



REPUBLIC OF KENYA



JUDICIAL SERVICE COMMISSION



REPORT TO THE LAW SOCIETY OF KENYA ON STRATEGIC ACHIEVEMENTS FOR THE YEAR 2024



www.jsc.go.ke



JUDICIAL SERVICE COMMISSION

Presented to law society of Kenya
By the LSK representatives to JSC

Hon. Commissioner Jacqueline Ingutiah
Hon. Commissioner Omwanza Ombati

Published By

-  jscsecretariat@jsc.go.ke
-  +254 20 273 9180
-  CBK Pension Towers
13th floor Harambee Avenue
-  @jsckenya
-  [judicialservicecommissionkenya](https://www.facebook.com/judicialservicecommissionkenya)



www.jsc.go.ke

VISION

A Commission of Excellence in promoting an independent, transparent and accountable Judiciary.

MISSION

To facilitate an independent and accountable Judiciary that is competent, efficient, effective, and transparent in the administration of justice through capacity development and strategic partnerships.

CORE VALUES

- Independence
- Transparency
- Accountability
- Integrity and Professionalism

ACRONYMS AND ABBREVIATIONS

UC's	C	Court Users Committees
ELC		Environment and Lands Court
ELRC		Employment and Labour Relations Court
ERP		Enterprise Resource Planning
ICT		Information Communication Technology
IFCE		International Framework for Court Excellence
JSC		Judicial Service Commission
JLAC		Justice and Legal Affairs Committee
KJA		Kenya Judiciary Academy
LSK		Law Society of Kenya
PAS		Performance Appraisal System
PMMU		Performance Management and Measurement Understandings
SCC		Small Claims Court
SRC		Salaries and Remuneration Commission
SOJAR		State of Judiciary Administration of Justice Report
STAJ		Social Transformation through Access of Justice



TABLE OF CONTENTS

ACRONYMS AND ABBREVIATIONS	ii
LIST OF TABLES	iv
LIST OF FIGURES	iv
STATEMENT FROM LSK FEMALE REPRESENTATIVE	v
STATEMENT FROM LSK MALE REPRESENTATIVE	vi
EXECUTIVE SUMMARY	vii
INTRODUCTION	I
STRATEGIC ACHIEVEMENTS OF THE JSC IN 2024	3
Efficient, Accountable, Transparent, And Transformative Administration of Justice	3
REPORT TO THE LAW SOCIETY OF KENYA ON STRATEGIC ACHIEVEMENTS FOR THE YEAR 2024	
Motivated, Professional, Dynamic, Responsive Judges, Judicial Officers and Judicial Staff	12
Financially Independent and Sustainable Judiciary and the Judicial Service Commission	17
Increased public confidence and trust in the JSC and the Judiciary	21
Strengthened Institutional Capacity of the JSC	28
Strengthened Institutional Capacity of the JSC	28
CHALLENGES	29
RECOMMENDATIONS	30



LIST OF TABLES

Table 1:	Overall Judiciary performance for FY 2022-2023
Table 2:	Summary of Petitions against Judges
Table 3:	Nature of Allegations in the Petitions
Table 4:	Disciplinary cases against judicial officers
Table 5:	Nature of Disciplinary cases against judicial officers
Table 6:	Disciplinary cases against judicial staff
Table 7:	Nature of Disciplinary cases against judicial staff
Table 8:	Judicial Officers appointed in the FY 2023/2024
Table 9:	Continuous Judicial training programmes
Table 10:	Five-year comparisons between the National Budget and Judiciary Budget
Table 11:	The County Governments donated land and buildings to the Judiciary for establishment and construction of courts

LIST OF FIGURES

Figure 1:	Trends in resolved Cases
Figure 2:	Promoted Judicial Officers
Figure 3:	Analysis of Recurrent Expenditure



**STATEMENT FROM
LSK
FEMALE
REPRESENTATIVE**

**Hon. Commissioner
Jacqueline Ingutiah**

Female Representative to the
Judicial Service Commission



It is with profound honour as your representative to the Judicial Service Commission (the Commission) that I present this accountability report to you on the strategic achievements of the Commission for the year 2024. This year, the Commission has made remarkable strides in enhancing access to justice, improving efficiency within our judicial system, and bolstering public confidence in the rule of law. Key among our achievements is the establishment of additional High Court stations and sub-registries, ensuring that justice reaches every corner of this nation. The operationalization of 27 additional Small Claims Courts has further expedited case resolution, providing swift and cost-effective avenues for justice, particularly for vulnerable populations.

The Commission has also prioritized inclusivity and innovation, with expanded court automation and the rollout of e-filing systems across all counties. These efforts are critical in making justice more accessible, efficient, and transparent. Notably, Commission continues to strengthen judicial integrity through the development of anti-corruption and whistleblower policies, alongside the enforcement of the Judicial Service Code of Conduct. These initiatives reaffirm the Commission's unwavering commitment to upholding the highest standards of professionalism and accountability.

Despite the Commission's progress, challenges such as underfunding and insufficient resources remain a pressing concern. As advocates, we must collectively champion the financial independence of the Judiciary and the Commission. By securing adequate resources, the Commission and the Judiciary can address case backlogs, improve infrastructure, and enhance service delivery to the public.

We alive to the fact that members have raised concerns regarding judicial accountability, particularly in relation to the management of the training calendar, the absence of judges and judicial officers from court stations due to official duties, and alleged violations of the Code of Conduct by judges, judicial officers, and staff. The Commission wishes to assure members that necessary steps are being taken to hold the Judiciary accountable and any instances of breach of the Code of Conduct will be addressed strictly in accordance with the Constitution and rule of law.

As representatives of the society, we have a shared responsibility to champion the rule of law and support the judiciary's efforts. I urge my fellow colleagues in the Law Society of Kenya to actively engage with the National Assembly and other stakeholders to advocate for enhanced resource allocation to the Judiciary and the Commission. Further, I encourage greater collaboration between the LSK and Commission through structured platforms for dialogue and feedback, which are vital for addressing emerging challenges and fostering mutual growth.

In closing, I reaffirm my dedication to representing the interests of the Law Society of Kenya at the Commission. Let us continue to foster collaboration and build on the synergy between our institutions to advance the administration of justice in our nation. Together, we can ensure that the Commission and the Judiciary truly serve the people of Kenya.

Thank you.



**STATEMENT FROM
LSK
MALE
REPRESENTATIVE****Hon. Commissioner
Omwanza Ombati**Male Representative to the
Judicial Service Commission

I extend my deepest gratitude to you for the trust and confidence you have placed in me by electing me as your male representative to the Commission. It is a profound honour to serve in this capacity and to advocate for the interests of the legal profession within this critical institution.

As I take on this responsibility, I affirm my unwavering commitment to diligently representing your interests and ensuring that the voice of the Law Society of Kenya is consistently heard and respected within the Commission. I remain steadfast in promoting the rule of law, upholding judicial independence, accountability and supporting initiatives that enhance the administration of justice in Kenya.

This report provides an opportunity to present my inaugural accountability report on the Commission's strategic achievements for the year 2024. It reflects the Commission's unwavering commitment to an independent, efficient, and accountable judiciary. During the period, the Commission has made remarkable strides in improving the administration of justice through robust policies, enhanced judicial accountability, and expanded access to justice. Notable achievements include the reduction of case backlogs, with an impressive clearance rate of 99%, and the establishment of new court stations and sub-registries across the country. These milestones affirm the Commission's dedication to ensuring that justice is delivered promptly and equitably.

Moreover, the Commission has embraced ICT advancements, facilitating the rollout of e-filing systems and the establishment of a Registrar of Automation to oversee the Judiciary's digital transformation. These initiatives signify a pivotal step toward a modernized and accessible judiciary.

Despite these accomplishments, challenges persist. Budgetary constraints, representing a 45% funding deficit for the JSC and a 50% shortfall for the Judiciary, continue to hinder the fulfillment of our strategic goals. This financial gap underscores the critical need for collective advocacy to secure increased budgetary allocations to strengthen the independence and effectiveness of our judicial institutions.

In conclusion, I extend my gratitude to all members and stakeholders for your unwavering support in advancing the cause of justice.

Thank you.

EXECUTIVE SUMMARY

This report, presented to the Law Society of Kenya (LSK), highlights the strategic achievements of the Commission for the year 2024. It underscores the relationship between the Commission and LSK in fostering access to justice, transparency, accountability, and collaboration in the judicial sector.

During the reporting period, the Commission achieved significant milestones in line with its five strategic outcomes outlined in its 2022–2027 Strategic Plan. Key highlights include improved efficiency in judicial operations, with a commendable 97.26% performance score across courts, and a 99% case clearance rate, a 5% improvement from the previous year. The Commission facilitated the Judiciary to reduce case backlogs by 19% by establishing of additional High Court stations and operationalizing 27 new Small Claims Courts to enhance access to justice.

To improve judicial accountability, the Commission concluded a total 114 petitions against judges and five (5) disciplinary cases against judicial Officers. The Commission also disseminated the Judicial Service Code of Conduct to all court stations.

Leveraging technology as a key enabler, the Commission facilitated the Judiciary in rolling out e-filing in all counties; enacted an ICT Business Continuity Plan; and launching an Enterprise Resource Planning (ERP) system to streamline operations.

To strengthen integrity, the Commission developed policies, including Anti-Corruption policy and Investigations Procedures Manual.

Further, the Commission implemented continuous judicial education programs and enacted new policies to enhance professional competencies among Judges and judicial officers.

Despite these advancements, several challenges including inadequate funding hindered optimal performance. The Commission recommends increased budgetary allocations to the Judiciary and the Commission, the institutionalization of regular dialogue between the Commission and LSK, and collaborative efforts to address case backlogs. These measures are critical to sustaining the momentum in the efficient and equitable delivery of justice in Kenya.

INTRODUCTION

The Judicial Service Commission (the Commission) is an independent constitutional Commission established under Article 171 (1) of the Constitution. The mandate of the Commission under Article 172 (1) of the Constitution is to promote and facilitate the independence and the accountability of the Judiciary and the efficient, effective, and transparent administration of justice.

The composition of the Commission is set out under Article 171 (2) of the Constitution and includes Two (2) members, one male and one female, elected as representatives of the Law Society of Kenya. During the year under review, the Law Society of Kenya (the LSK) was represented by the **Hon. Commissioner Ms. Jacqueline Ingutiah** and **Hon. Commissioner Ombati Omwanza**.

The Law Society of Kenya is established under the Law Society of Kenya Act (CAP 18) with a broad mandate which includes protecting and assisting the public in all matters touching ,auxiliary or incidental to the law; to assist the government and the Courts in all matters affecting legislation and the administration and the practice of the law in Kenya ;and to represent ,protect and assist members of the legal profession in Kenya in respect of conditions of practice, among others.

The mandates of these two institutions naturally complement each other, creating a dynamic partnership in the pursuit of justice. This synergy underscores the importance of fostering collaboration and building strong partnerships. One avenue for such engagement is through accountability reports.

This report serves as a vital tool for transparency and feedback, keeping the Law Society of Kenya informed about the Commission's strategic achievements in fulfilling its mandate. Additionally, it delves into new and emerging opportunities for deeper collaboration between the two institutions, paving the way for even greater impact in the administration of justice.

The report is developed alongside the statutory Annual Reports and the State of the Judiciary and the Administration of Justice Report required under Sections 38 and 5 (2) (b) of the Judicial Service Act respectively and which can be accessed through the Commission's and the Judiciary's websites.

The JSC 2023-2024 report can be accessed through this link

<https://www.jsc.go.ke/wp-content/uploads/2024/02/JSC-ANNUAL-REPORT-FY-2023-24.pdf>

In the reporting period, the Commission undertook various strategic activities geared towards fulfilling its mandate and achieving various milestones in the implementation of the Five (5) strategic outcomes/results set out in the Commission's Strategic Plan 2022-2027:

- i. Efficient, effective, accountable, and transformative administration of justice.
- ii. Motivated, professional, dynamic, responsive judges, judicial officers and judicial staff.
- iii. Sustainable funding and sound financial management for the JSC and the Judiciary.
- iv. Increased public confidence and trust in the JSC and the Judiciary.
- v. Strengthened institutional capacity of the Commission.

The key achievements are reported based on the highlighted strategic outcomes.

2.1**STRATEGIC ACHIEVEMENTS OF THE JSC IN 2024****Efficient, Accountable, Transparent, And Transformative Administration of Justice**

The outcome of an efficient, effective, accountable and transformative administration of justice aims to ensure that the Judiciary functions in a manner that upholds the rule of law, strengthens public confidence, and delivers justice to all promptly and transparently.

These are being achieved through strengthening the governance framework and organizational performance; improved process of handling petitions, complaints, and disciplinary cases through judicial accountability; enhanced inclusivity in access to justice; strengthened financial systems and enhanced risk management systems.

2.1.1 Strengthened Organizational Performance within Judiciary

The Commission, in fulfilling its mandate to promote accountability in the Judiciary and ensure the efficient, effective, and transparent administration of justice, has institutionalized the Performance Management and Measurement Understandings (PMMUs) and the Performance Appraisal System (PAS) to strengthen organizational performance. The primary objective of the PMMUs is to assess the extent to which judicial units achieve their targets in alignment with the overarching goal of expediting the delivery of justice.

Court performance results are derived from actual achievements measured against set targets for each indicator. These indicators reflect the core mandates of the courts, along with other performance measures adopted from the International Framework of Court Excellence. They are strategically aligned with Judiciary policies and programs that aim to foster equitable access to justice and contribute to the broader goal of facilitating social transformation through access to justice for all individuals in society.

Overall judiciary Score Card- FY 2022/2023

The Judiciary made commendable progress in the 2022/2023 evaluation when contrasted with previous years. It is worth noting that the aggregate performance increased significantly from the 93.71 percent recorded in the previous year, reaching an impressive 97.26 percent. Table 1 shows overall Judiciary performance for FY 2022-2023

Table 1: Overall Judiciary performance for FY 2022 -2023

Courts/ Implementing Unit	FY 2022/23		
	Performance Score (%)	Composite Score	Performance grade
Supreme Court	100	3.097	Very Good
COA	94.79	3.278	Good
High Court	89	3.373	Good
ELRC	100	3.163	Very Good

ELC	96.33	3.253	Good
Magistrates' Courts	97.67	3.232	Good
Small Claims	90.5	3.348	Good
Court			
Kadhis' Courts	100	3.173	Very Good
Tribunals	100	3.167	Very Good
Administrative	100	3.115	Very Good
Units			
Overall -	97.26	3.238	Good
Judiciary			

Filed and resolved cases by broad case type and court, FY 2023/24

During the FY2023/24, a total of 516,121 cases were filed in all courts across the country while 509,664 cases were resolved resulting to a case clearance rate of 99% as shown in table 2.

Table 2: Filed and Resolved cases in the FY 2023 2024

Court Rank	Filed cases FY 2023-24			Resolved cases FY 2023-24			CCR
	CR	CC	ALL	CR	CC	ALL	
Supreme Court	N/A	82	82	N/A	67	67	82%
Court of Appeal	1,171	3,456	4,627	631	2,200	2,831	61%
High Court	22,385	26,007	48,392	17,439	33,298	50,737	105%
ELRC	N/A	4,215	4,215	N/A	8,014	8,014	190%
ELC	N/A	7,475	7,475	N/A	9,629	9,629	129%
Magistrates	268,582	114,695	383,277	244,848	131,612	376,460	98%
Tribunals	N/A	13,914	13,914	N/A	15,503	15,503	111%
Small Claims	N/A	41,524	41,524	N/A	33,527	33,527	81%
Kadhis	N/A	12,615	12,615	N/A	12,896	12,896	102%

The Judiciary has seen a steady increase in the number of cases filed and resolved over the past five reporting periods following the COVID-19 pandemic. This growth reflects the Judiciary's adaptation to pandemic-related disruptions and highlights the continued demand for judicial services as illustrated in Figure 1

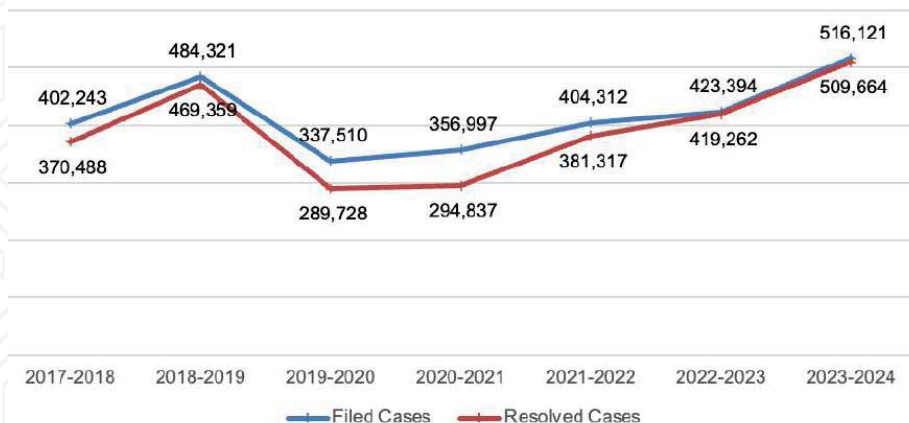


Figure I: Trends in resolved Cases

The performance measurement has resulted in the enactment of the underlisted policies in the FY 2023/2024.

- i) **Judges and Judicial Officers Performance Appraisal Framework**—The framework provides a clear and measurable objective to enhance high performance and delivery of expected results. It will also provide a feedback mechanism on individual and court performance. The framework provides reviewed individual performance indicators, workload management as well as evaluating efficiency, case backlog reduction, quality of judgments, public engagement, and professional development to enhance judicial accountability and service delivery.
- ii) **Data Management Policy for the Judiciary** -The policy makes provisions for managing Judiciary data and spells out the roles, responsibilities, processes, and procedures for managing data. There has been improve accuracy in data collected by the Judiciary and has improved accountability within the judiciary
- iii) **Judiciary Caseload Data Policy**—The policy provides a guide on collecting, using, and applying caseload statistics in the Judiciary. It aims to enhance integrity, consistency, completeness, and comprehensiveness, as well as governance and management of caseload data. The policy has enhanced judicial efficiency by improving case tracking, reducing backlogs, and promoting data-driven decision-making. It has strengthened transparency and judicial accountability while enhancing access to justice
- iv) **Judiciary Incentives Policy** - The policy establishes a framework of rewards and incentives linked to performance by setting out clear standards and criteria for rewarding exemplary performance. It also spells out motivation strategies for Judges, judicial officers and staff to enhance service delivery. The policy has supported enhancement of system resilience, safeguarded Judicial data and ensured service continuity during distractions.

2.1.2 Improving Judicial Accountability

Petitions Against Judges

In the FY 2023/2024, the Commission processed a total of one hundred forty-one (141) petitions against judges, comprising one hundred (100) new petitions and forty-one (41) petitions from the previous financial year. Out of the 141 petitions, seventy (70) were concluded, while seventy-one (71) petitions received towards the end of the financial year are pending investigations and hearings before the Commission panels. Table 2 presents a comparative summary of petitions processed in FY 2023/2024 and FY 2022/2023.

Table 2: Summary of Petitions against Judges

No	Details	2023/24	2022/23
1.	Petitions brought forward	41	75
2.	Petitions received during the year	100	43
3.	Total Petitions handled	141	118
4.	Petitions concluded	70	77
	Petitions carried forward	71	41

Additionally, in the current FY 2024/2025 the Commission has received and processed hundred and twenty-nine (**129**) petitions against Honourable Judges out of which forty-four (**44**) Petitions were concluded, while eighty-five (**85**) are pending at various stages.

The number of petitions filed in the reporting period increased by over 100% compared to the previous year due to increased public awareness of the Commission's complaint processes and procedures.

Table 3: Nature of Allegations in the Petitions

S/No	Nature of Allegations in the Petitions	No. of Cases
1.	Gross misconduct or misbehaviour - Grant of mandatory /final orders ex parte at the interlocutory stage, delay in delivery of ruling/ judgment/backdating judgment, use of intemperate language & hostility towards litigants and abuse of office/violation of the oath of office.	75
2.	Incompetence - Entertaining matters while lacking jurisdiction, overturning orders of Judges of concurrent jurisdiction and higher courts, and Unprofessional conduct-issuing 2 conflicting rulings.	15
3.	Breach of the Code of Conduct Withholding/retaining Court files in chambers after delivery of judgment/ruling, soliciting for bribe/corruption/Compromise/undue influence, conflict of Interest/Interference, bias/malice/partiality/unjust/impropriety/ineptitude	51
	Total	141

Improved process of handling petitions, complaints and disciplinary cases

The Commission developed the Judicial Service (Process of Petitions and Complaints) Draft Regulations, which, when finalized, will streamline the process of handling petitions against Judges and complaints against

judicial officers and staff. The draft regulations are at the stakeholder engagement stage before being submitted to the National Assembly for enactment.

Disciplinary Matters Against Judicial Officers and staff

In the financial year 2023/2024, the Commission received and processed seven (7) disciplinary cases against judicial officers, three (3) of which were concluded, while four (4) are pending investigation and hearing before the Commission. Out of the concluded cases, one (1) judicial officer was dismissed from service, and two (2) officers were reinstated after their interdiction was lifted. Table 4 presents disciplinary cases against judicial officers.

Table 4: Disciplinary cases against judicial officers

S/No.	Details	2023/24	2022/23
1.	Discipline cases received	7	7
2.	Total cases handled	7	7
3.	Cases Concluded	3	7
4.	Cases carried forward	4	0

The nature of the seven (7) disciplinary cases against judicial officers processed by the Commission is as detailed in **Table 5**.

Table 5: Nature of Disciplinary cases against judicial officers

S/no.	Nature of discipline case	No. of cases
1.	Gross misconduct: ☐ Pronouncement of judgements and rulings that were not written and failing to ensure the judgements and rulings are available to the litigants. ☐ Reviewing of bond terms Suo moto in the absence of parties ☐ Issuing ex parte eviction orders at interlocutory stage ☐ Irregular appraising of surety and falsifying court records	4
2.	Breach of the Code of Conduct: ☐ Bribery ☐ Absenteeism and retaining a court file after delivery of judgement ☐ Impropriety/ dereliction of ignoring submission in court and recording the same.	3
	Total	7

Disciplinary Cases Against Judicial Staff

The Commission received and processed thirty-five (35) disciplinary cases against judicial staff, nine (9) of which were appeals against the Commission's decision. At the close of the 2023/2024 FY, thirty -four (34) disciplinary cases were finalized, while one case was pending. Table 6 provides a comparative summary of the disciplinary cases against judicial staff.

Table 6: Disciplinary cases against judicial staff

S/NO.	DETAILS	2023/24	2022/23
1.	Discipline cases received	26	19
2.	Appeals/Reviews received	9	6
3.	Total cases handled	35	25
4.	Cases Concluded	34	25
5.	Cases carried forward	1	0

The nature of the disciplinary cases is detailed in table 7.

Table 7: Nature of Disciplinary cases against judicial staff

S/no	Nature of the cases	No.
1.	Sexual Harassment	2
2.	Financial impropriety	5
3.	Corruption	2
4.	Forgery	7
5.	Absence from duty	7
6.	Negligence of duty	3
	Total	26

Dissemination and sensitization on the Judicial Service (Code of Conduct & Ethics) Regulations 2020

To promote ethical and professional standards within the Judiciary, the Commission disseminated copies of the Judicial Service (Code of Conduct and Ethics) Regulations 2020 to 60 court stations in 32 counties. During the exercise, Judges, Judicial Officers and Staff signed and undertook to abide by the code of conduct. The Commission is continuously disseminating the code of conduct and carrying out sensitization forums to Judges, Judicial officers and staff.



Judicial Staff during the Sensitization and Signing of the Judicial Service (Code of Conduct & Ethics) Regulations 2020.

Improved process of handling petitions, complaints and disciplinary cases

The Commission developed the Judicial Service (Process of Petitions and Complaints) Draft Regulations, which, when finalized, will streamline the process of handling petitions against Judges and complaints against judicial officers and staff. The draft regulations are at the stakeholder engagement stage before being submitted to the National Assembly for enactment.

Strengthening Integrity Framework

In fulfilment of the Commission's mandate to promote integrity and transparency, the Commission has developed Anti-Corruption Policy and Investigations Procedures Manual. The Policy provides a framework for preventing, detecting, and reporting corruption in the judicial service. It also defines structures and systems that will be implemented and are critical in deterring corrupt practices.

2.1.3 Enhanced Inclusivity in Access to Justice

The Commission is focused on ensuring that a High Court station is established in every county as required under Section 12(1) of the High Court (Organization and Administration) Act. In furtherance of the objective, the Commission lobbied for additional funds and land allocation to the Judiciary to ensure expansion of Judiciary's physical presence across the country. Three (3) High Court stations were established in Thika, Kibera and Nyandarua, respectively bringing the total number of High Court stations to 46 across 42 counties.

In addition, High Court sub-registries were also established in Mandera and Samburu (Maralal). Consequently, the High Court has presence in 46 of the 47 counties.

The Commission facilitated the opening of Kilgoris ELRC courts as well as One ELRC sub-registry in

Voi, increasing the number of **ELRC** sub registries to eleven (11). This is in addition to 10 fully fledged ELRC Courts across the country.

Similar expansion was undertaken in the ELC with the establishment of three (3) new stations in Ol-Kalou, Voi and Naivasha and a sub-registry in Lodwar. These brought the number of ELC stations to 40 enhancing the accessibility of justice in land and environmental disputes.

The Commission is continuously mobilising for resources to ensure the establishment of a subordinate court in all the 290 constituencies. This is in line with the institution's commitment to ensure no litigant travels for more than 100 kilometres to access a physical court.

During the reporting period, the mobile courts in Port Victoria, Malaba, and Etayo were upgraded to fully fledged Magistrates' Courts, raising the total number of Magistrates' Courts to 140.

Strengthening Alternative Dispute Resolution Mechanism (ADR)

The Commission has been actively collaborating with stakeholders to broaden access to justice for all by embracing alternative dispute resolution through Court Annexed Mediation and Alternative Justice Systems (AJS) to create a more inclusive, efficient, and responsive legal system.

Establishment and operationalisation of specialized courts

The Commission facilitated the establishment of 27 additional small claims courts, bringing the number to 39 across the country.

The Commission also appointed 70 resident magistrates, all of whom were gazetted as adjudicators to preside over small claim cases.

Alternative Justice Systems (AJS)

The Commission engaged with the National Steering Committee on Implementation of Alternative Justice Systems (NaSCI-AJS) and the Administration of Justice and Performance Management Committee (AJPMC) of the Judiciary. Consequently, the Commission approved the Alternative Justice System Policy. The Commission also participated in the launch of six AJS suites in Uasin Gishu County.



The Chairperson of the Judicial Service Commission, Hon. Martha Koome, and the Governor of Uasin Gishu County, Hon. Jonathan Bii, joined by Commission members, preside over the launch of six alternative justice systems suites and a new court in Moiben, Uasin Gishu County

Leveraging on ICT and automation of courts as an enabler of justice.

Under Section 3 of the Judicial Service Act, the JSC and the Judiciary must apply modern technology. The Commission has spearheaded initiatives to harness ICT tools to improve access to justice. To that end, the Commission in the period undertook the following activities:

- i) **Rollout of e-filing**—The Commission has facilitated the Judiciary through lobbying for additional funding to support court automation and digital strategy. This has led to the successful rollout of e-filing in all 47 counties, with 34 rolled out in the reporting period.
- ii) **Enactment of the ICT Business Continuity Plan and Disaster Recovery Policy for the Judiciary** - As part of leveraging on ICT to enhance efficiency in service delivery, the Commission enacted the policy in the FY 2023/2024 which establishes a framework for ensuring the continuity of operations for the Judiciary ICT systems and infrastructure in the event of disruption. It outlines the establishment of primary, secondary and disaster recovery data centres to guarantee business continuity and disaster recovery capabilities. The policy has enhanced system resilience, safeguarded judicial data, ensured service continuity during disruptions, strengthened cybersecurity, and improved disaster preparedness, thereby promoting efficiency, transparency, and access to justice.
- iii) **Appointment of Registrar -Automation** – in its effort to ensure a coordinated approach to the automation and digital strategy in the Judiciary, the Commission established the position of Registrar Automation and appointed a registrar to oversee the operations.

Strengthening Integrity Framework

In fulfilment of the Commission's mandate to promote integrity and transparency, the Commission has developed the following draft policies and procedures that awaits ratification in the FY 2024/2025.

Anti-Corruption Policy

This policy provides a framework for preventing, detecting, and reporting corruption in the judicial service. It also defines structures and systems that will be implemented and are critical in deterring corrupt practices.

Whistle-Blowing Policy

The Policy seeks to protect whistle-blowers who act in good faith to disclose information about the Judiciary and its operations that might be considered improper or illegal.

Administrative Procedures on Declaration of Assets, Income & Liabilities

The procedures are developed pursuant to the provisions of Section 33 (I) of the Public Officers Ethics Act, which requires JSC to establish Administrative Procedures for managing the Declaration of Income, Assets, & Liabilities by its employees.

The Procedures standardize the process of declaring Income, Assets, and liabilities by providing the way declaration, verification and clarification, access, disclosure, storage, retention, and retrieval of the declarations are to be administered.

2.2 Motivated, Professional, Dynamic, Responsive Judges, Judicial Officers and Judicial Staff

To meet the growing demand for justice due to court expansions and to support efficient and accessible justice delivery, the Commission initiated the recruitment of additional employees as follows:

Judges of the High Court – The Commission facilitated the appointment of judges of the High Court by nominating twenty (20) candidates for appointment by the President out of which six(6) nominees were advocates from private practise. This brings to ninety-eight (98) the total compliment in that office out of an optimum number of two hundred 200 judges.

To meet the growing demand for justice due to court expansions and to support efficient and accessible justice delivery the Commission recruited the following Judicial Officers as shown in table 8.

Table 1: Judicial Officers appointed in the FY 2023/2024

S/NO	Position		No. of Gender appointments		Number of advocates
			Male	Female	
1.	Chief Registrar	1	0	1	1
2.	Chief Kadhi	1	1	0	0
3.	Member, National Civil Aviation Administrative Review Tribunal	4	3	1	1
4.	Registrar Automation	1	0	1	1
5.	Resident Magistrates	70	19	51	70
6.	Assistant Deputy Registrar	21	6	15	21
	Total	99	29	69	96

Additionally, the Commission appointed through competitive processes the following judicial staff as presented in table 9.

Table 9 :Recruitment of Judicial Staff

S/No	Position	No.	of Gender appointments	
			Male	Female
1.	Director, Administration and Security Services	1	0	1
2.	Director, Planning and Organization Performance	1	1	0
3.	Directors Finance, Judiciary	1	0	1
4.	Director Accounts	1	1	0
5.	Communications Advisor, OCJ	1	1	0
6.	Member of Commission	1	1	0
7.	Deputy Director Human Resource Management	1	1	0
8.	Legal Editor, Supreme Court	1	0	1
9.	ICT advisor to the Chief Justice	1	1	0
10.	Senior Law Clerk	1	0	1
11.	Law Clerk	2	1	1

12.	Legal Counsel	1	1	0
13.	Assistant Deputy Registrars	18	8	10
14.	Legal Advisor	1	1	0
15.	Publicity and Media Facilitator	1	1	0
16.	Court Assistant	1	1	0
17.	ICT Officer II	1	1	0
18.	Driver III	1	1	0
19.	Office Assistant III	430	207	223
20.	Process servers	100	61	39
21.	Principal Driver	1	1	0
22.	Total	567	290	277

2.2.2 Promotion of Judicial Officers

The Commission undertook a significant exercise in advancing thirty-nine (39) magistrates to higher positions within the Judiciary. This included the promotion of **twenty-four (24)** Senior Principal Magistrates to the rank of Chief Magistrates, four **(4)** Principal Magistrates elevated to Senior Principal Magistrates, and **eleven (11)** Senior Resident Magistrates promoted to Principal Magistrates. **Figure 2** represents the promoted Judicial Officers.

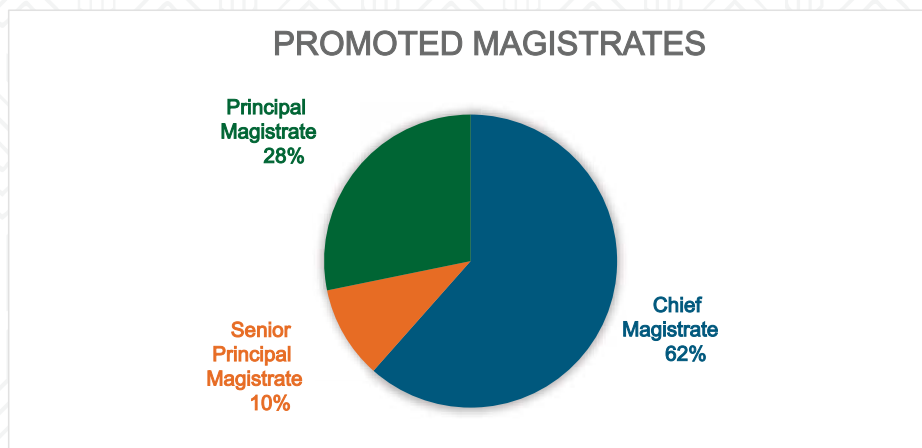


Figure 2: Promoted Judicial Officers

2.2.3 Continuous Judicial Education Programs

To equip participants with skills, knowledge and competencies, the Commission organised various continuous judicial programs covering diverse thematic areas, as indicated in Table 9 below.

Table 9: Continuous Judicial training programmes

#	THEMATIC AREA	TRAINING PROGRAMS	Target Audience
1	Information Communication and Technology (ICT)	Training of trainers (TOT) of Kenya's trainer judges and magistrates' Introductory course on cybercrime and electronic evidence.	Judges, Magistrates, Members of Tribunal
		Mobile Technology and Emerging Issues in Digital Arena and Technology	Judges and Magistrates
		Cybercrime and Electronic Evidence training	Judges, Magistrates
2	Anti-Money Laundering	Anti- Money Laundering, Anticorruption and Economic Crimes	Judges and Magistrates
3	Alternative Justice Systems (AJS)	AJS Training for Court of Appeal Judges	Court of Appeal Judges
		Alternative Justice Systems Training for the Employment and Labour Relations Court Judges	Judges and Deputy Registrars of ELRC
		Alternative Justice System (AJS) Training for the Judges of the Supreme Court	Supreme Court Judges
4	Children and Gender Matters	Sexual and gender-based violence (SGBV) Training for Judicial Officers	Magistrates
		Legal researchers training on SGBV and the Maputo Protocol	Legal Researchers
5	International Labour Standards	Training on International Labour Standards for ELRC Judges and DRs	ELRC Judges and DRs
6	EDR Debriefs	EDR Debrief for Court of Appeal Judges	Court of Appeal Judges
		EDR Debrief for High Court Judges	High Court Judges
		EDR Debrief for Magistrates and deputy registrars gazetted to handle the petitions	Magistrates and Deputy Registrars
7	Active Case Management	Judgement Writing and Active Case Management for Kadhis	Kadhis
8	Dialogue on Tax.	Dialogue on Tax Issues and Appeals	Judges
9	Counter-terrorism	Training of Judges on Adjudication of Counter Terrorism Cases	Judges
10	Dialogue on Company Law and Insolvency	Dialogue on Company Law and Insolvency for the Judges of the Court of Appeal	Court of Appeal Judges
11	Colloquia and Courts conference	Annual Judges Colloquium	All Judges
		Annual Conference for Hon. ELRC Judges	Judges of ELRC
		Small Claims Court Annual Symposium	Small Claims Court's Adjudicators

12	Regional Dialogues	Africa Regional Dialogue on Adjudicating Transnational Organized Crime and Illicit Financial Flows.	Judges, Magistrates, Deputy Registrars and other Justice sector stakeholders
		Regional Dialogue on Anti-Money Laundering, Anti-Corruption, Economic, And Transnational Organized Crime	Judges, Magistrates, Deputy Registrars and other Justice sector stakeholders

These programmes incorporated emerging jurisprudence, best practices, leadership and management, judicial skills and judge craft. There were deliberate efforts to adopt various approaches to enhance Judges' and judicial officers' awareness of social contexts in which they adjudicate based on emerging trends.

Development of Policies

The Academy developed the following policies and guidelines to strengthen judicial training, enhance capacity-building for judicial officers, and ensure consistent professional development.

Bench Books

i. Judicial Decision Making and Judgment Writing Bench Book

The Academy coordinated developing a draft judicial decision-making bench book intended to train newly appointed judges and judicial officers and ongoing professional capacity building. The bench book will guide judges and magistrates in writing judgments in a structured manner.

ii. Bench-book on Wildlife, Forestry and Fisheries Crimes (WFF)

The Academy coordinated the development of a Bench-book on Wildlife, Forestry and Fisheries. The Bench book provides a quick reference guide for Judges, Magistrates and quasi-judicial officers on legal, procedural and administrative issues that frequently arise in wildlife, forestry and fisheries crimes. The Bench book complements official law reports and other authoritative legal texts by providing a compact synopsis of key legal provisions and the prevailing jurisprudence on frequently recurring issues in forestry, fisheries and wildlife crimes.

Code of Conduct for Legal Researchers

Legal researchers play a crucial role in Kenya's trial courts, and the nature of their work exposes them to more depth on matters before the Judges. Recognizing this sensitive role, the Academy developed the Code of Conduct to set out the ethical and professional standards of conduct and behavior that legal researchers must adhere to in order to uphold the independence, impartiality and integrity of Courts and the Judiciary at large.

Training Manual on Adjudication of Trafficking in Person and Smuggling of Migrants (TiP & SoM) in Kenya

The Academy coordinated and convened a Stakeholder engagement to develop a Training Curriculum on the Adjudication of Trafficking in Person and Smuggling of Migrants. The curriculum aims to facilitate judges and judicial officers with a comprehensive understanding of the legal frameworks governing SOM and TiP, including relevant international conventions, protocols, and domestic legislation.

2.3 Financially Independent and Sustainable Judiciary and the Judicial Service Commission

Financially Independent and Sustainable Judiciary and the Judicial Service Commission

The Commission promoted and facilitated the independence of the Judiciary through continues review and improvement operationalization of the Judiciary Fund, monitoring implementation of budget and lobbying for increased budgetary allocation for the Judiciary and the Commission.

The Commission's budget requirement in FY 2023/24 was Kshs. 1,619 million, but it received an allocation of Kshs. 896.6 million, leaving a 45% deficit. On the other hand, the Judiciary budget requirement was Kshs. 43.17 billion, but it received Kshs. 21.78 billion, translating to a 50% funding gap. This funding gap poses a challenge to the growing demands for judicial services and hampers the effective delivery of justice across the country.

In the current FY 2024/2025, the budgets for both the Commission and the Judiciary were revised downwards. The Commission's budget was reduced from KShs. 902 million to KShs. 660.1 million, representing a 27% decrease while the Judiciary's budget was reduced by KShs. 1.1 billion to KShs 21.7 billion due to budget cut arising out of the rejecting of the budget estimates in the financial year. This has greatly strained the financial capacity of the Judiciary and the Commission to effectively deliver on their respective mandate.

2.3.1 Judiciary Budget Performance

The Judiciary's budget allocation increased from Ksh. 21.13 billion in FY 2022/2023 to Ksh. 22.42 billion in FY 2023/2024, reflecting a 6.1% growth. The absorption rate also improved slightly, from 95% to 96%, demonstrating enhanced efficiency in budget utilization. The Commission continues to closely monitor the implementation of the FY 2024/2025 budget and will provide necessary recommendations for reallocation in response to the budget cuts.

Budget Absorption for FY 2021/22 – FY 2023/24

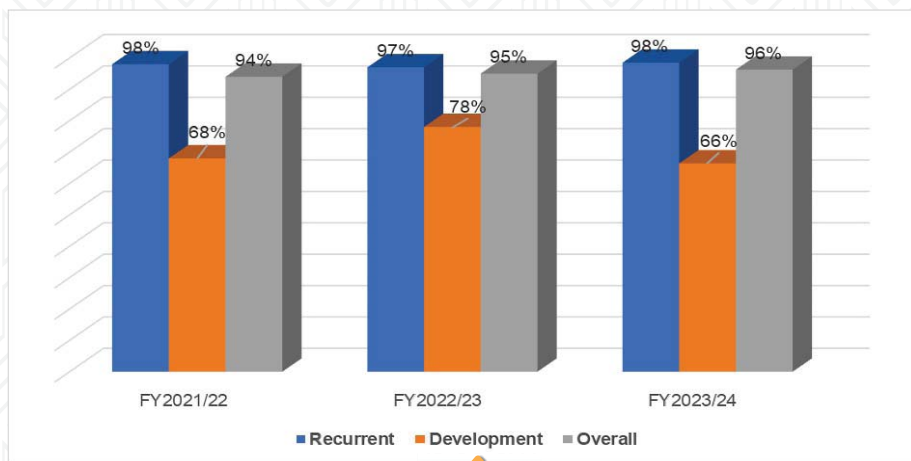


Figure 3: Analysis of Recurrent Expenditure

The Commission held a consultative meeting with the National Assembly's Justice & Legal Affairs Committee to deliberate on strategies for improving the administration of justice in the country. The consultations focused on enhancing access to justice by supporting the establishment of courts in every sub-county and ensuring services are more accessible to the public. The Commission also emphasized the need to address the historical underfunding of the Judiciary and urged the legislature to consider amending the law to allocate not less than **3 per cent** of the national budget to the Judiciary to strengthen judicial independence and improve the efficiency and effectiveness of judicial services for citizens.

In addition, the Commission engaged the Cabinet Secretary, National Treasury and Economic Planning and Principal Secretary, Treasury where the need to optimally resource the Judiciary to accelerate access to Justice was emphasized.

While the Judiciary's budget allocation increased from Kshs. 17 billion in FY 2019/2020 to Kshs. 22 billion in FY 2023/2024, it still falls short of the resources required to effectively deliver judicial services to the people of Kenya. Additionally, in the current FY 2024/2025, the Judiciary's budget was further revised downwards by Kshs. 1.1 billion, exacerbating the resource constraints and impacting its ability to fulfil its mandate efficiently. The comparative analysis of the National Budget and proportionate allocation to the Judiciary and the Commission in the past five years is presented in table 10 below.

Table 10: Five-year comparisons between the National Budget and Judiciary Budget

S/No	Financial Year	National Budget (Billions)	Judiciary Resource Requirements (Billions)	Judiciary Allocation (Billions)	Judiciary (%) Allocation
1	2019/2020	2800	23	17	0.6
2	2020/2021	2890	37	17	0.6
3	2021/2022	3030	35	18	0.6
4	2022/2023	3300	40	21	0.6
5	2023/2024	3680	43	22	0.6

2.3.2 Audit, Governance and Risk Management

The Commission has established an Audit Committee that assists the Commission in fulfilling its oversight responsibilities by reviewing, identifying, assessing, monitoring and managing risks to ensure good governance within the JSC and the Judiciary.

In the year, the Commission received and considered and made recommendations from the Judiciary audit reports aimed at improving operations and strengthening controls in all areas.

Further, the Office of Auditor General audited Commission's financial statements for the year ended 30th June 2023 where the Commission received Unmodified Audit opinion (clean Audit Report). The Commission also received commendation from the National Treasury for the unmodified audit opinion.



JSC Commissioners and Auditor General pose for a group photo following a consultative engagement

2.3.3 Approval of Prototype Courts

To enhance physical access to courts in underserved areas, the Commission has developed a program aimed at constructing and operationalizing courts in all sub-counties or constituencies. Currently, there are 153 court stations spread across the country, serving only a portion of the 290 constituencies. This leaves 137 constituencies without a court station. Prototype courts are intended to address this gap, ensuring judicial services are accessible at the sub-county or constituency level.

The Commission has approved a prototype court model estimated to cost between Kshs. 25–30 million. These prototype courts are designed with standardized specifications to meet the minimum requirements for supporting court operations at the constituency level.

To facilitate implementation, the Commission has developed a Memorandum of Understanding (MoU) to engage development partners. This initiative is informed by the budgetary constraints currently faced by the Judiciary.

It is anticipated that the construction and operationalization of these constituency courts will significantly improve access to judicial services. This will bring services closer to the people, enhancing dispute resolution at the sub-county and constituency levels.



Figure 28: Design of the Prototype court

2.3.4 Enhancement of Funding to Small Claims Court

Funding Small Claims Courts in Kenya is vital for enhancing access to justice, particularly for individuals and small businesses with low-value disputes. These courts provide a simplified, cost-effective, and faster mechanism for resolving cases, reducing the backlog in mainstream courts and alleviating delays in the judicial system. Adequate funding ensures the establishment, staffing, and operation of these courts across the country, enabling more equitable access to justice for underserved populations.

During the period under review, the Commission engaged the National Treasury to advocate for increased funding for Small Claims Courts. As part of this effort, the Commission approved an allocation of Kshs. 60 million for the courts in the FY 2023/24 budget.

The Commission extends its gratitude to the United Nations Development Programme (UNDP) for supporting the development of a mobile application aimed at improving access to services provided by the Small Claims Courts. Additionally, the International Development Law Organization (IDLO) supported several key initiatives, including:

1. The roll-out of 25 Small Claims Courts.
2. Provision of ICT equipment to enhance court operations.
3. Implementation of secondary internet connectivity in five Small Claims Courts located in border towns.
4. Design, development, and deployment of end-to-end process automation for e-filing at the Milimani Small Claims Court, which now includes automation of all post-judgment requests.

These efforts are a significant step toward improving the efficiency and accessibility of services offered by the Small Claims Courts

2.4 Increased public confidence and trust in the JSC and the Judiciary

The Commission and the Judiciary are fundamental pillars of Kenya's justice system, entrusted with upholding the rule of law and ensuring the fair and efficient administration of justice.

2.4.1 Stakeholder engagements during recruitment and selection

The Commission conducted consultations with various stakeholders during the recruitment processes for Judges of the High Court, the Chief Registrar of the Judiciary, and Judges of the Court of Appeal. These engagements aimed to gather diverse perspectives to inform the selection process, in accordance with the provisions of Article 10 of the Constitution, Section 30 of the Judicial Service Act, and the first Schedule of the Act.



JSC Chairperson Justice Martha Koome, JSC Commissioners, Deputy Chief Justice Hon. Philomena Mwili, Supreme Court Judge Hon. Isaac Lenaola, representatives of Kenya Judiciary Staff Association alongside key stakeholders from the law society of Kenya, civil society, government, and the private sector, pose for a group photo following engagements on the recruitment and selection of Court of Appeal Judges.

2.4.2 Consultative Meeting with the National Assembly

The Commission convened a consultative meeting with the National Assembly's Justice & Legal Affairs Committee to discuss strategies for enhancing the administration of justice in Kenya. The discussions centred on improving access to justice by advocating for the establishment of courts in every sub-county and ensuring that judicial services are readily available to the public.

Further, the Commission emphasized the critical need to address the historical underfunding of the Judiciary. The Commission urged the legislature to consider amending relevant laws to allocate and ring-fence 3% of the national budget to the Judiciary. This increased allocation would not only strengthen judicial independence but also enhance the efficient and effective delivery of judicial services to all citizens including the vulnerable, marginalized and other special groups.



Chairperson of the Justice and Legal Affairs Committee, Hon. George Murugara, and Vice Chairperson Hon. Mutuse Mwengi at a joint meeting with the Judicial Service Commission.

2.4.3 Exhibitions and public forums

The Commission actively engaged with the public through its participation in the 10th Employment and Labour Relations symposium and the Huduma Week Exhibition. The primary objective of these engagements was to raise public awareness of the Commission's mandate and to address any questions or concerns related to its role and responsibilities.



JSC staff members Anisa Abdi, Sylvia Njeri and Diana Munyingi engage with the public at the Huduma Exhibition and the 10TH ELRC Symposium.

2.4.4 Court Outreach Program

The Commission conducted an outreach program across various courts in the country, visiting 60 court stations in 32 counties. The purpose of the program was to monitor and evaluate the effectiveness and efficiency of justice delivery while engaging key stakeholders, including Judges, Judicial officers, Judicial staff, lawyers, Court Users Committees, and County Governors. This initiative aimed to gather valuable feedback on the administration of justice within the courts, foster open dialogue, and identify areas for improvement.

The objectives of the outreach program were:

- i. To enhance partnerships and collaboration with the County Governments, Court Users Committees, and other stakeholders in the administration of Justice.
- ii. To seek feedback from the public on the performance, opportunities, and challenges in the administration of justice.
- iii. To assess the infrastructure and ICT development in the Judiciary
- iv. To sensitize the Judicial officers and Judicial Staff on the Commission's mandate, approved policies and the Judicial Service Code of Conduct

The County Governments donated Land and Buildings to the Judiciary for the establishment and construction of courts, as shown in table II below.

Table 11: The County Governments donated land and buildings to the Judiciary for establishment and construction of courts

S/No	COUNTY	DONATION
1.	Turkana -	2.3 hectares of land at Lokichar.
2.	Nakuru	5 acres of land for construction of a Court at Olenguruone, Kuresoi South sub-County, Solai.
3.	Elgeyo marakwet	☐ 2-acre piece of land with a one storey building structure in Iten in exchange with the current Iten court structures sitting on 0.25 acre . ☐ Space in the County government premises for establishment of Magistrate Courts in Chepkorio, Keiyo South and Chesoi in Marakwet East. ☐ Two parcels of land in Chepkorio, Keiyo South .
4.	West Pokot	The community donated: Acres of land at Konyao, Kacheliba sub -county ☐ 1 Acre in Alale. ☐ 9.5 Acres of land at Runo, Pokot Central sub-county.
5.	Kericho	☐ A parcel of land
6.	Migori	12 Acres of land at Kegonga in Kuria East
7.	Kitui	Land at Munyunguni for expansion of the Court.
8.	Machakos	20-acre piece of land next to the white house for the construction of a Court complex.
9.	Lamu	2 acres of land at Mkowe
10.	Mombasa	☐ Land in Likoni for construction of a court. ☐ Office space at Likoni upon completion of the County Government offices to house a court.
11.	Kwale	Land to construct court premises in Kinango & Lunga Lunga.



Elgeyo Marakwet Governor H.E Wesley Rotich donated 2-acre piece of land with a building to the Judiciary, following engagement with JSC Commissioners.



(L) JSC Commissioners engagement with Mombasa County Governor H. E Abdulswamad Nassir (R) JSC and Judiciary team visit to Likoni parcel of land allocated by the Mombasa County Government for construction of a court.



*JSC & Judiciary team visit **2 acres** parcel of land at Mkowe for the construction of a Court complex donated by the Lamu County Government.*



*JSC Commissioners pose for a picture with Judges, judicial officers and staff from the Machakos Law Courts. The Machakos County Government has allocated a **20-acre** piece of land next to the white house for the construction of a Court complex.*

a) Inspection of Judiciary Infrastructure

The Commission conducted a comprehensive inspection of Judiciary infrastructure during the court visits to assess facility conditions and operational needs. This evaluation aimed at ensuring accessibility and improving working environments within the Judiciary. The findings of the inspection will guide targeted investments in court facilities to support an effective and efficient justice system across the country.



JSC Commissioners inspect ongoing construction of the Eldoret Law Courts

2.4.5 Communications and Stakeholder Engagement Strategy

The Commission has developed a comprehensive Communication and Stakeholder Engagement Strategy to strengthen relationships with stakeholders. This strategy not only enhances external collaboration but also improves internal efficiencies. Through clear and effective communication of its work and achievements, the Commission aims to positively shape public opinion, build greater public trust and confidence, and promote accountability and transparency in its operations

2.5 Strengthened Institutional Capacity of the JSC

Strengthened ICT infrastructure

During the Financial Year 2023/2024, the Commission made remarkable advancements in leveraging Information Communication and Technology (ICT) to enhance its operational capabilities.

2.5.1 Strengthened Institutional Capacity of the JSC

Enhancing human capital

The Commission established the Directorate of Complaints Management and Investigations to provide technical support to the Commission in processing petitions against judges, and complaints / disciplinary cases against judicial officers and staff. The function was previous domiciled in the Directorate of Legal Services.

Strengthened ICT infrastructure

During the Financial Year 2023/2024, the Commission made remarkable advancements in leveraging Information Communication and Technology (ICT) to enhance its operational capabilities.

2.5.2 Implementation of the ERP System

The Commission is in the process of implementing an Enterprise Resource Planning (ERP) system with a view to improving operational efficiency and streamlining its activities.

The ERP system will play a critical role in integrating essential core functions, including human resource and records management, into a unified and efficient platform across the Commission.

The Commission has developed the following modules of ERP which are under deployment:

1. Boards Services Application
2. JSC Intranet
3. Record Management System
4. Complaints Management System
5. Litigation Management System

Strengthening Kenya Judiciary Academy

The Commission has developed a Bill to make KJA a semi-autonomous entity, to effectively support the Commission in executing the mandate of preparing and implementing continuous education and training for judges and judicial officers. The Bill will be subjected to stakeholders' participation to give feedback, then submitted to the National assembly for enactment.

CHALLENGES

The Commission plays a crucial role in ensuring the independence and integrity of the Judiciary. However, it faces several challenges in implementing its mandate. The following are some of the challenges faced by the Commission in implementing its mandate:

3.1 Inadequate Budgetary Allocation for the Commission and Judiciary

Inadequate allocations and budgetary cut for the Judiciary and the Commission continue to pose significant challenges to the effective delivery of justice and the execution of constitutional mandates. The constraints have hindered key functions such as recruitment of Judges and Judicial officers, expansion of court infrastructure, digital transformation among other operational areas. As a result, the institutions have faced difficulties in achieving its desired outputs and outcomes.

3.2 Lack of structured engagement

The absence of a well-defined framework for engagement between the Commission and the Law Society of Kenya poses a significant challenge to their collaborative efforts. Without structured platforms for regular dialogue and coordination, critical issues in the administration of justice risk being overlooked or addressed in a fragmented manner.

RECOMMENDATIONS

In recognition of the role of JSC and Advocates in the administration of Justice as provided by the Judicial Service Act and the Advocates Act respectively, JSC recommends as follows to LSK;

1. In exercising its mandate to promote the rule of law assisting the Government and the courts in all matters affecting legislation and the administration and practice of the law in Kenya; the LSK should actively engage National Assembly and call for increase in allocation of resources to JSC and Judiciary and support the Commission's call for financial independence.
2. Institutionalize Regular Dialogue Platforms- Establish structured, regular forums between LSK and JSC to discuss emerging issues, review progress on shared initiatives, and address challenges in the administration of justice.
3. Provide prompt information when requested by JSC especially during recruitment and promotion exercises.
4. Engage courts through fora such as bar-bench and support Judiciary efforts in addressing case backlog and clearance of pending cases.



REPUBLIC OF KENYA



JUDICIAL SERVICE COMMISSION

- ✉ jscsecretariat@jsc.go.ke
- ☎ +254 20 273 9180
- 📍 CBK Pension Towers
13th floor Harambee Avenue
- ✕ @jsckenya
- 📘 [judicialservicecommissionkenya](https://www.judicialservicecommissionkenya.org)



www.jsc.go.ke