

1934.

Kenya.

C0533/442

No. 23035.

SUBJECT

CLOSED
UNTIL

~~1935~~

Compulsory Retirements.

Previous

3103/33.

Subsequent

38037/35.

Governor Byrnie 174 Lmf _____ 30th Dec 33

Submits for approval names of T. J. Anderson, J. Scott, Messrs R. Anderson, Lieut. R. F. Ramsford, A. Finch, A. J. Davespat & G. Robinson for retirement.

The following working rules have been laid down with regard to the age for retirement in Kenya (para.3 of No.3 on 3103/33 and para.5 of No.6 on 18064/32). In general, officers should be called upon to retire on attaining the age of 55 ^{as rule} and the principle that an officer should be compulsorily retired at 50 unless there are strong reasons for his retention ^{no longer} does not commend itself to the Secretary of State.

- A. If an officer is on duty in Kenya on his fifty-fifth birthday he should normally retire at the expiration of the leave following his current tour.
- B. If he is on leave at that date he should retire at the expiration of that leave.
- C. If his 55th birthday is due to fall in the course of his next tour he should not be retired, unless:-
 - (a) He wishes to retire voluntarily; or
 - (b) His standard of efficiency is such that it is in the interest of the Government that he should retire; or
 - (c) His retirement will facilitate re-organization and retrenchment.

Now to take the cases mentioned in this despatch:-

- (1) Mr. Anderson comes under category B, so his retirement may presumably be approved.
- (2) Mr. Scott comes under category C. It is stated however that he has no representations to make, and this may perhaps be taken to mean that he wishes

wishes to retire voluntarily and thus will come under (a) above.

(3) Miss Anderson does not even come under category C properly, but it looks from the enclosure to No.1 as though her age is affecting her efficiency to such a degree that her retirement would be justified under C(b) above. Miss Anderson has made representations against being retired.

(4) Captain Rainsford will not be 55 until 1943. It is not clear whether it is proposed to retire him on the ground that he is inefficient or to facilitate re-organisation. He has protested against his compulsory retirement. He has recently petitioned for promotion but the Governor could not support his request. His last confidential report describes him as being not suitable for promotion as a hardworking officer, but with limited administrative ability coupled with a somewhat indifferent education.

(5) Mr. Finch is in the same position as Captain Rainsford; he will not be 55 till 1941 and he also has made representations against being retired. His last confidential report describes him as being unsuitable for promotion, but as a steady, reliable and energetic officer, though without any outstanding characteristics.

(6) Mr. Davenport comes within category B.

(7) Mr. Robinson will not be 55 until 1940. He has made no representations against his proposed retirement, but he is not described (as Messrs. Anderson and Scott are) as "having no representations to make". He has no confidential reports on his file.

Subject to the observations of J.S.D. it seems to me that the retirement of Messrs. Anderson, Scott and Davenport and of Miss Anderson, might well be approved, but before approving compulsory retirement in the case of Messrs. Rainsford, Finch and Robinson I think the Secretary of State might well enquire whether the Governor recommends their retirement on the grounds that they wish to retire voluntarily, or that their standard of efficiency is not high enough, or that it will facilitate re-organisation and retrenchment, the three alternatives set out in para 5 of No.6 on 18084/32, as mentioned above. (It will be noted that in the final para. of No.1 on this file the Governor expresses himself as having had this paragraph in mind in making his recommendations.)

The question is whether the Secretary of State's approval to the retirement of officers before they have reached the age of 55 is to be a mere formality or not. It has to be remembered that officers to whom the decision to retire is unpalatable may petition the Secretary of State. If the Governor's recommendations are accepted blindly and on investigation of the petition the Secretary of State finds himself in disagreement with the Governor, the matter will be referred to the Committee. It is not clear what the Committee will do in such a case. It is suggested that the Governor should be asked to state whether he recommends the retirement of the officers in question.

every case in which it is proposed to retire an officer compulsorily before he has reached the age of 55, giving the grounds for recommendation.

In the present instance the Governor has assured us that his recommendations have been made in the light of the previous correspondence which sets out very fully the principles which should be followed. In view of this assurance it is a little difficult to question his recommendations without creating an impression that his judgment is ^{disputed} disputed. On the whole, therefore, I should be inclined to accept them, but to point out as ^{in the previous cases} ~~in the previous cases~~, and to ask for full statements in future cases

I shall not be surprised if Capt. Ramsford, at all events, petitions the S.D.S.

? as proposed

C.J. Jeppia

10/2/34

D.O.'Brien

Mrs Andaman is 50 & is said to be feeling her age. (I think you would agree that she should retire)

As regards the rest of them I am only helped by Capt Ramsford's report. Capt Ramsford is just 50 and will ∴ be retired 9 years early. It is clear from his reports that he is no pleasure & want even to be promoted but so it goes to retire him? I would think he should be

he will be 50.

Mr Finch is much the same but is older and will be 49 when his leave is up.

The Gov. & Council advise that the decision should stand and the people, and I don't like querying them. But I could write us above saying that Capt Ramsford is in the young of life & that if he is able to carry out his work he might possibly be followed another time.

S.S.G. Hand

12.2.34

Mr Flood

*As regards Miss Anderson I agree
a/k/a
14/2*

Sir C. Bottomley

Then

? Agree to the retirements but remark that Capt. Ramsford & Mr Finch are not perhaps being retired early particularly the former. Say that they are evidently not officers who would look for promotion but perhaps a further leave might be considered especially in Capt. Ramsford's case, at the end of which he will be 50.

S.S.G. Hand

14.2.

So proceed. I know & rather not require the Governor to give such statements in every case - and it would not necessarily give us against petitions if needed.

W.C.B. 15.2.34 above

pp notes

2 to Ramya, Conf (3) (Answer)

19 FEB 1934

3. Governor Byrnes 59 leaf _____ 16 Apr 34

Transmits details of reports of Commissioners of Police
on Capt. Rainford & of Finch & states they have been
informed that their retirement will be required on completion
of their present tours.

After careful reconsideration of the
position as regards Capt. Rainford &
Mr Finch, the Governor is satisfied
that the interests of the Force will be
best served by their retirement
on completion of 20 years service.
He has caused them to be informed
that their retirement will be
required on completion of their
present tours.

C.S. Dept to see

W. J. Put by A. P. Morrison
16/5/34

Para 2 of the C/P's note on Mr Finch
places a hitherto unrecognized obligation
on members of - Colonial Police Force.

"If you don't apply for promotion, we'll
sack you."

B. Houston

16/5

W. P. Morrison
16/5

sp noted

delivered

the above



KENYA.

No. 59

CONFIDENTIAL.

GOVERNMENT HOUSE,
(NAIROBI),
KENYA.

16th April, 1934.

Sir,

No. 2

With reference to your despatch Confidential (2) of the 19th February, regarding the compulsory retirement from the Police Force of Captain R.F. Rainsford and Mr. A. Finch, I have the honour to inform you that the possibility of the retention for another tour of service of these two officers has been discussed with the Commissioner of Police who reports:-

*Captain R. F. Rainsford.

This officer, who gives his age as 46, in appearance and failing energy gives one the impression of being an older man. He himself states that he was born in 1888 and that he misrepresented his age on joining the Natal Police in 1904 at the age of 16.

Captain Rainsford knows that it is my opinion that he is not qualified for promotion or even to hold a senior appointment in an acting capacity, with the result that he has become a discontented and dissatisfied man of whom efficient and zealous service can no longer be expected.

Mr. A. Finch.

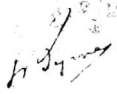
This officer who is now 49 years of age is no longer sufficiently active and physically fit to perform efficiently those duties required of an executive police officer which have become much more exacting in consequence of the recent considerable reduction in the personnel of the Force.

The fact that Mr. Finch has never applied for promotion and does not appear to have expected it is not conducive to zealous and efficient service at this stage of his career, and it is to the advantage of the Force that he should be replaced by a younger and more ambitious officer*.

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

2. In each case I am satisfied, after careful reconsideration, that the interests of the Force will be best served by their retirement on completion of 20 years service and in view of your approval to my previous recommendations I have caused them to be informed that their retirement will be required on completion of their present tours.

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



BRIGADIER-GENERAL.

G O V E R N O R.

C. O.

- Mr. Davies. 16/2
- Mr. Freeman 16
- Mr. Hood 16 *js*
- Mr. Parkinson.
- Mr. Tomlinson.
- Sir C. Bottomley.
- Sir J. Shuckburgh.
- Permt. U.S. of S.
- Parly. U.S. of S.
- Secretary of State.

Answered by No 3 *84*

2

h 17 FEB
D 17

DOWNING STREET,

February, 1951.

Sir,

I have, etc., to acknowledge the receipt of your confidential letter No. 177 of the 30th December, and to inform you that I approve your recommendations for the retirement of Mr. P. J. Anderson, Mr. J. Cott, Miss R. Anderson, Captain M. Painsford, Mr. A. Finch, Mr. M. Leverant, and Mr. F. G. Robinson.

2. I observe that Captain Painsford will be only 46 years old at the date of his retirement and ~~that~~ Mr. Finch will be about 43 ^{actl} and I feel that these two officers, particularly the former, are perhaps being retired rather early. It is evident from their confidential reports that neither of them is an officer who could look for promotion,

DRAFT.

KENYA

CONFIDENTIAL (2)

Gov.

App. noted

FURTHER ACTION.

Expect to receive

but

but I ^{think} ~~am~~ nevertheless of opinion
that the possibility of allowing them
to ~~stay on~~ ^{serve} for a further tour might
well be ^{re-}considered, particularly
in the case of Captain Painsford.
~~who, even so, would be no more than~~
~~50 years of age at the date of his~~
~~retirement.~~

I have, etc.,

(Signed) PLYMOUTH

(for the Secretary of State)

KENYA.

No. 177



GOVERNMENT HOUSE,
NAIROBI,
KENYA.

CONFIDENTIAL

RECEIVED
27 JAN 1934
C. O. REGY

30th December, 1933.

Sir,

With reference to your despatch
Confidential (2) of the 27th March last, I have
the honour to inform you that I have concurred
with the advice of my Executive Council that the
following officers should be called upon to retire:

Concurred (2)

No 3

3103/32

3179 EA

(1). Mr. T. J. Anderson, Senior Entomologist,
Agricultural Department. Attained the age
of 50 years on the 8th August, 1929, and
completed 20 years' service on the 30th
April, 1929. Mr. Anderson returned from
leave on the 15th January, 1932, and
Council recommended that he should proceed
on leave in June 1934 pending retirement.

9189 EA

(2). Mr. J. Scott, Storekeeper, Agricultural
Department. Attained the age of 50 years
on the 19th November, 1932, and will
complete 20 years' service on the 30th
April, 1934. Mr. Scott proceeds on leave
on or about the 24th January, 1934, and
Council recommended his retirement at the
conclusion of the leave due to him.

1122 EA

(3). Miss E. Anderson, Sewing Sister,
Agricultural Department. Will attain the age

BY THE RIGHT HONOURABLE

MAJOR SIR PHILIP GORDON GIBBS, K.C.M.G., C.B.E., M.P.

SECRETARY OF STATE FOR THE COLONIES

DELIVERED BY AIR MAIL

of 50 years on the 30th August, 1934, and will complete 20 years' service on the 25th May, 1939. Council recommended Miss Anderson's retirement at the end of her present tour which she will complete on the 27th August, 1934.

4745 EA

• Captain R.F. Eadsford, Superintendent of Police. Will attain the age of 50 years on the 7th January, 1938, and completed 20 years' service on the 2nd June, 1930. Council recommended that Captain Eadsford should be retired at the end of his present tour which he will complete on the 26th June, 1934.

5536 EA

(5). Mr. A. Finch, Superintendent of Police. Will attain the age of 50 years on the 31st August, 1936, and completed 20 years' service on the 13th October, 1933. Council recommended that Mr. Finch be retired at the end of his present tour which he will complete on the 10th February, 1938.

15233 EA

(6). Mr. A.J. Davenport, Postmaster, Posts and Telegraphs Department. Attained the age of 50 years on the 1st of February, 1930, and will complete 20 years' service on the 23rd January, 1941. Council recommended that Mr. Davenport be retired at the end of his present tour (extended to four years) which he will complete on the 15th January, 1935.

has only completed

13

(7).

6480EA

(7). Mr. F.G. Robinson, Survey Records Officer, Survey and Registration Department. Will attain the age of 50 years on the 22nd January, 1935, and completed 20 years' service on the 31st August, 1933. Council recommended that Mr. Robinson be retired at the end of his present tour which he will complete on the 1st October, 1935.

2. These officers were notified of the decision of Executive Council and given an opportunity of submitting any representations that they wished to make against the decision.

3. It will be observed from the attached summary circulated to Executive Council that with the exception of Miss Anderson, Captain Rainsford and Mr. Finch, no other officer has submitted any representations against the decision.

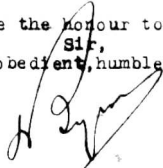
Summary.

The representations made by Miss Anderson, Captain Rainsford and Mr. Finch were considered by Executive Council who advised that its original decision should stand.

4. I therefore submit the names of the officers recommended for retirement for your approval. I may add that in considering the retirements of these officers due regard was given to paragraph 5 of your Confidential despatch of the 6th February last and to paragraph 3 of your despatch first under reference.

No 6 15084/32
 Nos 3103/33

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



BRIGADIER-GENERAL.
 G O V E R N O R.

RETIREMENTS FROM THE SERVICE.

In Minute No.405 of the 15th September Council deferred consideration of the question of the retirement of Dr.W.M.Keatings, Registrar General, but advised approval of the recommendations of the Sub-Committee for the retirement of the following officers:-

1. Mr. T.J. Anderson, Senior Entomologist, Agricultural Department, to proceed on leave in June 1934 pending retirement.
2. Mr. J. Scott, Storekeeper, Agricultural Department, at the end of his present tour in January 1934.
3. Miss R. Anderson, Nursing Sister, at the end of her present tour in August 1934.
4. Captain R.F. Rainsford, Superintendent of Police, at the end of his present tour in June 1934.
5. Mr. A. Finch, Superintendent of Police, at the end of his present tour in February 1935.
6. Mr. A.J. Davenport, Postmaster, at the end of his present tour extended to February 1935.
7. Mr. F.G. Robinson, Survey Records Officer, Survey and Registration Department, at the end of his present tour in October 1935.

2. The above officers were notified of Executive Council's decision and were asked to submit before the 1st November, 1933, any representations that they wished to make in regard to the decision.

3. The following replies have been received:-

Miss R. Anderson requests that she may be granted permission to return for another tour of service or, alternatively, she may be granted permission to extend her present tour by six months (to February 1935).

The Director of Medical and Sanitary Services recommends that Miss Anderson should be called upon to retire at the end of her present tour in August 1934 and that he does not consider that she should be permitted to extend her tour for a further six months.

The Director of Medical and Sanitary Services further states that Miss Anderson has carried out her duties up to date in a satisfactory manner, but her age is now definitely beginning to affect her efficiency.

Captain R.F. Rainsford submitted a petition to His Excellency stating "I have served in Colonial Police Forces for 27 years in all, for 23 years in the Colony. I am 45 years old, I have no special qualifications for further employment, having spent all my best years in

Police service and I am exceedingly reluctant to retire if there is a prospect of promotion here or elsewhere, having regard to the many years of active life before me" and asking for a personal interview with Sir Joseph Byrne upon his return.

The Commissioner of Police in forwarding the petition stated that Captain Rainsford had introduced other matters that appeared to have no bearing on the question immediately under consideration (that of his compulsory retirement) and that he did not propose to comment on these issues unless desired by Government to do so.

The Commissioner of Police was asked to inform Captain Rainsford that after very careful consideration of all the aspects of the case His Excellency could find no grounds for upsetting the decision which had been arrived at prior to his return to the Colony on the advice of Executive Council, and that no good purpose would be served by a personal interview unless Captain Rainsford had any fresh facts to produce additional to those already submitted by him.

Captain Rainsford has so far not made any further representations.

Mr. A. Finch has petitioned His Excellency asking that his application to be allowed to return for a further tour of service or, failing that, for his present tour to be extended to February 1936 (by one year) should be favourably considered.

The Commissioner of Police in forwarding Mr. Finch's petition states that in the absence of any reasons in support of the request, he is not prepared to vary his original recommendation, namely, that Mr. Finch should be retired at the end of his present tour in February 1935.

4. No representations have been received from Messrs. A. J. Davenport and F. G. Robinson while the Acting Director of Agriculture states that Messrs. T. J. Anderson and J. Scott have no representations to make.

5. It is a matter for decision whether the original decisions of Executive Council should be confirmed or whether any modifications should be made in the light of the representations received.