

1933

1933

3083

CO 533/433
KENYA

3083

Quarterly Returns of Imprisonments
Under Criminal Procedure Code (Secn 56).

Previous

18162/32

Subsequent

38141/36

Ke 297	21/2
of Prisoners	27/2
297	23/5
Room 304	26/5
297	21/5
Room 309	21/6
297	14/6
Room 309	18/1
the Prisoner	18/1
The Bank	29
The Road	29
Room 309	30
297	19/2
Room 309	11/2
297	

✓ Governor Byrne 64 _____ 31st Jan 33
DESTROYED UNDER STATUTE
State persons have been committed to prison
under Sec 56 of the Criminal Procedure Code during
quarter ended 31st Dec. 32.

As regards the question of
~~dropping~~ discontinuing this return
See also on 31/22/32 TT
with which these papers ^{were} ~~are~~ marked
to B. & Mr. Brooke at the end of
SS/82 1932. ^{await the result of the long office}
not Publicly ^{conference.} J.P. Miss M.R.
27/2/33
at once

(10)

✓ 2. Governor Byrne 274 _____ 29 APR 33
DESTROYED UNDER STATUTE
State persons have been committed to prison under
Sec. 56 of the Criminal Procedure Code during the quarter
ended 31st March 33.

Put to
T.M. on 24 May
1933

(11)

3 11/ Geneva 1953 27 July 33

DESTROYED UNDER STATUTE 56 of the Criminal Procedure Code for the quarter ended 30 June 33.

no. 11 sent
to the
the
in
11

Put by
Affidavits
21/8/33
K & Co

DESTROYED UNDER STATUTE 56 of the Criminal Procedure Code for the quarter ended 30 Sept 33

States no persons have been committed to prison under section 56 of the Criminal Procedure Code for the quarter ended 30 Sept 33 [This has been held up until 16/9/30 was released by Dames] (4) May be put by.

The question of discontinuing these returns has been raised from time to time - see 31222/32 PP - 18/6/32 Kenge 2278/32 below - but further consideration was deferred until after the Law Officers' Conference.

The report of the Conference is flagged in 4015/33 below; there is no mention of § 56 of the Criminal Procedure Code.

The returns were called for as a result of Lord Penfield's minute of 15/1/31 or 16/9/30 (Happs), the request being made in para 4(d) of (6) on that file (see also (7)(8) & (9))

The Govt of Tanganyika

proposed in (1) on 31222/32 to submit returns only when there have been commitments (ie no Nil Returns) - no objection has been raised

subject to the Duke's Orders we might modify the instructions to the effect that

James
1981

James

These periodical returns must be submitted to the Law Officers and not the Attorney General in order to ensure that the Government is governed from the judicial officers.

What the Duke's Order means is that persons guilty of political offences (i.e. those who are liable to be deported) shall not be included in the returns unless they have been convicted of a crime which is also a crime under the law of the country in which they are actually residing at the date of the return. This is not a political offence and does not respect.

By all means call for the returns if you wish to see a return and unless there is something to prevent it.

after all we only need to see returns of cases in which persons are committed - no committed no returns

5 20 Kenya, 46 (4 uncod) 31 JAN 1934

(10)

✓ 6 Governor Byrnes 37 _____ 20 Jan 34

RECEIVED UNDER STATUTE

_____ been committed to prison under
Sec. 56 of the Criminal Procedure Code for the quarter
ended 31st Dec. 33.

Part 5

Two axes: 492

W.M.

7

C. O.

3083/33 Re

4
5

Mr. Davies 30/1
Mr. Freshman 30/1

31 Jan 1933

Mr.
Mr. Parkinson.
Mr. Tomlinson.
Sir C. Bottomley.
Sir J. Shuckburgh
Permt. U.S. of S
Parly. U.S. of S
Secretary of State.

C. O.
30 JAN
31

DRAFT.

Kenya
No 76
Apr. ~~5/3~~ (600 1619/50)

Sir
I have etc to ask the rec. of Mr. Moore's desk NO. 601 of the dir of Ocr, supplying me with the data requested in paragraph 6 (d) of Lord Parsfield's desk NO. 99 of the 7 Feb. 1931. no the effect there no persons were committed to prison under Section 54 of the Criminal Procedure Code in 1931 and to inform you that it will be sufficient in future only when cases have occurred of persons being ~~actually committed to~~ ~~prison under the Section~~ such ~~commitment~~ has

FURTHER ACTION.

(Signed) PLYMOUTH

(for the Secretary of State)