



REPUBLIC OF KENYA



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JUDICIAL SERVICE COMMISSION
Re-insurance Plaza, podium Floor,
Taifa Road,
P. O. BOX 40048-00100,
NAIROBI.

When replying please quote:

Our Ref: JSC 4/3

24th January, 2022

Mr. Michael R. Sialai, CBS
Clerk of the National Assembly
Parliament Building
P.O. Box 41842 - 00100
NAIROBI.

Dear Sir,

Handwritten note:
Hood, Take
for taking receipt
of acknowledgement
and funding
to BAC
27/1/22


**SUBMISSION OF JUDICIAL SERVICE COMMISSION VOTE 2051 BUDGET
ESTIMATES FOR FY 2022/23**

Reference is made to the guidelines provided by Article 173(3) of the Constitution and Section 37(4) of the Public Finance Management Act, 2012 on the submission of Budget Estimates.

We, therefore, hereby submit Judicial Service Commission's Budget Estimates for Financial Year 2022/2023 and the Medium-Term together with the related documents for your reference as follows:

1. Programme Performance Report (PPR) for FYs 2018/2019 to 2020/2021.
2. The Programme Based Budget (PBB) for the MTEF period 2021/22 - 2023/24; and
3. The Sub-Sector Report.

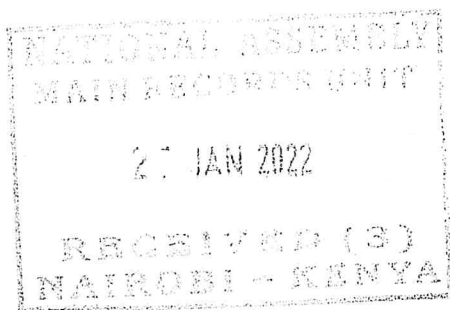
We wish to bring to the attention of the National Assembly that the Commission has a resource requirement of Kshs. 1.2 Billion, however an allocation of Kshs.587 Million has been proposed in the Budget Policy Statement leading to a 55 % funding gap. The Commission has thinly spread the proposed allocation to various strategic programmes. However, the following strategic activities which are core to the delivery of the Commission's mandate will remain unfunded:

	
THE NATIONAL ASSEMBLY PAPERS LAID	
DATE: 01 FEB 2022	DAY: Tuesday
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NATIONAL ASSEMBLY RECEIVED 27 JAN 2022 DEPUTY CLERK J.W.N P. O. Box 41842 - 00100, NAIROBI

S/No	Description	Deficit In Kshs. Million	Justification
1.	Automation of JSC Operations	50	<p>Most of the Commission's operations are currently being done manually. Implementation of a robust ERP system is envisaged to improve service delivery to the public by reducing the time taken to process requests. The key modules targeted include Complaints Management Module, E-Recruitment and HRMIS Modules, Finance Module and Document Management System (EDMS).</p> <p>An amount of Kshs. 50 million is required to fully implement the ERP for the Commission.</p>
2.	Public education and stakeholder engagements	70	<p>The funds will enable the Commission to carry out outreach programmes to the members of the public/ court users on the role of JSC in facilitating the administration of Justice, educate on the process for raising complaints and petitions and receive feedback.</p> <p>In addition, the new Strategic Plan requires the Commission to develop policies that will guide the Judiciary on the effective and efficient administration of justice.</p>
3.	Complaint Management	50	<p>The Commission has pending complaints and over 60 active matters in court. In addition, 2022 being an election year will likely lead to increased receipt of complaints and petitions against judges handling election-related cases. The Commission will, therefore, need additional resources to facilitate the timely processing of the matters.</p>
4	Recruitment for Judiciary	60	<p>Judiciary need more staff to implement the organisational Structure and handle election-related cases hence the need for additional Budget to facilitate the recruitments.</p>
5.	Partitioning and furnishing JSC offices at CBK Pension Towers,	30	<p>The Commission currently operates from the Kenya Re Plaza along the Taifa Road. The Current space is not adequate for the Commission and lacks spacious Boardrooms for facilitating the</p>



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27/1/22

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3. The Sub-Sector Report.

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NATIONAL ASSEMBLY RECEIVED	
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DEPUTY CLERK J.W.N	
P. O. Box 41842 – 00100, NAIROBI	

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4	Recruitment for Judiciary	60	<p>Judiciary need more staff to implement the organisational Structure and handle election-related cases hence the need for additional Budget to facilitate the recruitments.</p>
5.	Partitioning and furnishing JSC offices at CBK Pension Towers,	30	<p>The Commission currently operates from the Kenya Re Plaza along the Taifa Road. The Current space is not adequate for the Commission and lacks spacious Boardrooms for facilitating the</p>

			Commission's meetings and programmes. This has led to increasing costs in hospitality when facilitating the commission programmes. The amount required will facilitate partitioning of the offices where adequate Boardrooms have been provided.
6	Judicial Training by Kenya Judiciary Academy	120	The additional resources are required to support the various training programmes for Judicial Officer and Judges in order to build capacity on handling election-related disputes.
	TOTAL	380	

The purpose of this letter, therefore, is to forward the above-listed reports and request for consideration for additional resources of **Kshs 380 Million** to support the Commission's operation in the FY 2022/2023.

Yours Sincerely,



ANNE A. AMADI, CBS
SECRETARY, JUDICIAL SERVICE COMMISSION

Copy to: - Cabinet Secretary
National Treasury
P.O. Box 30007 – 00100
NAIROBI

The Chief Justice
Supreme Court building
P.O. Box 30041 – 00100
NAIROBI

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JSC

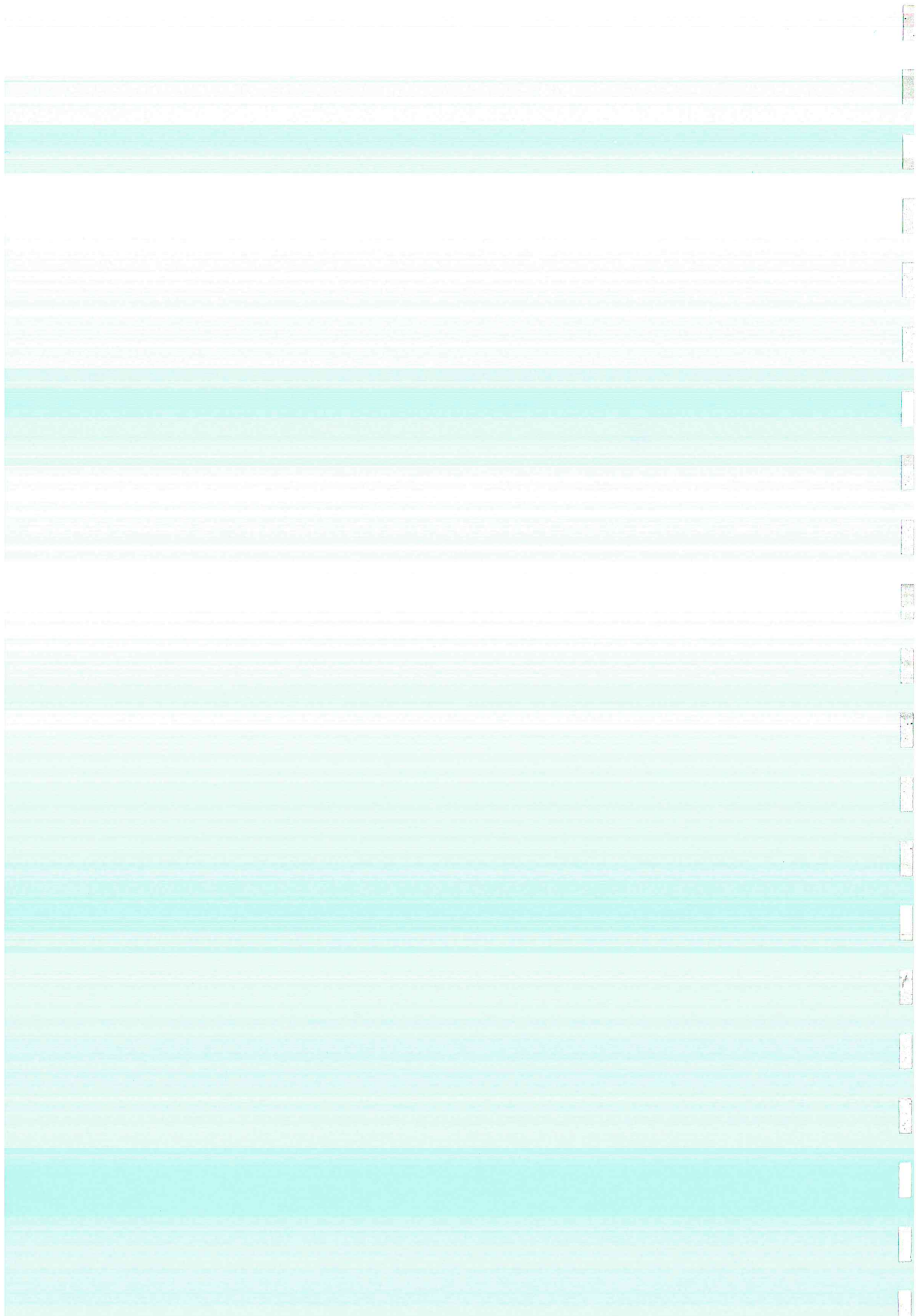
PROGRAMME

PERFORMANCE

REVIEW REPORT(PPR)

FY 2018/2019-

2020/2021






JUDICIAL SERVICE COMMISSION

Programme Performance

Review Report (PPR)

FY2018 / 19 - FY2020 /21

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Vote No: **2051**

Vote Name: **JUDICIAL SERVICE COMMISSION.**

Part A:

VISION: **A Commission of excellence in facilitation of an independent and accountable Judiciary**

Part B:

MISSION: **To promote an independent and accountable Judiciary through oversight; capacity building and Constructive stakeholder engagement**

Part C: **Performance Overview and Rationale of Funding.**

1.1 Brief Description of Mandate

The Judicial Service Commission's mandate is to promote and facilitate the independence and accountability of the Judiciary and the efficient, effective and transparent administration of justice. This mandate is stipulated in article 172 of the constitution of Kenya, 2010.

The functions of the Judicial Service Commission are provided for under Article 172 (1) of the Constitution as follows:

- To recommend to the president persons for appointment as judges
- To review and make recommendations on the conditions of service of judges and judicial officers, other than their remuneration, and the staff of the Judiciary.
- To receive complaints against, investigate and remove from office or otherwise discipline registrars, magistrates, other judicial officers and staff of the Judiciary.
- To prepare and implement programmes for the continuing education and training of judges and judicial officers
- To advise the national government on improving the efficiency of administration of justice.

1.2 Strategic Goals/Objectives of the Sector

The Commission implements the **General Administration and Support Services Programme**. The two sub programmes under this include; **Administration and judicial services; judicial training.**

The strategic objective guiding the implementation of activities and delivery of outputs is the **Promotion of accountable and independent Judiciary and the efficient and effective and transparent administration of Justice**

CHAPTER TWO

2.1 Review of sector programmes performance

Table 2.1 Sub- Sector Programme Programme Performance

				Planned Target				Achieved Targets				Remarks	
Programme	Delivery Unit	Key Output	Key Performance Indicators	2018/19	2019/20	2020/20	2018/19	2019/20	2020/20	2018/19	2019/20	2020/20	
Name of Programme: General administration, Planning and support services.													
Programme Outcome: Promotion of an accountable and independent Judiciary and the efficient, effective and transparent administration of justice													
Sub Program 1: Administrative and Judicial Services	JSC	Best practices adopted in Judiciary operations and efficiency improved through implementation of policies	No of policies developed/reviewed.	4	4	4	4	4	4	4	4	4	Achieved

	Enhanced Capacity of the Judiciary in administration of Justice through recruitment of Judges, JOs and judicial Staff	No of Judges recruited.	41	0	2	41	0	2	Recruited the Hon Chief Justice and Supreme Court Judge
		No of Judicial officers recruited.	50	50	50	42	0	0	The output was affected by Covid-19 and lack of funds.
		No of judicial staff recruited.	400	200	200	327	23	191	Lack of funds affected achievement of targeted recruitment.
		No of Judicial officers/staff promoted.	500	328	300	320	74	180	Suitability interviews could not be held due to Covid-19 pandemic.
	Enhanced Transparency, Independence & Accountability of Justice	%age of complaints heard and concluded.	100%	100%	100%	92%	74%	76%	Lack of sufficient funds affected targeted outputs.

			Percentage of staff disciplinary cases concluded	100%	100%	100%	62%	57%	54%	Low performance was due to Covid-19 which slowed down operations
		Increased public awareness of the commission and functions through outreach initiatives	No of key stakeholder forums held.	5	4	3	4	4	1	MoH guidelines on Covid-19 restricted public gatherings.
			No of Public outreaches	2	0	2	2	0	0	MoH guidelines on Covid-19 restricted public gatherings.
			No of IEC materials published.	5	4	4	5	3	1	Lack of personnel in Communication and monitoring affected the planned target.

Sub Program 2:Judicial Training	JTI	Enhanced capacity of Judges, Judicial Officers and Staff through continuous Judicial Training	%age of Judges Trained	100%	100%	100%	100%	99%	100%	100%	Achieved
	JTI		% age of Judicial Officers Trained	100%	100%	100%	100%	98%	100%	100%	Achieved
	JTI		No. of staff trained	346	1600	72	1551	315	72	Affected by shortage of funds	

2.2 Analysis of expenditure trends for the FY 2018/19- 2020/2021

Judicial Service Commission approved allocation for recurrent budget for FY 2018/19 was 409 million, while for FY 2019/2020 was Kshs. 501 million and in the FY 2020/2021 was Ksh. 531 million. The budgetary allocations have increased over the years with the financial year 2019/20 having the largest increase of 92 million due to the transfer of personnel emoluments costs from the Judiciary to the Commission.

The Actual expenditure for the financial year 2018 /19 was Ksh. 379 Million representing 96% of the budgetary utilization while Ksh. 481 Million and Ksh. 491 Million was spent in FY2019/20 and FY 2020/2021 respectively, representing utilization of 96% and 92% of the budgetary allocation for the respective financial years. The average budgetary absorption rate for the period under review was 95%.

Table 2.2 below shows analysis of recurrent approved budgets as compared with the actual expenditure amounts by economic classification.

Table 2.2: ANALYSIS OF RECURRENT APPROVED BUDGET VS ACTUAL EXPENDITURE AMOUNT IN KSH MILLION

Sub-Sector Name: Judicial Service Commission							
Vote and Vote Details	Economic Classification	Approved Budget Allocation			Actual Expenditure		
		2018/19	2019/20	2020/21	2018/19	2019/20	2020/21
2051	Gross	409	501	531	379	481	491
	AIA	0	0		0	0	0
	NET	409	501	531	379	481	491
	Compensation to Employees	5	143	160	0	143	155
	Transfers	0	0	0	0	0	0
	Other Recurrent	409	358	371	379	338	336

FY2019/2020 is the inaugural year the JSC operated its independent payroll. The increase in budgetary allocation is due to transfer of Personnel emoluments of seconded staff from the Judiciary to the Commission.

Figure 2.1 shows the budgetary allocation and actual expenditure for the period under review.

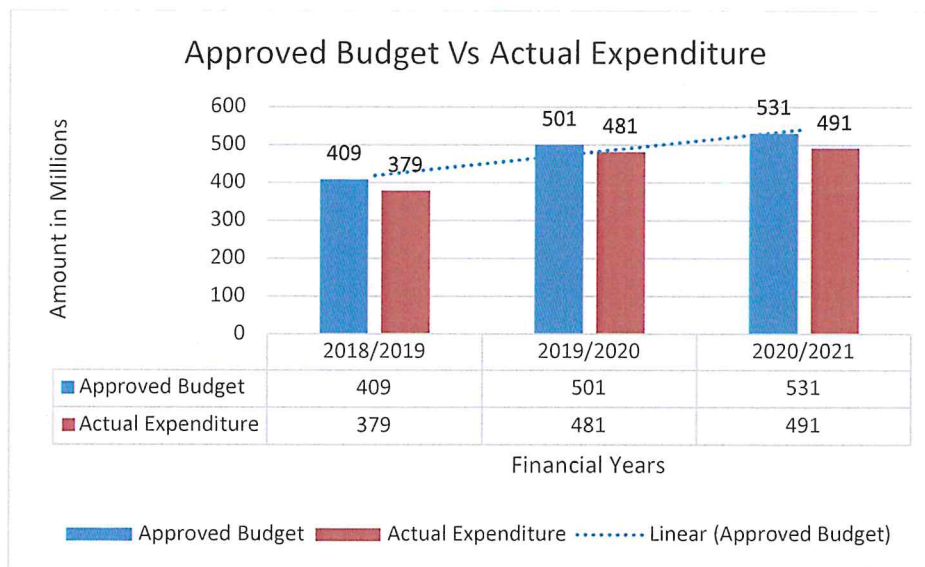


Figure 2.1: Analysis of Budget allocation Vs Expenditure.

There was a general increase in the budgetary allocation occasioned by the transfer of personnel emoluments from the Judiciary budget to the Commission. Figure 2.1 further indicate an increase in the actual expenditure which is explained by general improvement in absorption rate and achievement of expected outputs.

Table 2.4 below further analyses the budgetary allocations and expenditures by the two JSC sub-programs namely; Administration and Judicial Services and Judicial Training.

Table 2.4: ANALYSIS OF PROGRAMME EXPENDITURE/SUB PROGRAM EXPENDITURE (AMOUNT IN KSH MILLION)

	APPROVED BUDGET			ACTUAL EXPNDITURE		
	2018/19	2019/20	2020/21	2018/19	2019/20	2020/21
PROGRAMME 1: General administration, Planning and support services.						
Sub- Programme 1: - Administration and Judicial Services	243	365	387	234	363	375
Sub- Programme 2: Judicial Training	165	136	144	145	118	116
TOTAL PROGRAMME.....	409	501	531	379	481	491

The annual budgetary allocations ratios for Administration and Judicial Services and Judicial Training sub program were 59:40, 73:27 and 73:27 for the financial years 2018/19, 2019/20 and 2020/21 respectively. Administration and Judicial services sub-program received the larger portion of 59%, 73% and 73% respectively in the period under review. The allocation formula between the sub-programs is informed by the constitutional mandate and prioritized activities.

The Commission had an average absorption rate of 95% in the period under review and deviations were affected by operational challenges under the Covid-19 environment which curtailed execution of planned activities.

Table 2.5 below shows Budget- Actual Analyses for the programme by economic classifications.

Table 2.5: ANALYSIS OF PROGRAMME EXPENDITURE BY ECONOMIC CLASSIFICATION (Amount in Million)

	Approved Budget			Actual Expenditure		
Economic Classification	2018/19	2019/20	2020/21	2018/19	2019/20	2020/21
PROGRAMME 1:General administration planning and support services						
Current Expenditure						
Compensation of Employees	0	143	160	0	143	155
Use of Goods and Services	409	358	371	379	338	336
Grants and Other Transfers	0	0	0	0	0	0
Other Recurrent	0	0	0	0	0	0
Capital Expenditure						
Acquisition of Non-Financial Assets	0	0	0	0	0	0
Capital Grants to Government Agencies	0	0	0	0	0	0
Other Development	0	0	0	0	0	0
TOTAL PROGRAMME.....	409	501	531	379	481	491
TOTAL VOTE.....	409	501	531	379	481	491

The budgetary allocations are majorly applied in Use of goods and services with a smaller proportion being utilized in compensation of employees as a result of pending staff recruitments yet to be realized by the Judicial Service Commission.

Table 2.8 below summarizes the pending bills for the period under review by nature and type.

Table 2.8: Summary of Pending Bills by nature and Type (KShs. Million)

Type/nature	Due to lack of Exchequer			Due to lack of provision		
	2018/19	2019/20	2020/21	2018/19	2019/20	2020/21
1. Recurrent	-	-		-	-	
Compensation of employees		-		-	-	
Use of goods and services e.g. utilities, domestic or foreign travel etc.	0	1.7	18	-	-	
Social benefits e.g. NHIF, NSSF	-	-		-	-	
Other expense	-	-		-	-	
2. Development	-	-		-	-	
Acquisition of non-financial assets	-	-				
Use of goods and services e.g. utilities, domestic or foreign travel etc.	-	-		-	-	
Others-Specify	-	-		-	-	
Total Pending Bills	0	1.7	18	-	-	

In FY 2019/20 the commission closed the financial year with pending bills worth Ksh. 1.7 million. The following year the amount increased significantly due to disruptions caused in the supply chain by the pandemic thus closing the year with Kshs 18 Million in pending bills for the financial year 2020/21.

JSC

PROGRAMME BASED
BUDGET(PBB)

2021/2022-
2023/2024.



JUDICIAL SERVICE COMMISSION

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Vote No: 2051

Vote Name: JUDICIAL SERVICE COMMISSION.

Part A: A Commission of excellence in facilitation of an independent and accountable Judiciary

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Part C: Performance Overview and Rationale of Funding.

Our Mandate

The Commission's mandate is stipulated in Article 172 of the Constitution is to promote and facilitate the independence and accountability of the Judiciary for the efficient, effective and transparent administration of justice.

The functions of the Commission are provided under Article 172 (1) of the Constitution are to: Recommend persons for appointment as judges to the President; and Review and make recommendations on terms and conditions of service for judges, judicial officers and judicial staff (other than remuneration of judges and judicial officers). It also appoints and receives complaints against, investigates and removes from office or otherwise discipline registrars, magistrates, other judicial officers and staff of the Judiciary prepares and implements programmes for the continuing education and training of judges and judicial officers as well as advising the national government on improving the efficiency of administration of justice.

The Commission has strengthened the JTI to support its function of preparing and implementing programmes for the continuing education and training of judges and judicial officers. In this regard, the JTI has the following responsibilities

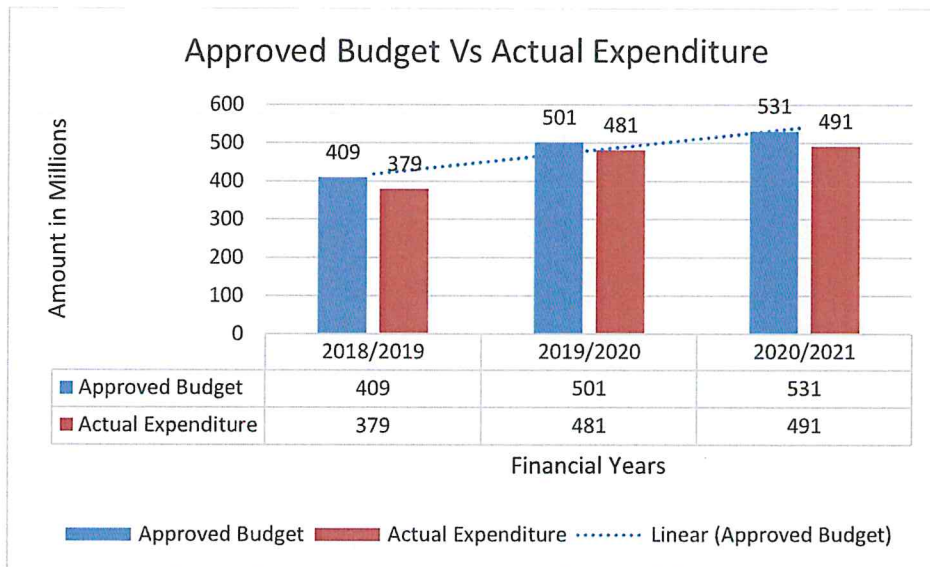
Expenditure Trends

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The expenditure trend is depicted in the bar graph 1 below:

Graph 1



Major Achievements based on the planned outputs/Services for 2018/2019-2020/2021.

In the period under review the commission enacted 14 policies aimed at improving efficiency and effectiveness in the administration of Justice. The policies that were approved include;

- a) Policy of decentralization of resources to court stations
- b) Human Resource Manual
- c) Disability policy
- d) Bail and Bond Policy
- e) Sentencing Policy
- f) Judiciary ICT Policy
- g) Record Management Curriculum Policy
- h) Judicial Organization Review
- i) Guidelines for seconding magistrates to Tribunals
- j) JSC Service Charter
- k) Records Management Policy
- l) Policy on resignation
- m) Policy on occupation safety and health
- n) Guidelines for payment of medical ex-gratia.

1. Revised organizational structure for JSC and the Judiciary. During the period under review, the Commission carried out a job analysis which resulted to revised organizational structures for JSC and the Judiciary. The review was intended to match competence and eliminate skill redundancy by streamlining service centers and removing duplication of

duties. Upon Implementation of the structure, service delivery will be enhanced thus improving administration of justice.

2. Attracting and retaining highly talented human resource has been one of the major priorities for the Judicial Service Commission. During the period under review, the Commission strategically focused on filling key job positions needed for the accelerated dispensation of justice. The period under review witnessed the second appointment of a Chief Justice and Deputy Chief Justice following the promulgation of the new Constitution, among other positions.
3. The Commission taking cognizance of the need to speed up the justice dispensation process in line with the commission's strategic objectives, the Commission approved and recruitment of High Court judges, Environment and Land Court judges. In the period under review the commission recruited 36 Judges of superior courts.
4. During the Period under review, the Commission made several appointments for Judicial Officers and Staff to address staffing needs for effective service delivery. In the period under review the commission made 213 appointments of Judicial Officers and staff.
5. The Promotion of staff by the Commission is meant to boost morale and increase productivity as well as address succession in the Judiciary and the Commission. The Commission during period under review promoted 131 judicial staff in the cadres of Executive Assistant and Secretarial who had undergone suitability interviews. The Commission also promoted 178 Judicial officers in the same period.
6. The Commission exercises disciplinary control over employees of the Judiciary. During the period under review the Commission processed over 40 cases of discipline, and appeals.
7. Under Article 172 (1) (c) of the Constitution, the Commission is mandated to receive complaints against, investigate and remove from office or otherwise, discipline Registrars, Magistrates, other Judicial officers and other staff of the Judiciary. In the review period, The Commission received 161 new public complaints against judges and magistrates, 124 of which were heard and concluded while 3 complaints were forwarded to the Hon Chief Justice for administrative action. The Commission sent 4 petition to the President recommending appointment of a tribunal provided under Article 168(4) to further investigate the Judges.

8. The Commission exercises disciplinary control over employees of the Judiciary. During the review period, the Commission processed 46 disciplinary cases out of which 35 were heard and concluded

Judicial Training Achievements

a) Training

In the financial year 2018/19 a total of 154 judges were trained on emerging issues on extractives industries, wildlife and environmental crime, election dispute resolutions (EDR) blue economy, plea bargaining, rules, active case management (ACM) to enhance growth of jurisprudence. Other training conducted to enhance capacity building for judges included judgement writing, mediation, strategies for clearing case backlogs, criminal justice and death penalty cases management.

In addition to the above 580 magistrates and Kadhis were trained on various topics namely: Wildlife and environmental law, elections petitions handling, economic and organized crimes emerging issues, children and law, gender, anti-corruption, refugee law and judgecraft. A total of 330 magistrates were also sensitized on Environment and Land as well as Employment and Labor relations matters.

Together with the above annual judges' colloquium and annual magistrates' colloquium were held where all judges and magistrates came together to in a forum that provided opportunity for introspection, and feedback gathering from stakeholders as well as discussions on merging issues and new legislation areas. A first annual symposium was also held for the tribunals while various courts (Supreme Court, COA, High Court, ELC and ELRC) also held their conferences to discuss issues specific to those courts and strategies for clearing case backlogs.

Other than the above JTI facilitated training for 3208 judicial staff who were trained in areas identified as critical to service-delivery. The areas trained on included registries management, pre-retirement, legal research matters and various courses undertaken at Kenya school of government to promote efficiencies and effectiveness in administration of justice and various support units within the judiciary. 230 of the staff were trained on leadership and integrity while JTI also co-hosted other trainings for Judiciary's drivers on defensive driving and other staff on customer care and professionalism within their line of duty.

All the 1024 newly recruited magistrates, law clerks and legal researchers were inducted in workshops where they were empowered with the necessary skills and competence to enable them perform their roles efficiently and effectively from the start.

b) Research and Policy

To address research and development needs aimed at increasing the Judiciary's capacity to effectively perform its duties, several policy documents were reviewed. The policy documents are at various completion stages. These policies include:

- (i). Development of draft Rules and guidelines on ADR: The draft addresses various concerns on ADR like civic engagement and awareness as well as suggesting a creation of a workable system of ADR.
- (ii). Justice Needs Survey: The program is underway and survey was conducted on the Justice needs of the public through partnering with stakeholders to provide data for decision making.
- (iii). Training Needs Assessment and Training Policy
- (iv). Employee orientation and Induction Handbook
- (v). Development of curriculum for court process servers
- (vi). Alternative Justice system policy

Major achievements based on the planned outputs/Services for 2018/19-2020/2021

Table 2.1 Sub- Sector Programme Performance

			Planned Target			Achieved Targets			Remarks
Programme	Key Output	Key Performance Indicators	2018/19	2019/20	2020/2021	2018/19	2019/20	2020/2021	
Name of Programme: General administration, Planning and support services.									
Programme Outcome: Promotion of an accountable and independent Judiciary and the efficient, effective and transparent administration of justice									
Administration and Judicial Services	Strategy and policy Services	No of policies developed/reviewed.	4	4	4	4	4	4	Achieved
	Human Resource Services	No of Judges recruited.	41	0	2	41	0	2	Recruited the Hon Chief Justice and Supreme Court Judge
		No of Judicial officers recruited.	50	50	50	42	0	0	The output was affected by Covid-19 and lack of funds.

		No of judicial staff recruited.	400	200	200	327	23	191	Lack of funds affected achievement of targeted recruitment.
		No of Judicial officers/staff promoted.	500	328	300	320	74	180	Suitability interviews could not be held due to Covid-19 pandemic.
	Judicial Accountability Services	%age of complaints heard and concluded.	100%	100%	100%	92%	74%	76%	Lack of sufficient funds affected targeted outputs.
		Percentage of staff disciplinary cases concluded	100%	100%	100%	62%	57%	54%	Low performance was due to Covid-19 which slowed down operations
Stakeholders Relations Services		No of key stakeholder forums held.	5	4	3	4	4	1	MoH guidelines on Covid-19 restricted public gatherings.
		No of Public outreaches	2	0	2	2	0	0	MoH guidelines on Covid-19 restricted public gatherings.



		No of IEC materials published.	5	4	4	4	5	3	1	Lack of personnel in Communication and monitoring affected the planned target.
Judicial Training	Judicial Training Services	%age of Judges Trained	100%	100%	100%	100%	99%	100%	100%	Achieved
		% age of Judicial Officers Trained	100%	100%	100%	100%	98%	100%	100%	Achieved
		No. of staff trained	346	1600	72	1551	315	72		Affected by shortage of funds

Constraints and challenges in budget implementation and how they will be addressed

In undertaking its activities to ensure that management of public finances complies with the constitution of Kenya 2010 and the PFM Act 2012, the office experienced number of challenges that largely affected execution of our mandate. These included

- a) Budget Cuts and Inadequate Budgetary Allocations-The Commission has increasingly suffered budget reduction thus impeding on its general operations. As a result, a number of planned activities were not implemented in the period under review.
- b) Delay in exchequer releases. In the period under review, exchequer releases to the commission was delayed
- c) Inadequate Human Resource. The optimum staffing levels as per the organogram and the staff establishment is yet to be reached. Some critical areas have no officers or very few staff and this may impact negatively on service delivery.
- d) Lack of office space and training facilities for the Judiciary Training Institute

Recommendations

- a) Adequate funding should be given to the Commission to enable it meet its mandate and its objective promoting efficient administration of justice
- b) The National Treasury should release the exchequers in a timely manner so that the operations of the commission are not hampered
- c) There is need to fill the vacancies in the Secretariat and Judiciary with substantive staff in line with the approved organization structure and thus budgetary allocation should be enhanced to provide for this.
- d) More infrastructures should be provided to enhance service delivery in all units particularly the Judiciary Training Institute

Major Services/Outputs to be provided in 2022/23-2024/25 Medium Term Plan

In the MTEF period 2022/23 to 2024/25 the Commission will perform its constitutional mandate as stipulated in article 172 with the following major services/outputs:

- a) Recommend to the President persons for appointment as judges,

- b) Review and make recommendations on condition of service for judicial officers and staff.
- c) Appoint, receive complaints against, investigate and remove from office or otherwise discipline registrars, magistrates, other judicial officers and other staff of the Judiciary in the manner prescribed by an Act of Parliament,
- d) Prepare and implement programmes for the continuing education and training of judges and judicial officers and staff in line with the big four agenda
- e) Advise the national government on improving the efficiency of the administration of justice.

Part D: Strategic Objectives

The Commission implements the **General Administration and Support Services Programme**. The two sub programmes under this include; **Administration and judicial services; judicial training**. The following strategic objectives guiding the implementation of activities and delivery of outputs:

- a. Improve Efficiency and Effectiveness in Administration of Justice
- b. Attract and Retain Competent Human Capital
- c. Enhance Transparency, Independence & Accountability of Justice
- d. Improve Stakeholder Engagement, visibility and Image of the Commission
- e. Enhance capacity of Judges, Judicial Officers and staff
- f. Improve Curriculum for Continuing Education and Training
- g. Enhance Research and Policy Framework
- h. Constructive Stakeholder Engagement

Part E: Summary of the programme Key outputs, Performance Indicators and Targets for FY 2022/23-2024-25

Programme	Delivery unit	Key outputs	Key performance Indicator	Target 2020/2021	Actual Achievements 2020/2021	Baseline 2021/2022	Target 2022/2023	Target 2023/2024	Target 2024/2025
Name of the Programme: General administration, Planning and support services.									
Outcome: Promotion of an accountable and independent Judiciary and the efficient, effective and transparent administration of justice.									
SP 1: Administration and Judicial Services	JSC and the Secretariat	Strategy and policy advisory services	No of policies Reviewed/Developed	4	4	8	8	9	9
			Review/Development of the JSC Strategic Plan	0	0	1	0	0	1
		Human Resource Services	No of Judges recommended for Appointment	2	2	20	30	30	30

Programme	Delivery unit	Key outputs	Key performance Indicator	Target 2020/2021	Actual Achievements 2020/2021	Baseline 2021/2022	Target 2022/2023	Target 2023/2024	Target 2024/2025
			No of Judicial Officers Recruited	50	0	50	100	100	100
			No of Judiciary Staff Recruited	200	191	300	400	400	400
			No of Judicial Officers/staff promoted	216	180	200	250	350	150
		Judicial Accountability Services	% of complaints heard and concluded	100%	92%	100%	100%	100%	100%
			% of disciplinary cases concluded	100%	100%	100%	100%	100%	100%
			% of appeals heard and determined	100	100	100	100	100	100

Programme	Delivery unit	Key outputs	Key performance Indicator	Target 2020/2021	Actual Achievements 2020/2021	Baseline 2021/2022	Target 2022/2023	Target 2023/2024	Target 2024/2025
			% of investigations conducted	100%	100%	100%	100%	100%	100%
			Production of Annual Report	1	1	1	1	1	1
		Stakeholder Relations Services.	No of stakeholder forums held	4	4	5	4	4	4
			No of IEC materials developed and disseminated	4	4	4	4	4	4
SP 2: Judicial Training	Judiciary Training Institute	Judicial Training Services	Percentage of Judges trained	100%	100%	100%	100%	100%	100%
			Percentage of Magistrates trained	100%	100%	100%	100%	100%	100%
			No. of staff trained	1600	644	1700	30	30	30

**Part F: Summary of Expenditure By Programmes and Sub Programmes
2022/23-2024/25**

Programme	Approved Budget 2020/21	Actual Expenditure 2020/21	Baseline 2021/22	Estimates 2022/23	Projected Estimates	
					FY 2023/24	FY 2024/25
Name of the Programme: General administration, Planning and support services.						
subprogrammes						
Sub Programme 1: Administration and Judicial Services	387	375	408	754	793	847
Sub Programme 2: Judicial Training	144	115	174	537	564	603
TOTAL PROGRAMME	531	491	582	1291	1358	1450

Part G: Summary of expenditure by Vote and Economic classification

code	Economic Classification	Approved Budget 2020/21	Actual Expenditure 2020/21	Baseline Estimates 2021/22	Projected Estimates 2022/23	Projected Estimates 2023/24	Projected Estimates 2024/25
	Current Expenditure						
	Compensation Of Employees	160	155	182	228	307	329
	Use Of Goods And Services	371	336	400	1063	1051	1121
	Interest	0	0	0	0	0	0
	Subsidies	0	0	0	0	0	0
	Capital Tranfers government Agencies	0	0	0	0	0	0
	Social Benefits	0	0	0	0	0	0
	Other Expenses	0	0	0	0	0	0

	Non Financial Assets	0	0	0	0	0	0
	Financial Assets	0	0	0	0	0	0
	Capital Expenditure		0	0	0	0	0
	Compensation Of Employees	0	0	0	0	0	0
	Interest	0	0	0	0	0	0
	Subsidies	0	0	0	0	0	0
	capital Tranfers to Government Agency	0	0	0	0	0	0
	Non Financial Assets	0	0	0	0	0	0
	Financial Assets	0	0	0	0	0	0
	TOTAL	531	491	582	1291	1358	1450
	VOTE.....						

Part H: Summary of expenditure, by Programme, Sub Programme and Economic Classification

code	Economic Classification	Approved Budget 2020/21	Actual Expenditure 2020/21	Baseline Estimates 2021/22	Projected Estimates 2022/23	Projected Estimates 2023/24	Projected Estimates 2024/25
Name of the Programme: General administration, Planning and support services.							
	Current Expenditure						
	Compensation Of Employees	160	155	182	228	307	329
	Use Of Goods And Services	371	336	400	1063	1051	1121
	Interest	0	0	0	0	0	0
	Subsidies	0	0	0	0	0	0
	Capital Tranfers government Agencies	0	0	0	0	0	0
	Social Benefits	0	0	0	0	0	0
	Other Expenses	0	0	0	0	0	0

	Non Financial Assets	0	0	0	0	0	0
	Financial Assets	0	0	0	0	0	0
	Capital Expenditure		0	0	0	0	0
	Compensation Of Employees	0	0	0	0	0	0
	Interest	0	0	0	0	0	0
	Subsidies	0	0	0	0	0	0
	capital Tranfers to Government Agency	0	0	0	0	0	0
	Non Financial Assets	0	0	0	0	0	0
	Financial Assets	0	0	0	0	0	0
	TOTAL Programme	531	491	582	1291	1358	1450
Sub Programme 1: Administration and Judicial Services							
	Current Expenditure						
	Compensation Of Employees	106	103	128	145	195	209
	Use Of Goods And Services	281	272	280	609	598	638
	Interest	0	0	0	0	0	0
	Subsidies	0	0	0	0	0	0
	Capital Tranfers government Agencies	0	0	0	0	0	0
	Social Benefits	0	0	0	0	0	0
	Other Expenses	0	0	0	0	0	0

	Non Financial Assets	0	0	0	0	0	0
	Financial Assets	0	0	0	0	0	0
	Capital Expenditure	0	0	0	0	0	0
	Compensation Of Employees	0	0	0	0	0	0
	Interest	0	0	0	0	0	0
	Subsidies	0	0	0	0	0	0
	capital Tranfers to Government Agency	0	0	0	0	0	0
	Non Financial Assets	0	0	0	0	0	0
	Financial Assets	0	0	0	0	0	0
	Total Sub - Programme	387	375	408	754	793	847
Sub Programme 2: Judicial Training							
	Current Expenditure						
	Compensation Of Employees	54	53	54	83	112	120
	Use Of Goods And Services	90	63	120	454	452	483
	Interest	0	0	0	0	0	0
	Subsidies	0	0	0	0	0	0
	Capital Tranfers government Agencies	0	0	0	0	0	0
	Social Benefits	0	0	0	0	0	0
	Other Expenses	0	0	0	0	0	0

	Non Financial Assets	0	0	0	0	0	0
	Financial Assets	0	0	0	0	0	0
	Capital Expenditure	0	0	0	0	0	0
	Compensation Of Employees	0	0	0	0	0	0
	Interest	0	0	0	0	0	0
	Subsidies	0	0	0	0	0	0
	capital Tranfers to Government Agency	0	0	0	0	0	0
	Non Financial Assets	0	0	0	0	0	0
	Financial Assets	0	0	0	0	0	0
	Total Sub Programme	144	116	174	537	564	603

Part I: Summary of Human Resource Requirement

Programme Code	Programme Title	Designation/Position Title	Authorized Establishment	In Posts as at 30th June 2021	2021/22	2022/23	2023/24 Projection	2024/25 Projection
					Funded Position	Positions to be funded	Positions to be funded	Positions to be funded
2051	General administration Planning and support services.	Registrar	1	1	1	1	1	1

		Ag. Deputy Registrar(Legal)	1	1	1	1	1	1
		Deputy Registrar (Administration)	1	0	1	1	1	1
		Director Human Resource Management and Administration	1	0	1	1	1	1
		Director Finance	1	0	1	1	1	1
		Asst. Director (HR & Admin)		2				
		Head ICT	1	0	1	1	1	1
		Head Public Affairs and Communication	1	0	1	1	1	1
		Human Resource Specialist	2	0	2	2	2	2
		Human Resource Manager	1	0	1	1	1	1
		Legal Officers	3	2	3	3	3	3
		Chief Accountant	1	0	1	1	1	1
		Head Planning Monitoring and Evaluation	1	0	1	1	1	1
		Head of Internal Audit and Risk Management	1		1	1	1	1
		Head Procurement	1	0	1	1	1	1
		Head Inspectorate	1	0	1	1	1	1
		Internal Auditor	1	0	1	1	1	1
		Communication Officer	1	0	1	1	1	1
		Human Resource Officer	1	1	1	1	1	1
		Human Resource Officer II		1				
		Human Resource Assistant II		1				
		Principal ICT Officer	1	1	1	1	1	1
		Legal Researcher		1				
		Records Officer	1	1	1	1	1	1
		Accountant	1	0	1	1	1	1
		Planning Monitoring and Evaluation Officer	1	0	1	1	1	1
		ICT Technician	1	0	1	1	1	1
		Records Assistants	1	0	1	1	1	1
		Customer Care Assistant	1	0	1	1	1	1
		Office Assistant	1	0	1	1	1	1

		Senior Personal Secretary I		2				
		Procurement Officer I		2				
		Snr Internal Auditor (Incharge Fin & A/C)		1				
		Senior Accountant		1				
		Accounts Assistant I		1				
		Inspectorate Officer	1	1	1	1	1	1
		Inspectorate Officer		1				
		Cleaning Supervisor I		1				
		Support Staff I		1				
		Clerical Officer		2				
		Support Staff I (Receptionist)		1				
		Personal Assistant		5				
		Personal Assistant		2				
		Driver III	1	2	1	1	1	1
		Snr Driver		2				
		Executive Director	1	0	1	1	1	1
		Executive Secretary	2	1	2	2	2	2
		Partnerships and Linkages Officer	1	0	1	1	1	1
		Driver	3	1	3	3	3	3
		Deputy Director - Training	1	1	1	1	1	1
		Deputy Director- Administration	1	1	1	1	1	1
		Deputy Director - Policy & Research	1	1	1	1	1	1
		Senior Monitoring & Evaluation Officer	1	0	1	1	1	1
		M&E officer	1	0	1	1	1	1
		Senior Training officer	1	0	1	1	1	1
		Senior Curriculum Development Officer	1	0	1	1	1	1
		Training officer	4	0	4	4	4	4
		Research & Policy Officers	4	0	4	4	4	4
		Principal Accountant	1	1	1	1	1	1
		Senior Accountant	2	1	2	2	2	2
		Finance officer	1	0	1	1	1	1

		ICT officer	1	0	1	1	1	1
		ICT Technician	1	0	1	1	1	1
		Human Resource Officer	1	0	1	1	1	1
		Customer Care officer	1	0	1	1	1	1
		Office Assistant	2	0	2	2	2	2
		Supplies officer	1	1	1	1	1	1
		Supplies Assistant	2	0	2	2	2	2
		Internal Auditor	1	0	1	1	1	1
		Communications Officer	1	0	1	1	1	1
		Records Management officer	1	1	1	1	1	1

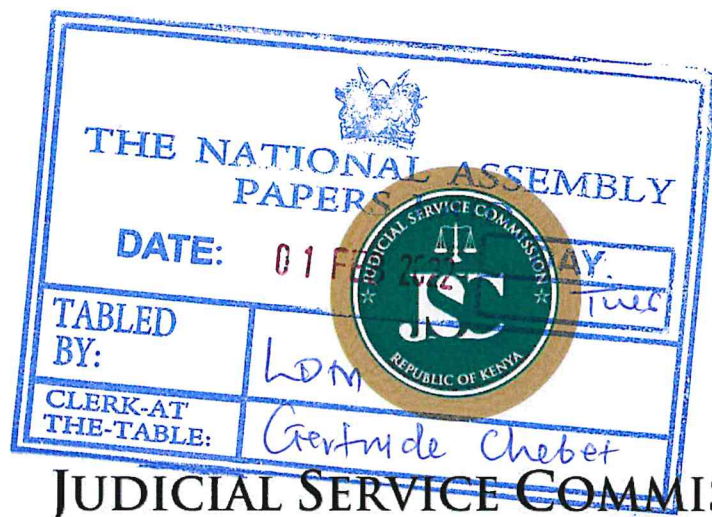
PART J: SEMI- AUTONOMOUS GOVERNMENT AGENCIES

The Commission has no Semi-Autonomous Government Agencies to report on.

JSC SUBSECTOR REPORT



1. 1911 2. 1912 3. 1913 4. 1914 5. 1915 6. 1916 7. 1917 8. 1918 9. 1919 10. 1920 11. 1921 12. 1922 13. 1923 14. 1924 15. 1925 16. 1926 17. 1927 18. 1928 19. 1929 20. 1930 21. 1931 22. 1932 23. 1933 24. 1934 25. 1935 26. 1936 27. 1937 28. 1938 29. 1939 30. 1940 31. 1941 32. 1942 33. 1943 34. 1944 35. 1945 36. 1946 37. 1947 38. 1948 39. 1949 40. 1950 41. 1951 42. 1952 43. 1953 44. 1954 45. 1955 46. 1956 47. 1957 48. 1958 49. 1959 50. 1960 51. 1961 52. 1962 53. 1963 54. 1964 55. 1965 56. 1966 57. 1967 58. 1968 59. 1969 60. 1970 61. 1971 62. 1972 63. 1973 64. 1974 65. 1975 66. 1976 67. 1977 68. 1978 69. 1979 70. 1980 71. 1981 72. 1982 73. 1983 74. 1984 75. 1985 76. 1986 77. 1987 78. 1988 79. 1989 80. 1990 81. 1991 82. 1992 83. 1993 84. 1994 85. 1995 86. 1996 87. 1997 88. 1998 89. 1999 90. 2000 91. 2001 92. 2002 93. 2003 94. 2004 95. 2005 96. 2006 97. 2007 98. 2008 99. 2009 100. 2010 101. 2011 102. 2012 103. 2013 104. 2014 105. 2015 106. 2016 107. 2017 108. 2018 109. 2019 110. 2020 111. 2021 112. 2022 113. 2023 114. 2024 115. 2025 116. 2026 117. 2027 118. 2028 119. 2029 120. 2030 121. 2031 122. 2032 123. 2033 124. 2034 125. 2035 126. 2036 127. 2037 128. 2038 129. 2039 130. 2040 131. 2041 132. 2042 133. 2043 134. 2044 135. 2045 136. 2046 137. 2047 138. 2048 139. 2049 140. 2050 141. 2051 142. 2052 143. 2053 144. 2054 145. 2055 146. 2056 147. 2057 148. 2058 149. 2059 150. 2060 151. 2061 152. 2062 153. 2063 154. 2064 155. 2065 156. 2066 157. 2067 158. 2068 159. 2069 160. 2070 161. 2071 162. 2072 163. 2073 164. 2074 165. 2075 166. 2076 167. 2077 168. 2078 169. 2079 170. 2080 171. 2081 172. 2082 173. 2083 174. 2084 175. 2085 176. 2086 177. 2087 178. 2088 179. 2089 180. 2090 181. 2091 182. 2092 183. 2093 184. 2094 185. 2095 186. 2096 187. 2097 188. 2098 189. 2099 2100 2101 2102 2103 2104 2105 2106 2107 2108 2109 2110 2111 2112 2113 2114 2115 2116 2117 2118 2119 2120 2121 2122 2123 2124 2125 2126 2127 2128 2129 2130 2131 2132 2133 2134 2135 2136 2137 2138 2139 2140 2141 2142 2143 2144 2145 2146 2147 2148 2149 2150 2151 2152 2153 2154 2155 2156 2157 2158 2159 2160 2161 2162 2163 2164 2165 2166 2167 2168 2169 2170 2171 2172 2173 2174 2175 2176 2177 2178 2179 2180 2181 2182 2183 2184 2185 2186 2187 2188 2189 2190 2191 2192 2193 2194 2195 2196 2197 2198 2199 2200 2201 2202 2203 2204 2205 2206 2207 2208 2209 2210 2211 2212 2213 2214 2215 2216 2217 2218 2219 2220 2221 2222 2223 2224 2225 2226 2227 2228 2229 2230 2231 2232 2233 2234 2235 2236 2237 2238 2239 2240 2241 2242 2243 2244 2245 2246 2247 2248 2249 2250 2251 2252 2253 2254 2255 2256 2257 2258 2259 2260 2261 2262 2263 2264 2265 2266 2267 2268 2269 2270 2271 2272 2273 2274 2275 2276 2277 2278 2279 2280 2281 2282 2283 2284 2285 2286 2287 2288 2289 2290 2291 2292 2293 2294 2295 2296 2297 2298 2299 2300 2301 2302 2303 2304 2305 2306 2307 2308 2309 2310 2311 2312 2313 2314 2315 2316 2317 2318 2319 2320 2321 2322 2323 2324 2325 2326 2327 2328 2329 2330 2331 2332 2333 2334 2335 2336 2337 2338 2339 2340 2341 2342 2343 2344 2345 2346 2347 2348 2349 2350 2351 2352 2353 2354 2355 2356 2357 2358 2359 2360 2361 2362 2363 2364 2365 2366 2367 2368 2369 2370 2371 2372 2373 2374 2375 2376 2377 2378 2379 2380 2381 2382 2383 2384 2385 2386 2387 2388 2389 2390 2391 2392 2393 2394 2395 2396 2397 2398 2399 2400 2401 2402 2403 2404 2405 2406 2407 2408 2409 2410 2411 2412 2413 2414 2415 2416 2417 2418 2419 2420 2421 2422 2423 2424 2425 2426 2427 2428 2429 2430 2431 2432 2433 2434 2435 2436 2437 2438 2439 2440 2441 2442 2443 2444 2445 2446 2447 2448 2449 2450 2451 2452 2453 2454 2455 2456 2457 2458 2459 2460 2461 2462 2463 2464 2465 2466 2467 2468 2469 2470 2471 2472 2473 2474 2475 2476 2477 2478 2479 2480 2481 2482 2483 2484 2485 2486 2487 2488 2489 2490 2491 2492 2493 2494 2495 2496 2497 2498 2499 2500 2501 2502 2503 2504 2505 2506 2507 2508 2509 2510 2511 2512 2513 2514 2515 2516 2517 2518 2519 2520 2521 2522 2523 2524 2525 2526 2527 2528 2529 2530 2531 2532 2533 2534 2535 2536 2537 2538 2539 2540 2541 2542 2543 2544 2545 2546 2547 2548 2549 2550 2551 2552 2553 2554 2555 2556 2557 2558 2559 2560 2561 2562 2563 2564 2565 2566 2567 2568 2569 2570 2571 2572 2573 2574 2575 2576 2577 2578 2579 2580 2581 2582 2583 2584 2585 2586 2587 2588 2589 2590 2591 2592 2593 2594 2595 2596 2597 2598 2599 2600 2601 2602 2603 2604 2605 2606 2607 2608 2609 2610 2611 2612 2613 2614 2615 2616 2617 2618 2619 2620 2621 2622 2623 2624 2625 2626 2627 2628 2629 2630 2631 2632 2633 2634 2635 2636 2637 2638 2639 2640 2641 2642 2643 2644 2645 2646 2647 2648 2649 2650 2651 2652 2653 2654 2655 2656 2657 2658 2659 2660 2661 2662 2663 2664 2665 2666 2667 2668 2669 2670 2671 2672 2673 2674 2675 2676 2677 2678 2679 2680 2681 2682 2683 2684 2685 2686 2687 2688 2689 2690 2691 2692 2693 2694 2695 2696 2697 2698 2699 2700 2701 2702 2703 2704 2705 2706 2707 2708 2709 2710 2711 2712 2713 2714 2715 2716 2717 2718 2719 2720 2721 2722 2723 2724 2725 2726 2727 2728 2729 2730 2731 2732 2733 2734 2735 2736 2737 2738 2739 2740 2741 2742 2743 2744 2745 2746 2747 2748 2749 2750 2751 2752 2753 2754 2755 2756 2757 2758 2759 2760 2761 2762 2763 2764 2765 2766 2767 2768 2769 2770 2771 2772 2773 2774 2775 2776 2777 2778 2779 2780 2781 2782 2783 2784 2785 2786 2787 2788 2789 2790 2791 2792 2793 2794 2795 2796 2797 2798 2799 2800 2801 2802 2803 2804 2805 2806 2807 2808 2809 2810 2811 2812 2813 2814 2815 2816 2817 2818 2819 2820 2821 2822 2823 2824 2825 2826 2827 2828 2829 2830 2831 2832 2833 2834 2835 2836 2837 2838 2839 2840 2841 2842 2843 2844 2845 2846 2847 2848 2849 2850 2851 2852 2853 2854 2855 2856 2857 2858 2859 2860 2861 2862 2863 2864 2865 2866 2867 2868 2869 2870 2871 2872 2873 2874 2875 2876 2877 2878 2879 2880 2881 2882 2883 2884 2885 2886 2887 2888 2889 2890 2891 2892 2893 2894 2895 2896 2897 2898 2899 2900 2901 2902 2903 2904 2905 2906 2907 2908 2909 2910 2911 2912 2913 2914 2915 2916 2917 2918 2919 2920 2921 2922 2923 2924 2925 2926 2927 2928 2929 2930 2931 2932 2933 2934 2935 2936 2937 2938 2939 2940 2941 2942 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JUDICIAL SERVICE COMMISSION

JUDICIAL SERVICE COMMISSION

MTEF BUDGET REPORT FOR

THE PERIOD FY 2022/23 to 2024/25

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List of Acronyms

AJS	:	Alternative Dispute Resolution
CJE	:	Continuous Judicial Education
CUC	:	Court Users Committee
EACC	:	Ethics and Anti-Corruption Commission
EDR	:	Elections Dispute Resolution
ELC	:	Environment and Land Court
FY	:	Financial Year
GJLOS	:	Governance Justice Law and Order Sector
IFMIS	:	Integrated Financial Management Information System
JSC	:	Judicial Service Commission
JTI	:	Judiciary Training Institute
KMJA	:	Kenya Magistrates and Judges Association
KPI	:	Key Performance Indicator
LSK	:	Law Society of Kenya
MDA's	:	Ministries, Departments and Agencies
MTEF	:	Medium Term Expenditure Framework
NSIS	:	National Security and Intelligence Service
TNA	:	Training Needs Assessment

EXECUTIVE SUMMARY

The Judicial Service Commission (JSC) is a constitutional body established under Article 171(1) of the Constitution of Kenya. The Constitution confers upon the JSC an expansive and liberal mandate in the discharge of its functions. The mandate of the Commission as provided for under Article 172 (1) of the Constitution is to promote and facilitate the independence and accountability of the Judiciary and the efficient, effective and transparent administration of justice.

The Commission executes this mandate under **General administration; Planning and support services programme**. The Programme has two sub programmes namely: Administration and Judicial Services; and Judicial Training.

During the MTEF Period the Commission reviewed and approved key policies critical in contributing to efficiency and effectiveness of justice, which include; Code of conduct, Court Annexed Mediation, Bail and Bond and the Judiciary and Judicial Service Commission Organogram. To address research and development needs which are aimed at increasing the Judiciary's capacity to effectively perform its duties, several policy documents were reviewed in the year and are at various completion stages. These include Development of Draft Rules and Guidelines on Alternative Dispute Resolution (AJS), Justice Needs Survey, Training Needs Assessment (TNA), Courts Administrators Hand-book, Kadhi's Court Handbook and Manual, Training policy, Employee Handbook and Induction Manual, Strategies to clear case backlogs in superior courts, environmental law bench book and Manual on complaints against Judicial Officers.

The Judiciary Training Institute (JTI) coordinated successful Annual Judges Colloquium and the Magistrates and Kadhis' Colloquia. The colloquia are crucial in that they allow Judges, Magistrates and Kadhis to introspect the preceding year and discuss critical issues relating to the administration of justice.

Various trainings on specific topics were also held including environmental law, wildlife law, ICT Trainings, Election dispute resolution (EDR) and specific civil and criminal law areas.

In addition to the above, the Commission investigated, heard and concluded over 70% of public complaints against Judges and another 62% of disciplinary cases against judiciary staff in endeavors to bring about more transparency and accountability in administration of justice.

Public confidence has continuously increased on the commission's work with members of the public coming out to report complaints with the assurance that the same are effectively investigated and concluded by the commission.

This report evaluates and appraises the Commission's performance in the implementation of its mandate over the last three years. It also provides projections for the medium term. It details the achievements and fiscal performance over the period. The report also presents the Commission's medium-term priorities and financial plan for the MTEF period 2022/23 – 2024/25 which are guided by its Strategic Plan and the framework on Social Transformation through Access to Justice.

CHAPTER ONE

1. INTRODUCTION

1.1. Background

The Judicial Service Commission (JSC) is a constitutional body established under Article 171(1) of the Constitution of Kenya. The Constitution confers upon the JSC an expansive and liberal mandate in the discharge of its functions. The mandate of the Commission as provided for under Article 172 (1) of the Constitution is to promote and facilitate the independence and accountability of the Judiciary and the efficient, effective and transparent administration of justice.

The membership of the Commission is provided for under Article 171 (2) of the Constitution as follows: The Chief Justice who is the chairperson of the Commission; one Supreme Court judge and one Court of Appeal judge elected by other Supreme Court and Court of Appeal judges respectively; one High Court judge and one magistrate elected by members of the Kenya Magistrates and Judges Association (KMJA); the Attorney General; two advocates elected by members of the Law Society of Kenya; one person nominated by the Public Service Commission; and two members, a man and a woman who are not lawyers appointed by the President with approval of the National Assembly to represent public interest.

1.2. Sub Sector Vision and Mission

1.2.1. Vision

A Commission of excellence in facilitation of an independent and accountable Judiciary

1.2.2. Mission

To promote an independent and accountable Judiciary through oversight; capacity building and Constructive stakeholder engagement



1.3. Strategic Goals/Objectives of the Sub-sector

The Commission implements the General Administration and Support Services Programme. The two sub programmes under this include; Administration and judicial services; judicial training. The following strategic objectives guide the implementation of activities and delivery of outputs:

- a. Improve Efficiency and Effectiveness in Administration of Justice
- b. Attract and Retain Competent Human Capital
- c. Enhance Transparency, Independence & Accountability of Justice
- d. Improve Stakeholder Engagement, visibility and Image of the Commission
- e. Enhance capacity of Judges, Judicial Officers and staff
- f. Improve Curriculum for Continuing Education and Training
- g. Enhance Research and Policy Framework
- h. Constructive Stakeholder Engagement

1.4. Sub-Sector and their Mandate

The Commission's mandate as stipulated in Article 172 of the Constitution is to promote and facilitate the independence and accountability of the Judiciary for the efficient, effective and transparent administration of justice.

The functions of the Commission as provided under Article 172 (1) of the Constitution are to: Recommend persons for appointment as judges to the President; and Review and make recommendations on terms and conditions of service for judges, judicial officers and judicial staff (other than remuneration of judges and judicial officers). It also appoints and receives complaints against, investigates and removes from office or otherwise discipline registrars, magistrates, other judicial officers and staff of the Judiciary prepares and implements programmes for the continuing education and training of judges and judicial officers as well as advising the national government on improving the efficiency of administration of justice. The Commission has strengthened the JTI to support its function of preparing and implementing programmes for the continuing education and training of judges and judicial officers. In this regard, the JTI has the following responsibilities:

- a) To provide and co-ordinate the provision of continuous judicial education to all judges and magistrates and to co-ordinate the provision of continuous professional development to all other employees working in the Judiciary.

- b) To conduct research and develop policy on various aspects related to the administration of justice.
- c) To have constructive engagement with stakeholders and other arms of government.

1.5. Autonomous and Semi-Autonomous Government Agencies

The commission does not have Semi-autonomous Government agency under its vote

1.6. Role of Sub-Sector Stakeholders

The Judicial Service Commission appreciates the significant role of stakeholders. The stakeholders include:

- **The Judiciary** which dispenses justice;
- **Ethics and Anti-Corruption Commission (EACC)** and **National Security and Intelligence Service (NSIS)** supports the recruitment process for Judges, judicial officers and staff to ensure those selected meet integrity requirements of the Constitution;
- **National Assembly** approves budgetary allocation to support administration of justice; in addition, National Assembly through legislation supports Commissions work. It also approves JSC membership of LSK nominees and representatives of the public.
- **Law Society of Kenya** provides clearance for applicants from the legal profession.
- **The Executive** appoints the Commission's commissioners and approves the appointment of the Chief Justice, Deputy Chief Justice and the Judges selected by JSC.
- **National Treasury** provides for proper budgetary and expenditure management of public financial resources. It coordinates MDAs in the preparation and implementation of the annual national budget through issuance of Circulars and administration of the Integrated Financial Management Information System (IFMIS).
- **The Office of the Controller of Budget** oversees the implementation of the JSC's budget by authorizing withdrawals from the Consolidated Fund through approval of exchequer requests.
- **Office of the Auditor- General** is the external auditor for JSC whose mandate is to confirm whether or not public money has been applied lawfully and in an effective

way through routine audits and preparation of annual reports which are submitted to Parliament.

- **The media** has supported the commission in publicizing information that is of public interest especially during the recruitment of the Chief Justice and Deputy Chief Justice and other Judges of superior courts.
- **Development partners** have been supportive in providing additional funds to support service delivery.
- **Salaries and Remuneration Commission** sets and regularly reviews the remuneration and benefits of the State Officers within the Commission.
- **Other public commissions** such as Gender and Equality Commission and the Commission on Administrative Justice have been important in increasing awareness and access to justice by all. The Commissions provide very vital inputs in the processes of the Commission to validate policy documents.

CHAPTER TWO

2. PROGRAMME PERFORMANCE REVIEW 2018/2019-2020/2021

During the years under review, implementation of activities by the Commission took into consideration the lessons learnt from previous years, the strategic issues, best practices from other jurisdictions and emerging issues in administration of justice. The Commission achieved the following outputs during the MTEF period.

2.1. Review of Sector Programme Performance

The Judicial Service Commission (JSC) accomplished the following key achievements during the MTEF period under review;

1. In the period under review the commission enacted 14 policies aimed at improving efficiency and effectiveness in the administration of Justice. The policies that were approved include;
 - a) Policy of decentralization of resources to court stations
 - b) Human Resource Manual
 - c) Disability policy
 - d) Bail and Bond Policy
 - e) Sentencing Policy
 - f) Judiciary ICT Policy
 - g) Record Management Curriculum Policy
 - h) Judicial Organization Review
 - i) Guidelines for seconding magistrates to Tribunals
 - j) JSC Service Charter
 - k) Records Management Policy
 - l) Policy on resignation
 - m) Policy on occupation safety and health
 - n) Guidelines for payment of medical ex-gratia.
2. Revised organizational structure for JSC and the Judiciary. During the period under review, the Commission carried out a job analysis which resulted to revised organizational structures for JSC and the Judiciary. The review was intended to match competence and eliminate skill redundancy by streamlining service centers and removing duplication of duties. Upon Implementation of the structure, service delivery will be enhanced thus improving administration of justice.

3. Attracting and retaining highly talented human resource has been one of the major priorities for the Judicial Service Commission. During the period under review, the Commission strategically focused on filling key job positions needed for the accelerated dispensation of justice. The period under review witnessed the second appointment of a Chief Justice and Deputy Chief Justice following the promulgation of the new Constitution, among other positions.
4. The Commission taking cognizance of the need to speed up the justice dispensation process in line with the commission's strategic objectives, the Commission approved and recruitment of High Court judges, Environment and Land Court judges. In the period under review the commission recruited 29 Judges of superior courts.
5. During the Period under review, the Commission made several appointments for Judicial Officers and Staff to address staffing needs for effective service delivery. In the period under review the commission made 213 appointments of Judicial Officers and staff.
6. The Promotion of staff by the Commission is meant to boost morale and increase productivity as well as address succession in the Judiciary and the Commission. The Commission during period under review promoted 131 judicial staff in the cadres of Executive Assistant and Secretarial who had undergone suitability interviews. The Commission also promoted 178 Judicial officers in the same period.
7. The Commission exercises disciplinary control over employees of the Judiciary. During the period under review the Commission processed over 40 cases of discipline, and appeals.
8. Under Article 172 (1) (c) of the Constitution, the Commission is mandated to receive complaints against, investigate and remove from office or otherwise, discipline Registrars, Magistrates, other Judicial officers and other staff of the Judiciary. In the review period, The Commission received 161 new public complaints against judges and magistrates, 124 of which were heard and concluded while 3 complaints were forwarded to the Hon Chief Justice for administrative action. The Commission sent 4 petition to the President recommending appointment of a tribunal provided under Article 168(4) to further investigate the Judges.
9. The Commission exercises disciplinary control over employees of the Judiciary. During the review period, the Commission processed 46 disciplinary cases out which 35 were heard and concluded

Judicial Training Achievements

a) Training

In the financial year 2018/19 a total of 154 judges were trained on emerging issues on extractives industries, wildlife and environmental crime, election dispute resolutions (EDR) blue economy, plea bargaining, rules, active case management (ACM) to enhance growth of jurisprudence. Other training conducted to enhance capacity building for judges included judgement writing, mediation, strategies for clearing case backlogs, criminal justice and death penalty cases management.

In addition to the above 580 magistrates and Kadhis were trained on various topics namely: Wildlife and environmental law, elections petitions handling, economic and organized crimes emerging issues, children and law, gender, anti-corruption, refugee law and judgecraft. A total of 330 magistrates were also sensitized on Environment and Land as well as Employment and Labor relations matters.

Together with the above annual judges' colloquium and annual magistrates' colloquium were held where all judges and magistrates came together to in a forum that provided opportunity for introspection, and feedback gathering from stakeholders as well as discussions on merging issues and new legislation areas. A first annual symposium was also held for the tribunals while various courts (Supreme Court, COA, High Court, ELC and ELRC) also held their conferences to discuss issues specific to those courts and strategies for clearing case backlogs.

Other than the above JTI facilitated training for 3208 judicial staff who were trained in areas identified as critical to service-delivery. The areas trained on included registries management, pre-retirement, legal research matters and various courses undertaken at Kenya school of government to promote efficiencies and effectiveness in administration of justice and various support units within the judiciary. 230 of the staff were trained on leadership and integrity while JTI also co-hosted other trainings for Judiciary's drivers on defensive driving and other staff on customer care and professionalism within their line of duty.

All the 1024 newly recruited magistrates, law clerks and legal researchers were inducted in workshops where they were empowered with the necessary skills and competence to enable them perform their roles efficiently and effectively from the start.

b) Research and Policy

To address research and development needs aimed at increasing the Judiciary's capacity to effectively perform its duties, several policy documents were reviewed. The policy documents are at various completion stages. These policies include:

- (i). Development of draft Rules and guidelines on ADR: The draft addresses various concerns on ADR like civic engagement and awareness as well as suggesting a creation of a workable system of ADR.
- (ii). Justice Needs Survey: The program is underway and survey was conducted on the Justice needs of the public through partnering with stakeholders to provide data for decision making.
- (iii). Training Needs Assessment and Training Policy
- (iv). Employee orientation and Induction Handbook
- (v). Development of curriculum for court process servers
- (vi). Alternative Justice system policy

Table 2.1: Sub Sector Programme Performance.

Table 2.1 Sub- Sector Programme Performance

			Planned Target			Achieved Targets			Remarks
Programme	Key Output	Key Performance Indicators	2018/19	2019/20	2020/2021	2018/19	2019/20	2020/2021	
Name of Programme: General administration, Planning and support services.									
Programme Outcome: Promotion of an accountable and independent Judiciary and the efficient, effective and transparent administration of justice									
Administration and Judicial Services	Strategy and policy development	No of policies developed/reviewed.	4	4	4	4	4	4	Achieved
	Human Resource Services	No of Judges recruited.	41	0	2	41	0	2	Recruited the Hon Chief Justice and Supreme Court Judge
		No of Judicial officers recruited.	50	50	50	42	0	0	The output was affected by Covid-19 and lack of funds.

		No of judicial staff recruited.	400	200	200	200	327	23	191	Lack of funds affected achievement of targeted recruitment.
		No of Judicial officers/staff promoted.	500	328	300	320	74	180	Suitability interviews could not be held due to Covid-19 pandemic.	
		Judicial Accountability Services	%age of complaints heard and concluded.	100%	100%	100%	92%	74%	76%	Lack of sufficient funds affected targeted outputs.
	Percentage of staff disciplinary cases concluded		100%	100%	100%	62%	57%	54%	Low performance was due to Covid-19 which slowed down operations	
	Stakeholders Relations Services	No of key stakeholder forums held.	5	4	3	4	4	1	MoH guidelines on Covid-19 restricted public gatherings.	
		No of Public outreaches	2	0	2	2	0	0	MoH guidelines on Covid-19 restricted public gatherings.	



		No of IEC materials published.	5	4	4	5	3	1	Lack of personnel in Communication and monitoring affected the planned target.
Judicial Training	Judicial Training Services	%age of Judges Trained	100%	100%	100%	99%	100%	100%	Achieved
		% age of Judicial Officers Trained	100%	100%	100%	98%	100%	100%	Achieved
		No. of staff trained	346	1600	72	1551	315	72	Affected by shortage of funds

2.2. Expenditure Analysis

2.2.1. Analysis of programme expenditure.

Judicial Service Commission approved allocation for recurrent budget for FY 2018/19 was 409 million, while for FY 2019/2020 was Kshs. 501 million and in the FY 2020/2021 was Ksh. 531 million. The budgetary allocations have increased over the years with the financial year 2019/20 having the largest increase of 92 million due to the transfer of personnel emoluments costs from the Judiciary to the Commission.

The Actual expenditure for the financial year 2018 /19 was Ksh. 379 Million representing 96% of the budgetary utilization while Ksh. 481 Million and Ksh. 491 Million was spent in FY2019/20 and FY 2020/2021 respectively, representing utilization of 96% and 92% of the budgetary allocation for the respective financial years. The average budgetary absorption rate for the period under review was 95%.

The expenditure trend is depicted in the bar graph 1 below:

Graph 1

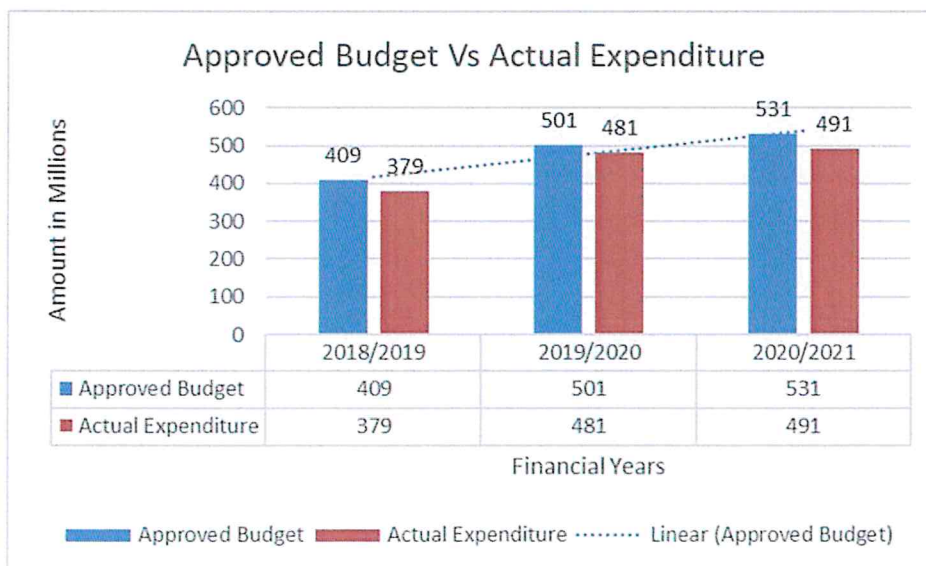


Table 2.2: Analysis of Recurrent Expenditure by Sector and vote

Table 2.2: ANALYSIS OF RECURRENT APPROVED BUDGET VS ACTUAL EXPENDITURE AMOUNT IN KSH MILLION

Sub-Sector Name: Judicial Service Commission							
		Approved Budget Allocation			Actual Expenditure		
Vote and Vote Details	Economic Classification	2018/19	2019/20	2020/21	2018/19	2019/20	2020/21
2051	Gross	409	501	531	379	481	491
	AIA	0	0		0	0	0
	NET	409	501	531	379	481	491
	Compensation to Employees	5	143	160	0	143	155
	Transfers	0	0	0	0	0	0
	Other Recurrent	409	358	371	379	338	336

Table 2.4 Analysis of Programme/Sub-programme Expenditure by Sector and Vote

Table 2.4: ANALYSIS OF PROGRAMME EXPENDITURE/SUB PROGRAM EXPENDITURE (AMOUNT IN KSH MILLION)

	APPROVED BUDGET			ACTUAL EXPNDITURE		
	2018/19	2019/20	2020/21	2018/19	2019/20	2020/21
PROGRAMME 1: General administration, Planning and support services.						
Sub- Programme 1: - Administration and Judicial Services	243	365	387	234	363	375
Sub- Programme 2: Judicial Training	165	136	144	145	118	116
TOTAL PROGRAMME.....	409	501	531	379	481	491

2.2.2. Analysis of Programme expenditure by Economic Classification

Table 2.5: Programme Expenditure by Economic Classification

Table 2.5: ANALYSIS OF PROGRAMME EXPENDITURE BY ECONOMIC CLASSIFICATION (Amount in Million)

Economic Classification	Approved Budget			Actual Expenditure		
	2018/19	2019/20	2020/21	2018/19	2019/20	2020/21
PROGRAMME 1: General administration planning and support services						
Current Expenditure						
Compensation of Employees	0	143	160	0	143	155
Use of Goods and Services	409	358	371	379	338	336
Grants and Other Transfers	0	0	0	0	0	0
Other Recurrent	0	0	0	0	0	0
Capital Expenditure						
Acquisition of Non-Financial Assets	0	0	0	0	0	0
Capital Grants to Government Agencies	0	0	0	0	0	0
Other Development	0	0	0	0	0	0
TOTAL PROGRAMME.....	409	501	531	379	481	491
TOTAL VOTE.....	409	501	531	379	481	491

2.2.3. Analysis of Capital Projects by Program

The Commission did not have any capital projects in the period under review.

2.3. Review of Pending Bills

In FY 2019/20 the commission closed the financial year with pending bills worth Ksh. 1.7 million. The following year the amount increased significantly due to disruptions caused in the supply chain by the pandemic thus closing the year with Kshs 18 Million in pending bills for the financial year 2020/21.

Table 2.8: Summary of Pending Bills by nature and Type (KShs. Million)

Type/nature	Due to lack of Exchequer			Due to lack of provision		
	2018/19	2019/20	2020/21	2018/19	2019/20	2020/21
1. Recurrent	-	-		-	-	
Compensation of employees		-		-	-	
Use of goods and services e.g. utilities, domestic or foreign travel etc.	0	1.7	18	-	-	
Social benefits e.g. NHIF, NSSF	-	-		-	-	
Other expense	-	-		-	-	
2. Development	-	-		-	-	
Acquisition of non-financial assets	-	-				
Use of goods and services e.g. utilities, domestic or foreign travel etc.	-	-		-	-	
Others-Specify	-	-		-	-	
Total Pending Bills	0	1.7	18	-	-	

CHAPTER THREE

3. MEDIUM TERM PRIORITIES AND FINANCIAL PLAN FOR THE MTEF PERIOD 2021/22 – 2023/24

3.1. Prioritization of Programmes and Sub-Programmes

Pursuant to the Provisions of the Constitution under Article 172, Judicial Service Commission is mandated to promote and facilitate the independence and accountability of the Judiciary and the efficient, effective and transparent administration of justice. The Commission will therefore execute this mandate under **General administration, Planning and Support Services**

The programme is achieved primarily through the following two Sub Programmes

- Administration and Judicial Services
- Judicial Training

3.1.1. Programmes and their Objectives

The overall objective of the sub-sector programme is to promote the independence and accountability of the Judiciary and facilitating the efficient, effective and transparent administration of justice.

3.1.2. Programmes, sub-programmes, Expected outcomes, Outputs and key performance indicators for the sector.

Table 3.1 Programme/Sub-programme, Outcome, Output and KIPs

Programme	Delivery unit	Key outputs	Key performance Indicator	Target 2020/2021	Actual Achievements 2020/2021	Baseline 2021/2022	Target 2022/2023	Target 2023/2024	Target 2024/2025
Name of the Programme: General administration, Planning and support services.									
Outcome: Promotion of an accountable and independent Judiciary and the efficient, effective and transparent administration of justice.									
SP 1: Administration and Judicial Services	JSC and the Secretariat	Strategy and policy advisory services	No of policies Reviewed/Developed	4	4	8	8	9	9
			Review/Development of the JSC Strategic Plan	0	0	1	0	0	1
		Human Resource Services	No of Judges recommended for Appointment	2	2	20	30	30	30
			No of Judicial Officers Recruited	50	0	50	100	100	100

Programme	Delivery unit	Key outputs	Key performance Indicator	Target 2020/2021	Actual Achievements 2020/2021	Baseline 2021/2022	Target 2022/2023	Target 2023/2024	Target 2024/2025
			No of Judiciary Staff Recruited	200	191	300	400	400	400
			No of Judicial Officers/staff promoted	216	180	200	250	250	250
		Judicial Accountability Services	% of complaints heard and concluded	100%	92%	100%	100%	100%	100%
			% of disciplinary cases concluded	100%	100%	100%	100%	100%	100%
			% of appeals heard and determined	100	100	100	100	100	100

Programme	Delivery unit	Key outputs	Key performance Indicator	Target 2020/2021	Actual Achievements 2020/2021	Baseline 2021/2022	Target 2022/2023	Target 2023/2024	Target 2024/2025
			% of investigations conducted	100%	100%	100%	100%	100%	100%
			Production of Annual Report	1	1	1	1	1	1
		Stakeholders relations Services.	No of stakeholder forums held	4	4	5	4	4	4
			No of IEC materials developed and disseminated	4	4	4	4	4	4
SP 2: Judicial Training	Judiciary Training Institute	Judicial Training Services	Percentage of Judges trained	100%	100%	100%	100%	100%	100%
			Percentage of Magistrates trained	100%	100%	100%	100%	100%	100%
			No. of staff trained	1600	644	1700	30	30	30



3.1.3. Programmes by Order of Ranking

3.2. Analysis of Resource Requirement versus Allocation by Sector/Sub-sector

The Commission's printed estimates for FY 2021/22 was Kshs. 582 million for the recurrent vote which was way below the resource requirement of Kshs. 1,100 Million and the rationalized requirement for the next FY 2022/23 which stands at Kshs. 1,291 Million. The additional resources are required to bridge the consistent underfunding in critical areas such as recruitment of judicial officers and staff; equipping of enhanced court infrastructure; hearing and determination of complaints; finalization of pending policy documents and capacity development for judicial officers and staff aimed at ensuring enhanced access to justice.

Table 3.2 Recurrent Requirements/Allocations by Sector/Sub-sector (Amount KSh. Million)

ANALYSIS OF RECURRENT RESOURCE REQUIREMENT VS ALLOCATION								
			REQUIREMENT			ALLOCATION		
		2021/22 Printed Estimates	2022/23	2023/24	2024/25	2022/23	2023/24	2024/25
Judicial Service Commission: 2051	Economic Classification							
	Gross	582	1291	1358	1450	587	646	710
	AIA	-	-	-	-			
	NET	582	1291	1358	1450	587.	646	710
	Compensation to Employees	182	228	307	329	195.	205	215
	Transfers	-	-	-	-			
	Other Recurrent of which	400	1063	1051	1121	392	441	495
	Rent	48	50	53	55	50	53	55
	Gratuity	1	11.5	5	5	11.5	5	5
	Contracted Services	4	12	12.5	13	12	12.5	13

Table 3.4: Analysis of Programmes and Sub-Programmes (Current and Capital) Resource Requirements.

ANALYSIS OF PROGRAMME EXPENDITURE RESOURCE REQUIREMENT (AMOUNT KSH MILLIONS)												
	2021/22			2022/23			2023/24			2024/25		
	Current	Capital	Total	Current	Capital	Total	Current	Capital	Total	Current	Capital	Total
Programme: General administration, Planning and support services.												
Sub Programme 1: Administration and Judicial Services	408	-	408	754		754	793		793	847		847
Sub Programme 2: Judicial Training	174	-	174	537		537	564		564	603		603
Total Programme	582	-	582	1,291		1,291	1,358		1,358	1,450		1,450
Total Vote	582	-	582	1,291	-	1,291	1,358		1,358	1,450		1,450

Table 3.5: Programme/Sub-Programme Resource Allocation

PROGRAMME/SUB-PROGRAMME RESOURCE ALLOCATION											
ANALYSIS OF PROGRAMME EXPENDITURE RESOURCE ALLOCATION (AMOUNT KSH MILLIONS)											
	2021/22 Approved Estimates			2022/23			2023/24			2024/25	
	Current	Capital	Total	Current	Capital	Total	Current	Capital	Total	Current	Capital
Programme: General administration, Planning and support services.											
Sub Programme 1: Administration and Judicial Services	408	-	408	411		411	452	-	452	497	
Sub Programme 2: Judicial Training	174	-	174	176		176	194	-	194	213	
Total Programme	582	-	582	587		587	646		646	710	
Total Vote	582	-	582	587		587	646		646	710	

3.2.2. Programmes and sub-Programmes by economic classification

Table 3.6: Programmes and sub-programmes by economic classification (Amount Ksh. Million)

	Approved Estimates	RESOURCE REQUIREMENT			RESOURCE ALLOCATION		
Economic Classification	2021/22	2022/23	2023/24	2024/25	2022/23	2023/24	2024/25
PROGRAMME 1:							
Current Expenditure							
Compensation Of Employees	182	228	307	329	195.30	205.07	215.32
Use Of Goods And Services	400	1063	1051	1121	392.00	440.96	495.31
Grants And Other Transfers	-	-	-	-	-	-	-
Other Recurrent	-	-	-	-	-	-	-
Capital Expenditure	-	-	-	-	-	-	-
Acquisition Of Non-Financial Assets	-	-	-	-	-	-	-
Capital Grants to Government Agencies	-	-	-	-	-	-	-
Other Development	-	-	-	-	-	-	-
					-	-	-
TOTAL PROGRAMME.....	582	1291	1358	1450	587.30	646.03	710.63
TOTAL VOTE.....	582	1291	1358	1450	587.30	646.03	710.63

4. Analysis of Resource Requirement Vs. Allocation for Semi-Autonomous Government Agencies

The Commission Does not have a semi-Autonomous Government Agency

CHAPTER FOUR

4. CROSS-SECTOR LINKAGES AND EMERGING ISSUES/CHALLENGES

4.1. Cross-Sector Linkages

The commission has developed strong working relationships with players within and without the sector to enable the achievement of its goals.

- The Ethics and Anti-Corruption Commission supports with the vetting of potential employees and supporting corruption prevention initiatives through capacity building.
- To support the process of establishment of the International and organized Crime Division, the commission has maintained close working relationships with the Office of Director of Public Prosecution to develop rules and procedures for the Division.
- The Commission provides oversight to the Judiciary and therefore has a strong linkage that facilitates policy direction, effectiveness and efficiency of service delivery. The Judiciary further provides technical capacity for development of various policy documents spearheaded by the Judicial Training institute and the Commission.
- The JSC will also strive to create strong partnerships and consultative mechanisms with other key stakeholders, co-sector working groups and relevant government ministries.
- The established court- user-committees (CUCs) in all stations will need to be empowered through capacity building in order to improve efficiency and effectiveness in delivery of Justice.

4.2. Emerging Issues

Transitions of tribunals into the Judiciary – Tribunals are statutory bodies established under various Acts of Parliament with a mandate of resolving disputes in specific areas of law and industry. Prior to the enactment of the Constitution 2010, tribunals previously operated under various ministries within the executive arm of government. The changes introduced in the Constitution prompted their transition into the Judiciary as a component of the court system. The

Judiciary has taken measures to put in place mechanisms for appropriate legal, policy and institutional frameworks for the full transition of tribunals into the Judiciary. Some of the measures taken include the development and presentation of a draft Tribunal Bill to the Attorney General.

Operationalization of the Judicial Fund and its Regulations – The coming into law of the Judicial Fund Act, 2016 is expected to contribute immensely towards how the Judiciary fulfils its mandate. The Commission may require to procure its own integrated financial management system to operate the fund.

Technology- rapid advances in technology globally have changed the way institutions deliver services. The public is increasingly demanding better service experience that embraces technology by public institutions hence the Commission and Judiciary should not be left behind.

More capacity Building for Judges and Magistrates -Sensitization and training of Judges on how to deal with emerging issues as they relate to anti-corruption cases and tax compliance matters is important to help fast-track such cases for the benefit of the Kenyan economy.

4.3. Challenges

- a) Budget Cuts and Inadequate Budgetary Allocations-The Commission has increasingly suffered budget reduction thus impeding on its general operations. As a result a number of planned activities were not implemented in the period under review.
- b) Delay in exchequer releases. In the period under review, exchequer releases to the commission was delayed
- c) Inadequate Human Resource. The optimum staffing levels as per the organogram and the staff establishment is yet to be reached. Some critical areas have no officers or very few staff and this may impact negatively on service delivery.
- d) Lack of office space and training facilities for the Judiciary Training Institute



CHAPTER FIVE

5.1 CONCLUSION

The Commission has made gains in several areas of service delivery as noted in chapter two. The Judicial Service Commission exists to facilitate and hold the Judiciary accountable to deliver Justice expeditiously to the people of this great nation. Therefore, the Commission will continue to perform its facilitation and oversight mandate in an efficient way that upholds the 'value-for-money' principle in its strategic plan and the Sustaining the Judiciary Transformation Operational Plan. This can only be achieved through adequate funding to enable the commission facilitate the independence and accountability of the Judiciary and the efficient, effective and transparent administration of justice.

CHAPTER SIX

6.0 RECOMMENDATION

- a) Adequate funding should be given to the Commission to enable it meet its mandate and its objective promoting efficient administration of justice
- b) The National Treasury should release the exchequers in a timely manner so that the operations of the commission are not hampered
- c) There is need to fill the vacancies in the Secretariat and Judiciary with substantive staff in line with the approved organization structure and thus budgetary allocation should be enhanced to provide for this.
- d) More infrastructure should be provided to enhance service delivery in all units particularly the Judiciary Training Institute

