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# Transcript of the Official Shorthand Notes of 'The Trial of Josef Kramer and Forty Four Others'

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## Second Day Tuesday, 18th September, 1945

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THE PRESIDENT: Before I call upon the prosecutor to start calling his witnesses for the prosecution there were certain applications made yesterday by Major Cranfield and on the advice of the learned Judge Advocate the Court decided that you should discuss those points with the prosecutor and then inform the Court if you were still in any difficulty. Subject to that being a convenient course we will take the points you have got now.

MAJOR CRANFIELD: The position is I have been in touch with the prosecuting officer and he informs me that a telephone message has been put through to the War Office with regard to obtaining a British International Lawyer for the defence. With regard to the defence witnesses, last evening I handed to the prosecuting officer a list of defence witnesses with particulars as to where they are to be found and the action which the defence think might reasonably be taken to produce them here. The prosecuting officer is now going to put that in hand.

In those circumstances, subject to the approval of the Court, the defending officers propose to wait for two days, say until Thursday morning, to see what result is achieved. If that course is approved by the Court then on Thursday morning I could mention the matter again and put forward what results have been achieved.

THE PRESIDENT: What I rather is that you are not at present embarrassed, but you will let us know on Thursday if there is any point outstanding which you consider is embarrassing to the defence with regard to witnesses?

MAJOR CRANFIELD: Yes. Obviously the prosecuting officer could achieve nothing overnight so we must give him reasonable time to see what he can do and it seems to me that until Thursday morning will be reasonable.

THE PRESIDENT: Yes.

MAJOR CRANFIELD: There is one other matter which I want to raise before the prosecution produce their witnesses and that is the numbering of the accused in the dock. It will be seen from the abstract that various prosecution witnesses are going to identify the accused and it does appear from the abstract that when the depositions were taken in which identifications were made no identification parades were held.

As has been indicated identification is very much an issue. In some cases the defence is that it is a case of mistaken identity and an alibi will be pleaded. Photographs were taken yesterday by the Press of the accused in the dock numbered as they are now and, presumably, those photographs will be published to the world at large and will be, or may be, seen by the witnesses who will be called by the prosecution. While the defending officers realise that it is of convenience to the Court and everybody else to have these numbers on them it does seem to us undesirable that when the

witnesses who are going to identify the accused come into Court the accused should sit there with numbers on.

It further may well be that certain defending officers, where the question of identity is very material, may ask that the accused do not sit in the dock in the same order while identification is made, and other suggestions may be put forward by certain accused in order to ensure that a proper and a fair identification is made. But for the moment our application is that while the prosecution's witnesses are in Court the numbers on the accused's chests should be removed.

It has occurred to me that the prosecuting officer may also say that certain witnesses will not deal with the question of identity but while we are, of course, in the hands of the Court, the difficulty is that having heard the evidence in chief of a witness it may be desirable for any particular defending officer to cross examine that witness on the question of identity, and I think it would be preferable from our point of view that throughout the time that the prosecution witnesses are here the numbers should be removed.

THE JUDGE ADVOCATE: Have you anything to say with regard to that, Colonel Backhouse?

COLONEL BACKHOUSE: If, of course, I thought that there might be the slightest unfairness in leaving the numbers on I would not have the slightest objection to them being removed, but as these numbers cannot possibly indicate anything to anyone who has not had access to or has not got the key to them I cannot for the life of me see how it can lead to any unfairness. It seems to me we shall get into the greatest conceivable difficulty if we remove the numbers because from the point of view of identifying people the only way I personally can do it is by looking at the number, and I have no doubt the Court will have the same difficulty.

The real point of these numbers is so that when one accused is pointed out it will be simple to look at the key to see who it is. These numbers bear no relation to any number on photographs, or anything of that kind, and I think possibly the defending officers are flattering the press photographers a little when they suggest that from the photographs it will be possible to recognise an accused and link it up with the number and then deduce that that is somebody who ill treated you some months ago.

I personally resist this application unless you feel there would be some injustice to the accused. I cannot possibly see how it affects the matter and I think it may well lead to very considerable muddle if the numbers were removed.

THE JUDGE ADVOCATE: Have these prosecution witnesses ever actually identified any of the accused in the flesh before?

COLONEL BACKHOUSE: Some witnesses have and others have not.

THE JUDGE ADVOCATE: Major Cranfield, is there no possibility of finding some way out of this in a way that if there is some particular important question of identification that for the particular witness something might be done and so save altering the whole basis of the machinery for identifying the accused in Court. I mean obviously much of the evidence will not be affected in any way by their being numbered and it is of immense convenience to the machinery of the Court they should be numbered.

It occurs to me that if there is going to be resistance to the case for the prosecution on the question of identity then if that was mentioned before the witness comes in then the prosecution might say: well in this particular case because it is really at issue and you attach weight to it we will do something about the numbers and we might re arrange the accused. My own reaction to it is that it is going to be very difficult to carry on the work of the Court unless they are numbered. Do you think a suggestion like that would be feasible?

MAJOR CRANFIELD: Yes. I appreciate the difficulty. We can, if desired, make particular applications each time we think the point of identification comes particularly in issue?

THE JUDGE ADVOCATE: That is what I advise the Court, that we should carry on in the normal way; many of the witnesses will not affect the matter in the least and when there is a special case the defending officer may make an application to the Court before the prosecutor calls the witness.

(The Court confer.)

THE PRESIDENT: I have discussed this matter with the Court, Major Cranfield, and the Court feel that they will carry on with the numbering of the accused, that is that the accused will continue to wear them unless there is any specific case where you or the other defending officers feel that the accused whom you are defending will be particularly prejudiced on identification by the fact that they have numbers on. In that case if you or the other defending officers concerned will make special application at the time either that the numbers should be removed or that the accused should sit in a different position to the position in which they are at present formed up, then the Court will give it their consideration. Does that satisfy you?

MAJOR CRANFIELD: Yes.

THE JUDGE ADVOCATE: There is no question of any other objection?

(No reply)

LT. JEDRZEJOWICZ: May I make an application with regard to the interpretation? I am not very satisfied with the way it has been done and, therefore, I would like steps to be taken to provide the Court with an interpreter more experienced than this one if that is possible.

THE PRESIDENT: Your application is that you wish the interpreter changed?

LT. JEDRZEJOWICZ: Yes. I can carry on for the time being but it is going to be a very difficult job for me during cross examination.

THE PRESIDENT: If the Court makes application for another official Court interpreter to be appointed are you satisfied? Pending his arrival you may carry on yourself and explain to those of the accused whom you are representing what is said by assisting the interpreter who is here present.

LT. JEDRZEJOWICZ: Certainly sir.

THE PRESIDENT: Have you anyone whom you can suggest, whom you wish to have as interpreter?

LT. JEDRZEJOWICZ: May I suggest Major Peters. I do not know his initials. He is with the Polish Armoured Division at Mepham. He is a British officer and speaks Polish very fluently.

THE JUDGE ADVOCATE: You feel the accused would be satisfied with that?

LT. JEDRZEJOWICZ: Yes.

COLONEL BACKHOUSE: It has already been arranged. The defending officer has given us the names of two people, including Major Peters, and steps are being already taken to ensure that one is going to be called.

THE PRESIDENT: Does that satisfy you?

LT. JEDRZEJOWICZ: Yes.

COLONEL BACKHOUSE: We have set under way all the things that Major Cranfield has asked us to do, and I would just like to make this clear that if there is anything else we can do we will do our best. Whether we can find the witnesses he wants I do not know but what we have offered him is the same machinery which is available to the prosecution.

THE PRESIDENT: Thank you. Will you now call your first witness?



Brigadier HUGH LLEWELYN GLYN HUGHES, C.B.E., D.S.O., M.C., is called in and having been duly sworn is examined by Colonel Backhouse as follows:-

THE PRESIDENT: I think, Colonel Backhouse, the easiest way is for you to keep your questions sufficiently short so that the interpreters can translate them into the German and Polish and also for the witness to give his answers in short sentences.

COLONEL BACKHOUSE: (To the witness): What is your full name? - Hugh Llewellyn Glyn Hughes.

What is your rank? - Brigadier.

What is your present appointment? - Vice Director of Medical Services, British Army of the Rhine.

In April of this year were you Deputy Director of Medical Services, 2nd Army? - I was.

Shortly before 15th April of this year did certain German Officers come to the Headquarters of 8th Corps and asked for a truce in respect of Belsen Camp? - Yes.

Was the truce arranged? - Yes.

In pursuance of that arrangement did you go on the 15th April to Belsen camp? - After it had been captured; the truce did not involve going in before it had been captured.

Did a battery of the 63rd Anti Tank Regiment under Lieutenant Colonel Taylor take over the administration of the camp? - Yes.

When you went to the camp in company with Colonel Taylor did you interview anybody there? - I followed him there; I did not go with him. When I arrived I found him in the middle of interrogating the commandant and I joined him in that.

Who was the commandant? - Kramer.

Do you recognise him here today? - I do.

Would you point him out to the Court? - He is in the far end of the front row, number one.

Later the same evening did you see the medical officer of the camp? - I did.

Who was he? - His name was Klein.

Do you see him here today? - I do; number two.

After you had seen Kramer did you make a preliminary survey of the camp? - Yes. As a result of information that there was a riot going on we proceeded straight away down through the camp.

I do not want for a moment to go into details of the incidents you saw, I will come to that later. I would like you now to take you to the next day when you made a full investigation of the camp? - Yes, complete.

Again without going into details of what steps you took in the next two or three days were you engaged in organizing relief measures? - A great deal of the time, yes.

I would like to get a general description of the camp. First of all where exactly is the camp situated? - Between the villages of Bergen and Vincen [Winsen/Aller], some 15 miles north of Celle.

What is the situation of the camp in relation to the other camps and other buildings in the neighbourhood? - Quite separate.

Of what did the camp consist? - It consisted of an administrative area nearest the road and beyond that a wired-in perimeter enclosing a large number of huts, chiefly wooden, of various sizes.

Was the camp divided in any way? - Yes, it was divided into five compounds and there was a main road running through the middle.

Did you ask for and receive the numbers of persons interned in the camp? - Yes. When you asked me other buildings I did not refer to Camp 2. In that camp the numbers were approximately 41000, made up of 28185 women and roughly 12000 men.

Were the men and women living together or separated in any way? - They were separated by wire; three compounds for men, one small and one very large compound for women - five compounds in all.

Were there cookhouses? - There were.

How many? - Five.

What water supply was there? - The huts had had water laid on to them but it was not functioning when we got there and in addition there were large concrete ponds in the camp near the cookhouses.

Was there in addition an administrative block? - There was.

Of what did that consist? - The Kommandant's office, huts - I should imagine - for the guards, a small ablution hut, a larger disinfestation building which was stone, and very near to the prison area a hut with barred windows which I imagine was a prison.

Was there any crematorium there? - Yes, at the very bottom end of the prison area was a small crematorium.

I have dealt up to now with the accommodation. Would you describe to the Court in your own words the general state of the camp? - The conditions in the camp were really indescribable; no description nor photograph could really bring home the horrors that were there outside the huts and the frightful scenes inside were much worse and, of course, were only seen by very few. There were piles of corpses lying all over the camp of varying sizes, some outside the wire and some in between the huts. The compounds themselves had bodies lying about in them. The gutters were full and within the huts there were uncountable numbers of bodies, some even in the same bunks as the living. Near the crematorium were signs of filled-in mass graves and outside to the left of the bottom compound was an open grave, a pit rather, half-full of corpses; it had just begun to be filled. Some of the huts had bunks, but not many, and they were filled absolutely to overflowing with prisoners in every state of emaciation and disease. There was not room for them to lay down at full length in each hut. In the most crowded there were anything from 600 to 1000 people in accommodation which should only have taken 100.

Would you describe the scene inside one of these huts when you went into it? - Yes. I went in a hut in the women's compound which was containing the typhus patients. There were no bunks. They were laying on the floor and were so weak they could hardly raise themselves on their elbows - they could hardly move.

What was the condition of their clothing or bedding? - There was practically no bedding. In some cases there was a thin mattress but some had none; some had blankets and some had none. Some had no clothing at all and just draped themselves in blankets and some had German hospital type of clothing, and that was the general picture.

What was the state of sanitation? - There was none. The conditions were indescribable because most of the internees were suffering from some form of gastroenteritis and they were too weak to leave the hut. The lavatories in the huts had long been out of use. There was in one compound a deep trench with a pole over it - in the women's compound - but no screening or form of privacy at all.

What had been the result of this lack of latrines? - That those who were strong enough could get into the compound but others performed their natural actions from where they were. The compounds were absolutely one mass of human excreta; in the huts themselves the floors were covered and the people in the top bunks who could not get out just poured it on to the bunks below.

What was the general state of nutrition of people in the camp? - Extreme emaciation, complete malnutrition of all those who had been there for any length of time at all. Only those admitted within the last week were in a reasonable state of health.

Having taken a general picture of the camp, I would like you to go through the compounds in more detail. Take No. 1 compound in the men's quarters - There was a smallish compound and conditions were exactly the same as I have described already except that perhaps the typhus there had begun to decline; it had reached its peak and was over it.

Now take No. 2 compound.- No. 2 was the worst of the men's. I think there were about 8000 in that particular one. Conditions were very bad here. The worst I have described equalled it and typhus was rife in this one.

Now No. 3 compound? - No. 3 was the last of the men's compounds. That was much smaller and had fewer men in it. I think it had only begun to fill up and conditions were better in that one.

Now take the women's compounds, No. 1 first? - No. 1 was on the same side as those three of the men I have described, to the left of the camp. This, although small, had about 6000 in it. The conditions here were infinitely worse, they were absolutely frightful.

Is that No. 1 or 2? - It is what I described as the fourth compound on the left hand side going down.

COLONEL BACKHOUSE: I propose later to tender to the Court photographs through Brigadier Glyn Hughes. (To the witness): May I put it this way: there was one woman's compound very much larger than the other? - There was.

I think to avoid confusion you have numbered that in your report No. 1? - Yes.

I think we might deal with No.1. - Yes, we changed the numbers afterwards.

Deal with that compound, the one containing the larger number of women. - That was a very large compound that occupied the whole of the right hand side of the camp.

THE JUDGE ADVOCATE: Is that No. 2, the 6000?

COLONEL BACKHOUSE: The 6000 in the report is described as No. 2; the larger one is described as number one.

THE WITNESS: This was very large one and contained between 22 and 23000 women. The huts were set amongst trees and conditions here were equally bad but perhaps not quite as bad as No. 2 Women's Compound, but they were frightful, as I have already described, and in this compound there was a very large pile of corpses.

Was there any particular hut in that compound which you could describe? - One in particular which I think was as bad as any, and that was, if I remember No. 208, That was next door or close to the pile of corpses I referred to.

What were the conditions of the inmates of that hut? - There were dead women lying in the passage which was so full that no women could lay out straight; the main room on the left of the passage was one mass of bodies. You could not get another one into it.

What was the condition of the living inmates of that hut? - Extreme emaciation; women were dying frequently.

Taking that compound as a whole, about how many women were there living? - I should say 17000. The figures given in that report were restrained right at the beginning when one had no time to go into complete detail.

That is out of 23000 17000 were acutely ill? - 17000 were required to be in hospital immediately if they were to be saved, and of these a large number were so ill they had no chance of recovering.

And for those 17000 acutely ill women how many bunks were there? - 474, those in the huts which were supposedly set aside as a hospital organised by the internees themselves.

Had there been the slightest attempt by the camp staff to organise anything for these sick people? - I saw none, except that in the administrative area there was a store of drugs and dressings. They were not supplied in adequate numbers. I can give you the numbers of one issue.

Were there any children in or about this compound? - There was a small compound of children who were in fairly good condition, and obviously the women had sacrificed themselves to look after them.

When you say "the women" what women do you mean? - The internee women. The hospital compound in that area was very well run by the internee doctors - very well run.

About how many bodies in the pile? - It was a very long pile and quite a high one and must have contained many hundreds. I could not give you any reasonable estimate of the exact figures.

What was the position of this pile of corpses in relation to the children's compound? - Very close and in sight.

You mentioned before the question of medical supplies. Could you give that in more detail? - There were quite large stocks in the store, but one issue I was told by the chief doctor there was 300 aspirin tablets for 17000 sick people for one week.

Were disinfectants available? - I do not think in any large quantities.

Anti louse powder? - No, none was issued. I cannot say what availability there was, but none was issued.

Did you find in the medical stores and Red Cross supplies? - Yes, I found a large number of Red Cross boxes sent by Jewish Associations for the Jews.

I want you to be rather careful in answering this question not to go further than the direct answer to the question. Were you given an explanation of how those boxes came to be there? - Could you answer "Yes" or "No" first? - I was merely told ....

No, I do not want you to tell me what you were told. Can you say something about them? - Yes.

Can you tell me who told you? - I could not give a name; it was somebody inside the store. I cannot remember who told me. I can remember the name of the person who told me about the issue.

COLONEL BACKHOUSE: I have deliberately led up to this point. This is the first occasion in this trial where the question of the admission of hearsay evidence arises, and before asking the witness to repeat what was told to him I have deliberately paused in order that if there is to be an objection from the defence it should be made. The defence obviously will realise what the next question will be and I want to give them this opportunity of objecting. The next question would be, of course, what was the Brigadier told.

THE JUDGE ADVOCATE: Is anybody going to rise to their feet to say anything? If not proceed, Colonel Backhouse.

COLONEL BACKHOUSE: Would you tell me what in fact you were told about these Red Cross parcels? - I was told they had been sent by Jewish societies for the Jews in the camp and that no issue of the contents had been made, except in the case of an occasional issue of sweets to the children.

What type of things had the boxes contained? - Meat extracts, and food of all kinds, biscuits, milk.

Were you told what had happened to the contents? - No, except that there was some stealing of meat while I was there by the Hungarian soldiers.

Now turning from the Red Cross parcels and medical supplies to the main food in the camp, what was the food supply in the camp? - The food [food] supply in the camp at the time of entry was, I think, practically nil; at the most one meal a day of watery stew made of vegetables.

What was the method of distribution? - The method of distribution was in large metal containers which were very heavy. There had been no bread or

water, I understand, for a fortnight ... no bread for a fortnight and no water for rather a shorter time.

No bread for a fortnight? - No.

Did there appear to be any method of distribution to ensure that each person got their share? - Absolutely none. When a man - or woman - got too weak to fetch for himself and his friends became indifferent through their own condition they got none.

You mentioned that there had been no water for some days. What water, if at all, was there available to the internees? - As far as I know just the water laid on in the wash places in each hut and, as I have said, the concrete ponds which they were not allowed to go to, I imagine those were meant just for cooking purposes.

You have already told us, I think, that the water in the huts was not working. Where were the internees getting their water from? - I understand the internees got none at all for the last five or six days.

Taking the health of the camp as a whole can you give the Court any summary of the general health conditions? - I appreciated that of the inhabitants 70% required hospitalisation, and that of these at least 10000 would die before they could be put in hospital. There were 10000 corpses in the camp when we arrived there.

What were the main diseases from which the internees were suffering? - Every form of disease was prevalent, but the ones mainly responsible for the frightful conditions were typhus, starvation and tuberculosis.

What were the causes of the diseases? - The privation and suffering which they had gone through. The typhus was brought in on 5th February by 2000, I think, Hungarian prisoners and it then raged through the camp, and conditions were absolutely suitable for it. The same with tuberculosis.

One last point on the general conditions of the camp. In your considered opinion from your detailed inspection of the camp over what period at the least must the conditions have been bad in that camp to produce the results that you saw? - Excluding the last five or six days, or perhaps a week, it would take several months to produce death in people who were fit and well. What the condition of the prisoners was who were admitted I do not know, but if they were not robust it would have been a matter of a short time, but I should have said with reasonable health two or three months.

Now you have described Camp 1 very fully. I should like you to describe shortly what we call Camp 2? - Camp No. 2 was, I think, occasioned by the overflow of 15133, which was the figure given to me, of men only, who were put in the end of a large training barracks, the nearest end to Camp 1, occupying a block of good barrack accommodation; and the conditions of these people who, I understand, had only been there a short time was of course very much better, although malnutrition was evident and there was death occurring.

In spite of the fact that these people had been there only a short time and in spite of the fact that the accommodation itself was good what was their general condition? - The general condition of the barrack of course they had made pretty foul already. Their general condition as regards health was not too bad; their clothing was quite reasonable and there was no typhus.

May we go back to the time when you first entered the camp. We have dealt with the general situation there. You have told us that you met Colonel Taylor whilst he was interviewing the commandant, and that whilst this was taking place a message was brought to Colonel Taylor and yourself? - Yes.

What was the message that you received? - The message we received was there was rioting around the central cookhouse.

Did you go into the camp then? - Colonel Taylor and I with went Kramer straight down the main road into the prisoners camp to the cookhouse in question.

When you got there what did you find? - Whilst we were going there there was a sound of firing in the camp. At the cookhouse there was no sign of a riot. We questioned an S.S. man inside, who said that some soap had stolen, but there was no evidence of that.

Where did you go from there? - The sounds of firing continued, and we went straight down to where they were coming from.

What did you find? - At the level of the wire between the third mens' camp and camp No. 2 of the women, on the right hand side, were mounds of potatoes.

Would you describe what you found their? - The firing continued right up to the time of our arrival, and we found dead and wounded prisoners who had been shot while we were arriving.

Did you actually see anybody shot yourself? - Well, the prisoners were actually lying on the potato patches; I cannot say that I saw any particular man fall, but I saw the shots being fired.

COLONEL BACKHOUSE: I suggest, in view of the difficulty there appears to be in Polish translation, that an unusual course might be taken while the English witnesses are giving their evidence, and that is the defending officer, Lt. Jedrzejowicz, might translate to his own clients. There might be objection, as one can obviously see, from the prosecution side if he did so from Polish witnesses into English, but from English witnesses who we can understand it seems to me more satisfactory possibly to him if he translated himself to his own clients.

THE JUDGE ADVOCATE: I agree it may be more satisfactory from the interpreting point of view, but I fail to see how the Polish lawner [lawyer] is able to interpret and take notes of the evidence which he may want. It is a matter for him to say, but I think he would be unwise to combine the two, because he cannot take any notes of the evidence of a witness and at the same time turn round to his clients.

LT. JEDRZEJOWICZ: I would not like it to become a rule for the whole time of the trial because I would not be able to cope with both translation and taking notes, but it would be a great help for the time being. The Interpreter says he is quite exhausted, so if I can interpret in his place for about half and hour it will allow him to rest a bit.

THE PRESIDENT: The Court has got to be absolutely satisfied that you are yourself satisfied that you can combine the duties for a short period of interpreting as well as making such notes as you may wish as defending officer. Are you quite satisfied that you can do that?

LT. JEDRZEJOWICZ: Yes, I am quite satisfied for a short period of time.

THE PRESIDENT: Therefore if the Court agree to this procedure it is clear to you that you are responsible to let us know when you wish to stop.

LT. JEDRZEJOWICZ: Certainly, Sir.

THE PRESIDENT: All right, we will adopt that procedure from now on.

(Lt. A. Jedrzejowicz is duly sworn as Interpreter)

COLONEL BACKHOUSE: (To the witness) You have just told us of finding those persons who had been shot. Who was, in fact, doing the shooting? - S.S. men.

Did you recognise any of them or not? - No, I did, but I think he has since died.

Was the firing in any way necessary to preserve order? - Absolutely not at all.

In fact could you see any reason at all for it? - None whatsoever.

Was any attention being given to the wounded? - No.

What did you do? - It looked as if the shooting was going to continue, because the S.S. men were still threatening the prisoners on the potato patch.

What action did you take? - We took steps to stop the men who looked as if they were going to fire and warned Kramer that we would shoot any man who did so.

Did you do anything for the persons who were wounded? - Yes. We ordered Kramer to make his men carry them to where they could be attended, and as it was not promptly executed we made Kramer carry one of them himself.

Did you hear any further shooting? - There was firing intermittently through the night and the next day from the guard towers; there were shots going on particularly throughout the night. It was dusk when this happened.

In addition to seeing Kramer that day you told us you saw Dr. Klein? - I saw Dr. Klein. I ordered Kramer to produce his doctor and he came to see me about, I should think, half past ten that night.

THE JUDGE ADVOCATE: Is this the night of the 15th? - The night of the 15th.

COLONEL BACKHOUSE: What was Klein's attitude? - He reported to me and I gave him certain orders and a questionnaire which he was to produce by first light the next morning.

Was the questionnaire with regard to the medical facilities and their medical state? - Yes, all facts.

The following morning did you take a tour with Kramer? - Yes.

Did he then take you to one of the open graves? - He did.

What appeared to be his attitude? - Quite callous and indifferent, I should have said.

I think you made a medical report on the whole situation? - I did.

COLONEL BACKHOUSE: I propose to put it in formally. I do not know whether there is any objection. Under Regulation 8 (1) there are a number of things that may be put in and, among other things, there is any report made by any member of the medical profession or any medical service or by any other person who the court consider was acting in the course of his duties. I think the Brigadier comes within any one of these categories and I propose to put in this report. I will ask him first to identify it.

THE JUDGE ADVOCATE: The defence has a copy?

COLONEL BACKHOUSE: The defence has a copy and it appears in the Exhibits at page 53. (To the witness) Is that a copy of the report which you made? - That is a copy of the report I made. I would like to explain that the figures of diseases were based on the lists given by Dr. Klein and do not bear out the actual numbers that were in fact found afterwards.

Were the actual figures higher or lower? - The actual figures were very very much higher of conditions such as typhus and tuberculosis and starvation.

THE JUDGE ADVOCATE: What is the date of this report? - The 19th, I think.

(Brigadier Glyn Hughes report is marked Exhibit 1, signed by the President and attached to the proceedings).

COLONEL BACKHOUSE: Were you present when a number of photographs were taken on the 15th and 16th? - I was, and later dates too.

Were you subsequently supplied with copies of these photographs? - I was.

Were they an accurate representation of the conditions that you found? - As seen by the photographs, yes.

In so far as they could be represented by photographs? - Yes.

COLONEL BACKHOUSE: These photographs are also found in the copy exhibits on page 51.

THE JUDGE ADVOCATE: Do they need to be numbered separately, or can they go in together?

COLONEL BACKHOUSE: I think they can go in one bundle. I propose putting them in the same order now as they are in here so that the defending officers know which one we are referring to as we refer to them. (Photographs handed) Are those typical photos, the first of some still alive and the second one of one of the bodies found there? - Yes. The first one was a man who was too weak to go further. The second was a typical corpse showing the signs of extreme emaciation.

The next one, is that a more general view of one of the compounds? - That is a general view of a compound showing the absence of sanitisation.

The next one? - The next one shows a man living in extreme emaciation, sitting bared to the waste among dead bodies. The next is a pile of all naked bodies, a large pile of naked corpses, which was immediately outside the wire of No. 2 womens' compound. The next shows the mass grave which was open when we arrived with a pile of corpses in it. The last one of this bundle is a woman showing extreme emaciation leaning on one who is rather better. (photographs handed) The first of these show a passageway in one of the womens' huts in which were actually dead bodies. The photographer had to climb over the dead bodies to take that photograph. The next was taken a few days later than the 15th and 16th and shows the interior of a hut rather more orderly, and I think the were put in that way with the help of supervision and food. The next one shows similar conditions in the other womens' hut where it was impossible for them to lie out straight. I shows one woman in her last stages of emaciation with swollen feet, which you get in starvation. The last one shows another woman too weak to lift herself up, and one other also in extreme emaciation alongside showing consideration for her. Their faces look clean, but in fact they were all filthy. (Photographs handed) The next three show the mass pit with the bodies in it, with no flesh on at all, naked. The last one shows the efforts the prisoners took to keep their huts as free of dead as they possibly could. There are four women carrying a dead body to the graves in the No.1 womens' compound. (Photographs handed) The next one shows a man who was walking along and he could not walk any further and fell down on to the mound as you see him. The last one shows another woman suffering from malnutrition, badly clothed and apathetic.

How long have you been a doctor? - 30 years.

And in the course of your career have you ever seen anything like this before? - I have seen all the horrors of war but I have never seen anything to touch it.

Did there appear to have been any attempt made at all to preserve the lives and health of the inmates of that camp? - Absolutely none.

(Bundle of photographs is marked Exhibit 2, signed by the President and attached to the proceedings)

THE JUDGE ADVOCATE: Have you finished your examination in chief?

COLONEL BACKHOUSE: Yes.

Cross-examined by Major WINWOOD

Dealing first of all with camp No. 1, the main hutted camp, and dealing more particularly with the sanitation, if the water system had been in working order what do you say about the lavatory condition? - Quite incapable of dealing with the requirements in regard to the diseases that were most prevalent there.

Can you say at all how many lavatories there were in No. 1 camp? - I have no idea.

There were in fact some? - One per hut I should have said.

In each hut how many actual seats were there in each lavatory? - That I cannot tell you, taking all the huts in turn.

In one hut? - In some huts there was only one seat.

And in some more? - I think there were more in the larger huts.

How many of these concrete ponds of water were there? - I should have said two or three.

I put it to you there were at least five or six? - There may have been , but they were all empty. I did not go round them in detail.

On the question of beds in the huts. If there had been a bed for every internee could they have all got into the huts? - No.

You said there were five cookhouses. Do you know which cookhouse cooked for which camps? - I did not go round them in detail after we took over, but I should have said two were for men, two for women, and one in the middle was a communal one for both men and women. That is my impression.

Where was the food store? - There were various food stores alongside the cookhouses, and I think there was another one on the left hand side as you went down through the area. There was a German supply depot a little from the camp.

Did you yourself on the first day go into the main store in No. 1 camp? - On the first evening we posted tanks round that store to protect it. I did not actually go into it that night.

When you arrived at the camp were the cookhouses working? - There was nobody working where I was told there was rioting; there was no sign of any work going on there. The next day they were working, but we had taken over the administration then.

If the Red Cross boxes of which you have spoken had been issued how far would they have gone round? - They would not have gone very far among that number.

Was it not quite a suitable place to place them, in the medical store? - Yes, quite.

Was it not quite a reasonable thing to issue that stuff out to children? - Quite reasonable to issue the sweets to the children, but even more reasonable

if they had issued what there was to other people, the doctors.

Supposing all internees in Belsen Concentration Camp had been healthy people what medical organisation would you suggest should have been present? - Well, there was only one German doctor there. It was quite inadequate. If they had all been well with the normal sickness rate of a population of that size they would have needed proper hospital accommodation and more doctors and nurses.

If everybody, or the vast majority of internees when they arrived at the camp had been hungry, emaciated and in many cases sick what do you say about the medical administration required? - I could only judge by the administration which we carried out. If we, the British Army, could do it with the few personnel we had available till the capitulation occurred, they could have done it much more easily with the number which they had actually in the neighbourhood when we arrived.

When you refer to what was available from German sources, do you mean sources available to the Wehrmacht or sources available to Belsen camp? - In Belsen camp Kramer had many more men. We stamped out the outbreak of typhus within a fortnight of arriving with 68 men. He had many more men available than that, and in the neighbouring barracks there was a large number of Hungarians before the Wehrmacht took over from the S.S.; I do not know the number, but there were over 1500.

You mentioned there was a discrepancy between Dr. Klein's report on the state of the camp diseases and the actual fact. How long did Dr. Klein have to make his investigation and report? - He had 24 hours, but I presume as the only medical officer he should have been in daily possession of all returns, and if he had been taking any real interest in the camp he would have known that there were in fact not 1500 cases of typhus but there must have been 10000 among the dead and the living when we arrived there.

How long had Dr. Klein been doctor in charge of the internees' camp? - I think two months.

Did you ask Dr. Klein that question? - Yes.

What was his answer? - Two days.

When you went on the tour of inspection with the commandant, Kramer, was his attitude frank; was he prepared to show you what was there? - I will not say it was frank. It was unashamed.

What time was the camp actually taken over by the British troops? - I do not know what time actually the Division who captured it entered, but I think that was just after lunch, and the troops that went in to take over the administration went in after tea. I cannot give the exact time, but I should say about 6 o'clock.

What time did Colonel Taylor, the Allied Military Commander, arrive in the camp? - About that time. I think, as I have said, it was after tea, about 6 o'clock.

What time did the shooting by the potato patch take place? - One lost count of the time. I came in after Colonel Taylor and it was getting dusk and therefore difficult to recognise people well. That must have been about 8 o'clock I should say.

Until Colonel Taylor was in charge of the camp was it not natural for Kramer to take no action with regard to the firing without his superior officers' orders? - Not at all. They had violated the terms of the agreement in allowing the S.S. men to have rifles to start with and in destroying their records.

THE JUDGE ADVOCATE: Major Winwood, you appear for four accused, do you not, Kramer, Klein, Weingartner and Kraft. You do appreciate, do you not, that if you are instructed in a way which is contrary to the evidence given by a witness it is your duty to put that to the witness when he is in the witness box, otherwise if you do not do that the prosecuting officer will ask for the witness to be recalled, which rather muddles the even flow of the evidence. I am sure the defending officers appreciate that, but I just want to say it to make sure. You have now put this particular witness everything which is in accordance with your instructions and differs from what he is saying. If there is anything else put it now, because you will not have any chance later on. Is that clear?

MAJOR WINWOOD: Yes.

Cross-examined by Major MUNRO

You drew a distinction between Camps 1 and 2, and I understand you say that camp 2 was in better condition than camp 1; is that correct? - Camp 2 being the barrack area, the answer is yes.

In the course of your investigations did you discover who was in charge of Camp 2? - I went round with who I imagine was in charge. There were two or three officer S.S. who went round with us, and one of them I took to be the Commandant of the camp.

Is that man in Court now? - I think so.

Can you identify him? - I should say it was No. 5.

Did you also discover when this Camp No. 2 been taken over? - Not exactly, but I understood it had only been taken over very recently.

Did you learn by whom it had been taken over? - No.

How many men and/or women do you estimate that camp could reasonably have accommodated? - Well, there was a large barrack area which could have been taken over if it had been necessary, in addition. They only occupied the bottom end, as I described earlier.

Taking the part which had been taken over and excluding the remainder which was empty, can you give the Court an estimate of the number of people you think ought to have been in that part? - I do not know exactly how many blocks they had, but my impression was this, that the normal capacity of a block was 150, and I think that was the normal accommodation. There were about 600 in each block, I think.

From what you saw of camp No. 2, would you say that it was better organised than camp No. 1? - Yes.

Considering that the camp had only been taken over a few days, would you say that some effort had been made to supervise it? - I think so. The prisoners were organised by nationalities, which obviously made it easier.

Regarding the the filth which had already accumulated, would that be the natural result of overcrowding? - Yes, and partly lack of supervision of sanitation.

Can you say how many cases of malnutrition were found in Camp No. 2? - Of acute malnutrition I should have said about 500.

How does that compare proportionately to the total in camp No. 2 with the proportion of acute cases to the total of camp No. 1? - It does not compare.

Were there also cases of a lesser degree of malnutrition? - Yes.

How long do you estimate it would have taken those lesser cases to have reached the state you found them in? - That is rather difficult to say, because I understand they had only just arrived there and I do not know the conditions under which they had been previously.

And, of course, you have no knowledge of where these internees had come from? - No.

Were there any case immediately after the liberation s of disorderly conduct amongst the prisoners? - Taking only camp 2 or camp 1 and 2?

Both camps. - Yes, there was.

Was that why tanks were stationed near the main food store? - Not entirely. It was the fear it might happen because we had only just arrived and that was one of the precautions we took in view of the firing that went on and the fact that certain sections were obviously wanting to fight for food, as had already been anticipated.

I understand you to say that you considered that it was unnecessary to fire shots in order to keep order? - The question of that arose in view of that it was not necessary to fire those shots at those men, not to keep order. I think that is quite a separate question if I may say so.

Is it not the case that during the night 15th/16th April the British guards had to fire shots over the heads of prisoners? - Quite true.

From what you saw of both camps, how many guards do you consider would have been necessary to maintain order under normal conditions? - That is very difficult to say. I can only gauge the answer to that by really assuming that the inside of the camp was perfectly orderly, as it was when we arrived, and the guards would only be wanted to prevent escape outside the perimeter, with the natural inclination of these poor people to be free and get away as soon as they had been liberated. The main and really only consideration was the prevention of the spread of typhus by the escape of infected people.

Can you say how many S.S. guards were discovered in the camps at the liberation? - Not exactly. I have not heard the actual figure, but I think it was under 100 men and about 40 or 50 women. I have no knowledge of the actual figures.

Do you know how many S.S. guards had been there previously? - I think about 200 S.S. men and approximately 100 women.

Was it the case that the intermittent shooting which was heard was done by the Hungarian soldiers? - Not on the first night, obviously; there were none there. I do not think there were any in the camp. After that it may have been Hungarians in the tower. The S.S. were also put under close arrest and any shooting that went on after that may have been done by Hungarians.

I have to put it to you that the intermittent shooting which was heard was in fact done by the Hungarian guards? - I have also already said that the shooting I heard and saw was done by the S.S. Whether the Hungarians were in the towers on the first night I do not know, because I did not go to see. We gave Kramer definite instructions about the attitude of the Hungarians the first night we were there, in the same way we gave them to him about the S.S.

Do you know anything about the S.S. guards having a few days prior to the liberation, permission to leave ? - I think the terms of the agreement are in my report and in that it is stated that the S.S. were to be removed by 1300 hours on the 12th, except for those men required for the handing over of the administration and they were not to be armed.

I refer to an arrangement before the truce. Do you know about any permission having been given by the Camp Commandant to S.S. guards to leave when they knew that the British Forces were about to arrive? - By the Camp Commandant you refer to Kramer?

Yes. - I know nothing about anything more than was stipulated in the agreement.

MAJOR MUNRO: I have finished my cross examination, except that if the Court think it proper I should like to reserve the whole or part of my friends' cross examination to follow me.

Cross-examined by Major CRANFIELD

First one or two questions on general matters. Would you say that the predominant feature of the appearance of the internees their emaciation? - Emaciation and apathy, I should have said.

Do you ascribe that to apathy? - It was difficult to say whether typhus, starvation or tuberculosis was responsible for the condition, but primarily starvation and privation must have been the reason.

Is typhus a wasting disease? - It is.

Can you tell us what is the effect of starvation on the mind of the victim as opposed to the body? - If I might describe what I think was the attitude of the internees to the starvation, it would be that first of all they saw their relations or friends starving they would help them, they would do all they could to

provide food which they could not get themselves. Later, as they got worse themselves they probably went and only looked after their children or their nearest and dearest, and not their friends, and later they became so lost to all possibility of help that they only looked after themselves and finally they died.

Yes, I understand that. I was considering that under the head of apathy. What I wanted to know was whether starvation over a prolonged period affected the mind, the mental capacity of the victim? - Oh yes, in the same way as any other disease over a long period, but our findings luckily have not been as bad as we forecast originally. We thought a lot of them might be affected permanently and some of them may be, but not nearly to the extent we feared.

Do you agree that at the time you arrived and for some period afterwards, the minds of these people would be affected by prolonged starvation which they had undergone? - Of the very worst cases, undoubtedly, but it was amazing to see the change when they realised they were free.

And the lesser cases in lesser degree? - Certainly.

Is it true that starvation or abstinence from food tends to produce hallucinations or mental fixations in the victim? - I imagine only in the very worst cases; it would only appear in the final stages.

I wonder whether you would turn to your report, which is Exhibit 1. (Handed) Would you be kind enough to turn to paragraph 5 under the heading "Summary of Health Statistics". It starts off "Women. Total number 28185. Acutely ill", then it sets out diseases, Typhus and so forth. The last item but one is "Surgical cases", which is 178. - Yes.

Could you break that figure down a little? - As I explained, these were figures supplied to me by Klein and not corroborated by me in any way except later when they were obviously incorrect, and that was very much later. The surgical cases were cases of cancer and fractures, that kind of case, tumours that required operation. Those were rendered by Klein and put in not from my observation, but from the report read to me by him.

I should have explained that I am not interested in the figures. It was just to break down the surgical cases to various varieties. - One classic example which is obviously wrong here is enteritis typhoid, 394. There was no typhoid in the camp. I think that must have been mistaken for typhus. Their nomenclature is very much different from ours.

What I wanted to know was from your own knowledge, your own inspections of the camp, disregarding figures, could you break down the surgical cases into sub groups? - Quite impossible.

That applies to the last item also, "Other diseases"? - Yes. There was every form of disease in the camp that is known.

Can you say from your own knowledge whether there was any large group of cases which can be put medically under one head, apart from the ones listed here? - Yes. I quoted the figure of 10000 cases of typhus amongst the living and dead on arrival. I can ...

Typhus is in the list. It is things that are not on the list which I want. - Starvation is not in the list. These figures are quite valueless which are given here, but those are the ones rendered by Klein.

I am not concerned with the figures at all, it is the types. Now are there any other large groups not in this list? - I do not think so, no.

A good deal has been said in this case of internees receiving such severe beatings that they were hospital cases. Did any of those come to your notice? - I saw one.

From the time you arrived how long did you spend in this camp during the day? - It is rather difficult to say. The battle was still on and I had other commitments, but I should have said that for the first four days anyhow the very great part of my time both day and night was spent in the camp, and after that, until we finally burned it, I do not suppose more than one day passed without me going there for some time.

For the first four days you were there virtually the whole time, and after that daily over a period of some weeks? - Yes, some weeks, and [ ] still go there.

And being a doctor the matter to which you devoted yourself medically was the hospitals and the medical patients, the patients therein requiring medical attention? - As you realise mine was the supervision and responsibility, and therefore the questions you have already asked me about the individual cases I could not answer, because I did not do individual examinations, but I was there organising the relief and deputising the duties to the officer under me.

Insofar as there were other aspects of the matter, yours was the medical? - The medical, with the attendant factors of feeding.

Now pass on to another matter. I think you said in an answer that you saw in the camp stacks of potatoes in rows; it was inside the camp? - It was inside the camp alongside the main road through it on the right hand side at the level I gave you.

Can you say how many of these mounds of potatoes you saw in the camp? - No, it was a smallish area. I should have thought that that particular area could have been contained in a distance from the length of that dock across from the windows just down as far as the Prosecuting Counsel back to this end. There may have been the main stores from which they got the vegetables; there may have been other vegetables there, but it was just round the cookhouse where they stored all their vegetables.

Can you give us any idea or estimate of the quantity; how many tins there were? - I am afraid I have no experience of that at all.

One final matter. You said that there was disorderliness among the internees. Did you see the S.S. guards attack the internees? - No.

Were any such incidents reported to you? - No. One man was shot trying to escape, I think.

One of the S.S.? - I think one S.S.

Was shot? - I think so.

Who was that by? - By one of our guards.

Cross-examined by Captain ROBERTS

Just to come back to the effects of starvation on the victim. Obviously one of the effects is an increasing desire for food. Would it be true to say that in the later stages of starvation that desire would become an obsession? - Not in the later stages. The later stages would be complete indifference, I should have thought, in the final stages.

Would it be true to say that at any stage that desire for food became an obsession on the part of the person? - Undoubtedly, because we always have the desire to live.

Would that obsession be such that any verbal orders would have no effect on deterring the person from pursuing his seeking after food? - Amongst the bolder spirits I should have thought yes.

In fact in such a case force would be necessary to stop them from achieving their object? - It would not have taken very much force to prevent these weakened people from doing it, I think, but force may have been necessary if you wanted to prevent them.

CAPTAIN BROWN: I have no further questions other than those which have already been asked, but I would like to adopt the cross examination of my colleagues.

Cross-examined by Captain Fielden.

From what you saw when you arrived at the camp, had it been the custom to restrain or prevent movement from one camp compound to another? - I understand, that is to say I have asked several of them, I believe they were allowed exercise for a short time each day, but there was to be no mixing of the sexes at all. That is as far as I know.

Do you know if that restriction on movement from one compound to another applied to S.S. men working in one particular compound? - I do not; I do not know at all.

I think you said that soon after your arrival there the S.S. men were put under arrest. Were the S.S. men in the training barracks arrested at the same time? - That I do not know. I think they must have been. Do you mean Camp 2?

Yes, or in the barracks where Camp 2 was. - I think so.

Cross-examined by Captain CORBALLY

Was there separate hospital accommodation for the S.S. guards themselves in No. 1 camp or in No. 2 camp? - There was a most beautiful military hospital quite close.

Was that in No. 2 Camp? - Part of No. 2 Camp, yes. Part of the barracks beyond Camp 2 had also been taken over as a German military hospital.

Do you know anything about the nursing attendants in that S.S. hospital? Were there S.S. medical orderlies? - I do not know that it was an S.S. hospital; it was a German military hospital. I know the details of the essentially pre war military one, if you like to put it that way; it was a special hospital, the other barrack area was an improvised hospital. They had doctors and they had nurses, and orderlies too.

How far was this from No. 1 Camp? - The barrack area was not a mile; the German military hospital, the true military hospital, was the far side of Camp No. 2 which would have added, perhaps, half a mile to that or a little more.

I want to ask you one or two questions about the feeding arrangements in Camp 1 when you first went there. Could you describe shortly the system of issuing food to the internees? - As far as I know they had these cookhouses which consisted chiefly of large boilers, big vats, and I imagine that each cookhouse was responsible for so many compounds, and these large containers were filled with this watery soup. I do know in some of those it required three cookings to produce one meal for the actual compound for which that cookhouse was responsible.

When the meals were cooked what was the system for feeding the internees? - I think the block leaders, who were internees themselves, sent so many but I do not know whether the S.S. took them or whether the block leaders sent internees to fetch it. These containers were taken into the compound and I should imagine then it would be very nearly free for all and the weakest could not obtain it.

But in view of the fact that the rations were so small can you think of any method of ensuring that every man got his food? - We did it.

But you were allowed more rations? - Yes, but it would be easy to do it with a small ration.

I am afraid I cannot agree with you.

COLONEL BACKHOUSE: We cannot have comments from the defending officer.

THE JUDGE ADVOCATE: We will begrudge him a little comment. He should not comment really - but carry on.

CAPTAIN CORBALLY: I must ask you to explain your point of view a little more fully that it is easier with small rations to ensure that everyone gets everything than when they are at large. - That is a different question. You did not say that. To distribute it, you said.

Would you agree that when there is a lot of food it is easier to ensure that everybody in the camp gets at least some food but although nothing like as much? - Quite; if the ration is very small it naturally requires greater discrimination to ensure it goes round than it is when you have a bigger ration when you can ensure somebody gets something, but you try to make sure that everyone gets an equal amount.

Would you agree that in fact one of the reasons why it was easier for the administration as soon as we took over the camp to ensure that everybody got more than a starvation diet was because we had far more food? - The main reason was that we saw that it was done because we made an effort which was not made before.

Did we continue to allow the internees to wait on each other, to give their food to each other? - At the very initial stages we had to, but we supervised with our N.C.O.'s, and we saw the distribution from the cookhouses was correct and we tried to supervise the distribution in the huts. It got easier each day as we got more people to do it.

Can you remember what was the ration scale on, say, the first day after the camp came under British administration? - No, I cannot give you exact figures because what we appreciated straight away was we could not give those people normal food; the only way we could do it to begin with was to organise two types of diet [diet], one for the starved and one for those apparently fit and well, but there were not many of those. We made two classes to begin with but we made five afterwards.

Was there any trouble with internees who tried to get more than their share? - I do not think there was any trouble through internees trying to get more than their share when it was supervised. I have seen internees fighting for one potato.

Cross-examined by Captain NEAVE

You have told the Court that you saw one man in Belsen who had been beaten and, therefore, became a hospital case. Can you give us some idea of with what the man's injuries consistent? - I did not say a man; it was a woman. This case was not actually hospitalised but required treatment. I did not go round individual cases but this was a woman I had seen who had been beaten about the face with a truncheon and had severe injuries all over her face.

You said truncheon just now; do you mean a rubber truncheon? - That is what she told me; I did not see the attack myself.

Cross-examined by Captain PHILLIPS

You have told the Court that the crematorium had not been in use for some time. Can you give me any idea how long? - I have not been asked that.

THE JUDGE ADVOCATE: It was in the opening.

CAPTAIN PHILLIPS: I was thinking of what he said in the report, but perhaps you would tell the Court about the crematorium? - It had one oven, not very big. I understand it could take three bodies at a time. It was not in use when I saw it and naturally I could not say how long it was since it had been used.

What was the capacity per hour or per working day? - No idea at all.

With reference to the shooting by the S. S. of the men on the potato patch, how many internees were there there? - Do you mean who had been hit?

No, on the potato patch or about the potato patch? - Well there was a swarming mob up and down the main road and it is difficult to say but I should say there were anything to 12 to 20 who had been killed or wounded in the neighbourhood there - bodies. There were some, of course, who must have been hit but not on the potato patch - alongside on the road.

Did they make any effort to get out of the way? - No, they were not given the opportunity.

What effect did it have upon people who were not hit? Did they stay there? - Yes, they did tend to.

Do you know where the food came from, before you arrived of course? - I imagine it came from a supply depot which was not far away from the camp. There were large stocks in the hospital but I imagine they were kept purely for the hospital. There was a large bakery close by and a dairy also.

You say that you imagine that the food came from nearby. Have you any definite information? - Well, except that the information was given to us that that was where the stocks of food were so we must assume it came from there. The storehouses in the camp did not contain more than perhaps one or two days supply and they were refilled from the German supply depot.

Who told you that? - It was told not to me but to, I think, Colonel Taylor and certainly to the administrative officers who came in the next day. I do not know the names of those.

Nobody told you that it came from Celle? - No.

What would you have considered an adequate ration for these interned persons before they were so sick as they were? - Well, I know the calorie value of what they were getting and that was under 800, well under 800, a day.

I am afraid that does not help me very much. I wonder if you can put it in terms of foodstuffs? - We cannot begin to do that.

How do you calculate the calories? - You do that on each individual article, but I cannot tell you whether one has say four potatoes a day or not. I do not quite see what you want to know.

What would be an estimate in common foodstuffs such as cabbage or cabbage soup to feed these people, per head? - Well, you would have to work out the calories.

You must work that out from the food? - I could not do that here, but ...

THE JUDGE ADVOCATE: I think what the defending officer wants is we can assume they did not get caviar and champagne but they would get something like bread and carrots; say four ounces of bread, two ounces of cabbage or meat twice a day.

CAPTAIN PHILLIPS: Yes, or foodstuffs that may be available. - They should have had bread and vegetables.

How much bread? - Six ounces, my answers are not likely to be accurate. We go essentially by the calories required for sedentary people and working people.

If you say a man has 2000 calories - you do not feed him in calories? - No, but if you give me time I can work it out; I cannot do it now on oath.

You cannot even give an approximation? - I can tell you the essential articles for fit and well, working or sedentary.

Tell us the rations which the Army get and possibly the scale laid down to the minimum necessary for these interned persons? - It is very difficult to do that in one's head, is not it?

THE PRESIDENT: Would it be some form of answer to your question if the witness told you what he considers are the minimum calories required by a person in that camp and what they received?

CAPTAIN PHILLIPS: No.

THE JUDGE ADVOCATE: May I suggest you seem to be wasting a lot of time over this. The Court know what sort of rations you get for troops to keep them going and in your speech if you suggest a man got a certain scale you will be able to multiply that by 20000 or whatever it is.

CAPTAIN PHILLIPS: This witness is an expert on the subject and should have no difficulty answering the question.

THE JUDGE ADVOCATE: Put it to him.

THE WITNESS: If I can just tell you this ... if you take the ordinary Army ration and give them at least a third of each commodity you would then give them just enough to keep them going. That, I think, would be a fair answer.

A third of the full army ration? - Yes, that would be the bare minimum, and if that is a full scale for a robust person and you scale it down to that it should be 1500 calories then it would fit only sedentary people, but people in their condition required very much more of a special diet. That was the difficulty I was in answering the question.

When your medical arrangements were complete to put this place straight, can you tell me how many doctors had you available? - As I explained to begin with we were still fighting the battle. We had very few medical units available. We then had one casualty clearing station and one light field ambulance and the total number of doctors and non-doctor officers in that being about 20.

What would the number of all ranks be? - About 120 to 150. In addition there would be some hygiene sections which increased the number by about 50 or 60. The exact figure if the units were at full strength would be 307 plus 54.

And you had those units by 17th April? - One hygiene section went in on the 15th and the remaining three on the 17th.

Was there adequate force with which to cope with the situation? - No, it was all we could spare at that particular moment.

I appreciate that, but I wondered how many were needed? - Oh well, we could never have had enough; from the beginning of that cleaning up it was personnel we wanted and not particularly skilled help.

It would it be fair then to say that this 54 and 307 was a totally inadequate force? - I do not think you can assume that because we stamped out the typhus within a fortnight. I said we could never have enough to deal with these poor people adequately - that is what I said.

Without trying to belittle what you did achieve you could have done with more helpers? - Certainly.

You have said that the conditions at Belsen were indescribable. What would you say was the principal cause of that state of affairs? - I said they were indescribable because you cannot begin to bring home to people even by seeing the photographs, as I said, or describing it in words the conditions there were there without appreciating the stench that was there and the conditions as you entered the hut, and they were entirely due to complete neglect and starvation supplemented by the disease which was rife at the time.

That is not entirely an answer to the question. The question was: what was the principle cause of the conditions you found there? - I gave it to you - neglect.

Neglect to do what? - Neglect to keep the ordinary humanitarian rules, to feed them, to keep them clean, and to provide sanitation.

Possibly I did not make the question clear to you, but you have really given three causes, neglect to provide food, neglect to provide clothing and neglect to provide ... - I did not mention clothing.

You certainly mentioned food and medical facilities .... - I did not mention medical facilities.

THE PRESIDENT: Would the shorthand writer read the relevant answer?

(The shorthand writer reads: "Neglect to take ordinary humanitarian rules, to feed them, to keep them clean, and to provide sanitation".)

Was there nothing about medical assistance? - They were 100% lousy.

Which would you say would be the principle cause? - To feed them and, as there was typhus there, to de-louse them.

Would you say, would you, that those two causes were of equal importance? - Yes. I should say feeding, of course, was first and foremost but as typhus was raging it was essential to stamp it out otherwise you would have got further deaths from that alone.

Is the answer to the question as to what was the principal cause this lack of food followed closely by the lack of washing facilities? - Not necessarily washing facilities. I do not think you quite appreciate how you handle typhus; it is a question of killing the louse and keeping them clean.

Cross-examined by Lt. BOYD

You have told the Court, I think, that there had been no bread in the camp for 14 days. That applied to the S.S. as well as the internees, did it not? - Oh no, surely not, I did not say that.

THE JUDGE ADVOCATE: "No bread for a fortnight; no water for a shorter time". That is my note.

LT. BOYD: Do you know whether in fact the S.S. had bread or not? - I assume so. I was on the question of the feeding of the internees at that particular time. From the appearance of them they must have had ample food.

The lack of water was caused by the failure of the electricity, was it not? - I think so.

So that it would be true, would it not, that the S.S. too were without water, except for these ponds in the camp? - That I cannot answer because I did not see their quarters. They could have obviously procured it from the neighbouring barrack area.

Cross-examined by Captain MUNRO

Would it be true to say that nearly all the internees in Belsen suffering from apathy? - All those who had been in any length of time and who were emaciated I would say were. Under these conditions they must have given up all hope; that was the impression I got.

They, therefore, lacked the essential will to live? - They got so weak that they could not get food for themselves and I suppose they had not any will-power.

When a person suffers from apathy is it not a medical fact that that person has somehow got to be roused out of that apathy? - Well, naturally.

I mean the use of a certain amount of force is necessary on the part of the nurse or the doctor? - Not necessarily force; I cannot agree force is necessary. I think the best example is the fact of seeing they had been liberated and seeing the troops - that was the incentive they had.

Can you imagine the difficulty that a block altester at Belsen would have in arousing some of the internees in the morning from their apathy? - A block leader, did you say?

Well, one of the internee people who were in charge of a block? - It is quite impossible for a block leader to even get around his overcrowded huts in that sort of way.

Would you admit that it was essential that most of these people should get up in the morning; must get up in the morning; they must be aroused in the morning? - They were too weak to move, the majority of them. They could not even raise themselves on their elbow, much less get up. I agree that the fit and well should be encouraged to get out each day because it would make the organization of the cleaning easier, which was the main thing lacking.

Do you agree that medically a little physical encouragement was necessary for this, in the case of the fitter people? - Yes, the encouragement came with the advent of the troops and the fact that they were free. They do need incentive but the fit and well do not; they get it themselves. It is the people who are just beginning to get weak who want the incentive.

One final question. Did you see in the whole of Belsen a bath house in operation or an S.S. woman in charge of a bath house? - No, I only saw it when we organised it the following day when we got it into hand.

Cross-examined by LT. JEDRZEJOWICZ

Did you find when you came to the camp that men did shave or grow beards? - They must have shaved; they were not all bearded; but there were a large number of beards and rough chins when we first came in there, but the moment we gave them any facilities their efforts at getting clean were amazing.

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Thanks to the following for their contributions and help: Michaela Leech, Ole Mattis, Matthew Brooksbank, Guy Marlow, [Tajchert Janusz](#), Leonard Berney, Kerry Lewis, Rowan MacAuslan, Steve Price, Fred Froberg, [Joanna Czopowicz](#), Ricky Jarstad, Jack Santcross, Penny Buckland, Jehuda Gelber, Andrew Griffin, Diana Brimblecombe, Joan Clarke, Brian Pope, Mark Liddell, David Green, Michael Hermann, Tom Bauwens, Peter Levitt, Alan Shellard, David Henry, Colin Jones, Steve Hess, Toni Yomtov Saporta Molho, Angelika Fritz, Gavin Morty, Alan Turner, Iolo Lewis, Rob Sum and Carl Wenninger.

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