

KENYA

1934

No 23013/2

SUBJECT

C0533/440

MEDICAL REPORT 1933

Previous

23013/1/34

Subsequent

38158/35

63

Med. Report

Med. Report
ruling

Resolves Bygone 1459 _____ 12 Sept 42

Trans. a copy of the Medical Report 1942, gives details of amendments which are considered necessary & seeks a ruling on the Director of Med. Services' contention that his report must be submitted to the S. of S. without amendment.

This appears to have arisen over a difference of opinion between Dr. Paterson and Mr. Moore in the preparation of the Annual Medical Report in form for publication.

Dr. Paterson contends that everything which he has written in his report must be transmitted by the Governor to the Secretary of State, intact and without alteration, the Governor informing the Secretary of State of parts which, in the opinion of Government, should not be printed. The contention is based on the fact that the form of letter on page 2 in Misc. 375 purports to submit the Report for the Governor's information and transmission to the Secretary of State.

X See Misc. 375

In effect, Dr. Paterson does not contest the right of Government to edit the Report for publication but avers that the copy for the Secretary of State should be as originally written.

It is the usual practice in Kenya and I should imagine in all other Colonies, for the final draft of a Report to be agreed to by the Governor in consultation with the Head of the Department before publication.

Obviously, it is wrong for a departmental Report to contain criticisms of Government or personal views on matters of policy, and the Annual Report is certainly not

the

the place in which to ventilate grievances.

The general ruling asked for by the Governor would appear to be a matter for the General Department. In the special case of the Medical Report the Medical Advisers will no doubt agree that Mr. Moore's amendments are most desirable.

C. H. G. Smith

17.10.34.

My sympathies are entirely with the Governor & Dr. Moore. We have long been weary of Dr. Paterson's tendency to make seven words do the work of one.

It might be helpful if Sir T. Stanton could take an opportunity of explaining to Dr. Paterson that, in spite of the wording of Misc. 375, the Governor & not the DMS is responsible for the final form of the Med. Report. I refer you by letter that S. J. S. approves of the proposed deletions & amendments to the Report. (It is of course printed locally)

J. J. S.
17/10.

I suppose I had as much as anybody, apart from the technical experts, to do with the model Medical Report as I was at the time acting as Chairman of the S.A.M.S. Committee.

It never occurred to anybody that a perfectly innocent and colourless transmission letter which was included at the start of the draft model would be taken as a charter of liberty to enable the Head of the Medical Department to air his views on anything and everything, and not only let them go forward to the Secretary of State, but he has a right to ask for if he feels like it, to be published broadcast to everybody who gets a free copy of the Report and anybody who cared to pay for it.

I agree entirely with the view expressed by the Governor, though it is going too far to stress the word "concise". Reports should be brief and usually are because the compiler of the Report wants to get the job finished, but if the Head of the Department wishes to spread himself, there is no reason why he should not do so within reason. It must be obvious, however, that the Governor has the right of censorship and can call for the excision or alteration of any Report which is going to be published, so long, of course, as it does not amount to a deliberate falsification of facts, a thing which no Governor would ever dream of. With regard to the various alterations suggested, the first one on pages 10 and 11 is washing in public some of the discussions in the Legislative Council of the Select Committee thereof on the Estimates. Quite apart from the fact that it was the 1934 Estimates that were under consideration, any such remarks are obviously out of place in the Report of the Medical Department. With regard to the second alteration in pages 12-15,

Dr. Paterson is perfectly right in objecting to the expenditure of the Advisory Committee but he should do so in a separate communication to Government and not in a published document. The same remark applies to the omission in page 19. If Dr. Paterson thinks that more clerical assistance is required he ought to ask for it and not put in paragraphs in his Report saying that to provide adequate lay assistance would save the time of the technical Administrative staff.

The omission of the words "to a degree" on page 24 is more doubtful. I think anybody who considers Kenya's medical work, the extent of the country, the size of the population and the number of staff would be inclined to take Dr. Paterson's view and there is no real reason for cutting the words out of the Report.

Pages 92-94 of the typed script to which the Governor refers, are, I think, really required in present circumstances, in view of the hullabaloo that is going on as a result of Dr. Gordon's efforts. It would have been impossible for Dr. Paterson to pass over those efforts in his Report, and what he says represents his own attitude towards the problem that has been raised by Dr. Gordon.

? I think the best action to take would be for Sir T. Stanton to tell Dr. Paterson privately that he mustn't do this kind of thing, and that the Governor has every right to edit the Report before printing

is, though, of course, if any passages are excised about which Dr. Paterson would desire to make representations, he has every right to ask that those passages shall be sent to the Secretary of State, with or without the Governor's covering comments, and say that he will, of course, realise that he must not use the Annual Report of this or other Departments of Government generally or the Legislative Council, and tell the Governor that the Secretary of State entirely agrees in his view and that the Report should, of course, be edited as the Governor thinks fit, though should the Head of a Department wish deleted passages to be brought to the notice of the Secretary of State, the Governor would no doubt do so on receiving a request to that effect. Add that in the Secretary of State's opinion, no useful purpose can be gained by putting controversial or recriminatory matter into a document which is going to be published and receive fairly wide distribution.

J. E. U. Ford

18.10.34.

*Dr. Paterson mentioned
this to me when he called
last week. I had not then
seen the report. On the general
question I said that it was*

not wish to include in an annual report anything to which exception could be taken by the Secretariat. If however there was any other matter to which, in the opinion of the Head of a Department, the Secretary of State's attention should be directed the correct procedure was to make representations in a formal letter to the Local Government asking that it should be forwarded to the C.O., I added that if this appeared, on examination of the papers, to be any question of the suppression of relevant technical information I should raise the question with the C. & G. Com.

There is no such question here. I quite agree with Mr. Flood and I shall have a further talk with Dr. Paterson.

H. Stanton

20. 10. 34

Sir G. Bottomley.

You should see this and you may possibly wish to pass it up to the Personnel Division, in case they might wish to make it a matter of general consideration as the principle touches on every Department of Govt. The question at issue is, stated in its lowest terms, whether the Head of a Dept. in writing his Report has a right to put into it statements casting a reflection on other branches of the Govt. under which he is serving, or raising acute controversial issues, and then to insist on his Report remaining unchanged and being forwarded to the C. of S. even though it is going to be published afterwards and get a fairly wide distribution both in Govt. and non-Govt. circles. Stated like this I think there can only be one answer and that is the one set out in my minute of the 19th of October.

If Sir T. Stanton will square up with Dr. Paterson as he proposes, then we can write to the Governor and tell him so, but in writing to the Governor I think I would add that the reference to Dr. Gordon's activities on pages 23-24 is, in the Secretary of State's opinion, quite justifiable, especially in view of the general interest that is being taken in the question. Otherwise, of course, we can endorse the Governor's attitude and tell him

that

that he can edit the Report as much as he likes.

J. E. Flood

22.10.34.

Since I dictated the above, I have seen Dr. Paterson along with Dr. Stanton. He was quite aware of the trouble and said that it would not have arisen had he been in Nairobi. The trouble was that his deputy, Dr. Carlisle Johnson, was not sure how far he could go and did not like agreeing to upset things without Dr. Paterson's concurrence. The extract quoted in paragraph 4 is from a letter to Dr. Carlisle Johnson from Dr. Paterson. He says that all he meant was to urge that his original typed script should be sent to the Secretary of State for information, the printed copy being edited as much as the Government pleased, though, of course, he could not agree to additions being made over his signature by anybody except himself or, at any rate, with his connivance. In reality all he wanted was that the Governor should inform the Secretary of State of the bits that were excised, whatever they were, and this could have been done with a separate despatch. Further, he wanted the Governor to see it himself and says that the Governor never did see it, but the whole thing was hatched in the Secretariat.

Dr. Stanton and I explained to him the view taken here so far, as set out above, and I think he quite realises it. We also pointed out to him the difference between a Report sent for printing here, in which case, of course, the Secretary of State can censor it as much as he chooses before it goes to the printer, and one printed in the Colony and distributed all over the shop like the Medical Report, in which event they should be particularly careful not to give cause for offence.

(Signed) J. E. Flood.

23.10.34.

Sir G. Tomkinson

The proposal for action is as
indicated at the end of Mr. Flood's
minute of 18.10.34.

I entirely agree & think of Dept.
must not use his personal report
for the purpose of maintaining peace,
against Govt. which he knows
will not be successful except by
inadvertence but may be so
indicated.

In the case of the Kenya Native
Affairs Report, (9.3), the Govt.
Govt. weekly and the whole report
was for printing & left it to our
vigilance to detect the
inappropriate matter. Please &c.

16309/30

13 in that file - off. approved
by Mrs. Passfield.

W.H.
20.10.34

Sir C. B. Stansley

I entirely agree. Dr.
Palerson's enthusiasm is a
great asset & I would not
pore too much cold water on
him. But he must choose
the proper time & place for
ventilating grievances &
controversial matters. If I may
say so, in the second para. of
your minute remain an
advocate.

E. J. D. P.

20.10.34

* No, but the Governor has
feelings too.

Pls. let me see the draft.

W.H.
24.10.
atna

As Kenya wants to get this Report into
print quickly, (see last sentence) we may as
well reply by air mail. Mr. Preston rather
wanted to telegraph, but I don't really think that
that can be required, as the printing of the
Report is not quite so urgent as to justify a
telegram. Draft herewith.

By and mail
20/10/34 2 To Kenya 897 (Uthman) 28/10/34

Ch.
hiding as
set forth in (?)

Margaret
to date

Handwritten note in left margin

2

C.O.

Mr. Flood. 2.]

By Air Mail.

Mr.

Mr.

Mr. Parkinson.

Sir G. Tomlinson.

Sir C. Bottomley. 17/10/47

Sir J. Shuckburgh

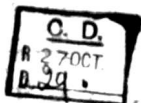
Parli. U.S. of S.

Parly. U.S. of S.

Secretary of State.

Downing Street,

London, W.C.2.

**DRAFT.**

KENYA.

NO. 897

GOV.

S

Sir,

I have etc. to acknowledge the receipt of your despatch No. 190 of the 12th September, in the subject of the Annual Medical Report for 1938 and to express my entire agreement with the views ^{you} ~~which~~ have been put forward.

2. In my opinion it is not correct to include controversial or recriminatory matter in any document which may hereafter be published and which would receive fairly wide distribution as in the case of the Medical Report, which is ^{sent} ~~distributed~~ to numerous public and scientific bodies not only in this country and in the

Colonies.

FURTHER ACTION.

Colombia, but ~~to be sent to the~~
and ~~sent~~ abroad. Apart from this, it
is clearly the proper function of the
Colonial Government to edit any Reports
which may be received, before publication,
in such a manner as the Governor may
think fit. If the Head of the Department
should wish any passage deleted in this
process to be brought to special notice,
he should make representations accordingly,
when the Governor would no doubt be
prepared to send separate despatches
enclosing the matter which had been
excised from the Report, with his comments
thereon.

5. In your despatch you refer to
various specific portions of the typewritten
report which you would wish to excise or
alter. I am in agreement with your views
but in the particular case of the comments
on pages 92, 93 and 94, it would, I think,
have been ~~preferable~~, in view of the
general public interest which has been
taken in Dr. Gordon's work and suggestions,

- C. O.
- Mr.
- Mr.
- Mr.
- Mr. Parkinson
- Sir G. Tomkinson
- Sir C. Bannister
- Sir J. Shuckburgh
- Perm. U.S. of S.
- Parly. U.S. of S.
- Secretary of State

DRAFT.

FURTHER ACTION.

I have
If Dr. Paterson ~~and~~ ^{and} ~~criticized~~ ^{criticized}
reference to it in a report on
medical work in Kenya, then it by
no means follows that ~~it~~ ^{any such reference} need ~~be~~
be ~~expressed~~ ^{would} quite as ~~Dr. Paterson~~
in this case ^{is}.
expressed ^{is}. The situation has been
explained verbally to Dr. Paterson
and I understand that he is perfectly
content to accept the situation and
had, indeed, no real intention of
asserting imaginary rights.

I have, etc.

(514) CONFIDENTIAL

KENYA

NO. 1124



GOVERNMENT HOUSE
NAIROBI
KENYA

September 1934.

Sir,

I have the honour to refer to Colonial Office paper Miscellaneous 375 of January 1926, model Medical and Sanitary Report, on the inner cover of which is the following formal transmission letter:-

"I have the honour to submit for the information of His Excellency the Governor and for transmission to the Right Honourable the Secretary of State the Medical Report on the Health and Sanitary conditions of for the year together with the Returns, etc., appended thereto."

The italics are mine:

2. In the first place my previous experience of Annual Reports, and at the discussions in which I have taken part at Colonial Office Conferences, confirms me in the view that an annual report is intended to be a concise review of the work done during the year. This, indeed, is stated on the top of page 5 of miscellaneous 375 "the object of these reports is to collect reliable information and to present it in a useful and readily adaptable shape", and the remark applies with equal force to all annual reports. Again, in this Colony's Code of Regulations it is instructed that an annual report is to be brief, concise and a record of work done during the year under review.

These instructions have been liberally interpreted in this Colony, but there is a tendency for officers

with ...

THE RIGHT HONOURABLE
MAJOR SIR PHILIP CUMLIFFE-LISTER, P.C. G.B.E. M.C. M.F.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET,
LONDON, S. W. 1.

Handwritten notes:
Official
No 1124
11/25

Handwritten notes:
No 1
7/15/26

with facile pens, who are thoroughly interested in their particular work, to endeavour to express in Annual Reports, their views on general questions, and on matters of policy directly or indirectly affecting their Departments.

The essential is, however, a concise review of the year's work; and, in accordance with established practice in this Colony, annual reports are laid on the table of Legislative Council, are circulated to other Governments and to institutions and are sold to the general public both in this Colony and at home. Unduly to lengthen them by the inclusion of general matter, or to include, whether directly or indirectly, opinions, etc., critical of Government or of the work of other Departments, detracts from their value, may easily cause serious official and unofficial misunderstanding and certainly adds enormously to the cost of printing, which in time of financial stringency is of no small importance.

3. In transmitting an original copy of the Annual Report of the Director of Medical Services for 1933, I wish to make it clear that I consider this Report to be an interesting and useful document, but, in my view, it contains opinions, statements and information which, however valuable as coming from Dr. Paterson, are in some places redundant, and in others extraneous, to the Annual Report of the Director of Medical Services. Certain of the matter might be the subject of separate memoranda.

In this instance the Colonial Secretary, Mr. H. M. Moore, C.M.G., acting in accordance with his duty as the Chief Executive officer under the Governor, gave instructions for the printing of the Annual Report now transmitted, subject to certain amendments ...

ments and deletions. These were:-

Pages 10 and 11. The deletion as marked. The reference to the 1934 Estimates is here extraneous to a report on 1933.

Pages 12 - 15. The deletion as marked. The criticisms of the recommendations of the Expenditure Advisory Committee, whose report was addressed to me, are in places criticisms of Government and concern matters which have been, and may be, the subject of separate, and possibly confidential, reference to yourself.

Page 15. The alteration as marked. This alteration is verbal following upon the deletion of Pages 12 - 15.

Page 19. The addition as marked in order to avoid the impression that the post would be of higher or equal rank.

Page 19. The deletion as marked. The reference to an alleged need for lay secretarial assistance at Medical Headquarters has nothing to do with a record of work done in 1933, it could be construed as a criticism - I am sure unintentional - of the administrative abilities of the medically qualified staff at Medical Headquarters and it is a public plea for an increase in lay staff with which I am, at present, unable to agree.

Page 24. The deletion as marked. It is not in my view fair to say that compared with the needs of the population the amount of medical service provided is still meagre "to a degree".

Pages 26 and 27. The deletion as marked. The reference is to a "Health Scheme" of 1927, the criticism

is unnecessary in that I believe the medical facilities given to natives in Kenya contrast favourably with those which other African dependencies have been able to afford.

Page 70. The correction as marked. "40,000" is an error.

Page 136. The deletion as marked. This is consequential upon the deletion on pages 26 and 27.

Page 144. The addition as marked. The addition refers to the remark on page 143 that the Mathari Mental Hospital buildings are old and prison like and explains that remedial steps are being taken, as funds permit.

In my view the amendments made by Mr. Moore were extremely lenient and my perusal of the Report leads me to consider that he would have been justified in returning it with the request that it should be re-written in a form consonant with standing instructions and established practice. See in this connection Pages 34-42 a disquisition on village economics, Pages 42-83 examples of work done in 1921, Pages 92-94 a disquisition on the education of natives.

4. It is my usual practice when the Annual Report of a Head of Department is in question to reach agreement with him personally on the final draft of the report. Dr. Paterson had left Nairobi for England when his Annual Report was received and the Acting Director of Medical Services saw fit to refer to him the minor alterations instructed by Mr. Moore. In a personal letter which has been laid before me, Dr. Paterson expresses the following opinion:-

"Government cannot of course be required to print anything unless it approves, but my

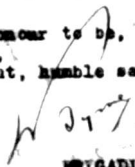
Report is written for submission to the Secretary of State through the Governor and to the Secretary of State it must go as I wrote it, the Governor will of course make what comments he desires and will doubtless inform the Secretary of State of the facts that any bits will not be printed."

He bases his contention on the wording of the transmission letter quoted in the first paragraph of this despatch, and as there italicised.

5. You will, I trust, agree that the view held by Dr. Paterson would lead a Colonial Government into an impossible position and I see no reason why the Annual Report of the Director of medical Services should be in any way an exception to the general rule. Dr. Paterson's view would enable each Head of Department to write as much as he likes, to make what statements he likes, whether correct or incorrect or whether concerning Government, or his Department or any other Department, and to disregard the general relations between a Governor and a Head of Department. Moreover, the procedure which he holds to be correct would cause endless delays and correspondence before Annual Reports, already overdue, could be printed.

It is very desirable that this report should be printed as soon as possible, but, in the circumstances, I have no alternative to submitting the general question to you for a ruling.

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



BRIGADIER-GENERAL.

G O V E R N O R .