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Array obsorio?
(Adress)

I agree that way can must depend to row stirt you weumstances - Their way much a forma face minor office a gran offerer. I do not think is need argue about those four cases . The days went these found has been taken mong prince further questionally pundements They are ded - 4, 2 care plant West, the straight of the stra Springer in the second of the The opening from the first merch the second 6 Mple) gime insubstitution as a grand for the start , so they would have got him in that . But they disht .

Trans . Return of Comings carried out during in months ended 31" Dec. Is to zether with analyses of Efences for which punishments were awarded Olas Okako awarded & Starker, lunder Lect of (24) of the Price Ordina The consistion was quarted although The seatence has been convied out See also the come of Kotai % Kotan (ages 16) awards & chokes under chesting Cap 16, comments pared attent experie had been consisting Combine the Marie Control available stage and discute 2 the Land Con March Carly The Court forth for the property والمعارض المناب Hamilton Control Line the South of the Marian Comments of the C to arrange here agree & a face the law to -? Selic 230. CA 9 19/6733 The Roberts Wray

2 Governor Byrne 312 ____

Subject of down; July

effect before it was reduced by the Supreme Court.

quistled or reduced, i.e., until the time for unused or review has expired. Is there enything

in law to prevent this? In addition to the

that in the case of Njeroge Karanja the full

anses mentioned by Mr. Grossmith, it is not clear

sentence awarded by the Court was not carried into

(1) Section 61(4) of the Prisons Ordinance.
1930 (No. 37 of 1950) provides that:

"a sentence of corporal punishment shall not be carried out except in the presence a medical officer or, if he such medical

officer

officer is available, of a European officer of the Colony, nor before such medical or other officer has after examination certified that in his opinion the prisoner is physically fit andergo the sentence of corporal punishment about to be inflicted on him.

This sub-section of the Prisons rdinanchas not been amended.

Sub-section 4 of section 27 of the Penal Code (Ordinance No.10 of 1930) makes similar provision except that the words "Government Medical Officer" are used instead of Medical Officer.

Hath the evices organism of a company of the compan

Organization designation of the extension of the first of the control of the cont

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Bartion Given of the Banch cost water attributed the spring supposes ocurs are used losteed or the word "Governors.

Deation (1(1) of the Criminal Procedure Code provides that "No sentence imposed on a native by any subordinate court exceeding.....twelve strekes shall be carried into effect.....until the record of the case or a certified copy thereof has been transmitted to and the sentence has been confirmed by the Supreme Court."

Beotion 342 of the Criminal Procedure Code provides for suppension of sentence punish

J. H. Wen 18 1. 9.3.

4 A/Governor your 595 _____ 19" Oct 33 Time return of carriage canced out in prisons disting which funishments were awarded. Then is a stropatory secrean In the octure of commy for Withale Prison there is weather of one inflinters on for mulaifults absenting in the from its fence profes for the work " lock this seem to live like yith larger was the engloyment of matrice and continuences 5, 1/ Enuma 8/000 610 Funishe Some negarding world of cases by the Show line the de white of what hand not The Qu. A.G. i weres one very close to those experses in the minutes that Subject to legal obtions Taijet their the action fraposed new suffice for the present momies 20/11 I seem the a choice of this with and of do into thirth ?

soon get then fla. To Mount

3114 /33 Mr. Davies, 22MV Mr. W Dolon 27 Aroused by No 1, 2 1 Mr. Parkinso Mr. Tomlinson. Sir C. Bottomlev. Sir J. Shuckburgh. Permt. U.S. of S. Parly, U.S. of S. I have, etc., to acknowledge the Secretary of State. receipted Ur. Boom whise mitch masses AND THE PROPERTY OF THE PARTY OF THE PARTY. tricare trick and a second svetian utilizacioni dicipii deliminati decen Tallo To LTT sakes Ligaria in Links and excession Legielative Council/se Femiliarian Cisic . of corporal punishment on persons eddin Eindfürmer a dunde porving a sentence of a isonment/aubjec FURTHER ACTION. to confirmation by the upreme 'art, and I agree that for the present this action wmust suffice. have. (SEC.) PR OUNLIFFE-LISTER.

KENYA.

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have the honor . Exhowiouse the receipt of your despatch no. (b) " " to the September on the subject of corporal pant Bhents carried out an "of one on the management of Suppo

at respondence of the sections

The man state of the contract of the contract of

shaba howaye. ordered to the of again manufament present abusideration difficulties and I concur to the opinion expressed by the Chier Justine and by the Alterno, laboral that, though It is a fact that corporal cost hment can be awarded and the sentence subsequently auashed after the punishment has been inflicted, any arrangement which would delay the infliction of the punishment, such as a

provision

THE RIGHT HONOURABLE MAJOR SIR PHILIP CUMLIFFE-LISTER

Court water to

Aid Sidn - 2

If is possibly that, whose is a constitution of the possible the creation of the possible contempted by sections ; and is of the levenile contempted by sections ; and is of the levenile contempted by sections and is of the levenile terminating with your despatch hours of the levenile there exist by less objection to a provision rendering these sentences also subject to confirmation. In the meantime I should perfor, in all the circumstances, to limit present action to that proposed in paragraph is above.

5. The Chief Justice is being asked to direct the attention of all magnistrates by circular to the need for the exercise of the greatest care in passing sentences of corporal punishment.

I have the monour to be, Sir.

our most obedient, humbre servant,

Man. Me lucon

ACTING JOVERNOR

KENYA



transmit for your information, the عِنا رائط ۱۵۰۰ of canings carried out in the price of the Grony and Protectorate of Kenya during the cost mosts among the Pile Inia 197 1. gg:34 g

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have the honour to be.

Sir.

Your most obedient, humble servant,

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ACTING GOVERNOR.

THE RIGHT HONOURABLE

MAJOR STREPHILIP CUNLIFFE-LISTER, P.C., G.D.E., M.C., M. I.

SECHETARY OF STATE FOR THE COLONIES,

DOWNING STREET,

LONDON S. W. Sat

ANALYSIS SHOWING THE NUMBER OF SENTENCES OF CANING

IMPOSED ON ADULTS FOR OFFENCES AGAINST

EACH OF THE VARIOUS LAWS.

Penal Code.

Attempted rape Sec. 124

Committing unnatural offence Sec. 140(1)

Defilement of girl under 16 years of age Bec. 128(1) 2

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Return of Canings in	Natrobi	Prison awarded by		Adults }	for the 6 months ended	30th June	.193 <u></u> 3.
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Return of Canings in	Mombasa Prison aware	led by	Cou		Adults for the 6 months ended.	30th June,	.193
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eripi Charl	Attampted Page Sec. Las P.U.	à	36	28,2,43	Mr. Justice Legis-Mail Judge, Museum Court	P.V.; p. Garrillia. V.v.	
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COLONY AND PROTECTORATE OF KENYA

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COLONY AND PROTECTORATE OF KENYA

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COLONY AND PROTECTORATE OF RENYA

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COLONY AND PROTECTORATE OF KENYA.

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AVAIYSIS SHOWING THE NUMBER OF SENTENCES OF CANING

IMPOSED ON JUVENILES FOR OFFENCES AGAINST

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EACH OF THE VARIOUS LAWS.

Assault Sec.229

Assault Sec.228

Attempted theft Sec.362

Burglary Sec.280(1-)

Burglary, theft and escape Sec. 280 and 110

Burglary Sec. 280

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Theft Wes. MAS

Theft Bed, 256

Local Ordinandes

The Careless Use of Fire Prevention Ordinance, Chapter 76 Laws of Kenya. Employment of Matives Ordinance,

Chapter 139 Laws of Kenys
The Game Ordinance, Chapter 161 Laws of Kenys

The Juvenile Offenders Ordinance, 1933.

The Railway Ordinance No.15 of 1927
The Traffic Ordinance, 1928

The Tribel Police Ordinance, 1929.

The Vagrancy Ordinance, Chapter 63 Laws of Kenya.

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Name of Prisoner.	Offeres Le which dogging wherded	ti	v (That's of	Make and Appointment of person	Name of M. Q. certifying.	Whether confirmed Supremi
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Return of Canings in	Nairobi Prison aw	rarded b	у Соп	RTS on 56	Juveniles for the 6 months ended	30th June, (93.3.
Name of Prisoner	Offence for which flogging awardeds	= §	121	Date of Infliction	Name and appointment of parent by whom arrained	Hame of the control o
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Mgeru Mgthi	Tagets Sec; 252 P.C.	14		17.3.53	Bistrict Officer	Ci.
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Return of Canings inPrison awarded by	Courts on	iAdults 2. Juveniles	for the 6 months ended 30th sune,	193.4.

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Name of Prisoner,	Office for which flogging awarded.	fam of	P.IR	Date of process.	Henra and appointment of param by the linear and left	an and a similar	Whether a fixed in a specific
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Return of Canings in	- Distrobs Prison sward	ei by	Cour	77 on 41.	Adults Sureniles for the 6 months ended	30th	June,	
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Return of Canings in	Momba sa Prison award	ed by	Cour		Adults Juveniles for the 6 months ended	30th June,	. هـد9
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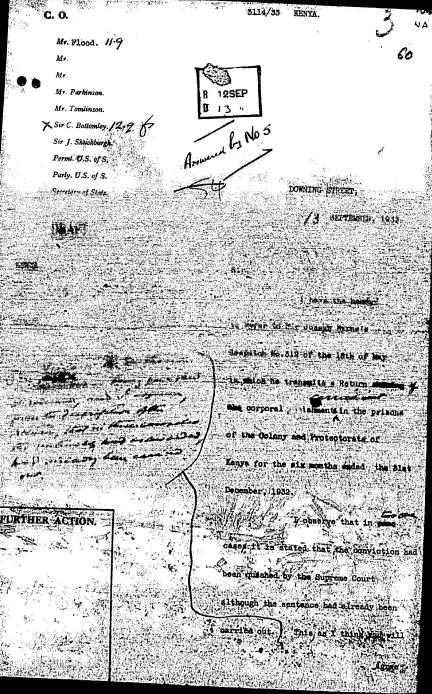
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COLONY AND PROTECTORATE OF KENYA.

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

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MAJOR SIR PHILIP CUNLIFFE-LISTER,

FIC., G.B.E., M.O., M.P.,

SECHETARY OF STATE FOR THE COLONIES;

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				2	Juveniles for the 6 months ended	31st December,	193.2.
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Name of Prisoner	Offence for which flogging awarded.	Age of Prisoner.	No. of Strokes	Date of infliction.	Name and appointment of person by whom awarded	Name of Most certifying	Whether confirmed Supreme Court.
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COLONY AND PROTECTORATE OF KENYA



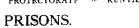
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COLONY AND PROTECTORATE OF KENTA

PRISONS.

Return of Canings in Kisum Prison awarded for OFFENCES AGAINST PRISON DISCIPLING on 1. Adults

Performance Prison awarded for OFFENCES AGAINST PRISON DISCIPLING on 1. Adults

Name of Prisoner	Offence for which caning awarded	Age of Prisoner.	No. of Strakes	Date of infliction.	Name and appointment of person by whom awarded.	Name of M. O. certifying	Whether confirmed by Supreme Court
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PRISONS.



Return of Canings to Prison awarded for OFFENCES AGAINST THESE STORY OF THE A dead 31st December 1932. Acres de l'arrestate de la constante de la con Name of Prisoner Pate of Name and appointment it wise: Offence for which raning awarded Acesta Infliction Name of the origination by whom awarded Hill the con-Supreme Ali bin Abdullah 12 10 A. A. ENTAR



Return of Canings in Kitale

Prison awarded for OFFENCES AGAINST PRISON DISCIPLINE on 1. Adults

+dr-=-luveniles

for the 6 months ended 31st December, 162 1932.

Name of Prisoner	Offence for which caning awarded.	Age of Prisoner	No. of Strokes	Date of infliction.	Name and appointment of person by whom awarded	Name of M. O. certifying.	Whether confirmed by Supreme Cour
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Name of Prisoner	Offence for which (aning awarded	Age of Prisoner.	No. of Strokes	Date of infliction.	Name and appointment of person by whom awarded	Name of M + 13dying	Millert - Officient - Suprement - Pr
Onyango va Otlono	Indexal and indepent Adjustment from the (22)	29	84	8.9.32	A.T. lambart Reg District utilier	A.M. Margreaves	Cenfirmed h
					Con Females of Services.		M Groin
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Return of Canings in Prison awarded for OFFENCES AGAINST PRISON DISCIPLINE on Adults for the 6 months ended. Plat December 160. 1932 Name of Prisoner. Offence for which caning awarded. Date of Name and appointment of person by whom awarded. Whether confirmed by Supremy Court infliction Name of M. O. certifying

INCOME OF STREET, ST. STREET, ASALTS,

urn of Canings in

Prison awarded for OFFENCES AGAINST PRISON DISCIPLINE on

n le Adulta 2. Juveniles

Name of Prisoner	Offence for which caning awarded.	Age of Prisoner.	Siroles	Date of infliction.	Name and appointment of person by whom awarded.	Name of M. O certifying.	Whether confirmed by Supreme Court



Tar February, 1933.

I have the nonour to acknowledge the receipt of your despatch No.897 of the 9th December last regarding the Return of Canings carried out in the prisons of this colony and Protectorate during the six months ended the 20th Jame. 1858

teposed in the fellericht the capture in angelier to the capture in the capture i

HANGE DE LINE

This smorts we sentened to carries an authorist of an effective and an effective under Restine &7 (17) of the ordinance, i by smooghing a blanket out of the prison. The neutron and imposed wider Section CL (1) (a) as the orferior to the plan constituted the convict's always because of discipline.

BALL RDY ATTE

convict was charged with falaness and warned. He was subsequently charged under section 57(29) with refusing to work and sentenced to a period of reduced dict.

Whilst serving his sentence of reduced diet

he/

THE RT. HOL.

MAJOH BIR PHILIP CUMLIFFE LISTER, P.C., G.B.E., M.C., M.P.,

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STERET, LONDON, S.W.1.

ne was charged and convicted under Security as eating food assigned to other prisoners, thus evading sentence of reduced dist.

The Superintendent considered the control of the constitute an aggravation of the control and the control was accordingly sentenced to reports punishmen under Section 19.

ABUSHIRI s/o ULADI, and JABU alias KOHAMED HASSAN

The Superintendent reports that incre and at the time an outbreak of tobarco amuggling and an it is to Lam prison. The parameter of the control of the contr

*constant in the constant of t

PER ENGLIS LISTATOR

It is pointed out that in regard to the general question much depends upon circumstances such as the general tone of the prison and the possibility that repeated offences by one or two convicts may seriously affect the discipline of the snole prison. The Commissioner is.

of the opinion that the power to easid norporal chilishmen is now soldom abused.

to the Commissioner and I consider that the sentances of caning in the cases of Mjeroge wa Kamau. Abushir: 9/0 Cladi and Jabu alias Mohamed Hansan were in all the imposed with due regard to the relative provisions of the Ordinance governing the award of corporal punishment.

I am, however, prepared to agree that in the case of means bin akidu it is questionable whether the sentence of caning should properly have been imposed, and the Commissioner of Prisons is being instructed to inform the officer concerned accordingly.

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