38037

1937

C0533/477

KENYA

38037

COMPULSORY RETIREMENTS

Previous

1935

Subsequent

1938

		R. 309	14/7	Sir C. Bottomley	26.10
		Mr Parkin	15	R. 309	26/10
		Mr Lloyd	16/7	Mr Parkin	26
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		Sir G. Tomlinson	18/7/37	R 311	11/11
		Sir C. Bottomley	19.7.	R297	8/4
		Mr Parkin	19.7	R. 309	19/11
		Sir C. Bottomley	20.7	Mr Parkin	9/12
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R. 297	28/3/37	Mr Mayhew	28/7	297.	
R. 309	31/3	Mr Flood	x	311	17/12.
[illegible]	29	Lord Stefferin	12/8	297	
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[illegible]	1/4	R 299	20/8		
[illegible]	3/4	297	29/9		
Mr Mayhew	3/4				
[illegible]	6/4/37	R. 309			
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[illegible]	7/4	R. 309	21/10		
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297	14/4	Mr Lloyd	22/10		
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x R311. x	19/6	Sir G. Burke	23/10		
Bonus [illegible]	11/4	Mr Flood	25.10		
R. 297	13/7	Sir G. Tomlinson	27/10/37		

C.1.

RETIREMENTS
— COMPULSORY

1. ACTING GOV. KENYA — No 240 CONF. — 19 2 37

States that he has considered in recommendation of his Executive Council that Capt. T.W. Hodkin, Education Officer, should be called upon to retire under provisions of Section 9 of the European Officers' Pensions Ordinance, 1927, and gives reasons therefor attaching copy of letter, dated 9/1/37, received from Capt. Hodkin and minute by the Director of Education commenting upon matters raised therein.

The Kenya Government ~~Advises~~ recommends that Captain Hodkin should be called upon to retire under the provisions of Section 9 of the European Officers Pensions Ordinance 1927. Section 9 of the [illegible] provides that it shall be lawful for the Governor in Council, with the [illegible] Secretary of State, to require a [illegible] to retire from the Service of Kenya [illegible] any time after he attains the age of 50 years or, in case of an officer who was appointed to the Service of one of the East African Dependencies before the commencement of this Ordinance, after he completes 20 years East African Service.

Captain Hodkin was 51 on the 16th of November last. I attach a separate statement containing particulars of his Service and extracts from his confidential reports.

2.

The following working rules have been laid down in regard to compulsory retirement:-

See No 8 b
A 108/33
18084/32

The compulsory retirement of officers should be effected only if (a) the officers concerned wish to retire voluntary; or (b) their standard of efficiency is such that it is in the interests of Government that they should be retired; or (c) the retirement will facilitate re-organisation and retrenchment.

If Captain Hodkin is to be placed in any one of the above categories, it must be in (b), but that category hardly fits the case. His abilities as a teacher are unquestioned, but "in his capacity as a Headmaster he fails to reach the desired standard, and his

C.O.

RETIREMENTS - COMPULSORY

1. KENYA GOV KENYA — No 40 CONF — 19 2 27

States that he has concurred in recommendation of his Executive Council that Capt. T.W. Hodkin, Education Officer, should be called upon to retire under provisions of Section 9 of the European Officers' Pensions Ordinance, 1927, and gives reasons therefor attaching copy of C.O. dated 9.1.27, received from Capt. Hodkin and a minute by the Director of Education commenting upon matters raised therein.

The Kenya Government ~~Applies~~ recommends that Captain Hodkin should be called upon to retire under the provisions of Section 9 of the European Officers' Pensions Ordinance 1927. Section 9 of the [illegible] provides that it shall be lawful for the Governor in Council, with the [illegible] Secretary of State, to require [illegible] European officer [illegible] to retire from the service of Kenya at any time [illegible] having the age of 50 years or, in case of an officer who was posted to the service of one of the East African Dependencies before the commencement of this Ordinance, after he completes [illegible] years East African service.

Captain Hodkin was 51 on the 16th of November last. I attach a separate statement containing particulars of his service and extracts from his confidential reports.

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The compulsory retirement of officers should be effected only if (a) the officers concerned wish to retire voluntary; or (b) their standard of efficiency is such that it is in the interests of Government that they should be retired; or (c) the retirement will facilitate re-organisation and retrenchment.

If Captain Hodkin is to be placed in any one of the above categories, it must be in (b), but that category hardly fits the case. His abilities as a teacher are unquestioned, but "in his capacity as a Headmaster he fails to reach the desired standard, and his

See No 8 b

3108/33
18084/32

his lack of tact and understanding as Headmaster of the Arab School at Shimo la Tewa militates against the success of that institution."

Captain Hodkin, while admitting that there is a spirit of non-co-operation on the part of the Arabs, submits that it is directed not against him but against the policy of the Education Department. He also alleges that there has been a campaign of vilification against him by certain Arabs on account of his protests at the action of these Arabs to corrupt the morals of the School. This refers to an incident which occurred in 193[illegible] when it was alleged that Sheriff Al[illegible] visited the dormitories without permission of the Principal and was accompanied by one of the Native teachers. Captain Hodkin suggested that this teacher should be dismissed. The matter was investigated by an Inspector of Schools, and as a result no action was taken.

The present Director of Education in dealing with these representations says that he has been repeatedly assured by Inspectors stationed at Mombasa that Captain Hodkin is not acceptable to the majority of Arabs and that these opinions have been confirmed by the Provincial Commissioner. The Director says that he attended two Speech Days at the Coast Secondary School (i.e. within the last two years, because Mr. Morris has only been in Kenya since the early part of 1935) and on both occasions there was a poor attendance, especially of leading members of the Arab community. He winds up by saying that, apart from the difficulties with the Arab community, Captain Hodkin has failed on several occasions to

to co-operate with the Administration and by his dictatorial manner he does not get the best out of his European assistants.

Captain Hodkin has accepted the decision of Government to retire him, but he seeks further employment. Proms: Branch will no doubt deal with this aspect.

Assuming that, at his age, there is no opportunity of further employment, I approve the proposal that Captain Hodkin should be retired at the end of his present tour.

C.A. Farmiloe

(N.B. Lord Hailey's attention is directed to the Coast Sec. No 2 on (Story Cit.))

25.3.37.

Para 3 of the Dep., in wh. it is said that Mr. Hodkin is a good teacher but a bad Headmaster, is curiously in conflict with the whole series of Conf. reports quoted in No 2, wh. repeatedly & consistently refer to his abilities as an organiser & manager, i.e. as a Headmaster. Moreover, while in Mr. Morris' minute of 25/1/37 it is said that by his dictatorial manner Mr. Hodkin does not get the best out of his European assistants, there is no mention of this

particular failure in any of his Cof. reports. It is possibly quite true; but, seeing that these reports were reports on a Headmaster, it is curious that it was not mentioned before.

My general impression is that while a perfectly good case has been made out for moving Mr Hodkin from his present post, a sufficient case has not been made out, on any of the recognised grounds, for his compulsory retirement from the Service.

In Mr Morris' minute, quoted in para 2 of the dep., it is implied that, while it wd. be difficult, it wd. not be impossible to find Mr Hodkin other employment in Kenya. The assumption that he wd. only be entered with his own consent does not cut much ice, as if Mr Hodkin were faced with the alternatives of compulsory retirement, or a transfer to another post in Kenya, he wd. undoubtedly choose the latter.

I assume that the prospects of finding him another post outside Kenya, at his age, & having regard to his particular line of country, are nil. I shd. therefore be inclined to reply that the S. Govt. is not satisfied that a sufficient case has been made out for his compulsory retirement from the Service, that there is no post outside Kenya to wh. it wd. be possible to transfer him, & that unless they are prepared to let him serve out his time in the present post, they must make other arrangements for his employment in Kenya.

(* if it be the case J.J.P.)

J.J. Paris
29/3

It might be better at this stage to ask about the possibility of another post for him in Kenya. The case for moving him from his present post is a good one if there is no other suitable appt for him. Kenya might not take wards to keep him on.

J.E. Clayton
30-3-37

Yes J.E.C.
30.3

C.H.
1.4.37

I am quite worried about this. No doubt Kenya can retire Mr. Hodkin on the ground of age, but I am not at all sure that they ought to do so. He has a very difficult, ticklish job, and if his past reports mean anything, he has done it reasonably well. He is not a young man and could not look for anything else outside Kenya, while I can quite imagine that even if there were any post in Kenya to which he could be transferred, he would not wish to take it, as it would mean considerable loss of "face". It would also encourage the intriguing lot among the Arabs connected with the School.

Further, if he is removed, what are they going to put in his place? It is not likely that they will get anyone from outside Kenya and I don't know of anyone in Kenya who could take it on. That, however, is not saying very much because I don't know the Education personnel.

I think then that the best thing we can do is to tell Kenya straight out that there is no chance for a move outside Kenya in view of Captain Hodkin's special experience and his age, and say that the actual possibility for a transfer appears to lie within Kenya itself, as to which it again seems doubtful whether there is a post to which he could be appointed without disadvantage to the Service, ~~but~~ and say that in view of his hitherto good reports, the Secretary of State does not think that his compulsory retirement, so long as he is fit and under 55, would be justified.

I

I am not sure whether [illegible] discussed this School with anybody [illegible] visit to East Africa, and he should [illegible] papers.

V.E.O. Hall

2.4.19[illegible]

I am in complete agreement with Mr Hall.
Great weight ought to be attached to Mr Hodkin's last letter.
He never pressed without good reason.
From my experience of Arab Schools in Hyderabad-Sudan.
I should say that any headmaster who was popular
generally with Arab parents was unfit for his job.
I cannot help feeling that the underlying cause of
Mr Hodkin's fall from grace has been
(a) his desire for wholesale discipline
(b) lack of desire for cunning and a feeling that
£920 a year is too much to pay for the right man
for the job. See para 2 a. of Mr Hodkin's letter.

A. Lyttelton
3-4.

G.F.V.
6.4.37

Lord de la Warr
Subject to what you may have heard, I agree that not enough reason has been shown for retiring Mr Hodkin & that we should proceed as Mr Hall proposes.
W.C.S. 6.4.37

Q. at once
7.4.37

3 To Kenya - Conf(2) - (1 Encl) — 14/4/37

S.of S. KENYA. .....CONF.No.96.....5.7.37.
Considers it quite impossible for Capt.Hodkin to remain at the Shimola-Tewa School and urges that a further effort be made to transfer him to some post outside Kenya.

No additional reasons are provided for moving Captain Hodkin from the Shimo-la-Tewa School. But the Governor says that "in view of what has happened, it would be quite impossible for him to remain there."

The position is most difficult. Captain Hodkin is anxious to continue in the Colonial Service for another three or four years. There is no post for him outside Kenya. The only post to which he could be transferred in the Colony is one which, if he accepted, would cause him to lose face & possibly turn him into a man with a permanent grievance. All the same, I think that Capt Hodkin should be given the opportunity of ~~expressing~~ transferring to this post, in the absence of any other. If he refuses there would seem no alternative but that he should be called upon to retire at the completion of his present tour.

C.A. Cosmitch
14/7/37

It is very unsatisfactory, but there appears to be no alternative.

J.J. Paris
15/7

There is certainly no chance of a transfer. He is to leave, according to present arrangement, about 17.9.37 when he will have completed approximately a 30 months tour. Flight is to be supplied by a compassionate [illegible] and he allowed to do 6 or 9 months more if he wishes.

[illegible]
16.7.37

I too don't see how a transfer could be managed outside Kenya. It would be very hard to put him into the African school at Nairobi as it would be a complete change of work & environment and would be regarded as a reduction in status by everyone - including himself.

Mr Lloyd's solution I venture to say is no solution. Capt. Hodkin wants to serve on at least till his 55 (Nov. 1940). Mr Lloyd's proposal would mean that he would stay there in Kenya till say June 1938 & retire about Dec. 1938 two years too early for him, and that won't suit Kenya either, who want to get him out of the Anal school.

So (1) we can't transfer him out of Kenya (2) A transfer in Kenya would very likely not please him & would not be for the public good (3) I don't advise a short extension - it's another full

tion or nothing in my view. (4) Kenya very definitely doesn't want him back.

I do not admire Kenya's reasons as set out in No 1. & I can't see that "what has happened" makes it impossible for him to stay on. [Some one may have told the Chiefs he was to go, but that someone had no right to do so.] On the other hand Council advises retirement and the Govr. agrees. It is not easy to reject that view on a matter bitter the present, but I am not satisfied that there is a case for compulsory retirement.

So it boils down to either

1) Overruling the Govr. & Council & saying that the S. of S. is not prepared to agree to retirement

or 2) Accepting the Govr's view with reluctance saying that in view of his regrets the S. of S. is of opinion that he should be offered the Officer school if he wishes to take it, but that there is no outside post to offer the Capt. Hodkin, and that this should be made clear to Capt. Hodkin.

On the whole I advise the second course (Lord Hartington will be interested)

H.

Sir C. Bottomley

I feel uneasy about this, but I can't prove that the Gov. is wrong when he says that it is impossible for Capt. Hodkin to stay at Shimo-la-Tewa, so I am compelled to support Mr. Hodkin's advice.

Mr Malfeson,

Will you please show this to Lord Hartington? I agree with Sir C. Tottenham and, subject to Lord Hartington's views, I should recommend that the proposed course be adopted.

A. L. C.B. 12.7.27

I am sorry about this, but do not see any alternative and can only do what seems right about Capt. Hodkin's case & try to press for any other course in his interests.

H. 19/7/27

Lord Dufferin.

Mr.Hodkin brought his case to our notice last year through Lord Hartington, and we communicated with the Governor. The result is No.1 on this file which contains as an enclosure a letter from Mr.Hodkin which constitutes an appeal to the Secretary of State. He protests against his premature retirement, but primarily asks for further employment. The Personnel Division can see no prospect of this unless it is in Kenya.

Mr.Hodkin is nearly 52. The Pension Law provides for the possibility of compulsory retirement at the age of 50, but it is a rule that in the case

w.174 on the personal file.

case of officers between 50 and 55 compulsory retirement shall not be ~~exercised~~ effected unless the Secretary of State is satisfied that it is justified, and that the officer himself must have an opportunity of stating his case.

We are all a bit uneasy about this as whatever difficulties Mr. Hodkin may have had with the Arabs of Mombasa his reports show that he should be capable of quite useful work in his present job as headmaster of the Coast Secondary School. At the same time, we feel that we must be guided by the opinion of the Director of Education, backed by the Executive Council, the Acting Governor, and now the Governor himself. We therefore recommend action as at A. in Mr. Flood's minute. If Mr. Hodkin is prepared to accept the African School post, it will, at all events, help him over a few years and give him a better pension.

W.C.S.

20.7.37.

I doubt understand this case at all. Up to 1935 the confidential reports tell us that Capt Hodkin is doing good work in this difficult school. Then comes the Arab incident in which he appears to have behaved perfectly correctly. By January 1937 it appears that he cannot co-operate with the Arabs, that he is at war with his subordinates & failing to co-operate with the Administration — in fact has almost every failing that a headmaster ought not to possess.

The only conclusion is that either the system of confidential reports in Kenya is totally unreliable or else that something has happened that we don't know about.

I wd. dislike very much to get rid of a man because of an Arab intrigue. Has Mr Dobbs or anyone else in the office got any first hand information about the school & whether in fact its progress is being hampered by Capt Hodkin?

D. of C. 27.7.37

Mr Mayhew
Mr Flood

8

In connexion with Lord Dufferin's minute above please see the copy attached as a separate minute he has addressed to Sir G. Tomlinson & Sir C. Bottomley

W. Dow 27/7

I criticise very boldly a departmental matter of very difficult problem, just passed after consideration of what I have already said on it.

But I feel strongly that there will be more in coming the Governor in that satisfying Mr Hodkin, and that the African post if accepted by him will be one for which he is not fitted by quite exceptional experience. A man cannot at 51 have a quite new job and a new language and be expected to understand the intricacies of the African school.

Mr Hodkin is a specialist by experience. If there were any suitable post in Kenya or in any other colony to which he could be transferred without substantial loss of pay or prospects I think they might be done on the vague statement made by the Governor. But as there is no such post, it seems to me that justice and expediency demand that he shall stay where he is unless convincing documentary evidence is produced that he is unfit for the job and that the school is suffering.

Tell the world he is being kicked upstairs

On the general question raised by Lord Dufferin, I have no doubt that general instructions have been given regarding "confidential" minutes if political would make this kind of case impossible. But I seem to remember, similar to your minute, suggestions that such instructions if given are not always followed.

Arthur Mayhew
27-7

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We are all a bit uneasy about this as whatever difficulties Mr. Hodkin may have had with the Arabs of Mombasa his reports show that he should be capable of quite useful work in his present job as headmaster of the Coast Secondary School. At the same time, we feel that we must be guided by the opinion of the Director of Education, backed by the Executive Council, the Acting Governor, and now the Governor himself. We therefore recommend action as at A. in Mr. Flood's minute. If Mr. Hodkin is prepared to accept the African School post, it will, at all events, help him over a few years and give him a better pension.

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The only conclusion is that either the system of confidential reports in Kenya is totally unreliable or else that something has happened that we don't know about.

I will dislike very much to get rid of a man because of an Arab intrigue. Has Lord Delamere or anyone else in the office got any ~~first hand~~ information about the school & whether in fact its progress is being hampered by Capt Hodkin?

W.A. 27.7.37

Mr Mayhew
Mr Flood

In connexion with Lord Dufferin's minute above please see the copy attached as a separate minute he has addressed to Sir G. Tomlinson & Sir Cosmo Bolton-Jones

T.W. Lance 27/7

I criticise relatively a disproportionate amount of my difficult problems, just finished after consideration of what I have already said on 3-6-37.

But I feel strongly that this solution will annoy the Governor in that satisfying Mr Hodkin, and that the African post, if accepted by him, will be one for which he is not fitted by qualification or experience. A man cannot at 51 learn a quite new job and be expected to be able to understand the intricacies of the African school.

Mr Hodkin is experienced by experience. If there is any suitable post in Kenya or in any other colony to which he could be transferred without substantial loss of pay or pension, I think they might be done on the vague statement not made by the Governor. But in the case of such post it seems to me that justice and expediency demand that he should stay where he is unless convincing documentary evidence is produced that he is unfit for the post and that the school is suffering.

On the general question raised by Lord Dufferin, I have no doubt that general instructions have been given regarding "confidential" staff if followed would make this kind of case impossible. But I can remember similar cases which suggest that general instructions if given are not always followed.

Arthur Mayhew
27-7

I mentioned this to Sir A. Wade. He says that

1) Capt. Hodkin is not a good head of the Arab school. He can "carry on" and maintain discipline but the Arab is now definitely more keen on education than he was & Capt. Hodkin is not the man to acquire any improvement

2) He can be easily replaced and by a better man

[illegible] director of education & everyone else feel that Capt. Hodkin [illegible] not with his money [illegible] 50 and can be invited to go and should be

[illegible] reports [illegible] all say he had done well as [illegible] of the School though they all say he could not be promoted

In view of what Mr Mayhew says it looks as if the better course would be to call on him to retire without any option or offer of another post - for which he would not be fitted.

[illegible] Head
10.8.

Lord Passfield,

This is very difficult. The present S. of E. has only been in Kenya just over two years, but even he began by reporting well on Captain Hodkin. There is certainly nothing to show that he has suddenly or recently deteriorated. And yet the Gov. says quite positively that he is to be [illegible]

for him to remain at Shimo-la-Tewa. Equally in view of what Mr Mayhew says I don't like the idea of sending him to the African School.

I think we might point out to the Governor that no attempt has been made to explain the inconsistency between the long series of good reports (all written with special reference to Capt. H's work in the Arab School) & the correspondence in this file: that there is no evidence of sudden or recent deterioration; that the S. of S. cannot believe that all the emp. reports were unreliable; that the plan of transferring Capt. H. to the African School seems bad; that a transfer to another Colony is impossible. In view of all this the S. of S. feels that unless a more convincing case can be made, he may be driven to order that Capt. H.

must be allowed to return to Kenya for another tour.

S. J. P.?
10.8.37

agree with Mr J. Tomlinson
Oct 11 8 37

at once

Petitions have been sent to the Secretary of the Afro Asian Association and the Church Missionary Society, respectively, requesting that Capt. Hodkin's services be retained. Copies of the petitions are filed at Nos 4/x & 5/x on Capt Hodkin's file. I have added a paragraph to the despatch proposed above, asking Sir J. to inform the petitioners that the Secy. has received copies of their petitions.

K. Grantham
14/8/37

N.B. It will be seen from No 79 on 17704 E.A. that Capt. Hodkin was due to sail on about the 31st of July. He will therefore arrive soon & we shall no doubt hear from him.

J. J. Paris
18/8

10

Copy regd on 5 To Kenya. 6 enc. 2 - 4 Ans d. 19 AUG 1937
P.J.

Ref. of Hodkin when reply 4/5 recd

6. COV'S DEP., KENYA.....CONF. No. 135.....24.9.37.
Requests that Capt. Hodkin be notified that it is not proposed to reappoint him to the Shimo-la-Tewa school but he is to be allowed to return for another tour of service.

DESTROYED UNDER STATUTE

Copy regd on end. to (S1) on PF (209052.1)

Act. read on (S1) & Below. Jan. 10 20/10

10. Gov's Dep. Kenya — 135 Conf.
Detailing circumstances in which he recommends that Mr O'Farrell should be retired at the end of his tour.

The recommendation for compulsory retirement is on the ground of age. Mr O'Farrell will be 58 next February. The recommendation is supported by references to previous despatches which say that 55 should be the normal retiring age (see 2 of Jan. 3103/36)

Against the recommendation are the opinions of the Chief Justice & Acting Chief Justice, which agree that Mr O'Farrell is efficient, is younger than his age, would be suffer hardship were he retired now, & was expecting & expected to return.

It would seem that Kenya's attitude is formally unimpeachable; but it is curious that Kenya should wish to retire Mr O'Farrell solely for the formal reason of age in the face of such enthusiastic opposition from the Judges. ? Ask Kenya for further reasons, giving gist of No 51 on PF.

Cliffe Marle 21/10

This is a very unsatisfactory case. Mr O'Farrell was 55 on 27/2/35, & yet he was allowed to complete his tour & to come on leave on 29/9/37 without the 55 of his retirement on ground of

age having been taken up before his departure; & with an endorsement on his leave certificate to the effect that he was recommended for a further tour of service.

If the question of his retirement had been taken up in due season, the fact that there is (apparently) no reason to suppose that his health will suffer if he is allowed to do another tour of duty, & that both the C.J. & this Department are satisfied not only that he is fully up to his work, but that his retirement wd be a serious loss to the Dept, wd. not perhaps have been sufficient to warrant a relaxation of the normal rule in this fashion.

But as he has been allowed to come on leave on the full expectation of being allowed to return for a further tour of duty, these facts are worthy of due consideration.

In all the circs. my own view is that the Gov's recommend. shd. not be accepted if Mr. O'Farrell has strong objections to being retired, — though it wd. be reasonable, to stipulate that he shd. be medically examined as to his fitness to return.

In the first place therefore I shd. be inclined to inform him that, having regard to his age, the Gov. has recommended that he shd. be called upon to retire at the end of his vacation leave i.e. on 18/1/38, and ask him whether he desires to offer any observs. on this recommendation.

[If he objects, I shd. be inclined to tell the Gov. that in the circs. as set out above, the S. of S. considers, subject to any further observs. the Gov. may have to offer, that he shd. be allowed to return for another tour provided that he is pronounced on medically fit to do so.]

J. J. Paxton
21/x.

There is considerable force in Sir J. Sheridan's argument (No.51 on 20/5 E.A.) that since Mr. O'Farrell's last leave certificate was endorsed in May with a recommendation that his services should be retained for another tour, any question of dispensing with his services should have been taken up then and not when he has enjoyed well over half his leave. That endorsement does not appear on the leave certificate received here - which ~~unfortunately~~ is not signed by the Head of the Department - and presumably was made on one retained in the Kenya Secretariat.

There

1/10
cl. 6.
1/10

There is also the practical consideration that it would be very difficult indeed to find just now any member of the Colonial Legal Service, with the experience to fit him as the successor to Mr. O'Farrell, who could readily be released from his present appointment. There has been considerable movement lately among the few solicitors in that Service and we are at this moment hard put to it to get a suitable man from the Service for the similar post in Singapore if, as is likely, Mr. Jack cannot be released from Palestine.

Both on [illegible] political ground and also because of [illegible] current in Kenya [illegible] Jack [illegible] getting [illegible] objections to him be [illegible]

H/Lloyd
22.10.37

I agree.

G. J. Jebb
23.10.37.

H. H/B
23/10

I might point out that Mr O'Farrell, Mr Lucie Smith & Sir J. Sheldon are all Roman Catholics. This makes me suspicious as to whether he (Mr O'Farrell) is really as good as they say he is. However, I ought not to think of such things.

The Gov. & his Ex. Co. are in favour of retirement & they must know their man better than we can. So were it not for the reason given by Mr Lloyd I should

hesitate to over-rule them.

But that reason is very strong. There is great difficulty in finding good men. Kenya may have one locally.

Mr O'Farrell has three months to go yet as I understand. Tell Kenya that the C.J. has expressed the hope that Mr O'Farrell won't be retired, & that in view of this the S. of S. would have felt doubtful, but that in view of the fact that it would be very difficult to replace him he thinks the balance of advantage will be in retaining his services for one more tour, especially as he wasn't wounded before he left. [This ends about three weeks because it would be the Judge's job to point out that he could be retired and they may have probably did - let him go on leave & [illegible] his retiring debt by [illegible] to the Crown [illegible] not put it past them.]

J.E.V. Flood
26.10

As to pension he was 46½ when appointed & actually would not have been made pensionable at all. But he was. He now has 10½ years service and there is no reason why he should go on to his maximum.

I agree in all grounds. And I think some emphasis might be laid on the lack of warning. Kenya is not very considerate to her officers in matters of this kind.

G.J.B.
26.10.37

× I suppose, especially as the governor [illegible] a habit of keeping [illegible]

Men on leave to go if their friends think there is "going for their wives"

We need better order for a supply by telegram

C.A.S.

28.10.37

11 To: Kenya Conf (3) (Cl. 51 on 20905 E.A.P.) - 10 Annual - Conv. 28.10.37.

Rec'd 11 on Annually pl.

(Orig. pl.) To Kenya — Tel. 97 Conf — 17.11.37

Rec. O'Farrell be allowed to return for marriage leave of 2 years service subject to production of favourable medical report as to fitness before sailing from England.

See on 20905 E.A.

J. J. Cameron

23/11

13 To: Kenya Conf (6) - 6 Annual. 1 DEC 1937 (Draft on 17500 E.A.)

men on till 60 if their health
thinks them "young for their age".

We need letters only for a reply
by telegram

L.S.
20.10.37

11. To: Kenya Conf (3) ("L 51 on 20905 E.A.") - 10 thousand - Cons 28.10.37.

12. Kenya — Tel. 37 Conf — 17/1

Rec. O'Farrell be allowed to retire for minimum tour of 2 years service subject to production of favourable medical report as to fitness before sailing from England.

See on 20905 E.A.

J.J. Paris
19/1

13. To: Kenya Conf (6) - 6 thousand. 1st DEC 1937 (Draft on 17600 E.A.)

KENYA.

CONFIDENTIAL.

Downing Street.

December 1937.

Sir,

With reference to your despatch No. 135 Confidential of the 24th of September, I have the honour to inform you that Captain Hodkin was informed of your decision that he should be permitted to return to Kenya for further service. He has intimated however, that he does not wish to do so, and he will accordingly retire with effect from the 23rd of January 1938, i.e. the day after his leave ends.

2. I request that steps may be taken for the calculation and award of the pension for which Captain Hodkin is eligible.

I have the honour to be,

Sir,

Your most obedient

humble servant,

(Signed) W. ORMSBY GORE.

GOVERNOR,

AIR CHIEF MARSHAL

SIR ROBERT BROOKE-POPHAM, G.C.V.O., K.C.B., C.M.G., D.S.O., A.F.C.,

etc., etc., etc.

13

KENYA.

CONFIDENTIAL. (6)

Downing Street,

December 1937.

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AIR CHIEF MARSHAL

SIR ROBERT BROOKE-POPHAM, G.C.V.O., K.C.B., C.M.G., D.S.O., A.F.C.,

etc., etc., etc.

C. O.

38037/37

Mr. Flood. 26-10

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

C. O. R 27007 D

DOWNING STREET.

28 October, 1937.

Sir,

I have the honour to acknowledge the receipt of your confidential despatch No. 138 of the [illegible] October, in which you recommend the retirement of Mr. E.J. O'Farrell, Registrar of the Supreme Court, as from the end of his leave on the 14th of January next, on the ground that he is already ~~over~~ passed the normal retiring age of fifty-five.

2. In your despatch you enclosed a copy of a letter from Mr. Lucie-Smith, the Acting Chief Justice, and I have since received a letter from Sir Joseph Sheridan, a copy of which I enclose, in which he expresses the hope that Mr. O'Farrell may be allowed to return for another tour

DRAFT.

KENYA

CONFIDENTIAL (3)

GOVERNOR

19 Oct.

No 61 on file 20905 C.A.

FURTHER ACTION.

(8504—128) Wt. 13034—17 10,000 6/37 T.S. 698
(7204—134) Wt. 8245—36 10,000 8/37 T.S. 695

tour of service. In view of the Chief Justice's strong recommendation, I should in any case have felt some doubt as to the most appropriate course to take, even allowing for the fact that Mr. O'Farrell is well past the normal age of retirement, and in the present circumstances I fee [illegible] Recently there have been a considerable number of transfers and promotions among those members of the Colonial Legal Service who are solicitors, and as a result, it would be extremely difficult at the present juncture to find a suitable successor to Mr. O'Farrell from that Service.

3. This difficulty, which is very real, has led me to the opinion that the balance of advantage will probably lie in allowing Mr. O'Farrell to return for one more tour, and I am further influenced by consideration of the fact that he was allowed to proceed on leave without any indication that his retirement might be recommended. Indeed, on his Leave Certificate it is definitely stated that he is recommended for

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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.

DRAFT.

a further tour of service. It is, of course, the case that an officer of his age must know that ~~his case was liable to review at any time, and that~~ he might be called upon to retire (at any time), but it remains the fact that no warning was apparently given to him.

4. I therefore request that you will consider the matter further in the light of the Chief Justice's recommendation and the fact that no intimation was given to Mr. O'Farrell before he left Kenya on leave, and inform me by telegram ~~as soon as convenient~~ whether you would wish to withdraw your recommendation for his compulsory retirement.

I have, etc.

(Signed) W. ORMSBY GORE.

FURTHER ACTION.

(*8201—150) Wt. 23052—47 10,000 6/37 T.S. 698
(*1204—150) Wt. 23252—36 10,000 9/37 T.S. 698

KENYA

No. 138

CONFIDENTIAL.

GOVERNMENT HOUSE
NAIROBI
KENYA

C. O. REGD. 7 October, 1937.

Sir,

With reference to my [illegible] personal note No. S/EST. 13/343/III/61 of the 17th May, 1937, I have the honour to inform you that I have concurred in the majority recommendation of Executive Council that under the provisions of Section 6 of the Colonial Officers' Pensions Ordinance [illegible] Mr. J. O'Farrell, Registrar, Supreme Court, should, subject to your approval, be required upon his return at the end of his vacation leave which will expire on the 18th January, 1938.

2. In reaching the above decision Council was influenced by the fact that Mr. O'Farrell, who attained the age of fifty years on the 27th February, 1937, would be over the age of sixty years at the end of the minimum of his next tour of service if he were allowed to return for such a tour at the expiry of his present leave. Due regard was also given to paragraph 5 of Confidential despatch of the 6th February, 1933, and to the rules laid down in despatch Confidential(2) of the 27th March, 1933, from Sir Philip Cunliffe-Lister (now Viscount Swinton).

(6) on 18084/32

(3) on 3103/33

3. The Acting Chief Justice was consulted as

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

Lt. d/ 7.9.37.

as to whether there were any very cogent reasons why this recommendation should not be carried out, and it will be observed from the attached copy of a letter received from him that the recommendation for Mr. O'Farrell's retirement is opposed. With reference to the final paragraph of that letter, intimation has been received that Sir Joseph Sheridan, who is at present on leave, fully endorsed Mr. Justice Lucie Smith's views and was strongly of the opinion that Mr. O'Farrell should not at the present time be compulsorily retired.

4. The observations of the Acting Chief Justice together with the views expressed by Sir Joseph Sheridan were duly considered by Council who advised that the recommendation for Mr. O'Farrell's retirement should stand.

5. In view of the fact that Mr. O'Farrell is on leave it has not been possible to give him an opportunity of submitting any representations that he may wish to make against the decision.

6. If the recommendation receives your approval I should be glad if Mr. O'Farrell could be notified of his retirement at the end of his leave. His address is:-

Olney,
Terenure,
County Dublin.

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

GOVERNOR'S DEPUTY.

H.M. SUPREME COURT OF KENYA,

NAIROBI. 7th Sept. 1937.

CONFIDENTIAL.

Sir,

I have the honour to acknowledge the receipt of your confidential letter No. 43/4/4/XVII/[illegible] of the 3rd September 1937.

I note the recommendation of the Sub-Committee of Executive Council.

In my opinion Mr. O'Farrell is [illegible] efficient [illegible] appointment the question should not carry very much weight.

I think it would be a loss to the service if he were retired now, particularly as the Acting Registrar has had only short experience of the work.

I am of opinion that it would be a great hardship on Mr. O'Farrell were he to be retired now as he was only promoted to his present position in 1935 and he has not yet reached the top of his grade. He is now drawing £810 per annum while the maximum salary of the grade is £920.

As far as I know there has never been any suggestion of Mr. O'Farrell retiring and I presume that he took no steps before his departure to meet such a contingency.

I would suggest that the retirement of Officers while on leave is contrary to the spirit of Secretariat Circular No.7 of 31.1.30.

Reference Secretariat letter No.8/3.7/1/1/14 of 5th December, 1932, I think it must be taken that when Mr. O'Farrell's application for leave was approved by His Honour the Chief Justice the question of whether or not his further services were required received that

careful

KENYA

No. 135

CONFIDENTIAL.

GOVERNMENT HOUSE,
NAIROBI,
KENYA.

27 September, 1937.

I have the honour to refer to your despatch Confidential(2) of the 19th August regarding the question of the retention of Captain T.W. Hodkin's services in the Education Department of this Colony and to inform you that the terms of your despatch were considered by the Governor in Council on the 17th September. His Excellency then concurred in the advice of Council that Captain Hodkin should be allowed to return for another tour of service and that you should be asked to inform him that it was not proposed to reappoint him to the Shimo-la-Tewa school on his return to Kenya.

I shall be glad if Captain Hodkin can be notified accordingly.

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

GOVERNOR'S DEPUTY.

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

C. O.

Mr. Grossmith. 14 .37.
Mr. Parkin 18/8
Mr. Flood 18 8
Sir H. Moore.
X Sir G. Tomlinson. 18.8.37
Sir C. Bottomley.
Sir J. Shuckburgh
Permt. U.S. of S.
Parly. U.S. of S.
Secretary of State.

38032/37. Kenya.

C. O.
R 19 AUG
D 19

Downing Street.

19 August, 1937.

Sir,

I have the honour to acknowledge the receipt of your confidential despatch No. 96 of the 5th of July in which you informed me that on 4th August the Executive Council had further considered the question of the retention of Captain T. W. Hodkin's services ~~after his present leave~~, and that they saw no reason to depart from their previous recommendation, namely that he should be called upon to retire under the provisions of Section 9 of the European Officers' Pensions Ordinance, 1927.

2. I note that you concur in the advice tendered by the Executive Council

DRAFT.

KENYA.

CONFIDENTIAL

GOVERNOR.

FURTHER ACTION.

Copy sent on M.S.04/EA.

(Bat—350) Wt. 13954—7 10,000 6/37 T.S. 695

Council, and that you consider ~~that~~, in view of what has transpired, ~~since Sir Armigel Wade's despatch of the 19th of February was written~~, it would be quite impossible for a[illegible] [illegible] Shimo-la-Tewa School.

the foregoing statement is not so qualified. JJP.

3. In considering the question of Captain Hodkin's future I have been impressed by the ~~apparent~~ inconsistency between the statements in the long series of good reports ~~upon Captain Hodkin~~ him ~~which~~ ~~written with special reference to his work in the Arab School~~ and the statements contained in ~~the~~ Sir Armigel Wade's despatch No 40. of the 19th of Feb. ~~under reference~~, ~~I find no~~ I am unable to find any evidence of sudden or recent deterioration in his services, and I cannot believe that all of the reports were unreliable. (See Off. attd.)

4. 5. I ~~it appears~~ think that the only transfer that ~~is~~ would be possible for ~~him~~ Captain Hodkin in Kenya is to the post of Principal of the African Day School at Nairobi. I agree that such a transfer would be to the disadvantage of the Education Department ~~and would in my view be~~ ~~undeniable since~~ Particularly as Captain Hodkin is a specialist by experience and is not fitted by qualification or training for the Principalship of the African school in question. On the other hand, I regret that there is no post outside the Colony for which he could be considered.

6. In all the circumstances, I am therefore ~~forced~~ to the conclusion that unless a more convincing case can be made out for Captain Hodkin's compulsory retirement. I shall have no alternative but to ~~order~~ direct that he should return to Kenya for another tour.

7. I take this opportunity to inform you that I have received copies of petitions dated the 28th of June and the 12th of July addressed to ~~you~~ by the Afro-Asian Association, Mombasa, ~~and~~ ~~[illegible] members of the Christian~~ ~~and the Church Missionary Society, Community of~~ Freetown ~~Freetown~~.

C. O.

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

DRAFT.

FURTHER ACTION.

Notified on 17 Oct 61.

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.

DRAFT.

Department ~~and would in my view be undesirable since~~ particularly as Captain Hodkin is a specialist by experience and is not fitted by qualification or training for the Principalship of the African school in question. On the other hand, I regret that there is no post outside the Colony for which he could be considered.

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FURTHER ACTION.

Notified on 17 Sept. EA.

~~Tranetown, Mombasa,~~ respectively,

requesting the retention of

Captain Hodkin's service. I shall

be obliged if you will inform the

Petitioners that I have received the

copies of their petitions.

I have, etc.

~~Freetown, Mombasa,~~ respectively,

requesting the retention of

Captain Hodkin's services. I shall

be obliged if you will inform the

Petitioners that I have received the

copies of their petitions.

I have, etc.

4. As regards the annual confidential reports on Captain Hodkins' services the following extracts are relevant:-

April, 1929. Sir Jacob Barth; "..... has succeeded in improving the tone and discipline of the Arab School, Mombasa."

1929. Mr. Scott: "Has done and is doing good work as Principal of the Arab School, Mombasa."

1930. Mr. Scott: "Has managed the Arab School, Mombasa satisfactorily and has developed the games well".

1931. Mr. Biss: "Manages his school with success..."

1932. Mr. Scott: "Has organised the Secondary School at Shimo la Tewa with enthusiasm and efficiency..... This officer has done and is doing good work."

1933. Mr. Scott: "Has managed the Coast Secondary School well".

1934. Mr. Scott: "..... has a good opinion of his own capacity which is justified from the practical work he does..... Has done a very good tour of work."

1935. Mr. Morris: "..... has done very well at Shimo la Tewa which is a very difficult school to manage."

It is to be noted that during the whole of his service in Kenya, Captain Hodkin has been headmaster of the Coast Secondary School and that all these reports were written with specific reference to his services in that capacity. It is true that the reports have consistently been qualified by references to Captain Hodkin's ~~overweening~~ excessive opinion of his own qualifications, and in some of them there are references to an aggressive personality. (On the other hand) In none of these reports, ~~which I must assume to be reliable~~, is there anything to indicate that the view was

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being

being formed that (as stated in paragraph 3 of Sir Armigel Wade's despatch No. 40 of the 19th of February) in his capacity as Headmaster Captain Hodkin failed to reach the desired standard or that his lack of tact and understanding as Headmaster of the Arab School at Shimo-la-Tewa militated against the success of that institution. Moreover, there is no indication, either in the Confidential Reports, of which extracts have been quoted above, or in Sir A. Wade's despatch of the 19th of February, or in your despatch of the 5th of July, that there has been any recent deterioration in the quality of Mr. Hodkin's services, such as to warrant such a radical change in the view as to his suitability for this appointment.

(Signed) W. ORMSBY GORE.

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(Signed) W. GRIMSBY GORE.

Sir George Tomlinson.

Sir Cecil Bottomley.

38037/37
Kenya.

I am sending you back through Mr. Mayhew and Mr. Flood a file about Captain Hodkin which raises the whole question of confidential reports in Kenya and elsewhere.

Could you let me know some time whether in your opinion these educational and other confidential reports are weighed sufficiently carefully by those who make them? Already in one or two other petitions I have noticed that after the petition against e.g. dismissal has been launched, the Director of Education or whoever it may be, produces a whole set of new charges none of which have been referred to in his previous reports on the officer (which have in fact often been quite laudatory in character).

Confidential reports are I imagine, quite an important feature of the Colonial ~~Education~~ Service system. It is difficult enough to assess their value without knowing the personality of the man who wrote them, but they become quite useless and dangerously misleading if they are not made as full and accurate as possible. It seems to me that there are a certain number of stock phrases in use from which the reporting officer selects the one which he thinks goes near enough to the truth, and like a ready made suit it often doesn't fit over the most important places.

I

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Sir Cecil Bottomley.

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I

I would like to know some time if you agree with me about this, and whether if so the system could be tightened up.

(Intd.) [illegible]

27.7.37

being formed that (as stated in paragraph 3 of Sir Armigel Wade's despatch No. 40 of the 19th of February) in his capacity as Headmaster Captain Hodkin failed to reach the desired standard or that his lack of tact and understanding as Headmaster of the Arab School at Shimo-la-Tewa militated against the success of that institution. Moreover, there is no indication, either in the Confidential Reports, of which extracts have been quoted above, or in Sir A. Wade's despatch of the 19th of February, or in your despatch of the 5th of July, that there has been any recent deterioration in the quality of Mr. Hodkin's services, such as to warrant such a radical change in the view as to his suitability for this appointment.

(Signed) W. ORMSBY GORE

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(Intd.) L.& A.

27.7.37.

KENYA

No. 96

CONFIDENTIAL.

GOVERNMENT HOUSE
NAIROBI
KENYA

5 July, 1937.

Sir,

With reference to your despatch Confidential (2) of the 14th April regarding the proposed retirement from the service of this Colony of Captain T.W.Hodkin, Education Officer, I have the honour to inform you that as the Director of Education advises that there is no post in the Colony to which this officer could be posted without disadvantage to the Service, I recently asked my Executive Council to give further consideration to his future.

2. The Council's advice was that no reason could be seen to depart from the recommendation previously made and conveyed to you by Sir Armigel Wade in the first paragraph of his Confidential despatch No.40 of the 19th February.

I concur in the Council's advice. The reasons for desiring to move Captain Hodkin from the Shimo-la-Tewa School were fully stated by Sir Armigel Wade in his despatch and I consider that in view of what has transpired, it would be quite impossible for him to remain there. The only transfer that is possible for him in Kenya is to the post of Principal of the African Day School at Nairobi. The salary of the present occupant of that post is £600 a year. I feel that Captain Hodkin would find it very difficult to adapt himself to the new conditions; although he would not actually lose financially, he would regard the change as

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

as a reduction in status and the salary that he would still have to be paid would not be commensurate with the responsibilities of his new post. I have no reason to suppose that Captain Hodkin would be in any way disloyal or neglect his work, but the change would be likely to affect him unconsciously, with the result that the African pupils in the Day School would suffer.

3. In view of this I would press strongly for further effort to be made to transfer him to some post outside Kenya.

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

Brooke-Popham

AIR CHIEF MARSHAL,
GOVERNOR.

38037/37.

3

C. O.

Mr. Grossmith. 8/4
Mr. Parkinson 8/4
Mr. Lloyd 8/4
Mr. Flood 8.4
Sir C. Parkinson.
X Sir G. Tomlinson. 9.4.37
Sir C. Bottomley
Sir J. Shuckburgh
Perm. U.S. of S.
Parly. U.S. of S.
Secretary of State.

(4) C.D. 308

C.D. 10 APR 14

14 April, 1937.

DRAFT.

KENYA.

CONFIDENTIAL. (2)

Governor.

Sir,

I have the honour to acknowledge the receipt of Mr. Wade's Confidential despatch No. 40 of the 19th of February in which he informed me that, subject to my approval, he had concurred in the recommendation of the Executive Council that Captain E.W. Hodkin, Education Officer, should be called upon to retire under the provisions of Section 9 of the European Officers' Pensions Ordinance, 1927.

2. I have carefully considered the recommendation and the correspondence which accompanied Mr. Wade's despatch, with ~~paying~~ particular ~~attention~~ reference to the ~~prospects~~ possibility of Captain Hodkin's being usefully employed elsewhere in the Colonial

FURTHER ACTION.

Colonial Service. In view, however, of his age and the special nature of his experience ~~and age~~, I regret that I see no ~~possibility~~ prospect of transferring him to a post outside Kenya. The ~~actual~~ only possibility of a transfer ~~would appear to lie~~ within Kenya itself, but ~~it seems doubtful~~ I do not know whether there is another ~~post~~ post in the Colony to which he could be appointed without disadvantage to the Service. You may wish to explore that possibility, but I do not know.

3. Having regard ~~however~~ to the hitherto good reports made upon Captain Hodkin as Principal of the Coast Secondary School, I do not think that his ~~at present~~ compulsory retirement, so long as he remains in a fit state of health, and has not reached the age of 55, would be justified

I have, etc.

(Signed) W. ORMSBY GORE.

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3. Having regard, ~~however~~, to the ~~outstanding~~ hitherto good reports made upon Captain Hodkin as Principal of the Coast Secondary School, I do not think that his compulsory retirement, so long as he remains in a fit state of health, would be justified ~~at present~~.

You may wish to explore that possibility, but I do not know.

and has not reached the age of 55.

I have, etc.

(Signed) W. ORMSBY GORE.

CAPTAIN T.W. HODKIN,
Certificated Associate of Incorporated Bankers (London), A.C.I.S., F.R.S.S., F.R.E.S., F.I.C.
Principal, Coast Secondary School, Mombasa.

Captain Hodkin was 51 years old on the 16th of November last. He was appointed Commercial Master in the Education Department of Zanzibar in December, 1922, with salary of £500 rising by annual increments of £25 to £600 a year. In April 1927 he was appointed Headmaster, Arab School, Mombasa, with salary on the scale of £600 - £30 - £840 - £40 - £920. In 1931 he had reached the maximum of the scale.

Extracts from Annual Confidential Reports. (Kenya)

1928 Report:-

"A vigorous personality prone to self-advertisement. Of high moral character. Able to secure co-operation from outsiders in the work of the School. Little attention need be paid to the impressive row of letters after his name. He has succeeded in bringing the tone and discipline of the Arab School at Mombasa to a good position. I do not regard him as very zealous in the work for he is attempting to get away to other spheres."

(Signed.) EVAN E. DIXE.
Acting Director of Education.

Governor's Report:-

"Mr. Hodkin possesses some good characteristcs, and has succeeded in improving the tone and discipline of the Arab School, Mombasa."

(Signed.) J.W.B.

1929 Report:-

"A forceful person not lacking in a high opinion of himself. He is inclined to be boastful. It may

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CAPTAIN T.W. HODKIN,
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well be that this is a good quality in its [illegible] to the Arab character. Has done and is [illegible] good work as Principal of the Arab School, Mombasa. His discipline is inclined to be severe which is probably a good thing if not carried too far. I cannot say that he has qualifications for promotion."

(Signed.) H.S. SCOTT.
Director of Education.

Governor's Report:-

"Nothing to add."

(Signed.) EDWARD GREY.

[illegible] of [illegible], is forceful and energetic: almost aggressive. Has managed the Arab School, Mombasa, satisfactorily and has developed the [illegible] well."

(Signed.) H.S. SCOTT.
Director of Education.

Governor's Report:-

"Nothing to add."

(Signed.) H. M-MOORE.

1931 Report:-

A forceful, aggressive personality. Makes rather more of himself and his work than is justified by the facts. Manages his School, its success but loves the role of mere supervisor. Of meagre qualifications. I know of no post to which he could wisely be promoted. He is already on the highest teaching scale."

(Signed.) EVAN E. BISS.
Acting Director of Education.

Governor's Report:-

"No remarks."

(Signed.) J. BYRNE.

1932 Report:-

"Quite a strong personality, keen on his work, with a good opinion of himself but enthusiastic and full of push. Has organised the Secondary School at Shimo la Tewa with enthusiasm and efficiency. His qualifications would not justify him promotion to any other post. This officer has done and is doing good work.

(Signed.) H.S. SCOTT.
Director of Education.

Governor's Report:-

"Nothing to add."

(Signed.) J.H. BYRNE.

1933 Report:-

"Has managed the Coast Secondary School well. A good teacher of commercial subjects. I do not think his qualifications justify his promotion to any post I know of.

(Signed.) H.H. SCOTT.
Director of Education.

Governor's Report:-

"Nothing to add."

(Signed.) J.A. BYRNE.

1934 Report:-

"Conduct excellent. He is a man of considerable force of character; he has a good opinion of his own capacity which is justified from the practical work he does but he rather tends to ornate his attainments. Has managed his School very well. I think he has gone as far as he can justifiably hope to go. Has done a very good tour of work."

(Signed.) H.H. SCOTT.
Director of Education.

Governor's Report:-

"Nothing to add."

(Signed.) J.A. BYRNE.

1935 Report:-

"Conduct good. Possibly rather dictatorial. Administrative ability good. I could not recommend him for any further promotion. Is keen on his work and has done very well at Shimo la Tewa which is a very difficult school to manage."

(Signed.) E.G. MORRIS.

Governor's Report:-

"Nothing to add."

(Signed.) J.A. BYRNE.

1938 Report:-

Good, but a little difficult in his personal relationship with other officers. A good disciplinarian.

(Sd.) E.G. Morris

Gov. Nothing to add.

Governor's Report:-

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KENYA.

No. 40

CONFIDENTIAL.

GOVERNMENT HOUSE,
NAIROBI,
KENYA.

19 February, 1937.

Sir,

With reference to Mr. Thomas's Confidential despatch of the 7th January, 1936, I have the honour to inform you that, subject to your approval, I have concurred in the recommendation of my Executive Council that Captain T.W. Hodkin, Education Officer, should be called upon to retire under the provisions of section 9 of the European Officers' Pensions Ordinance, 1927. It is therefore intended that Captain Hodkin should proceed on leave pending retirement approximately on the 17th September, 1937, on which date he will have completed a thirty months tour.

2. In considering the retirement of this officer Executive Council were guided by the following recommendation of the Director of Education:-

> "This officer is not prepared to give any definite decision as to the date of his retirement. His work has been excellent in many respects; he is a good organizer and an efficient teacher of commercial subjects but he has not gained the confidence of the Arab community nor does he get on well either with officers of the Administration at Mombasa or his own staff. I am afraid that as long as he remains in charge at the Coast Secondary School, the Arabs will be disinclined to send their children there. I realise that if the policy of Government is to retain officers until they reach 55 years of age, then it is difficult for me to recommend the compulsory retirement of this officer, as I cannot say that he is inefficient. If his services are to be retained then I must endeavour to move him away from Mombasa but there are grave difficulties as he was transferred from Zanzibar to the specific post of Headmaster of the Coast Secondary School and I presume that he could only be posted elsewhere with his own consent."

The

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

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DOWNING STREET, LONDON S.W.

The Provincial Commissioner, Coast, through whom this recommendation was submitted expressed full agreement with Mr. Morris' remarks and stated:-

> "This officer has failed to gain the confidence of the Arabs. In fact he has had the misfortune to antagonise them, and the school will not go ahead while he remains there.
>
> He is undoubtedly efficient as a teacher, and in the general management of a school, but he has not the characteristics to make a success of Arab education."

(1) on 18084/32

3. In arriving at the decision to retire him due regard was given to paragraph 5 of Confidential despatch of the 6th February, 1933, and to the ruling laid down in despatch Confidential (3) of the 27th March, 1933, from Sir Philip Cunliffe-Lister (now Viscount Swinton).

(3) on 3103/33

It appeared to my advisers, however, that while Captain Hodkin's abilities as a teacher are unquestioned, in his capacity as a Headmaster he fails to reach the desired standard and his lack of tact and understanding as Headmaster of the Arab School at Shimo-la-Tewa militates against the success of that institution.

4. Captain Hodkin was notified of the decision and was given an opportunity of submitting any representations that he wished to make in this connection.

5. I enclose a copy of a letter in reply from Captain Hodkin, for your consideration in accordance with the request contained therein.

Letter. 9.1.37

6. While it will be seen from paragraph 5 of Captain Hodkin's letter that he accepts the decision of this Government, I considered it advisable that his representations should be considered in Executive Council. The advice of Council in the matter, with which

I concurred, was that you should be informed that no reason is seen why a departure from the original decision regarding his retirement should be made.

7. As regards Captain Hodkin's letter of the 5th January I attach a copy of a minute, with enclosures, by the Director of Education commenting upon the matters raised therein. I do not propose to add any further remarks regarding the conduct of the school of which Captain Hodkin has been in charge nor as regards any future employment for this officer whose appointment in this Colony I have already recommended should be terminated in September this year.

Minute.
25.1.37 & Encls.

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

ACTING GOVERNOR.

Coast Secondary School,

Shimo la Tewa,

near Mombasa.

9th. January, 1937.

The Hon'ble. Atg. Colonial Secretary,

S. F. S.

The Hon'ble. Director of Education,

Kenya Colony and Protectorate.

Sir,

1. In submitting this communication I have the honour to request that it may be forwarded to His Excellency the Ag. Governor for transmission to His Majesty's Principal Secretary of State for the Colonies.

2. I have received intimation that it is the intention of the Kenya Government to retire me from the Kenya Service at the end of my present tour. Whilst the prima facie reason given for this retirement is that I have reached the age limit, in view of the fact that there are numerous officials, senior to me in age, still in the service, I can therefore only conclude that there are other considerations that have influenced the Kenya Government in coming to this decision. I consider therefore that it is only right that you should be acquainted with events leading up to this decision.

(a) The Economy Committee of 1934 in making its report in 1935 stated that it did not consider the post of Principal of the Coast Secondary School to be worth £920 per annum. This statement was made in such a way, and reported in the Press in a similar manner, as to make me subject of ridicule. As a result of this my name was subsequently bandied about to such an extent as to make my position almost untenable. In face of all this I was compelled to remain silent. There will always be differences of opinion as to the worth of any particular post, and I am not concerned here as to whether the post is worth £600 or £1,200 a year. What I am concerned with is the terms offered me by the Kenya Government at the time I was in the Zanzibar Service. These terms were a salary scale of £600 - £920 per annum - subject to promotion bar. The only inducement to my acceptance of the post was the fact that the maximum salary was £80 higher than that attached to the Zanzibar post. I have endeavoured to carry out faithfully my side of the engagement, but it is disturbing to realise that there those who would suggest that the Kenya Government should dishonour its side.

(b) The other consideration which I understand has weighed with the Kenya Government is that I have not succeeded in winning the confidence of the Arabs. Far from this being the case I venture to assert that, with two exceptions to which reference will be made later, exactly the opposite has happened, and that it would have been quite impossible for me to carry on successfully over a number of years without the confidence of the majority. Looking back over the 14 years during which period I have worked amongst the Arabs I recall with gratitude the willing help and generous kindness I have at all times received from members of that community. It is only necessary to refer briefly to two or three instances of the support they have given me since I came to Kenya:-

1. Subscribed to me over £300 in money and prizes in connection with school activities.

2. As recently as last Speech Day, when I appealed to them for funds, considerably over the amount required was subscribed within a few days.

3. Within the last few months a leading Arab in Mombasa has promised the School £1,000 for the laying out of a Stadium and erection of a Sports Pavilion.

I suggest that these are not the acts of people whose confidence I have failed to win.

There has certainly been evident a spirit of non-cooperation on the part of the Arabs dating back to the early part of 1931. This however has never been directed against myself but against the policy of the Education Department. The opposition to this policy culminated in 1934 when all the Arab Members (with one exception) of the Advisory Council on Arab Education, together with the European Elected Member of Legislative Council, resigned their seats on the Council. As a result this Statutory body, which should meet at least once a year, has never met since. I have been assured repeatedly by Sir Ali bin Salim and other Arab leaders that their attitude was in no way directed against me but solely against Government Educational Policy. This attitude of non-cooperation has undoubtedly retarded the work of the school, but in spite of this the school has continued to progress and to-day stands fully established as an important part of the educational structure of the Colony. The number of scholars on the roll, the average attendance, the number of Arab boys, and the amount collected in fees, have all reached their highest point in the year just closed.

3. In the previous paragraph I referred to two Arabs whose confidence and support I had failed to win. It is seldom, if ever, that one is successful in gaining unanimous approval, and in my work in Kenya I have therefore been no exception to the rule. The two Arabs in question are -

(1) The Arab Assistant in the District Commissioner's Office, Mombasa.

(2) The Arab Member of Legislative Council.

Ever since the school opened they have conducted a campaign against it on the grounds that they did not agree with the curriculum, and that a number of African boys had been admitted as scholars. It is only necessary to mention two instances of their conduct in order to realise the despicable methods adopted to undermine and destroy the work of the school.

see my minute on this file below No 70

Arab No. 1, early in 1934, brought a very serious charge against the morals of the school. A thorough Medical Inspection, lasting over three days, proved the charge not only to be utterly false and baseless but revealed the physical condition of the boys to be such as to call forth the congratulations of the Ag. Director of Medical Services. This case was reported by me to Mr. Flood at the Colonial Office when last on leave and who I have no doubt will recollect the purport of our conversation.

Arab No. 2 in 1935 made a definite attempt to corrupt the morals of the school by visiting it late one night in company with two other young Arabs of doubtful character. These Arabs entered three dormitories and in each case visited certain beds, awakening boys out of their sleep. Unimpeachable evidence was obtained of the committing of these acts and forwarded to the Head of my Department, but as far as I am aware no action was taken.

Had I not raised my voice in strong protest against these cases I would surely have been guilty of dereliction of duty.

I am only afraid that these two Arabs, when they learn of my compulsory retirement and in view of the fact that they have both recently received decorations, will assume that their campaign of vilification has received Government approbation.

4. I came out to East Africa on Educational work and for the last 14 years, both in Zanzibar and Kenya, I have endeavoured at all times to discharge my duties to the best of my ability. As to whether I have succeeded or not I leave it for others to say.

(a) ZANZIBAR. In a letter dated 25th. Oct., 1933, Mr. R. H. Crofton - then Chief Secretary to the Zanzibar Government - states "It seems a long time since you were here and much water has flowed under the bridge since then, but there are still notable examples of the very thorough and intensive training you gave the boys in your school. And since then of course there has been no such standard"

Mr. W. Hendry, present Director of Education, Zanzibar, writing in July, 1935, with reference to my work in Zanzibar, states "Captain Hodkin's management of his school showed throughout not only high capabilities in the training of his students for their life's work but a wider outlook. It was his constant aim to inspire his pupils with the characteristics of perseverance, thoroughness, order, cleanliness, punctuality, honesty and reliability. These characteristics he was extremely successful in cultivating, and the excellent corporate spirit which he developed through class discipline and the organisation on self-reliant lines of athletic and debating clubs was a speaking testimony to that success. He was very popular with his pupils and their success in after life cause him to be remembered with gratitude and affection".

(b) MOMBASA. I came to Kenya to take over the Arab School, Mombasa, when things in connection with the school were at a very low ebb, and it had been reported on adversely by Sir Ed. Grigg and Sir Ed. Denham. I completely reorganised the school and raised it to the status of a Secondary School. For this work I received the personal congratulations of the then Governor of Kenya - Sir E. Grigg, and the Central Committee on Arab Education passed a Special Resolution congratulating the Principal and Staff on the success of their efforts.

(b) MOMBASA. contd. Mr. C. F. Battiscombe, Private Secretary to His Highness The Sultan of Zanzibar, writing in 1928 stated -"I must heartily congratulate you on the great progress which the Arab School is making. I hear splendid accounts of it and my information is confirmed by reports which have reached His Highness who asks me to send you his congratulations and good wishes for the future".

(c) SHIMO LA TEWA. The founding and building of the Coast Secondary School was the result of a scheme I put forward to Government, and in getting it firmly established many difficulties have had to be overcome. It was the first school for Arabs and Africans in East Africa to take English Public Examinations.

His Excellency The Governor, Sir J. Byrne, after visiting the school on the 28th. August, 1932, wrote - "I am gratified at the progress that has been made within so short a period. I congratulate the Principal and his Staff".

Rt. Hon. Sir E. Cunliffe-Lister, then Secretary of State for the Colonies, addressing the school on the occasion of his visit on 17th. February, 1934, said - "Although the school is young I am pleased to learn that it has already achieved notable successes, not only in the class-room but on the playing fields, and I congratulate the Principal and his Staff".

Mr. H. S. Scott, then Director of Education, Kenya, writing on the 25th. July, 1934, on the eve of my departure on leave stated -"I shall not see you before you come back but I should not like you to go on leave without this statement from me that I consider you have done a really good piece of work at Shimo la Tewa from every point of view".

I have every reason to believe that Mr. Scott's opinion is shared by Mr. E. C. Morris, the present Director of Education, for in a recent letter received he states "You have every reason to be proud of the results you have achieved at Shimo la Tewa".

5. Whilst accepting the decision of the Kenya Government to retire me from the Kenya Service I take it that this does not necessarily mean my retirement from the Colonial Service. When I was last in England I saw Sir Cecil Bottomley and Mr. C. J. Jeffries and discussed with them the fact that I was approaching the retiring age and the question of promotion before my final retirement.

"Colonial Medical Gaz."

I am only just 51 years of age and my health is such as to permit of my rendering further years of service. If, therefore, my services can be utilized in any way they are placed at your disposal.

I have the honour to be,

Sir,

Your most obedient servant,

M. Hoskin

CONFIDENTIAL.

Conf. H/2/17.

"E"

25th January, 1937.

The Hon'ble the Colonial Secretary,
NAIROBI.

CAPTAIN T. V. HODKIN - EDUCATION OFFICER.

ref. Sectt. letter No. S/Est.19/523/II/52 of the 16th January, 1937.

I have the honour to make the following comments on Captain Hodkin's letter addressed to you, dated the 9th January, 1937:

Paragraph 2.

(a) The whole of this section would appear to be quite irrelevant to the point at issue. Captain Hodkin has been on his maximum salary of £920 since the 1st September, 1931. The Economy Committee considered that the post of Principal was not worth such a high salary as £920 but I personally did not accept this view vide my letter No. C/70/63 of the 19th July, 1935. The suggestion that Captain Hodkin's position was made untenable by the Committee's recommendation is absurd.

(b) I have been repeatedly assured by the Inspectors stationed at Mombasa that Captain Hodkin is not acceptable to the majority of Arabs and these opinions have been confirmed by the present Provincial Commissioner. I have attended two Speech Days at the School and on both occasions there was a poor attendance, especially of leading members of the Arab Community. The Arab Advisory Council has been in abeyance for nearly two years. I have discussed the question of its revival with the Provincial Commissioner, but he advises me to leave the matter over for further consideration. The Arab Community has its various sections and I have no doubt that Captain Hodkin has support from some but not, it would appear, from the majority.

Paragraph 3.....

Paragraph 3. This refers to an incident which was the subject of a question in Legislative Council, vide your letter No. 3/A.NED.(not enclosed) 1/6/5/26 of the 28th June, 1935.
It was alleged that Sheriff Abdulla visited the dormitories without the permission of the Principal and that he was accompanied by one of the native teachers. The teacher concerned denied the truth of the allegations but they were pobably true. Captain Hodkin suggested that this teacher should be dismissed - a copy of his letter is attached together with a copy of a covering letter from Mr. Bradshaw, Inspector of Schools, Coast Province. No further complaint was received against this teacher, therefore no action was taken.

2. In general, Captain Hodkin appears to have made out no case for his retention. Apart from his difficulties with the Arab Community, he has failed on several occasions to co-operate with the Administration and by his dictatorial manner he does not get the best out of his European assistants.

ECL/WAF.

DIRECTOR OF EDUCATION.

COPY.

CONFIDENTIAL.

No. C/28/35/10.

Coast Secondary School,
Shimo la Tewa,
MOMBASA.
9th July, 1935.

The Hon'ble Director of Education,
NAIROBI.

Dear Mr. Morris,

I have been closely in touch with the Inspector of Schools, Mombasa, during the last two weeks over an occurrence which is said to have taken place at this school on the night of Sunday the 16th June last. This matter has, I believe, been reported to you by Mr. Bradshaw and copies of the letters that have passed between Sheriff Abdulla and myself in connection with this incident, have been forwarded to you.

2. The evidence submitted undoubtedly proves that the school was visited by these Arabs on the night in question, that boys in certain dormitories were awakened, and that one dormitory was entered.

3. There is also proof that one of my native staff (Ahmed Bakil) accompanied these Arabs, and this teacher has further involved himself by telling lies about the whole affair. His behaviour since has been of a very suspicious nature. I consider that Ahmed Bakil has proved himself so unreliable that he should be dismissed from the service. At the same time it must be realised that, owing to this teacher's connections in Mombasa, certain repercussions will follow such dismissal.

4. As a result of this occurrence, evidence has shown that there are certain outside influences at work which will require very careful watching.

5. I have kept Mr. Bradshaw fully informed of the situation but I do not think that anything further can be done at the moment. If you are coming down to Mombasa shortly, I would like to discuss matters in detail with you.

Yours sincerely,

(sgd) T. W. Hodkin.

Principal.

COPY.

Mombasa,
9. 7. 35.

Dear Mr. Morris,

With reference to the attached, I have had a furthe talk with Captain Hodkin and we agree to leave the matter in abeyance for the present. I had a long interview with Ahmed Fakii this morning and I believe I have restored him to a favourable state of mind.

I am of the opinion, however, that if this teacher shows the slightest sign of verging from the noml, the Principal should suspend him and a full inquiry held.

There is little doubt that the boy is subject to brainstorms. He has sworn to me, however, that he will turn over a complete new leaf if he is allowed to return to duty. I think, therefore, he should have one more chance.

Yours sincerely,

(sgd) H. L. Bradshaw.