugio</td>
<td>了戒次男</td>
<td>Lt Col</td>
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<td>Murder at IDORE, Dutch New Guinea, about November 1944 of two members of the RAAF</td>
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<td>LN4</td>
<td>Guilty</td>
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<td>Sakae</td>
<td>佐賀榮</td>
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<td>Murder near KOEPANG, Dutch Timor, about March 1942 of two Australian PW</td>
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<td>LN19</td>
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<td>Life</td>
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<td>Mangan</td>
<td>提島満巌</td>
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<td>Murder of an Australian missionary at DOBO in the AROE Islands about 5/02/1943</td>
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<td>HK2</td>
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<td>Kazukane</td>
<td>才木一兼</td>
<td>Capt</td>
<td>1900</td>
<td>326</td>
<td>Ill-treatment of PW at DILI and BACAU in Timor between September 1943 and September 1945</td>
<td>Darwin</td>
<td>D1</td>
<td>Guilty</td>
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<td>Choji</td>
<td>藤田茂</td>
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<td>Murder of Australian and Allied PW near KOEPANG, Dutch Timor, between March and May 1942</td>
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<td>Murder of an Indian PW between BUT and MAPRIK, New Guinea, about August 1944</td>
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<td>Ill-treatment of an Indian PW at TAULIN GARDENS, New Britain, about August 1945</td>
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<td>Ill-treatment of Australian and Dutch PW at TAN TOEY Camp, Ambon, between February 1942 and August 1945</td>
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<td>Susumu</td>
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<td>563</td>
<td>Unlawfully assault of a Chinese civilian near MUGUAI Mission, Bougainville, about April 1944</td>
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<td>R105</td>
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<td>Chūjirō</td>
<td>坂村忠郎</td>
<td>Sub Lt</td>
<td>2066</td>
<td>450</td>
<td>Murder of natives unknown at OCEAN ISLAND about 20/08/1945</td>
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<td>R52</td>
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<td>Death by hanging</td>
<td>Hanging 10/8/1946</td>
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<td>Sadatoshi</td>
<td>坂本雅利</td>
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<td>(1) Murder at BUIN, Bougainville, about December 1943 of three Australian PW (2) Murder at EVERENTA, Bougainville, about December 1943 of an officer of the USAAF</td>
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<td>Ill-treatment of 11 civilians (10 Naumans, one Trukese) at TRUK, about 28/10/1944</td>
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<td>R74</td>
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<td>Ill-treatment of an Indian PW at KOMORIYAMA, New Britain, in February 1945</td>
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<td>R150</td>
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<td>R158</td>
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<td>656</td>
<td>(1) [not charged with charge 1] (2) Ill-treatment of Indian PW at KOMORIYAMA, New Britain, about 1/08/1945</td>
<td>Rabaul</td>
<td>R162</td>
<td>Guilty 5 years</td>
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<td>Sgt</td>
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<td>665</td>
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<td>Rabaul</td>
<td>R163</td>
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<td>Murder of natives unknown at OCEAN ISLAND about 2008/1945</td>
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<td>Murder at sea near NAURU ISLAND in 1943 of former residents of Australia</td>
<td>Hong Kong</td>
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<td>Guilty Life</td>
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<td>Kiyomi</td>
<td>酒見喜代美</td>
<td>Sgt Maj</td>
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<td>(1) Murder at AMBON between September 1943 and February 1944 of two Australian PW (2) Murder at AMBON about August 1943 of a Dutch-Indonesian member of the Netherlands Armed Forces then a PW</td>
<td>Manus</td>
<td>LN13</td>
<td>(1) Guilty (2) Guilty 7 years</td>
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<td>Hiroe</td>
<td>迫田信</td>
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<td>458</td>
<td>Torture of a native at NAURU ISLAND on a date unknown</td>
<td>Rabaul</td>
<td>R54</td>
<td>Guilty 15 years</td>
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<td>Wataru</td>
<td>佐久間日</td>
<td>Lt</td>
<td>2054</td>
<td>448</td>
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<td>R52</td>
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<td>Murder of nine Indonesian PW and one Indian PW at KOKOPO, New Britain, on February 1944</td>
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<td>(1) Murder of numerous unknown PW between SANDAKAN and RANAU, BNB, between January and February 1945 (2) Alternative charge - Ill-treatment of PW thereby causing deaths between SANDAKAN and RANAU, BNB, between 29/01/1945 and 28/02/1945</td>
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<td>Ill-treatment of Australian PW at TAN TOYE Camp, Ambon, between February 1942 and August 1945</td>
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<td>Murder of six Indian PW near WONGINARA, New Guinea, in September 1944</td>
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<td>(1) Murder at SOURABAYA, Java, about March and April 1945 of four Australian and Allied PW (2) Failure to discharge duties as a Commander of Japanese Armed Forces whereby four Australian and Allied PW were murdered at SOURABAYA, Java, about March and April 1945</td>
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<td>(1) Murder at SOERABAJA, Java, about April 1945 of 15 natives of LOMBOK (2) Unlawful killing of 15 LOMBOK natives at SOERABAJA, Java, about April 1945 by an injection of a deleterious substance (3) Ill-treatment of 17 LOMBOK natives at SOERABAJA, Java, about April 1945 by injection of a deleterious substance, whereby 15 of such natives died (4) Neglect of duties whereby members of his command committed a war crime by injecting 17 LOMBOK natives with a deleterious substance about April 1945 at SOERABAJA, Java, whereby 15 of such natives died</td>
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<td>620</td>
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<td>Iwao</td>
<td>島田義夫</td>
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<td>Ill-treatment of Indian PW (1) between FIJIMIDAI and NAGA NAGA about 3/01/1945 (2) at KOMORIYAMA about 25-26/10/1944 (3) at KOMORIYAMA about 25/08/1944</td>
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<td>(1) Murder of 24 Chinese at RABAUL, New Britain, about 3/03/1943 (2) Murder of six Chinese at RABAUL about 11/03/1943</td>
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<td>When members of a Military Court in May 1945 at BRANBA, New Guinea, failed to ensure that two natives accused were afforded a fair and proper trial</td>
<td>Raba</td>
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<td>Murder of nine Indonesian PW and one Indian PW at KOKOPO, New Britain, on February 1944</td>
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<td>Torturing a Chinese civilian at LAGURAMAU, New Ireland, about January 1945</td>
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<td>Murder of a number of Chinese, half-caste Chinese, civilians and natives at New Ireland about 1944–45</td>
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<td>Ill-treatment of Australian and Dutch PW at TAN TOEY Camp, Ambon, between February 1942 and August 1945</td>
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<td>Murder of numerous unknown PW between SANDAKAN and RANAU, BNB, between 29/09/1945 and 26/06/1945</td>
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<td>Ill-treatment of 11 civilians (10 Nauruans, one Trukese) at TRUK, about 28/10/1944</td>
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<td>When members of a Military Court in May 1945 at BRANBA, New Guinea, failed to ensure that two natives accused were afforded a fair and proper trial</td>
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<td>Murder of numerous unknown PW between SANDAKAN and RANAU, BNB, between 29/05/1945 and 26/06/1945</td>
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<td>Ill-treatment of Australian and Dutch PW at TAN TOEY Camp, Ambon, between February 1942 and August 1945</td>
<td>Morotai</td>
<td>M45</td>
<td>Guilty</td>
<td>10 years</td>
<td>10 years</td>
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<tr>
<td>Suehiro</td>
<td>Masajirō</td>
<td>末廣正郎</td>
<td>PO</td>
<td>1250</td>
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<td>Ill-treatment of Australian and Dutch PW at TAN TOEY Camp, Ambon, between February 1942 and August 1945</td>
<td>Morotai</td>
<td>M45</td>
<td>Guilty</td>
<td>7 years</td>
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<td>Sugimoto</td>
<td>Tadashi</td>
<td>杉本正</td>
<td>Li</td>
<td>2039</td>
<td></td>
<td>Murder of an Indian PW at MINAMISAKI, New Britain, on 19/12/1944</td>
<td>Rabaul</td>
<td>R63</td>
<td>Not Guilty</td>
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<td>Sugimura</td>
<td>Shun’ichi</td>
<td>柴村一</td>
<td>Li</td>
<td>820</td>
<td></td>
<td>(1) Murder of numerous unknown PW between SANDAKAN and RANAU, BNB, between January and February 1945 (2) Alternative charge – Ill-treatment of PW thereby causing deaths between SANDAKAN and RANAU, BNB, between 29/01/1945 and 28/02/1945</td>
<td>Labuan</td>
<td>ML36</td>
<td>(1) Not Guilty (2) Guilty</td>
<td>Death by shooting</td>
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<td>Sugimura</td>
<td>Shun’ichi</td>
<td>柴村一</td>
<td>Li</td>
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<td>590</td>
<td>(1) Murder of numerous unknown PW between SANDAKAN and RANAU, BNB, between 29/1/1945 and 28/2/1945 (2) Alternative charge – Ill-treatment of PW thereby causing death between SANDAKAN and RANAU, BNB, between 29/1/1945 and 28/2/1945</td>
<td>Rabaul</td>
<td>R125</td>
<td>(1) Not Guilty (2) Guilty</td>
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<td>Masahiro</td>
<td>杉野一</td>
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<td>Ill-treatment of Australian and Dutch PW at TAN TOEY Camp, Ambon, between February 1942 and August 1945</td>
<td>Morotai</td>
<td>M45</td>
<td>Not Guilty</td>
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<td>Sugino</td>
<td>Tsuchinosuke</td>
<td>杉野土之助</td>
<td>Ens</td>
<td>2070</td>
<td>496</td>
<td>Murder of persons unknown at OCEAN ISLAND about 20/08/1945</td>
<td>Rabaul</td>
<td>R70</td>
<td>Guilty</td>
<td>15 years</td>
<td>15 years</td>
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<td>Sugino</td>
<td>Tsuruo</td>
<td>杉野鶴雄</td>
<td>Sgt Maj</td>
<td>821</td>
<td>2</td>
<td>(1) Massacre of approx 36 PW near MIRI, Sarawak, 10/06/1945 (2) Massacre of approx 15 PW near MIRI, Sarawak, 10/06/1945</td>
<td>Labuan</td>
<td>ML2</td>
<td>(1) Guilty (2) Guilty</td>
<td>Death by shooting</td>
<td>Shooting 6/3/1946</td>
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<td>Sugiyama</td>
<td>Seiichi</td>
<td>柴崎精一</td>
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<td>818</td>
<td>182</td>
<td>Ill-treatment of PW and I at KUCHING, Sarawak, between 15/05/1942 and 12/09/1945</td>
<td>Labuan</td>
<td>ML37</td>
<td>Guilty</td>
<td>10 years</td>
<td>10 years</td>
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<td>Sumitomo</td>
<td>Kazuhide</td>
<td>住友和英</td>
<td>L/Cpl</td>
<td>2833</td>
<td>465</td>
<td>Ill-treatment of an Indian PW at VUNAPAL, New Britain, about 29/04/1945</td>
<td>Rabaul</td>
<td>R57</td>
<td>Guilty</td>
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<td>15 years</td>
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<td>Japanese name in kanji if known</td>
<td>Rank</td>
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<td>Court location</td>
<td>Trial reference</td>
<td>Finding(s)</td>
<td>Sentence imposed at trial</td>
<td>Confirmed sentence [Death] and execution date</td>
<td>Confirmed sentence [Imprisonment]</td>
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<td>Sumizu</td>
<td>Junichirō</td>
<td>偶水準一郎</td>
<td>Lt Col</td>
<td></td>
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<td>Murder at AMBON about August 1943 of Australian and Allied PW</td>
<td>Manus</td>
<td>LN9</td>
<td>Not Guilty</td>
<td></td>
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<td>Suwa</td>
<td>Kazuto</td>
<td>諏訪和人</td>
<td>WO</td>
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<td>Murder near LAHA airfield, AMBON about 7/02/1942 of Australian and Allied PW</td>
<td>Manus</td>
<td>LN12</td>
<td>Not Guilty</td>
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<td>Suzuki</td>
<td>Denshirō</td>
<td>鈴木健二郎</td>
<td>Cpl</td>
<td>2887</td>
<td>576</td>
<td>Ill-treatment of a Chinese PW at NAMARIA, New Britain, about 12/05/1945</td>
<td>Rabaul</td>
<td>R116</td>
<td>Guilty</td>
<td>3 years</td>
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<td>Suzuki</td>
<td>Hiroshi</td>
<td>鈴村弘</td>
<td>Sgt Maj</td>
<td>2323</td>
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<td>(1) Murder of Chinese PW at MALIN, New Guinea, in October 1944 (2) Cannibalism at MALIN, New Guinea, in October 1944</td>
<td>Rabaul</td>
<td>R16</td>
<td>(1) Not Guilty (2) Not Guilty</td>
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<td>Suzuki</td>
<td>Kyukichi</td>
<td>鈴木隆二</td>
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<td>(1) Ill-treatment of PW at HAINAN Island between November 1942 and August 1945 (2) [not charged with charge 2]</td>
<td>Hong Kong</td>
<td>HK3</td>
<td>Not Guilty</td>
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<td>Suzuki</td>
<td>Naoomi</td>
<td>鈴木隆臣</td>
<td>Lt Cdr</td>
<td>2048</td>
<td>446</td>
<td>Murder at OCEAN ISLAND about 20/08/1945 of natives</td>
<td>Rabaul</td>
<td>R51</td>
<td>Guilty</td>
<td>Death by hanging</td>
<td>Hanging 2/7/1947</td>
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<td>Suzuki</td>
<td>Noboru</td>
<td>鈴木隆</td>
<td>Gd</td>
<td>823</td>
<td>157</td>
<td>Ill-treatment of PW and I at KUCHING, Sarawak, between 15/05/1942 and 12/09/1945</td>
<td>Labuan</td>
<td>ML37</td>
<td>Guilty</td>
<td>15 years</td>
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<td>Suzuki</td>
<td>Saburō</td>
<td>鈴木隆二</td>
<td>Gd</td>
<td>824</td>
<td>82</td>
<td>Massacre of approx eight unknown PW near RANAU, BNB about 10/06/1945</td>
<td>Labuan</td>
<td>ML19</td>
<td>Guilty</td>
<td>12 years</td>
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<td>Saburō</td>
<td>鈴木隆二</td>
<td>Gd</td>
<td>824</td>
<td>634</td>
<td>Murder of an Australian PW at RANAU, Borneo, about March 1945</td>
<td>Rabaul</td>
<td>R151</td>
<td>Guilty</td>
<td>Death by hanging</td>
<td>Hanging 18/10/1946</td>
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<td>Shōzō</td>
<td>鈴木正三</td>
<td>Lt</td>
<td>774</td>
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<td>Massacre of 23 Australian citizens at KAVIENG, New Ireland, about March 1944</td>
<td>Hong Kong</td>
<td>HK1</td>
<td>Guilty</td>
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<td>Suzuki</td>
<td>Shōzō</td>
<td>鈴木正三</td>
<td>Capt</td>
<td>729</td>
<td></td>
<td>At BATAVIA, Java, between April and August 1942, inhumanely treated PW</td>
<td>Singapore</td>
<td>S23</td>
<td>Guilty</td>
<td>10 years</td>
<td></td>
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<td>Charge(s)</td>
<td>Court location</td>
<td>Trial reference</td>
<td>Finding(s)</td>
<td>Sentence imposed at trial</td>
<td>Confirmed sentence [Death] and execution date</td>
<td>Confirmed sentence [Imprisonment]</td>
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<td>Suzuki</td>
<td>Sōhei</td>
<td>鈴木栄平</td>
<td>Capt</td>
<td>738</td>
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<td>(1) Inhumane treatment of PW employed on construction of airfield at LIENG KHAN, French Indo-China, between 15/04/1945 and 23/07/1945 (2) [not charged with charge 2] (3) [not charged with charge 3]</td>
<td>Singapore</td>
<td>S7</td>
<td>Guilty</td>
<td>Death by hanging</td>
<td>Hanging 21/1/1947</td>
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<td>Suzuki</td>
<td>Toshio</td>
<td>鈴木敏夫</td>
<td>Cpl</td>
<td>680</td>
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<td>Inhumane treatment of Australian PW at BATAVIA, NEI between 17/06/1945 and 14/08/1945</td>
<td>Singapore</td>
<td>S8</td>
<td>Guilty</td>
<td>4 years</td>
<td>4 years</td>
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<td>Suzuki</td>
<td>Yasumasa</td>
<td>鈴木晃正</td>
<td>Pte</td>
<td>330225</td>
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<td>Murder of a PW at BEO, TALAUD ISLAND, Celebes about 23/03/1945</td>
<td>Morotai</td>
<td>M6</td>
<td>Guilty</td>
<td>10 years</td>
<td>5 years</td>
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<td>Suzuki</td>
<td>Yutaka</td>
<td>鈴木豊</td>
<td>Ens</td>
<td>834</td>
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<td>Murder at KOKAS, New Guinea, about December 1944 of a member of the RAAF</td>
<td>Manus</td>
<td>LN7</td>
<td>Guilty</td>
<td>Death by hanging</td>
<td>Hanging 11/6/1951</td>
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<td>Tachino</td>
<td>Shizuo</td>
<td>立野静夫</td>
<td>Cdr</td>
<td></td>
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<td>Murder at SOURABAYA, Java, about March and April 1945 of four Australian and Allied PW</td>
<td>Manus</td>
<td>LN21</td>
<td>Not Guilty</td>
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<tr>
<td>Tada</td>
<td>Masaichi</td>
<td>多田政市</td>
<td>Cpl</td>
<td>2728</td>
<td>624</td>
<td>(1) Murder of an Indian PW at KOKOPO, New Britain, in February 1944; (2) Alternatively, ill-treatment of an Indian PW at KOKOPO, New Britain in February 1944</td>
<td>Rabaul</td>
<td>R144</td>
<td>(1) Guilty (2) Not Guilty</td>
<td>Death by hanging</td>
<td>Hanging 18/10/1946</td>
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<td>Tagai</td>
<td>Torazō</td>
<td>田貝貢三</td>
<td>Sgt</td>
<td>2663</td>
<td>138</td>
<td>Torturing civilians in New Britain (1) At RAMALE about 10/01/1945 (2) At RAMALE about March 1945 (3) At RAMALE about August 1945 (4) At BITAGALIP about April 1945</td>
<td>Rabaul</td>
<td>R7</td>
<td>(1) Guilty (2) Guilty (3) Guilty (4) Guilty</td>
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<td>10 years</td>
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<td>Nobuyuki</td>
<td>田川信行</td>
<td>Gd</td>
<td>825</td>
<td>156</td>
<td>Ill-treatment of PW and I at KUCHING, Sarawak, between 15/05/1942 and 12/09/1945</td>
<td>Labuan</td>
<td>ML37</td>
<td>Guilty</td>
<td>10 years</td>
<td>10 years</td>
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<td>Tahara</td>
<td>Susumu</td>
<td>太阪進</td>
<td>Capt</td>
<td>779</td>
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<td>(1) Ill-treatment of PW at HAINAN Island between November 1942 and August 1945 (2) Unauthorised employment of PW at HAINAN Island between November 1942 and August 1945</td>
<td>Hong Kong</td>
<td>HK3</td>
<td>(1) Guilty (2) Guilty</td>
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<td>Taiara</td>
<td>Tokuji</td>
<td>田嶽吉</td>
<td>Lt</td>
<td>2034</td>
<td>461</td>
<td>Torture of a native at NAURU ISLAND on a date unknown</td>
<td>Rabaul</td>
<td>R54</td>
<td>Guilty</td>
<td>15 years</td>
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<td>Japanese name in kanji if known</td>
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<td>Charge(s)</td>
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<td>Trial reference</td>
<td>Finding(s)</td>
<td>Sentence imposed at trial</td>
<td>Confirmed sentence [Death] and execution date</td>
<td>Confirmed sentence [Imprisonment]</td>
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<td>Tajima</td>
<td>Morishi</td>
<td>田島盛司</td>
<td>L/Cpl</td>
<td>2916</td>
<td>376</td>
<td>Murder of four Chinese PW at TALILI, New Britain, about 29 April 1943</td>
<td>Rabaul</td>
<td>R50</td>
<td>Guilty</td>
<td>Death by hanging</td>
<td>Hanging 27/6/1946</td>
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<td>Tamaki</td>
<td>田島盛司</td>
<td>CPO</td>
<td>793</td>
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<td>(1) Ill-treatment of PW at HAINAN Island between November 1942 and August 1945</td>
<td>Hong Kong</td>
<td>HK3</td>
<td>Guilty</td>
<td>1 year</td>
<td>1 year</td>
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<td>Takahashi</td>
<td>Katsumi</td>
<td>高橋勝見</td>
<td>Cpl</td>
<td>2648</td>
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<td>Murder of an Indian PW at NEW BRITAIN, about 26/10/1944</td>
<td>Raba</td>
<td>R60</td>
<td>Not Guilty</td>
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<td>Takahashi</td>
<td>Shigenobu</td>
<td>高橋信信</td>
<td>WO</td>
<td>2037</td>
<td>463</td>
<td>Torture of a native at NAURU ISLAND on a date unknown</td>
<td>Raba</td>
<td>R54</td>
<td>Guilty</td>
<td>Death by hanging</td>
<td>Hanging 17/08/1946</td>
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<td>Takahashi</td>
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<td>高橋隆</td>
<td>Sgt</td>
<td>1929</td>
<td>410</td>
<td>(1) Murder of an Australian PW at AIRNONA, Timor, on or about 12/06/1943</td>
<td>Darwin</td>
<td>D3</td>
<td>(1) Guilty (2) Guilty</td>
<td>4 years with hard labour</td>
<td>4 years with hard labour</td>
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<td>Takahashi</td>
<td>Toyoji</td>
<td>高橋照仁</td>
<td>Sub Lt</td>
<td>206</td>
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<td>Murder of four RAAF PW near GALALA, Ambon, about 16/08/1944</td>
<td>Morotai</td>
<td>M43</td>
<td>Guilty</td>
<td>Death by shooting</td>
<td>Shooting 23/10/1947</td>
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<td>Yoshitaka</td>
<td>高橋宣隆</td>
<td>L/Cpl</td>
<td>2744</td>
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<td>Ill-treatment of a number of Indian PW at various locations including KOMORIYAMA NEW BRITAIN about 1944–45</td>
<td>Raba</td>
<td>R111</td>
<td>Not Guilty</td>
<td></td>
<td></td>
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<td>Takahashi</td>
<td>Takashi</td>
<td>高橋隆</td>
<td>Capt</td>
<td>2618</td>
<td>439</td>
<td>Cannibalism at TANOURA, New Britain, about 5/04/1943</td>
<td>Raba</td>
<td>R48</td>
<td>Guilty (not confirmed)</td>
<td>Death by hanging (not confirmed)</td>
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<td>Fukuchi</td>
<td>高井福一</td>
<td>Sgt</td>
<td>2901</td>
<td>316</td>
<td>Murder of a native at MIOKA Island, New Britain, about February 1944</td>
<td>Raba</td>
<td>R13</td>
<td>Guilty</td>
<td>15 years</td>
<td>15 years</td>
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<td>Takai</td>
<td>Kazuyoshi</td>
<td>高井義一</td>
<td>Cpl</td>
<td>370</td>
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<td>Murder of an Indian PW at AKANI MISKAI, New Britain, about 30/01/1944</td>
<td>Raba</td>
<td>R46</td>
<td>Guilty</td>
<td>Death by hanging</td>
<td>Hanging 27/6/1946</td>
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<td>Takakuwa</td>
<td>Takuo</td>
<td>高桑隆男</td>
<td>Capt</td>
<td>827</td>
<td>55</td>
<td>(1) Murder of numerous unknown PW between SANDAKAN and RANAU, BNB, between 29/05/1945 and 26/06/1945 (2) Massacre of about 35 unknown PW near RANAU, BNB, about 01/08/1945</td>
<td>Labuan</td>
<td>ML17</td>
<td>(1) Guilty (2) Guilty</td>
<td>Death by hanging</td>
<td>Hanging 6/4/1946</td>
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<td>Takami</td>
<td>Tsuneo</td>
<td>高見隆</td>
<td>Gd</td>
<td>828</td>
<td>165</td>
<td>Ill-treatment of PW and 1 at KUCHING, Sarawak, between 15/05/1942 and 12/09/1945</td>
<td>Labuan</td>
<td>ML37</td>
<td>Guilty</td>
<td>5 years</td>
<td>5 years</td>
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<td>Court location</td>
<td>Trial reference</td>
<td>Finding(s)</td>
<td>Sentence imposed at trial</td>
<td>Confirmed sentence [Death] and execution date</td>
<td>Confirmed sentence [Imprisonment]</td>
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<td>Takamura</td>
<td>Shōji</td>
<td>高村祥二</td>
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<td>829</td>
<td>162</td>
<td>Ill-treatment of PW and I at KUCHING, Sarawak, between 15/05/1942 and 12/09/1945</td>
<td>Labuan</td>
<td>ML37</td>
<td>Guilty</td>
<td>10 years</td>
<td>10 years</td>
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<tr>
<td>Takasaki</td>
<td>Masamitsu</td>
<td></td>
<td>Cdr</td>
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<td>Murder – unlawfully ordered at TONSEALAMA about June 1945 and caused to be carried out the killing of one RAAF and one RAN PW at SARIO, North Celebes</td>
<td>Morotai</td>
<td>M20</td>
<td>Not Guilty</td>
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<td>Takata</td>
<td>Kunio</td>
<td>高田隆</td>
<td>Gd</td>
<td>830</td>
<td>83</td>
<td>Massacre of approx eight unknown PW near RANAU, BNB about 10/06/1945</td>
<td>Labuan</td>
<td>ML19</td>
<td>Guilty</td>
<td>5 years</td>
<td>5 years</td>
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<td>Kihachirō</td>
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<td>CPO</td>
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<td>Ill-treatment of Australian and Dutch PW at TAN TOEY Camp, Ambon, between February 1942 and August 1945</td>
<td>Morotai</td>
<td>M45</td>
<td>Not Guilty</td>
<td></td>
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<tr>
<td>Takaya</td>
<td>Morisaburō</td>
<td>高橋重郎</td>
<td>Col</td>
<td>2619</td>
<td>554</td>
<td>Murder of an Indian PW at RABAUL, New Britain, July 1944</td>
<td>Rabaun</td>
<td>R98</td>
<td>Guilty</td>
<td>10 years</td>
<td>Not confirmed</td>
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<td>Takayama</td>
<td>Shigeo</td>
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<td>Ill-treatment of Australian and Dutch PW at TAN TOEY Camp, Ambon, between February 1942 and August 1945</td>
<td>Morotai</td>
<td>M45</td>
<td>Not Guilty</td>
<td></td>
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<td>Takebayashi</td>
<td>Tsuruichi</td>
<td>武田鶴一</td>
<td>Civ</td>
<td>2684</td>
<td>399</td>
<td>(1) Murder of 24 Chinese at RABAUL, New Britain, about 3/03/1943 (2) Murder of six Chinese at RABAUL about 11/03/1943</td>
<td>Rabaun</td>
<td>R55</td>
<td>(1) Guilty</td>
<td>Death by hanging</td>
<td>Life</td>
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<td>Takeda</td>
<td>Jiro</td>
<td></td>
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<td>Ill-treatment of PW and I at KUCHING, Sarawak, between 15/05/1942 and 12/09/1945</td>
<td>Labuan</td>
<td>ML37</td>
<td>Not Guilty</td>
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<td>Kazumi</td>
<td>武田敏</td>
<td>Cpl</td>
<td>2765</td>
<td>651</td>
<td>Ill-treatment of Indian PW in NEW BRITAIN from October 1943 to May 1945</td>
<td>Rabaun</td>
<td>R160</td>
<td>Guilty</td>
<td>1 year</td>
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<td>Takegawa</td>
<td>Sadaji</td>
<td></td>
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<td>230</td>
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<td>Ill-treatment of Australian and Dutch PW at TAN TOEY Camp, Ambon, between February 1942 and August 1945</td>
<td>Morotai</td>
<td>M45</td>
<td>Guilty</td>
<td>1 year</td>
<td>1 year</td>
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<td>Takei</td>
<td>Shigeaki</td>
<td>武田善樹</td>
<td>Sgt Maj</td>
<td>2220</td>
<td></td>
<td>Murder of two Indian PW at AIN, New Guinea, in October 1944</td>
<td>Rabaun</td>
<td>R19</td>
<td>Not Guilty</td>
<td></td>
<td></td>
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<td>Takei</td>
<td>Shigeaki</td>
<td>武田善樹</td>
<td>Sgt Maj</td>
<td>2220</td>
<td>386</td>
<td>Murder of two Indian PW at PAROM, New Guinea, in August 1944</td>
<td>Rabaun</td>
<td>R41</td>
<td>Guilty</td>
<td>15 years</td>
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<td><strong>Serial No. if convicted</strong></td>
<td><strong>Charge(s)</strong></td>
<td><strong>Court location</strong></td>
<td><strong>Trial reference</strong></td>
<td><strong>Finding(s)</strong></td>
<td><strong>Sentence imposed at trial</strong></td>
<td><strong>Confirmed sentence [Death] and execution date</strong></td>
<td><strong>Confirmed sentence [Imprisonment]</strong></td>
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<td><strong>Takemoto</strong></td>
<td>Isao</td>
<td>竹本功</td>
<td>Gd</td>
<td>833</td>
<td>73</td>
<td>Murder of numerous unknown PW between SANDAKAN and RANAU, BNB, between 29/05/1945 and 26/06/1945</td>
<td>Labuan</td>
<td>ML18</td>
<td>Guilty</td>
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<td><strong>Takemoto</strong></td>
<td>Kōji</td>
<td>武本幸治</td>
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<td>764</td>
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<td>(1) Ill-treatment of PW who were employed on the Burma-Siam Railway between THANBUYZAYAT, Burma and NIKI, Siam, between 25/10/1942 and 1/05/1944 (2)–(7) [not charged with charges 2–7]</td>
<td>Singapore</td>
<td>S12</td>
<td>Guilty</td>
<td>Death by hanging</td>
<td>Hanging 25/02/1947</td>
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<tr>
<td><strong>(Takimoto)</strong></td>
<td>Kōji</td>
<td>武本幸治</td>
<td>Gd</td>
<td></td>
<td></td>
<td>(1) Ill-treatment of PW who were employed on the Burma-Siam Railway between THANBUYZAYAT, Burma and NIKI, Siam, between 25/10/1942 and 1/05/1944 (2) Unlawfully ordered and caused to be shot, three recaptured escaped Dutch PW at THANBUYZAYAT, Burma, about 13/12/1942 (3) Unlawfully ordered and caused to be shot and killed three recaptured escaped Dutch PW at THANBUYZAYAT, Burma, about 27/12/1942 (4) Unlawfully ordered and caused to be shot and killed a recaptured escaped Australian PW at THANBUYZAYAT, Burma, about 2/02/1943 (5) Unlawfully ordered and caused to be shot and killed a recaptured escaped Australian PW at THANBUYZAYAT, Burma, about 16/03/1943 (6) Responsible for unlawful shooting and killing of an Australian PW at THANBUYZAYAT, Burma, about 14/12/1942 (7) Unlawfully ordered and caused to be shot and killed an Australian PW at 18 KILO WORK Camp, Burma, about 26/12/1942</td>
<td>Singapore</td>
<td>SNN</td>
<td>Trial Aborted</td>
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<td><strong>Takenaga</strong></td>
<td>Shigematsu</td>
<td>竹永茂松</td>
<td>Gd</td>
<td>834</td>
<td>173</td>
<td>Ill-treatment of PW and I at KUCHING, Sarawak, between 15/05/1942 and 12/09/1945</td>
<td>Labuan</td>
<td>ML37</td>
<td>Guilty</td>
<td>5 years</td>
<td></td>
<td>5 years</td>
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<tr>
<td><strong>Takenouchi</strong></td>
<td>Yoshito</td>
<td>竹之内結人</td>
<td>Cpl</td>
<td>2756</td>
<td>653</td>
<td>(1) Ill-treatment of Indian PW at KOMORIYAMA, New Britain, about 12–13/05/1945 (2) [not charged with charge 2]</td>
<td>Rabaul</td>
<td>R161</td>
<td>Guilty</td>
<td>1 year</td>
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<td>Japanese name in kanji if known</td>
<td>Rank</td>
<td>AWC No. if any</td>
<td>Serial No. if convicted</td>
<td>Charge(s)</td>
<td>Court location</td>
<td>Trial reference</td>
<td>Finding(s)</td>
<td>Sentence imposed at trial</td>
<td>Confirmed sentence [Death] and execution date</td>
<td>Confirmed sentence [Imprisonment]</td>
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<td>Takeuchi</td>
<td>Michio</td>
<td>竹内道男</td>
<td>PO</td>
<td>1260</td>
<td>241</td>
<td>Ill-treatment of Australian and Dutch PW at TAN TOEY Camp, Ambon, between February 1942 and August 1945</td>
<td>Morotai</td>
<td>M45</td>
<td>Guilty</td>
<td>20 years</td>
<td>20 years</td>
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<tr>
<td>Takeuchi</td>
<td>Sadamaro</td>
<td>竹内貞麿</td>
<td>Sgt</td>
<td>2745</td>
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<td>Ill-treatment of a number of Indian PW at [various locations including KOMORIYAMA] NEW BRITAIN about 1944–45</td>
<td>Rabaul</td>
<td>R111</td>
<td>Not Guilty</td>
<td></td>
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<tr>
<td>Takeuchi</td>
<td>Yoshimitsu</td>
<td>竹内義光</td>
<td>Gd</td>
<td>835</td>
<td>67</td>
<td>Murder of numerous unknown PW between SANDAKAN and RANAU, BNB, between 29/05/1945 and 26/06/1945</td>
<td>Labuan</td>
<td>ML18</td>
<td>Guilty</td>
<td>10 years</td>
<td>10 years</td>
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<tr>
<td>Takeuchi</td>
<td>Yoshimitsu</td>
<td>竹内義光</td>
<td>Gd</td>
<td>835</td>
<td>102</td>
<td>Massacre of 11 unknown PW at RANAU, BNB, about 01/08/1945</td>
<td>Labuan</td>
<td>ML22</td>
<td>Guilty</td>
<td>20 years</td>
<td>20 years</td>
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<td>Takino</td>
<td>Motoi</td>
<td>滝野基</td>
<td>Capt</td>
<td>836</td>
<td>45</td>
<td>Ill-treatment of PW at KUCHING, Sarawak, between 15/05/1945 and 20/05/1945 thereby causing death</td>
<td>Labuan</td>
<td>ML11</td>
<td>Guilty</td>
<td>Death by shooting</td>
<td>5 years</td>
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<td>Takizawa</td>
<td>Tadashi</td>
<td>滝澤治</td>
<td>Sgt</td>
<td>2247</td>
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<td>Ill-treatment of an Indian PW at [PAROM] NEW GUINEA about July 1944</td>
<td>Rabaul</td>
<td>R82</td>
<td>Not Guilty</td>
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<td>Tamaki</td>
<td>Gorō</td>
<td>玉木雄</td>
<td>Civ  Off</td>
<td>2845</td>
<td>310</td>
<td>Torturing civilians at BITAPAKA, New Britain, about November 1944</td>
<td>Rabaul</td>
<td>R10</td>
<td>Guilty</td>
<td>2 years with hard labour</td>
<td>2 years with hard labour</td>
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<tr>
<td>Tamura</td>
<td>Ryūkichi</td>
<td>田中吉市</td>
<td>R/Adm</td>
<td>770</td>
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<td>Massacre of 23 Australian citizens at KAVIENG, New Ireland, about March 1944</td>
<td>Hong Kong</td>
<td>HK1</td>
<td>Guilty</td>
<td>Death by hanging</td>
<td>Hanging 16/3/1948</td>
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<td>Tamura</td>
<td>Takemitsu</td>
<td>田村竹光</td>
<td>WO</td>
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<td>Murder at SOURABAYA, Java, about March and April 1945 of four Australian and Allied PW</td>
<td>Manus</td>
<td>LN21</td>
<td>Not Guilty</td>
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<td>Tamura</td>
<td>Toshio</td>
<td>田村雄</td>
<td>Maj</td>
<td>43</td>
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<td>Murder of three RAAF PW at TALAUD ISLAND, Celebes, about February and March 1945</td>
<td>Morotai</td>
<td>M10</td>
<td>Guilty</td>
<td>Death by shooting</td>
<td>Shooting 6/3/1946</td>
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<td>Tanaka</td>
<td>Chūichi</td>
<td>田中忠一</td>
<td>Sgt  Maj</td>
<td>2762</td>
<td>652</td>
<td>(1) Ill-treatment of Indian PW at KOMORIYAMA, New Britain, about 12–13/05/1945 (2) Ill-treatment of Indian PW at KOMORIYAMA, New Britain, about 1/08/1945</td>
<td>Rabaul</td>
<td>R161</td>
<td>(1) Guilty (2) Guilty</td>
<td>2 years</td>
<td>2 years</td>
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<td>Kazuo</td>
<td>田中光</td>
<td>L/Cpl</td>
<td>2852</td>
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<td>Murder of 18 natives at VUNARIMA, New Britain, about 18/09/1944</td>
<td>Rabaul</td>
<td>R26</td>
<td>Not Guilty</td>
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<td>Rank</td>
<td>AWC No. if any</td>
<td>Serial No. if convicted</td>
<td>Charge(s)</td>
<td>Court location</td>
<td>Trial reference</td>
<td>Finding(s)</td>
<td>Sentence imposed at trial</td>
<td>Confirmed sentence [Death] and execution date</td>
<td>Confirmed sentence [Imprisonment]</td>
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<td>Kikumatsu</td>
<td>田中?松</td>
<td>R/Adm</td>
<td>885</td>
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<td>(1) Murder at SOURABAYA, Java, about March and April 1945 of four Australian and Allied PW (2) Failure to discharge duties as a Commander of Japanese Armed Forces whereby four Australian and Allied PW were murdered at SOURABAYA, Java, about March and April 1945</td>
<td>Manus</td>
<td>LN21</td>
<td>(1) Guilty (2) Not Guilty</td>
<td>Death by hanging</td>
<td>15 years</td>
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<td>Masashi</td>
<td>田中征志</td>
<td>PO</td>
<td>1261</td>
<td>242</td>
<td>Ill-treatment of Australian and Dutch PW at TAN TOEY Camp, Ambon, between February 1942 and August 1945</td>
<td>Morotai</td>
<td>M45</td>
<td>Guilty</td>
<td>20 years</td>
<td>20 years</td>
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<td>Tanaka</td>
<td>Seizō</td>
<td>田中清蔵</td>
<td>Lt</td>
<td>32</td>
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<td>Murder of a PW at BEO, TALAUD ISLAND, Celebes about 23/03/1945</td>
<td>Morotai</td>
<td>M7</td>
<td>Guilty</td>
<td>Death by shooting</td>
<td>Shooting 6/3/1946</td>
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<td>Tanaka</td>
<td>Shōichi</td>
<td>田中一</td>
<td>PO</td>
<td>1262</td>
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<td>Ill-treatment of Australian PW near GALALA, Ambon, about 24/06/1945</td>
<td>Morotai</td>
<td>M45</td>
<td>Guilty</td>
<td>2 years</td>
<td>2 years</td>
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<td>Tanaka</td>
<td>Shōjirō</td>
<td>田中二郎</td>
<td>Lt</td>
<td>837</td>
<td></td>
<td>(1) Murder of numerous unknown PW between SANDAKAN and RANAU, BNB, between 01/1945 and 28/02/1945 (2) Alternative charge – Ill-treatment of PW thereby causing deaths between SANDAKAN and RANAU, BNB, between 29/01/1945 and 28/02/1945</td>
<td>Labuan</td>
<td>ML36</td>
<td>(1) Not Guilty (2) Guilty</td>
<td>Life</td>
<td>Retrial ordered</td>
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<td>Shōjirō</td>
<td>田中二郎</td>
<td>Lt</td>
<td>837</td>
<td>589</td>
<td>(1) Murder of numerous unknown PW between SANDAKAN and RANAU, BNB, between 29/1/1945 and 28/1/1945 1945 (2) Alternative charge – Ill-treatment of PW thereby causing death between SANDAKAN and RANAU, BNB, between 29/1/1945 and 28/2/1945</td>
<td>Rabaul</td>
<td>R125</td>
<td>(1) Not Guilty (2) Guilty</td>
<td>10 years</td>
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<td>Tadashi</td>
<td>田中正</td>
<td>Sgt</td>
<td>Maj</td>
<td></td>
<td>(1) Ill-treatment of PW who were employed on the Burma-Siam Railway between THANBUYZAYAT, Burma and NIKI, Siam, between 25/10/1942 and 1/05/1944 (2) – (6) [not charged with charges 2 – 6] (7) Unlawfully ordered and caused to be shot and killed an Australian PW at 18 KILO WORK Camp, Burma, about 26/12/1942</td>
<td>Singapore</td>
<td>S12</td>
<td>(1) Not Guilty (7) Not Guilty</td>
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<td>Given name</td>
<td>Japanese name in kanji if known</td>
<td>Rank</td>
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<td>Serial No. if convicted</td>
<td>Charge(s)</td>
<td>Court location</td>
<td>Charge reference</td>
<td>Finding(s)</td>
<td>Sentence imposed at trial</td>
<td>Confirmed sentence [Death] and execution date</td>
<td>Confirmed sentence [Imprisonment]</td>
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<tr>
<td>Tanaka</td>
<td>Tadashi</td>
<td>田中正</td>
<td>Sgt</td>
<td>Maj</td>
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<td>(1) Ill-treatment of PW who were employed on the Burma-Siam Railway between THANBUYZAYAT, Burma and NIKI, Siam, between 25/10/1942 and 1/05/1944 (2) Unlawfully ordered and caused to be shot, three recaptured escaped Dutch PW at THANBUYZAYAT, Burma, about 13/12/1942 (3) Unlawfully ordered and caused to be shot and killed three recaptured escaped Dutch PW at THANBUYZAYAT, Burma, about 27/12/1942 (4) Unlawfully ordered and caused to be shot and killed a recaptured escaped Australian PW at THANBUYZAYAT, Burma, about 2/02/1943 (5) Unlawfully ordered and caused to be shot and killed a recaptured escaped Australian PW at THANBUYZAYAT, Burma, about 16/03/1943 (6) Responsible for unlawful shooting and killing of an Australian PW at THANBUYZAYAT, Burma, about 14/12/1942 (7) Unlawfully ordered and caused to be shot and killed an Australian PW at 18 KILO WORK Camp, Burma, about 26/12/1942</td>
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<td>Murder of a PW in TALAUD ISLAND, Celebes, about 23/03/1945</td>
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<td>(1) Murder of a native of NAURU displaced to TRUK, at TRUK, about July 1945 (1) (Alternative charge) Ill-treated a native of NAURU displaced to TRUK, at TRUK, about July 1945 (2) [not charged with charge 2]</td>
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<td>Ill-treatment of an Indian PW at KOMORIYAMA, New Britain, about July 1945</td>
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<td>Murder of Australian and Allied PW near KOEPANG, Dutch Timor, between March and May 1942</td>
<td>Manus</td>
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<td>Murder of four Chinese PW at TALILI, New</td>
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<td>(1) Murder at SOERABAJA, Java, about April 1945 of 15 natives of LOMBOK (2) Unlawful killing of 15 LOMBOK natives at SOERABAJA, Java, about April 1945 by an injection of a deleterious substance (3) Ill-treatment of 17 LOMBOK natives at SOERABAJA, Java, about April 1945 by injection of a deleterious substance, whereby 15 of such natives died</td>
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<td>Ill-treatment of Indian PW at SANKAKUYAMA, New Britain between April and August 1945</td>
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<td>(1) Murder at IDORE, Dutch New Guinea, about November 1944 of two members of the RAAF (2) Mutilation of the dead, two members of the RAAF at IDORE, Dutch New Guinea, about November 1944</td>
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<td>Murder of nine Indonesian PW and one Indian PW at KOKOPO, New Britain, on February 1944</td>
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<td>Ill-treatment of Australian and Dutch PW at TAN TOEY Camp, Ambon, between February 1942 and August 1945</td>
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<td>On the high seas between 4/07/1944 and 8/09/1944 on a voyage from Singapore to MOJI (Japan) were responsible for inhuman treatment of PW, thereby contributing to their physical and mental suffering</td>
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<td>Kōnosuke</td>
<td>上嶋之助</td>
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<td>Murder of 11 Chinese PW at KOKOPO, New Britain, about 3/04/1943</td>
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<td>Murder of numerous unknown PW between SANDAKAN and RANAU, BNB, between 29/05/1945 and 26/06/1945</td>
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<td>Hachirō</td>
<td>上尾八郎</td>
<td>Sgt Maj</td>
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<td>Murder of nine Indonesian PW and an Indian PW at KOKOPO, New Britain, on February 1944</td>
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<td>Ill-treatment of Australian and Dutch PW at TAN TOEY Camp, Ambon, between February 1942 and August 1945</td>
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<td>Isamu</td>
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### Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

<table>
<thead>
<tr>
<th>Family name</th>
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<td>(1) Ill-treatment of PW who were employed on the Burma-Siam Railway between THANBUYZAYAT, Burma and NIKI, Siam, between 25/10/1942 and 1/05/1944 (2) Unlawfully ordered and caused to be shot, three recaptured escaped Dutch PW at THANBUYZAYAT, Burma, about 13/12/1942 (3) Unlawfully ordered and caused to be shot and killed three recaptured escaped Dutch PW at THANBUYZAYAT, Burma, about 27/12/1942 (4) Unlawfully ordered and caused to be shot and killed a recaptured escaped Australian PW at THANBUYZAYAT, Burma, about 2/02/1943 (5) Unlawfully ordered and caused to be shot and killed a recaptured escaped Australian PW at THANBUYZAYAT, Burma, about 14/12/1942 (6) Responsible for unlawful shooting and killing of an Australian PW at THANBUYZAYAT, Burma, about 16/03/1943 (7) Unlawfully ordered and caused to be shot and killed an Australian PW at 18 KILO WORK Camp, Burma, about 26/12/1942</td>
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<td>(1) Murder of numerous unknown PW between SANDAKAN and RANAU, BNB, between 29/05/1945 and 26/06/1945 (2) Massacre of about 35 unknown PW near RANAU, BNB, about 01/08/1945</td>
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<td>渡部馨                        Capt 2026</td>
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<td>Murder of two United States airmen at TARLENA, Bougainville, about December 1943</td>
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<td>Murder of a number of Chinese, half-caste Chinese, civilians and natives at New Ireland about 1944–45</td>
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<td>Ill-treatment of natives at TARIK ISLAND, Truk, about 26/08/1944</td>
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<td>Ill-treatment of an Indian PW (1) [not charged with charge 1] (2) at KOMORIYAMA, New Britain, 26/05/1945 (3)–(4) [not charged with charges 3–4]</td>
<td>Rabaul</td>
<td>R149</td>
<td>Guilty</td>
<td>6 months</td>
<td>6 months</td>
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<td>Yamaguchi</td>
<td>Nobuaki</td>
<td>山口・信政</td>
<td>Lt</td>
<td>2056</td>
<td>491</td>
<td>Murder of persons unknown at OCEAN ISLAND about 20/08/1945</td>
<td>Rabaul</td>
<td>R70</td>
<td>Guilty</td>
<td>Death by hanging</td>
<td>Hanging 12/10/1946</td>
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<td>Yamakawa</td>
<td>Hideo</td>
<td>山川俊夫</td>
<td>PO</td>
<td>914</td>
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<td>Murder of Australian and Allied PW near KEPANG, Dutch Timor, between March and May 1942</td>
<td>Manus</td>
<td>LN23</td>
<td>Guilty</td>
<td>15 years</td>
<td>15 years</td>
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<td>Tetsuo</td>
<td>八巻哲夫</td>
<td>Sgt</td>
<td>2668</td>
<td>578</td>
<td>Ill-treatment of a Chinese at MANGO, New Britain, about 3/03/1945</td>
<td>Rabaul</td>
<td>R118</td>
<td>Guilty</td>
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<td>山本久</td>
<td>Civ Emp</td>
<td>2903</td>
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<td>Murder of a native at RAMATA, New Britain, about May 1945</td>
<td>Rabaul</td>
<td>R9</td>
<td>Not Guilty</td>
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<td>Hisashi</td>
<td>山本久</td>
<td>Civ Emp</td>
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<td>(1) Murder of a native at RAMATA, New Britain about April 1945 (2) Murder of a native at RAMATA, New Britain about April 1945</td>
<td>Rabaul</td>
<td>R100</td>
<td>(1) Guilty (2) Guilty</td>
<td>Death by hanging</td>
<td>Hanging 6/11/1946</td>
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<td>Hyōtarō</td>
<td>山本兵太郎</td>
<td>Capt</td>
<td>2611</td>
<td>504</td>
<td>Murder of nine Indonesian PW and one Indian PW at KOKOPO, New Britain, on February 1944</td>
<td>Rabaul</td>
<td>R73</td>
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<td>Death by hanging</td>
<td>Hanging 7/9/1946</td>
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<td>八巻義夫</td>
<td>PO</td>
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<td>Ill-treatment of Australian and Dutch PW at TAN TOEY Camp, Ambon, between February 1942 and August 1945</td>
<td>Morotai</td>
<td>M45</td>
<td>Not Guilty</td>
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<td>Court location</td>
<td>Trial reference</td>
<td>Finding(s)</td>
<td>Sentence imposed at trial</td>
<td>Confirmed sentence [Death] and execution date</td>
<td>Confirmed sentence [Imprisonment]</td>
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<td>2242</td>
<td>335</td>
<td>Murder of three unknown Indians at NANGAGUA, New Guinea, between December 1944 and March 1945</td>
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<td>R21</td>
<td>Guilty</td>
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<td>山本二郎</td>
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<td>Massacre of five unknown PW near RANAU, BNB, about 1/08/1945</td>
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<td>ML25</td>
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<td>Katsuji</td>
<td>山本武二</td>
<td>Lt</td>
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<td>Ill-treatment of PW at KUCHING, Sarawak, between 15/05/1945 and 20/05/1945 thereby causing death</td>
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<td>ML11</td>
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<td>Death by shooting</td>
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<td>山本健児</td>
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<td>Cannibalism at TANOURA, New Britain, about 5/04/1943</td>
<td>Rabaul</td>
<td>R48</td>
<td>Not Guilty</td>
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<td>Masao</td>
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<td>Murder at SOURABAYA, Java, about March and April 1945 of four Australian and Allied PW</td>
<td>Manus</td>
<td>LN21</td>
<td>Not Guilty</td>
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<td>Shōichi</td>
<td>山本正一</td>
<td>Capt</td>
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<td>(1) Murder of numerous unknown PW between SANDAKAN and RANAU, BN, between 01/1945 and 28/02/1945 (2) Alternative charge – Ill-treatment of PW thereby causing deaths between SANDAKAN and RANAU, BN, between 29/01/1945 and 28/02/1945</td>
<td>Labuan</td>
<td>ML36</td>
<td>(1) Guilty (2) Not Guilty</td>
<td>Death by hanging</td>
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<td>(1) Murder of numerous unknown PW between SANDAKAN and RANAU, BN, between 29/1/1945 and 28/2/1945 (2) Alternative charge – Ill-treatment of PW thereby causing death between SANDAKAN and RANAU, BN, between 29/1/1945 and 28/2/1945</td>
<td>Rabaul</td>
<td>R125</td>
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<td>Ill-treatment of Australian and Dutch PW at TAN TOEY Camp, Ambon, between February 1942 and August 1945</td>
<td>Morotai</td>
<td>M45</td>
<td>Guilty</td>
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<td>山本健</td>
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<td>(1) Inhumane treatment of PW employed on construction of airfield at LIENG KHAN, French Indo-China, between 15/04/1945 and 23/07/1945 (2) Inhumane treatment causing death of one PW at LONGH THANH, French Indo-China, in April 1945 (3) [not charged with charge 3]</td>
<td>Singapore</td>
<td>S7</td>
<td>(1) Guilty (2) Not Guilty</td>
<td>Death by hanging</td>
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<td>Finding(s)</td>
<td>Sentence imposed at trial</td>
<td>Confirmed sentence [Death] and execution date</td>
<td>Confirmed sentence [Imprisonment]</td>
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<td>Ill-treatment of Australian and Dutch PW at TAN TOEY Camp, Ambon, between February 1942 and August 1945</td>
<td>Morotai</td>
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<td>338</td>
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<td>Murder of seven unknown Indian PW at YAWA, New Guinea, December 1944</td>
<td>Rabaul</td>
<td>R23</td>
<td>Guilty</td>
<td>Death by hanging</td>
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<td>Yamanishi</td>
<td>Masato</td>
<td>L/Cpl</td>
<td>677</td>
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<td>Ill-treatment causing bodily injury to an Australian PW at RAJBURI, Siam, about April 1945</td>
<td>Singapore</td>
<td>S5</td>
<td>Guilty</td>
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<td>Capt</td>
<td>2252</td>
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<td>Murder of two Indian PW at [between BOIKEN and MOJ] NEW GUINEA about September 1944</td>
<td>Rabaul</td>
<td>R171</td>
<td>Guilty</td>
<td>Death by hanging</td>
<td>Hang 28/10/1947</td>
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<td>Ill-treatment of an Indian PW at VUNAPAL, New Britain, about 29/04/1945</td>
<td>Rabaul</td>
<td>R57</td>
<td>Guilty</td>
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<td>Ill-treatment of PW on board the SS SANUKI MARU between 10/6/1944 and 28/6/1945</td>
<td>Hong Kong</td>
<td>HK4</td>
<td>Guilty</td>
<td>5 years</td>
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<td>Masami</td>
<td>Cpl</td>
<td>2612</td>
<td>516</td>
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<td>Murder of nine Indonesian PWs and one Indian PW at KOKOPO, New Britain, on February 1944</td>
<td>Rabaul</td>
<td>R73</td>
<td>Guilty</td>
<td>15 years</td>
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<td>(1) Ill-treatment of PW at HAINAN Island between November 1942 and August 1945 (2) Unauthorised employment of PW at HAINAN Island between November 1942 and August 1945</td>
<td>Hong Kong</td>
<td>HK3</td>
<td>(1) Guilty (2) Guilty</td>
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<td>Yamashita</td>
<td>Kyūsuke</td>
<td>Lt</td>
<td>827</td>
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<td>Murder at SOEAKODA, Ambon, about 5/02/1942 of Australian and Allied PW</td>
<td>Manus</td>
<td>LN6</td>
<td>Guilty</td>
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<td>Murder near LAHA airfield, AMBON about 7/02/1942 of Australian and Allied PW</td>
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<td>LN12</td>
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<td>Finding(s)</td>
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<td>Confirmed sentence [Death] and execution date</td>
<td>Confirmed sentence [Imprisonment]</td>
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<td>山脇正隆</td>
<td>Lt Gen</td>
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<td>(1) Murder at JESSELTON, BORNEO, in 1944 of three members of the AMF (2) Violation of Laws and Usages of War at JESSELTON, Borneo, in 1944 by disregarding and failing to try three members of AMF who were executed</td>
<td>Manus</td>
<td>LN15</td>
<td>(1) Not Guilty (2) Not Guilty</td>
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<td>山脇正隆</td>
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<td>1160</td>
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<td>(1) Murder at KUCHING, Borneo, in March 1944 of an Australian PW (2) Neglect at KUCHING, Borneo, in March 1944 in a trial of Australian PW whereby one was unlawfully killed and others imprisoned</td>
<td>Manus</td>
<td>LN17</td>
<td>(1) Not Guilty (2) Not Guilty</td>
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<td>Hideo</td>
<td>柳川秀夫</td>
<td>Civ</td>
<td>860</td>
<td>115</td>
<td>Massacre of about 23 unknown PW near SANDAKAN, BNB, about 13/07/1945</td>
<td>Labuan</td>
<td>ML24</td>
<td>Guilty</td>
<td>15 years</td>
<td>15 years</td>
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<td>Yanagawa</td>
<td>Shigemori</td>
<td>柳川秀夫</td>
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<td>Massacre of about 23 unknown PW near SANDAKAN, BNB, about 13/07/1945</td>
<td>Labuan</td>
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<td>Uetane</td>
<td>柳川秀夫</td>
<td>Civ</td>
<td>2914</td>
<td>396</td>
<td>(1) Murder of 24 Chinese at RABAUL, New Britain, about 3/03/1943 (2) Murder of six Chinese at RABAUL about 11/03/1943</td>
<td>Rabaul</td>
<td>R55</td>
<td>(1) Guilty (2) Guilty Death by hanging</td>
<td>Life</td>
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<td>Yanai</td>
<td>Kenji</td>
<td>安田春美</td>
<td>Gd</td>
<td>862</td>
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<td>Massacre of approx eight unknown PW near RANAU, BNB about 10/06/1945</td>
<td>Labuan</td>
<td>ML19</td>
<td>Not Guilty</td>
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<td>Matsusuke</td>
<td>安田春美</td>
<td>Cpl</td>
<td>2740</td>
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<td>Murder of five Indian PW near RABAUL, New Britain, about 17/03/1944</td>
<td>Rabaul</td>
<td>R64</td>
<td>Not Guilty</td>
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<td>Harumi</td>
<td>安田春美</td>
<td>Ens</td>
<td>2067</td>
<td>497</td>
<td>Murder of persons unknown at OCEAN ISLAND about 20/08/1945</td>
<td>Rabaul</td>
<td>R70</td>
<td>Guilty</td>
<td>15 years</td>
<td>15 years</td>
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<td>安田春美</td>
<td>Capt</td>
<td>876</td>
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<td>Murder at VICTORIA POINT, Burma, on 12/07/1942 of an Australian PW</td>
<td>Manus</td>
<td>LN18</td>
<td>Guilty</td>
<td>Life</td>
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<td>Yoshio</td>
<td>安田春美</td>
<td>Gd</td>
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<td>Ill-treatment of PW and 1 at KUCHING, Sarawak, between 15/05/1942 and 12/09/1945</td>
<td>Labuan</td>
<td>ML37</td>
<td>Guilty</td>
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<td>Hisao</td>
<td>安田春美</td>
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<td>Ill-treatment of Australian and Dutch PW at TAN TOEY Camp, Ambon, between February 1942 and August 1945</td>
<td>Morotai</td>
<td>M45</td>
<td>Guilty</td>
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<td>2 years</td>
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<td>Murder of two Indian PW at RANIMBOA, New Guinea, in September 1944</td>
<td>Rabaul</td>
<td>R40</td>
<td>Not Guilty</td>
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<td>安田春美</td>
<td>L/Cpl</td>
<td>2229</td>
<td>389</td>
<td>Murder of two Indian PW at PAROM, New Guinea, in August 1944</td>
<td>Rabaul</td>
<td>R41</td>
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<td>Confirmed sentence ([Imprisonment])</td>
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<td>安坂政二</td>
<td>Cpl</td>
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<td>Murder of 11 Indian PW near PACHING, New Guinea, about December 1944</td>
<td>Rabaul</td>
<td>R47</td>
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<td>Eikichi</td>
<td>濱口晃</td>
<td>Pte</td>
<td>864 96</td>
<td>Murder of 17 PW near RANAU, BNB, about August 1945</td>
<td>Labuan</td>
<td>ML21</td>
<td>Guilty</td>
<td>15 years</td>
<td>15 years</td>
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559 If the file is not in series MP742/1, the full series and item control symbol reference is given. If there is no item control symbol given, then the file is unknown or no longer exists.
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560 These two trials share a correspondence file, probably as two of the accused were tried in both trials.
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[^61] One accused in Singapore S7 (Suzuki Sōhei) and the accused in Singapore S23 (Suzuki Shōzo) had very similar names, which is probably why these trials mistakenly share a correspondence file.
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563 This index was created in the period 2009–16 using the digitised copy of each trial proceeding in series A471. The pagination may have changed if files have subsequently been re-digitised. Where trials have multiple parts (e.g. PARTS A-C or PARTS 1-3), the part is also indicated (C/5 indicates PART C, page 5). (Rev) indicates that the document was digitised in reverse order. Pages are very occasionally skipped over during the digitisation process but are within the file in series A471.
Japanese war crimes in the Pacific: Australia’s investigations and prosecutions

| Trial         | Record of Military Court | Convening order | Trial personnel | Abstract of Evidence | Prosecution’s opening address | Defence’s opening address | Prosecution’s closing address | Defence’s closing address | Judge–Advocate’s summing-up | Finding and Mitigating | Address in Mitigation | Petition(s) | Legal Review | Warrant(s) of Execution |
|---------------|--------------------------|-----------------|----------------|----------------------|-------------------------------|--------------------------|----------------------------|----------------------------|--------------------------|------------------------|---------------------|-------------|-------------------|
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| Morotai M42   | 4                        | 10              | 16             | NA                   | NA                            | 21                       | 38                        | 39-42                      | NA                       | 43, 45                 | 7-8                 | 6, 9         | 13               |
| Morotai M43   | 4                        | 12              | ?              | NA                   | NA                            | 21                       | 77-80                      | 81-83                      | NA                       | 75                     | 7-10                | 5-6, 11      | 17-19            |
| Morotai M44   | C/5                      | C/13            | C/21           | NA                   | C/23-25                       | C/63-68                  | B/65-73                   | B/52-64                     | NA                       | B/74, 76               | B/75                | C/9-11       | NA               |
| Morotai M45   | 1/2                      | 1/82, 100       | 16-18          | 13-14                | 1/109-120                     | NA                       | 1/505-518                 | 1/452-504                  | 1/7, 519-531             | 1/532-538, 1/552-553 | 1/539-551           | 1/35-80      | 1/9-34, 81, 196-99 |
| Wewak MW1     | 5                        | 6               | 10             | NA                   | NA                            | 21                       | 21                        | 22-23                      | 23                       | 23                     | NA                  | 8            | NA               |
| Wewak MW5     | 3                        | 4               | 6              | NA                   | NA                            | 20-23                    | 24                        | 24-25                      | 25                       | NA                     | NA                  | NA           | NA               |
| Labuan ML2    | 3                        | 16              | 22             | NA                   | 23-24                         | NA                       | 44-48                     | 49-51                      | 48                       | 48                     | 5-15                | 4            | 20               |
| Labuan ML3    | 4                        | 16              | 21             | NA                   | 24                            | NA                       | 54-63                     | 65-67                      | 68-72                    | 72-73                  | 73-74               | 7-15                | 5-6           | NA               |
| Labuan ML4    | 3                        | 15              | 19             | NA                   | 20-21                         | NA                       | 38-39                     | 35-37                      | 40                       | 40                     | 8-14                | 4-5         | NA               |
| Labuan ML16   | 3                        | 15              | 19             | NA                   | 19-20                         | NA                       | 22-23                     | 23-24                      | 24                       | 24                     | 5-12                | 4, 13-14   | 18               |
| Labuan ML17   | 3                        | 23              | 30             | NA                   | 31-34                         | NA                       | 108-110                   | 105-107                    | NA                       | 54-55                  | 55                   | 5-20                | 4, 21-22   | 27-28            |
| Labuan ML18   | 3                        | 52              | 58             | NA                   | 57                            | NA                       | 93                        | 94-95                      | NA                       | 88-89, 92              | 89-91               | 7-49                  | 5-6, 10-11 | NA               |
| Labuan ML19   | 3                        | 33              | 39             | NA                   | 40                            | NA                       | 75-76                     | 77                        | NA                       | 58-59                  | 58-59               | 7-30                  | 5-6, 31-32 | NA               |
| Labuan ML21   | 4                        | 28              | 34             | NA                   | 35                            | NA                       | 57-58                     | 56-57                      | 59-63                    | 64-66                  | 64-65               | 7-22                | 5-6, 23-24 (rev) | NA         |
| Labuan ML22   | 2                        | 27              | 33             | NA                   | 32                            | NA                       | 51-52                     | 49-51                      | 53-57                    | 58-59                  | 58-59               | 5-24                | 3-4, 25-26 | NA               |
| Labuan ML24   | 3                        | 18              | 24             | NA                   | 23                            | NA                       | 50-51                     | 48-49                      | 52-55                    | 56-58                  | 56-58               | 7-15                | 5-6, 16-17 | NA               |
| Labuan ML25   | 4                        | 23              | 29             | NA                   | 28                            | NA                       | 41-42                     | 40-41                      | 42-44                    | 45-46                  | 45                   | 7-20                | 6, 21-22   | NA               |
| Labuan ML28   | 1/3                       | 1/81            | 1/87           | NA                   | 1/88-93                       | NA                       | 2/50-56                   | 2/42-49                    | NA                       | 2/57-58               | 2/57-58             | 1/6-78              | 1/7, 79-80 | 1/85              |
| Labuan ML35   | 3                        | 15              | 20             | NA                   | NA                            | 33                       | 32                        | NA                        | 34                       | 34                     | 6-13                | 5, 14        | NA               |
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