



THE JUDICIARY



JUDICIARY MTEF BUDGET REPORT

FY 2025/26 – 2027/28

APRIL, 2025


	
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LIST OF ACRONYMS

ADR	:	Alternative Disputes Resolution
AG	:	Attorney General
AJS	:	Alternative Justice Systems
BPRT	:	Business Premises Rent Tribunal
CAM	:	Court Annexed Mediation
CAMAT	:	Communication and Multi-Media Appeals Tribunal
CBK	:	Central Bank of Kenya
CCR	:	Case Clearance Rate
CCUC	:	Children Court Users Committees
COA	:	Court of Appeal
CRJ	:	Chief Registrar of the Judiciary
CRTS	:	Court Recording and Transcription System
CSOs	:	Civil Society Organizations
CT	:	Cooperatives Tribunal
CTS	:	Case Tracking System
CUCs	:	Court Users Committees
DPP	:	Director of Public Prosecutions
EACC	:	Ethics and Anti-Corruption Commission
EAT	:	Education Appeals Tribunal
ELC	:	Environment and Land Court
ELRC	:	Employment and Labour Relations Court
EPT	:	Energy and Petroleum Tribunal
eSCR	:	electronic Supreme Court Reporter
FY	:	Financial Year
GOK	:	Government of Kenya
HAT	:	HIV& Aids Tribunal
HC	:	High Court
IFMIS	:	Integrated Financial Management Information System
IPT	:	Industrial Property Tribunal
JFA	:	Judiciary Fund Account
JFMIS	:	Judiciary Financial Management Information System
JPIP	:	Judicial Performance Improvement Project
JPU	:	Judiciary Police Unit

JSC	:	Judicial Service Commission
JTF	:	Judiciary Transformation Framework
KPI	:	Key Performance Indicator
KPS	:	Kenya Prisons Service
KRA	:	Kenya Revenue Authority
LSK	:	Law Society of Kenya
MDA's	:	Ministries, Departments and Agencies
MSET	:	Micro and Small Enterprises Tribunal
MTEF	:	Medium Term Expenditure Framework
NCAART	:	National Civil Aviation Administrative Review Tribunal
NCAJ	:	National Council on Administration of Justice
NOFBI	:	National Optic Fibre Network Backhaul Initiative
NPS	:	National Police Service
PFM	:	Public Finance Management
PFMA	:	Public Finance Management Act
PPDT	:	Political Parties Disputes Tribunal
PPPPC	:	Public-Private Partnership Petition Commission
RMC	:	Registrar Magistrates Courts
SAGAS	:	Semi-Autonomous Government Agencies
SCC	:	Small Claims Court
SDT	:	Sports Disputes Tribunal
SME	:	Small and medium-sized enterprises
STAJ	:	Social Transformation Through Access to Justice
TLAB	:	Transport Licensing Appeals Tribunal
WAN	:	Wide Area Network
WPA	:	Witness Protection Agency

EXECUTIVE SUMMARY

The Judiciary is one of the three arms of the government whose mandate is to dispense justice in a way that preserves the rule of law and safeguards the Constitution. This mandate is fulfilled through offering independent, accessible, equitable, and responsive mechanisms for resolving disputes and advancing jurisprudence.

The National Assembly appropriates funds from the Consolidated Fund to finance the operations of the judiciary and other government agencies. The Chief Registrar of the Judiciary (CRJ) is tasked with overseeing the Judiciary Fund, which is established under Article 173 (1) of the Constitution. Additionally, Article 173 (3) mandates that the CRJ create estimates of expenditure for each fiscal year. This is done through the national budgeting process, which is facilitated by the Public Finance Management Act 2012, the PFM regulations 2015, the Judiciary fund Act 2016 and the Judiciary fund regulations 2019.

In compliance with the provisions of Article 201 of the Constitution and section 37 (5) (a) of the PFM Act, the Judiciary undertakes the exercise in a consultative manner that involves the participation of the public. The Judiciary Fund was operationalized on 1st July 2022, in accordance with Article 173 of the Constitution, and appropriated estimates for the fiscal year 2022–2023 were deposited into the Fund.

In terms of improving access to justice through conflict resolution in courts and tribunals, the judiciary has kept up its strong performance with a steady Case Clearance Rate (CCR) of 99% for The FY 2022–2024.

The Judiciary continued to expand the doorways of justice through various initiatives including, the successful settlement of 2,242 matters which were valued at 8.5 billion through alternative dispute resolution mechanisms; the promotion of AJS across the country through the development and launch of the AJS Action Plans in the counties of Kajiado and Nakuru; the commencement of the Mahakama Popote initiative which saw judicial officers hear and determine cases utilising virtual courts and thus leveraging on technology to ensure increased efficiency in resolution of cases; the transition of an additional two tribunals to the Judiciary and the operationalization of the Small Claims Court in Meru.

A total of 6,136 cases were referred to the Court Annexed Mediation during FY 2023/24, where 55.9 % of these cases were settled, releasing KShs 35.1 billion into the economy. The Judiciary created 9 new mediation registries in order to promote mediation.

The judiciary proceeded with the digital strategy's implementation, adopting virtual hearings for all courts and tribunals as well as ICT initiatives to improve the effectiveness, efficiency, and timeliness of service delivery. The Judiciary also procured and deployed a new enterprise resource planning (ERP) system to improve its operational efficiency and enhance prudent allocation utilization of the resources allocated to it.

Maintaining the digital strategy's implementation will be a major area of focus in the medium term. These consist of automating registry operations, digitizing court processes, and providing support services. In implanting the institutional blue print, Social Transformation through Access to Justice (STAJ), the Judiciary will continue to give priority to the prompt dispensation of justice initiatives. The goal of hiring judges, judicial officers, and staff is to guarantee that all courts and administrative divisions are set up as efficiently as possible. The Judiciary's established resource requirement for FY 2025/26 is KShs 40.1 billion out of which KShs 31.6 billion and KShs 8.5 billion are the recurrent and development vote requirements respectively.

The proposed ceiling for the FY 2025/26 is KShs. 26.9 Billion with KShs. 24.6 Billion in recurrent and KShs. 2.3 Billion in development . This leaves a deficit of 33% from the established resource requirements.

CHAPTER ONE

1. INTRODUCTION

1.1 Background

Article 1 of Kenya's Constitution vests sovereign power in the people of Kenya, which is then delegated to various State organs: Parliament and County Government Legislative Assemblies, the National Executive, County Executive Structures, the Judiciary, and Independent offices/commissions. Article 159 assigns the Judiciary the responsibility of upholding justice and the rule of law through its courts and tribunals.

The Judiciary discharges this mandate by enhancing access to justice by providing independent, accessible, fair and responsive mechanism for dispute resolution thereby promoting social harmony and creating a conducive environment for economic development. It is further charged with the interpretation of the Constitution, promoting the rule of law by shaping public policy and ensuring access to justice.

The operations of the Judiciary are administered under the Judiciary Fund which is a charge on the Consolidated Fund. The Judiciary's budget process is anchored on Article 173 (3) of the Constitution of Kenya, 2010 which requires the Chief Registrar of the Judiciary to prepare estimates of expenditure for the Judiciary each financial year. The Public Finance Management (PFM) Act, 2012, the PFM Regulations, 2015, the Judiciary Fund Act (JFA), 2016 and the Judiciary Fund Regulations (JFR), 2019 provide guidelines on the budgeting process and specific timelines for submission of the estimates to the Judicial Service Commission (JSC) and the National Assembly. The Judiciary's budget is prepared through a consultative and participatory process as stipulated in Article 201 of the Constitution and Section 37 (5) (a) of the PFM Act.

The PFM requires the National Treasury (NT) to initiate the Budget preparation process for the government entities by issuing the Budget Preparation guidelines. In line with the JFR, the Chief Registrar of the Judiciary (CRJ) then issues guidelines that mark the beginning of the budget process for the Judiciary. It provides a schedule for the budget preparation process as informed by the National Treasury indicating key timelines, priority policy areas and issues to be taken into consideration, public participation, and the format in which budget information and documents shall be submitted.

The Judiciary implements one programme; “Dispensation of Justice” with two sub programmes namely, Access to Justice and General Administration, Planning and Support Services. This Budget Report is prepared to establish the Judiciary’s resource requirements consolidated from all the courts, tribunals, and administrative units and the proposed allocation to key priority areas in the Medium-Term Expenditure Framework (MTEF) period.

The Report presents the context of Judiciary’s current operations undertaking a review of programme performance for the period (2021/22 - 2023/24) and the planned outputs for the medium-term period (2025/26 - 2027/28).

1.2 Judiciary Vision, Mission and Core Values

The institutional vision is *“to be an independent institution of excellence in the delivery of justice to all”*. This vision is realised through *“the dispensation of justice in a fair, timely, accountable and accessible manner, uphold the rule of law, advance indigenous jurisprudence, protect and promote the Constitution.”*

1.3 Social Transformation through Access to Justice (STAJ).

The strategic direction of the Judiciary is guided by the Social Transformation through Access to Justice (STAJ) vision which is a 10-year judicial transformation agenda. It builds on previous progress in the Judiciary’s institutional transformation journey and introduces new justice solutions that are sensitive to people’s justice needs, especially the vulnerable and marginalised. The Judiciary’s role under STAJ is not just about being an arbiter of disputes; but also, a facilitator of dialogue, a connector, and a promoter of social harmony. With this approach, justice becomes not merely an end, but a journey - a transformative experience marked by fairness, impartiality, independence, accessibility, affordability, timeliness, efficiency, and user experience marked by dignity, respect and empathy.

STAJ is anchored on the following five (5) principles:

- a) **Accessibility and Efficiency:** a justice system that is available and reachable to all members of the society regardless of gender, socio- economic status, race, ability or any other characteristic and where all matters are solved expeditiously.

- b) **Transparency and Accountability:** a justice system that is trustworthy, responsive, and aligned with the needs and expectations of the society it serves.
- c) **Inclusiveness and Shared Leadership:** a justice system that involves diverse perspectives and fostering collaboration in decision-making processes.
- d) **Cooperative Dialogue:** embracing collaboration, active communication, and inclusion of various stakeholders in shaping and implementing policies and practices within the justice system.
- e) **Social Justice:** ensuring that individuals, regardless of their socio-economic status, race, ability or any other characteristic have access to legal assistance and aid.

STAJ is being implemented through the following five outcomes with the outlined objectives

STAJ Outcomes	Strategies
Outcome 1: A Strong Institution that is Independent, Accessible, Efficient and Protects the Rights of All, especially the Vulnerable	<ol style="list-style-type: none"> 1. Improving access to court services 2. Adopting and deploying versatile technology 3. Expand the doorways of justice 4. Enhance access to legal information 5. Champion criminal, civil and commercial justice reforms 6. Entrench people-centered data and evidence-informed justice services 7. Mainstream Green Justice 8. Promote Indigenous Social Justice Jurisprudence and Demosprudence
Outcome 2: An inspired team of Judges, judicial officers, and Judiciary staff	<ol style="list-style-type: none"> 1. Recruitment and Optimal Staffing 2. Innovation 3. Employee Feedback 4. Training Policy and Guidelines 5. Training Needs and Outcomes 6. Employee Retention. 7. Buildings and Workplace Safety. 8. Wellness and Psycho-social Support
Outcome 3: Strengthened Financial Mechanisms that Support the Independence and Integrity of the Judiciary	<ol style="list-style-type: none"> 9. Pursue Enhanced Funding for the Judiciary and the Justice Sector 10. Improve Efficiency in Resource Utilisation 11. Improve Financial Management Systems

Outcome 4: Deepened Partnerships that Enhance Coordination in the Administration of Justice	<ol style="list-style-type: none"> 1. Enhance strategic partnerships and collaborative relationships 2. Strengthen people-centred justice partnerships 3. Strengthen Partnerships with Development Partners, the Private Sector and the Media
Outcome 5: Enhanced Public Trust and Confidence in The Judicial System	<ol style="list-style-type: none"> 1. Maintain high standards of integrity among Judges, judicial officers, and staff. 2. Improve communication and information sharing 3. Strengthen community outreach and civic education. 4. Strengthen judicial independence. 5. Enhance victim protection and participation

1.4 The Mandate of the Judiciary

The Judiciary's core mandate is the administration of justice. In executing this mandate, it adheres to the following principles as laid out in Article 159 (2) of the Constitution:

- a) Justice shall be administered to all, regardless of status;
- b) Justice shall not be delayed;
- c) Alternative dispute resolution mechanisms such as mediation, arbitration, reconciliation, and traditional methods shall be promoted;
- d) Justice shall be administered without undue technicalities;
- e) The purpose and principles of the Constitution shall be protected and promoted.

1.5 Role of the Judiciary Stakeholders

The Judiciary collaborates with various stakeholders who impact its service delivery. These include:

- i. Parliament:** Parliament, consisting of the National Assembly and Senate, is responsible for the enactment of legislation, oversight of the operations of the Judiciary and appropriation of the budget.
- ii. The National Treasury:** The National Treasury provides the fiscal framework to guide resource mobilization and allocation, administers the consolidated fund, and manages the Integrated Financial Management Information System (IFMIS).
- iii. The Controller of Budget:** The Office of the Controller of Budget oversees implementation of the National budget by authorizing withdrawals from the Consolidated Fund through approval of exchequer requests. The Controller of Budget (COB) authorises withdrawal of funds from the Consolidated Fund to the Judiciary Fund Account (JFA) and from the JFA to the Judiciary Operational accounts.

- iv. **Central Bank of Kenya (CBK):** CBK is the banker for, adviser to, and fiscal agent of the Government. The Bank provides oversight of payment, clearing and settlement systems, including Internet Banking (IB) platform that is linked to IFMIS for facilitating payments under the Judiciary Fund.
- v. **Kenya Revenue Authority (KRA):** KRA undertakes the assessment, collection, and accounting of all revenues that are due to the government of Kenya. In addition, it provides the i-Tax platform which is linked with IFMIS to facilitate collection and remittance of taxes to the consolidated fund. The Chief Registrar of the Judiciary is designated as a collector of Revenue.
- vi. **The Auditor-General:** The Office of the Auditor-General is mandated to confirm whether public resources have been applied lawfully and effectively through routine audits and preparation of annual reports that are submitted to Parliament.
- vii. **The Judicial Service Commission (JSC):** The mandate of the JSC is to promote and facilitate the independence and accountability of the Judiciary, the efficient, effective and transparent administration of Justice. The JSC is responsible for reviewing the Judiciary budget estimates as provided for under Section 29 of the Judicial Service Act, 2011. The Chief Registrar of Judiciary submits quarterly reports to the JSC on the Judiciary fund implementation.
- viii. **The National Executive:** The Kenyan executive branch, headed by the President and including the Deputy President and Cabinet, plays a crucial role in legislation. A defining power of the presidency is the authority to approve all Bills, turning them into law and to direct and co-ordinate the functions of ministries and government departments.
- ix. **The Attorney General:** The Attorney General is the principal legal adviser to the Government and represents the national government in court or in any other proceedings where the national government is a party with the exception of criminal proceedings.
- x. **The Public:** The Kenyan Judiciary's authority stems from the people of Kenya, who are its primary stakeholders. Both the Constitution (Article 201) and the Public Finance Management Act (Section 37(5)) require the Judiciary to involve the public in financial matters, emphasizing the importance of citizen participation in the judicial system's financial decisions and processes. The Judiciary's strategic blueprint, '*Social Transformation through Access to Justice*' (STAJ), establishes a people-centered justice system that is accessible, efficient, and responsive to the justice needs of all Kenyans.
- xi. **Development Partners:** Development Partners provide technical and financial support for some of the Judiciary initiatives.

xii. County Governments:

The County governments partner with the Judiciary in various initiatives such as providing building and land for the construction of court facilities and other amenities that support court operations.

xiii. The Ethics and Anti-Corruption Commission (EACC): EACC is a Kenyan public body that promotes integrity and fights corruption through law enforcement, prevention, and education. It investigates economic crimes and recommends cases for prosecution.

xiv. The Director of Public Prosecutions (DPP): The mandate of the office of the DPP is to institute and prosecute all criminal matters in courts.

xv. National Police Service (NPS): NPS in Kenya is mandated to maintain law and order and provide security. It further collaborates with the Judiciary through assigning officers to the Judiciary Police Unit to enhance security.

xvi. Kenya Prisons Service (KPS): The KPS is entrusted with the responsibility of containment of offenders whose cases are pending in court and those convicted of various offences, rehabilitation of offenders and preparing them for reintegration into society. These functions are very critical in the administration of justice.

xvii. Law Society of Kenya (LSK): LSK is mandated to advise and assist members of the legal profession, the government, and the larger public in all matters relating to the administration of justice.

xviii. Witness Protection Agency: The Agency provides special protection on behalf of the State to persons in possession of important information and who are facing potential risk or intimidation due to their co-operation with prosecution and other law enforcement agencies.

xix. Probation and Aftercare services: Probation and Aftercare Services play a key role in enforcing the community service orders issued by courts for the rehabilitation of offenders and their re-integration back to the community. They also prepare pre-bail and pre-sentencing reports.

xx. Children Services Department: The Children Services Department supports the work of the Judiciary by providing support to Children in conflict and/or in contact with the law. They make recommendations to the courts on matters related to children rights.

xxi. Civil Society Organizations: Civil Society Organizations (CSOs) are non-governmental and non-profit making organizations in Kenya. They are invaluable partners in advancing access to justice, promoting human rights, and championing the rights of the marginalized and

vulnerable members of our society. The proximity CSOs have with the people enables them to articulate people's justice needs in ways that the formal justice system cannot, and this has made them great champions of the multi door justice approach anchored in the STAJ blueprint.

xxii. **Media:** The media is an invaluable partner in disseminating information to the people of Kenya for accountability as envisioned in the Constitution. It provides coverage of public interest cases, and creates awareness on the decisions of courts and operations of the Judiciary.

xxiii. **Village Elders:** They are part of third-party Alternative Justice System annexed institutions that can be State-sanctioned.

CHAPTER TWO

2. PROGRAMME PERFORMANCE REVIEW 2021/22 – 2023/24

2.1 Delivery of Outputs / KPI / targets during the MTEF period

2.1.1 Achievements in the FY 2021/22

- **Case clearance:** A total of 404,312 cases were filed between July 2021 and June 2022 and 381,317 cases were resolved during the same period. The overall case backlog was reduced by 16% while that of cases more than 3 years was reduced by 21.7%. Case Clearance Rate increased from 83% in FY 2020/21 to 94% in FY 2021/22 against an annual target of 110%. Clearance of cases was affected by the shortage of judges and judicial officers and the scaling down of operations due to COVID-19 pandemic in the first quarter.
- **Human Resources capacity enhancement:**
 - i. 34 judges of the COA, ELRC, and ELC were appointed raising the numbers to 173 judges against an approved establishment of 347 judges.
 - ii. The Judiciary recruited sixty-four (64) magistrates during the year thus increasing the number to 593 against the approved establishment of 1,200.
 - iii. Additionally, 897 staff members were recruited including Court Assistants, ICT Officers, Office Administrative Assistants, Legal Researchers and Accounts Assistants bringing the total number of staff to 6,158 against an approved establishment of 10,105 staff members.
 - iv. Twenty-four (24) Resident Magistrates were appointed as Adjudicators to operationalise the courts.
- **Construction of courts:** Eight (8) high courts were practically completed during the review period and are currently in use. These were Kapenguria, Kwale, Makueni, Maralal, Ol'Kalou, Garissa, Machakos and Mombasa high Courts. During the same period, three (3) magistrates court buildings were completed in Kangema, Kibera and Butali.
- **Refurbishment/Rehabilitation of court buildings:** The following court facilities were refurbished/rehabilitated;
 - **Supreme Court building** - 2 courtrooms, the Library, Registry and Archives.
 - **Court of Appeal** in Nyeri
 - Four (4) **high courts** in Bungoma, Milimani, Malindi and Meru Law Courts.

- **Forodha House** to house the Anticorruption Court, Tribunals' Secretariat, RMC, ELRC, Small Claims Court, Directorates, Judiciary Police Unit (JPU)
 - Three (3) Tribunals offices – Sports (shelving), Rent Restriction (sound proofing) and Business Premises Rent Tribunal (BPRT)
 - Fifteen (15) magistrate courts; Kangundo, Karatina, Msambweni, Engineer, Ngong, Siakago, Iten, Kadhis Court Building Nairobi, Thika, Othaya, Maua, Eldama Ravine, Wang'uru, Taveta and Hamisi.
- ***Establishment of Courts and registries:***
- ***Supreme Court:*** two (2) sub-registries were established and operationalised at Mombasa and Kisumu;
 - ***Court of Appeal:*** five (5) sub-registries operationalised in Busia, Kakamega, Meru, Garissa and Kisii.
 - ***High Court:*** four (4) sub-registries at Isiolo, Kapsabet, Eldama Ravine and Kilgoris.
 - ***ELRC:*** Bungoma and Malindi sub-registries upgraded to fully fledged court stations while
 - ***ELC:*** eleven (11) new courts operationalised in Homa Bay, Isiolo, Iten, Kapsabet, Kilgoris, Kitui, Kwale, Nanyuki, Nyamira, Siaya and Vihiga.
 - ***Magistrate mobile courts:*** Five (5) were established at Kalobeyei, Magadi, ¹Magharini, Marigat, and Waldena.
 - ***Tribunals:*** the PPDT successfully established eight (8) sub-registries in Eldoret, Kakamega, Kisumu, Machakos, Meru, Mombasa, Nakuru and Nyeri.
- ***Operationalisation of Small Claims Court:***
- Small Claims Court were established and operationalized in eleven (11) courts namely; Milimani, Kajiado, Machakos, Nyeri, Naivasha, Nakuru, Eldoret, Kakamega, Kisumu, Mombasa, Thika and one (1) sub-registry at Makueni.
 - Since the operationalization of Small Claims Court on 26th April, 2021, the Courts have registered a total of 12,459 matters and concluded over 8,308 matters with a value of KShs. 1.1 Billion as at 30th June, 2022.

▪ ***Alternative Dispute Resolution Mechanisms***

- ***Court Annexed Mediation:***

- Court Annexed Mediation was operationalized in twelve (12) Courts namely; Bomet, Chuka, Kapsabet, Kericho, Kerugoya, Kiambu, Kitale, Meru, Naivasha, Nanyuki, Ngong and Siaya.
- A total of 2,445 matters were referred for mediation out of which 51.4% were settled; with a value of KShs. 2.7 Billion released to the economy.

- ***Alternative Justice Systems (AJS):***

- AJS was operationalized in four (4) stations; Kajiado, Nakuru, Isiolo and Nyeri.

▪ ***Tribunal Service Weeks:***

- The Cooperative Tribunal held 4 service weeks during which 909 matters were heard out of which 775 determined.
- BPRT held 1 service week during which 2,600 matters were determined.

▪ ***Court Circuits:***

- ***Court of Appeal:*** Twenty-two (22) circuits were conducted in Eldoret, Kakamega, Malindi, Nakuru and Nyeri, where a total of 395 Appeals and Applications were heard and concluded.
- ***High court*** circuits were conducted in eleven (11) stations namely; Eldama Ravine, Garsen, Isiolo, Kabarnet, Kapsabet, Kilgoris, Kwale, Lodwar, Nyamira, Vihiga and Voi
- ***ELC*** conducted circuits in Garissa and Chuka Law Courts
- ***ELRC*** conducted court circuits in Kitale, Machakos and Meru
- ***Tribunals*** namely, Cooperative, BPRT, Sports and RRT conducted circuits in Eldoret, Embu, Garissa, Kakamega, Kisii, Kisumu, Lamu, Meru, Mombasa, Nakuru, and Nyeri where a total of 3,181 matters were handled and 1,552 concluded.

▪ ***Court Automation:***

- The Judiciary continued to invest in provision of internet services for all courts and tribunals. Bandwidth was increased and this improved the stability and reliability during the virtual court sessions and Case Management. Microsoft Teams licenses were procured to facilitate the Virtual court hearings thus enabling litigants to attend to court proceedings without the need of attending in person.

- In addition, 31 video conferencing kits were procured and 38 courtrooms were equipped with Court Recording and Transcription Solutions (CRTS) to facilitate virtual and remote hearing of cases. The CRTS enables court sessions to be recorded and draft transcripts availed within seven days.
- Three (3) secure and reliable data centres were operationalized.
- Case Tracking System was rolled out in all courts across the Country while the e-filing module of the system was operationalized in all courts in Nairobi, including the Kadhis' court and all Tribunals.

▪ ***The National Council on the Administration of Justice***

- Seven (7) Policies and guidelines were reviewed to enhance the policy environment in the justice sector. They include: Law and Practice Guidelines on Arrest and Conditions of Pre-trial Detention; Law and Practice Guidelines on the Management of Petty Offenders; The Fair Trial Guide and Checklist; Children Court User Committees (CCUCs) guidelines and the Sensitization Toolkit for CUCs; Child Care and Protection Officers and Facilitators Manual; Throughcare and Aftercare Procedures for Statutory Children Institutions; Standard Operating Guidelines on Sexual Gender Based Violence Case Management during a crisis; and Curriculum on online Child Sexual Exploitation and Abuse.
- To enhance the administration of justice at the grassroots additional 47 CUCs were established bringing the total number of CUCs to 230 CUCs compared to 183 CUCs in FY 2020/21. The additional CUCs include thirty-seven (37) Environment and Land Justice CUCs, five (5) Tribunal CUCs and five (5) Commercial Justice CUCs.

▪ ***Performance Management***

Evaluation of 282 Implementing Units on FY 2020/2021 Performance Contracts as well as negotiations and target setting for FY 2021/2022 for 301 units was conducted.

▪ ***Information, Education and Communication materials***

IEC which included social/print/electronic media, educative short videos and TV infomercials were disseminated to ensure people centred delivery of justice as well as demystify court processes on the following issues;

- Children Service weeks, Court Annexed Mediation, Alternative Justice System, Small Claims Court, E-filing, Judiciary Committee on Election and CUC's activities.
- A Media Guidelines booklet was developed to empower judiciary officers as they interact with the media.

▪ ***Establishment of regional Libraries***

Nine (9) regional library hubs were established as follows; Nairobi (Milimani), Coast (Mombasa), Lower-Eastern (Machakos), Nyanza (Kisumu), Upper-Eastern (Meru), Western (Kakamega), North Rift (Eldoret), Central Rift (Nakuru) and Central (Nyeri). The regional hubs will facilitate sharing of information resources, avoid duplication in acquisition of information materials, create efficiency and increase access to information resources.

▪ ***Admission to the bar***

The Judiciary implemented the Advocates Management System (JAMS) which has enhanced efficiency, effectiveness and timeliness in the process of Admission of Advocates to the Roll of Advocates. During the year, 7 admission events were held during which a total of 1,547 Advocates were admitted to the Bar.

2.1.2 Achievements in the FY 2022/23

▪ ***Caseload Statistics***

In FY 2022/23, a total of 423,394 cases were registered in all courts across the country while 419,262 cases were resolved. This resulted in a Case Clearance Rate (CCR) of 99 percent, an improvement by 5 percentage points from the previous financial year. In the same period, the overall case backlog in the Judiciary improved by 19 percent from 334,711 cases in June 2022 to 270,015 cases at the end of June, 2023.

▪ ***Election Petitions:***

A total of 222 Election petitions including party list petitions were filed and determined. These included nine petitions filed at the Supreme Court and later consolidated into five. Out of 126 Petitions, 12 were with regard to Governors, two relate to Senators, four relate to Women Representative seat, 28 relate to the position of Member of Parliament while 80 related to

Member of the County Assembly (MCA). In addition, 87 party list petitions filed, 3 in high court and 84 in magistrates' courts were all concluded. The Chief Justice gazetted 39 Judges of the High Court and 63 magistrates to hear and determine the 126 Election Petitions filed in the High Court and Magistrates' Courts. All the petitions were heard and determined within the stipulated timelines.

▪ **Enhanced Access to justice**

The Social Transformation Through Access to Justice blueprint recognizes the need to enhance access to justice to all including the marginalised and vulnerable groups. In the period under review, the Judiciary sought to enhance access to justice through establishment of 15 courts and 6 sub-registries, holding of 28 courts and 26 tribunal circuits as well as 57 mobile courts, continued expansion of court annexed mediation with the establishment of 17 mediation registries and pursuit of alternative justice systems among others.

▪ **Establishment of Courts and Sub-Registries**

Supreme Court: 2 sub-registries established in Mombasa and Kisumu became operational. Another sub-registry was gazetted and established at Forodha House during the election petitions.

Court of Appeal: Two Court of Appeal stations were established and operationalized, namely Nakuru and Eldoret.

High Court: Kapsabet High Court was established; 2 sub-registries were established at Lamu and Iten

Environment and Land Court (ELC): Voi ELC Court was established; Two ELC Divisions were established at Milimani namely - Environment & Planning Division, and the Land Division in order to improve access to Environmental justice and for specialization.

Employment and Labour Relations Court (ELRC): Kakamega, Bungoma; Malindi ELRC sub-registries upgraded to fully fledged courts. ELRC Sub-registries operationalized in Nyamira and Kisii. There were also established three divisions at the ELRC Nairobi: The

Claims and Labour Relations Division, The Judicial Review and Labour rights Division and the Appeals Division.

Magistrates & Kadhi's Courts: 6 courts Operationalised: Tinderet, Ol' Kalou, Kenol, Rumuruti, Kibiyet and Madiany.

Small Claims Courts: Meru Small Claims Court was gazetted thus increasing the number of Small Claims Court to 12. The other courts are; Milimani, Kajiado, Thika, Eldoret, Machakos/Makueni, Naivasha, Nakuru, Nyeri, Kakamega, Mombasa and Kisumu.

Specialized Courts: SGBV courts were established at Shanzu, Makadara and Kibera.

Special Benches: Seven High Court (Mombasa, Nakuru and Milimani), One ELRC (Milimani) and Six ELC (Meru, Nakuru, Malindi, Bungoma, Narok and Kitale) special benches were empanelled and facilitated to determine substantial questions of law filed in various courts.

▪ **Tribunals Operationalisation:**

The final review of the Tribunals' Bill was completed in collaboration with the AG's Office. It was approved by the cabinet on 27th June, 2023 and forwarded to National Assembly for discussion and enactment. The Tax Appeal Tribunal transited to the Judiciary. Further, Financial Centre Tribunals and Land Acquisition Tribunals were established, and their operationalization is ongoing.

This brought the total of tribunals that have transited to Judiciary to 23. 47 members of tribunals were sworn in, including; 12 Members of Tax Appeal Tribunal (TAT), 2 members of Political Parties Disputes Tribunal (PPDT), 2 members of the Competition Tribunal, 4 Members of Insurance Tribunal, 1 member of Rent Restriction Tribunal, 4 Members of Capital Markets Tribunal, 2 Members of Privatization Tribunal, 2 members of the Public Private Partnerships Petition Committee (PPPPC), 7 members of the HIV AIDS Tribunal (HAT), 1 member each of National Civil Aviation Administrative Review Tribunal (NCAART), Transport Licensing Appeals Board (TLAB) and Water Tribunals, 4 Members of National Environment Tribunal (NET), and 5 members of the Cooperatives Tribunal (COOP). 39 new members were inducted for the following tribunals; HIV and AIDS, Cooperative, Tax Appeals, PPPPC, PPDT, Financial Centre, Standards, Copyright tribunals. 155 Tribunals staff were trained on CTS, Registry processes and procedures. The final review of the Tribunals' Bill was completed in

collaboration with the AG's Office and approved by Cabinet. The office facilitated the transmission and introduction of the Tribunals Bill, 2023, to Parliament for enactment.

▪ **Court Circuits**

Court circuits were conducted at different court levels across the country. The COA held circuits in 5 court stations in Meru, Malindi, Kakamega, Kisii, Eldoret, where a total of 460 cases were heard and determined. The High Court held 16 circuits at Kapenguria, Kapsabet, Nyamira, Marsabit, Kilgoris, Voi, Garsen, Nyeri, Milimani Civil Division, Iten, Kwale, Eldama-ravine, Muranga, Kericho, Lodwar and Meru High Court. A total of 746 matters were heard and determined. Whereas circuits are held in high court sub-registries, in the year under review circuits were held in operational high courts due to a shortage of High Court Judges.

ELRC conducted circuits in 4 court stations: Meru, Kitale, Machakos and Kericho, where 812 matters were handled and 66 were determined. Three circuits were conducted in the ELC at: Garissa, Vihiga and Chuka Law Courts where a total of 110 cases were heard and 102 resolved.

Circuits were also conducted in Tribunals as outlined below:

- i) Business Premises Rent Tribunal (BPRT) held 7 circuits at Kakamega, Nyeri, Mombasa, Nakuru, Kisii/Kisumu, Eldoret, Embu/Meru; where 134 Cases were heard 134, and 44 Cases Decided.
- ii) The Co-operative Tribunal held 8 circuits at Mombasa, Nakuru, Eldoret, Kisumu, Nyeri, Kakamega, Meru, and Embu where 895 and 424 Cases were Heard and Decided respectively.
- iii) Rent Restriction Tribunal (RRT) held 11 circuits at Kisumu, Kisii, Kakamega, Eldoret, Nakuru, Garissa, Nanyuki, Mombasa, Voi, Malindi and Lamu, No. of Cases Heard: 1,186; No. of Cases Decided: 906.

▪ **Mobile Courts**

In the period under review, the Judiciary conducted 57 mobile courts in far-flung areas. During the period under review, a total of 7,398 cases were filed and 5,190 cases resolved, partly similar to mobile court caseload in 2020/21 where 7250 cases were filed and 5664 determined.

▪ **Court Annexed Mediation and ADR**

The mediation policy was developed and is being implemented across all Mediation registries. The CAM Rules, a Policy on private mediation, Google query procedure and Mediation payment guidelines were developed. 17 mediation registries were established and CAM rolled out in: Kikuyu, Limuru, Thika, Mavoko, Kajiado, Muranga, Bungoma, Iten, Vihiga, Migori, Gatundu, Webuye, Runyenjes, Siakago, Busia, Kangundo and Gichugu. During the financial year, a total of 4,708 matters were referred to mediation, and the overall annual settlement rate for matters referred to CAM was 51.19%, with an average case turn-around time of 76 days.

- A total of KShs.8.6 Billion was released back to the economy as a result of mediation which is attributable to the increased uptake of mediation in dispute resolution.
- A total of 2,445 matters were referred for mediation out of which 51.4% were settled; with a value of KShs. 2.7 Billion released to the economy.
- The number of courts implementing virtual mediation increased from 5 to 27.
- 1,400 mediators were trained during the FY 2022/23.

▪ **Alternative justice systems (AJS):**

- i) Launch of the AJS County Action Plan for Nakuru;
- ii) The Adoption of AJS strategy in resolving Land, Natural Resources and climate change related conflicts by the IGAD Ministerial meeting;
- iii) Engagements to promote alignment of AJS practices held in Kajiado, Narok, Uasin Gishu, Kisumu, Siaya, Taita Taveta, Mombasa and Baringo as aligned to the Constitution of Kenya;
- iv) Contribution to the Mediation Conference;
- v) To enhance skills and adopt AJS strategy to achieve effective delivery of justice, Court of Appeal Judges, all ELC Judges, KJA Judicial officers and staff were trained on AJS.

▪ **Simplification of Court Procedures**

- The revision of the Magistrates & Kadhis Courts Registry Manual was finalised to accommodate policy, legislative and administrative changes. It streamlines procedures for

handling Kadhis cases and Probate and Administration matters while introducing the aspects of Automation and Records Management.

- To ensure the standardisation of common registry services across all tribunals, and improve customer experience, one Registry manual was developed for use.
- General administration was strengthened through development of a number of key policy documents. These included the simplified common applicable rules of procedure of the Supreme Court, Translation of procedural filing basics of the Supreme court, Simplified guidelines operationalising the newly established Environment and Land planning division and Land Division of the ELC.
- A guide for litigants on how to view electronic court proceedings in the Court of Appeal was developed.
- Installation of one braille machine at the Family Division for use by visually impaired clients. Judiciary desks were set up at Huduma centres in Eastleigh, Kibera, GPO and City Square. This process shall enable citizens to file their cases electronically, access Registry Services, Customer Care, Information and Virtual Court Sessions.

▪ **Resource mobilization and utilization**

Operationalization of the Judiciary Fund

- i) Operations under the Judiciary Fund (JF) took effect from 1st July 2022 after all implementation instruments were actualized and an operational framework established. In line with Article 173 (1), which states that the Judiciary Fund shall be administered by the Chief Registrar, the Judiciary Fund Management Committee (JFMC) was established and is mandated to oversee budget implementation and regularly advise the Accounting Officer on operations and performance of the JF. The JFMC also ensures that the Budget is effectively implemented and the exchequer is aligned to the Judiciary's cash flow plan.
- ii) In order to ensure financial accountability in adherence to Public Financial Management requirements, the Standard Operating Procedures (SOPs) for JF operations and an M&E Framework were finalized and are now in use as the key reference guidelines. The JF Support desk also continued to liaise with the IFMIS department to ensure that the Judiciary's budget module (Hyperion) and General Ledger systems under the JF run smoothly.

▪ **Judiciary Digital Strategy**

- **Electronic Filing (E-filing):** The e-filing system was internally developed by the Judiciary to allow court users to access court services remotely. The system has been rolled out in Mombasa, Kisumu, Siaya, and Homabay counties, in addition to Nairobi.
- **Digitization of Court Records - Ajira Digital Program:** In 2016, the Judiciary, through the Ministry of ICT and in partnership with the private sector (KEPSA), adopted the *Ajira* Digital Program for digitization of court records. The project kicked off on 4th of April 2022 with a total of 133,368 records scanned as shown below:

Overall Performance on Scanning

Court Station	Division	Actual Files Scanned
Milimani High Court	Commercial	1,692
	Civil	5,836
	Judicial Review	1,766
	Family	4,552
Milimani ELC Court	ELC	980
CM Commercial Court	Civil Suit	34,430
	Commercial Cases	24,507
Mombasa Law Courts	Mombasa High Court	6,333
	ELC	418
	ELRC	3,102
	Magistrate	18,921
Thika	Thika Law Court	13,815
	Thika ELC	1,104
Limuru	Limuru Law Court	3,665
Kiambu	Kiambu Law Court	10,095
Ruiru	Ruiru Law Court	1,691
Kahawa	Kahawa Law Court	461
	Cumulative Total	133,368

Virtual Courts: The Hon. The Chief Justice gazetted the Practice Directions on Virtual Court Sessions on 2nd June, 2023. The Practice Directions cover the; Conduct of

Proceedings, Notification of Parties, Virtual Attendance, Dress Code and Virtual Court Etiquette, Databases and Virtual Platforms, Witnesses, Documentation, and Confidentiality and Privacy.

▪ **Election Disputes Resolutions (EDR) Trainings**

Training of Judges, Judicial Officers, legal researchers, law clerks and judiciary staff on electoral offences and connected matters was done as shown in Table 1. 2. These trainings guided by the EDR curriculum were aimed at enhancing the capacity to effectively discharge the Election Dispute Resolution (EDR) mandate including undertaking scrutiny and preparing the concomitant reports. A booklet of electoral statutes/laws was compiled in addition to an EDR Bench Book. E-filing was also launched and EDR matters were filed online.

No of Judges, Judicial Officers and Staff Trained on EDR in FY 2022/23

NO	CADRE	NUMBER TRAINED
1.	Supreme Court Judges	7
2.	Supreme Court Law Clerks	9
3.	Court of Appeal Judges	18
4.	Court of Appeal Law Clerks	23
5.	High Court Judges	68
6.	High Court Researchers	86
7.	Magistrates	342
8.	Supreme Court, Court Administrators	6
9.	Supreme Court, Office Administrators	19
10.	Deputy Registrars of the High Court	63
11.	ICT Officers	119
12.	Court Administrators and Court Assistants (This includes staff from the ORHC, RMC and OPJ)	274
13.	Registrars (RHC, RMC, DRMC)	3
14.	TOTAL	1,037

Court Infrastructure

To enhance physical access to court premises, the following projects were undertaken:

- Rehabilitation of buildings was done in 44 magistrate courts, namely; Kilungu, Mutomo, Migori, Kehancha, Tigania, Kyuso, Kericho, Bomet, Makueni, Kajiado, Kibera, Kakuma, Kilifi, Ndhiwa, Mwingi, Tawa, Sirisia, Othaya, Murang'a, Gichugu, Thika ELC, Githunguri, Mwingi, Wanguru- Asbestos removal, Maua, Siakago, Machakos, Makueni, Kisii, Ndhiwa, Tamu, Msambweni, Nyamira, Busia, Winam, Madiany, Butali, Ngong, Nairobi kadhi, Chuka, Rumuruti and Kilgoris.
- Renovation was ongoing at the Milimani Law Courts.
- Refurbishment of Forodha House was completed.
- Completed Constructions: Embu law Court, Port Victoria.
- On-going Court Constructions: Meru, Eldoret, Kandara, Mavoko, Eldama Ravine, Kabarnet, Wanguru, Mandera, Mavoko and Habaswein Kadhi's Court.
- **Installation of solar systems:** To ensure minimal disruption of court services due to power outages, solar systems were installed in the following courts: Garsen, Maseno, Shanzu, and Tononoka Law Courts.

▪ Expansion of Jurisprudence through International Engagements

- The Environment and Land Court ELC@10 Anniversary Conference was held at Pwani University, Kilifi County from 28th November to 2nd December 2022 under the theme, 'Celebrating Ten Years of the Environmental and Land Justice in Kenya: Reflecting on the ELC Journey and Future Prospects.' The commemoration of ten years of existence of the ELC and brought together all actors in the environment and land sectors in Kenya, Africa and globally to share experiences and propose judicial strategies that are required to deliver justice and promote, not only the rule of law, but protect the environment and ensure access to land.
- The 3rd Regional Symposium on Greening Judiciaries in Africa hosted by the Judiciary of Kenya, the Kenya Judiciary Academy and the Africa Judicial Educators Network on Environmental Law (AJENEL) was held in Nairobi from 3rd – 5th April 2023 under the theme, 'Strengthening the Role of the Judiciaries in Addressing Climate Change in Africa. The Symposium was anchored on the role of the courts in combating climate change and its impacts in Africa and provided actionable policy direction from heads of judiciaries and

judicial training institutes across Africa on the enhancement of environmental justice, particularly in disputes arising from climate change and its impacts.

- Judiciary participated in various initiatives that foster deepened partnerships, improve coordination in the administration of justice, and exchange programs for regional and international experience sharing, as well as to enable peer exchange and learning on jurisprudential issues from:
 - The Supreme Court of India visit by Supreme Court Justices between March 6th and March 13th, 2023. Key takeaways were; Use of artificial intelligence to translate court judgments/proceedings into vernacular languages, use of cloud hosting for the court website to enable the court to disseminate information on a real-time basis to all stakeholders, use of an electronic Supreme Court reporter (eSCR) that enables decisions/judgments to be online and accessible to all at no cost.
 - International Women Transformative & Leadership Conference in Sudan from February 13-15, 2023.
 - Conference on Africa Regional Intellectual Property Bench Book in Johannesburg, South Africa, from March 13-19, 2023.
 - The International Conference to Enhance Co-operation on Cyber Crime and Electronic Evidence in Africa from March 3rd to March 8th, 2023 in Rabat, Morocco.
 - The fifth round-table session of the African Judicial Network in Cape Town, South Africa from March 26th to March 29th, 2023.
 - Training workshop on intelligence gathering and judicialization to identify and disrupt sources of terrorism financing Accra, Ghana, from March 7th to March 9th, 2023.
 - The 25th Annual Family Law Conference in Cape Town, South Africa from 7th to 12th March 2023 to attend, and Justice.
 - The 67th session of the commission on status of women held in the United States from 6th to 17th March 2023.
 - The Presiding Judge travelled to Uganda and New York, USA, to share knowledge of the operations of the unique Environment and Land Court with Judges from those countries.
 - In an endeavour to promote mediation and enhance access to justice in the financial services sector, the Inaugural Annual Mediation Summit was held on 13-14th April, 2023 at Strathmore university.

▪ **Admission of advocates**

A total of 2,645 advocates were admitted to the roll of advocates, 791 commissioners for oaths were sworn in, and the total number of Notary Public Renewals facilitated was 2,053. A total of 14,287 e-practicing Certificates were also issued.

▪ **Accountability and Performance Management**

- The Judiciary Ombudsman Complaint System has been automated and simplified providing a structured complaint handling procedure with detailed documentation, as well as track each progress of a complaint, allowing the users to achieve significant time and cost savings.
- The Audit and Risk Directorate carries out more comprehensive analysis of systemic weaknesses in financial management. During the 2022/2023 financial year, the directorate carried out audits in 23 courts stations and at Judiciary headquarters. The recommendations made were on improved management of the registry, expenditure, revenue, deposits, assets and supply chain. The audits also revealed areas of improvement and made recommendations to improve the operations of the Case Tracking System (CTS) and Judiciary Financial Management Information System (JFMIS).
- The PMMU's evaluation for 2020/2021 and negotiations and setting of targets for FY 2021/2022 for courts and administrative units were concluded during the second (2nd) and third (3rd) quarters of the 2022-2023 FY. During the exercise, 310 implementing units, including the Supreme Court, 4 Courts of Appeal, 45 High Court Stations and Divisions, 9 ELRC, 35 ELC, 127 Magistrates Courts, 47 Kadhis' Courts, 12 Tribunals, 8 Registrars, 10 Directorates, and 3 Offices, were evaluated.

▪ **Enhanced Human Resources**

To ensure that there is adequate human resource capable of delivering on the institution's mandate, the following was undertaken:

- Appointment of 32 additional Judges;
 - 10 COA increasing the total in-post to 29 Appellate Judges
 - 20 High court increasing the total in-post to 79 HC Judges

- 2 Employment and Labour Relations court increasing the total in-post to 53 ELRC Judges
- Recruitment of 490 Judicial Staff including Tribunal Members, Law Clerk and Legal Researchers, drivers and other staff.
- Promotion of 145 Judicial Officers and 117 staff.
 - The recruitments in FY 2022/23 brought the total number of Judiciary employees to 6,193 against an approved establishment of 10,105 translating to 61.3% of its optimal staffing levels as at 30th June 2023.
 - A new aligned salary structure for the staff was implemented in April 2023 with the effective date of July 1, 2022. The aligned salary structure was to address the inconsistencies in the existing staff salary structure and ensure that all judicial staff salaries achieve internal parity.
 - The Judicial Service Commission on 6th April, 2023, approved for implementation the Training & Development Policy, 2023 and, Internship and Attachment Policy, 2023.
 - Acquisition of additional office space at The Kenya Reinsurance Plaza which is occupied by some Directorates and Tribunals
 - Purchase of 17 motor vehicles for court stations without transport facilitation to conduct of mobile courts and scene visits.
 - Training 306 staff on various capacity development courses to aid in efficient service delivery.

The National Council on the Administration of Justice

To ensure effective monitoring and evaluation of the justice sector, the NCAJ developed the Inaugural Annual Administration of Justice report, whose launch was graced by HE the President. The report provided comprehensive information about the justice sector's activities, outcomes, challenges and outlook. Further, NCAJ held 3 High-level Statutory forums with Strategic discussions on Election preparedness, among others.

- To promote coordination and fast-tracking of reforms in the justice sector, the NCAJ bill was drafted and is currently at the stakeholder engagement stage. The bill aims at institutionalizing the NCAJ to ensure an efficient, effective, and consultative approach to the administration of justice.

- To deepen criminal justice reforms, NCAJ Developed the Sentencing Policy Guidelines to standardize operations across the actors. Further, the draft Penal Code and Criminal Procedure Code Bills were finalized, and stakeholder engagements commenced.
- To strengthen Civil Justice Reforms, mapping priority reform areas of civil justice was done, with implementation slated in 2023/24.
- To strengthen the administration of justice at the grassroots, an additional 20 CUCs were established, bringing the total number of CUCs to 256 CUCs. The additional CUCs included one (1) SGBV CUC, Seven (7) Child Justice CUCs, four (4) high court CUCs, two (2) Employment and Labour Court CUCs, five (5) Magistrate and one (1) Tribunal CUCs. Further, to enhance the capacity of CUCs, twelve (12) CUCs were trained on various emerging cross-cutting issues in the justice Sector. Additionally, NCAJ initiated the development of the CUCs Monitoring, Reporting, and Analysis System (MoRAS) to enhance documentation and reporting of the achievements, challenges, and recommendations for reform. To enhance the coordination mechanism of the justice sector at the national and local level, the NCAJ reconstituted and gazetted the NCAJ Committee on Review of Laws on sexual offenses and gender-based violence in Kenya and the Civil Justice Reforms Committee. Further, the NCAJ.
- To improve access to justice for vulnerable groups, NCAJ developed the National Strategy on Justice for Children to provide a vision of children's matters in the justice sector. Further, NCAJ held child service month and organised a high-level Summit on child justice.

2.1.3 Achievements in the FY 2023/24

Caseload Statistics

In FY 2023/24, a total of 515,620 cases were registered in all courts across the country, while **509,787** cases were resolved. This resulted in a Case Clearance Rate (CCR) of 99 percent, which is the same performance as the previous Financial Year.

In the same period, the overall case backlog in the Judiciary reduced by 18 percent from 273,711 cases at end June 2023 to 222,746 cases at the end of June 2024.

Establishment of Courts and Sub-Registries

High Court

Two sub-registries (Isiolo and Thika) were elevated to fully-fledged High Courts and 3 High courts (Kibera, Nyandarua, and Kwale) bringing the number of high courts to 46. Thika High Court has supervisory jurisdiction over Thika, Ruiru and Gatundu Magistrates Courts; Kibera High Court has supervisory jurisdiction over Kibera, JKIA, and Kahawa Magistrates Courts; Nyandarua High Court, based in Ol-Kalou has supervisory jurisdiction over Engineer and Ol-Kalou magistrates courts and Kwale High Court has supervisory jurisdiction over Kwale and Msambweni Magistrate Courts.

Environment and Land Court (ELC)

Three ELC courts were operationalized at Voi, Ol-Kalou, and Naivasha increasing the total number of ELCs to forty (40). A new sub-registry was established at Lodwar, Turkana County.

Magistrates & Kadhi's Courts:

Three magistrates' courts were operationalized in Port Victoria, Etogo, and Malaba. Further, five Kadhi's courts were established in Hola, Busia, Mashuru, Vihiga, and Tongaren.

Small Claims Courts:

Two courts were gazetted at Voi and Garissa Law Courts while 25 were operationalized at Malindi, Makindu, Kitui, Ruiru, Murang'a, Narok, Kisii, Siaya, Kitale, Lamu, Embu, Kericho, Chuka, Kerugoya, Nanyuki, Migori, Kakuma, Wajir, Dadaab, Loitoktok, Busia, Mandera, Taita Taveta, Malaba, and Moyale. The focus was mainly to address the border towns and other areas where high commercial disputes are recorded from heightened trade activities.

Mediation registries

Nine new CAM registries were established in Homabay, Voi, Garissa, Kenol, Isiolo, Marsabit, Makueni, Nyahururu, and Narok Law Courts. This brings the total number of established mediation registries to 63 and the number of counties implementing mediation to 41. A total of 6,136 matters were referred to mediation, out of which 5,418 were concluded with a

settlement rate of 55.9%. This resulted in the release of Kshs. 35.1 Billion back into the Kenyan economy.

Court Circuits

- **Court of Appeal:** The Court of Appeal conducted 28 circuits, and out of the 754 cases listed, 557 cases were resolved with a case clearance rate of 73.8%.
- **High court:** The high court conducted 51 circuits where 2,717 matters were heard and determined.
- **Employment and Labour Relations Court:** The ELRC court conducted 31 circuits where 309 matters were heard and determined.
- **Environment and Land Court:** Thirteen (13) circuits were conducted where a total of 492 cases were heard and determined.
- **Tribunals:** Tribunals conducted 36 circuits where 2,085 matters were heard and determined.

Service weeks

- **High Court:** The high court held 10 service weeks where 1,158 matters were heard and determined.
- **Employment and Labour Relations Court (ELRC) :** The ELRC court held 1 service week where 84 matters were heard and determined.

Rapid Results Initiatives

The high court held 12 RRIs at various high courts countrywide, where 1,585 matters were heard and determined.

Staffing to ensure efficiency in courts

- **High Court:** To enhance access to Justice, twenty (20) new judges were appointed and sworn in on May 14, 2024. Additionally, nine (9) Legal Researchers were recruited, posted and deployed to the high courts.
- **Small Claims Court:** The period under review saw the designation of thirty-two (32) Resident Magistrates as adjudicators bringing the total to 131.

- **Tribunals:** Two tribunals transitioned to the Judiciary, the Capital Markets Tribunal, and the National Examinations Appeals Tribunal bringing the total of Tribunals in the Judiciary to 23. In addition, the Judiciary facilitated the swearing-in of 39 chairpersons and members for twelve tribunals.

External Engagements

The Supreme Court of Kenya conducted a working visit to the Supreme Court of Rwanda, where they both engaged the Supreme in fruitful discussions on the role of the Apex Courts in upholding justice, human rights and constitutional integrity in their respective nations. The key areas covered included:

- i) Strengthening administrative and financial independence.
- ii) Judicial reforms in both Kenyan and Rwandan Supreme Courts.
- iii) Alternative Justice Systems both in Kenya and Rwanda (Gacaca Courts)

Judiciary Digital Strategy

i) Launch of the E-Filing System for all court stations

The eFiling system was activated in all the court stations, and a total of 493,536 cases were filed online through the eFiling platform as of May 2024. During the rollout of the e-filing exercise, 42 Judges, 220 Judicial Officers, and 750 registry staff were sensitized on their roles in the eFiling system, enhanced Case Tracking System features, and MS Office 365 speech-to-text solutions. Over 2,000 external stakeholders including advocates, prosecutors, state counsels, police officers, prison officers, business community, NGOs, children officers, and Probation Officers among others, were sensitized on their role in the e-filing system.

The eFiling System has eliminated the need for litigants and members of the public to travel to court premises to file and access case information at the registry. This has resulted in reduced adjournments, cost of travel, and time taken by litigants.

ii) Enhancement of the Case Tracking System

Continuous enhancement of Case Tracking System has been done to include new features such as:

- Case file transfer that enables continuous hearing even when the case has been reassigned to a different Judge/Judicial officer.
- Judgements & Rulings-This feature has provided a platform for Judges and Judicial Officers to publish court decisions that are available to litigants online and in real time without going to the court registries.
- Mapping of all Court Users – This feature has enabled all court users to be mapped through their unique identifier to all matters they are party to. This has improved real-time communication to the parties thus reducing adjournments, saving time, and eased case tracking.
- Auto-allocation of mention and hearing dates – This feature has automated the court diary ensuring that each matter is fairly allocated dates.
- Further, the Cause List Portal has been enhanced to provide virtual links for each Judge/Judicial Officer and alerts to the litigants. The system has continued to provide automated Fee assessment that has eliminated the problem of under and over assessment of court fees. The E-receipting process has also reduced the malady of fake receipts thus reducing revenue leakages

iii) **Transcription Services**

The Judiciary has established a National Transcription Centre where 1,294 transcripts have been produced and sensitized Office Administrators on speech-to-text solutions.

iv) **Digitization of Court Records**

A total of 1040 digitization agents were engaged and a total of 325,651 court files were scanned and uploaded to Case Tracking System.

v) **ICT Infrastructure**

The Judiciary continued to provide internet services in all the court stations, tribunals, and offices. In collaboration with the Communication Authority and ICT Authority, installed LAN Infrastructure in 42 sites and connected 76 sites to National Optic Fibre Network Backhaul Initiative (NOFBI) connectivity.

The enhanced infrastructure has enabled all court users to attend court sessions virtually without the need to travel to the court premises. This has resulted in reduced adjournments as well as savings on the cost of travel and time.

The National Council on the Administration of Justice

To strengthen the administration of justice at the grassroots, an additional 10 CUCs were established in various court levels bringing the total number of CUCs to 266 CUCs.

To enhance reforms and coordination in the justice sector, NCAJ developed various guidelines, strategies, and reports. These include the National Strategy on Justice for Children, 2023-2028, the Commercial Justice CUC guidelines, the SGBV CUC guidelines, NCAJ Communication Strategy, Standard Operating Procedures for Effective Undertaking of Service Delivery Initiatives in the Justice Sector, and Strategic Guiding Framework for Greening Kenya's Justice System.

2.1.4 Achievement of Targets

Specific targets, indicators and actual achievements for the FY 2021/22 to FY 2023/24 are summarized in Table 2.1.

Table 2.1 Analysis of Programme Targets and Actual Targets

Output	Delivery Unit	Key Performance Indicator	Planned Target			Achieved Target			Remarks
			2021/ 22	2022/ 23	2023/ 24	2021/ 22	2022/ 23	2023/ 24	
Programme: Dispensation of Justice									
Sub-Programme 1: Access to Justice									
Judicial Services	Judiciary	Case clearance rate - %	110	103	105	94	99	99	
		Reduction of case backlog aged 3 years and above - %	10	15	20	16	2.75	18	
		Maximum No. of Days taken to resolve election cases	180	180	-	N/A	180	-	
		No. of COA stations holding Circuits	4	4	10	2	4	2	
		No. of High Courts with Circuits	7	12	5	12	18	11	
		No. of ELC stations with Circuits	1	1	10	2	3	8	
		No. of ELRC stations with Circuits	4	4	4	3	4	6	
		No. of Tribunals with circuits	3	5	10	6	5	12	
		No. of mobile courts held	60	60	60	59	57	58	
		No. of Supreme Court sub registries established	2	2	0	2	0	0	
		No. of mediation registries established	10	15	3	12	17	3	
		Mediation settlement rate - %	65	65	65	51	51	55.9	
No. of new mediators accredited								This brings the total number of accredited mediators to 1,612	
No. of new COA stations established & operationalised		100	200	200	164	243	382	Eldoret and Nakuru	
		-	2	1	0	0	0		

Output	Delive ry Unit	Key Performance Indicator	Planned Target			Achieved Target			Remarks
			2021/ 22	2022/ 23	2023/ 24	2021/ 22	2022/ 23	2023/ 24	
Judicial Service s		No. of new High Courts Stations established & operationalised	0	4	10	2		1	Establishment and operationalization of Kapsabet High Court Station, vide Gazette Notice No. 656, 27/1/23
		No. of new ELRC stations established & operationalised	2	2	2	2	2	1	Kakamega elevated to a fully-fledged Court station. Judge moved from ELRC Bungoma to Kakamega.
		No. of ELRC stations established & operationalised	2	2	2	11	1	0	Voi ELC
		No. of new Magistrates' courts established & operationalised	3	12	5	0	3	3	Port Victoria, Etogo, Malaba
		No. of specialized courts established & operationalised	0	0		0	4	0	
		No. of new Kadhis' courts stations established & operationalised	1	1	1	0	1	5	Hola, Busia, Mashuru, Vihiga & Tongaren
		No. of Mobile Courts established	4	3	0	2	0	0	
		No. of new HC sub-registries established	1	2	5	0	2	0	Thika High Court Gazettement of Iten High Court – Gazette Notice No. 657, 27/1/23
		No. of new ELRC sub-registries established	2	1	2	0	1	0	

Output	Delive ry Unit	Key Performance Indicator	Planned Target			Achieved Target			Remarks
			2021/ 22	2022/ 23	2023/ 24	2021/ 22	2022/ 23	2023/ 24	
Simplif ied Court Process es		No. of ELC sub-registries established	0	2	5	0	2	1	
		No. of tribunals sub-registries established	0	4	7	8	8	3	
		No. of new small claims courts established	10	8	20	11	1	25	
		No. of EDR Practice Directions developed	4	1	1	3	0	0	Applied in last elections period
		No. of <i>pro-se</i> litigants' manuals for courts developed	0	0	1	0	0	0	
		Reviewed HC registry manual	0	1	1	0	0	1	
		No. of HC guidelines on handling children cases	0	0	1	0	0	1	
		Reviewed ELC Registry manual	0	1	1	0	1	1	
		ELRC procedure rules reviewed	0	1	1	0	1	1	
		Reviewed ELRC Registry manual	0	1	1	0	1	1	
		Small Claims court Registry Manual developed	0	1	1	0	0	0	In progress
		No. New COA ongoing Building	1	1	0	0	0	0	Design for the building completed
		No. of ongoing High Courts buildings completed (GOK)	8	5	4	8	2	0	Budget cut
		No. of ongoing Magistrates' courts buildings completed (GOK)	16	2	16	3	1	0	Budget cut
		No. of Courts of Appeal buildings rehabilitated/Refurbished	1	1	0	1	1	0	Budget cut
		No. of High courts buildings rehabilitated/Refurbished	2	9	3	7	5	2	Budget cut
		No. of Magistrates' courts buildings rehabilitated	12	20	40	19	10	28	Budget cut
		No. Stations with Solar System / Generators	1	10	6	-	5	9	

2.2 Analysis of expenditure trends for the FY (2021/22 – 2023/24)

2.2.1 Overall Expenditure Trends

The Judiciary's approved Budget allocations for FY2021/2022 was KShs. 18,560,644,108, KShs. 21,132,239,000 in FY2022/2023 and KShs. 22,422,000,000 in FY2023/2024. This represented a growth of 12% from FY2021/22 to FY2022/2023 and 6% growth from FY2022/2023 to FY2023/2024. The overall absorption rate was 94% in FY FY 2021/22 and 95% in FY 2022/23. However, this increased to 97% in FY2023/2024.

2.2.2 Analysis of Recurrent Expenditure

The approved recurrent budget allocation increased by 6% in FY 2023/24, from KShs. 19,232,239,000. in FY 2022/23 to Kshs 21,022,000,000, by 20% in FY 2022/23 from KShs. 15,968,320,385 to Kshs 19,232,239,000 and by 10% in FY 2021/22 from Kshs 14,575,278,582 in FY 2020/21 to kshs 15,968,320,385.

The share of compensation to employees over the total recurrent budget increased from 66% in FY 2022/23 to 67% in FY 2023/24 which is attributed to the recruitment of more judicial officers and staff to address the gaps in the staff establishment and enhance service delivery. The share of other recurrent budgets declined from 34% in FY 2022/23 to 33% in FY 2023/24. A breakdown of the recurrent expenditure by economic classification is shown in Table 2.2.

Table 2.2 Analysis of Recurrent Expenditure (KShs. Million)

Vote and Details	Economic Classification	Approved Budget Allocation			Actual Expenditure		
		2021/22	2022/23	2023/24	2021/22	2022/23	2023/24
R1261	Gross	15,968	19,232	21,022	15,639	18,653	20,711
	AIA	-	-	-	-	-	-
	NET	15,968	19,232	21,022	15,639	18,653	20,711
	Compensation to Employees	10,081	12,438	13,921	10,049	12,356	13,920
	Transfers	-	-	-	-	-	-
	Other Recurrent	5,887	6,795	7,101	5,591	6,297	6,791
	<i>of Which...</i>						
	Utilities	167	154	166	122	148	161
	Rent	87	99	127	85	93	126
	Insurance	1,320	1,520	1,596	1,318	1,520	1,595
	Subsidies	-	-	-	-	-	-
	Gratuity	20	17	142	16	17	142
	Contracted guards and Cleaning Services	432	385	385	387	367	376
	Other Recurrent	3,861	4,620	4,685	3,663	4,152	4,391

2.2.3 Analysis of Development Expenditure

The development budget decreased by 26% in FY 2023/24 from KShs. 1,900,000,000 in FY 2022/23 to KShs 1,400,000,000, by 27% in FY 2022/23 from KShs 2,592,000,000 in FY 2021/22 to KShs. 1,900,000,000 and increased by 2% in FY 2021/22 from KShs 2,558,000,000 in FY 2020/21 to KShs 2,592,000,000.

The absorption rate for the development vote recorded at 70% in FY 2021/22, 77% in FY 2022/23 and declined to 66% in FY 2023/24. The low absorption on the development budget was as a result of lack of exchequer for the fourth quarter of FY 2023/24. The analysis of the development expenditure by category is provided in Table 2.3

Table 2.3 Analysis of Development Expenditure (KShs. Million)

Vote & Vote Details	Description	Approved Budget			Actual Expenditure		
		2021/22	2022/23	2023/24	2021/22	2022/23	2023/2024
9011	Gross	2,592	1,900	1,400	1,809	1,478	930
	GOK	1,595	1,900	1,400	995	1,478	930
	Loans	997	-	-	814	-	-
	Grants	-	-	-	-	-	-
	Local AIA	-	-	-	-	-	-
Totals		2,592	1,900	1,400	1,809	1,478	930

2.2.4 Absorption trends

Figure 1 shows the budgetary absorption rate and trends for the period 2021/22 to 2023/24. The overall absorption rate for FY 2021/22 was 94% and 2022/23 at 95% and a slight increase to 97% in FY 2023/24.

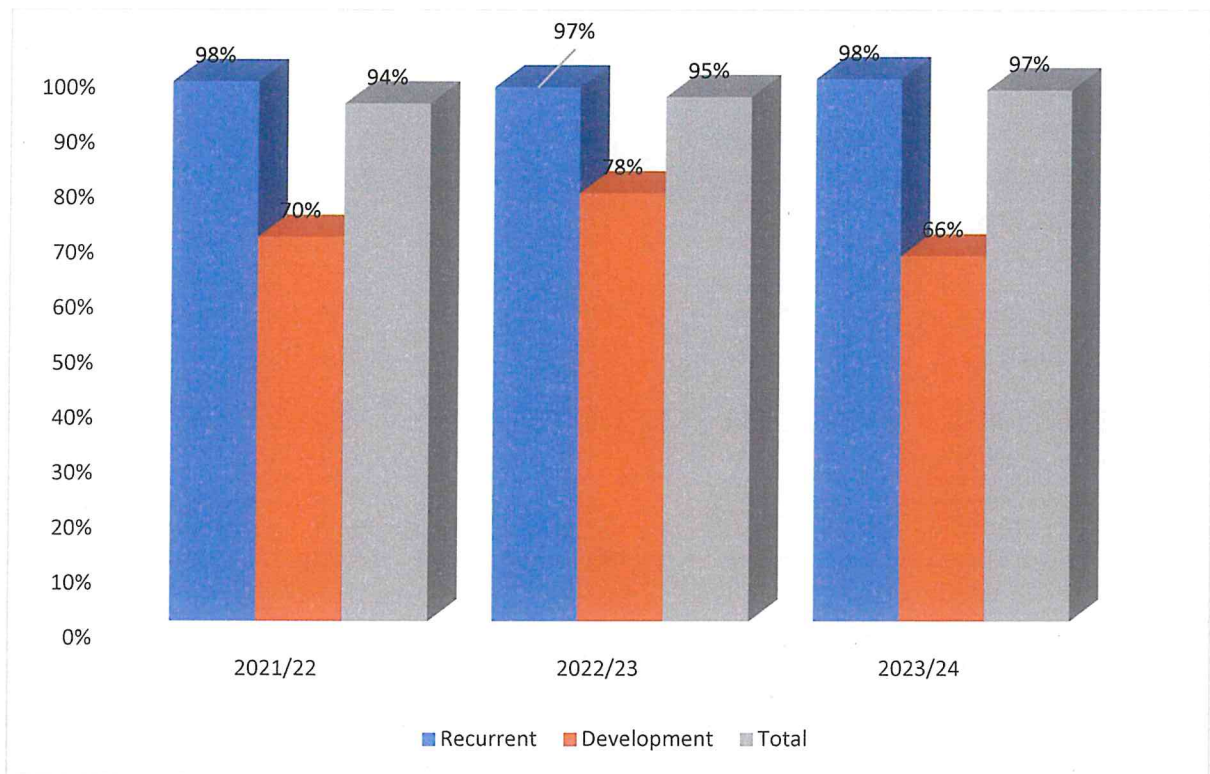


Figure 1.1 Trends in Budget Absorption

2.2.5 Analysis of Programme Expenditure

Judiciary's programme is Dispensation of Justice and has two sub-programmes: Access to Justice; and General Administration, Planning and Support services. The sub-program on Access to Justice which covers the core mandate of the Judiciary received a larger share of the budget at 69% over the three years under review. This is shown in Table 2.4.

Table 2.4 Analysis of Programme Expenditure (KShs. Million)

	Approved Budget			Actual Expenditure		
	2021/22	2022/23	2023/24	2021/22	2022/23	2023/24
Programme: Dispensation of Justice	18,561	21,132	22,422	17,449	20,131	21,641
Sub-Prog. 1: Access to Justice	12,993	14,793	15,695	12,214	14,092	15,149
Sub-Prog. 2: Administration and Support Services	5,568	6,340	6,727	5,235	6,039	6,492
Total Vote	18,561	21,132	22,422	17,449	20,131	21,641

2.2.6 Analysis of Programme Expenditure by Economic Classification

Allocation for Compensation to Employees has been on an upward trend from KShs. 10 Billion in FY 2021/22, KShs. 12.5.0 Billion in FY 2022/23 to KShs. 13.9 Billion in FY2023/24. As a share of the total budget, this represented 54%, 59% and 62% for FY 2021/22, FY 2022/23 and FY 2023/24 respectively. The approved budget on use of goods and services was 28% in FY 2021/22, which increased to 29% 2022/23 and decreased to 26% in FY 2023/24. On the other hand, the proportion of Other Recurrent to total allocation decreased gradually over the three years as shown in Table 2.5.

Table 2.5 Analysis by Category of Expenditure: Economic Classification (KShs. Million)

Economic Classification	Approved Budget			Actual Expenditure		
	2021/22	2022/23	2023/24	2021/22	2022/23	2023/24
Programme 1: Dispensation of Justice						
Current Expenditure						
Compensation to Employees	10,081	12,438	13,921	10,049	12,356	13,920
Use of goods & Services	5,157	6,032	6,225	4,911	5,788	5,914
Grants and Other Transfers	-	-	-	-	-	-
Other Recurrent	730	763	876	680	508	877
Capital Expenditure						
Acquisition of Non-Financial Assets	2,592	1,900	1400	1,809	1,478	930
Capital Grants to Govt. Agencies	-	-	-	-	-	-
Other Development	-	-	-	-	-	-
Total Program	18,561	21,132	22,422	17,449	20,131	21,641
Total Vote 9011	18,561	21,132	22,422	17,449	20,131	21,641

2.3 ANALYSIS OF CAPITAL PROJECTS BY PROGRAMME

The Judiciary has been implementing capital projects including constructions, rehabilitations and refurbishments of court buildings and Tribunal premises. During the reporting period all the projects were funded by GOK and their implementation was low due to budgetary constraints.

Table 2.6 Analysis of performance of capital Projects FY 2025/26– 2027/28

Project Code & Title	Financing			Geographic Location		Timeline		Cumulative Expenditure	Difference	Budget FY 2024/26	Proposed Allocation for FY 2025/26		Proposed Allocation for FY 2026/27		Proposed Allocation for FY 2027/28		REMA RKS
	Estimated Cost	GoK	Foreign	County	Sub-County	Start Date	Finish Date				GoK	Foreign	GoK	Foreign	GoK	Foreign	
1 Wanguru Law Courts	72.55	72.55	0.0	Kirinyaga	Mwea	22 December 2022	May 21, 2024	27.12	45.43	13.50	1.00	0.0	1.06	0.0	1.11	0.0	Completed (Allocation to cushion for structural issues)
2 Completion of Phase 2-Eldama Ravine Law Courts	150.00	150.00	0.0	Baringo	Eldama Ravine	15 December 2022	30th June 2026	27	123.18	25.00	5.00	0.0	5.30	0.0	5.57	0.0	Ongoing
3 Completion of Marimanti	95.95	95.95	0.0	Tharaka Nithi	Marimanti	19 May 2023	30th June 2026	11	85.20	35.00	1.00	0.0	1.06	0.0	1.11	0.0	to be completed

25	Law Courts	JPIP Project-Completion of Makueni Law Courts	28.10	28.10	0.0	Makueni	Wote	March 3 2024	30th June 2026	-	28.10	5.00	5.00	0.0	5.30	0.0	5.57	0.0	Ongoing
26		Refurbishment for Children's court (Hurlingham)	40.00	40.00	0.0	Nairobi	Kilima	01/07/2025	30th June 2027	-	40.00	0.00	1.00	0.0	35.00	0.0	100.11	0.0	To be advertised in April 2026
27		Construction of Mbita Law Courts	220.00	220.00	0.0	Hombabay	Mbita	15/03/2017	30th June 2028	-	220.00	0.00	1.00	0.0	100.06	0.0	200.11	0.0	Submission for Geotechnical and Topographical assessment to commence 2025/26 FY. g
28		Construction of Marsabit Law Courts	420.00	420.00	0.0	Marsabit	Laisamis	17/03/2017	30th June 2029	-	420.00	0.00	1.00	0.0	100.06	0.0	200.11	0.0	Submission for Geotechnical and Topographical assessment to commence

33	Proposed Completion of Garissa Law Courts	40.00	40.00	0.0	Garissa	Garissa Town	01/07/2020	30th June 2027	-	40.00	0.00	1.00	0.0	40.00	0.0	100.11	0.0	Completion works to commence 2025/26 FY
34	Refurbishment of Kiambu law courts	225.00	225.00	0.0	Kiambu	Kiambu Town	01/07/2024	30th June 2029	-	225.00	0.00	1.00	0.0	50.00	0.0	100.11	0.0	Ongoing
35	Construction of Kisii High Court	1,000.00	1,000.00	0.0	Kisii	Bonchari	01/07/2022	30th June 2030	-	1,000.00	0.00	0.00	0.0	0.00	0.0	600.00	0.0	New
36	Construction of Kericho High Court	1,000.00	1,000.00	0.0	Kericho	Ainamoi	01/07/2024	30th June 2030	-	1,000.00	0.00	0.00	0.0	0.00	0.0	0.00	0.0	New
37	Retrofitting of Kericho High Court	150.00	150.00	0.0	Kericho	Ainamoi	01/07/2024	30th June 2030	-	150.00	0.00	1.00	0.0	50.00	0.0	200.11	0.0	Retrofitting works to commence 2025/26 FY
38	Construction of Perimeter	15.00	15.00	0.0	Lamu	Lamu West	01/07/2023	30th June 2027	-	15.00	0.00	0.00	0.0	0.00	0.0	0.00	0.0	Completion works

49	ICT - Judiciary Digital Strategy	6,385.70	6,385.70	0	N/A	N/A	01/07/ 2019	30/06/ 2030	224.92	6,160.78	342.50	600.00	0	636.00	0	967.80	0
50	Security Scanners	600.00	600.00		N/A	N/A	01/07/ 2019	30/06/ 2030	-	600.00	0.00	100.00		106.00		111.30	
51	Acquisitio n of office sace	1,200.00	1,200.00				01/07/ 2025		-	-	0.00	547.10		652.90			
52	Ford Foundatio n support to Judiciary	118.90	-						-	-	44.50	32.89		24.05		17.55	
	TOTAL	37,565.55	37,436.65	0.00					871.53	35,375.12	801.40	2,279.99	0.00	3,576.95	0.00	5,197.55	0.00

2.4 PENDING BILLS

Judiciary's pending bills for the period under review as at the end of the FY 2023/24 are as

Table 2.7 Summary of Pending Bills

Type/Nature	Due to Lack of Exchequer			Due to Lack of Provision		
	2021/22	2022/23	2023/24	2021/22	2022/23	2023/24
1. Recurrent	95	0	413	15	266	
Compensation of Employees	-	-	-	-	-	-
Use of goods and Services	95	0	413	15	266	-
Social Benefits	-	-	-	-	-	-
Other Expenses	-	-	-	-	-	-
2. Development	113	103	398	0	245	
Acquisition of Non-Financial Assets	113	103	398	-	169	
Use of goods and Services	-	-	-	-	76	
Others	-	-	-	-	-	-
Total Pending Bills	208	103	811	15	511	

2.5 SUMMARY OF COURT AWARDS

Judiciary has had several court awards for various contracts which still remain unpaid to date. The reason for non-payment is attributable to inadequate funding. *Table 2.8* below shows a summary of the pending bills by close of the review period.

Table 2.8 Summary of Court Awards

	Details of the Award	Date of Award	Amount	Payment to Date	Balance	
2.	Land Mark Holdings	11 th March 2019	169,244,858	100,000,000	69,244,858	Balance due to Budget Cuts.
	Total		169,244,858	100,000,000	69,244,858	

CHAPTER THREE

3. MEDIUM TERM PRIORITIES AND FINANCIAL PLAN FOR THE MTEF PERIOD 2025/26 – 2027/28

3.1 PRIORITIZATION OF PROGRAMMES AND SUB-PROGRAMMES

This chapter provides detailed information on the Judiciary's programme and two sub-programmes with their outcomes, outputs for the specific priority areas for the MTEF period 2025/26– 2027/28. This further includes the respective key performance indicators (KPIs) for the expected outputs. The targets and actual achievements for the FY 2023/24 have also been included in the report, while targets for 2024/25 are used as the baseline for the identified planned outputs for the outer years.

3.1.1 Programmes and their Objectives

The Judiciary will continue to prioritize the dispensation of justice programme, and the two sub-programmes during the MTEF period FY 2025/26– 2027/28. The dispensation of justice programme focuses on realization of the Judiciary's constitutional mandate articulated in **Article 159 inter alia; 'expeditiously dispense justice to all irrespective of status, promote alternative disputes resolution mechanisms, administer justice without undue regard to procedural technicalities and, protect and promote the purpose and principles of the Constitution'.**

3.1.2 Programmes, Sub-Programmes, Expected Outcomes, Outputs, and Key Performance Indicators for the Sector

The dispensation of justice programme comprises two sub-programmes. The first sub-programme is Access to Justice whose expected outcome is enhanced delivery of justice with improved physical access as well as procedural facilitation. The second sub-programme is the General Administration, Planning and Support Services whose expected outcome is enhanced efficiency and effectiveness in provision of administrative and support services.

Under the two broad sub-programmes, other specific interventions and initiatives with diverse outputs, are prioritised for implementation by different delivery units of the Judiciary. The priority areas for implementation under the detailed sub-programmes are primarily drawn from the Social Transformation through Access to Justice (STAJ) Vision.

3.1.3 Programmes by Order of Ranking

The Judiciary has only one programme; “Dispensation of Justice”.

Table 3.1 provides detailed information on the two sub-programmes and their outcomes, outputs for the specific priority areas for the MTEF period 2025/26– 2027/28.

Table 3.1 Programme/Sub-Programmes, Outcome, Outputs and Key Performance

Table 3.1 Programmes/Sub-Programmes, Outcomes, Outputs and Key Performance Indicators							
Output	Key Performance Indicator	Target	Actual Achievement	Target (Baseline)	Target	Target	Remarks
	Indicator	2023/ 24	2023/24	2024/ 25	2025/26	2026/27	2027/28
Programme: Dispensation of Justice							
Sub-Programme 1: Access to Justice							
Judicial Services	Case clearance rate - %	103	99	103	110	110	110
	Reduction of case backlog aged 3 years and above - %	10	18	15	15	10	10
	Maximum No. of Days taken to resolve election cases	180	150	n/a	n/a	n/a	180
	No. of Circuits Held by Supreme court	1	0	1	1	1	1
	No. of COA Circuits	28	28	28	28	28	28
	No. of High Court Circuits	51	51	51	51	51	51

Output	Key Performance Indicator	Target	Actual Achievement	Target (Baseline)	Target			Remarks
		2023/ 24	2023/24	2024/ 25	2025/26	2026/27	2027/28	
	No. of ELC Circuits	13	13	13	13	13	13	
	No. of ELRC Circuits	31	31	31	31	31	31	
	No. of Tribunals circuits	28	36	28	28	30	30	
	No. of mobile courts in operation	60	57	60	60	60	60	
	No. of Supreme Court sub registries established	0	0	0	1	1	1	
	No. of COA sub registries established	1	0	1	1	1	1	
	No. of mediation registries established	15	9	10	11	11	11	
	Mediation settlement rate - %	55	55.9	50	60	65	65	
	No. of new mediators accredited	200	382	200	300	320	330	
	No. of new High Courts Stations established & operationalised	10	3	1	1	1	2	Iten, mararal, Lamu, wajir, mandera
Judicial Services	No. of new ELRC stations established & operationalised.	2	0	1	1	1	1	
	No. of ELC stations established & operationalised	3	3	3	3	3	3	

Output	Key Performance	Target	Actual	Target (Baseline)			Target	Remarks
		2023/ 24	2023/24	2024/ 25	2025/26	2026/27	2027/28	
	Indicator							
	No. of new Magistrates’ courts established & operationalised	5	3	3	3	3	3	
	No. of new Kadhis’ courts established & operationalised	1	5	1	1	1	1	
	No. of new Mobile Courts established	3	0	3	0	0	0	
	No. of new HC sub-registries established	3	2	2	2	2	2	
	No. of ELC sub-registries established ⁱ	5	1	3	3	3	3	
	No. of tribunals sub-registries established	7	3	7	2	2	2	
	No. of new small claims courts established	20	25	20	20	20	20	
	NCAJ Annual administration of Justice Report Published	1	1	1	1	1	1	
	Number of New CUCs established as per operationalised knew courts	30	17	30	30	30	30	

Output	Key Performance Indicator	Target 2023/ 24	Actual Achievement 2023/24	Target (Baseline) 2024/ 25	Target 2025/26 2026/27 2027/28			Remarks
					2025/26	2026/27	2027/28	
	No. of Judiciary desks established in Huduma Centres			10	12	12	12	
	No. of court files digitized	76,740	25,651	76,740	76,740	76,740	76,740	
	No. of court stations connected with solar power		8	5	5	5	5	
Simplified Court Processes	No. of SGBV courts established	2		5	2	2	2	
	No. of HC guidelines on handling children cases	0	0	1	0	0	0	
Court Facilities	% completion of New Supreme Court Building	1	0	0	10	30	80	
	% completion of COA Complex ongoing	1	0	0	10	30	80	
	No. of ongoing High Courts buildings completed	4	0	16	12	10	10	Narok, Milimani, Meru, Kwale, Voi, Wajir, Olkarao,
	No. of ongoing Magistrates' courts buildings completed	16	2	1	9	9	10	Eldam Ravine, Marimanti, Mavoko, Mandera, Githongo, Kandara, Habaswen, Takaka Kadhis
	No. of residential units for judge's constructions ongoing.	3	1	3	2	2	2	Budget cuts

Output	Key Performance Indicator	Target		Actual Achievement	Target (Baseline)		Target		Remarks
		2023/ 24	2023/24		2024/ 25	2025/26	2026/27	2027/28	
	No. of High courts rehabilitated/ Refurbished	3	2		20	20	20	20	
	No. of Magistrates' courts rehabilitated / Refurbished	40	28		50	50	50	50	
	Supply and installation of alternative power supply – generators & solar	6	9		10	20	20	22	
	Sub- Programme 2: General Administration, Planning and Support Services								
Administration Services	Number of vehicles procured/ leased	40	56		41	40	50	50	
	Performance Measurements Report Published	1	1		1	1	1	1	
	State of the Judiciary and Administration of Justice Report (SOJAR) Published	1	1		1	1	1	1	
	No of Risk Management Policy Developed	1	0		1	0	0	0	
	No. of Annual Caseload Statistics Reports Produced	1	1		1	1	1	1	
	Court stations with e-filing - %	25	100		50	0	0	0	
ICT Services									

Output	Key Performance Indicator	Target	Actual Achievement	Target (Baseline)	Target			Remarks
		2023/ 24	2023/24	2024/ 25	2025/26	2026/27	2027/28	
	Digitized court records - %	80	71	100	100	100	100	
	No. of courtrooms with transcription solution	50	50	70	100	150	200	
	No. of court stations with Video conferencing kit	50		70	90	137		
	No. of digital mobile courts established				0	0	0	

¹ ELC Circuit Courts established in Garissa, Chuka, Kabarnet, Nyandarua, Voi and Vihiga

¹ ELRC Courts with Circuit are Machakos, Malindi, Kitale, Bungoma, Meru, Kisii and Kericho

¹ ELC Courts established in Naivasha, Nyandarua and Voi isiolo ,thika

¹ High Court Sub-registries established in Mandela and Maralal

¹ ELC Sub-registries established in Lodwar

3.2 ANALYSIS OF JUDICIARY RESOURCE REQUIREMENTS VERSUS ALLOCATION

The Judiciary's approved budget allocation in FY 2024/25 is KShs. 22.7 Billion of which KShs. 21.8 Billion is for the recurrent vote and at KShs. 0.816 Billion for the development vote. This is the net position following the budget changes during FY 2024/24 Supplementary Estimates No I and II. On the other hand, the Judiciary's established resource requirements for the FY 2025/26 was KShs. 40.10 Billion with KShs. 31.62 Billion being Recurrent and KShs. 8.48 Billion being Development.

3.2.1 Recurrent Resource Requirements and Allocations

Table 3.2 shows the analysis of recurrent resource requirements for FY 2025/26 by economic classification. The recurrent requirements are to cater for among others: Clearance of case backlog; Establishment of new courts; Automation of court processes; Facilitation of special benches and circuits, mobile courts; Leasing of motor vehicles for judges and court stations; Recruitment of judicial officers and staff; and Operational & Maintenance (O&M) cost. In addition, A-I-A has also been introduced in the budget.

Table 3.2 Sector and Sub-sector Recurrent Requirements/Allocations (KShs. Million)

VOTE R 1261	Approved Estimates	REQUIREMENT			ALLOCATION		
	2024/25	2025/26	2026/27	2027/28	2025/26	2026/27	2027/28
Gross	21,894	31,617	34,779	38,257	24,603	25,657	26,899
AIA	0	0	0	0	366	13	13
NET	21,894	31,617	34,779	38,257	24,237	25,644	26,886
Compensation of Employees	15,209	20,478	22,525	24,778	16,134	16,252	17,064
Grants and Transfers	-	-	-	-	13	13	13
Other Recurrent	6,685	11,139	12,254	13,479	8,456	9,392	9,821
<i>of which</i>							
Utilities	169	279	306	337	214	237	248
Rent	133	200	220	242	168	187	195
Insurance	1,519	1,934	2,128	2,341	1,921	2,134	2,232
Subsidies	-	-	-	-	-	-	-
Gratuity	78	2	62	188	99	110	115
Contracted Guards & Cleaning Services	446	636	700	770	564	627	655
Other Recurrent	4,340	8,086	8,838	9,601	5,490	6,097	6,376
Sub-Total	21,894	31,617	34,779	38,257	24,603	25,657	26,899

3.2.2 Development Resource Requirements and Allocations

Resource requirement for the development vote for FY 2025/26 stands at KShs. 8.48 Billion as shown in *Table 3.3*. This amount is required for the completion of ongoing capital projects. The allocation provided for FY 2024/25 is KShs. 0.771 Billion and a Grant from the Ford Foundation which was introduced under FY 2024/25 Supplementary Estimates No II.

Table 3.3 Sector and Sub-Sector Development Requirements/Allocations (Amount KShs. Million)

VOTE D 1261	REQUIREMENT				ALLOCATION		
	2024/25	2025/26	2026/27	2027/28	2025/26	2026/27	2027/28
Gross	816	8,479	9,327	10,260	2,280	3,577	5,198
GOK	771	8,479	9,327	10,260	1,700	2,900	5,180
A-I-A	-	-	-	-	547	653	
Loans							
Grants (Ford Foundation)	45	-	-	-	33	24	18
Loan/AIA	-	-	-	-			
Sub-Total	771	8,479	9,327	10,260	2,280	3,577	5,198

3.2.3 Resource Requirements by Programme and Sub-Programmes

Table 3.4 Shows the resource requirements for the Judiciary during the MTEF period. The established resource requirement is KShs. 40.1 billion in the FY 2025/26, with the requirement rising to KShs. 44.11 billion in the FY 2026/27 and KShs. 48.5 billion in the FY 2027/28.

Table 3.4 Analysis of Programmes and Sub-Programmes Current and Capital) Resource Requirements (Amount KShs. Million)

Programmes	Approved Budget			Projections (Requirements)			2026/2027			2027/2028		
	2024/2025			2025/2026								
	Rec	Dev	Total	Rec	Dev	Total	Rec	Dev	Total	Rec	Dev	Total
Programme - Dispensation of Justice												
Access to Justice	15,326	816	22,710	22,132	5,936	28,069	24,346	6,529	30,875	26,780	7,182	33,962
Administration and Support Services	6,568	571	15,897	9,484	2,543	12,027	10,434	2,798	13,232	11,477	3,078	14,555
TOTAL PROGRAMME	21,894	245	6,813	31,617	8,479	40,096	34,779	9,327	44,106	38,257	10,260	48,517
TOTAL VOTE	21,894	816	22,710	31,617	8,479	40,096	34,779	9,327	44,106	38,257	10,260	48,517

The Access to Justice Sub-Program, which encompasses development of court infrastructure and automation, takes over 70% of the projected resource allocation at KShs.15.3 billion against the projected resource requirements in FY 2025/26 of KShs. 28.1 billion. Table 3.5 shows the analysis of the allocation per sub-program.

Table 3.4 Analysis of Programmes and Sub-Programmes Allocation (Amount KShs. Million)

PROGRAMMES	2024/2025			2025/2026			2026/2027			2027/2028		
	Rec	Dev	Total	Rec	Dev	Total	Rec	Dev	Total	Rec	Dev	Total
Programme - Dispensation of Justice												
Access to Justice	15,326	571	15,897	17,222	1,596	18,818	17,960	2,504	20,464	18,829	3,638	22,468
TOTAL SUBPROGRAMME I	15,326	571	15,897	17,222	1,596	18,818	17,960	2,504	20,464	18,829	3,638	22,468

PROGRAMMES	2024/2025			2025/2026			2026/2027			2027/2028		
	Rec	Dev	Total	Rec	Dev	Total	Rec	Dev	Total	Rec	Dev	Total
Administration and Support Services	6,568	245	6,813	7,381	684	8,065	7,697	1,073	8,770	8,070	1,559	9,629
TOTAL SUB PROGRAMME II	6,568	245	6,813	7,381	684	8,065	7,697	1,073	8,770	8,070	1,559	9,629
Dispensation of Justice	21,894	816	22,710	24,603	2,280	26,883	25,657	3,577	29,234	26,899	5,198	32,096
TOTAL VOTE	21,894	816	22,710	24,603	2,280	26,883	25,657	3,577	29,234	26,899	5,198	32,096

3.2.4 Resource Requirements and Allocations to Programme and Sub-Programmes by Economic Classification

Compensation of employees takes the largest share at 51% of resource requirements followed by other recurrent at 27% due to the Judiciary's nature of operations which is largely service-based. The remaining 22% of the resource requirements is shared among social benefits, and acquisition of non-financial assets. Detailed information on analysis of programme expenditure requirements versus allocation by economic classification and the allocations follow the same trend as shown in *Table 3.6*.

Table 3.5 Programmes and Sub-Programmes by Economic Classification (KShs. Million)

ECONOMIC CLASSIFICATION	2024/25			2025/26			2026/27			2027/28			2028/29		
	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34	2034/35	2035/36	2036/37	2037/38	2038/39
Programme 1															
Current Expenditure	21,894	31,617	34,779	38,257	24,603	25,656	26,899								
Compensation of Employees	15,209	20,478	22,526	24,778	16,134	16,941	17,788								
Use of Goods and Services	6,390	10,187	11,146	12,152	7,601	7,810	8,162								
Grants and Transfers	-	-	-	-	13	13	13								
Other Recurrent	295	952	1,107	1,327	869	906	950								
Capital Expenditure	816	8,479	9,327	10,260	2,280	3,577	5,198								
Acquisition of Non-Financial Assets	771	8,229	9,052	9,957	1,633	2,794	5,027								

ECONOMIC CLASSIFICATION	2024/25			2025/26			REQUIREMENT			ALLOCATION		
	2024/25	2025/26		2024/25	2025/26		2026/27	2027/28		2025/26	2026/27	2027/28
Capital Grants to Government Agencies	45	-		-	-		-	-		33	24	18
A-I-A										547	653	
Other Development	0	250		250	275		275	303		67	106	153
Total Programme	22,710	40,096		40,096	44,106		44,106	48,517		26,883	29,234	32,096

CHAPTER FOUR

4. CROSS-SECTOR LINKAGES , EMERGING ISSUES, AND CHALLENGES

4.1 Cross Sector Linkages

- Judiciary in fulfilling its mandate, collaborates with several state agencies from both the National and County governments. The institution interacts with players in Infrastructure and ICT, The Justice Sector Agencies, Land and Environment, National Security, Social Protection and the Economic Sector.
- The Judiciary through NCAJ undertakes initiatives for criminal and civil justice reform, access to justice for vulnerable groups, capacity improvement, CUC activities and justice sector monitoring and evaluation.
- In partnership with the Government of Kenya and with the intent on leveraging on the already established Huduma Centers, the Judiciary has set up service desks at these centers, aimed at offering court services thus brining justice closer to the people.
- The Judiciary in collaboration with the Ministry of Information, Communications and the Digital Economy has rolled out Ajira Programme in all court stations to undertake transcription of court proceedings, scanning and digitizing of court records, and in essence creating critical job opportunities for the youth of Kenya.

4.2 Emerging Issues

The Judiciary is aware that additional issues that may or may not be directly related to its core activities may have an impact on its capacity to meet the goals outlined in this report. This section addresses issues that should be considered in the process of planning for the next MTEF period.

i) Growth in use of Small Claims Courts

Small Claims Courts roll out across the country has been positively embraced by Kenyans who view the expeditious disposal of their cases as a critical component of access to justice. This has seen a surge in cases filed in these courts due to its rapid resolution turnaround time.

Its therefore paramount to increase resource allocation to facilitate the creation of these courts in every sub-county and employ adjudicators to preside over the small claims court as envisioned under Small Claims Court Act. Currently, magistrates have been designated to

preside over these courts thereby straining the limited number of magistrates available to hear and determine cases in the magistrates' courts.

As articulated in the Act, the small claim court hear and determine cases within 60 days of filing. However, appeals are not determined as fast. Therefore, increase in resource allocation will also equip the High Court to expeditiously deal with appeals from these courts as anticipated.

ii) *The posterity of Court annexed mediation*

The roll out of court annexed mediation has undoubtedly been one of the key success stories of the Judiciary in the past 6 years. Under the program, suitable court cases are referred to accredited mediators to assist the parties reach an amicable settlement that suits their needs.

These mediators are currently being given an honorarium as pay for their services. An emerging issue of concern is how this program can be sustained going into the future considering that many cases are being referred to mediation. The amount being paid to the mediators is minimal however there is need to explore ways of sustaining the program for posterity.

iii) *Challenges to the optimal implementation of the Judiciary Fund.*

The Judiciary Fund was operationalized in July last year. Its implementation has however revealed that there is need for legal reforms to address the obstacles that are hindering the effective realization of its purpose as envisaged in the Constitution

iv) *New Legal Frontiers:*

Globalization has brought forth new legal dimensions in the legal, ethics and governance, socio-economic rights, telecommunications environment such as cyber-crimes, international organised crime, lesbianism, gay, transgender, bisexuals and queer rights, climate change, artificial intelligence, among others. The Judiciary needs to invest in appropriate infrastructure, training and research that is geared towards growing indigenous jurisprudence and strengthening institutional capacity to meet the emerging needs. The Judiciary also needs to position itself to take advantage of artificial intelligence to develop an online dispute resolution mechanism. This will require a commensurate budgetary allocation to the Judiciary.

v) *Alternative Justice System:*

The Alternative Justice System aims at providing different forms of dispute resolution mechanisms including traditional approaches as long as they do not contravene the Constitution. AJS is expected to be affordable with minimal formalities, expeditious, less

adversarial and the remedies are diverse. The Judiciary is promoting AJS as means of decongesting the courts and reducing case backlog and will therefore require funding to mainstream AJS in courts and, sensitise and build capacity in communities.

vi) *Prioritization of Security*

The Judiciary, tasked with interpreting and upholding the law, plays a pivotal role in safeguarding the rights and freedoms of individuals, as well as maintaining peace and order within society. Yet, it continues to face an array of security threats, which can compromise its integrity and the trust it commands. Judges and Judicial officers are often the targets of intimidation, harassment, or violence due to the sensitive nature of the cases they preside over. By prioritizing physical security measures, including enhanced protection protocols, secure court environments, and personal security, the Judiciary will ensure that its officers can perform their duties without fear or coercion. Prioritizing security within the Judiciary is not about protecting judges, Judicial Officers, staff, its infrastructure or assets; it is about preserving the very foundation of justice.

vii) *Uniformity of Technology for Justice Administration:*

One of the most significant benefits of incorporating technology into justice dispensation is the improvement in access to justice. Through digital platforms like ERP, CTS, virtual hearings, and e-filing, litigants can now engage with the court system from virtually anywhere. This shift is critical to timely access to justice. There is therefore the need to increase funding for technological advancements to ensure justice is accessible to all and incorporate all justice administration players in the automation of justice dispensation processes. Recommended measures to optimize use of technology include training staff and creating awareness among litigants on the use of ICT, Inclusion of police and the prison department in the e-filing systems.

viii) *Optimizing the Judiciary's Organizational Structure:*

Adequate funding is paramount for full implementation of the Judiciary's Organizational structure which is geared towards increased human capital for effective justice dispensation. Targeted measures to undertake include recruitment and establishing the optimal number of judges, judicial officers, and judicial staff to support the mandate of the Judiciary, enhancing the Judiciary's human capital development initiatives to focus on new and emerging frontiers that support the operations of the Judiciary.

ix) Promoting access to justice for the vulnerable groups:

Promoting access to justice for vulnerable groups requires systemic reforms, targeted initiatives, and a commitment to equality and fairness. The Judiciary has and continues to proactively undertake initiatives to meet justice needs for the vulnerable and marginalized groups within the country. Insufficient funding however curtails the implementation of these initiatives as envisioned.

4.3 Challenges

1. Insufficient Funding:

The Judiciary has been receiving less than half of its budgetary requirements. This shortfall has grossly affected the implementation of critical programs such as

- a) the construction of courts, facilitation of benches and service weeks, operationalization of specialized courts such as Small Claims Courts and Gender Justice Courts, expanding Children Courts, mainstreaming of Court Annexed Mediation and Alternative Justice System, and sustenance of the *pro bono* scheme.
- b) The Judiciary is also unable to recruit an adequate number of Judges, Judicial officers, and staff to effectively handle the workload.
- c) The NCAJ is funded as a spending unit under the Judiciary and therefore, only the secretariat operations and CUCs are provided for. This is in spite of the fact that NCAJ's core mandate is focused on the whole justice chain and is carried out through working committees which comprise membership from the member agencies.
- d) The automation of various processes through applications such as CTS, E-filing, and ERP.

2. Lack of uniformity in the pace at which the justice sector players are implementing digitization.

Judiciary has made big strides in the recent past in the implementation of its digital strategy and leveraging on technology in dispensation of justice. The ultimate goal of enhancing access to justice through ICT may be hindered if the pace at which the key players in the justice sectors is not improved.

Litigants are being left behind due to challenges in connectivity, source of power and access to ICT enabled gadgets like smart phones. Some key players are yet to put policies in place to

enhance the uptake of ICT as an enabler of justice; and in some cases, the ICT platforms being deployed are not harmonized with those of the other stakeholders.

3. *Legal Gaps:*

Pursuant to the provisions of Article 169(1)(d) of the Constitution of Kenya 2010, the tribunals comprise of the subordinate courts. The operations of some of the tribunals that have been transferred to the Judiciary were anchored under the various ministries. However, upon transition, there is lack of a legal framework anchoring these operations within the Judiciary. Therefore, the enactment of the Tribunal Bill needs to be fast-tracked in order to address these legal gaps.

4. *Mental Wellness Challenges*

The mental wellness of judiciary staff is an increasingly important issue that demands attention. The Judiciary personnel are subjected to heavy caseloads, exposure to traumatic cases, and the constant pressure to deliver fair and timely judgments that can take a significant toll on their mental health. Judiciary personnel should be educated about the importance of mental wellness and the signs of burnout, stress, anxiety, and depression. The Judiciary has and continues to initiate measures to offer mental health support to its personnel. However more needs to be done like organizing regular workshops, seminars, and training on mental health awareness which can help normalize discussions around mental wellness. It is therefore prudent to allocate funds sufficient funds to mental wellness initiatives.

5. *Decentralization of tribunals*

Currently, all tribunals are located in Nairobi with occasional circuits to the outer regions. This hampers access to justice to litigants outside Nairobi's jurisdiction. There is a need, therefore, for the tribunals to be decentralized in strategic regions to enhance access to justice.

CHAPTER FIVE

5.0 CONCLUSION

The priorities for FY2025/26 and medium-term budget are aimed at expeditious dispensation of justice which is the key focus for the Judiciary. The initiatives include;

1. Increase of Case Clearance Rate (CCR) from the current baseline of 99% to 110% in the FY 2025/26 is poised to accelerate delivery of justice in courts and tribunals.
2. Clearance of at least 35% of case backlog aged 3 years and above will be done through service weeks, RRI and court circuits.
3. Leveraging on the digital strategy in automating court and administrative operations and processes, towards enhancing efficiency, effectiveness and timeliness in service delivery.
4. Expansion of Small Claims Courts so as to decongest the Magistrate courts, thereby reducing backlog and enhancing efficiency. Further, the accrued efficiency in handling matters before the SCCs will contribute to the government's objective of enhancing ease of doing business for SMEs.
5. Completion of the ongoing court constructions to enhance physical access to justice. Establishment of new sub-registries as well as conducting circuit sessions by superior courts and mobile court stations under the Magistracy courts so as to enhance expeditious delivery and access to justice.
6. Establishment of 36 SGBV courts and 100 child friendly courts will enhance access to justice for vulnerable groups.
7. Establishment of additional 33 CAM registries in court stations and accreditation of 950 mediators thus increasing mediation settlement rate by 65%.
8. The resources required to achieve the above initiatives has been established at approximately KShs. 40.1 Billion where KSh. 31.6 is for recurrent while KShs. 8.4 B is for the development Vote for the FY 2025/26. Therefore, Judiciary's budget allocation which has over the medium-term period averaged KShs. 20 Billion annually against resource requirements of KShs. 40 Billion needs to be enhanced.

CHAPTER SIX

6.0 RECOMMENDATIONS

1. **Resources:**

- a. Increase resource allocation to the Judiciary to facilitate recruitment of optimal human resource, expansion and completion of court infrastructure, digitisation and automation of court processes and registries, mainstreaming Court Annexed Mediation and roll-out of Small Claims Courts and decentralization of Tribunals.

2. **Automation:** Implement a more focused but comprehensive approach to automation in the Judiciary, which should include: anchoring use of ICT in the dispensation of justice in legislation; improved ICT infrastructure, enabling policies and enhanced internet services. This should be complemented by an all-inclusive stakeholder engagement to promote efficiency.

3. **Tribunal Bill:** There is need to fast track the enactment of the Tribunal Bill to facilitate the transitioning and operationalisation of the Tribunals in the Judiciary, and the speedy resolution of the pending litigation at the Court of Appeal.

4. ***Tribunals should be decentralized from Nairobi to enhance access to justice across the country.***

5. Allocate resources specifically to hire case managers to handle pre-trial procedures and preliminary inquiries in Children cases. This will ensure that the zero-adjourment policy is achieved, all matters listed for hearing proceed and in the long run reduce case backlog.

6. The digital platforms being deployed by the Judiciary, prisons department, and ODPP should be harmonized to ensure seamless exchange and integration of information relating to criminal cases.

7. Partner with stakeholders like county governments to establish ICT centers/hubs where members of public are enabled to participate in virtual courts and e-filing.



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