

1946

U

WAR CRIMES

U 10
JAN 1946

U. 10/10/73
F.O. Min:
Sir O.G. Sargent.
31 Dec.

Attendance at Nuremberg Trial:
Viscount Simon. Draft letter stating that
in view of defendants attempting to
prolong or discredit the proceedings
by making a number of irrelevant
counter-charges, advised Lord Simon
not to accept Lord Justice Lawrence's
invitation to attend the Nuremberg
Trial.

Last Paper.
U10524/10/73/45

(Minutes.)

see within letter from Lord Simon
to Mr Sargent. dated 23 Dec.

References.

~~S. Sargent~~ 4/1

(Print.)

~~S. Sargent~~

(How disposed of.)

Dft) Lord Simon
from Sir O. Sargent
21 Dec

When I saw Lord Simon
yesterday he reminded me
that he had been sent by
H.M.G. to interview Hess
in 1941. He hoped that
he might ^{perhaps} be able to get
to Nuernberg in connexion
with Hess' cross-examination

57518

(Action completed.)

Jan 1946

(Index.)

Rob 1/14/47

D.S. Simon
Dff. 4/1.

Next Paper.

U 199.

Registry
No. 4

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JAN 1946

Dec. 21 1945

*When we met at Lady
Killington's Mr. Shi says
think you said that you would
like*

You asked me to obtain the views of the
Foreign Office on the invitation you have
received from Lord Justice Lawrence to attend
the Nuremberg trial as his guest.

P.D.
Draft.

Lord Simon.

Our general view is that the more that
distinguished British subjects attend the trial
as guests of the British Judges the better, and
we are anxious to encourage any British subject
who has held or holds a high position to go to
Nuremberg, provided that it is understood that
conditions there may not be very comfortable.

From Sir O. Sargent

In your own case, *agree with you that there is a real
difficulty because we are afraid that* ~~however, we see considerable
of the~~ *there is a serious risk that* once your
presence there became known, as it would

immediately, one of the defendants, particularly
Ribbentrop or Goering, might ask for you to be
called as a witness.

as You probably know ~~already~~
already that Goering and Ribbentrop have asked for a
number of British witnesses, such as Lord Halifax,
Lord Vansittart and Sir Alexander Cadogan, and for
a number of reasons we should much prefer that *to give evidence*
British subjects should not attend in person.

~~our view there is a very serious risk that one or
other of the defendants would take advantage of
your presence in Nuremberg to ask that you be
called at once and this might place the Tribunal
in an embarrassing position.~~ *We* are very afraid

of the defendants attempting to prolong or
discredit the proceedings by making a number of
irrelevant counter-charges, and for that reason we
are making every effort to keep *oral* ~~all~~ evidence down

to/

NOTHING TO BE WRITTEN IN THIS MARGIN.

P.D.
2.11

to a minimum. If the Tribunal refused to allow you to be called although you were present in Nuremberg, or if, having been called, they refused to allow the sort of questions which Ribbentrop or Goering might wish to put to you to be answered, there might be considerable criticism of the Court and the matter would certainly be made the most of by the large number of press correspondents who are permanently present at Nuremberg and are continually on the lookout for some form of sensation.

For these reasons, therefore, we think it would be wiser if you did not accept Lord Justice Lawrence's invitation, at any rate for the present time and until we have had some opportunity of finding out exactly how the defendants propose to conduct their defence. It might nowever be possible for you to go at a later stage, after the principal defendants have called their evidence and closed their case, when the risk of an embarrassing incident may have diminished.

I am sorry that we feel bound to give you this negative advice, because I realise how very much His Majesty's Government owe to you for all the work you did in preparation for the Nuremberg trial and ^{on} war crimes generally, and I can understand how interested you would be to see the proceedings at Nuremberg for yourself.

Sec 21.

NOTHING TO BE WRITTEN IN THIS MARGIN.

OUT FILE

U10/10/73

December 21st, 1945.

Dear Lord Simon

When we met at Lady Willingdon's the other day I think you said that you would like the views of the Foreign Office on the invitation you have received from Lord Justice Lawrence to attend the Nuremberg trial as his guest.

Our general view is that the more that distinguished British subjects attend the trial as guests of the British Judges the better, and we are anxious to encourage any British subject who has held or holds a high position to go to Nuremberg, provided that it is understood that conditions there may not be very comfortable.

In your own case, however, we agree with you that there is a real difficulty because of the serious risk that, once your presence there became known, as it would immediately, one of the defendants, particularly Ribbentrop or Goering, might ask for you to be called as a witness at once, and this might place the Tribunal in an embarrassing position. As you probably know, Goering and Ribbentrop have already asked for a number of British witnesses, such as Lord Halifax, Lord Vansittart, and Sir Alexander Cadogan, and for a number of reasons we should much prefer that British subjects should not attend to give evidence in person.

We are very afraid of the defendants attempting to prolong or discredit the proceedings by making a number of irrelevant counter-charges, and for that reason we are making every effort to keep oral evidence down to a minimum. If the Tribunal refused to allow you to be called although you were present in Nuremberg, or if, having been called, they refused to allow the sort of questions which Ribbentrop or Goering might wish to put to you to be answered, there

might ...

The Right Honourable
Viscount Simon, PC., GCSI., GCVO.

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Sec 21

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OUT FILE ^{note}

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In your own case, however, we agree with you that there is a real difficulty because of the serious risk that, once your presence there became known, as it would immediately, one of the defendants, particularly Ribbentrop or Goering, might ask for you to be called as a witness at once, and this might place the Tribunal in an embarrassing position. As you probably know, Goering and Ribbentrop have already asked for a number of British witnesses, such as Lord Halifax, Lord Vansittart, and Sir Alexander Cadogan, and for a number of reasons we should much prefer that British subjects should not attend to give evidence in person.

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The Right Honourable
Viscount Simon, PC., GCSI., GCVO.

OUT FILE
No 10/13
December 1945

best had sum

When we get to the point where we are asked to give an opinion on the invitation you have received from the British Government to attend the Nuremberg trial, we must first consider the question of the propriety of the invitation. It is not a question of the propriety of the invitation in itself, but of the propriety of the invitation in the circumstances. It is not a question of the propriety of the invitation in itself, but of the propriety of the invitation in the circumstances.

In your own case, however, we agree with you that there is a real distinction between the position of the British Government and the position of the British Government in your case. The British Government is in a position to give an opinion on the invitation, but you are not. You are in a position to give an opinion on the invitation, but you are not. You are in a position to give an opinion on the invitation, but you are not.

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much His Majesty's Government owe to you for all the work you did in preparation for the Nuremberg trial and war crimes generally, and I can understand how interested you would be to see the proceedings at Nuremberg for yourself.

Sec 21

might be considerable criticism of the Court and the matter would certainly be made the most of by the large number of press correspondents who are permanently present at Nuremberg and are continually on the lookout for some form of sensation.

For these reasons, therefore, we think it would be wiser if you did not accept Lord Justice Lawrence's invitation, at any rate for the present time and until we have had some opportunity of finding out exactly how the defendants propose to conduct their defence. It might however be possible for you to go at a later stage, after the principal defendants have called their evidence and closed their case, when the risk of an embarrassing incident may have diminished.

I am sorry that we feel bound to give you this negative advice, because I realise how very much His Majesty's Government owe to you for all the work you did in preparation for the Nuremberg trial and on war crimes generally, and I can understand how interested you would be to see the proceedings at Nuremberg for yourself.

(Sd) O. G. SARGENT.

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stand how interested you would be to see the
proceedings at Nuremberg for yourself.

Dec 21

might be considerable criticism of the Court and the
letter which certainly was made the most of by the
large number of these correspondents who were present
moment at Nuremberg and the difficulty of the Court
for some time in connection.
For these reasons, therefore, we think it would be
wiser if you did not accept this invitation. It is
-in- that we think for the reasons that we have
have had some opportunity of looking out and
the defendants' access to contact their families.
It is, however, possible for you to visit a few days
after the principal defendants have finished their evidence
and closed their case, when the work of an explanatory
incident may be determined.
I am sorry that we feel bound to give you this
negative advice, because I realize how very much the
British Government owe to you for all the work you
did in preparation for the Nuremberg trial and on war crimes
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be to see the proceedings at Nuremberg for yourself.

THE SECRETARY OF STATE

Dowding, Tadworth, Surrey
Dec 23, 1945
put with
71 ADDISON ROAD
LONDON, W.14.
PARK 8877

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INDEXED
My dear Sargent,
Thank you for
your letter of Dec 21st.
I shall follow your
advice, though I am
much disappointed.
Yours very sincerely
Simon

All good wishes
for Xmas & 1946

ON THIS PAGE.

RECONSTRUCTION

F.O.
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1946

WAR CRIMES

FILE No. 10



CLOSED
UNTIL

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