



THE JUDICIARY

Justice be our Shield and Defender



**SPEECH BY HON. MS JACQUINE INGUTIA CHAIR, COMMITTEE ON
ADMINISTRATION OF JUSTICE, JUDICIAL SERVICE COMMISSION DURING THE
LAUNCH OF THE 2022/2023 PERFORMANCE MANAGEMENT AND MEASUREMENT
UNDERSTANDINGS (PMMU) EVALUATION REPORT ON 26TH JULY 2023 AT
MILIMANI CEREMONIAL HALL, NAIROBI. KENYA**

The Honourable Chief Justice,

The Honourable Deputy Chief Justice,

The Speaker of the National assembly,

The Speaker of the Senate,

The Principal Secretary, Public Service Performance and Delivery Management,

The Governor Nairobi County,

The Chairperson, National Assembly Budget and Appropriations Committee

The Chairperson, Justice and Legal Affairs Committee of Parliament,

The Chairperson, EACC,

Other JSC Commissioners Present

The President, Law Society of Kenya,

The Acting Inspector General of Police,

Development Partners,

The President Court of Appeal,

The Principal Judges of the High Court, ELRC and ELC

**The Chairperson and Members of Judiciary Administration of Justice and
Performance Management Committee (AJPMC),**

The Judges, Judicial Officers and Staff,

Distinguished Guests, Ladies and Gentlemen

Good morning,

I am delighted to be part of this great family for today's launch of the Judiciary performance management evaluation report for 2022/2023, which provides key highlights of the achievements of courts and administrative units on the annual assessments. The main objective of implementing performance management is to enhance accountability, efficiency, and effectiveness in the operations of the judiciary and streamline its processes towards expeditious delivery of justice. At the onset, we need to remember that Judicial authority is a public trust donated by the people who expect accountability for decisions and results. We need to ask ourselves; Are our judgments rendered in a timely manner? Are there unnecessary delays in case processes? Why do we still have huge backlogs in our courts? How do the general public rate us? Do our performance ratings resonate with the public perspectives on service delivery?

Indeed, Integrity, independence, impartiality, and productivity are key prerequisites for establishing an efficient and functional judiciary and judicial system for the desirable resolution of disputes. The establishment of an independent and effective justice system that safeguards human rights, and facilitates access to justice for all are values held the world over. The centrality of a strong justice mechanism lies in its essential contribution to fostering economic stability and growth, and to enabling all manner of disputes to be resolved within a structured and orderly framework while upholding reasonable timelines.

Ladies and Gentlemen,

It is now widely acknowledged that performance management has the potential to improve the success rate of organizations and act as a lever to achieve greater productivity. Therefore, those organizations that get performance management right become formidable, competitive, and admirable in service delivery. They are always set up to deliver services efficiently and effectively to meet or exceed customer expectations. This is the path that the judiciary has decided to follow with the choice and implementation of metrics that will promote the expected performance in the dispensation of justice. Although the system seeks to work towards the improvement of the overall judiciary, the courts and various units' performance; it also provides for alignment of the individual judges, judicial officers and staff outputs and contribution to the success of the institution. To this end, we are expanding our performance management system to cover assessments of individual Judges' and judicial officers' performance to enhance accountability. The commission is greatly interested in the work of each judge, judicial officer, or staff. Therefore, those specific performance frameworks that have been developed and approved by the commission need to be rolled out to enhance productivity and service delivery

Ladies and Gentlemen,

As a commission, we are already reaping the benefits of performance management implementation. Effective performance data collection, management, and utilization are key in identifying issues that deserve particular attention and prioritization in enhancing service delivery and decision-making. It is now possible to tell the actual number of cases filed and resolved in the judiciary including tabulation of the different case types in various courts. This data is critical for resource allocation, recruitment, deployment, training, and promotion. The higher the cases in the system, the more resources, judges, and judicial officers are required. It is also possible to determine the individual

performance of Judges and judicial officers at any given time and this data is useful for decision making especially for promotion.

In essence, performance management is not something that should be looked at only at the beginning and end of the measurement cycle. It should be a continuous and dynamic process, that facilitates dialogue between all the stakeholders towards ensuring quality, efficiency, and effectiveness in expeditious delivery of justice. This creates an atmosphere of trust, support, and encouragement towards working on a common purpose. Units need regular feedback to know how they are performing and how they can improve. Furthermore, they should have the opportunity to give feedback to the judiciary management on the support and facilitation required.

Ladies and Gentlemen,

I trust that we will need to continue to develop, nurture and sustain the institutionalization of performance management in the Judiciary by ensuring that the existing policy and institutional legal frame works are further strengthened, adequate funds allocated and the capacity of the Directorate of Planning and Organizational Performance enhanced. This will ensure that the gains made are not lost but safeguarded and continued further to enhance public trust and confidence. I assure all of us here that the Commission will continue to strengthen performance management process in the Judiciary so as to enhance both individual and collective accountability for results.

Let me also remind all of us that performance measurement is not always about the pressure to perform and meet the targets. It provides a platform of carrying out an honest assessment of whether we are working optimally with the current resources, facilities and equipment. Through this, the judiciary is able to determine with facts what suitable interventions to employ to yield desired results; this will include the amount of financial resources required, the number of

judges/ judicial officers/staff needed, the number and type of facilities required, the equipment to be availed and the strategies to be implemented.

In conclusion,

Allow me to register my appreciation for the commitment, contribution, and innovativeness of the judges, judicial officers and staff in ensuring continuous and steadfast justice delivery to the Kenyans. As a commission, we cannot take their selfless efforts for granted. We are committed to support them in all ways possible to ensure that they perform to their optimum.

Thank you all,

Hon. Ms Jacqueline Ingutia

Chair, Administration of Justice Committee, Judicial Service Commission