



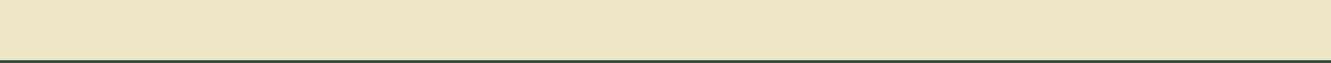
# THE JUDICIARY



## STRATEGIC PLAN

**2019 - 2023**

*Towards Excellence in Service Delivery*





# THE JUDICIARY

## STRATEGIC PLAN 2019 - 2023

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**Vision**

To be an independent institution of excellence in the delivery of justice to all

**Mission**

To dispense justice in a fair, timely, accountable and accessible manner, uphold the rule of law, advance indigenous jurisprudence, protect and promote the Constitution

# FOREWORD

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The promulgation of a new Constitution in 2010 gave impetus to the transformation journey of the Judiciary. The Constitution grants the Judiciary judicial authority derived from the people while demanding for accountability from those the authority is vested.

The Judiciary has continued to carry out its mandate in an increasingly dynamic social, economic, political and legal environment, signalling for the need to embrace new ways of delivering service. To lay the foundation for transformation, the Judiciary implemented the ‘Judiciary Transformation Framework (JTF) 2012-2016’ blueprint, and based on the lessons learnt, the Strategic Plan 2014-2018 was developed. The Strategic Plan deepened the transformation agenda for the long-term by expanding access to justice, enhancing organizational efficiency, safeguarding judicial independence and strengthening relationships with stakeholders.

To predicate these transformational efforts, the blueprint, ‘Sustaining Judiciary Transformation: A Service Delivery Agenda (SJT) (2017-2021)’, refocused Judiciary’s efforts from institutional capacity building to service delivery. The efforts are directed towards enhancing service delivery through targeted improvement of work methods and a dynamic corporate culture that emphasises integrity, individual and institutional accountability and measurable performance standards. Many of the lessons learnt in that period have influenced the strategic objectives of the Strategic Plan 2019-2023.

Evidently, there has been improved access to court services as well as increased demand for the services, owing to the spirited development and expansion of court facilities and entrenchment of technology in the court processes among other measures. Now, there exists greater access to information through various Judiciary publications and performance

reports on our institutional website and other channels. This has resulted into tremendous improvement in the administration of justice across the country.

This Plan, covering the period 2019 to 2023, builds on the valuable experiences and responds to the challenges that arose from the implementation of the previous Strategic Plans and Judiciary blueprints, as well as the current environment in which the Judiciary operates. It is developed against a framework of growing public need and expectations on the Judiciary to provide faster and quality services. Consequently, it responds to the need for concerted efforts and harmonized approach in implementation of programmes, projects and activities.

A robust forward planning and implementation of new programmes will immensely assist in responding to the emerging challenges while preparing for any anticipated ones. This Plan therefore address the emerging issues and priority areas identified under the national development policy agenda, SJT, Strategic Plan 2014-2018 Evaluation Report, other policy documents as well as reports emanating from the situation analysis. Towards this, the Plan identifies eight Key Result Areas (KRAs), namely: Enhancing Access to Justice; Expediting Delivery of Justice; Growing Jurisprudence and Knowledge Management; Improving Governance and Transformative Leadership; Improving Human Capital Management and Organizational Development; Modernizing Registry Operations for Operational Efficiency; Enhancing Public Confidence, Awareness and Image of Judiciary; and Resource Mobilization, Utilization and Stakeholder Engagement.

Technology is a crosscutting issue that the Judiciary intends to take advantage of in order to achieve efficiency and hence improve service delivery. Properly harnessed and deployed ICT is expected to facilitate speedier trials and enhance the efficiency and effectiveness of administrative processes. The Judiciary will therefore deploy ICT in data management, data processing and archiving, while guaranteeing more transparency and fairness in the adjudication of cases and facilitation of internal and external communication.

The strategic objectives of this Plan require the support of all stakeholders. I therefore invite internal and external stakeholders to play their role towards building an independent institution of excellence in delivery of justice for all.

**Hon. Justice David K. Maraga, EGH**  
**Chief Justice and President of the Supreme Court of Kenya**

# Acknowledgement

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This Strategic Plan sets out deliberate programs that will allow the Judiciary to build on the achievements, lessons learnt and progress made, following the rollout of the Strategic Plan 2014–2018 and the SJT blueprint. The Plan contains specific strategies and detailed activities that have been developed to help achieve each strategic themes, goals and objectives, during the next five years. The development of this Plan is a result of participatory and comprehensive consultative process that involved wide consultation among internal and external stakeholders. I take this opportunity to sincerely thank everyone who was involved or supported this process.

This Plan would not have been complete without the leadership of the Hon. Chief Justice David K. Maraga and the Hon. Deputy Chief Justice Philomena Mwilu, whose guidance and support ensured that it is focused and relevant to the dreams and aspirations of Kenyans. I appreciate the Judicial Leaders Advisory Council, Judges, Judicial Officers and Staff whose input helped in contextualising the initiatives in this Plan.

I commend the Registrars, Directors and Heads of Unit for supporting this process right from inception to its finalisation. This has culminated into a comprehensive roadmap for achieving Judiciary's overall goal. Equally, credit goes to representatives of all implementing units for providing information that enriched this Plan.

Development of this Strategic Plan benefited from the excellent coordination by the Director, Planning and Organizational Performance, Dr. Paul K. Kimalu, whose dedication was unequalled. I acknowledge with appreciation the dedication and hard work undertaken by the technical team led by Dominic Nyambane and comprising of Hon. Joseph Were, Gilbert Kirui, Dr. Joseph Osewe, Ezan Mwiluki, Victor Lumumba, Yussuf Jarso, Eric Kocheli, Margaret Ochieng and Yvonne Kinya.

I also acknowledge with gratitude the financial support provided by the Embassy of Sweden, through International Development Law Organization (IDLO), towards development of this plan. Finally, my gratitude goes to our external stakeholders who took time to review and validate the contents of the Plan. The net result of these combined efforts is a comprehensive document that will help the Judiciary attain new heights in delivering expeditious justice to all. Lastly, it is my desire that in implementing this Strategic Plan, the expectations of all stakeholders will be exceeded.

**Hon. Anne A. Amadi, CBS**  
**Chief Registrar of the Judiciary**





# Acronyms & Abbreviations

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<b>BCP</b>	Business Continuity Plan
<b>BPRT</b>	Business Premises Rent Tribunal
<b>BSU</b>	Building Services Unit
<b>CAM</b>	Court Annexed Mediation
<b>CCTV</b>	Closed Circuit Television
<b>CMS</b>	Case Management System
<b>COA</b>	Court of Appeal
<b>CR</b>	Criminal Cases
<b>CRM</b>	Customer Relations Management
<b>CRTS</b>	Court Recording and Transcription System
<b>CTS</b>	Case Tracking System
<b>CUCs</b>	Court Users Committees
<b>CV</b>	Civil Cases
<b>DA&amp;RM</b>	Directorate of Audit and Risk Management
<b>DMS</b>	Document Management System
<b>DPOP</b>	Directorate of Planning and Organizational Performance
<b>DAS</b>	Directorate of Administrative Services
<b>DHRM&amp;D</b>	Directorate of Human Resource Management and Development
<b>DICT</b>	Directorate of Information Communication Technology
<b>DF&amp;A</b>	Directorate of Finance and Accounts
<b>DSCM</b>	Directorate of Supply Chain Management
<b>ELC</b>	Environmental and Land Court
<b>ELRC</b>	Employment and Labour Relations Court
<b>EMCA</b>	Environmental Management and Coordination Act
<b>ERP</b>	Enterprise Resource Planning
<b>FY</b>	Financial Year
<b>GCCN</b>	Government Core Connectivity Network
<b>GDC</b>	Government Data Centres
<b>GDP</b>	Gross Domestic Product
<b>GJLOS</b>	Governance Justice Law and Order Sector
<b>HC</b>	High Court
<b>ICT</b>	Information and Communication Technology
<b>IFMS</b>	Integrated Financial Management System
<b>IPMAS</b>	Integrated Performance Management and Accountability System
<b>I&amp;RMU</b>	Information and Records Management Unit
<b>JFMIS</b>	Judiciary Financial Management System
<b>JLMIS</b>	Judiciary Library Management Information System
<b>JSC</b>	Judicial Service Commission
<b>KEBS</b>	Kenya Bureau of Standards

<b>KRA</b>	Key Result Areas
<b>MTEF</b>	Medium Term Expenditure Framework
<b>NCAJ</b>	National Council on the Administration of Justice
<b>NCLR</b>	National Council for Law Reporting
<b>NOFBI</b>	National Optic Fibre Backbone Infrastructure
<b>OJO</b>	Office of the Judiciary Ombudsman
<b>PACU</b>	Public Affairs and Communications Unit
<b>PAS</b>	Performance Appraisal System
<b>PESTEL</b>	Political Economic Social Technological Environmental and Legal
<b>PMMU</b>	Performance Measurement and Management Understanding
<b>PPPPC</b>	Public Private Partnership Petition Committee
<b>QMS</b>	Quality Management System
<b>RCOA</b>	Registrar of the Court of Appeal
<b>RELC</b>	Registrar of the Environment and Land Court
<b>RELRC</b>	Registrar of the Employment and Labour Relations Court
<b>RHC</b>	Registrar of the High Court
<b>RMC</b>	Registrar of the Magistrates' Court
<b>RSC</b>	Registrar of the Supreme Court
<b>RT</b>	Registrar of Tribunals
<b>SAJA</b>	Semi-Autonomous Judiciary Agencies
<b>SCAT</b>	State Corporations Appeals Tribunal
<b>SJT</b>	Sustaining Judiciary Transformation
<b>SOJAR</b>	State of the Judiciary and Administration of Justice Report
<b>SWOT</b>	Strength Weaknesses Opportunities and Strengths
<b>VC</b>	Video Conferencing
<b>WAN</b>	Wide Area Network

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# Chapter 1

## Introduction

## 1.1 Background

Article 1 of the Constitution provides that sovereign authority belongs to the people of Kenya, which they have delegated to the various State organs including the Judiciary. Therefore, being an independent custodian of justice, as established under Article 159 of the Constitution, the Judiciary draws its authority from the people of Kenya and exercises it through Courts and Tribunals. It is mandated to administer justice and promote the rule of law.

The Judiciary discharges this mandate by developing jurisprudence and providing independent, accessible, fair and responsive fora for dispute resolution. Through interpretation of the Constitution, the Judiciary promotes the rule of law by shaping public policy and ensuring access to justice.

The Judiciary Strategic Plan 2019-2023, was developed against the backdrop of growing public need and expectations on the Judiciary to provide quality service. The Plan is a management tool that will help the Judiciary to dedicate resources towards meeting these expectations. This Strategic Plan succeeds and builds on the previous Judiciary Strategic Plan 2014-2018, which provided a platform, for the Judiciary's transformation process. It is also in line with objectives outlined in the Sustaining Judiciary Transformation (SJT) 2017-2021 blueprint that consolidated the reform agenda.

Further, the Strategic Plan responds to the need for harmonised implementation of various projects and initiatives. It hence provides the overall strategic direction for the Judiciary and sets forth measurable indicators that are drawn from various policy documents, strategic blueprints and manuals that were developed during the previous Plan period. Guided by this document, implementing units will develop and implement annual workplans outlining specific activities, targets, and resource requirements, along with the necessary metrics to measure progress.

## 1.2 Vision, Mission and Core Values

### 1.2.1 Vision

To be an independent institution of excellence in the delivery of justice to all.

### 1.2.2 Mission

To dispense justice in a fair, timely, accountable and accessible manner, uphold the rule of law, advance indigenous jurisprudence, protect and promote the Constitution.

### 1.2.3 Core Values

- i. Professionalism: We will exhibit the highest levels of competence, efficiency and excellence in executing our tasks
- ii. Integrity: We will uphold the highest ideals of honesty, openness and veracity in service delivery
- iii. Diligence: We shall be committed, dedicated and selfless to our duty
- iv. Transparency and Accountability: We shall be open to public scrutiny, exercise good governance and take responsibility for our actions.
- v. Humility: We shall be modest in exercising powers given to us by the Constitution

### 1.3 History of Kenyan Judiciary

The Judicial history in Kenya can be traced to the East African Order in Council of 1897 and the Crown regulations made there under, which marked the beginning of the country's modern and unified legal system as well as the basis of the criminal law in Kenya. It was based on a tripartite division of subordinate courts, namely; Native courts, Muslim courts and those staffed by Administrative officers and Magistrates.

At the inception of colonial rule in Kenya, the colonial government embarked on deliberate steps to phase out customary law. But since this law was deeply entrenched, the government gradually began to permit the application of the customary legal law in the courts of law. Consequently, the colonial authorities empowered village elders, headmen and chiefs to settle disputes. These traditional dispute settlement organs gradually evolved into Tribunals and were accorded official recognition in 1907, when the Native Courts Ordinance was promulgated. They were placed under the authority of the Chief Native Commissioner. The Commissioner was authorized to set up, control and administer the Tribunals. An appeal against the decision of the Tribunals was forwarded to the District Officer then to the District Commissioner and finally to the Provincial Commissioner. The final appeal lay with the Supreme Court.

The Native Appeals Tribunal's Ordinance 1930 reduced the number of elders sitting on a Tribunal and also made it a requirement that a literate member records the proceedings. With time, the courts grew in status and function. By 1950, Tribunals had evolved sufficiently for them to be converted into courts similar to those that hitherto, served non-Africans. The African Courts Ordinance abolished the Tribunals and replaced them with African Courts.

In circumstances where non-Africans were concerned, the administration of justice was entrusted to expatriate judges and magistrates where the courts

applied English and Indian laws. Muslim courts were headed by a Chief Kadhi and were classified as subordinate courts. The segregated system of administering justice prevailed until 1962 when, upon attainment of self-rule, the African Courts were transferred from the Provincial Administration to the Judiciary.

With time, Kenyans accepted the English laws to the extent that these laws did not violate their customary beliefs and values. And even after independence, a dual system evolved where, courts applied both English and Customary Laws. In 1963, the independence Constitution brought in a truly independent and impartial Judiciary. It established a Supreme Court with unlimited original criminal and civil jurisdiction over all persons, regardless of racial or ethnic considerations, and provided for the establishment of a Court of Appeal and the Kadhis' Court. Further, it created an independent Judicial Service Commission (JSC), responsible for appointing judges. When Kenya attained the status of Republic in 1964, the Supreme Court was renamed the High Court. The Independence Parliament revoked the colonial laws that were contrary to African values, such as the bigamy law. In 1967, three major laws were enacted to streamline the administration of justice. These were the Judicature Act (Cap 8), the Magistrates' Courts Act (Cap 10), for Magistrates' Courts, and the Kadhis' Courts Act (Cap 11) responsible for governing the Kadhis' Courts. The Judicature Act makes provision concerning the jurisdiction of the High Court, the Court of Appeal and subordinate courts. These statutes repealed all other legislations other than the provisions in the Lancaster Conference Constitution, by directing the law that was to be applied by the Courts.

The repealed Constitution established the Resident Magistrates' Court, Kadhis' Court, Court Martial and District Magistrate Court. The Resident Magistrates' Court was subordinate to the High Court. This court was considered duly constituted when presided over by a Chief Magistrate, Senior Principal Magistrate, Principal Magistrate or Resident Magistrate. The District Magistrates Courts were established under the Magistrate Court Act in each District. The courts were duly constituted when held by a District Magistrate assigned to district by the Judicial Service Commission. The court had jurisdiction throughout the district. Three classes of District Magistrate's Courts existed, namely; District Magistrate Court 1st Class, District Magistrate Court 2nd Class, and District Magistrate Court 3rd Class. These have since been abolished.

Kenyan legal system today is significantly based on the Constitution of Kenya 2010 and other Acts of Parliament. Article 162 lays out the system of courts as comprising the Supreme Court, Court of Appeal, High Court, Employment and Labour Relations Court (ELRC), Environment and Land Court (ELC) and the Subordinate Courts. The Constitution established the Supreme



Court as the apex court, followed by the Court of Appeal and the High Court, with the ELRC and ELC, being courts of equal status to the High Court. It also established the Magistrates' Courts, Kadhis' Courts, Tribunals and the Courts Martial.

The Employment and Labour Relations Court and Environment and Land Court, are special Courts established under Acts of Parliament to hear and determine, disputes relating to employment and labour relations, and environment and land respectively.

## **1.4 Current Structure of Courts in Kenya**

### **1.4.1 The Supreme Court**

The Constitution of Kenya establishes the Supreme Court as the highest court in Kenya. The Court was inaugurated on October 26, 2011, having been operationalized by the Supreme Court Act. No. 7 of 2011. Pursuant to Article 163(1) of the Constitution, the Court comprises of the Chief Justice who is the President of the Court, the Deputy Chief Justice who is the Vice-President of the Court and five other judges.

The Supreme Court has exclusive original jurisdiction to hear and determine disputes relating to election to the office of the President. It also has appellate jurisdiction to hear and determine appeals from the Court of Appeal and any other Court or Tribunal as prescribed by national legislation. Further, the Supreme Court may give advisory opinions at the request of the National Government, any State organ, or any County Government with respect to any matter concerning county government. Further, the Court has jurisdiction to hear an appeal by a judge aggrieved by a decision of a tribunal and consider applications emanating from a declaration of a State of Emergency. All courts, other than the Supreme Court, are bound by the decisions of the Supreme Court.

### **1.4.2 The Court of Appeal**

The Court of Appeal is established under Article 164(1) of the Constitution of Kenya, as one of the superior Courts and consists of Judges, not exceeding 30. The practice and procedure of the Court of Appeal is regulated by the Appellate Jurisdiction Act (Cap 9) and the Court of Appeal Rules (2010), while the administration is governed by the Court of Appeal (Administration and Organization) Act, 2015. The Court of Appeal derives its mandate from Article 164(3) of the Constitution of Kenya with the jurisdiction to hear appeals from the High Court and any other court or tribunal prescribed by an Act of Parliament such as the ELRC and the ELC.

The Court is decentralized to Nyeri, Mombasa and Kisumu. It has sub-registries in Malindi, Eldoret, Kisii, Nakuru, Meru and Busia. The President of the Court, who is elected by the Judges, is the head of the Court.

### **1.4.3 The High Court**

The High Court of Kenya is established under Article 165 (1) of the Constitution. The Court has unlimited original jurisdiction in criminal and civil matters. The High Court has unlimited original jurisdiction to hear all appeals from lower courts, except for matters specifically delineated for the specialized courts under Article 162(2) (a & b) of the Constitution. The administration of the Court is governed by the High Court (Administration and Organization) Act, 2015

There are 39 High Court stations in 38 counties countrywide as well as seven Divisions in Nairobi. The Divisions are: Family, Civil, Criminal and the Anti-Corruption and Economic Crimes Divisions. The other Divisions are; Commercial and Admiralty, Constitutional and Human Rights and Judicial Review Divisions.

The High Court is headed by the Principal Judge, who is elected by the Judges of the High Court from among themselves. Section 4 (b) of the High Court Organization and Administration Act No.27 of 2015 provides that the High Court shall have not more than 200 Judges. As at June 30, 2019, the Judiciary had 82 High Court Judges.

### **1.4.4 Employment and Labour Relations Court**

The Employment and Labour Relations Court (ELRC) is established under Article 162 (2) (a) of the Constitution of Kenya 2010. The court is operationalized under the Employment and Labour Relations Court Act 2014. It is a specialized court of equal status to the High Court with exclusive original and appellate jurisdiction to hear and determine all disputes relating to employment and labour relations. According to Section 29 of the Act, the Court is required to ensure reasonable, equitable and progressive access to the judicial services in all counties. Currently, the Court is established in six regions, namely; Nairobi, Mombasa, Kisumu, Nakuru, Eldoret and Nyeri. In addition, there are six sub-registries in Malindi, Machakos, Bungoma, Garissa, Kericho and Meru. The Court is headed by a Principal Judge elected by the Judges of the Employment and Labour Relations Court.

### **1.4.5 Environment and Land Court**

The Environment and Land Court (ELRC) is established under Article 162(2) (b) of the Constitution. It is a superior court of equal status to the High

Court operationalized by the Environment and Land Court Act No 19 of 2011. It has exclusive original and appellate jurisdiction to hear and determine environment and land related disputes as guided by the Act. Presently, there are 26 ELCs established in 26 Counties. The Court is headed by a Principal Judge elected by the Judges of the Environment and Land Court.

#### **1.4.6 Subordinate Courts**

Subordinate courts are established under Article 169 of the Constitution of Kenya, 2010. These include Magistrates' Courts, Kadhis' Courts, Court Martial and Tribunals.

##### **1.4.6.1 Magistrates' Courts**

Statutory foundation for the jurisdiction of Magistrates' Court is Article 169 and 23 (2) of the Constitution as read with the Magistrates Court Act No. 26 of 2015. The courts have jurisdiction and powers in proceedings of a criminal and civil nature as may be conferred on it by the Criminal Procedure Code, Civil Procedure Act and Rules, or any other written law.

The Magistrate's Courts are hierarchical, with the Chief Magistrate's Court being the highest, followed by the Senior Principal Magistrate's Court, Principal Magistrate's Court, Senior Resident Magistrate's Court and Resident Magistrate's Courts. Section 7(1) provides that a Magistrate's Court shall have and exercise such jurisdiction and powers in proceedings of a civil nature in which the value of the subject matter does not exceed the pecuniary limits.

There are 125 Magistrates' Court stations. The Registrar of the Subordinate Courts is the administrator of the courts.

##### **1.4.6.2 Kadhis' Courts**

Kadhis' Courts are established under Article 170 of the Constitution and their jurisdiction is limited to determination of questions of personal Islamic Law. This includes matters relating to personal status, marriage, divorce and inheritance, in proceedings where all parties profess the Muslim faith and submit to the jurisdiction of the Kadhis' Courts. There are a total of 47 Kadhis' stations.

##### **1.4.6.3 Courts Martial**

The Courts Martial are established under the Kenya Defence Forces Act. Section 160 of the Act empowers a Court Martial to handle cases involving officers working or serving in the military. The Chief Justice appoints

magistrates to preside over a Court Martial in accordance with Section 165 of the Kenya Defence Forces Act. The presiding magistrate is known as a Judge Advocate.

#### 1.4.6.4 Tribunals

Article 1(3) (c) of the Constitution recognizes the Judiciary and independent Tribunals as State organs to which sovereign power is delegated by the people of Kenya. Accordingly, Article 159 (1) of the Constitution states that judicial authority vests in and is to be exercised by the Courts and Tribunals established by or under the Constitution. Tribunals are established by different Acts of Parliament and are mandated to resolve disputes in a fast, simple and speedy manner. There are 64 Tribunals in Kenya whose mandate and jurisdiction are drawn from different Acts of Parliament. Under the constitutional framework, Tribunals are part of the Judiciary, a departure from the previous constitutional regime, where Tribunals operated under their respective line ministries. The process of transitioning of Tribunals to the Judiciary started in the financial year 2015/2016, to give effect to the Constitution of Kenya 2010.

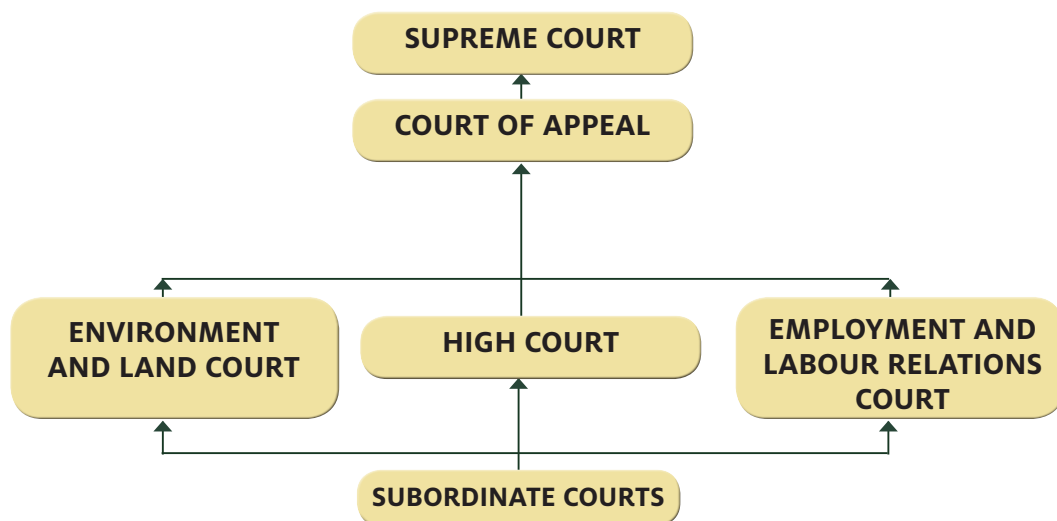
Tribunals that have transitioned to the Judiciary

- **Political Parties Disputes Tribunal:** The Tribunal is established under Section 39(1), of the Political Parties Act 2011 Laws of Kenya to resolve disputes between members of political parties, members of a political party and a political party, among political parties, an independent candidate and a political party and among coalition parties. Further, it hears appeals from decisions of the Registrar of Political Parties.
- **Sports Disputes Tribunal:** It is established under Section 55 of Sports Act No. 15 of 2013 and Anti-Doping Act No 5 of 2016, to resolve appeals against decisions of national sports organizations and any complaints or cases as prescribed under the two Acts.
- **National Environment Tribunal:** The National Environment Tribunal is established under Section 125 of the Environmental Management and Coordination Act (EMCA) of 1999, to hear and determine appeals by any persons aggrieved by any decision of the National Environment Authority.
- **HIV and AIDS Tribunal:** Established under Section 25 of the HIV Prevention and Control Act No 14 of 2006 [Rev. 2012] to hear and determine complaints arising out of any breach of the provisions of the Act.
- **Education Appeals Tribunal:** The Tribunal is established under Section 93 of Basic Education Act No. 14 of 2013 (Revised 2017) to handle complaints from those dissatisfied with decisions made by educational institutions.

- **Business Premises Rent Tribunal (BPRT):** It is established under Section 11 of the Landlord and Tenant (Shops, Hotels and Catering Establishments) Act, Chapter 301, to determine disputes between landlords and tenants in business premises.
- **Standards Tribunal:** The Tribunal is established under Section 16A of the Standards Act Cap 496 Law of Kenya, to hear and determine appeals from a decision of the Kenya Bureau of Standards (KEBS) or the National Standards Council.
- **Industrial Property Tribunal:** The Tribunal is established under the Industrial Property Act, 2001, to resolve disputes in different areas of intellectual property namely patents, industrial designs, utility models, technovations and semiconductor technologies.
- **Cooperative Tribunal:** It is established under Section 77 of the Cooperative Societies Act No. 490 (Revised in 2012) Laws of Kenya, to resolve disputes among members of cooperative societies, members and the societies or between cooperative societies themselves.
- **Energy Tribunal:** it is established under Section 108 of the Energy Act, Cap 314, to hear and determine appeals from decisions of the Energy Regulatory Commission.
- **Rent Restriction Tribunal:** The Tribunal is established under Section 4 of the Rent Restriction Act Cap 296, to resolve disputes between landlords and tenants of dwelling houses.
- **Competition Tribunal:** The Tribunal is established under Section 71 of the Competition Act No. 12 of 2010, to hear and determine appeals against decisions made by the Competition Authority.
- **Public-Private Partnership Petition Committee (PPPPC):** It is established under Section 4 of the PPPPC Act No. 15 of 2013, (Revised in 2015), to oversee the compliance of public private partnership agreements.
- **Transport Licensing Appeals Board:** This Tribunal is established under the National Transport and Safety Authority Act No. 33 of 2012 (Revised in 2014), to hear appeals against decisions of the National Transport and Safety Authority (NTSA).
- **State Corporations Appeals Tribunal (SCAT):** It is established under Section 22 of the State Corporation Act to handle appeals from any party who is aggrieved by a disallowance or surcharge by the Inspector-General of State Corporations.

- **Competent Authority:** It is established under the Copyright Act Cap 130 (Revised 2009), to hear and determine disputes provided under the Act.
- **Legal Education Appeals Tribunal:** The Tribunal is established under Section 29(1) of the Legal Education Act No.27 of 2012, to determine appeals against the Counsel for Legal Education.
- **Communications and Multi Media Appeals Tribunal:** Established under Section 102(1) of the Kenya Information and Communication (Amendment) Act 2013, for the purpose of arbitrating in cases where disputes arise between the parties under the Act and such matters as may be referred to it by the Minister.
- **Micro and Small Enterprises Tribunal:** It is established under Section 54 of the Micro and Small Enterprises Act, 2012, to determine any dispute concerning the micro and small enterprises and appeals from the decisions of the Micro and Small Enterprises Authority.
- **National Civil Aviation Administrative Review Tribunal:** the Tribunal is established under Section 66 of the Civil Aviation Act No. 21 of 2013 (Revised in 2014), to hear and determine complaints or appeals from parties aggrieved by the decisions of Kenya Civil Aviation Authority.

The Judicial structure is presented below:



**Figure 1: Judiciary Judicial Structure**

## 1.5 Administrative Units

The Judicial Service Act 2011 and the respective courts Acts create the offices of court registrars. Directorates provide functional support to the courts. The Judiciary has seven Offices of the Registrars and nine Directorates. Under the new organizational structure of the Judiciary, some Directorates have been brought under the direct ambit of the Chief Registrar and new ones created. The functions and establishment of the Administrative units are as summarized herein below:

- **Office of the Chief Justice:** The Chief Justice is the head of the Judiciary and the President of the Supreme Court. He provides the link between the Judiciary and other arms of Government while exercising general direction and control over the Judiciary. In addition, the CJ is the Chairman of the Judicial Service Commission (JSC), National Council for the Administration of Justice and the National Council for Law Reporting (NCLR).

The Chief Justice is assisted by the Deputy Chief Justice who is also the Deputy President of the Supreme Court. As the Deputy Head of the Judiciary and the Vice-President of the Supreme Court, the Deputy Chief Justice is responsible to the Chief Justice in the exercise of the functions and duties of the office.

- **The Office of the Chief Registrar of the Judiciary:** The Chief Registrar of the Judiciary (CRJ) is the chief administrator and accounting officer of the Judiciary. The functions of the Office of the CRJ are enumerated under Section 8 of the Judicial Service Act 2015. The office also exercises judicial functions vested by law and regulations and gives effect to the directives of the Chief Justice. The office is assisted in this mandate by the various registrars and directors.
- **Office of the Registrar, Supreme Court:** The Registrar of the Supreme Court exercises both administrative and judicial functions as set out in the Supreme Court Act, 2011. The Registrar is responsible for the management of the Supreme Court registry and library, supervision of personnel, receipt and transmission of processes and documents. He/she is responsible for the enforcement of court orders and giving directions on routine judicial matters and other matters as directed by the Chief Justice and the Court. The Registrar is responsible to the Chief Registrar on the administration of the Court.
- **Office of the Registrar, Court of Appeal:** The Court of Appeal (Administration and Organization) Act, 2015, establishes the Office of the Registrar and



Deputy Registrars under Section 20 and sets out the functions under Section 22. The Registrar, assisted by the Deputy Registrars stationed at every Court of Appeal station, oversees the day-to-day management of the registries, ensures proper record management and supervises personnel. He/she is responsible for facilitating the receipt and transmission of legal processes and administratively report to the Chief Registrar of the Judiciary on the management of the registries.

- **Office of the Registrar, High Court:** The High Court (Organization and Administration) Act, 2015, provides for the establishment of the office of the Registrar of the High Court. He/she is expected to perform such duties as the Chief Registrar or the Principal Judge of the High Court may direct. The Registrar of the High Court in consultation with the Chief Justice, CRJ and the Principal Judge, executes the duties of the office. The duties of the office include setting up registries and sub-registries, daily supervision of the registries and sub-registries and management of personnel and resources. He/she is responsible for undertaking limited judicial duties as provided for in law and under the directions of the judges at the station and generally being responsible to the Chief Justice, CRJ and the Principal Judge on the running of the High Court registries.
- **Office of the Registrar, Employment and Labour Relation Court:** The Registrar of the Employment and Labour Relations Court is created by Section 9 of the Employment and Labour Relations Court Act, 2011. The functions of the office include the setting up, supervision and management of registries and personnel, management of the court's library, receipt and transmission of court processes, certification and enforcement of orders and generally ensure the smooth running of the court registries.
- **Office of the Registrar, Environment and Land Court:** The Office of the Registrar of the Environment and Land Court is created by Section 9 of the Environment and Land Court Act No 19 of 2011. The functions of the Registrar are enumerated under Section 11 of the Act. Some of the functions include the setting up, supervision and management of registries and sub-registries, management and supervision of the staff of the Court. He/she is also responsible for the management of the Court's library, receipt and transmission of court processes, certification and enforcement of orders and generally the day-to-day administration of the Court and any other duties as may be assigned by the CRJ. In performance of her duties, the Registrar is responsible to the Presiding Judge, ELC and to the Chief Registrar of the Judiciary.
- **Office of the Registrar, Magistrates' Courts:** The Office of the Registrar Subordinate Courts was established in July 2012 under the Judicial Service



Act, 2011. The core mandate of the office is to co-ordinate support services to all the Magistrates' and Kadhis' Courts. It is the interface between the judicial and the administrative functions of the courts and that of Judiciary. It focuses on strengthening the existing governance structures to promote good practices to ensure optimal operations towards access to and expeditious delivery of justice to all. The office supervises and co-ordinates the Magistrates' and Kadhis' Courts.

- **Office of the Registrar, Tribunals:** The office of the Registrar Tribunals was established vide a resolution of the Judicial Service Commission in February 2017. The Tribunals' Secretariat is responsible for co-ordinating the affairs of Tribunals. The Registrar is in charge of the Secretariat and overseeing operations of the Tribunals. Specifically, the Registrar is required to institutionalize all aspects of judicial policies in the operations of Tribunals to enhance efficiency and effectiveness in the administration of justice.
- **Office of the Judiciary Ombudsman (OJO):** This Office is mandated to enforce administrative justice in the Judiciary by addressing mal-administration through effective complaint handling structures. The office investigates any allegations of misconduct against judicial officers and staff. It is empowered to receive, consider and process complaints from any litigant who have grievances against the Judiciary. It receives complaints by members of the public against judicial officers and staff. Further, it acts as an internal conflict redress mechanism amongst staff.
- **Directorate of Human Resource Management and Development (DHRM&D):** Responsible for maximizing productivity of the Judiciary by optimizing the effectiveness of its staff through efficient recruitment and selection, training and development, compensation and benefits, discipline and separation.
- **Directorate of Finance and Accounts (DF&A):** The directorate is responsible for promoting proper financial management systems and controls in the Judiciary through financial planning, budgeting, controlling and reporting. The directorate ensures adherence to financial and accounting policies, procedures, controls and systems; legal, statutory and regulatory compliance for all financial transactions, financial risk management and reporting; maintenance of inventory on all bank accounts; administration of the Judiciary budget for timely and effective implementation of programmes and activities; Revenue and Deposit Liability Management, and Tax and Payroll Accounting.
- **Directorate of Information and Communications Technology (DICT):** The overall mandate of the directorate is to ensure the Judiciary leverages

on appropriate technology for effective delivery and administration of justice. Specifically, it is responsible for developing and implementing ICT policies and procedures; developing and maintaining ICT systems to support the judicial/court and administrative functions; hardware and software maintenance; network administration; user support and systems security.

- **Directorate of Planning and Organisational Performance (DPOP):** The broad mandate of the directorate is planning and coordination of the institutionalization of Performance Management Systems in the Judiciary for informed policy decisions and expeditious delivery of justice. Specifically, the directorate coordinates planning, monitoring and evaluation of Judiciary programmes and projects; advises on economic planning matters in the Judiciary to ensure conformity with the national priorities, objectives and strategies and provides relevant support to the courts; coordinates organizational performance; coordinates implementation of quality management standards and promotion of innovations; conducts research, and collates, analyses and disseminates case statistical data to inform Judicial programs and policies.
- **Directorate of Audit and Risk Management (DA&RM):** The directorate provides audit and risk assurance for efficient operations and delivery of services in the Judiciary. It reviews and appraises the efficiency and effectiveness, adequacy and application of systems of internal controls to mitigate risks and recommend remedial actions; assess the reliability of management information utilized in decision making; reviews compliance with existing laws, regulations, policies, plans and procedures, accounting pronouncements and contractual obligations; reviews controls for safeguarding the assets of the Judiciary and provides an independent view of proposed plans, systems, guidelines and transactions and recommending an appropriate action.
- **Directorate of Supply Chain Management (DSCM):** The directorate is responsible for the development and implementation of procurement plans. It coordinates development and implementation of procurement policies and procedures manual; oversees proper management of stores; oversees the disposal of obsolete and unusable stores and maintains an asset register for the Judiciary.
- **Directorate of Administration Services (DAS):** This is a new directorate envisaged under the new organizational structure. The directorate will provide strategic direction and manage all security related issues within the Judiciary for protection of assets, employees, court users and the public while in the Judiciary premises. It ensures security resources are

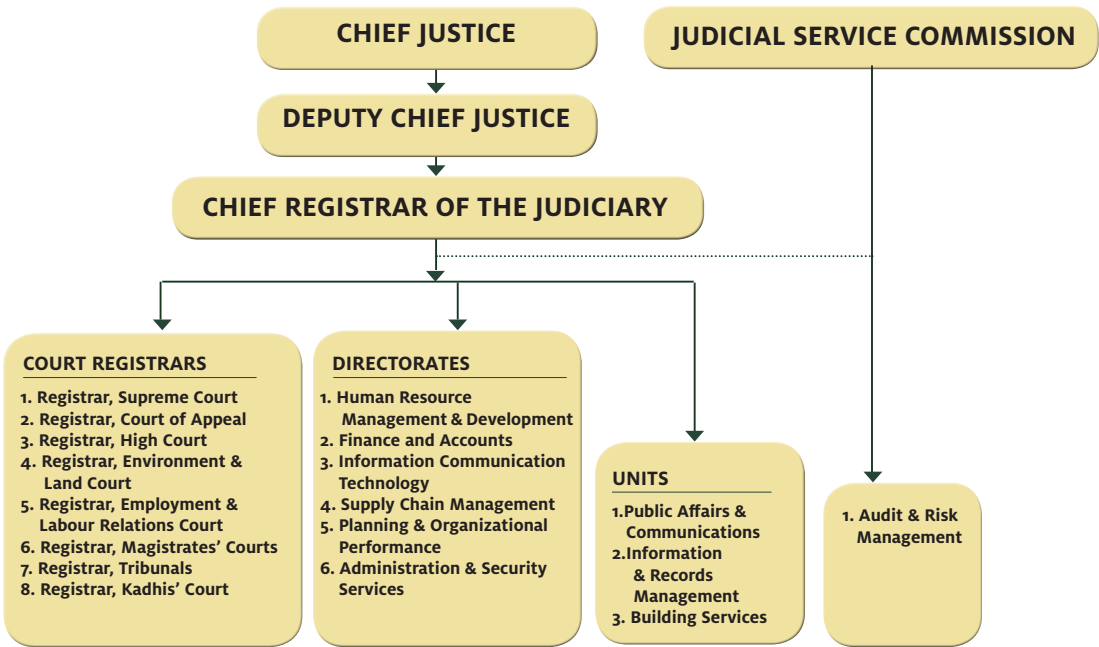
appropriately allocated; reviews, administers and maintains security policies and operational manual for physical safety of property, assets, employees and court users; and oversees the development and implementation of preventive security programs. It is responsible for ensuring the security of the Judiciary personnel and infrastructure, assess and manage security threats that affect the Judiciary.

- **Building Services Unit (BSU):** The unit is responsible for designing courts and related buildings, preparing tender and contract documents in liaison with other relevant units, supervising construction works and ad hoc maintenance of existing structures and estate management.
- **Public Affairs and Communication Unit (PACU):** The unit is responsible for building relationships with court clients and stakeholders, promoting awareness, responding to media-related issues, developing Information Education and Communication strategies and ensuring that the Judiciary maintains a positive public image.
- **Information and Records Management Unit (I&RMU):** The unit oversees the implementation of library, information and records management functions in the Judiciary. It establishes, develops and maintains Judiciary institutional memory by creating repositories. It is the custodian of legal information resources.

### 1.5.1 National Council on the Administration of Justice

National Council on the Administration of Justice (NCAJ) is a Semi-Autonomous Judiciary Agencies (SAJA) established under Section 34 of the Judicial Service Act (No. 1 of 2011). It is a high-level policymaking, implementation and oversight coordinating mechanism as reflected in its membership, composed of State and Non-State Actors. Its mandate is to ensure a coordinated, efficient, effective and consultative approach in the administration of justice and reform of the justice system. The NCAJ is mandated to oversee and promote sector wide partnership through regular Council meetings, issue-based special working committees and the implementation of the recommendations of Court Users Committees (CUCs).

The Judiciary administrative structure is presented below:



**Figure 2: Judiciary Administrative Structure**

### 1.6 Staffing

As at June 30th, 2019, the Judiciary had an employee establishment of 5,419. This included seven Supreme Court Judges, 19 Court of Appeal Judges, 82 High Court Judges and 12 Judges of Employment and Labour Relations Court. Further, the establishment comprised 34 Judges of Environment and Land Court, 558 Magistrates and Kadhis and 4,707 Judicial staff.

### 1.7 Development of the Strategic Plan

Development of the Strategic Plan was undertaken through a consultative and participatory process. A technical team from the Directorate of Planning and Organizational Performance spearheaded the process in close consultation with top management and Directors, Registrars and Heads of Units. The process involved review of the previous Strategic Plan 2014-2018, Judiciary policy documents and reports. Several consultative meetings, retreats and workshops with the implementing units, were held. The input by implementing units was used to prepare a draft Plan which was further enriched through extensive discussions with management, particularly the Chief Justice, the Deputy Chief Justice, President Court of Appeal, all the Principal Judges, the Chief Registrar of the Judiciary, Registrars, Heads of Units, Directors, as well as representatives of Judges, Judicial Officers

Staff. The feedback was incorporated in the draft Plan and a final validation workshop by a select internal management team was conducted.

The policy documents and reports reviewed include the Constitution of Kenya, Judiciary Strategic Plan 2014-2018 and its Evaluation Report, Sustaining Judiciary Transformation (SJT) blueprint, the State of Judiciary and Administration of Justice Reports (SoJAR), Kenya Vision 2030 and Medium Term Plan 2013-2017. Other documents reviewed included the Court User and Employee satisfaction and Work Environment survey reports, Performance Measurement and Management Understandings (PMMUs) evaluation reports, Organizational Review report, internal policies and procedures manuals and strategic plans for the Supreme Court, Court of Appeal, ELRC and Tribunals. The team also reviewed the ICT Master Plan and workplans by Judiciary Implementing Units.

Information on unit-specific key areas of focus was sought from Judges, Judicial Officers and Staff by use of self-administered questionnaires, Key Informant Interviews and Focus Group Discussions. Further, stakeholder consultations were undertaken through meetings and workshops.



# Chapter 2

## Situational Analysis

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## 2.1 Introduction

This chapter presents an analysis of the internal and external environment in which the Judiciary operates as well as a synopsis of the key policies, legal and procedural documents, which informed the strategic planning process. It highlights the achievements and challenges from the previous strategic period, 2014 to 2018, while providing the foundation blocks on which the vision and strategies of this Plan are formulated.

## 2.2 The National Development Agenda

According to Vision 2030, Kenya aspires to transform into an industrialized upper middle income economy offering a high quality life to all its citizens by the year 2030. This Vision is being implemented through successive five-year Medium Term Plans (MTPs) and various government developmental initiatives such as the Big Four Agenda. The Judiciary's role is key to the achievement of the political pillar of Kenya Vision 2030 blueprint. This pillar, envisions the transformation of the country's political governance system across six strategic areas, namely: rule of law; electoral and political processes; democracy and improved public service delivery; transparency and accountability; public administration reforms; and security, peace building and conflict management.

The Medium Term Plan 2018-2022, is the third in a series of successive five-year medium term plans to implement the Kenya Vision 2030. The flagship programmes aim at transforming the Judiciary into a legitimate, effective and independent custodian of justice. They involve the transformation of court procedures, processes, organizational culture and management to re-orientate them towards a culture of responsive, proactive, friendly, effective and accessible service delivery. Specifically, to achieve the objectives set out in the MTP III 2018 – 2022, the Judiciary will prioritize enhancement of Public Service Delivery Systems and Processes. This will entail automation and digitization of service delivery through development of a Records Management System, e-Judiciary Platform, Case Management System (CMS) and Integrated Performance Management and Accountability System (IPMAS). The Tribunal Bill has also been identified as a key legislation to guide and complete the transition of Tribunals to the Judiciary. Further, strengthening of the NJAJ will ensure continued consultation on reforms among stakeholders in the justice sector.

In addition, the Plan prioritizes policies, programmes and projects which will support the implementation of the “Big Four” initiatives, namely: raise the share of manufacturing sector to 15 per cent of GDP; ensure that all citizens enjoy food security and improved nutrition; achieve Universal Healthcare Coverage; and deliver at least 500,000 affordable housing units.

It is therefore imperative that the Judiciary plays its role of upholding the rule of law which is an important determinant of social economic and political development in any democratic country. Relatedly, the Judiciary needs to create a conducive business climate through provision of a responsive and efficient commercial justice system.

### **Medium Term Expenditure Framework**

Medium Term Expenditure Framework (MTEF) is the national planning and budget formulation process within which the Kenya's Government establishes a credible and transparent system for allocating public resources to strategic priorities while ensuring overall fiscal discipline. The objectives of the process are two-fold; setting of the fiscal targets and allocating resources to strategic priorities within these targets. Ministries, Departments and Agencies in Government are organized in sectors as per the United Nations Classification of Government Functions. The Judiciary is placed under the Governance, Justice, Law and Order Sector (GJLOS) Working Group where it is expected to work closely with other members of the working group to formulate and prioritize sector budget proposals.

### **2.3 Sustaining Judiciary Transformation Blueprint**

The Judiciary Strategic Plan is aligned to the Sustaining Judiciary Transformation (SJT) 2017-2021 blueprint and prioritises the key initiatives outlined in the document. The SJT blueprint focuses on enhancing service delivery while emphasizing on improvement of work methods, enhancement of individual and institutional accountability, performance measurement, monitoring and evaluation, operationalization of systems, and entrenchment policies and manuals, as cross-cutting interventions. The key thematic areas of SJT are access to justice, clearance of case backlog, integrity, fight against corruption and re-organization of Judiciary complaints handling mechanisms, restructuring and strengthening of the Office of the Judiciary Ombudsman, Judiciary digital strategy, and leadership and governance. The blueprint further provides specific directions for each thematic area on which all courts and implementing units are expected to develop and implement feasible strategies and comprehensive action plans.

### **2.4 Judiciary Policy and Procedure Documents**

Operations of the Judiciary are guided by various policy and procedure manuals on court registry functions, finance and accounting processes, human resource management and administration, as well as information communication technology functions. The policies and procedures influence and determine the day-to-day administrative decisions and actions of the



Judiciary in a manner that ensures quality and efficiency in the delivery of services. The operationalised Judiciary policy documents are discussed below:

- **Registry Operations Manuals:** The Registry Operations Manuals for the Supreme Court, Court of Appeal, High Court, ELRC and Magistrates' and Kadhis' Courts, were developed and are being implemented. They streamline and standardize registry processes by providing clarity on management of court records from creation to disposal, and ensure uniform customer experience and accountability among registry officials.
- **Human Resource Policies and Procedure Manual:** The Judiciary Human Resource Policies and Procedures Manual lay down principles, guidelines, and procedures that serve as a reference for Judicial Officers and Staff on human resource and administration policies and procedures in the Judiciary. The manual incorporates provisions of the Constitution of Kenya, 2010, and legislation governing various aspects of employee and employer relationship. This manual will be subject to review from time to time by the JSC.
- **Finance Policy and Procedures Manual:** The Judiciary Finance Policy and Procedures Manual ensure control in financial and accounting operations of the Judiciary in line with the national laws. The manual is a standardized and official reference guide for all employees on financial management and accounting cycle.
- **Information Communication Technology (ICT) Policy:** The ICT policy outlines the standards, guidelines and procedures that guide the utilization of ICT in the Judiciary. It provides a framework that guides the acquisition, use and maintenance of ICT resources; automation and standardization of court processes; application of ICT in service delivery; and ensures security of data and information.
- **ICT Master Plan 2017-2022:** The Judiciary ICT Master Plan 2017-2022 provides strategies for acquiring and integrating ICT systems in the Judiciary. The Plan emphasises collaborative and organization-wide management approach in adoption of ICT and alignment of ICT projects and developments to Judiciary blueprints including the Judiciary Strategic Plan. The priority projects proposed under the Master Plan are Case Management System (CMS), Court Transcription System, Integrated Financial Management System (IFMS), Human Resource and Performance Management System, ICT Connectivity Infrastructure and the Judiciary Intranet.
- **Infrastructure Master Plan:** The Judiciary Infrastructure Master Plan guides construction of physical infrastructure in the Judiciary. The plan

provides for a criterion for the selection and prioritization of courts for construction and the role of key players during its implementation. The Implementation of the Plan will go a long way in realizing the ultimate vision where every citizen shall have equitable access to affordable, efficient and expeditious delivery of justice.

- **Judiciary Library Management Guidelines:** The Judiciary Library Management Guidelines sets out principles that will guide in the development of quality library collections, access, selection, budgeting procedures, ordering (acquisition) policies, security, cataloguing, classification and indexing policies, among others. The guidelines shall be implemented by the head of the Judiciary Library Services and be applied by all Judiciary Library Services users including Judicial Officers and Staff, and advocates of the High Court, students on pupillage and attachment programmes at the Judiciary and authorized members of the public.

## 2.5 Strategic Plan 2014-2018 Evaluation Report

The report provides results of an end term evaluation of the Judiciary Strategic Plan 2014-2018. It documents the achievements, challenges and lessons learnt during implementation of the Plan and makes recommendations that informed development of this Strategic Plan. The Plan analyses the relevance, effectiveness, efficiency, impact and sustainability of programmes and activities. Below are some of the Key achievements, challenges and lessons learnt.

### 2.5.1 Key Achievements

- i. The Judiciary completed the construction of one Court of Appeal building and 23 High Court stations while the construction of 14 Magistrates' Court stations were still ongoing. It established 71 courts across the country including three Court of Appeal sub-registries, 19 High Courts, nine ELCs, eight Magistrates Courts, and 32 Kadhis' Courts. Sub-registries for four High Courts and nine for the ELRC were also established. Further, four ELRC circuits were established while three mobile Magistrate Courts upgraded to full-fledged Magistrates' Court stations. During the Plan period, 20 out of the 60 Tribunals were transited to the Judiciary.
- ii. The Judiciary operationalized the CMS in the Supreme Court, Court of Appeal Nairobi, all courts at Milimani Law Court building, Tononoka, Kiambu, Naivasha and Shanzu Magistrates' Courts. Additionally, the Judiciary procured and distributed 20 speech-to-text gadgets.
- iii. Practice rules and directions for ease of practice for court users were developed. The practice rules and directions include; the Supreme Court Presidential Elections Petitions Rules 2017, Supreme Court (Amendment

Rules) 2016, Court of Appeal (Organization and Administration) Rules 2015, Court of Appeal Election Petitions Rules 2017, Court of Appeal (Civil Appeals and Applications Practice Directions) 2015 and the High Court (Organization and Administration) Rules 2016. Others that were developed are; Practice Directions relating to pauper brief scheme and pro bono services guidelines, Environment and Land Court Practice Directions and Rules 2014, ELC Practice Guidelines for Magistrates handling ELC matters 2017, as well as the ELRC (Procedure) Rules 2016.

- iv. The Judiciary developed, installed and piloted different ICT system at various court stations. These included piloting of the e-Diary system for dates management at Milimani and Mombasa Law Courts. The system was later upgraded to the Case Tracking System which was rolled out in nine court stations and seven Divisions of the High Court. Further, e-filing system that allowed advocates to file cases from their offices, was piloted at the Commercial Division of the High Court at Milimani, Nairobi. The Queue Management System (QMS) was also rolled out at Milimani and Mombasa Law Courts.
- v. The institution developed policy documents for administrative operations. They include the Human Resource Policies and Procedure Manual, Finance Policy and Procedures Manual, ICT Policy, ICT Master Plan 2017-2022 and Judiciary Library Management Guidelines. In addition, it developed the Registry Operations Manuals for the Supreme Court, High Court, ELRC and the Magistrates' and Kadhis' Courts.
- vi. It progressively implemented four cycles of Performance Management and Measurement Understandings (PMMUs) where the total number of courts and administrative units engaged, rose from 257 in the first cycle (FY 2015/16), to 280, in the fourth cycle (FY 2018/19).

## 2.5.2 Challenges

- i. Insufficient Funding:** Frequent austerity measures by the National Treasury which often led to budget cuts grossly affected the implementation of key projects in the Judiciary. Additionally, inconsistent and unreliable disbursement of the exchequer affected the speed and timeliness of project implementation. This was worsened by delayed disbursements of donor funds that had a particular focus on specific activities or projects, thus limiting funding to other core activities of the Judiciary.
- ii. Inadequate Human Resource Capacity:** The number of Judges and Judicial Officers was not adequate to meet the increasing demand for justice. Further, there was shortage of staff in critical administrative functions such as accounts, audit, procurement and ICT, making it difficult

for adequate support to the Judiciary's core mandate. The mismatch of skills and responsibility as well as skewed deployment of staff affected the efficiency of service delivery. Most directorates did not have substantive directors during the entire duration of the Plan affecting the process of decision making.

**iii. Corruption:** There were incidences of corruption and perceived corruption which adversely affected the credibility and image of the Judiciary. Continued disrespect and disregard of court orders was a major threat to the independence of the Judiciary.

**iv. Slow Uptake of Technology and Automation:** There was a significant lag in the uptake of emerging technologies and systems that were introduced during the period.

### 2.5.3 Lessons Learnt

**i. Prioritisation, Sequencing and Pooling:** To enhance efficiency, major projects should be properly conceptualised and implementation structured in a phased but logical manner. Priority should be placed on foundational and requisite projects upon which the substantive projects are built.

**ii. Financial Planning:** Comprehensive financial planning is critical in ensuring timely and successful completion of projects. From the outset, the source of project funds should be secured and cash flows mapped out throughout the life of the project. This is necessary to eliminate cases of stalled or delayed projects due to inconsistent flow of funds.

**iii. Resource Mobilisation and Coordination:** The dwindling budgetary allocation to the Judiciary vis-à-vis the overall budget requirements calls for a robust resource mobilisation strategy to supplement the resources from the Government. Furthermore, uncoordinated donor support leads to concentration of resources on the most viable or quick-win projects while multiple funding of similar activities may result into wastage.

**iv. Feasibility Studies:** Thorough feasibility studies are a prerequisite for implementation of major projects so that resources are committed to projects that are viable and provide value for money. There were instances where the size and magnitude of the project, especially in construction of courts, did not correspond to the needs of the target population or was not implemented in the areas with the most need.

**v. Clarification of Roles:** Clarification of roles and responsibilities for all players in project implementation reduces duplication, overlaps and conflicts that often derail implementation. Clear demarcation of roles of committees, advisers and substantive directors with defined linkages and reporting lines is necessary.

**vi. Policy Linkages:** Clear linkages between various policy documents are necessary to minimise hindrances during implementation of programmes. For instance, there was need to clearly define and communicate the linkage between the Judiciary Strategic Plan 2014 - 2018 and the SJT, which was introduced midway through the Strategic Plan period.

2.6 Environmental Scan

The Judiciary is alive to the environment in which it operates. This environment is majorly dictated by internal and external dynamics that include socio-economic, legal and political factors. These aspects impact on its operations directly and indirectly and in turn creates demands and challenges, which must be addressed. This section presents an assessment of the current operating environment of the Judiciary. Internal and external environment was analysed using SWOT and PESTEL.

2.6.1 Strength, Weaknesses, Opportunities and Threats (SWOT)

Achievement of objectives of this Plan will substantially depend on how Judiciary augments its strengths, exploits the existing opportunities, and manages the weaknesses in its operations, while mitigating factors that pose threats. Table 1 presents a summary of the SWOT analysis.

Table 1: SWOT Analysis

STRENGTHS	WEAKNESSES
<ul style="list-style-type: none"><li>Judiciary’s mandate, independence and structure is well entrenched in the Constitution</li><li>Qualified professionals with diverse experiences</li><li>Wide network of courts that take services closer to users</li><li>Existence of courts and administrative policies and manuals</li><li>Adoption of performance management</li><li>Existence of Judiciary Organization Structure</li></ul>	<ul style="list-style-type: none"><li>Inadequate physical and ICT infrastructure</li><li>Inadequate human resource capacity in terms of numbers, skills and placement</li><li>Slow uptake of technology and automation</li><li>Unethical practices including corruption</li><li>Inadequate policies and weak enforcement of existing policies</li><li>Weak knowledge management and ‘silo’ mentality</li><li>Weak stakeholder engagement strategies</li><li>Lack of title deeds for land</li></ul>

OPPORTUNITIES	THREATS
<ul style="list-style-type: none"> <li>• Goodwill from development partners</li> <li>• Improved stakeholder engagement and media relations</li> <li>• Technological innovations</li> <li>• Recognition of Alternative Dispute Resolution mechanisms (ADR) including Alternative Justice Systems (AJS), Court Annexed Mediation (CAM)</li> <li>• Constitutionalism</li> <li>• Training and research in new emerging frontiers</li> <li>• Collaboration with other government agencies</li> <li>• Enhancing access to justice through Tribunals</li> </ul>	<ul style="list-style-type: none"> <li>• Shifting funding priorities of development partners</li> <li>• Negative publicity</li> <li>• Interference in the Judiciary Independence</li> <li>• Disregard of court decisions and orders</li> <li>• Security threats and terrorism including cyber threats</li> <li>• Gaps in laws to operationalize key initiatives</li> <li>• Dynamic political environment</li> <li>• Instability in the economy</li> </ul>

## 2.6.2 Political Economic Social Technological Environmental and Legal (PESTEL)

This section presents an analysis of political, economic, social, technology, environment as well as legal factors.

- **Political Factors:** Kenya's political landscape is characterised by uncertainties especially during the electioneering period. During this period, court decisions are often interpreted along political lines thereby putting into question the credibility of Courts. Implementation of the Strategic Plan will coincide with the 2022 General Elections that involve change of guard at the presidency. Given the nature of the presidential elections which if hotly contested, there will be heightened pressure on the Judiciary. Further, continual attempts to undermine separation of powers, justice and judicial independence, will be expected throughout the Strategic Plan period. However, with deepening of devolution, there will be opportunities for partnerships with County Governments to expand court network and enhance access to justice.
- **Economic Factors:** The plan period is likely to be characterised by slow economic growth, ballooning public debt and depressed revenue collection which may lead to reduced budgetary allocation to the Judiciary. Erosion of disposable income is likely to expand economic inequalities and widespread poverty which may hamper access to justice and increase cost of legal representation.
- **Social Factors:** The promulgation of the Constitution of Kenya 2010 has seen increased demand for implementation of constitutional rights, in particular, the socio-economic rights by the minorities, special interest

groups and marginalized communities. This trend is expected to continue in the medium term, hence the need for courts to deliver decisions that will contribute to development of jurisprudence, from time to time. The exponential increase in the number of youths if not properly harnessed will continue to exert pressure on the finite factors of production leading to increased unemployment and criminal activities. Further, the rising literacy levels will enhance the public participation in decision-making and ability to participate in governance and agitation for constitutional rights.

- **Technological Factors:** On one hand, the Judiciary is expected to leverage on the rapid rate of technological change and innovation to reduce operational costs and accelerate the delivery of justice. On the other hand, rapid technological changes may render obsolete existing IT systems and equipment if not updated in time.
- **Environmental Factors:** With the increasing drive to green work environments, the Judiciary will have to adopt sustainable business practices in its operations. This will include compliant court premises, waste management, use of renewable energy and paperless operational environment. The Judiciary will ensure that its decisions promote safe, secure and sustainable environment.
- **Legal Factors:** The Judiciary will be expected to continue to uphold and protect the Constitution. However, the possibility of a referendum during the Strategic Plan period, may impact on the Constitution and hence alter the structure and operations of courts.

## 2.7 Stakeholder Analysis

Stakeholders' analysis was undertaken to identify interests, relationships and expectations. These analyses formed the basis for the formulation of key priorities, strategic goals, objectives and strategies. The analysis identifies the interests, power and influence of all stakeholders on the operations of the Judiciary. A summary of stakeholder analysis is provided in Table 2.

**Table 2: Stakeholder Analysis**

STAKEHOLDERS	STAKEHOLDERS' EXPECTATIONS FROM JUDICIARY	JUDICIARY'S EXPECTATIONS FROM STAKEHOLDER
The general public	<ul style="list-style-type: none"> <li>• Efficient and effective service delivery</li> <li>• Speedy delivery of Justice</li> <li>• Relevant information and feedback</li> <li>• Create conducive work environment for people with disability</li> <li>• Uphold values</li> </ul>	<ul style="list-style-type: none"> <li>• Hold Judiciary accountable</li> <li>• Participation in Judiciary activities</li> </ul>
Judges, Judicial Officers and Staff	<ul style="list-style-type: none"> <li>• Conducive work environment</li> <li>• Competitive terms and conditions of service</li> <li>• Transparency and accountability</li> <li>• Fair treatment</li> <li>• Opportunities for career progression</li> </ul>	<ul style="list-style-type: none"> <li>• Upholding professional standards and ethics</li> <li>• Dedication and diligence in their work</li> <li>• Provide feedback</li> </ul>
Litigants	<ul style="list-style-type: none"> <li>• Independence and impartiality in decisions</li> <li>• Efficient and effective case management</li> <li>• Professionalism</li> <li>• Accessible justice</li> </ul>	<ul style="list-style-type: none"> <li>• Abide by the Court decisions</li> <li>• Comply with court processes and timelines</li> <li>• Integrity</li> <li>• Provide feedback</li> </ul>
Judicial Service Commission	<ul style="list-style-type: none"> <li>• Implement JSC decisions and policies</li> <li>• Professionalism</li> <li>• Adopt principles of good corporate governance</li> </ul>	<ul style="list-style-type: none"> <li>• Transparency and competitiveness in appointment</li> <li>• Promote independence and accountability</li> <li>• Play its oversight role in management of Judiciary</li> <li>• Maintain facilitative relations with other organs of government</li> <li>• Timely approval of formulated policies</li> </ul>



STAKEHOLDERS	STAKEHOLDERS' EXPECTATIONS FROM JUDICIARY	JUDICIARY'S EXPECTATIONS FROM STAKEHOLDER
Advocates	<ul style="list-style-type: none"> <li>• Independence and impartiality in decisions</li> <li>• Efficient and effective case management</li> <li>• Professionalism</li> <li>• Uphold integrity</li> <li>• Adopt a zero tolerance approach on corruption.</li> <li>• Relevant information and feedback</li> <li>• Conducive work environment including for people with disability</li> </ul>	<ul style="list-style-type: none"> <li>• Respect for the rule of law</li> <li>• Comply with court processes and timelines</li> <li>• Uphold integrity</li> <li>• Contribute to growth of jurisprudence</li> <li>• Provide feedback and adequate information</li> </ul>
National Council on Administration of Justice (NCAJ)	<ul style="list-style-type: none"> <li>• Support Court User Committees at every court station</li> <li>• Prudent use of funds</li> <li>• Hold CUC meetings as per schedule</li> <li>• Involvement of stakeholders in key policy decisions</li> </ul>	<ul style="list-style-type: none"> <li>• Spearhead legal reforms in areas of administration of justice</li> <li>• Review legal and policy frameworks for justice sector</li> <li>• Strengthen Court User Committees</li> <li>• Mobilize resources for the administration of justice</li> <li>• Public education and advocacy</li> </ul>
National Council for Law Reporting (NC LR)	<ul style="list-style-type: none"> <li>• Avail court decisions in a timely manner</li> <li>• Timely submission of judgements, cause lists and other information</li> </ul>	<ul style="list-style-type: none"> <li>• Publish and disseminate court decisions in a timely manner</li> <li>• Keep the laws of Kenya updated and current</li> <li>• Publish daily cause lists</li> </ul>
Law Society of Kenya (LSK)	<ul style="list-style-type: none"> <li>• Effective and efficient case management</li> <li>• Share relevant information</li> <li>• Transparency and accountability</li> <li>• Create a culture that supports access to justice</li> </ul>	<ul style="list-style-type: none"> <li>• Perform their role as stipulated in the LSK Act</li> <li>• Upholding professional standards and ethics</li> <li>• Offer free legal services to indigent litigants</li> <li>• Contribute to growth of jurisprudence</li> </ul>
Development Partners	<ul style="list-style-type: none"> <li>• Transparency and accountability</li> <li>• Implement projects according to the approved work plans</li> <li>• Timely reporting</li> </ul>	<ul style="list-style-type: none"> <li>• Technical and financial support</li> <li>• Timely funding and support</li> <li>• Feedback</li> <li>• Participate in joint activities</li> <li>• Adhere to Judiciary priorities</li> <li>• Support and Trust in Government systems</li> </ul>

STAKEHOLDERS	STAKEHOLDERS' EXPECTATIONS FROM JUDICIARY	JUDICIARY'S EXPECTATIONS FROM STAKEHOLDER
Academia/ Research Institutions	<ul style="list-style-type: none"> <li>• Collaboration in research</li> <li>• Strategic partnerships</li> </ul>	<ul style="list-style-type: none"> <li>• Conduct scholarly discourse on the court's decisions.</li> <li>• Information dissemination</li> <li>• Collaboration in research on issues relating to administration of justice</li> <li>• Provide stock of qualified professionals</li> </ul>
Media	<ul style="list-style-type: none"> <li>• Transparency in conducting court processes</li> <li>• Provide accurate and timely information</li> <li>• Provide rules of engagement</li> </ul>	<ul style="list-style-type: none"> <li>• Fair, accurate and objective reporting</li> <li>• Information dissemination</li> <li>• Proper identification</li> </ul>
Civil Society	<ul style="list-style-type: none"> <li>• Interpret the Constitution</li> <li>• Communicate court decisions</li> </ul>	<ul style="list-style-type: none"> <li>• Public interest litigation</li> <li>• Abide by the court decisions</li> </ul>
Parliament	<ul style="list-style-type: none"> <li>• Play its role as stipulated in the Constitution</li> <li>• Communicate court decisions</li> <li>• Respect the doctrine of Separation of Powers</li> <li>• Prudent use and accountability of allocated resources</li> </ul>	<ul style="list-style-type: none"> <li>• Perform its role as stipulated in the Constitution</li> <li>• Respect the doctrine of Separation of Powers</li> <li>• Abide by Oath of Office</li> <li>• Allocation of adequate resources</li> </ul>
National Security Organs	<ul style="list-style-type: none"> <li>• Strategic partnerships</li> <li>• Speedy determination of cases</li> <li>• Comply with court decisions</li> <li>• Attend and participate in Court User Committees</li> </ul>	<ul style="list-style-type: none"> <li>• Professionalism in conducting their duties</li> <li>• Collaborate with the Judiciary and other players in the justice chain</li> </ul>
Prisons	<ul style="list-style-type: none"> <li>• Strategic partnership</li> <li>• Speedy determination of cases</li> </ul>	<ul style="list-style-type: none"> <li>• Professionalism in conducting their duties</li> <li>• Collaboration with the Judiciary and other stakeholders</li> </ul>

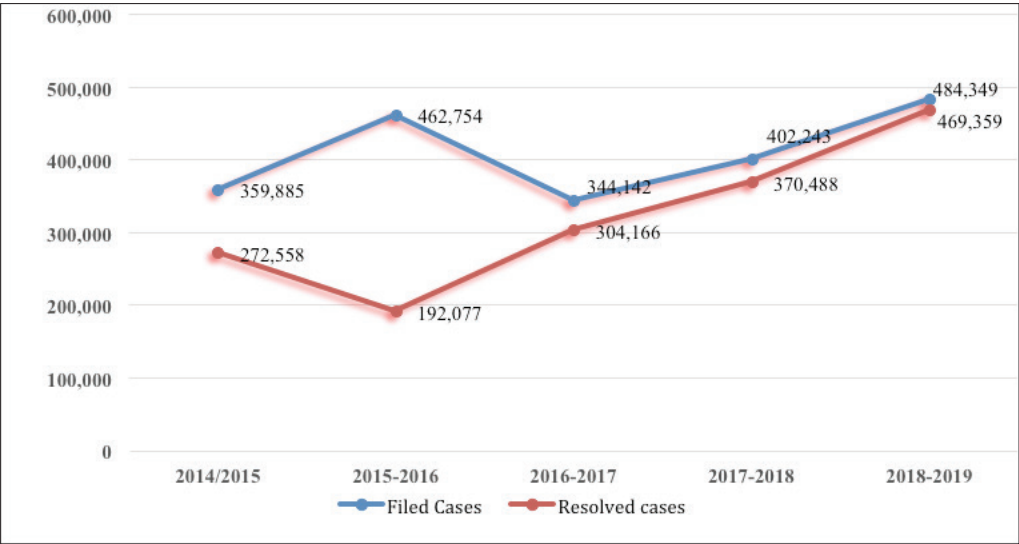
STAKEHOLDERS	STAKEHOLDERS' EXPECTATIONS FROM JUDICIARY	JUDICIARY'S EXPECTATIONS FROM STAKEHOLDER
National and County Governments	<ul style="list-style-type: none"> <li>Professionalism</li> <li>Prudent use and accountability of allocated resources</li> <li>Respect for separation of powers</li> </ul>	<ul style="list-style-type: none"> <li>Provide requisite resources</li> <li>Observance of the rule of law</li> <li>Respect the separation of powers doctrine</li> <li>Professionalism</li> </ul>
Attorney General	<ul style="list-style-type: none"> <li>Professionalism</li> <li>Play their role as stipulated in the Constitution</li> </ul>	<ul style="list-style-type: none"> <li>Perform their role as stipulated in the Constitution</li> <li>Professionalism</li> </ul>
Directorate of Public Prosecution	<ul style="list-style-type: none"> <li>Professionalism</li> <li>Play their role as stipulated in the Constitution</li> </ul>	<ul style="list-style-type: none"> <li>Perform their role as stipulated in the Constitution</li> <li>Professionalism</li> </ul>
Probation and Aftercare Services	<ul style="list-style-type: none"> <li>Professionalism</li> <li>Play their role as stipulated in the Constitution</li> </ul>	<ul style="list-style-type: none"> <li>Perform their role as stipulated in Probation and Offenders Act and Community Service Orders Act</li> <li>Sensitize community and judicial officers on their role</li> <li>Professionalism</li> </ul>
Children's Department	<ul style="list-style-type: none"> <li>Decide cases with the interests of the child as paramount</li> <li>Professionalism</li> <li>Play their role as stipulated in the Constitution</li> </ul>	<ul style="list-style-type: none"> <li>Perform their role as stipulated in the Children Act and the Constitution</li> <li>Professionalism</li> </ul>
Ethics and Anti-Corruption Commission (EACC)	<ul style="list-style-type: none"> <li>Strategic partnerships</li> <li>Professionalism</li> <li>Speedy disposal of matters</li> </ul>	<ul style="list-style-type: none"> <li>Investigate corruption and economic crimes</li> <li>Professionalism</li> </ul>
National Treasury	<ul style="list-style-type: none"> <li>Efficient utilization of allocated resources</li> <li>Transparency and accountability</li> </ul>	<ul style="list-style-type: none"> <li>Provision of adequate budget</li> <li>Timely release of funds</li> <li>Professionalism</li> </ul>

STAKEHOLDERS	STAKEHOLDERS' EXPECTATIONS FROM JUDICIARY	JUDICIARY'S EXPECTATIONS FROM STAKEHOLDER
Kenya School of Law and the Council for Legal Education	<ul style="list-style-type: none"> <li>• Strategic Partnerships</li> <li>• Transparency and accountability</li> </ul>	<ul style="list-style-type: none"> <li>• Perform their role as stipulated in the Council for Legal Education Act</li> <li>• Professionalism</li> </ul>
Salaries Remuneration Commission (SRC)	<ul style="list-style-type: none"> <li>• Professionalism</li> <li>• Play their role as stipulated in the Constitution</li> <li>• Speedy disposal of matters</li> </ul>	<ul style="list-style-type: none"> <li>• Perform their role as stipulated in the Constitution</li> <li>• Participate and advise parties during CBA preparations</li> </ul>
Judiciary Training Institute	<ul style="list-style-type: none"> <li>• Partnerships in specific programmes</li> <li>• Submit training requirements</li> </ul>	<ul style="list-style-type: none"> <li>• Provide necessary technical support and training</li> <li>• Conduct scholarly discourse on the court decisions</li> <li>• Collaboration in research on issues</li> <li>• Dissemination of information</li> </ul>

## 2.8 Court Caseload Statistics

### 2.8.1 Filed and Resolved Cases in the Judiciary

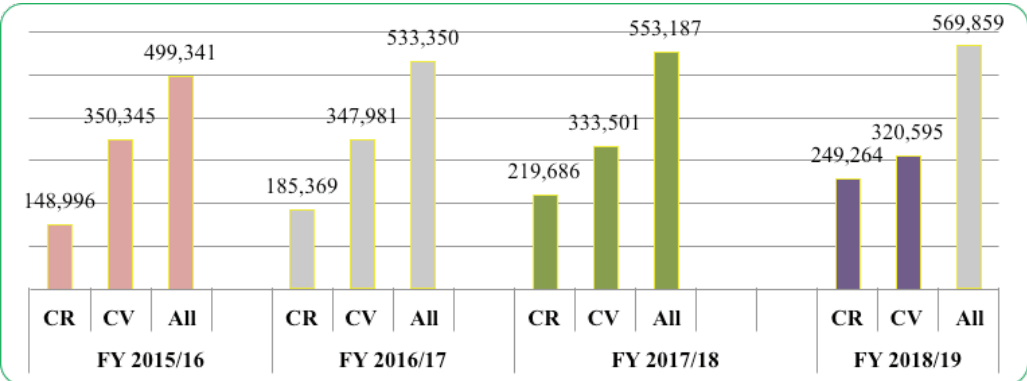
In the FY 2014/2015, a total of 359,885 cases were filed while 272,558 cases were resolved. In the year 2015/2016, the cases filed were 462,754 cases and 192,077 cases were resolved. In the FY 2016/2017, 344,142 cases were filed and 304,166 cases resolved. The trend shows an increase of filed cases to 402,243 and resolved cases to 370,488 in the FY 2017/2018. In the FY 2018/19, a total of 484,349 cases were filed in the Judiciary accounting for 22 per cent increase compared to the previous year. During the same period 2018/2019, a total of 469,359 cases were resolved in all courts, an increase by 26 per cent. Figure 3 indicates the trend for filed and resolved cases in the Judiciary from FY 2014/15 to FY 2018/19.



**Figure 3: Trend for Filed and Resolved Cases in the Judiciary**

### 2.8.2 Pending cases in the Judiciary

By the end of the FY 2018/19, there were 569,859 pending cases in the Judiciary, which comprised 249,264 criminal cases and 320,595 civil cases. There was an increase of three per cent in pending cases compared to 553,187 pending cases in the FY 2017/18. The trend in pending cases in the Judiciary for the past three financial years by broad case type is illustrated in Figure 4.



**Figure 4: Pending Cases**

### 2.8.3 Case Backlog in the Judiciary

Case backlog is any case that has been pending for more than a year. The total backlog cases in the Judiciary as at June 30, 2019 were 341,056. The number of backlog cases aged between one and three years was 225,322 while those between three and five years were 75,953. Those aged above

five years, were 39,781 cases. The distribution of case backlog by age as at June 30, 2019, for different court types is detailed in Table 3. The bulk of case backlog was in Magistrates' Courts, 245,268 cases, representing 70 per cent followed by High Court, 63,443 cases, representing a 20 per cent. The case backlog in Kadhis' Court and Supreme Court was less than one per cent.

**Table 3: Case backlog by Age and Court, June 30, 2019**

COURT TYPE	1-3 YEARS	3-5 YEARS	OVER 5 YEARS	ALL AGES
Supreme Court	34	7	0	41
Court of Appeal	2,353	978	300	3,631
High Court	35,787	17,899	9,757	63,443
ELRC	7,707	3,510	391	11,608
ELC	6,819	5,241	3,966	16,026
Magistrates' Court	171,618	48,283	25,367	245,268
Kadhis' Court	1,004	35	0	1,039
All Courts	225,322	75,953	39,781	341,056

## 2.9 Trends in Court Users and Employee and Work Environment Satisfaction Levels

### 2.9.1 Court User Satisfaction

The Judiciary Court User Satisfaction index in 2019 was 67 per cent. This is an increase of a three per cent compared with 64 per cent satisfaction level in the 2017. Satisfaction levels of Court users in all court levels increased except in the High Court. The Supreme Court registered the highest increase of six per cent, while Court of Appeal, a three per cent increase. Table 4 presents a comparison analysis of the Court Users satisfaction levels between 2017 and 2019.

**Table 4: Court User Satisfaction Indices by Court type**

COURT	SATISFACTION INDEX (%), IN 2017	SATISFACTION INDEX (%), IN 2019	CHANGE
Supreme Court	67	73	+6
Court of Appeal	65	68	+3
High Court	65	65	0
ELRC	64	65	+1
ELC	62	67	+5
Magistrates' Courts	64	67	+3
Kadhis' Courts	69	74	+5
Overall	64	67	+3

### **2.9.2 Employee and Work Environment Satisfaction**

The Judiciary Employee Satisfaction level in 2019 was 60 per cent. This represents a 4 per cent decrease from 64 per cent 2017. The work environment satisfaction index increased from 59 per cent in 2017 to 60 per cent in 2019.



# Chapter 3

## Strategic Focus

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### 3.1 Introduction

The strategic focus has been defined by issues identified in the situational analysis in the previous chapter. It responds to the emerging issues and priority areas identified under the national development policy agenda, the Sustaining Judiciary Transformation (SJT) 2017-2021, Strategic Plan 2014-2018 Evaluation Report, other policy documents as well as the environmental scan. In line with the foregoing and the mandate of the Judiciary, eight Key Strategic Areas (KRAs) were identified.

1. Enhanced Access to Justice
2. Expeditious Delivery of Justice
3. Growth of Jurisprudence and Knowledge Management
4. Improved Governance and Transformative Leadership
5. Improved Human Capital Management and Organizational Development
6. Modernized Registry Operations for Operational Efficiency
7. Enhanced Public Confidence, Awareness and Image of Judiciary
8. Resource Mobilization, Utilization and Stakeholder Engagement

Information Communication Technology solutions will be the backbone onto which implementation of the Plan will be anchored. In this regard, automation of key court and administrative functions, through the Integrated Court Management System (ICMS), has been infused into each KRA. The court function will be automated through the implementation of a Case Management System (CMS) in registries and courtrooms. The administrative functions will be automated by an Enterprise Resource Planning (ERP) System. The system will automate all administrative operations of the Judiciary by interconnecting all technical departments. It is envisaged the ERP system will provide process automation of administrative functionalities such as planning, budgeting, finance, accounts, procurement, human resources, performance management, communications, information management and library services among others.

The strategic objectives and key activities under each KRA are discussed below. The same, including strategies, are further expounded in the implementation matrix of this Strategic Plan.

### 3.2 KRA 1: Enhanced Access to Justice

The Constitution under Article 159 demands that justice be served to all regardless of status. The Judiciary, as the custodian of justice, must take deliberate steps to reduce the obstacles that hinder public access to information, ensure proximity and physical access to courts, and simplify

court procedures for litigants to understand and effectively participate in court processes. The Judiciary must not only remove barriers to access to justice, but also, put measures in place to ensure that it remains open and available to all those who seek its services.

The long distances travelled by litigants to access court services as well as poor state of court facilities, impede access to justice. In the Strategic Plan period, the Judiciary will continue to improve physical access to justice through establishment and construction of new courts, and refurbishment and rehabilitation of existing amenities. The Judiciary will provide rooms for vulnerable witness, video link as well as facilities for persons living with disability. During the period, the Judiciary will establish sub-registries, conduct circuits for superior courts as well as mobile courts for subordinate courts. Efforts will be made to decentralize tribunals with higher workload to the major towns and develop policy to streamline operations of courts handling county matters. There will be recruitment of sign language interpreters and training of staff who undertake the interpretation duties.

To enhance access to court services, the Judiciary will improve court systems and processes, incorporate alternative forms of dispute resolution in the justice system, review court fees, and simplify and disseminate court procedures. “Mahakama” Service Centres, similar to Huduma Centres, will be established in all courts to serve as a one-stop-shop for court services.

The strategic objectives and key activities under this KRA are as follows:

STRATEGIC OBJECTIVES	ACTIVITIES
1. To improve physical access to courts	<ul style="list-style-type: none"> <li>• Construct 22 new court buildings - 1 CoA, 4 HC, 1 ELC, 15 Magistrate Courts and a Tribunal plaza in Nairobi</li> <li>• Complete 47 ongoing court constructions</li> <li>• Rehabilitate 165 Court facilities</li> <li>• Establish 66 new Court stations - 2 CoA, 9 HC, 20 ELC, 15 ELRC, 15 Magistrate Courts and 5 Kadhis' Courts</li> <li>• Establish 38 sub-registries - 3 SC, 4 CoA, 5 HC, 7 ELC, 12 ELRC</li> <li>• Establish 20 Mobile Courts and 300 specialised courts</li> <li>• Provide alternative and reliable power supply in 140 courts</li> </ul>
2. To enhance access to court services	<ul style="list-style-type: none"> <li>• Develop manual on handling pro se litigants</li> <li>• Conduct 114 Court and Tribunal Circuits</li> <li>• Transit 20 Tribunals to Judiciary</li> <li>• Operationalise small claims courts</li> <li>• Establish 50 Court Annexed Mediation registries</li> <li>• Operationalise Alternative Justice Systems</li> <li>• Review and standardise court user fees</li> <li>• Identify and simplify the common applicable rules of procedure</li> <li>• Translate court procedures into Swahili and braille</li> <li>• Recruit and train interpreters</li> <li>• Develop and operationalise modern customer service centres (“Mahakama” Service Centres) in all courts</li> </ul>

### 3.3 KRA 2: Expeditious Delivery of Justice

The Constitution demands of the Judiciary to ensure justice is not delayed but administered without undue regard to procedural technicalities. The Judiciary has faced several challenges in its attempt to expeditiously deliver justice. These challenges include inadequate Judges, Judicial Officers and Staff as well as processes that are largely manual, a situation that occasions backlog of cases.

In this Strategic Plan period, the Judiciary will seek to efficiently and expeditiously deliver justice by strengthening its human resource capacity and operationalising small claims courts. The Judiciary will engage the JSC to recruit additional Judges and Judicial Officers, and implement the organizational review findings to enhance optimal staffing. Initiatives that address perennial case backlog in the system will be instituted. The Judiciary will also utilise technology to enhance court efficiency and effectiveness for management of the court proceedings. The Court Recording and Transcription System (CRTS) will be deployed in all courtrooms across the country and provide digital video and audio copies of court sessions and the transcribers will there after provide transcripts. Further, stakeholders will be actively involved in addressing challenges of delays in resolution of cases. The strategic objectives and activities under this KRA are as follows:

STRATEGIC OBJECTIVE	ACTIVITIES
1. To enhance capacity of courts for timely resolution of cases	<ul style="list-style-type: none"><li>• Recruit 201 Judges - 11 COA, 118 HC, 50 ELRC, 22 ELRC</li><li>• Recruit 701 Magistrates</li><li>• Recruit 5 Kadhis</li><li>• Establish and operationalise 10 small claims courts</li><li>• Develop and implement performance accountability framework for Judges and Judicial Officers</li><li>• Recruit 1,000 Transcribers</li></ul>
2. To utilise technology to accelerate court proceedings	<ul style="list-style-type: none"><li>• Operationalise Court Recording and Transcription System (CRTS) for digitisation of proceedings in 660 court rooms</li><li>• Operationalise Court Recording and Transcription System (CRTS) for digitisation of proceedings in 660 court rooms</li><li>• Acquire and deploy speech to text solution for all Judges and Magistrates</li><li>• Acquire and Operationalise Video Conferencing (VC) System in selected Court Stations and Tribunals</li><li>• Develop and operationalise training programs for Judges, Judicial Officers and registry Staff on CRTS, Speech to Text and Video Conferencing solutions</li></ul>

STRATEGIC OBJECTIVE	ACTIVITIES
3. To fast-track hearing and determination of cases in court system	<ul style="list-style-type: none"> <li>• Develop service weeks' policy</li> <li>• Develop and implement case backlog reduction strategy</li> <li>• Undertake RRI initiatives towards reduction of backlog</li> <li>• Operationalize small claims courts</li> </ul>
4. Promote active participation of stakeholders in speedy resolution of cases	<ul style="list-style-type: none"> <li>• Conduct stakeholder mapping</li> <li>• Develop a stakeholder engagement framework</li> <li>• Reconstitute various NCAJ taskforces and standing committees</li> <li>• Develop and implement an M&amp;E framework for NCAJ</li> <li>• Offer technical and financial support to CUCs</li> </ul>

### 3.4 KRA 3: Growth of Jurisprudence and Knowledge Management

In the Strategic Plan period, the Judiciary will seek to support the growth of jurisprudence and institutionalize knowledge management so as to tap into both implicit and explicit knowledge among its human capital and stakeholders. The Judiciary will seek to build on the gains made in the recent past where there has been an increase in the number of landmark decisions delivered by courts. To achieve this, the Judiciary will promote skills acquisition, mentorship, peer review and encourage experience sharing with other jurisdictions. Further, to promote judicial collegiality, the Judiciary plans to hold colloquia and Inns of Court, judicial exchanges and tap into knowledge of speakers on topical and emerging areas of law. The Judiciary will facilitate recruitment of Law Clerks and Legal Researchers to support research for Judges.

To further enhance the growth of jurisprudence and knowledge management, Library Information Service will be strengthened by adequately stocking court libraries, recruiting librarians and installing the ERP Library Management Module in all court stations. The Judiciary will also promote knowledge management by developing guidelines for knowledge management and establishing an electronic database for all Judiciary documents. The institution will leverage on research to promote creation of knowledge and enable growth of jurisprudence. The strategic objectives and activities under this KRA are highlighted below.

STRATEGY OBJECTIVE	ACTIVITIES
1. To promote skills acquisition, mentorship, peer review and exchange programs in judicial function	<ul style="list-style-type: none"> <li>• Develop specialised training curriculum</li> <li>• Sensitize Judges and Judicial officers on emerging areas of jurisprudence</li> <li>• Publish court decisions</li> <li>• Hold 10 colloquia and 5 annual meetings for Judges and Judicial Officers</li> <li>• Hold annual meetings between courts of different levels to discuss emerging jurisprudence and explain decisions</li> <li>• Organise 10 Inns of Court, expert speakers fora and judicial exchanges</li> <li>• Conduct 15 visits and exchange programs with other jurisdictions</li> </ul>
STRATEGY OBJECTIVE	ACTIVITIES
2. To strengthen Library information services	<ul style="list-style-type: none"> <li>• Furnish, stock and court libraries in 58 court stations</li> <li>• Recruit and induct 58 Librarians</li> <li>• Review and implement Library Management Guidelines</li> <li>• Develop and operationalise an Enterprise Resource Planning (ERP) System Library Module to Automate the Judiciary Library and Information Records Management functions</li> <li>• Subscribe to 3 online resource portals</li> </ul>
3. To promote knowledge management	<ul style="list-style-type: none"> <li>• Develop Knowledge Management Guidelines</li> <li>• Develop and Operationalise an Enterprise Resource Planning (ERP) System Information and Records Management Module to create an electronic database of records, presentations and publications</li> </ul>
4. To promote research on emerging thematic areas of jurisprudence and judicial practice	<ul style="list-style-type: none"> <li>• Develop a research policy</li> <li>• Recruit 216 Law Clerks and Legal Researchers</li> <li>• Sign 10 partnership Memoranda with learning and research institutions</li> <li>• Conduct and publish 8 joint research with learning and research institutions</li> </ul>

### 3.5 KRA 4: Improved Governance and Transformative Leadership

The Judiciary seeks continue inculcating best practices in the governance and leadership of the institution to ensure transparency, accountability and integrity. This will be achieved through strengthening mechanisms for feedback, reporting and determination of cases of corruption and malpractices. The Judiciary will also endeavour entrench best practices in leadership and governance by deepening partnership with investigative agencies such as the Directorate of Criminal Investigations (DCI) and Ethics and Anti-Corruption Commission (EACC) AND Commission on Administrative Justice (CAJ). A culture of high performance at individual and organizational level will be institutionalized by ensuring transformative leadership, change

management and promotion of team synergies. Additionally, there will be concerted efforts to mainstream national values, gender and diversity issues to ensure compliance with the Constitution, relevant laws and internal policies.

The Judiciary will continue to implement performance management to enhance productivity and accountability geared towards expeditious delivery of justice. Performance measures and indicators will be reviewed and rationalized to improve the standards of service delivery in the courts and administrative units. The measures and indicators will be aligned to international benchmarks and best practices. Individual accountability and collective responsibility will be enhanced through annual setting of ambitious yet realistic targets commensurate with resources and operational contexts of the units. To attain balanced and level measurement platform, case weighting, classification and categorization will be incorporated into the system. The evaluation process will be strengthened with proper guidelines, use of accurate data, consultations, and tangible evidence. This will be streamlined to include peer review mechanisms, 360-degree feedback and more stakeholder engagement in identifying and re-affirming the top performers.

One of the tenets of an effective performance management system is the administration of an incentives framework to promote motivation and performance improvement. A comprehensive rewards and sanctions framework will be developed and implemented through a meticulous system of identifying and awarding best performing units including individual Judges, Judicial Officers and Staff. The strategic objectives and activities for improved governance and transformative leadership are summarised as follows:

STRATEGIC OBJECTIVES	ACTIVITIES
1. To combat corruption and unethical practises	<ul style="list-style-type: none"><li>• Undertake corruption mapping</li><li>• Upgrade online feedback reporting system</li><li>• Finalise and implement whistle blowing policy</li><li>• Conduct training and public awareness programs on feedback and complaints handling</li><li>• Develop and implement complaints handling manual</li><li>• Gazette the Judiciary Code of Conduct</li><li>• Develop and implement an anti-corruption strategy for the Judiciary</li><li>• Active engagement of key investigative agencies in addressing corruption matters</li><li>• Review internal disciplinary policies and procedures</li></ul>

STRATEGIC OBJECTIVES	ACTIVITIES
2. To strengthen performance management systems	<ul style="list-style-type: none"> <li>• Cascade the corporate Strategic Plan to courts and directorates</li> <li>• Implement performance management and accountability systems</li> <li>• Develop and implement Judiciary Data Management Policy</li> <li>• Develop and Operationalize an Enterprise Resource Planning (ERP) System Performance Management Module with Business Intelligence reporting to Automate the Judiciary Case Data Analysis and Reporting functions</li> <li>• Review performance management and measurement guidelines</li> <li>• Develop a Monitoring and Evaluation Framework</li> <li>• Develop and implement all processes of ISO Quality Management System</li> <li>• Develop and operationalise rewards and sanctions framework</li> <li>• Undertake research on topical issues of court administration to inform policy</li> <li>• Undertake Systems Audit</li> </ul>
3. To promote a culture change for transformative leadership and management	<ul style="list-style-type: none"> <li>• Develop/Review and implement JLAC, LMT and other leadership and management guidelines</li> <li>• Build capacity of LMTs through training</li> <li>• Train management of Courts and Administrative Units on management and strategic leadership</li> <li>• Develop and implement culture and change management strategy</li> <li>• Conduct regional joint retreats, peer reviews and sports days</li> </ul>
4. To mainstream national values, gender and diversity	<ul style="list-style-type: none"> <li>• Undertake lifestyle audit for Judges, Judicial Officers and Staff</li> <li>• Develop and implement Judiciary Gender Policy</li> <li>• Implement sexual harassment and disability policies</li> <li>• Mainstream national values</li> </ul>

### 3.6 KRA 5: Improved Human Capital Management and Organizational Development

Improved human capital management and organizational development has been the focus of the Judiciary since the rollout of the transformation agenda. These efforts have resulted in recruitment of more employees, review of the organizational structure and welfare policies as well as training and building capacity among employees. However, effective execution of human resource functions has been hindered by insufficient policies, vacancies in key positions, mismatch of skills and responsibilities and lack of fully automated Human Resource Management. The existing numbers of Judges and Judicial Officers does not match the increasing demand for justice. Further, there is shortage of staff in critical support areas such as accounts, audit, procurement and ICT.

In this regard, during the Strategic Plan period 2019-2023, there will be emphasis on strategies that will ensure continued growth and enhanced capacity of human resource and improved work environment, in line with the emerging trends and best practices. Specifically, the Judiciary will define a human capital strategy, establish optimal staffing levels in accordance with the organizational review, foster discipline at workplace, enhance capacity of staff through training and employee wellness programmes. It is envisaged that the operationalisation of the ERP HRM Module will fully automate the management of the human resource functions from recruitment, selection and placement, payroll, training, medical, among other administration processes.

With regard to work environment, the capacity of the Judiciary to build and maintain physical infrastructure, provide vehicles, working tools, equipment and furniture, and enhance accountability for its assets will be enhanced. Further, the Judiciary will ensure work place safety in courts and offices.

The Judiciary over this period will modernize its ICT infrastructure to enable it offer quality, reliable, available and efficient services. Secure and reliable Primary and Secondary Data Centres with Business Continuity Planning and Disaster Recovery capabilities will be operationalised. Secure and appropriate ICT infrastructure, reliable power and network connectivity will be established in court stations.

The strategic objectives and activities under this KRA are highlighted below:

STRATEGIC OBJECTIVE	ACTIVITIES
1. To establish optimal staffing levels	<ul style="list-style-type: none"> <li>• Review staffing levels</li> <li>• Develop job descriptions for all positions in the revised organizational structure</li> <li>• Carryout staff rationalization</li> <li>• Implement decentralization of administrative functions</li> </ul>
2. To enhance skills and competence	<ul style="list-style-type: none"> <li>• Develop Training and Development Policy</li> <li>• Conduct skills and competences audit and training needs assessment for Judicial Staff.</li> <li>• Establish framework for scholarships and continuous exchange and learning programs</li> <li>• Prepare the Training Master Plan for Staff</li> <li>• Undertake training and capacity building programmes for Judicial Staff</li> <li>• Develop and implement policy on attachment, internship and pupillage engagement</li> </ul>



STRATEGIC OBJECTIVE	ACTIVITIES
3. To attract, retain and motivate employees	<ul style="list-style-type: none"> <li>• Develop and implement Recruitment and Succession policies</li> <li>• Review and implement Human Resource Policy and Procedure Manual and Payroll Management System</li> <li>• Review and implement Employees Promotion Policy</li> <li>• Review and recommend salaries for Judicial Staff</li> <li>• Review and implement Schemes of Service for all staff</li> <li>• Review employee benefits i.e. allowances, medical, mortgage and car loan.</li> <li>• Develop and implement occupational health and safety guidelines and programmes</li> <li>• Establish wellness centres</li> <li>• Establish psycho-social support programs</li> </ul>
4. To provide safe and conducive work environment	<ul style="list-style-type: none"> <li>• Develop and implement Facilities Management Framework</li> <li>• Implement Infrastructure Master Plan.</li> <li>• Procure vehicles, furniture and other office equipment</li> <li>• Implement recommendations of the Security Risk Analysis Report</li> <li>• Develop and implement a Disaster Management Policy</li> <li>• Install security and screening equipment's in all court premises</li> <li>• Install emergency preparedness and response equipment</li> <li>• Acquire title documents for all Judiciary parcels of land</li> <li>• Develop and implement Judiciary Transport Policy</li> </ul>
5. To modernise human resource management and development	<ul style="list-style-type: none"> <li>• Develop and operationalise an Enterprise Resource Planning (ERP) System HR Module to automate the Human Resource Management and Administration functions</li> </ul>
6. To provide reliable ICT infrastructure and applications	<ul style="list-style-type: none"> <li>• Install and maintain appropriate ICT infrastructure in all Courts Stations and Tribunals</li> <li>• Provide a Wide Area Network (WAN) in all Court Stations and Tribunals</li> <li>• Enhance, develop and operationalise secure and reliable Primary and Secondary Data Centres</li> <li>• Develop and implement Business Continuity Planning (BCP) and Disaster Recovery Policy</li> <li>• Establish Secondary Data Centres at a secure Government Data Centre (GDC)</li> <li>• Connect and utilise the National Optic Fibre Backbone Infrastructure (NOFBI) for all Court Stations and Tribunals</li> <li>• Enhance the provision of ICT Equipment and accessories for Judges, Judicial Officer and Staff.</li> </ul>

### 3.7 KRA 6: Modernized Registry Operations and Records Management

The Judiciary relies on records in executing its core mandate. It is therefore imperative that internal processes for registries, both in court and functional units, are streamlined. Slow uptake of technology in the Judiciary, inadequate

policies and weak enforcement of existing ones, has been a major hindrance to delivery of services. The Judiciary thus has to streamline operations of registries by initiating review of existing statutes governing its records management, improve registry processes and adopt comprehensive manuals and policies.

Emerging trends in technology and innovations have opened platforms that can be harnessed to improve integration and automation of court procedures and practices. In order to address the problem of missing records and make the registries responsive to users' needs, the Judiciary will automate registry operations. This will enhance efficiency and integrity of the processes and records as well as ensure accountability in creating, storing, retrieving, use of archiving and disposal of records.

The Judiciary will implement a Case Management System that will provide for e-Court Services namely; eFiling, ePayment, eService, case tracking, eDiary, eCauselist, eNotifications, eCase statistics, eCourt proceedings among others. Further, Document Management System (Case File Digitization), Court Recording and Transcription System and Video Conferencing System and Speech to Text Solution will be developed/acquired. The Case Management System will be deployed for mobile devices to increase access to the e-Court Services. Judges, Judicial Officers and Staff will be trained on various aspects of automation and records management.

The strategic objectives and key interventions under this KRA are as follows:

STRATEGIC OBJECTIVE	ACTIVITIES
1. To adopt effective information, records and archives management practices	<ul style="list-style-type: none"> <li>• Develop and operationalise a Document and Record Control Procedures Manual</li> <li>• Develop and review Tribunals and Courts registry manuals</li> <li>• Initiate legislative reforms for Records Disposal Act Cap 14</li> <li>• Formulate Judiciary Records Management Policy</li> <li>• Develop and operationalise Judiciary Retention and Disposal Schedules for Court and Tribunal records</li> </ul>
2. To streamline and modernize file management and disposal procedures	<ul style="list-style-type: none"> <li>• Implement Radio Frequency Identification (RFID) technology for all registries and libraries</li> <li>• Implement an Electronic Ticketing/Queue Management System in all High Court Stations</li> <li>• Construct filing shelves with controlled access in Court and Tribunal registries and archives</li> <li>• Introduce one-stop shop registry services in new and rehabilitated courts</li> </ul>
	<ul style="list-style-type: none"> <li>• Train all staff on the Registry Manuals/Records Management and automation</li> <li>• Train Records Management Officers on e-Records Management</li> </ul>

STRATEGIC OBJECTIVE	ACTIVITIES
3. To automate all court processes	<ul style="list-style-type: none"> <li>• Develop standard operating procedures/policy on the operationalisation of Case Management System</li> <li>• Develop and operationalise an automated Case Management System (CMS) in all Court Stations and Tribunals. The CMS will include modules for Case Tracking, e-Case Status, e-Filing, e-Fee assessment, e-Payment, e-Process serving, e-Notification service via SMS &amp; E-mail, and Mobile Application Version of the Case Management System.</li> <li>• Develop a document management system</li> <li>• Develop a digital document policy</li> <li>• Review/develop Legislation, Practice Directions and Rules on adoption of technology in courts</li> </ul>

### 3.8 KRA 7: Enhanced Public Confidence, Awareness and Image of the Judiciary

The manner in which the Judiciary handles its mandate consistently shapes perceptions of its clientele and the public. Equally, the environment in which the Judiciary operates directly impinges on how it will meet its objectives of administration of justice. Relatedly, when exercising its judicial authority, the Constitution demands that the Judiciary demonstrate fairness, impartiality, transparency and promote public participation in its processes and activities.

The open and unaccountable social media space has continually grown to provide platforms for individuals and institutions to interact and get feedback on their services giving rise to the need for a robust Social Media Strategy. The sum total of these and other factors affect its image and hence lead to an improved or a diminishing public confidence.

To address these emerging issues and embrace the new trends, the Judiciary will employ comprehensive communication strategies to disseminate information and engage the public on matters related to the institution. It will pursue strategic communication to sensitize the various publics with an aim of increasing awareness on its activities. It will enhance public confidence by continuously building her image through sustained effective communication strategies as well as stakeholder engagement.

Further, the Judiciary intends to promote its brand in order to improve its presence in the corporate space and as far as excellent service delivery is concerned. This will improve public confidence in the institution and the ability to effectively deliver on its constitutional mandate. Additionally, it will conduct programmes and forums aimed at sensitizing and improving its relationship with the public and the media. Further, the Judiciary will re-engineer its Social Media platforms, provide Toll Free hotlines numbers and information gateways to make them more interactive and informative.

An ERP Communications Module will be developed to provide internal and external communications platforms such as Intranet, Customer Relationship Management (CRM), and ICT support service desk systems to facilitate transparent and efficient court user and client management.

The strategic objectives and key interventions under this KRA are as follows:

STRATEGIC OBJECTIVE	ACTIVITIES
1. To enhancing participatory interactive engagement with the public	<ul style="list-style-type: none"> <li>• Finalize the Judiciary Communication Policy</li> <li>• Organise 10 media fora and trainings for court reporters</li> <li>• Train 166 staff correspondents</li> <li>• Develop and disseminate IEC materials</li> <li>• Conduct 65 public education fora</li> <li>• Develop a Social Media Strategy</li> <li>• Review and update the Judiciary website content</li> <li>• Update public on high public interest cases</li> </ul>
2. To promote the Judiciary brand	<ul style="list-style-type: none"> <li>• Develop and disseminate promotional merchandise</li> <li>• Brand 125 courts in corporate colours</li> </ul>
3. To automate communication and collaboration processes	<ul style="list-style-type: none"> <li>• Develop and operationalise an Enterprise Resource Planning (ERP) System Communications Module to Automate Communication functions, Collaboration portal, Customer Relationship Management, Customer Care Services for Call Centres and ICT Helpdesk</li> </ul>

### 3.9 KRA 8: Resource Mobilisation and Utilisation

Budget allocation to the Judiciary has been disproportionate to its needs. Frequent budget cuts had a negative effect on the Judiciary hence derailing its critical programmes and projects. This in turn affected efficiency in administration of justice and promoting the rule of law. Measures towards prudent management of resources require standardized financial management system to enhance accountability, transparency, efficiency and adherence to the principles of public finance.

This Plan prioritises the setting up of the Judiciary Fund as provided by the Constitution. The goal of the Fund is to strengthen institutional and functional judicial independence that is essential for enhancing public confidence in the administration of justice. The Fund will be operationalized through the gazetted Judiciary Fund Regulations. Finance Policy and Procedures Manual, 2015, will be reviewed to align with the provisions of the regulations. Further, policies and procedures manuals for supply chain management and internal audit will be reviewed as necessary and adopted to ensure that financial management is harmonized and efficient. Strategies to attract technical and financial support from development partners will also be explored through funding proposals.

To improve the management of the Fund, the Judiciary will deploy an Enterprise Resource Planning (ERP) system that will automate all the back-office operations for the administrative functions of the Judiciary and completely go digital. The ERP will automate the financial management, accounting management, online payment, asset management, facility management, human resource management and all corporate support systems. This will provide the Judiciary administration with the capacity to manage the Fund in a transparent, effective and efficient way.

Systems for management court stations will be strengthened to optimize management of financial resources and enhance budget absorption capacity through electronic accounting and management of revenue and deposit collections. Similarly, internal audit processes will be automated to increase efficiency in identification of risk and creation of assessment reports, scheduling of assignments, allocation of resources, capturing time and expenses, tracking audits and audit findings as well as managing audits. To increase efficiency, managing audits will be done through an advanced electronic working papers database. Procurement will be automated to transform the procure-to-pay process, thus enhancing efficiency and keeping procurement costs down. Further, asset register, inventory management and disposal will be automated.

The Judiciary will develop capacity by ensuring optimal staffing through recruitment of accountants, procurement officers and audit staff. Auditing of spending units and monitoring of projects and programmes will be enhanced.

STRATEGIC OBJECTIVE	ACTIVITIES
1. To enhance funding for Judiciary programmes	<ul style="list-style-type: none"> <li>• Implement Judiciary Fund Regulations 2019</li> <li>• Engage the National Treasury and Parliament to ring-fence ceiling to the Judiciary and progressively increase the budget to Judiciary</li> <li>• Develop and implement resource mobilization and partnership engagement strategy</li> </ul>
2. Promote prudent utilization of Judiciary resources	<ul style="list-style-type: none"> <li>• Review finance policy and procedures manual to align with Judiciary Fund Regulations</li> <li>• Develop and Implement Procurement, Asset Disposal and Inventory Management Manual</li> <li>• Develop and Implement Internal Audit Policy and Procedures Manual</li> </ul>
3. Strengthen financial management systems	<ul style="list-style-type: none"> <li>• Delink 66 courts from the Sub-County Treasuries</li> <li>• Recruit 205 accountants, 86 Supply Chain Management Officers and 32 Audit and Risk Management Staff</li> <li>• Develop and operationalise an Enterprise Resource Planning (ERP) System Module to Automate the Finance, Accounting, Audit and Supply Chain Management functions.</li> </ul>

# Chapter 4

## Implementation and Coordination

## **4.1 Introduction**

Effective implementation of this Strategic Plan will require clarity of responsibilities and optimal allocation of human, financial and other enabling resources. This includes the need for leadership at all levels of management, cascading of the Plan to all courts and administrative units. Similarly, it will require an effective organizational structure, staffing as well as mobilization and prudent utilization of financial resources.

## **4.2 Cascading the Strategic Plan**

The Chief Justice will provide overall leadership on the implementation of the Judiciary Strategic Plan whereas the Chief Registrar of the Judiciary will spearhead its execution. The Supreme Court, Court of Appeal, High Court, ELC, ELRC, Specialized Courts and Magistrates Courts, will develop strategic plans that are aligned to this Plan.

In addition, this document will lay the basis for preparation of annual workplans by all the implementing units. All Registries, Directorates, Units and Court stations will be required to develop workplans which are aligned to their respective strategic plans. Further, the document will be used for target setting by implementing units, individual officers, staff and their supervisors.

## **4.3 Judiciary Organization Review**

The Judiciary launched Organization Review report in November 2018 which revised and strengthened the Judiciary's organizational structure. The re-organization aimed at providing guidance and clarity to all, clarifying and communicating the lines of responsibility, authority and accountability, in order to enhance effective and efficient delivery of justice to all. It is anticipated that the structure will be reviewed from time to time, as need may arise, to respond to emerging needs during the implementation of this Plan.

## **4.4 Staffing**

Successful implementation of the Strategic Plan will require appropriate and adequate human capital with the requisite skills and competencies. Hence, the need for defined staffing levels for all implementing units. Similarly, it requires clear reporting lines, defined responsibilities as well as clear linkages between the Offices of Registrars, Directorates and Units in the Judiciary. This is meant to provide guidance and clarify communication lines of responsibility, authority and accountability for effective and efficient

delivery of justice. At the time of developing this Plan, the review of the staff establishment in the Judiciary was ongoing. It is therefore expected that the additional number of Judges Judicial Officers and Staff proposed in this Plan will be considered in the review.

#### 4.5 Projected Financial Resource Requirements

The projected financial resources required for the implementation of this Strategic Plan is Kes 72,597.4 Billion. The cost of implementing each Key Result Area of the Strategic Plan over the period under reference is presented in Table 5.

**Table 5: Budget Estimates by Key Result Area**

KRAs	2019-2023 (KES. Millions)					TOTAL
	2019/2020	2020/2021	2021/2022	2022/2023	2023/2024	
<b>KRA 1</b>	3,261.5	5,669.4	13,399.4	11,483.6	5,159.5	<b>38,973.4</b>
<b>KRA 2</b>	2,904.1	2,687.0	1,865.9	4,052.6	2,551.5	<b>14,061.0</b>
<b>KRA 3</b>	966.0	955.0	1,022.0	997.0	897.0	<b>4,837.0</b>
<b>KRA 4</b>	421.9	466.4	4,38.9	315.9	345.9	<b>1,989.0</b>
<b>KRA 5</b>	1,318.0	1,933.5	1,546.5	1,542.0	1,528.0	<b>7,868.0</b>
<b>KRA 6</b>	74.0	259.0	370.0	3,32.0	272.0	<b>1,307.0</b>
<b>KRA 7</b>	82.0	182.0	87.0	87.0	87.0	<b>525.0</b>
<b>KRA 8</b>	504.0	2,065.0	435.0	13.0	13.0	<b>3,030.0</b>
<b>Total</b>	<b>9531.9</b>	<b>14217.3</b>	<b>19164.6</b>	<b>18823.1</b>	<b>10855.0</b>	<b>72,597.4</b>

#### 4.6 Resource Mobilization

A critical imperative for the successful and effective implementation of this Strategic Plan is that the required financial resources will be available. The Judiciary will explore diversified strategies for resource mobilization and prudent financial management as outlined below.

- i. Continuously seek Government Support:** The Judiciary will continue to lobby for additional funding from the National Government through the Exchequer and other avenues. As a collector of revenue, it will also strive to maximize on revenue collection by enhancing proper accounting systems.
- ii. Development Partners Support:** To supplement the allocated resources, the Judiciary will leverage on its cordial relations with development partners as well as on their goodwill, to support implementation of key programmes and projects. Strategies to attract technical and financial support from development partners will be explored through proposals to potential partners.



The Judiciary will also diversify the resource base through creation of donor profiles to identify their funding mechanisms, budgetary cycles, policy priorities and potential opportunities for funding. The diversification of resources may also be achieved through Public-Private Partnership (PPP) for key infrastructure projects and Government-to-Government arrangements for capacity building.

#### **4.7 Resource Management and Efficiency**

To ensure utilization and prudent management of the available resources, the Judiciary will employ the following interventions.

**i. Financial Management Systems:** The policies and procedures manuals for Supply Chain Management and Audit will be reviewed as necessary and adopted to ensure financial management is harmonized and efficient. The planning, budgeting and financial management systems will be strengthened to optimize management of financial resources and enhance budget absorption capacity. All resources shall be managed through the Judiciary Financial Management System which will, among other aspects, ensure automation and synchronization of workplans with budgets and procurement plans.

Key activities, projects and programmes will be identified and fast-tracked for implementation to provide impetus for the medium term and long term milestones. Implementation of capital projects will be guided by the Projects Committee with reference to the infrastructure manual for annual budget allocations.

**ii. Financial Reporting:** Production of accurate and informative annual financial statements in accordance with International Public Sector Accounting Standards will be key to achieve excellence in Financial Reporting. The Judiciary will endeavour to resolve 100 per cent of audit findings within 12 months of audit publication. Annually, it will issue clear year-end closing instructions with specific deliverables and deadlines. It will develop corrective action plan and assist spending units with the support, necessary to continually strengthen their activities with regard to financial monitoring and reporting.

**iii. Fully-Fledged Accounting Units:** Qualified accountants will be deployed to ensure that each station can run a fully-fledged accounting unit. It is expected that each station will also be served by a procurement officer to meet their procurement needs. This independence will help to overcome the challenges such as delays in cash bails and deposit refunds and any other bottlenecks experienced in the accounting processes.

**iv. Prioritisation and Sequencing:** To ensure efficiency and value-for-money, the activities will be logically sequenced and prioritized through annual workplans as well as procurement plans for implementation.

**v. Innovation:** The Judiciary will continuously seek to promote new ideas, services or systems that add value or improve quality of services. This will include exploiting modern technology and employing out-of-the-box thinking to generate new value and bring about significant changes in society.

**vi. Fast Tracking Policies:** Development of key policies, manuals, strategies and guidelines identified in this plan and subsequent approvals from the JSC will be given priority during the Plan period. These will provide a framework for effective management of key court and administrative processes while ensuring inclusivity and certainty of impacts.

#### 4.8 Communication of the Plan

The Judiciary will adopt strategic communication to create awareness of the Strategic Plan among internal publics. This will involve a combination of various communication channels that include the intranet, IECs, corporate merchandise, noticeboards as well as through meetings, workshops and retreats, among other communication outlets. Newly recruited staff will be oriented on the Strategic Plan through induction programs as well as staff meetings. Individual managers will develop their communication strategies through which to communicate priority areas and deliverables that are expected from each implementing unit.

#### 4.9 Risk Management

The Strategic Plan identifies several uncertain events or conditions that may affect its implementation and proposes a risk mitigation plan, to eliminate or minimize the impact of such events. This is indicated in Table 6.

**Table 6: Risk Identification and Mitigation Plan**

CLASS	RISK	RISK RATING	RISK MITIGATION STRATEGIES
Strategic	Failure to fully implement the Strategic Plan	Medium	Structured plan on sensitization of Judiciary's employees on the new strategic direction.
			Allocation of adequate resources to implement and monitor the Strategic Plan.
Technology	Rapid changes in technology	High	Keeping abreast of the latest technological trends
			Continuous acquisition and training on new technologies
			Improve on ICT hardware and software
	Cyber security risk	High	Investment in cyber security risk management
	Low utilisation of technology	Medium	User sensitisation and awareness on IT functionality and benefits
Organisational/ Operational	Inadequate Human Resource Capacity	Medium	Enhance succession planning and management
			Timely recruitment
			Develop and Implement retention strategy
	Inappropriate organizational culture	Medium	Institute culture change and change management initiatives.
	Business disruption due to disaster	High	Develop and implement Disaster Recovery Plan and Business Continuity Plan (BCP)
	Low Enforcement of Policies	Medium	Full implementation of all policies and procedures manuals
Reputation	Corruption	Medium	Enforcement of Code of Ethics
			Implement audit reports recommendations
Financial	Inadequate financial Resources	Medium	Resource mobilization
			Gazette Judiciary Fund Regulations and operationalization of the Fund
	Misappropriation of funds and Revenue/ Deposits loss	Medium	Automation of accounting and auditing processes
			Enhance accountability and strengthen internal controls
			Prudent financial management

# Chapter 5

## Monitoring, Evaluation and Reporting

## 5.1 Introduction

The purpose of monitoring, evaluation and reporting, is to ensure that the implementation of a strategic plan is undertaken according to schedule and in the event of any deviation, appropriate and timely action is taken. This chapter presents how the Strategic Plan will be monitored and evaluated during and after its implementation to assess the extent of achievements of planned activities and results. Further, the chapter presents how data will be collected, analysed, reported and disseminated. In addition, it outlines linkages between monitoring and evaluation with the key performance indicators that will be used to measure success.

Monitoring, evaluation and reporting process will be undertaken at both, the implementing units and management levels. However, successful implementation will require putting in place an adequate monitoring and evaluation committee and framework.

## 5.2 Monitoring and Evaluation Committee

A monitoring and evaluation committee shall be established comprising of Registrars and heads of Directorates with the Directorate of Planning and Organizational Performance (DPOP), as the secretariat. DPOP's mandate will be to champion the implementation of the Strategic Plan by providing technical support as well as facilitating capacity building on monitoring and evaluation of the Plan.

## 5.3 Monitoring, Evaluation and Reporting Approach

The Strategic Plan will be monitored through routine supervision, data collection, evaluation, and reporting. Data collection on the Plan will be spearheaded by the DPOP. The data will be collated analysed and reported to the monitoring and evaluation (M&E) committee. The implementing units will monitor programmes and projects administered within their respective jurisdictions and subsequently submit progress reports, on a quarterly and annually basis. These reports will be reviewed against the set targets to measure progress and lessons learnt.

To ensure effective implementation of the Plan, units will be required to develop annual workplans and budgets aligned to the Strategic Plan, and ensure the PMMU targets are aligned to the workplans. The following reports presented in Table 7 will be prepared to keep the planned activities on track and to assess the extent of achievement of strategic results.

**Table 7: M&E Reports**

REPORT	PREPARED BY	COMPILED BY	SUBMITTED TO
Quarterly Progress Report	All Registries, Directorates and Units	DPOP	Chief Registrar of the Judiciary
Annual Report	All Registries, Directorates and Units	DPOP	Chief Registrar of the Judiciary
Annual Brief to JLAC	DPOP	CRJ	JLAC
Mid-term Evaluation Report	DPOP	M&E Committee	Chief Registrar of the Judiciary
End Term Evaluation Report	DPOP	M&E Committee	Chief Registrar of the Judiciary

The evaluations will be carried out based on relevance, efficiency, effectiveness, sustainability and impact measures.

#### 5.4 Dissemination of M&E Reports

DPOP and the M&E Committee will ensure that relevant reports are properly disseminated to the Office the Chief Justice and the Office of the Chief Registrar of the Judiciary. This will help to consolidate support in achieving the overall goal of the institution. Similarly, forums such as meetings, retreats, workshops, seminars, colloquia, will be used to share findings and recommendations of reports.

# APPENDICES

APPENDIX 1: IMPLEMENTATION MATRIX

KRA 1: ENHANCED ACCESS TO JUSTICE

Strategy	Activity	Output	Key Indicator	Baseline 2018/19	Target for 5 years	Target					Estimated Cost (Ksh. Millions)	Unit	
						2019/20	2020/21	2021/22	2022/23	2023/24			
Improve physical access and proximity to courts	KRA 1: Enhanced Access to Justice												
	Strategic Objective 1: To Improve Access to Courts												
	Construct new physical court buildings	Construct new court buildings	No. of new courts constructed	2	1	0	0	1	0	0	2,000	BSU	
		New High Courts constructed	No. of new High Courts constructed	2	4	0	0	2	2	0	11,000	BSU	
		New ELC constructed	No. of new ELC constructed	-	1	0	0	1	0	0	400	BSU	
		New Magistrates' Courts constructed	No. of new Magistrates' courts constructed	10	15	0	5	4	2	4	7,000	BSU	
		Tribunal plaza constructed	Tribunal plaza constructed	-	1	0	0	0	1	0	400	BSU	
	Complete ongoing court constructions	Ongoing Court of Appeal completed	CoA completed	1	1	1	0	0	0	0	0	BSU	
		Ongoing High Courts completed	No. of High Courts completed	-	23	10	4	4	3	2	1,500	BSU	
		Ongoing Magistrates' Courts completed	No. of Magistrates' Courts completed	-	23	15	3	3	2	0	800	BSU	
Construct residential units Rehabilitate Court facilities	Residential units	No. of Residential units constructed	-	25	1	6	6	6	6	7,500	BSU		
	Rehabilitated Supreme Court Building	Supreme court building rehabilitated	-	1	0	0	0	1	0	150	BSU		



Strategy	Activity	Output	Key Indicator	Baseline 2018/19	Target for 5 years	Target					Estimated Cost (Ksh. Millions)	Unit
						2019/20	2020/21	2021/22	2022/23	2023/24		
Strategic Plan 2019 - 2023	Install alternative reliable power supply Establish new court stations	Rehabilitated Court of Appeal	No. of Courts of Appeal rehabilitated	1	4	0	1	1	1	1	12	BSU
		Rehabilitated High Courts	No. of High courts rehabilitated	18	15	3	3	3	3	3	150	BSU
		Rehabilitated ELC Courts	No. of ELC courts rehabilitated	-	30	8	7	5	5	5	100	BSU
		Rehabilitated Magistrates' Courts	No. of Magistrates' courts rehabilitated	100	105	21	21	21	21	21	1,050	BSU
		Rehabilitated Tribunal Offices	No. of Tribunal Offices rehabilitated	0	9	5	4	0	0	0	27	BSU
		Rehabilitated Forodha House	Forodha House rehabilitated	0	1	1	0	0	0	0	160	BSU
		Solar system installed in court stations	No. of stations with solar system	0	140	10	34	34	34	28	280	BSU
		Court of Appeal stations established	No. of Court of Appeal stations established	4	3	0	1	1	1	0	160	RCOA
		High Court stations established	No. of High Courts Stations established	39	10	2	2	2	2	2	240	RHC
		ELRC stations established	No. of ELRC stations established	7	15	2	0	4	4	5	360	RELRC
		ELC stations established	No. of ELC established	9	20	10	5	2	2	1	460	RELC
		Magistrates' Court stations established	No. of Magistrates' courts established	123	15	3	3	3	3	3	90	RMC

Strategy	Activity	Output	Key Indicator	Baseline 2018/19	Target for 5 years	Target					Estimated Cost (Ksh. Millions)	Unit
						2019/20	2020/21	2021/22	2022/23	2023/24		
	Establish new Sub-registries	Kadhis' Courts stations established	No. of Kadhis' courts stations established	47	5	2	0	1	1	1	30	RMC
		Supreme Court sub-registries established	No. of sub-registries established	0	3	2	0	0	1	0	300	RSC
		Court of Appeal sub-registry established	No. of CoA sub-registries established	3	4	0	1	1	1	1	300	RCOA
		High Court Sub-Registries established	No. of HC sub-registries established	4	5	1	1	1	1	1	115	RHC
		ELRC Sub-Registries established	No. of sub-registries established	8	12	3	3	2	2	2	270	RELRC
	Transit Tribunals to Judiciary	ELC Sub-Registries established	No. of ELC sub-registries established	5	7	2	2	1	1	1	160	RELC
		Develop framework for transitioning of Tribunals	Framework developed	0	1	0	1	0	0	0	20	RT
		Enact Tribunals Bill	Tribunals Act enacted	-	1		1	0	0	0	10	RT
		Tribunals transitioned to Judiciary	No. of Tribunals transitioned	20	30	0		10	10	10	100	RT
		Develop framework for streamlining operation of court handling county matters	Framework developed	-	1	0	1	0	0	0	10	OCJ
Strategic Objective 2: To Enhance Access to Court Services												
Make justice Accessible to all	Conduct CoA Circuits	Court of Appeal circuits conducted	No. of circuits stations conducted	6	1	5	5	5	5	90	RCOA	

Strategy	Activity	Output	Key Indicator	Baseline 2018/19	Target for 5 years	Target					Estimated Cost (Ksh. Millions)	Unit
						2019/20	2020/21	2021/22	2022/23	2023/24		
Promote alternative forms of dispute resolution in Justice System		High Courts Circuits conducted	No. of Circuits held	3	5	1	1	1	1	1	115	RHC
		ELC Circuits conducted	No. of Circuits held	2	8	2	2	2	1	1	180	REL
		ELRC Circuits conducted	No. of Circuits held	4	20	8	3	3	3	3	450	RELRC
		Tribunal circuits conducted	No. of Circuits held	54	80	16	16	16	16	16	864	RT
		Magistrates' Mobile Courts established	No. of mobile courts established	68	20	4	4	4	4	4	240	RMC/OCJ
	Develop manual on handling <i>pro se</i> litigants	Specialised courts gazetted	No. of Election Courts gazetted	288	300	0	0	0	300	0	900	
		Manual on handling <i>pro se</i> litigants developed	<i>pro se</i> manual developed	-	1	0	1	0	0	0	20	OCRJ
		Sensitize registry staff on the <i>pro se</i> manual	% of registry staff sensitized	-	100%	0	0	100%	100%	100%	40	Registrars
	Establish Court Annexed Mediation Registries	Mediation registries established	No. of mediation registries established	10	50	10	10	10	10	10	400	OCRJ
		AJS policy finalised by the task force	AJS policy	-	1	0	1	0	0	0	20	OCRJ
		All AJS systems identified by policy implemented	% of AJS implemented	-	100%	0	50%	0	100%	0	150	OCRJ
	Develop CAM Rules	CAM Rules developed	CAM Rules	-	1	0	1	0	0	0	10	Registrar CAM
	Develop CAM Strategy	CAM Strategy developed	CAM Strategy	-	1	0	1	0	0	0	5	Registrar CAM

Strategy	Activity	Output	Key Indicator	Baseline 2018/19	Target for 5 years	Target					Estimated Cost (Ksh. Millions)	Unit
						2019/20	2020/21	2021/22	2022/23	2023/24		
	Sensitize courts on ADR	Judges and Judicial Officers sensitized on ADR	Additional % trained and sensitized	40%	60%	20%	10%	10%	10%	10%	30	OCRJ
	Train accredited mediators	Accredited mediators trained	No. of mediators trained	-	600	100	150	150	100	100	100	Registrar
Standardize court fees	Review and standardize court fees	Revised court fees	Revised court fees schedule	1	1	1	0	0	0	0	30	OCRJ
Enhance awareness and knowledge on court procedures	Identify and develop simplified common applicable rules of procedure	Simplified rules of procedure developed and disseminated	No. of key rules of procedure simplified	15	15	3	3	3	3	3	100	OCJ
	Translate all court procedures into Swahili and braille	Translated Court procedures	% of court procedures translated	-	100%	20%	20%	20%	20%	20%	5	OCRJ
	Recruit Court Interpreters	Recruited court interpreters	No. of court interpreters recruited	-	20	0	5	5	5	5	20	OCRJ
	Train Court Interpreters	Trained Court Interpreters	No. of court interpreters trained	-	200	0	50	50	50	50	50	OCRJ

## KRA 2: EXPEDITIOUS DELIVERY OF JUSTICE

Strategy	Activity	Output	Key Indicator	Baseline 2018/19	Target for 5 years	Target				Estimated Cost (Ksh. Millions)	Unit	
						2019/20	2020/21	2021/22	2022/23			2023/24
Strategic objective 1: To Enhance Capacity of Courts for Timely Resolution of Cases												
Judicial capacity of courts preserved and/or enhanced	Recruit Judges	Court of Appeal judges recruited	No. of COA Judges recruited	19	11	11	0	0	0	0	220	RCOA
		High Court judges recruited	No. of HC Judges recruited	82	118	50	0	24	22	22	2,320	RHC
		ELC judges recruited	No. of ELC Judges recruited	33	50	20	10	10	5	5	1,000	RELc
		ELRC judges recruited	No. of ELRC Judges recruited	12	22	10	0	0	12	0	440	RELRC
	Recruit Magistrates	Magistrates recruited	No. of magistrates recruited	499	701	140	140	140	140	141	3,600	RMC
	Recruit Kadhis	Kadhis recruited	No. of Kadhis recruited	53	5	0	5	0	0	0	24	RMC
	Recruit Transcribers	Transcriber Recruited	No. of Transcribers Recruited	0	1,000	0	300	0	500	200	4,200	Registrars
	Develop and Operationalize Performance Appraisal Framework	Performance Appraisal Framework developed	Performance Appraisal Framework	-	1	1	0	0	0	0	10	OCJ
	Framework for Judges and Judicial Officers	Operationalize Performance Appraisal Framework	% of Judges and Magistrates on Performance Appraisal Framework	100%	0	100%	100%	100%	100%	100%	20	OCJ
Strategic objective 2: To Utilise Technology to Accelerate Court Proceedings												
Utilize technology to accelerate court processes	Operationalise Court Recording and Transcription System (CRTS) in 660 courtrooms	CRTS installed and operationalized	No. of courtrooms with Transcription solution	3	660	32	157	157	157	157	1,650	DICT

		Indicator	2018/19	for 5 years	2019/20	2020/21	2021/22	2022/23	2023/24	Cost (Ksh. Millions)	
	Acquire and operationalise Speech To Text Solution for all Judges and magistrates	Operationalised speech to text solution for all Judges and magistrates	3%	100%	3%	100%	100%	100%	100%	5	Registrars
	Install Video Conferencing (VC) System	Video conferencing installed in selected court stations	1	10	1	2	5	1	1	20	DICT
	Train Judges, Judicial Officers and Registry Staff on CRTS, VC and Speech To Text Solution	Trained Judges, Judicial Officers and Registry Staff on CRTS, VC and Speech To Text Solution	22%	100%	15%	30%	30%	3%	0	20	DICT
<b>Strategic objective 3: Fast-track Hearing and Determination of Old Cases in Court System</b>											
Reduction of Case Backlog	Develop a policy on service week	Policy on service week developed	0	1	1	0	0	0	0	5	OCJ
	Develop and implement case backlog reduction strategy	Case backlog reduction strategy for cases 3 years and above developed	-	100%	10%	40%	70%	90%	100%	5	Registrars
	Undertake RRI initiatives towards reduction of backlog	All identified courts with old cases supported for RRI	-	100%	100%	100%	100%	100%	100%	500	Registrars
Operationalize small claims court	Appoint adjudicators for the small claims court	Adjudicators appointed	0	1	0	0	0	0	0	0	OCJ

	Indicator	2018/19	for 5 years						Cost (Ksh. Millions)		
				2019/20	2020/21	2021/22	2022/23	2023/24			
	Designate courts to handle small claims matters	Small claims courts designated	No. of designated courts	0	1	0	0	0	0	0	OCJ
Strategic objective 4: To Promote Active Participation of Stakeholders in Speedy Resolution of Cases											
Establish framework for stakeholder engagement	Conduct stakeholder mapping to establish their expectations and level of influence	Stakeholder mapping conducted	Stakeholder mapping Report	1	1	0	1	0	0	0	5 OCJ
	Develop and implement stakeholder engagement framework	Stakeholder engagement framework developed	Stakeholder engagement framework	-	1	0	1	0	0	0	5 OCJ
Strengthen the technical capacity of NCAJ to engage stakeholders	Reconstitute NCAJ taskforces and standing committees in line with the emerging issues in the Justice sector	NCAJ taskforces and standing committees reconstituted	Reconstituted taskforces and standing committees	-	100%	100%	0	0	0	0	OCJ
	Develop an M&E framework for NCAJ	NCAJ M&E framework developed	NCAJ M&E framework	-	1	0	1	0	0	0	5 OCJ
Strengthen the operations and role of CUCs	Develop and implement an M&E and Reporting framework for CUC activities	CUC M&E framework developed	CUC M&E framework	-	1	1	0	0	1	0	2 OCJ
	Offer technical and financial support to CUCs	CUC supported	% of CUC supported	-	100%	100%	100%	100%	100%	100%	5 OCJ

### KRA 3: GROWTH OF JURISPRUDENCE AND KNOWLEDGE MANAGEMENT

Strategy	Activity	Output	Key Indicator	Baseline 2018/19	Target for 5 years	Target					Estimated Cost (Ksh. Millions)	Unit
						2019/20	2020/21	2021/22	2022/23	2023/24		
Strategic Objective 1: To Promote Skills Acquisition, Mentorship, Peer Review and Benchmarking in Judicial Practice												
Undertake training and continuous learning	Develop specialised training curriculum in liaison with JTI	Specialised curriculum developed and approved	Specialised curriculum	0	1	1	0	0	0	0	20	OCJ
	Organize sensitization for judges and judicial officers on emerging areas of jurisprudence in liaison with JTI	Trainings on emerging areas held	No. of trainings held	-	10	2	2	2	2	2	50	OCJ
Improve accessibility to court decision	Publish considered court decisions through NCLR	Published court decisions	% of court decisions published	-	100%	100%	100%	100%	100%	100%	10	Registrars
	Publish considered court decisions through Judiciary website	Published court decisions	% of court decisions published	-	100%	100%	100%	100%	100%	100%	10	Registrars
Promote judicial collegiality	Hold colloquiums for judges and judicial officers	Colloquiums held	No. of Colloquiums held	2	10	2	2	2	2	2	600	OCJ



		Indicator	2018/19	for 5 years	2019/20	2020/21	2021/22	2022/23	2023/24	Cost (Ksh. Millions)	
Engage Justice Sector experts and stakeholders	Hold annual meetings between courts of different levels to discuss emerging jurisprudence	Meetings held between SCOK and CoA	-	5	1	1	1	1	1	80	Registrars
		Meetings held between CoA and High Courts	0	5	1	1	1	1	1	100	Registrars
		Meetings held between HCs and subordinate courts	0	5	1	1	1	1	1	450	Registrars
		Forums organized	0	10	2	2	2	2	2	200	OCJ
Exchange visits for experience sharing regionally and internationally	Hold expert speaker fora on topical issues	Expert speaker fora held	0	10	2	2	2	2	2	200	OCJ
	Conduct visits to other jurisdictions	Visits to other jurisdictions	1	5	1	1	1	1	1	70	OCJ
	Coordinate visits by judges, judicial officers and practitioners in justice sector from other jurisdictions	Visits from other jurisdictions	2	5	1	1	1	1	1	50	OCJ
	Implement exchange programmes for judicial officers and staff	Exchange programs implemented	1	5	1	1	1	1	1	50	OCJ

Strategy	Activity	Output	Key Indicator	Baseline 2018/19	Target for 5 years	Target					Estimated Cost (Ksh. Millions)	Unit
						2019/20	2020/21	2021/22	2022/23	2023/24		
Strategic Objective 2: To Improve Library Information Services												
Establish Libraries in court stations	Establish libraries in court stations	Libraries established	No. of libraries established	32	26	7	5	5	5	4	21	I&RMU
	Equip and deploy staff in existing libraries in court stations	Libraries equipped and staffed	No. of libraries equipped and staffed	32	58	4	5	5	5	0	200	I&RMU
	Recruit and induct new Librarians	Librarians engaged	No. of Librarians recruited and inducted	32	58	0	0	58	0	0	10	HRMA
	Review and implement Library Management Guidelines	Library Management Guidelines reviewed and implemented	Library Management Guidelines	-	1	1	0	0	0	0	5	I&RMU
Streamline the operations of Library and Information Resource Centres	Develop an Enterprise Resource Planning (ERP) System Library Management Module	ERP Library Management Module developed and implemented	ERP Library management Module	-	1	0	0	1	0	0	10	DICT
	Operationalise ERP System Library Management Module	ERP Library Management Module developed and implemented	Level of utilization of the Module	-	100%	0	0	50%	100%	100%	5	DICT

Strategy	Activity	Output	Key Indicator	Baseline 2018/19	Target for 5 years	Target				Estimated Cost (Ksh. Millions)	Unit
						2019/20	2020/21	2021/22	2022/23	2023/24	
Provide information resource materials	Source and distribute library books and reference materials	Library books and reference materials	% of court libraries stocked with books and reference materials	17	100%	100%	100%	100%	100%	100%	600 I&RMU
	Subscribe to relevant online resource portals	Online resource portals	No. of online portals subscriptions	2	3	3	3	3	3	3	50 I&RMU
<b>Strategic Objective 3: To Promote Knowledge Management in the Judiciary</b>											
Improve documentation, in the Judiciary	Develop Judiciary Knowledge Management Guidelines	Knowledge Management Guidelines developed	Guidelines	-	1	0	1	0	0	0	5 I&RMU
	Develop an Enterprise Resource Planning (ERP) System Information and Records Management Module to provide access to Accessible Judiciary documents electronically	ERP System Information and Records Management Module developed	ERP System Information and Records Management Module	-	1	0	0	1	0	0	10 I&RMU
	Operationalise ERP System Information and Records Management Module	Judiciary publications and documents accessible in an electronic database	Level of access to electronic database of judiciary publications and documents	-	1	0	0	0	100%	100%	10 DICT

Strategy	Activity	Output	Key Indicator	Baseline 2018/19	Target for 5 years	Target					Estimated Cost (Ksh. Millions)	Unit
						2019/20	2020/21	2021/22	2022/23	2023/24		
Strategic Objective 4: To Promote Research on Emerging Thematic Areas of Jurisprudence and Judicial Practise												
Strengthen research in the Judiciary	Develop a research policy	Research Policy	Research policy developed	-	1	0	1	0	0	0	10	OCJ
	Recruit Law Clerks and Legal Researchers	Law Clerks and Legal Researchers	No. of Law Clerks and Legal Researchers recruited	100	216	43	43	33	43	44	2,000	OCRJ
Establish partnership with learning and research institutions	Sign and implement partnership memoranda with learning and research institutions	Partnership memoranda	No. of signed and implemented partnership memoranda	-	10	2	2	2	2	2	10	OCJ

## KRA 4: IMPROVED GOVERNANCE AND TRANSFORMATIVE LEADERSHIP

Strategy	Activity	Output	Key Indicator	Baseline 2018/19	Target for 5 years	Target				Estimated Cost (KShs' Millions)	Unit
						2019/20	2020/21	2021/22	2022/23	2023/24	
Strategic Objective 1: To Combat Corruption and Unethical Practises											
Strengthen mechanisms for reporting and determination of cases of corruption and malpractices	Undertake corruption mapping	Corruption risk areas mapped	Corruption mapping report	1	1	1	0	0	0	0	10 OJO
	Implement corruption mapping	Recommendation corruption mapping report	Annual progress reports	-	5	1	1	1	1	1	100 OJO
	Implement recommendation	Implemented									
	Finalise Whistle blowing policy	Whistle blowing policy finalised	Policy in place	-	1	0	1	0	0	0	10 OJO
	Upgrade online feedback reporting system	Online system upgraded	Upgraded Online system	1	1	0	0	1	0	0	10 OJO
	Train Office of the Judiciary Ombudsman (OJO) liaison officers at court station level	Liaison officers trained in all Courts stations	% of stations with trained liaison officers	-	100%	100%	100%	100%	100%	100%	30 OJO
	Conduct public awareness programs on feedback and complaints handling	Public sensitized on complaints reporting and processing	No. of public awareness clinics held	-	130	26	26	26	26	26	46 OJO
	Develop Complaints Handling Manual	Complaints Handling Manual developed	Manual	-	1	1	0	0	0	0	5 OJO

Strategy	Activity	Output	Key Indicator	Baseline 2018/19	Target for 5 years	Target				Estimated Cost (Kshs' Millions)	Unit
						2019/20	2020/21	2021/22	2022/23	2023/24	
	Develop and implement anti-corruption strategy for the Judiciary	Anti-corruption strategy developed	Anti-corruption strategy document	-	1	0	1	0	0	0	10 OJO
	Actively engage key investigative agencies	Anti-corruption strategy implemented	Quarterly reports	-	20	4	4	4	4	4	0 OJO
		Supportive engagements with investigative agencies	No. of engagements forums	-	10	2	2	2	2	2	2 OJO
	Implement complaints handling manual	Complaints handling manual implemented	Quarterly Reports	-	16	0	4	4	4	4	15 OJO
<b>Strategic Objective 2: To Strengthen Performance Management Systems</b>											
Enhance performance management and accountability mechanisms	Cascade the Judiciary Corporate Strategic Plan	All courts and implementing units sensitized on Strategy Plan	% of courts and implementing units sensitized	-	100%	100%	100%	100%	100%	100%	30 DPOP
	Strategy documents developed for implementing units	Strategy documents developed for implementing units	No. of Strategy documents	-	10	4	3	3	0	0	70 DPOP
		Annual Work plans for implementing units aligned with Judiciary strategic plan	% of implementing units with annual work plans	-	100%	100%	100%	100%	100%	100%	300 DPOP/DF&A

Strategy	Activity	Output	Key Indicator	Baseline 2018/19	Target for 5 years	Target					Estimated Cost (Kshs' Millions)	Unit
						2019/20	2020/21	2021/22	2022/23	2023/24		
	Implement Judiciary Integrated Performance Management and Accountability System (JPMAS)	PMMU module of JPMAS rolled-out and utilized in all courts and units	% of courts/units	-	100%	0	100%	0	0	0	10	DPOP
		All staff sensitized on PAS module utilized by all staff	% of staff with sensitized PAS module	100%	100%	100%	100%	100%	0	0	100	DHRM&D
		Leave management module utilized by all staff	% of staff using PAS module	-	100%	0	100%	100%	0	0	30	DHRM&D
			% of staff using leave module	-	100%	100%	100%	100%	0	0	30	DHRM&D
			% of courts/units	-	0	0	0	100%	0	0	20	DPOP/DICT
	Develop and Operationalize an Enterprise Resource Planning (ERP) System Performance Management Module	ERP Performance Module Operationalized	% of courts/units	-	0	0	0	0	100%	100%	50	DPOP/DICT
		Judiciary performance indicators reviewed	Report	1	5	1	1	1	1	1	15	DPOP

Strategy	Activity	Output	Key Indicator	Baseline 2018/19	Target for 5 years	Target					Estimated Cost (KShs' Millions)	Unit
						2019/20	2020/21	2021/22	2022/23	2023/24		
		Annual PMMU target setting and evaluation conducted for all implementing units	% of implementing units	-	100%	100%	100%	100%	100%	100%	200	DPOP
	Undertake research on topical issues on Court administration to inform policy	Research undertaken	No. of Research reports	-	10	2	2	2	2	2	2	DPOP
	Assess compliance with service charters	Compliance with service charters evaluated	Service Charters Compliance Reports	-	4	0	1	1	1	1	40	DPOP
	Develop and implement Judiciary data policy	Develop Judiciary data management policy Implement data policy	Data management policy in place Data management policy implemented	0 1	1 1	1 1	0 0	0 0	0 0	0 0	15 10	DPOP DPOP
	Develop and implement a framework for case weighting	Undertake research on case weighting Develop and implement framework for case weighting	Research report Case weighting developed	- -	0 0	1 0	0 1	0 0	0 0	0 0	10 20	DPOP DPOP



Strategy	Activity	Output	Key Indicator	Baseline 2018/19	Target for 5 years	Target					Estimated Cost (Kshs' Millions)	Unit
						2019/20	2020/21	2021/22	2022/23	2023/24		
	Develop a monitoring and evaluation framework for the Judiciary	Monitoring and evaluation framework developed	Monitoring and evaluation framework in place	-	1	0	0	1	0	0	10	DPOP
	Conduct 3 Court User and Customer Surveys	Surveys conducted	Report	-	3	1	0	1	0	1	90	DPOP
	Develop a framework for implementation of processes of ISO-QMS in the Judiciary	ISO-QMS implementation framework developed	ISO-QMS implementation framework	-	1	1	0	0	0	0	0	DPOP
	Implement identified processes of ISO-QMS in courts and administrative units	QMS-ISO implemented in all courts and administrative units	Report	-	10	2	2	2	2	2	75	DPOP
Establish a rewards and sanctions scheme	Develop rewards and sanctions framework	Rewards and sanctions framework developed	Rewards and sanctions scheme in place		1	0	1	0	0	0	10	DPOP
	Operationalise annual rewards and sanctions Programme	Annual reports of the rewards and sanctions scheme implemented	Annual reports	-	5	1	1	1	1	1	10	OCJ

Strategy	Activity	Output	Key Indicator	Baseline 2018/19	Target for 5 years	Target					Estimated Cost (Kshs' Millions)	Unit
						2019/20	2020/21	2021/22	2022/23	2023/24		
Strategic Objective 3: To Promote Culture Change for Transformative Leadership and Management												
Strengthen judiciary leadership and management	Gazette the Judiciary Code of Conduct	Code of Conduct gazetted and disseminated	Gazette notice	-	1	1	0	0	0	0	2	OCJ
	Develop/Review JLAC, LMT and other leadership and management guidelines	JLAC, LMT and other leadership and management guidelines developed/ reviewed	Published JLAC, LMT and other leadership and management Guidelines	1	3	1	2	0	0	0	10	OCJ
	Train LMTs on their roles various aspects of management	LMTs trained	% of LMTs trained		100%	100%	100%	100%	100%	100%	20	OCJ
	Review internal disciplinary policy and procedures	Internal disciplinary policy and procedures reviewed	Reviewed policy document	-	1	1	0	0	0	0	10	DHRM&D
	Review and conclude pending disciplinary cases	Pending disciplinary cases reviewed and concluded	% of cases concluded	-	100%	70%	30%	0	0	0	5	DHRM&D
	Train management (of courts and administrative units) on management and strategic leadership	Judges, Judicial Officers and Staff at management level of courts and units trained	% of courts administrative units with trained Judges, Judicial Officers at management level	-	100%	100%	100%	100%	100%	100%	100	OCJ/ DHRM&D

Strategy	Activity	Output	Key Indicator	Baseline 2018/19	Target for 5 years	Target					Estimated Cost (Kshs' Millions)	Unit
						2019/20	2020/21	2021/22	2022/23	2023/24		
Institutionalize change management	Develop culture and change management strategy	Culture and change management Strategy	Culture and change management strategy document	0	1	1	0	0	0	0	10	OCJ
	Implement culture and change management Programme	Culture and change management Programme implemented	% of Judges, Judicial officers and staff sensitized on change management	-	100%	0	100%	100%	100%	100%	100	OCJ
	Conduct regular team building activities (retreats, peer reviews, sports days and exchange programs)	Joint activities conducted	% of units undertaking team building initiatives	-	100%	20%	100%	100%	100%	100%	300	Registrars, Directors and Heads of Units
<b>Strategic Objective 4: To Mainstream National Values, Gender and Diversity in Judiciary</b>												
Compliance with the requirements on national values, gender and diversity	Finalize and implement the Gender Policy	Judiciary Gender Policy Approved	Policy Document	-	1	1	0	0	0	0	2	OCRJ
	Develop and implement Disability Policy	Judiciary Disability Policy developed	Policy Document	-	1	0	1	0	0	0	10	OCRJ
	Develop and Implement Sexual Harassment Policy	Judiciary Sexual Harassment Policy developed	Policy Document	-	1	0	1	0	0	0	10	OCRJ
	Mainstream national values in Judiciary programmes	National values mainstreamed into Judiciary programmes	Reports	-	5	1	1	1	1	1	0	OCRJ

KRA 5: IMPROVED HUMAN CAPITAL MANAGEMENT AND ORGANIZATIONAL DEVELOPMENT

Strategy	Activity	Output	Key Indicator	Baseline 2018/19	Target for 5 years	2019 /20	2020 /21	2021 /22	2022 /23	2023 /24	Estimated Cost (Kshs' Millions)	Unit
Strategic Objective 1: To Establish Optimal Staffing Levels in line with the Organizational Review Recommendations												
Establish optimal staffing levels	Review the staffing levels in all units	Approved staff establishment	Report	-	1	1	0	0	0	0	10	DHRM&D
	Recruitment of staff (including tribunals) conducted	Recruitment of staff (including tribunals) conducted	Number of Staff recruited	4,707	2,800	560	560	560	560	560	240	DHRM&D
	Develop job descriptions for all positions in the revised org structure	Approved job descriptions	Report	-	1	1	0	0	0	0	5	DHRM&D
	Carry out staff rationalization	Rationalized staffing levels across courts Directorates and Tribunals	Report	-	2	0	1	1	0	0	10	DHRM&D
	Review the decentralization of administrative functions	Decentralization of administrative functions reviewed	Report	-	1	0	1	0	0	0	10	DHRM&D
	Implement decentralized administrative functions	Administrative functions decentralized	Reports	-	4	0	1	1	1	1	5	DHRM&D
	Strategic Objective 2: To Enhance Skills and Competences of Staff											
Enhance capacity of staff	Develop training policy	Training policy developed	Approved policy	-	1	0	1	0	0	0	5	DHRM&D
	Conduct skills and competences audit for staff	Skills and Competences of Judicial staff established	Report	-	1	0	1	0	0	0	5	DHRM&D

Strategy	Activity	Output	Key Indicator	Baseline 2018/19	Target for 5 years	Target					Estimated Cost (Kshs' Millions)	Unit
						2019 /20	2020 /21	2021 /22	2022 /23	2023 /24		
	Conduct training needs assessment for staff	Training needs of staff established	Report	-	2	0	1	0	1	0	10	DHRM&D
	Establish framework for scholarship and continuous exchange and learning programs	Guidelines for scholarships established	Report	-	1	0	0	1	0	0	5	DHRM&D /OCJ/OCRJ
	Prepare Judiciary Training Master plan for staff	Training master plan prepared	Approved Training master plan	-	1	0	1	0	1	0	4	DHRM&D
	Undertake training and capacity building programs for judicial staff	Trainings conducted for all Judicial staff	% of staff trained annually	-	100%	20%	20%	20%	20%	20%	500	DHRM&D
	Develop and implement policy on attachment, internships and pupillage	Attachment, internship and pupillage guidelines approved	Approved Guidelines	-	1	0	1	0	0	0	2	DHRM&D
<b>Strategic Objective 3: To Attract, Retain and Motivate Staff</b>	Develop and implement policy on pupillage	Pupillage guidelines approved	Approved Guidelines	-	1	0	1	0	0	0	2	OCRJ
	<b>Institute human capital strategy to inform HR initiatives</b>	<b>Review and implement Human Resource Policy and Procedure Manual</b>	<b>Approved Manual</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>15</b>	<b>DHRM&amp;D</b>
	Develop and implement Recruitment Policy	Recruitment policy developed	Approved Policy document	-	1	1	0	0	0	0	10	DHRM&D
	Develop and implement Succession Policy	Succession policy document developed	Approved Policy document	-	1	0	1	0	0	0	10	DHRM&D

Strategy	Activity	Output	Key Indicator	Baseline 2018/19	Target for 5 years	Target					Estimated Cost (Kshs' Millions)	Unit
						2019 /20	2020 /21	2021 /22	2022 /23	2023 /24		
	Review and implement Payroll Management Policy	Payroll management policy reviewed	Approved Policy document	-	1	1	0	0	0	0	10	DHRM&D
	Review salaries and allowances for staff	Salaries and allowances reviewed	Report	-	1	0	1	0	0	0	10	DHRM&D
	Review and implement Schemes Of Service for all staff	Schemes of service for all judicial staff reviewed and implemented	Approved Schemes of Service	-	1	0	1	0	0	0	5	DHRM&D
	Review Staff Promotion Policy	Promotion policy reviewed	Approved Promotion policy	-	1	0	1	0	0	0	2	DHRM&D
	Review staff benefits (medical, mortgage, car loans)	Staff benefits reviewed	Report	-	1	1	0	0	0	0	2	DHRM&D
	Develop and Implement Occupational Health And Safety Guidelines	Health and safety guidelines developed	Approved Guidelines	-	1	0	1	0	0	0	10	DHRM&D
		Occupational health and safety programmes implemented in all courts	% of courts	-	100%	0	100%	100%	100%	100%	100	DHRM&D
	Set up wellness centres	Court with wellness centres operationalized	No. of courts with wellness centres	-	80	0	20	20	20	20	30	DHRM&D
	Provide psycho-social support Programme	Programme rolled out	No. of sessions held	-	80		20	20	20	20	8	OCRJ

Strategy	Activity	Output	Key Indicator	Baseline 2018/19	Target for 5 years	Target					Estimated Cost (Kshs' Millions)	Unit
						2019 /20	2020 /21	2021 /22	2022 /23	2023 /24		
Strategic Objective 4: To Provide a Safe and Conducive Work Environment												
Strengthen capacity to manage infrastructure development in the Judiciary	Develop and implement Facilities Management Guidelines	Facilities management guidelines developed	Report	-	1	0	1	0	0	0	5	DAS/BSU
	Facilities Management Guidelines	Facilities management guidelines implemented	Implementation Report	-	1	0	1	1	1	1	5	DAS/BSU
	Implement Infrastructure Master Plan	Infrastructure master plan implemented	Reports	-	5	1	1	1	1	1	3	DAS/BSU
	Procure Fleet Management System	Fleet management system introduced	Fleet management system		1	0	1	0	0	0	10	DAS
Provide vehicles, working tools, equipment and furniture	Update motor vehicle, tools and equipment inventory	Motor vehicle, tools and equipment inventory updated	Updated Inventory	1	5	1	1	100%	100%	100%	500	DAS/SCM
	Procure furniture and other office equipment	Courts and offices adequately furnished and equipped	% of courts and offices furnished and equipped	-	100%	100%	100%	52	52	52	2700	DAS
	Procure vehicles for Judiciary	Adequate vehicles procured	Number of vehicles	-	252	42	54	0	0	0	5	DAS
	Enhance the provision of ICT Equipment and accessories	Staff with ICT Equipment	No. of staff with ICT equipment	3,129	2,417	200	554	554	554	555	10	DICT
Ensure work place safety	Implement recommendations of the Security Risk Analysis Report	Recommendations of security risk analysis report implemented	Report	-	5	1	1	0	0	0	10	DAS
	Develop a Disaster Management Policy	Disaster Management Policy developed	Approved Policy document	-	1	0	1	100%	100%	100%	250	DAS

Strategy	Activity	Output	Key Indicator	Baseline 2018/19	Target for 5 years	Target					Estimated Cost (Kshs' Millions)	Unit
						2019 /20	2020 /21	2021 /22	2022 /23	2023 /24		
Enhance accountability for Judiciary Assets	Install emergency preparedness and response equipment	Emergency preparedness and response equipment installed	% of units with operational security equipment and checks	-	100%	0	100%	100%	100%	100%	100	DAS
	Provide and install serviceable fire extinguishers and other safety equipment in all premises	Safety equipment and tools provided and installed	% of units with operational safety equipment	-	100%	0	100%	100%	100%	100%		DAS
	Acquire title documents for Judiciary parcels of land	Land title documents	% of Judiciary parcels of land with title documents	21	100%	10%	30%	50%	70%	100%	50	OCR/DAS
Develop and Implement Transport Policy	Develop and implement Judiciary Transport Policy	Judiciary transport policy developed	Reports	-	1	0	1	0	0	0	10	DAS
		Judiciary transport policy implemented	Report	-	1	0	1	1	1	1	1000	DAS
	Implement Judges transport policy	Judges transport policy implemented	Reports	-	4		1	1	1	1	500	OJ
<b>Strategic Objective 5: To Modernise Human Resource Management and Development</b>												
Digitize Human Resource Management	Develop an Enterprise Resource Planning (ERP) System HR Management Module	ERP HRM Module developed	No. of module developed	-	1	0	1	0	0	0	50	DHRM&D/ICT
	Operationalise ERP HRM Module	ERP HRM Module Operationalized	Reports	-	4	0	1	1	1	1	50	DHRM&D/ICT



Strategy	Activity	Output	Key Indicator	Baseline 2018/19	Target for 5 years	2019 /20	2020 /21	2021 /22	2022 /23	2023 /24	Estimated Cost (Kshs' Millions)	Unit
Strategic Objective 6: To Provide Reliable ICT Infrastructure and Applications												
Expand ICT infrastructure	Install and maintain ICT Infrastructure	Reliable internet connectivity installed	No. of Judiciary premises with reliable ICT Infrastructure	30	109	25	21	21	21	21	2,000	DICT
	Upgrade and Operationalise secure and reliable Primary and Secondary Data Centres	ICT Solutions hosted in reliable and secure Primary and Secondary Data Centres	No. of Data Centres Operational	1	2	0	2	0	0	0	150	DICT
	Connect and utilize the National Optic Fibre Backbone (NOFBI) Infrastructure for all Courts	Stations connected to NOFBI	No. of stations connected to NOFBI	30	109	25	21	21	21	21	30	DICT
	Provide a Wide Area Network (WAN) for all court stations and Tribunals	WAN in place	No. of court stations in the WAN	30	109	25	21	21	21	21	20	DICT
Enhance safety of ICT Business Continuity Plan (BCP) and Disaster Recovery (DR)	Establish Offsite Data Centres at a secure Government Data Centre (GDC)	Judiciary Services Operationalised at GDC	No. of Services Operational at GDC	10	0	0	5	0	5	0	10	DICT
	Develop BCP and DR Policy	Disaster recovery policy in place	Disaster recovery policy	0	1	0	1	1	0	0	100	DICT
	Implement the Disaster Recovery Sites	Disaster recovery sites implemented	No. of sites	0	2	0	1	1	0	0	10	DICT

Strategy	Activity	Output	Key Indicator	Baseline 2018/19	Target for 5 years	Target					Estimated Cost (Kshs' Millions)	Unit
						2019 /20	2020 /21	2021 /22	2022 /23	2023 /24		
	Upgrade primary and secondary Data Centres	Primary and Secondary Data Centres upgraded	Data centres upgraded	0	2	0	0	1	0	0	5	DICT
	Establish Secondary Data Centres at Government Data Centres	Secondary data centre established	Data centre established	0	1	0	0	1	0	0	10	DICT
	Establish a Maintenance Framework and Service Level Agreements (SLA)	ICT Accessories & ICT Equipment Maintenance	No. of Contract Framework & SLA	0	3	1	2	0	0	0	0	DICT

## KRA 6: MODERNIZATION REGISTRY OF OPERATIONS AND MANAGEMENT

Strategy	Activities	Output	Key indicator	Baseline 2018/ 2019	Target for 5 years	Targets					Cost (Kshs Millions)	Unit
						2019 /20	2020 /21	2021 /22	2022 /23	2023 /24		
Objective 1: To Adopt Effective Information, Records and Archives Management Practices												
Institutionalize best practices in information and records management	Develop and operationalise a Document and Record Control Procedures Manual	Document and Record Control Procedures Manual developed	Document and Record Control Procedures Manual	-	1	0	1	0	0	0	5	I&RMU
		Operationalise Document and Record Control Procedures Manual	% of registry staff sensitized	-	100%	100 %	100%	100%	100%	100%	100	I&RMU
	Develop and review Courts & Tribunals registry manuals	Court registry manuals developed and reviewed	No. of court registry manuals developed	-	2	0	2	0	0	0	20	Registrars
	Initiate legislative reforms for Records Disposal Act, Cap 14	Law on Records Disposal reviewed	Reviewed Act of Parliament	-	1	0	0	1	0	0	7	OCJ
	Formulate Judiciary Records Management policy	Judiciary Records Management policy formulated	Policy document	1	1	1	0	0	0	0	0	2

Strategy	Activities	Output	Key Indicator	Baseline 2018/ 2019	Target for 5 years	Targets					Cost (Kshs Millions)	Unit
						2019 /20	2020 /21	2021 /22	2022 /23	2023 /24		
Standardize Registry operations and processes	Develop and operationalise Judiciary Retention and Disposal Schedules for Court and Tribunal Records	Retention and disposal Schedules Developed	Retention and disposal schedules	-	1	0	1	0	0	0	7	I&RMU
	<b>Strategic Objective 2: To Streamline and Modernize File Management and Disposal Procedures</b>											
	Implement RFID Identification technology for the registries/ library	RFID Identification technology implemented	No. of registries covered	-	250	0	0	60	95	95	70	I&RMU
Implement an electronic ticketing/ Queue Management System in all High Court Stations	RFID Identification technology implemented in key libraries	RFID Identification technology implemented in key libraries	No. of libraries covered	-	10	0	0	0	5	5	10	I&RMU
	Implement an electronic ticketing/ Queue Management System in all High Court Stations	Operationalised Queue Management System in all High Court Stations	% of High Court Stations covered	2	100%	100%	100%	100%	100%	100%	20	Registrars
	Train/sensitize staff on the Registry Manuals/ Records Management	Staff sensitized	No. of staff sensitized	-	500	50	50	100	150	150	15	I&RMU

Strategy	Activities	Output	Key indicator	Baseline 2018/ 2019	Target for 5 years	Targets					Cost (Kshs Millions)	Unit
						2019 /20	2020 /21	2021 /22	2022 /23	2023 /24		
	Train Records Management Officers on e-Records Management	Records Management staff trained on e-records	% of staff trained	-	100%	100%	100%	100%	100%	100%	50	I&RMU
	Modernize the storage, access and retrieval of court case files in the registries	Filing shelves with controlled access constructed	% of registries and archives covered	-	100%	0	50%	100%	100%	100%	500	Registrars/I&RMU
	Incorporate one-stop shop registry services in courts	One-stop shops incorporated	No. of courts incorporated	12	44	9	12	12	8	3	100	Registrars
<b>Strategic Objective 3: To Automate all the Court Processes</b>												
Adopt and mainstream automated Case Management System	Develop standard operating procedures /policy on the operationalization of Case Management System	Standard operating procedures on Case Management System in place	Standard operating procedure document	-	1	1	0	0	0	0	5	DICT
	Roll out the developed Case Tracking Module of the Case Management System	Case Tracking System in use in courts	No. of courts using Case Tracking System	25	245	105	245				20	DICT

Strategy	Activities	Output	Key indicator	Baseline 2018/ 2019	Target for 5 years	Targets					Cost (kshs Millions)	Unit
						2019 /20	2020 /21	2021 /22	2022 /23	2023 /24		
	Develop Case Management System Modules for e-Court Services and Mobile Application Platform Develop and e-Court Services platform	e-Case Status Module Developed	e-Case Status Module	-	1	1	0	0	0	0	5	DICT
		e-Filing Module developed	e-Filing module	-	1	0	1	0	0	0	20	DICT
		e-Fee Assessment Module developed	e-Assessment, module	-	1	0	1	0	0	0		
		e-Payment developed	e-Payment module	-	1	0	1	0	0	0		
		e-Process serving developed	e-Process serving module	-	1	0	1	0	0	0		
		e-Notification service via SMS & E-mail developed	SMS & Email Notification Module	-	1	0	1	0	0	0	10	DICT
		Case Management System (CMS) Mobile Application developed	Mobile App version of Case Management System (CMS)	-	1	0	0	1	0	0	3	DICT
		Document Management System in place	Document Management System	-	1	0	0	1	0	0	3	DICT
		Operationalise the use of Case Management System (all modules including document management) in Courts	No. of courts and tribunals using Case Management System		245	0	0	105	105	35	300	Registrars/D ICT

Strategy	Activities	Output	Key indicator	Baseline 2018/ 2019	Target for 5 years	Targets				Cost (Kshs Millions)	Unit
						2019 /20	2020 /21	2021 /22	2022 /23	2023 /24	
Establish legislative and policy framework for automation of court processes	Develop a digital document policy	Digital policy in place	Digital policy in place	-	1	0	0	0	0	0	5 DICT
	Initiate a review/development of legislation on adoption of technology in courts	Relevant legislation reviewed/developed for adoption of technology in courts	Legislation on adoption of technology in courts	-	1	0	0	1	0	0	30 OCJ
	Develop Practice Directions and Rules on adoption of technology in courts	Develop Practice Directions and Rules developed	Practice Directions and Rules	-	1	0	0	1	0	0	0 OCJ

KRA 7: ENHANCE PUBLIC CONFIDENCE, AWARENESS AND IMAGE OF THE JUDICARY

Strategy	Activity	Output	Key Indicator	Baseline 2018/19	Target for 5 years	Target					Estimated Cost (Kshs' Millions)	Unit
						2019/20	2020/21	2021/22	2022/23	2023/24		
Strategic Objective 1: To Strengthen Communication and Enhance Publicity												
Strengthen communication management	Finalize the Judiciary Communication Policy	Judiciary Communication Policy developed	Judiciary Communication policy	0	1	1	0	0	0	0	5	PACU
	Develop Judiciary Brand Manual	Judiciary Brand Manual developed	Judiciary Brand Manual	-	1	0	1	0	0	0	5	PACU
	Train staff correspondents	Staff correspondents trained	No. of staff correspondents trained	43	166	34	33	33	33	33	25	PACU
	Conduct public education fora	Public Education for a conducted	No. of fora held	50	65	13	13	13	13	13	50	PACU
Enhance public platforms and information gate ways	Develop and implement Social Media Strategy	Social media strategy developed and implemented	Social Media Strategy	-	1	0	1	0	0	0	30	PACU
	Organise media fora	Media fora organised	No of media fora organised	3	10	2	2	2	2	2	50	PACU
	Train Court Reporters	Court reporters trained	No. of Court Reporters	40	200	40	40	40	40	40	25	PACU
	Engage public on social media platforms	Public engaged	Report	-	5	1	1	1	1	1	0	PACU
	Review and update Judiciary website	Reviewed and updated Judiciary Website	Report	-	5	1	1	1	1	1	0	PACU
	Develop Judiciary assorted IEC materials	Judiciary IEC materials developed	No. of IEC materials	-	15,000	3,000	3,000	3,000	3,000	3,000	15	PACU



Strategy	Activity	Output	Key Indicator	Baseline 2018/19	Target for 5 years	Target					Estimated Cost (Kshs' Millions)	Unit
						2019/20	2020/21	2021/22	2022/23	2023/24		
Enhance publicity of the Judiciary	Develop an Enterprise Resource Planning (ERP) System	ERP System Communications Module developed	Communications Module of ERP System	0	1	0	1	0	0	0	50	PACU
	Communications Module to Automate Communication functions											
	Operationalise an Enterprise Resource Planning (ERP) System	Communications Module of ERP System operationalised	Reports	0	4	0	1	1	1	1	50	PACU
Enhance publicity of the Judiciary	Update the public on the progress of high public interest cases	Public informed on High public interest cases	Media Brief Reports	-	5	1	1	1	1	1	0	PACU
	Publish Judiciary events	Judiciary Events publicized	% of events publicized	1,589	100%	100%	100%	100%	100%	100%	240	PACU
<b>Strategic Objective 2: To Promote the Judiciary Brand</b>												
Promote the Judiciary brand	Develop promotional merchandise	Judiciary promotional merchandise	No. of promotional merchandise developed	-	15,000	3,000	3,000	3,000	3,000	3,000	15	PACU
	Brand Judiciary in corporate colours	Branding done	No. of courts branded	-	125	25	25	25	25	25	0	PACU

## KRA 8: RESOURCE MOBILIZATION AND UTILIZATION

Strategy	Activity	Output	Key Indicator	Baseline 2018/19	Target for 5 years	Target					Estimated Cost (Kshs Millions)	Unit
						2019/20	2020/21	2021/22	2022/23	2023/24		
Strategic Objective 1: To Enhance Funding and Technical Support for Judiciary Programmes												
Operationalise the Judiciary Fund	Implement provisions of Judiciary Fund Regulations 2019	Fund Regulations implemented	Implementation report	-	5	1	1	1	1	1	1	DF&A
	Engage the National Treasury and National Assembly to ring-fence a ceiling to the Judiciary	Allocated annual budget ceiling	% of National Budget allocated to the Judiciary	1%	2.5%	1%	1.5%	2.0%	2.2%	2.5%	100	OCJ
	Improve and sustain financial and technical support	Develop Partnership Support Policy	Partnership Support Policy developed	Partnership Support Policy	0	1	1	0	0	0	0	10
Develop and implement resource mobilization and partnership engagement strategy		Resource mobilisation strategy developed	Implementation Reports	10	2	2	2	2	2	2	10	OCRJ
Strategic Objective 2: To Promote Prudent Management of Judiciary Resources												
Streamline financial management practices	Review Finance and Accounting Policies and Procedures Manual	Finance and Accounting Policies and Procedures Manual Reviewed	Policy document	1	1	1	0	0	0	0	10	DF&A

Strategy	Activity	Output	Key Indicator	Baseline 2018/19	Target for 5 years	Target				Estimated Cost (Kshs Millions)	Unit
						2019/20	2020/21	2021/22	2022/23	2023/24	
	Develop and implement Procurement, Asset Disposal and Inventory Policies and Procedures Manual	Procurement, Asset Disposal and Inventory Management Policies and Procedures Manual developed	Manual document	-	1	0	1	0	0	0	10 DSCMS
	Develop and implement Internal Audit Policies and Procedures Manual	Audit Policies and Procedures Manual developed	Manual document	-	1	0	1	0	0	0	10 DIA&RM
<b>Strategic Objective 3: To Strengthen Financial Management Systems</b>											
Strengthen capacity for financial Management	Delink court station operations from Sub County Treasuries	All court stations delinked	Number of court stations delinked	73	66	66	0	0	0	0	50 DF&A
	Recruit Accountants to ensure at least two accountants per court	Accountants recruited	Number of Accountants recruited	168	205	0	205	0	0	0	960 DHRM&D
		Accountants deployed in all court stations	No. of stations with at least two accountants	101	139	38	103	0	0	0	130 DF&A
	Recruit Internal Audit and Risk Management Staff	Internal Audit and Risk Management staff recruited	No. of staff recruited	12	32	32	0	0	0	0	168 DHRM&D

Strategy	Activity	Output	Key Indicator	Baseline 2018/19	Target for 5 years	Target				Estimated Cost (Kshs Millions)	Unit
						2019/20	2020/21	2021/22	2022/23	2023/24	
	Recruit Supply Chain Management staff	Supply Chain Management staff recruited	No. of staff recruited	109	86	20	30	35	0	0	516 DSCMS
Mainstream efficiency in collection, management and utilization of resources	Develop an Enterprise Resource Planning (ERP) System Modules to Automate the Financial management, Accounting, Audit and Supply Chain Management functions	Enterprise Resource Planning (ERP) System with four modules developed	No. of Modules Developed		4	0	3	1	0	0	600 DICT
	Operationalise ERP System Financial Management Module	Financial management functions automated in court stations	No. of court stations using Financial Management Module of the ERP	0	132	0	132	0	0	0	100 DF&A
	Operationalise ERP System Accounting Module	Accounting functions automated in court stations	No. of court stations using Accounting Module of the ERP	0	132	0	132	0	0	0	100 DF&A
	Operationalise ERP System SCM Module	SCM functions automated in court stations	No. of court stations using SCM Module of the ERP	0	132	0	132	0	0	0	100 DSCMS

Strategy	Activity	Output	Key Indicator	Baseline 2018/19	Target for 5 years	Target					Estimated Cost (Kshs Millions)	Unit
						2019/20	2020/21	2021/22	2022/23	2023/24		
	Operationalise ERP System Audit Module	Audit functions automated in court stations	No. of court stations using Audit Module of the ERP	0	132	0	0	132	0	0	100	DIA&RM
	Undertake internal audits	Internal audits carried out with appropriate recommendations	No. of internal audits carried out with appropriate recommendations	43	50	70	70	70	70	70	40	DIA&RM
	Undertake monitoring of projects	Improved project implementation and timeliness	No. of M&E Reports	1	5	1	1	1	1	1	15	DPOP/DF &A

## APPENDIX 2: POLICIES, STRATEGIES, MANUALS FOR REVIEW/DEVELOPMENT

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- Anti-Corruption Strategy for the Judiciary
  - Change Management Strategy
  - Communication Policy
  - Complaints Handling Manual
  - Courts and Tribunals Registry Manuals
  - Disability Policy
  - Disaster Management Policy
  - Document Policy for all court files
  - Facilities Management Framework
  - Finance and Accounting Policies and Procedures Manual
  - Framework for Attachment, Internships and Pupillage Engagement
  - Gender Policy
  - Human Resource Policy and Procedure Manual
  - ICT Business Continuity Plan and Disaster Recovery Policy
  - Implement Recruitment Policy
  - Internal Audit Policies and Procedures Manual
  - Internal Disciplinary Policy and Procedures
  - JLAC, LMT and other Leadership and Management Guidelines
  - Knowledge Management Guidelines
  - Library Management Guidelines
  - Monitoring and Evaluation Framework for the Judiciary
  - Occupational Health and Safety Guidelines
  - Payroll Management Policy
  - Procurement, Asset Disposal And Inventory Management Policies and Procedures Manual
  - Records Management Policy
  - Registry Operations Manual for Administrative Units
  - Research Policy
  - Rewards and Sanctions Framework
  - Schemes of Service for all Judicial Staff
  - Service Week's Policy
  - Social Media Strategy
  - Staff Promotion Policy
  - Stakeholder Engagement Framework
  - Succession Policy
  - Training and Development Policy
  - Training Master Plan
  - Transport Policy
  - Whistleblowing Policy
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