CONCLUSIONS of a Meeting of the Cabinet held at 10 Downing Street, S.W. 1, on Thursday, 5th May, 1949, at 10 a.m.

Present:
The Right Hon. C. R. Attlee, M.P., Prime Minister (in the Chair).
The Right Hon. A. V. Alexander, M.P., Minister of Defence.
The Right Hon. Viscount Addison, Lord Privy Seal.
The Right Hon. J. Chuter Ede, M.P., Secretary of State for the Home Department.
The Right Hon. A. Woodburn, M.P., Secretary of State for Scotland.
The Right Hon. Aneurin Bevan, M.P., Minister of Health (Items 1-2).
The Right Hon. George Tomlinson, M.P., Minister of Education.

The following were also present:
The Right Hon. Viscount Hall, First Lord of the Admiralty (Item 2).
The Right Hon. the Earl of Listowel, Minister of State for Colonial Affairs (Item 2).
The Right Hon. William Whiteley, M.P., Parliamentary Secretary, Treasury (Items 1-5).
Mr. L. J. Callaghan, M.P., Parliamentary Secretary, Ministry of Transport (Items 2-3).
Admiral of the Fleet Lord Fraser of North Cape, First Sea Lord and Chief of Naval Staff (Item 2).

SIR EDWARD BRIDGES,

37011—3
CABINET 32 (49)

Contents

<table>
<thead>
<tr>
<th>Minute No.</th>
<th>Subject</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Parliament</td>
<td>9</td>
</tr>
<tr>
<td></td>
<td>Business in the House of Commons</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Business in the House of Lords</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>China</td>
<td>9</td>
</tr>
<tr>
<td></td>
<td>Despatch of Reinforcements to Hong Kong</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Channel Tunnel</td>
<td>10</td>
</tr>
<tr>
<td>4</td>
<td>War Crimes</td>
<td>11</td>
</tr>
<tr>
<td></td>
<td>Trial of German Generals in British Custody</td>
<td></td>
</tr>
<tr>
<td></td>
<td>General Policy</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Western Union</td>
<td>12</td>
</tr>
<tr>
<td>6</td>
<td>Germany</td>
<td>12</td>
</tr>
<tr>
<td>7</td>
<td>Foreign Affairs</td>
<td>13</td>
</tr>
<tr>
<td>8</td>
<td>Wages Policy</td>
<td>13</td>
</tr>
<tr>
<td></td>
<td>Police Pay</td>
<td></td>
</tr>
</tbody>
</table>
Parliament. 1. The Cabinet were informed of the business to be taken in the House of Commons in the following week.

When the Third Reading of the Iron and Steel Bill was taken on 9th May, the debate would be opened by the Parliamentary Secretary, Ministry of Supply (Mr. J. H. Jones, M.P.), and the Minister of Supply would reply to the debate.

On the Second Reading of the Ireland Bill on 11th May the Government spokesmen would be the Prime Minister and the Lord President. The Attorney-General would also speak if legal points were raised on which a Government reply was required. The Home Secretary and the Secretary of State for Commonwealth Relations would speak for the Government on the Committee and remaining stages of this Bill.

The Cabinet approved the terms of the motion welcoming the North Atlantic Treaty, which the House of Commons would be invited to pass on 12th May. The Foreign Secretary would open that debate; and the concluding speech on behalf of the Government would be made, according to the course of the debate, either by the Prime Minister or by the Parliamentary Under-Secretary of State for Foreign Affairs.

Business in the House of Lords.

The Cabinet were informed that the House of Lords proposed to devote two days to the debate on the Second Reading of the Iron and Steel Bill. It now seemed likely that the Opposition would not seek to reject this Bill on Second Reading.

The Cabinet agreed that, subject to consideration of the precedents by the Chief Whip, it should not be necessary for the House of Lords to pass a formal motion approving the North Atlantic Treaty.

China. Despatch of Reinforcements to Hong Kong. (Previous Reference: C.M. (49) 30th Conclusions, Minute 4.)

2. The Cabinet had before them a note by the Prime Minister (C.P. (49) 100) covering an appreciation by the Chiefs of Staff of the extent of the threat which was likely to develop against Hong Kong and of the forces which would be required to meet that threat.

In discussion the following points were made:

(a) The Chiefs of Staff had set out the reinforcements which would be required to deal with any internal unrest or sporadic guerilla attacks, and they had indicated further reinforcements which would be required if a large-scale Communist threat developed. In making these appreciations they had it in mind that, although the Communist armies in China were greatly superior to former Chinese armies, they were not likely to constitute a threat of the kind which would develop if a major Power, such as Russia, attacked the Colony.

(b) The British community in Hong Kong felt great uncertainty about the Government’s ultimate intentions in regard to the Colony and the morale of the Chinese in Hong Kong was low. In these circumstances the Governor of Hong Kong and the Commissioner-General for South-East Asia had both urged that the Government should go as far as practicable in the direction of declaring their intention to maintain Hong Kong as a British Colony. Any suggestion that the United Kingdom Government might abandon Hong Kong would have profound repercussions in Malaya, Siam and Burma.

(c) Ministers felt, however, that they could not ignore the advice they had received that Hong Kong could not be held against attack by a major Power operating from the mainland. The Government must be careful to avoid drifting into a position in which, after pouring valuable resources into Hong Kong, they had at the end to withdraw with great material loss and loss of prestige. The aim.
should be to reinforce the defences of the Colony for the purpose of protecting it against present dangers, but to avoid giving explicit long-term commitments which the Government might be unable to fulfil. From this point of view it was important that Ministers should keep under close and continuous review any developments of the situation in Hong Kong and Southern China.

(d) Other Commonwealth countries had been kept in touch with the development of United Kingdom policy in the Far East and would be informed of the decision to reinforce the garrison of Hong Kong. There would, however, be no advantage in attempting at this stage to induce Australia, or New Zealand to assist in the defence of Hong Kong. Nor would it be wise to stress in any public statement our consultations with other Commonwealth Governments, since this might be open to the misinterpretation that we were preparing for serious consequences. The United States Government were being kept generally in touch with developments in Hong Kong but could not be associated with specific decisions relating to troop movements.

(e) In the public statement about the reinforcement of the Hong Kong garrison, the balance of advantage was in favour of giving fairly specific information about the nature of the reinforcements which were being despatched. This information would reassure those who might be inclined to underestimate the force which was being sent, and would at the same time indicate that there was no question of sending forces on the scale required for operations on the mainland.

(f) The decision that newly-recruited National Service men should not normally be included in drafts sent to the Far East would mean that some of the reinforcements sent to Hong Kong might be slightly below strength.

The Cabinet—

(1) Agreed to send to Hong Kong as early as possible the remainder of the brigade group whose despatch had been approved in principle by the Cabinet on 28th April, 1949.

(2) Agreed to augment the fighter squadron which was being sent to Hong Kong from 8 to 16 aircraft, and to collect and arm additional local patrol craft.

(3) Instructed the Chiefs of Staff to report from time to time on military developments in South-East Asia, with particular reference to the scale of the threat to Hong Kong, and to consider how additional reinforcements could be provided if a large-scale Communist threat to Hong Kong developed.

(4) Agreed that the Minister of Defence should announce that day in the House of Commons that the garrison of Hong Kong was being reinforced and should give an indication of the nature of the reinforcements that were being sent.

3. The Lord President asked whether the Cabinet considered that Parliamentary time should be made available for the discussion of a motion which had been tabled in the House of Commons by Mr. C. N. Shawcross, M.P., and others, suggesting that His Majesty’s Government should propose to interested European Governments the institution of a joint examination of the project for constructing a tunnel under the English Channel.

It was the view of the Cabinet that the proposers of this motion should be informed that it was not practicable to find Parliamentary time for a debate on this subject. Before any question arose of undertaking joint discussions with European Governments, His Majesty’s Government should first take steps to define their own attitude towards this project.
War Crimes.

Trial of German Generals in British Custody.

(Previous Reference: C.M. (49) 30th Conclusions, Minute 3.)

4. The Cabinet considered a memorandum by the Lord Chancellor (C.P. (49) 97) reporting the results of his special enquiry into the question whether Field-Marshal von Rundstedt and Colonell-General Strauss were physically fit to stand the strain of a war-crimes trial.

The Lord Chancellor said that he had examined the medical witnesses in consultation with the Attorney-General and Professor Sir Henry Cohen, Professor of Medicine at Liverpool University. Their unanimous conclusion was that Field-Marshal von Rundstedt and Colonell-General Strauss were unfit to stand trial. For the reasons set out in C.P. (49) 90 he thought that the Government should themselves assume the responsibility for deciding this issue; and he recommended that in the debate on war crimes policy in the House of Lords that afternoon he should announce that the Government had decided that these two Generals were not physically fit to be put on trial. He thought it would be advisable to make it clear that this decision had been reached on the strength of a report which he had made to the Cabinet in which the Attorney-General and Professor Cohen had concurred. He proposed to indicate at the same time that the indictment against Field-Marshal von Manstein would be served in the near future.

The Cabinet accepted the Lord Chancellor's recommendations.

In further discussion, the following points were made:

(a) These officers should now be released from custody. It was recognised that there would then be no means of preventing them from giving evidence for the defence in the trial of Field-Marshal van Manstein.

(b) There would be no advantage in publishing the indictment against von Rundstedt and Strauss. If he was asked why they had been detained for so long, the Lord Chancellor might repeat the statement which he had already made in the House of Lords about the general nature of the case against von Rundstedt.

The Cabinet—

(1) Agreed that in view of their physical condition Field-Marshal von Rundstedt and Colonell-General Strauss should not be put on trial and should be released forthwith.

(2) Invited the Lord Chancellor to announce this decision in the debate in the House of Lords that afternoon on war crimes policy.

General Policy.

The Cabinet were informed that the proposals regarding war crimes policy set out in C.P. (49) 94 had now been discussed with the United States and French Governments. They had been accepted subject to two points: (i) we had accepted the United States view that, in the case of crimes against humanity involving an Allied or United Nations victim, the accused should be tried by German courts only; and (ii) we had agreed with the United States Government that, in order to meet the views of the French Government, extradition should continue provided that it was limited to
exceptional cases. In practice this would mean that extradition would only take place where there were *prima facie* grounds for a charge of murder and good reason could be shown for failure to apply for extradition before 1st September, 1949.

The Cabinet—

(3) Endorsed the proposals in C.P. (49) 94, subject to amendment on the two points noted above, and agreed that they should be announced in the debate in the House of Lords that afternoon.

5. The Cabinet considered a memorandum by the Lord President (C.P. (49) 98) submitting recommendations regarding the basis of British representation on the Consultative Assembly of the Council of Europe.

This proposed that, for the first meeting of the Assembly, British representation should be divided between the political parties in proportion to their strength in the House of Commons. Most of the representatives should be drawn from the House of Commons, but it should be open to the Government to include in the British Delegation suitable members of the House of Lords. Persons who were not in either House of Parliament should not be nominated, nor would members of either of the Houses of Parliament of Northern Ireland be eligible. It was suggested that all the British representatives should be formally appointed by the Prime Minister, but that in practice he should not question the nominations made by the Opposition. The question whether Ministers should be included among the Government representatives should be left over until the Opposition list of nominations had been received. It should be publicly stated that the Government would not regard parties which are anti-democratic or opposed to the objects of Western Union as eligible for inclusion in the British representation.

The Cabinet—

(1) Approved the recommendations in C.P. (49) 98 regarding the basis of British representation in the Consultative Assembly of the Council of Europe; and took note that, in the general statement to be made in the House of Commons that day regarding the Statute of the Council of Europe, it would be made clear that the Opposition Parties would be represented in the British Delegation to the Consultative Assembly.

The Foreign Secretary handed round copies of the final text of the Statute of the Council of Europe. He explained that this met all the points in which the Cabinet had shown special interest. The Statute was to be signed at 3 p.m. that day.

The Cabinet—

(2) Took note with approval of the final text of the Statute of the Council of Europe.

6. The Foreign Secretary said that final agreement had now been reached, on behalf of the Governments of France, Russia, the United Kingdom and the United States, on the conditions which were to govern the raising of the blockade on Berlin. All the restrictions imposed by any of those Governments since 1st March, 1948, on communications with Berlin and on communications between the Eastern and Western Zones of Germany would be removed on 12th May, 1949. On 23rd May a meeting of the Council
of Foreign Ministers would be held in Paris to consider questions relating to Germany and problems arising out of the situation in Berlin, including the question of currency in Berlin.

The Cabinet—

(1) Agreed that the ending of the blockade on Berlin should be formally announced to the House of Commons by the Foreign Secretary that afternoon.

(2) Took note that the Foreign Secretary would arrange that at the appropriate moment a suitable message should be sent to all who had been responsible for the British part in the air-lift to Berlin expressing the Government’s appreciation of the skill and efficiency with which their work had been carried out.

Foreign Affairs.

7. The Prime Minister said that in the last few weeks they had been able to welcome the signing of the North Atlantic Treaty, the adoption of a constitution for the Council of Europe and the lifting of the blockade on Berlin. These three events marked the successful termination of many months of skilful and patient negotiation by the Foreign Secretary; and he felt sure that his colleagues would wish to express their gratification at the success which had crowned the Foreign Secretary’s efforts.

The Cabinet warmly endorsed the Prime Minister’s remarks.

Wages Policy.

Police Pay.

(Previous Reference: C.M. (49) 16th Conclusions, Minute 5.)

8. The Cabinet considered a memorandum by the Home Secretary and the Secretary of State for Scotland (C.U. (49) 96) recommending that effect should be given to the recommendations in the first report of Lord Oaksey’s Committee on Police Conditions of Service.

The Home Secretary said that the problem of maintaining a contented and efficient Police force had been causing him great anxiety. In England and Wales recruitment for the police was good, but there was great difficulty in retaining in the force a sufficient number of trained and experienced men. The increases in pay recommended by the Oaksey Committee were less than he had expected, and he thought they were the minimum amounts which would bring contentment among the police. There was a special responsibility on the Government to see that the police were fairly treated, since they could not form trade unions and had no organisation by which they could make effective their views on conditions of service. He had ascertained that the Chancellor of the Exchequer had no objection to the main body of the recommendations, but had expressed doubts about a recommendation regarding widows’ pensions and about the date on which the increases in Chief Constables’ pay should become effective. The Home Secretary thought it important, however, that the Government should accept the report as a whole since, if they rejected some of the recommendations, the police would be entitled to question others, such as the proposal that pensions should be calculated on an average of pay for the last three years.

The Cabinet were informed that the Chancellor of the Exchequer was concerned about the substantial increase in the cost of the police service which the adoption of the Committee’s recommendations would entail, but he realised the need to bring the police forces up to strength and hoped it would be possible to regard police pay as something exceptional which would not constitute a precedent for other State employees. In this connection it was pointed out that it would not be possible for the Minister of Education to prevent the Burnham Committee, in their reassessment of teachers’ salaries, from having regard to increases which were granted to the
police. Moreover, there would probably be pressure on behalf of the Services for the appointment of an outside committee to examine Service pay in the belief that the outcome of an enquiry of this kind would be favourable to the Services. It was also pointed out that the various allowances given to police officers substantially increased their total emoluments—thus, the schedules of pay annexed to C.P. (49) 96 showed the starting pay of a constable under the Oaksey scales as £330 a year, whereas, in fact, he would be receiving the equivalent of £450. The general view was, however, that in the exceptional circumstances of the police service and the time which had passed since their present scales were fixed, it was desirable to give effect to the main increases proposed by the Oaksey Committee.

The Cabinet then discussed whether the particular recommendation relating to widows’ pensions should be accepted. At present the pension payable to the widow of a police officer varied between £30 and £50 according to his rank, and the Oaksey Committee had recommended pensions from £50 to £70. They had gone on to say that some further increases would probably be required later, and that these should be met in part by increased contributions from police officers. At present police officers made a small contribution to their various pension schemes, and they had pressed for the grant of an increase in widows’ pensions without any corresponding increase in their contributions. The general policy, applied to Civil Servants and to industrial workers in respect of schemes supplementary to National Insurance pensions, was that about half of the cost should be recovered from contributions. On this basis, a constable would contribute about 6d. a week. In view of the undesirability of making exceptions to the general acceptance of the recommendations of the Oaksey Committee, the general feeling among Ministers was that the Committee’s recommendations should be accepted; but an endeavour should be made to show that police widows’ pensions were in part covered by contributions, and the general policy in future should be to insist on contributory schemes.

Finally, the Cabinet considered whether the proposed increases in the pay of Chief Constables should be deferred and introduced gradually from the date taken for the introduction of the approved increases for the higher ranks of the Civil Service. There was general agreement that the balance of advantage lay in favour of granting the increases without delay. These increases in Chief Constables’ pay had been delayed because of the issue of the White Paper on Personal Incomes; and the understanding at that time had been that the delay would not be longer than a few months. Here, again, it was felt that it would be inexpedient to reject one of the recommendations of the Committee and thus risk reopening discussion of them all.

The Secretary of State for Scotland said that one or two police authorities in Scotland might be opposed to the new scales for Chief Constables and that the application of the new scales in these cases would be a matter for negotiation.

The Cabinet—

(1) Agreed that effect should be given to the recommendations in the first report of the Oaksey Committee, as from 1st July next.

(2) Recorded their view that all future pension schemes supplementing those provided under the National Insurance Scheme should be on a contributory basis.

Cabinet Office, S.W. 1,
5th May, 1949.