

1937

38256

CO 533/484  
KENYA

38256

PRISON REFORM

(APPLICATION FOR C.D.F. GRANT)

Previous

1936

Sir C. Bostonly 22/6  
R. 309 29/6  
McPester 22/11  
297 20/12

Subsequent

SEE 46623/38 E.A.

~~309 Dave~~ 27/1  
M. Davies 29/11  
Mr Dave 29  
M. Davies 31/1  
Mr W Smith 3/2

R. 297

23/1/37

W. Goswami

R. 309

23

298

11/2

Sir T. Standen

away

297

Mr Atkin

3/4

Sir G. Campbell

9/2/37

Mr Flood

9/10

Sir C. Bostonly

11.10

Sir Anderson

11/10

Mr C. M. Anderson

11.10

Mr Flood

298

2/1/10

297

13/4

Mr Flood

15

Sir T. Standen

16.11.37

Mr Boyd

22/11

C.I.

1. GOV. KENYA.....560.....17.9.37.

PRISONS.  
C.D.F.

Trs., with comments, appln. for a direct grant of £6,000 from C.D.F. to investigate certain medical aspects of crime which would be of assistance in the reorganisation of the prison system.

Dupl. despatch and  
11 copies of appln.  
sent to Mr. L.S. Smith.  
R.J.J.  
R. 297  
22.9.37.

Sir T. Stanton

what is now wanted is a grant to enable a European medical officer to be sent round prisons & trained in psychology (they have to pick him carefully) for 6 months or a year & then posted to Prisons in Kenya for five years. A n.o. will be needed to replace him.

Also a "Social Worker" - selection that is - is to be raised locally.

The "crab" is that the C.D.A.C. ~~will~~ <sup>may</sup> say Kenya has no business letting its convicts be without proper medical care & that they should do what they can to provide it without applying to the C.D.F. And honestly I should have to agree.

Is there any medical advantage to science etc. in it? (I don't mean great discoveries such as that if you shut up eight Masai without sun or exercise for six months their health suffers) Anyhow I think we can try but it doesn't strike me as a strong case.

J.S.G. Hood

23.9.

Mr Hood.

Sir T. Stanton is away on leave. I regret the delay in dealing with them but I have been inundated with files etc (or the last fortnight). Mr Paterson of the Home Office recently visited the West Indies and in his report he stressed the necessity of having a medical officer in each colony who shall be in charge of the Prisons & who has had special training in dealing with prisoners.

The scheme <sup>has</sup> quite sound but whether it would be successful in a primitive colony like Kenya I am unable to say.

It is extremely doubtful whether the  
C.O.A.C. would look at it as it can hardly  
be called development.

quintin  
7/4/37

I do not think that this project could be brought  
within the ambit of the statute--that alone  
would rule it out, absolutely. But, even if it  
could be so brought, I am quite certain that the  
Comm: would not look at it. It is difficult to  
see how this scheme can be regarded as "developmental"  
in any sense, under the statute.

(I am not called on to express any opinion as  
to the merits of the scheme; but the Comm:  
would I think have to go into that, if they  
thought of aiding here--which they most certainly  
won't.)

The 5th: October, 1937.

*Handwritten signature/initials*  
9/2/37

Sir C. Bottomley

I feared as much. I think we can only  
tell the Gov. that the proposal though desirable  
is not such as the Committee could accept as a  
proper object for aid from the Fund, and that if  
they can fit this service into its ordinary expenditure  
the S. of S. will not withhold approval.

Sir C. Parkinson

? say "find later that they"

I entirely agree as to the C.O.A.C.

W.C.S.  
11.10.

But the Govt says  
they can't.

V.C.S. Hand 9.10.

Sir C. Bottomley

I agree so far as concerns  
the seeking of a grant  
from C. O. A. C.

But it occurs to me that  
we might try to help  
Kenya in our reply, esp  
offering constructive  
advice. We could  
refer the despatch to

MR. Sir A. Peterson? or  
might it not be suitable  
for reference to Sir G. Buxton's  
Committee on Penal  
Reform? If you are  
disposed to agree, perhaps  
Ex. Dept. might first like  
to consult Sir G. Buxton.

W.C.S.

Mr. Flood.

11.10.37

I am afraid that if the Committee  
to be dealt with in this way we shall  
need more detail from Kenya. The Finance  
Committee Sir G. Buxton's report stated that  
the matter to Sir A. Peterson G. 50.  
letter. Even if beyond our ordinary  
stage - perhaps general administration  
has been dealt with which would  
let the Home at least to state their own

Mr.

Mr. Pateron clearly - or even if he  
proposed a guest house - it  
would be better food.

Let. 21/10/37

22/11

To A. Pateron (1 and enclosure) 21.10.37.

3. A. PATERSON (PRISON COMMISSION) 5/0 9.11.37.  
(2 Read). Comments on proposals in (1).

Sir T. Stanton

Kenya (see No 1) wants to send home  
a Medical Officer to study Prison conditions with a  
view to dealing with "medical aspects of crime"  
recidivism & prison management.

Mr Pateron says it isn't purely medical &  
suggests a visit from a qualified chap (probably,  
and I much hope, himself) to Kenya. I think this  
is a good idea & we can put it to Kenya. I  
should like the man also to visit Uganda, where  
the Gov. is trying to remodel the prisons, & Zanzibar.

The curious thing is that this involves dropping  
the "medical" aspect. I've been so much nowadays that  
"crime is a disease", that I should have expected the  
medical aspect to be stressed. But I am fairly sure  
that the "medical aspect" is part of Dr Gordon's campaign  
so that Kenya may be ready to drop it.

I would suggest putting the thing 5/0 to Mr Pelling  
letting him have the core & ask him to consult Major  
Billings & Dr Pateron & saying we think a visit  
from Mr Pateron if he can manage to go would be very

useful.

and put the idea also to Uganda, Zanzibar, & if Mr Boyd  
agrees to T.T. @ Nyasaland, & N. Rhodesia. And tell the  
Secy Gov's conference.

J.S.O. Pateron

15.11.

I quite agree with what  
Mr Pateron says in No 3 and  
with the action proposed by  
Mr Flood.

A. Pateron  
16.11.37

Mr Flood

3A Your minute on the slip attached as No 3A  
opposite Part VIII of the Darkegin Report deals  
with the N.R. Prison Service, which is as yet  
not separated from the Police. Sir H. Darkegin  
calls attention to the necessity of separating the  
Prison Service from the Police, deals in a general  
way with the existing Prison Administration,  
and suggests certain necessary reforms - 23.  
(i) desirability of taking prisoners a trade where  
possible;  
(ii) necessity to separate lunatics from prisons;  
(iii) detention camps for persons who have  
committed statutory offences, tax defaulters etc;  
(iv) Ornament - Training of workers etc.

I do not think that this precludes the  
extension of the inquiry suggested above to Northern  
Rhodesia, however.

Smith 22/11/37

I agree that the suggestion might be  
fine also to T.T., N.R. & Nye & Co., as  
has been proposed.

E.A. Dawe  
21/1/38

W.C.S.  
22.11.37  
awc

- Copies of Nos 4-11  
sent on 4/6/38  
E.A.
- 4 To J. H. Hall
  - 5 To J. Merrick
  - 6 To Dutton
  - 7 To Hall
  - 8 To Mackenzie-  
Kennedy
- cons-S.O. 3.1.38.
- 9 To A. Paterson. (3and) S.O. — 3.1.38
  - 10 To Pilling (w/c 2 w/out encl) S.O. cons. 3.1.38.  
+ C 3
  - 11 To Freeston. (w/encl 2) S.O. cons 3.1.38.  
dft.

12. To: Kenya S. - 1 Standard - 5 JAN 1938

Draft Memo to CDAC submitted in accordance  
with para 2 of the G.D. note of 31<sup>st</sup> March 1932  
(logged on 31/3/34 Genl)

Clonkey White 28/1

M. Dawe

A. J. Dawe Do we have to do this?  
27.1

5  
Mr. Dawe  
It is the usual practice, &  
we will like it, so if you  
see no objection I think this  
should be notified.

M. Dawe 28/1

No objection

A. J. Dawe  
29.1

13. Comemo.

14 CDAC. 2292 — 3 Feb 38

COLONIAL DEVELOPMENT ADVISORY COMMITTEE.

Kenya.

Investigation into the  
medical aspects of crime.

I circulate, for the information of the Committee, a memorandum by the Colonial Office regarding an application from the Government of Kenya for assistance from the Fund for the purpose of carrying out an investigation into certain of the medical aspects of crime in the Colony.

The Secretary of State is unable to support the application.

T.W. DAVIES

Secretary to the Committee.

COLONIAL OFFICE;

3rd February, 1938.

C. O.

Mr. Costley-White 26/1.

Mr. *Dave 29.1*

Mr. *Davies 31.1*

Sir H. Moore.

Sir G. Tomlinson.

Sir C. Bottomley.

Sir J. Shuckburgh.

Perms. U.S. of S.

Parly. U.S. of S.

Secretary of State.

Memorandum for the

C. D. A. C.

*This is to inform the Ctee that the S. of S. was recently unable to support an application by the*

Governor of Kenya for assistance from the Colonial Development Fund in the form of

DRAFT.

(i) a direct grant of £6,000, ~~was received by the Secretary of State towards the end of 1967.~~

The purpose of the proposed grant was *to make possible* ~~in order to carry out~~ an investigation into the medical aspects of crime in the Colony with a special view to the prevention of recidivism. The ~~intention~~ *purpose* was that a Medical Officer from

Kenya should be attached for 6 to 12 months to the Home Prison Medical Service and that this Officer, together with a Social Worker, who would have been recruited locally, would then be posted to ~~Prisons~~ in Kenya *over a period of years* for the

*to study* <sup>the</sup> conditions of prison life, of the causes

FURTHER ACTION.

C. O.

Mr. Cottle <sup>19/12</sup>  
Mr. Paskin <sup>23/12</sup>  
Mr. Flood <sup>22/1</sup>

Sir H. Moore.  
Sir G. Tomlinson.  
Sir C. Bottomley.  
Sir J. Shuckburgh.  
Perms. U.S. of S.  
Parly. U.S. of S.  
Secretary of State.

December 1937  
5 JAN 1938

A 54

causes of crime and of suitable methods for the treatment of prisoners. The cost of such an investigation, the results of which it was thought would be of more than local interest, could not be met from Kenya funds.

The Secretary of State was unable to give his support to this proposal, ~~most~~ desirable though he considered its purpose to be, <sup>as</sup> since he could not regard it as falling within the scope of the Colonial Development Act. He was advised that even if the scheme could be considered to be "developmental" within the meaning of the Act, ~~yet even so it was unlikely that the Committee would be prepared to recommend the scheme.~~ <sup>a point.</sup>

Should this bit go in? Lt Jm  
Bottom note

**DRAFT**  
Kenya  
Gov  
No 5.  
Gov

1. I have etc. to ask the receipt of your dep. No 550 of the 17th of September forwarding an application for assistance from the C.D.F. for the purpose of carrying out an investigation into <sup>the criminal</sup> aspects of crime in the Colony.

2. I regret that I cannot see my way to <sup>support</sup> formulate an application to the C.D.C. for this purpose, as it is not possible to regard the scheme proposed as "developmental" in the meaning of the <sup>E. I. Act</sup> ~~Statute~~ of the C.D.F. The scheme, though in itself not desirable, is therefore not one which the C.D.C. could accept as a proper object of aid from the Fund.

expenditure on this proposal can scarcely be considered as falling within the scope of the Colonial Development Act. It can hardly be held that <sup>the scheme</sup> it is in any way of a 'developmental' character, though desirable in itself, and though the results of such an investigation may be very important. I am <sup>now</sup> advised also that if it were held to be a suitable object within the scope of the Act, it is very doubtful whether the Advisory Committee would be prepared to recommend it.

**FURTHER ACTION.**

3. Should it later be found possible, however, to finance such <sup>meet the cost</sup>

of an enquiry  
 a ~~service~~ of the kind suggested  
 from colonial funds I think should  
 not hesitate to approve such action.  
 has prepared to approve it. It is possible  
 also to

(Signed) C. M. GORE.

15 G.O.

Mr. Coleridge 15/12  
 Mr. Parkin 22/12  
 Mr. Flood 22  
 Mr. Boyd 23/1/37  
 Sir H. Moore  
 Sir G. Tomkinson.  
 Sir C. Bottomley.  
 Sir J. Shuckburgh.  
 Pymt. U.S. of S.  
 Parly. U.S. of S.  
 Secretary of State.

3826/3  
 9  
 11

SD for Mr. P. L. O.'s signature.  
 Ansd. 16 on  
 466'23/38 EA  
 3.1.38  
 1/1/38

**DRAFTS**

Ld. Freerton By  
 EA Gov's Conference

Dear Freerton

I enclose copies of  
 letters which I think will interest  
 you. The concept is, I think,  
 self-explanatory, so I will not add  
 anything further. about a  
 suggestion that a prison  
 expert from this country  
 (possibly Paterson) shd.  
 visit East Africa. You  
 will see that I have  
 suggested that you  
 shd. collect the views  
 of the Govt. that are  
 being used to consider  
 the proposal.

to Filming  
 in St. Kenneth - with ends  
 to the ~~the~~ on the  
 in St. Kenneth - E.A. Department  
 (as a "number" letter)

**FURTHER ACTION.**

Review of Memo  
 by [Signature]

Copy sent on  
 466'23/38

10

C. O.

Semi-official for Mr. Flood's signature.

Mr. Costley-White. 15/12/37.

Mr. Paskin. 22/12

Mr. Flood 23/12

Sir H. Moore.

Sir G. Tomlinson.

Sir C. Bottomley.

Sir J. Shuckburgh.

Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

3 JAN 1938

December, 1937.

53

Dear Pilling,

You will see, from a despatch which goes by this mail, that the Secretary of State has not felt able to support the application for a grant from the Colonial Development Fund for an investigation into the medical aspects of crime in Kenya.

2. We have, however, tried to discover if there is any other method of helping you and I enclose copies of correspondence with Paterson of the Prison Commission. You will see that in the opinion of the experts here, the problems of the prevention of crime and recidivism, and of the improvement of prisoners' health are matters of general administration, rather than primarily medical, and he

suggests

(the draft herewith).

4 DRAFTS.

H. G. PILLING, ESQ., C.M.G.  
Nairobi.

To Paterson 21/10.  
(2)

From Paterson 9/11.  
(3)

Copy sent to Paterson. 11.

**FURTHER ACTION.**

Copy with copies  
encs to Mr. Flood  
with Dr.

suggests that someone with experience in the general administration of prisons should visit Kenya.

Would you consult Major Willcocks <sup>who is acting for your Paterson (the doctor)</sup> and ~~Dr. Paterson~~ about this suggestion?

It seems to us that such a visit would be <sup>to Home Office</sup> thoroughly useful, especially if Paterson

himself could be persuaded to go. He is <sup>absolutely first class on</sup> prison administration and its objects generally and has been in close touch with Colonial prison problems

and has recently visited the West Indies.

If the visit could be made to <sup>Kenya, your</sup> cover other places in East Africa ~~Kenya's~~ share of the cost would not be great and we are writing semi-officially to Uganda, Tanganyika, Zanzibar, Nyasaland, and Northern Rhodesia (and to Freeston) to see whether they would be prepared to join in promoting such a visit.

It would probably be convenient for Freeston to collect the views of all the Governments concerned, and if you agree you need do nothing more on this letter.

Yours sincerely,

Signed J. E. W. FLOOD

C. O.

Mr. Passin 22/11  
Mr. Flood 22/11  
Mr.



Sir H. Moore.  
Sir G. Tomlinson.  
Sir C. Bottomley.  
Sir J. Shuckburgh.  
Permt. U.S. & S.  
Parly. U.S. & S.  
Secretary of State.

DRAFT.

A. Paterson Esq. D.C.

352 5/37

9

For Mr. Flood Esq.

52

3 JAN 1938

Dear Paterson,

Many thanks for your letter of the 9<sup>th</sup> Nov. about Kenya's prison problems. I am passing on your suggestion that they should visit someone with experience of the general administration of prisons to pay them a visit, & I think they would be well advised to take your advice.

If the suggestion comes to anything, we hope that you yourself will be able to conduct

FURTHER ACTION.

Copy sent on 46623/858/11

the evening. We are also asking  
the other E. A. Govts., semi-  
officially, whether they wd. be  
prepared to join in promoting  
such a visit, wh. wd. be of  
benefit to them all, & help  
to spread the cost.

If you can go I am sure you would like  
it. Quite apart from visiting - a new and very  
interesting country or countries you would arrive  
at a most opportune moment - for the public conscience  
in East Africa is being stirred at least over prisons.  
The Kenya question shows that, & both Uganda & Tanganyika  
are also thinking of putting the houses in order - not, I fear,  
before it is time.

Yours sincerely

Signed J. E. W. FLOOD

C.O.

(1) and (2) for Mr. Flood's signature.

Mr. Costley-White 15.12.37.

(3), (4) and (5) for Mr. Boyd's signature.

Mr. Paskin. 22/12

Mr. Flood 22/12

Mr. Boyd 23/12/37.

Sir H. Moore

Sir G. Tomkinson.

Sir C. Bokomley.

Sir J. Spuchburgh.

Perm. U.S. of S.

Parry. U.S. of S.

Secretary of State.

for  
for  
for  
(3)  
(4)  
(5)

Downing Street,

December, 1937.  
5 JAN 1938

Dutton,  
Hall,  
Mackenzie-Kennedy,

Some time ago the Kenya

4 DRAFTS

Government applied for a grant from the

- (1) J. HATHORN HALL, ESQ., C.M.G., O.B.E., D.S.O., M.C. Zanzibar.
- (2) J.E.S. MERRICK, ESQ., O.B.E., Entebbe.
- (3) E.A.T. DUTTON, ESQ., O.B.E., Lusaka.
- (4) K.L. HALL, ESQ., Zomba.
- (5) H.C.D.C. MACKENZIE-KENNEDY, ESQ., C.M.G. Dar-es-Salaam.

Colonial Development Fund for an investigation into the medical aspects of crime. The scheme was to send one or more medical officers from Kenya to be attached to the Home Prison Medical Service for a year, during which they would acquire knowledge useful in the re-organization of the Kenya Prison system, particularly as regards the prevention of recidivism and the improvement of the prisoners' health. The Secretary of State was however unable to support the application because the scheme could not be regarded as developmental within the meaning

- 4. Am'd by
- 5. "
- 6. "
- 7. "
- 8. "

FURTHER ACTION.

Copy (as "opinion" letter) to Mr. Frenton with 87

Copies reg'd. on 46623/386.A.

Copy to Frenton (opinion) copy

4-8 12

C. O.

(1) and (2) for Mr. Flood's signature.

Mr. Costley-White 15.12.37.

Mr. Paskin. 22/11

Mr. Flood 22/11

Mr. Boyd 22/11/37.

Sir G. Tomkinson.

Sir C. Bottomley.

Sir J. Shuckburgh.

Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

(3), (4) and (5) for Mr. Boyd's signature.

Downing Street,

December, 1937.

6 JAN 1938

*Handwritten initials and marks*

*Dutton, Hall, Mackenzie-Kennedy*

Some time ago the Kenya

DRAFT.

- (1) J. HATHORN HALL, ESQ., C.M.G., O.B.E., D.S.O., M.C. Zanzibar.
- (2) J.E.S. MERRICK, ESQ., O.B.E., Entebbe.
- (3) E.A.T. DUTTON, ESQ., O.B.E., Lusaka.
- (4) K.L. HALL, ESQ., Zomba.
- (5) H.C.D.C. MACKENZIE-KENNEDY, ESQ., C.M.G., Dar-es-Salaam.

Government applied for a grant from the Colonial Development Fund for an investigation into the medical aspects of crime. The scheme was to send one or more medical officers from Kenya to be attached to the Home Prison Medical Service for a year, during which they would acquire knowledge useful in the re-organization of the Kenya Prison system, particularly as regards the prevention of recidivism and the improvement of the prisoners' health. The Secretary of State was however unable to support the application because the scheme could not be regarded as developmental within the meaning

4 Amnd by

5 " " (9) 46623/38 E.A.

6 " " (10) " " "

7 " " (11) " " "

8 " " (12) " " "

*Copy to Freedom (anibus) copy*

FURTHER ACTION.

*Copy (as 'anibus' letter) to Mr. Dutton with 8/2*

*Copies reqd. in 46623/38 E.A.*

meaning of the Colonial Development Act,  
but we have been trying to see whether the  
same purpose could be achieved by other  
methods.

As a result of correspondence  
with Mr. A. Paterson of the Prison Commission,  
it appears that, in the opinion of the experts here,  
the problems of the prevention of crime and  
recidivism and the health of prisoners  
are primarily matters of general prison  
administration rather than medical, and it  
has been suggested that someone with experience  
in the general administration of prisons should  
make a visit to Kenya and report on the prisons  
there. This we consider to be an excellent  
idea, especially if Mr. Paterson himself could  
be ~~recommended~~ <sup>permitted</sup> to go; he is in close touch with  
Colonial prison problems, and has only recently  
paid a visit to the West Indies. Kenya is,  
accordingly, being asked to consider this suggestion.

*is absolutely first rate  
on prison administration  
and its objects,*

It has also been suggested that,  
if the visit to Kenya comes off, other

Dependencies

C. O.

- Mr.
- Mr.
- Mr.
- Sir H. Moore.
- Sir G. Tomlinson.
- Sir C. Bottomley.
- Sir J. Shuckburgh.
- Perm. U.S. of S.
- Parly. U.S. of S.
- Secretary of State.

Dependencies in East Africa might like  
to avail themselves of the opportunity  
of having a report made on their prisons  
by <sup>a real</sup> ~~an~~ expert. This would add to the  
usefulness of the visit and, at the  
same time, reduce the share of the total  
expense to be borne by each Government.

**DRAFT.**

(To (2) only) Such a visit would clearly be  
opportune in view of the proposals  
for the reorganization of the Prison  
Service in Uganda.

(To all) Will you therefore please  
consider this and let us know what view  
your Government is likely to take.

Similar letters are being  
sent to -

- (1) Uganda, Tanganyika, Northern Rhodesia and Nyasaland.
- (2) Tanganyika, Zanzibar, Northern Rhodesia and Nyasaland.
- (3) Uganda, Tanganyika, Zanzibar, and Nyasaland.
- (4) Uganda, Tanganyika, Zanzibar and Northern Rhodesia.
- (5) Uganda, Zanzibar, Northern Rhodesia and Nyasaland.

and to Freeston.

**FURTHER ACTION:**

It

It would probably be convenient

for him to collect the views of the

various Governments which are being asked to

consider this proposal.

*Yours sincerely,*

(3) - (5)

(<sup>1</sup>/<sub>2</sub>) (sgd) J.E.W. Flood.

(<sup>3</sup>/<sub>4</sub>/<sub>5</sub>) (sgd) E. Boyd.

T. T. Defer

3A

14

Ph. Defer  
Florida in 1944.

To not extend  
leave passing condition to  
renewal in T.T.  
N.R.  
N.Y.

in recent years?

e.g. Harris left Dow by in  
December then in his  
name Police Dept - N.R.?

(I think an expert  
went to N.Y. in 1944? but  
year.)

Ed Lloyd

17-11-37

I cannot trace anything (either  
on Gen. or his old-pts.) so  
cannot recollect that anyone  
has visited either his stand, or  
T.T. in recent years.

Wals  
18/11

TELEGRAMS: "PRISON COMMISSION, LONDON"  
TELEPHONE: WHITEHALL 8100

~~20~~ 15  
3  
PRISON COMMISSION,  
HOME OFFICE,  
WHITEHALL, S.W.1.

9th November, 1937.

**RECEIVED**  
12 NOV 1937  
C. O. REGY

Dear Flood,

I am sorry not to have replied before to your  
2 letter of October 21st, dealing with the request of Kenya  
for some assistance from the Colonial Development Fund to  
enable them to send home a Prison Medical Officer to study  
the system in this country.

I have consulted my medical colleague, and we are  
not clear that the problem, as stated in the application,  
is one that must necessarily be solved by a Medical Officer.  
It is stated that the advantages to be derived are "a greater  
knowledge of the factors leading to crime and recidivism  
and the means of maintaining Africans in health under  
prison conditions." It is further suggested that this  
knowledge might allow the institution of certain measures  
aimed at the prevention of crime and recidivism, and it  
should provide a basis for the reorganisation and develop-  
ment of the prison system in the Colony.

We feel that the objects, as outlined in these

/sentences

J.E.W. Flood, Esq., C.M.G.

9  
Annot.  
Copy to Felling. 10.

sentences, are matters of general administration rather than a purely medical concern. Is it not possible that a good deal might be done in the direction suggested, if someone concerned with the general administration of prisons which, after all, is aimed primarily at the reduction of crime and recidivism, were to visit Kenya, examine the problem on the spot, and make such recommendations as his experience of other countries would suggest? If such a person could include in his visit to Kenya similar visits to other African Colonies, the share of expense to be borne by Kenya would be comparatively slight.

The problem of crime and penal ~~and prison~~ administration is not a purely medical affair, and a purely medical aspect cannot cover the whole concern.

Yours sincerely,

A. Paterson

---

C. O.

- Mr. J. H. G. 11.10.37
- Mr.
- Mr.
- Sir H. Moore.
- Sir G. Tomlinson.
- Sir C. Bottomley.
- Sir J. Shuckburgh.
- Permt. U.S. of S.
- Parly. U.S. of S.
- Secretary of State.

Ans. (3) In my sig

C. D.  
 R 12 OCT  
 D 13

21.10.37.

Dear Paterson

I enclose for your personal a copy of a despatch which we have had from Kenya which is pretty well self explanatory. You will remember that I wrote to you last year about a Kenya suggestion that they should borrow a couple of your Prison Medical officers and you replied on the 13<sup>th</sup> of October suggesting that Kenya should send a couple of men here to be attached to our Prisons for a while. We passed this on to Kenya & the present proposal, which is to second a medical officer to be attached to Prisons here to learn the job and then to be posted to Prisons in Kenya for some years certain, is the result. It is also proposed to employ a

**DRAFT.**

A. Paterson Esq. M.C.

Spare copies to be got from Mr L.S. Smith.

Copy to Pilling 10.

FURTHER ACTION.

"Social Worker" for five years.

2. The proposal is put forward as an application for financial help from the Colonial Development Fund which accounts for its form, but, unfortunately, the scheme is not one which the Advisory Committee ~~also~~ regulate the grants could accept as coming within the four corners of their legal power and even if it did it is not the sort of thing they would be at all likely to accept. Accordingly we shall have to tell them there is nothing doing in that direction.

3. In order to soften the blow and, if possible, to help Kenya, I have been <sup>led</sup> ~~asked~~ to consult you and to ask whether there is any suggestion you could make or any comment on the idea. It is obviously a good idea and it is obviously desirable to carry it into practice if Kenya had the money. But Kenya has not got the money. We would propose to say that if, later, it is found possible to provide funds for the salary of one more Medical Officer so as to release an experienced one for Prison work there will be no objection. That will be cold comfort however and here is where we hope you can help by

- C. O.
- Mr.
- Mr.
- Mr.
- Sir H. Moore.
- Sir G. Tomlinson.
- Sir C. Bottomley.
- Sir J. Shuckburgh.
- Permt. U.S. of S.
- Parly. U.S. of S.
- Secretary of State.

DRAFT.

FURTHER ACTION.

17  
suggesting something which they can do without much expense. I think the Prison Commission would be ready to attach a medical officer from Kenya to various Prisons for instruction which would not cost much, but can you put us on to something more? Do you know of any similar case here or elsewhere where there has been a full-dress attempt to provide information of the kind which Kenya wants to obtain? If so, can they be referred to it.

4. I spoke to Budge who says the Penal Reform Committee would not be able to comment on the scheme except to say it is a good idea. There everyone will agree. It is that. But any comments from you on any aspect of it will be very welcome. I expect you'll agree that one half qualified Indian is not enough medical supervision for a prison 1000 strong (v. para A 5 of the memo)

Yours sincerely  
(signed) J. E. W. FLOOD

AIR MAIL

KENYA  
No. 550



GOVERNMENT HOUSE  
NAIROBI  
KENYA

RECEIVED  
22 SEP 1937  
C. O. REGY

17 SEPTEMBER, 1937.

Sir,

I have the honour to transmit to you, for your consideration, an application for assistance from the Colonial Development Fund in the form of a direct grant of £6,000 for the purpose of carrying out an investigation into certain of the medical aspects of crime in this Colony.

*Dis. of despatch + 11 copies of appl. sent to Mr L.S. Smith 27/9/37*

2. The details of the scheme are fully set out in the enclosed Questionnaire and Memorandum, from which it will be observed that the object of the investigation proposed is the provision of information which would be of assistance in the reorganization of the prison system in the Colony with a view to the prevention of recidivism in crime. In this connection I would refer to your despatch No. 1014 of the 22nd December, 1936 and previous correspondence on the same subject, and in particular, to the suggestion that one or two Medical Officers from this Colony with experience of African mentality should be attached for a period to the Home Prison Medical Service. The present application for a grant from the Colonial Development Fund is designed to give effect to this proposal, the cost of which it would not be possible, in existing financial circumstances, to meet from the funds of the Colony.

*(4) on 38256/36*

*Copies referred to enclosure 2*

*Enclosed (12)*

THE RIGHT HONOURABLE  
W. ORMSBY GORE, P.C., M.P.,  
SECRETARY OF STATE FOR THE COLONIES,  
DOWNING STREET,

LONDON.  
S.W. 1

I have the honour to be,  
Sir,  
Your most obedient,  
humble servant,

*W. Brooker-Popham*  
AIR CHIEF MARSHAL,

GOVERNOR.

A P P L I C A T I O N .

FOR A

DIRECT GRANT FREE OF INTEREST

FROM

THE COLONIAL DEVELOPMENT FUND

F O R

A. SCHEME FOR CARRYING OUT AN INVESTIGATION INTO SOME OF THE MEDICAL ASPECTS OF CRIME IN THE COLONY AND PROTECTORATE OF KENYA WITH A VIEW TO THE PROVISION OF INFORMATION WHICH MIGHT BE OF SERVICE IN THE RE-ORGANIZATION AND DEVELOPMENT OF THE PRISON SYSTEM OF THE COLONY AND IN THE PREVENTION OF RECIDIVISM IN CRIME.

---

I. QUESTIONNAIRE.

II. MEMORANDUM ON THE SCHEME.

A. THE OCCASION of the scheme.

B. THE ADVANTAGES likely to be derived from the scheme.

C. DESCRIPTION of the scheme.

---

COLONIAL DEVELOPMENT FUND.

QUESTIONNAIRE.

- Q. 1. Colony. A. Kenya.
- Q. 2. Description of scheme, stating its objects and advantages, together with any plan or specifications that may be available. A. Employment of a special prison Medical Officer and a Social Worker. Vide attached memorandum.
- Q. 3. Earliest estimated date of commencement, viz. (a) on receipt of Secretary of State's approval, (b) ..... months thereafter or (c) at a future given date. A. Within from six months to one year from the date of approval.
- Q. 4. Approximate period of scheme. A. Four to five years from the date of approval of the scheme.
- Q. 5. (a) Detailed estimate of total cost showing probable total expenditure in each U.K. financial year (1st April to 31st March), during the currency of the scheme, on the basis of the scheme commencing on the date shown in (3) above. A. (a) Total estimated cost: £6,000 vide paragraph C of the memorandum attached for detailed estimates.  
Total expenditure in each U.K. financial year:-  
First year .... £ 1,220  
Second year .. £ 1,150  
Third year .... £ 1,180  
Fourth year .. £ 1,210  
Fifth year .... £ 1,240
- (b) Have these estimates been based on technical advice? A. (b) Not applicable.
- Q. 6. Approximate estimate of allocation of cost between (a) local expenditure. (b) expenditure in Great Britain. A. (a) Cost will be confined to expenditure on salaries, and these, in view of the fact that the scheme is to be carried out in Kenya, may be expected for the most part to be expended locally.  
(b) Not applicable.
- Q. 7. What circumstances have prevented the work from being put in hand before? A. Lack of funds.
- Q. 8. Proposed method of financing capital expenditure contemplated. A. Not applicable.

2.

Q. 9. The advantages to be derived, and the additional yearly net revenue estimated to be earned, as a result of the proposed expenditure.

A. Greater knowledge of the factors leading to crime and recidivism and the means of maintaining Africans in health under prison conditions. Such knowledge might allow of the institution of certain measures aimed at the prevention of crime and recidivism, and should provide a basis for the re-organization and development of the prison system of the Colony. Such knowledge would tend to ensure that new institutions were adequate for their purpose and it might well be the means of ensuring that much less expenditure need be incurred in the future than might otherwise be the case. The information obtained might well be of great use in many other parts of the Colonial Empire.

Q.10. In what form is assistance under the Act desired?

A. A direct grant of £6,000 from the Colonial Development Fund is desired.

ON

A SCHEME FOR CARRYING OUT AN INVESTIGATION INTO SOME OF THE MEDICAL ASPECTS OF CRIME IN THE COLONY AND PROTECTORATE OF KENYA WITH A VIEW TO THE PROVISION OF INFORMATION WHICH MIGHT BE OF SERVICE IN THE RE-ORGANISATION AND DEVELOPMENT OF THE PRISON SYSTEM OF THE COLONY AND RECIDIVISM IN CRIME.

- A. The occasion of the scheme.
- B. The advantages likely to be derived from the scheme.
- C. Description of the scheme.

A. THE OCCASION OF THE SCHEME.

(1) For some years past the Government of Kenya has been gravely concerned on account of the steady increase in recidivism in crime in Kenya as indicated in the following table:-

PREVIOUSLY CONVICTED.

Year.	Once.	Twice.	Thrice or more.	Total.	Percentage of Total Committals.
1936	770	553	636	1,759	24.5
1936	872	372	643	1,887	29.8
1934	1,084	407	647	2,138	24.4
1933	808	346	463	1,617	22.1
1932	712	305	411	1,428	20.2
1931	603	227	356	1,186	17.5
1930	617	182	287	1,086	16.0

It is appreciated by Government that the increase in recidivism which is revealed by these figures may in part have been occasioned by circumstances arising out of the financial depression but none the less the figures are disturbing and in the view of Government it is now a matter of urgency that an investigation should be undertaken into the methods which might be adopted with a view to checking this continued increase.

(2) The Causes of Continued Increase in Recidivism.

The main causes of recidivism in Kenya are probably as follows:-

- (a) Contamination resulting from the unrestricted intercourse which is unavoidable under the present system of incarceration will remain unavoidable until all convicts can be properly classified and first offenders effectively segregated from recidivists;
- (b) the steady increase in the number of sophisticated natives who drift to the towns and being without sufficient earning power turn to crime as an easier method of earning a living than honest work and who, after conviction, are encouraged

In .....

in this view by "old lags" whom the law and the present prison system has failed to convince to the contrary;

(c) the failure - now only partly rectified by the Juveniles Ordinance, 1934, and the establishment of "Approved Schools" - to take effective action with regard to the reformation and rehabilitation of the juvenile offender.

(3) With the object of removing some of these causes the Commissioner of Prisons has suggested the reorganisation of the present system so as to allow of three kinds of incarceration, viz:-

- I. A central Farm Camp for the confinement of unsophisticated first offenders.
- II. A central Prison for recidivists with single-cellular accommodation.
- III. A Penal Settlement for persistent offenders sentenced to Preventive Detention.

(4) The successful establishment and operation of some such system as is indicated in the preceding paragraph would depend, however, on the selection and classification of prisoners, on knowledge with regard to the physical and mental condition of each prisoner and on the causes of criminal conduct and recidivism in Africans and on the elaboration of suitable methods of training, education and treatment. At all points, therefore, in the elaboration of such a system the prison administrator will be dependent on medical advice and he will require also much information with regard to the previous social history and circumstances of the prisoners.

(5) Up to the present it has been impossible for the Medical Department of Government on account of shortage of staff and funds to make any detailed study of the African prisoner with regard either to his physical or mental condition, while for similar reasons the social factors have remained uninvestigated. To take one example only, the Medical Staff of the Nairobi Prison which has as a rule a population of about 1,000 consists of an Asian Sub-Assistant Surgeon working under the nominal supervision of a Government Medical Officer who, as he has many other calls on his time, can only visit the prison for short periods two or three times a week and who is frequently changed. Under these circumstances even adequate medical supervision is impossible and any special investigations are out of the question.

(6) The occasion of the preparation of this scheme is therefore the need to make more adequate provision for the investigation of the medical aspects of crime among African natives with a view to the better care of prisoners and the elaboration of a more satisfactory penal system.

B. THE ADVANTAGES LIKELY TO BE DERIVED FROM THE SCHEME.

If the scheme were to be carried into effect much information as to the causes of crime and recidivism among Africans might be acquired without which the classification of prisoners and their treatment thereafter cannot well be carried out. The parts which physical or mental ill-health or mental defectiveness may play might be determined and much information with regard to nutrition and dietetics should be obtained. Problems of sanitation, housing, and occupation ....

occupation could be studied and it is not improbable that information would be acquired which would lead either to economy or the avoidance of unnecessary expenditure in the future. Pointers might be obtained for the development of public health, social and educational policies which in time might lead to reductions in the incidence of crime and of recidivism in crime.

The information obtained might be of service throughout the Colonial Empire in Africa.

### C. DESCRIPTION OF THE SCHEME.

It is desired to post to the Nairobi Prison for a period of four years a full time Medical Officer with some special experience of prison medical work who would devote the whole of his time to the care of the prisoners and the study of the medical problems which have been indicated in the preceding paragraphs. With this object in view it is desired to enable a medical officer of the Medical Department who is at present on leave to extend his leave by six months or a year in order to obtain practical experience of prison medical work in one of the prisons in England and, if possible, to take out also a course in medical psychology. This officer on his return to the Colony would be posted to the Nairobi Prison for the ensuing four years, and if the finances of the Colony permitted, be retained in that post thereafter. In order to allow of this extension of leave being given and of the posting of a whole time officer to the Nairobi Prison it will be necessary to engage an extra Medical Officer for the next five years on the scale £600 by £80 to £840 by £40 to £920. This would involve an expenditure of £3,300. Fees for special courses and other expenses for the medical officer in training would probably amount to about £100. Passages to and from Kenya and housing in Kenya would be provided by the Kenya Government.

Provision is also required for a social worker and it is anticipated that such an officer could be recruited locally for an inclusive salary of £500 per annum.

The Medical Officer recruited to replace the special prison Medical Officer could be absorbed into the ordinary staff of the Colony at the end of five years without difficulty to fill any vacancy which might then occur.

### SUMMARY OF COST.

Expenses incidental to training of Medical Officer in England .....	£100
Employment of Medical Officer in replacement for five years .....	3,300
Employment of Social Worker for five years	2,500
Contingencies .....	100
	<u>£6,000</u>