



PERFORMANCE MANAGEMENT & MEASUREMENT UNDERSTANDINGS

EVALUATION REPORT

2022/2023 8th Cycle of Performance
Management Implementation

Performance Management and Measurement Understandings Evaluation Report, 2022/2023

8th Cycle of Performance Management Implementation

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Foreword



“ One of the most gratifying trends observed in this year’s evaluation is the steady rise in the average performance scores of courts, directorates and units indicating a general improvement across the Judiciary.”

It is with great pleasure and a sense of accomplishment that I present the results of the 8th cycle of the annual performance evaluation exercise in the Judiciary. This milestone is a testament to our unwavering commitment to accountability, transparency and continuous improvement in the delivery of justice to the people of Kenya.

Over the years, the performance evaluation process has evolved into a cornerstone of our efforts to enhance the quality and efficiency of judicial services. I am pleased to note that the number of courts evaluated has increased significantly from 299 in the previous cycle to 319 in the current one. This expansion underscores our commitment to ensuring that every court and administrative unit in the country is held to the Highest standards of performance and accountability

One of the most gratifying trends observed in this year’s evaluation is the steady rise in the average performance scores of courts, directorates and units indicating a general improvement across the Judiciary. The overall performance of the Judiciary significantly improved from 93.71 per cent in 2021/2022 to 97.26 per cent in 2022/2023 financial year. This upward trajectory is a clear indication of the increasing quality of service delivery to the public. It reflects the dedication and hard work of the Judges, judicial officers, and staff who are tirelessly committed to upholding the rule of law and ensuring access to justice for all Kenyans.

Performance management has emerged as a central driver of the vision of Social Transformation through Access to Justice (STAJ). STAJ is grounded on a people-centred justice delivery model that prioritises the needs and rights of individuals especially the vulnerable. As we celebrate the

eighth cycle of performance evaluation in the Judiciary, it is imperative that our performance management system tools and metrics are aligned with the principles of STAJ. This includes incorporating indicators that are directly linked to people-centred justice deliverables and fostering a motivated team of Judges, judicial officers and staff.

Furthermore, the ongoing automation and digitisation of court services present an opportunity to enhance the effectiveness and efficiency of the performance management process. The automation of data collection will improve the accuracy and reliability of the data, which is essential for building a robust performance management system. Additionally, digitisation of documentation will enhance the credibility and transparency of the evaluation process, ensuring that it is fair and impartial.

I reaffirm my unwavering support for the performance management process and commit to providing the requisite support and an enabling environment to ensure its success and sustainability. I commend the committee overseeing the implementation of the system and all Judges, judicial officers and staff for the great dedication and hard work in serving the public. I urge everyone in the Judiciary to continue striving for excellence in the pursuit of justice for all Kenyans.

Together, let us build a Judiciary that is accountable, transparent, and committed to delivering justice that truly safeguards the rights and needs of all people.

**Hon. Justice Martha Koome, EGH
Chief Justice and President of the
Supreme Court of Kenya**

Acknowledgement

It is my privilege to extend my heartfelt gratitude and appreciation to all those who have been instrumental in the rigorous process of evaluating the 2022/2023 Performance Management Measurement Understandings (PMMUs). The evaluation results demonstrate yet another year of remarkable progress and alignment of Judiciary initiatives towards enhancing service delivery to the public.

First and foremost, I wish to extend my sincerest thanks to the Chief Justice, the Honourable Lady Justice Martha Koome, whose unwavering leadership and steadfast commitment to performance measurement in the Judiciary have galvanised us towards delivering people-centred services. Her vision and leadership have been the pillar of our achievements and the growth we continue to witness. My deepest appreciation to the Deputy Chief Justice, the Honourable Philomena Mwilu, who is the head of performance management in the Judiciary. Her efforts have been pivotal in ensuring that our performance management system is not only robust but also reflective of our goals and aspirations as a Judiciary.

I also wish to acknowledge the support and resources availed by the Chief Registrar of the Judiciary, Hon. Winfridah Boyani Mokaya towards the implementation of various performance programs. Her role in providing the necessary administrative support was crucial in enabling a smooth and effective evaluation process and also for ensuring



that the Judiciary's administrative structure supported the performance objectives.

The collective efforts of the President of the Court of Appeal, the Principal Judges, Presiding Judges, Judges, Heads of Stations, Judicial Officers, Registrars, Heads of Directorates, Departments and Staff, cannot be overstated. They have fully embraced the tenets of performance management and, have been the driving force behind our successes as well as the continuous improvement journey.

The evaluation exercise would not have been possible without the sacrifice and diligent work of the Administration of Justice and Performance Management Committee (AJPMC). My gratitude extends to each

member of the committee, who have contributed their expertise and insights to ensure a thorough and impactful evaluation across all courts and administrative units. The esteemed members of this committee include; Hon. Justice Jairus Ng'aah- Judge, High Court, Hon. Justice Stephen Radido:-Judge, Employment and Labour Relations Court, Hon. Lady Justice Lucy Nyambura Gacheru- Judge, Environment and Land Court, Hon. Lady Justice Judy Omenge- Judge, Environment and Land Court, Hon. Justice Peter Mulwa- Judge, High Court, Hon. Justice John L. Tamar- Judge, High Court, Hon. Letizia Wachira- Registrar, Supreme Court, Hon. Moses Serem- Registrar, Court of Appeal, Hon. Kennedy Kandet- Registrar, Employment and Labour Relations Court, Hon. Rose Makungu- Registrar, Environment and Land Court, Hon. Jacinta Orwa- Chief Magistrate, Hon. Joseph Were- Chief Magistrate, Hon. Ishaq A. Hussein- Principal Kadhi, Rose Wachuka- Chief of Staff, Office of the Chief Justice, Muciimi Mbaka- Senior Legal Counsel, Office of the Chief Justice, Dr. Masha Baraza- Office of the Deputy Chief Justice and Dr. Elizabeth Kalei: Director, Human Resources Management and Development.

I also commend the technical expertise and logistical support provided by the staff of the Directorate of Planning and Organizational Performance. Under the leadership of the Director and Secretary of AJPMC, Dr. Joseph Osewe. Members of the team include; George Obai- Head Performance Coordination, Dominic Nyambane, Gilbert Kipkirui, Victor Lumumba, Alex Njeru, Everlyne Simiyu, Linda Lukhale, Martin Astiba, Eric Kocheli, Solomon Onaya, Yusuf Jarso, Caroline Mungai, Margaret Ochieng, Stanford Mwangi, Patrick Ngobiro, Mercy Chemutai, John Mbiti, Eugene Omondi, Steve Njehia and Leonard Melly.

This report is not just a reflection of the past year's efforts but a testament to the collective commitment to uphold and advance the principles of justice, accountability, and efficiency within the Judiciary.

Thank you all for your hard work, dedication and unwavering commitment to excellence.

**Hon. Lady Justice Agnes Murgor
Chairperson, AJPMC and Judge of Appeal.**

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ACRONYMS

AJPMC	Administration of Justice and Performance Management Committee
CCR	Case Clearance Rate
CJ	Chief Justice
CM	Chief Magistrate
CRJ	Chief Registrar of the Judiciary
CTS	Case Tracking System
COA	Court of Appeal
CUCs	Court User Committees
DCRT	Daily Court Returns Template
DPOP	Directorate of Planning and Organizational Performance
ICT	Information Communication Technology
ELRC	Employment and Labour Relations Court
ELC	Environment and Land Court
FY	Financial Year
IFCE	International Framework for Court Excellence
JSC	Judicial Service Commission
JKIA	Jomo Kenyatta International Airport
KJA	Kenya Judiciary Academy
NCAJ	National Council on Administration of Justice
OCJ	Office of the Chief Justice
OCRJ	Office of the Chief Registrar of the Judiciary
PMMU	Performance Management and Measurement Understanding
STAJ	Social Transformation Through Access to Justice

DEFINITION OF TERMS

Case backlog : A case is classified as backlog if it is not finalized or concluded within one year from the date of filing.

Case clearance rate: This is the rate of resolution of cases measured by the percentage of resolved cases to the filed cases within a specified period.

Caseload: Total number of cases handled by a court/Judge/judicial officer.

Filed case : Any case that is registered or filed in court of law for arbitration in a given period.

Pending case: Any case which is unresolved at the end of period under reference.

Court productivity: Refers to the number of resolved cases in a court divided by number of Judges and/ or judicial officers in that particular court in a given time period. For the Court of Appeal, it refers to number of resolved cases divided by the number of benches that heard and determined matters.

Resolved case: Any case where a judgment or a final ruling closing the case has been made at the end of period under reference. It also means a finalized case.

Modes of resolutions of cases: A case may be resolved through judgments-civil, judgments-acquittals, judgments-convictions, rulings-closing cases, sentencing at plea, withdrawals, dismissals, grant confirmed, out of court settlement, consolidation, consent recorded among others.

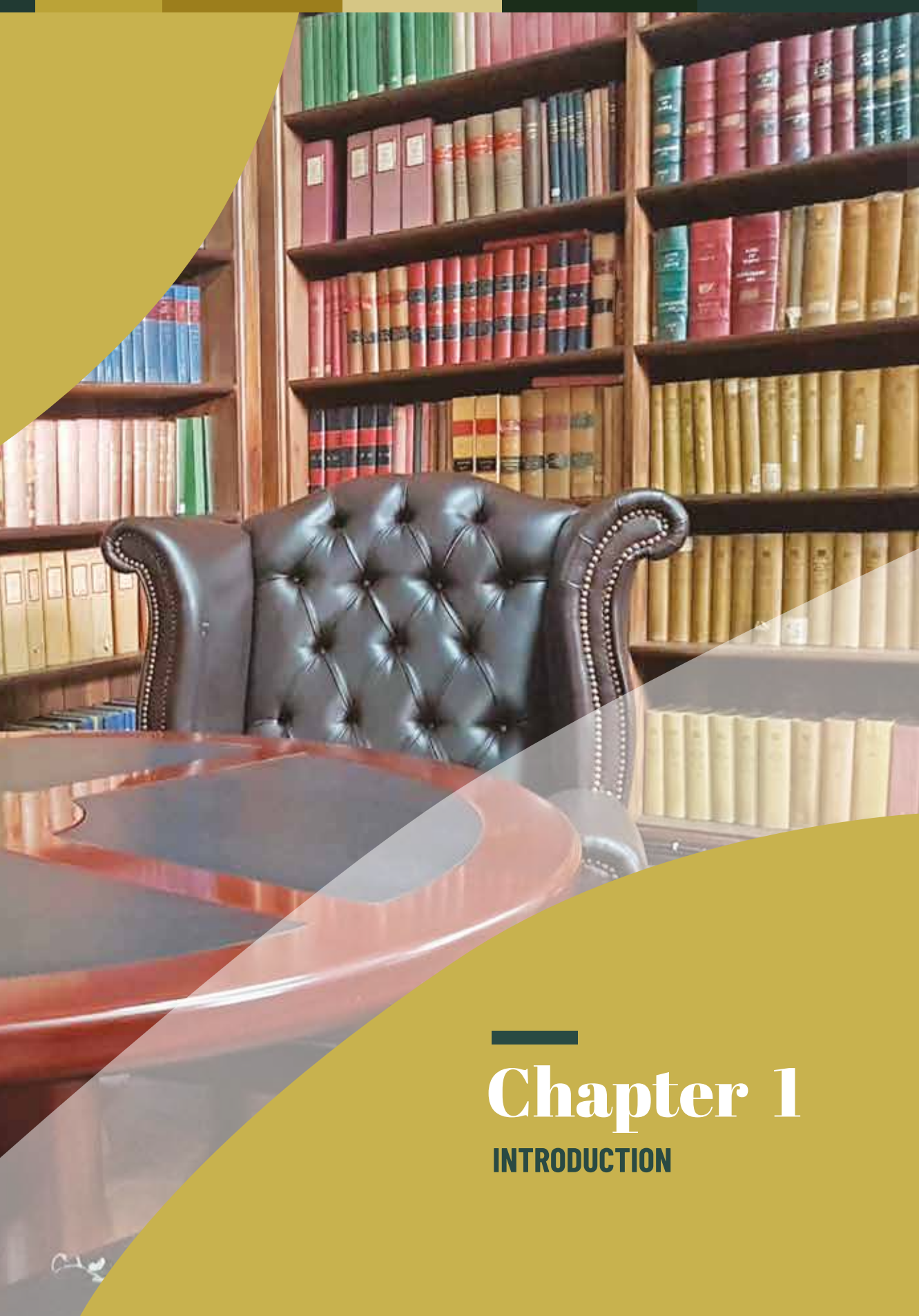
Merit resolutions of cases: Refers to resolved cases which go through full trial culminating in final Judgment or a considered ruling closing a case.

Other case resolutions: Refers to cases that are resolved through dismissals, sentencing at plea, consent recorded closing cases, withdrawals, out of court settlement, grant confirmed or consolidated matters which are closed.

Merit productivity: Refers to productivity that is determined and calculated using merit resolutions of cases.

Other productivity: Refers to productivity that is determined and calculated using other modes of resolutions.

Time to disposition: Refers to the average time taken, in this report the number of days, from filing to resolution of cases.



Chapter 1

INTRODUCTION

1.1 Background

Performance management system was introduced in the Judiciary in 2015 in response to a constitutional imperative and recognition of the critical role of accountability and productivity in a well-functioning judicial system. This approach is based on clearly defined goals, continuous monitoring, and regular reviews and has become a cornerstone in the Judiciary's quest for excellence in service delivery. The Judiciary performance management system is a robust framework for tracking progress towards the institution's strategic objectives. By fostering transparency in its operations, performance management promotes the expeditious resolution of cases and provision of quality services to the public. Ultimately, its primary aim is to enhance efficiency and effectiveness in court processes for increased public trust and confidence in the justice system.

The Judiciary employs a variety of tools to institutionalize performance management key among them are the Performance Management and Measurement Understandings (PMMUs). These are used to establish the key performance indicators (KPIs) for each unit, set targets, sign measurements of understanding and assign responsibilities. The understandings explain each party's unique obligations and performance objectives. The PMMUs framework incorporates a customized balanced scorecard model incorporating five key performance perspectives, namely:

1. **Core Mandate:** This perspective measures the main functional areas of the unit in supporting expeditious dispensation of justice.
2. **Financial:** The perspective analyzes the financial aspects that are necessary to support the delivery of justice such as prudent use of resources and resource mobilization efforts where applicable.
3. **Customer:** This perspective focuses on measures implemented to satisfy the needs and expectations of the customers including compliance with provision of high quality services.
4. **Internal Business Processes:** This perspective looks at streamlining institutional structures and processes to efficiently and effectively deliver value to the customers
5. **Innovations and Learning:** This perspective looks at injecting new and creative ways, methods and procedures including culture change and people development support needed to deliver on the Judiciary mandate.

These perspectives in the PMMUs, are assigned criteria weights which are pre-set and cannot be altered during negotiations. However, the sub-weight under each dimension can be distributed, in negotiated proportions to the various indicators and usually reflect the relative importance of each indicator.

The Performance Measures

Beyond the broad framework, the PMMU defines and utilizes various metrics to gauge performance across different aspects of the courts' operations which are internationally recognized as benchmarks for excellence. These metrics include:

- i. **Case Clearance Rate:** measures the percentage of cases that have been resolved within a given time period, compared to the rate which new cases are filed or received.
- ii. **Timely Case Determination:** measures the adherence to established timelines for case adjudication.
- iii. **Case Backlog Reduction:** Monitors progress in reducing the cases that have been pending in the system beyond certain set timelines
- iv. **Adoption of Alternative Dispute Resolution (ADR):** refers to the use of methods other than traditional litigation to resolve disputes between parties. The methods include mediation, arbitration, negotiation, and conciliation
- v. **Trial Date Certainty:** refers to the assurance or predictability of the date on which a trial will take place.
- vi. **Timely Delivery of Judgments:** refers to the prompt issuance of decisions or rulings by Judges or judicial officers following the conclusion of legal proceedings.
- vii. **Remand Custody Period:** refers to the duration during which an accused individual is detained in custody pending trial or until other legal proceedings are concluded
- viii. **Productivity:** This refers to the number of cases resolved in a given period divided by the number of Judges or Judicial Officers in a given Court.

Other PMMU Focal Areas

The performance management system encompasses additional aspects crucial for a well-functioning judicial system. These include:

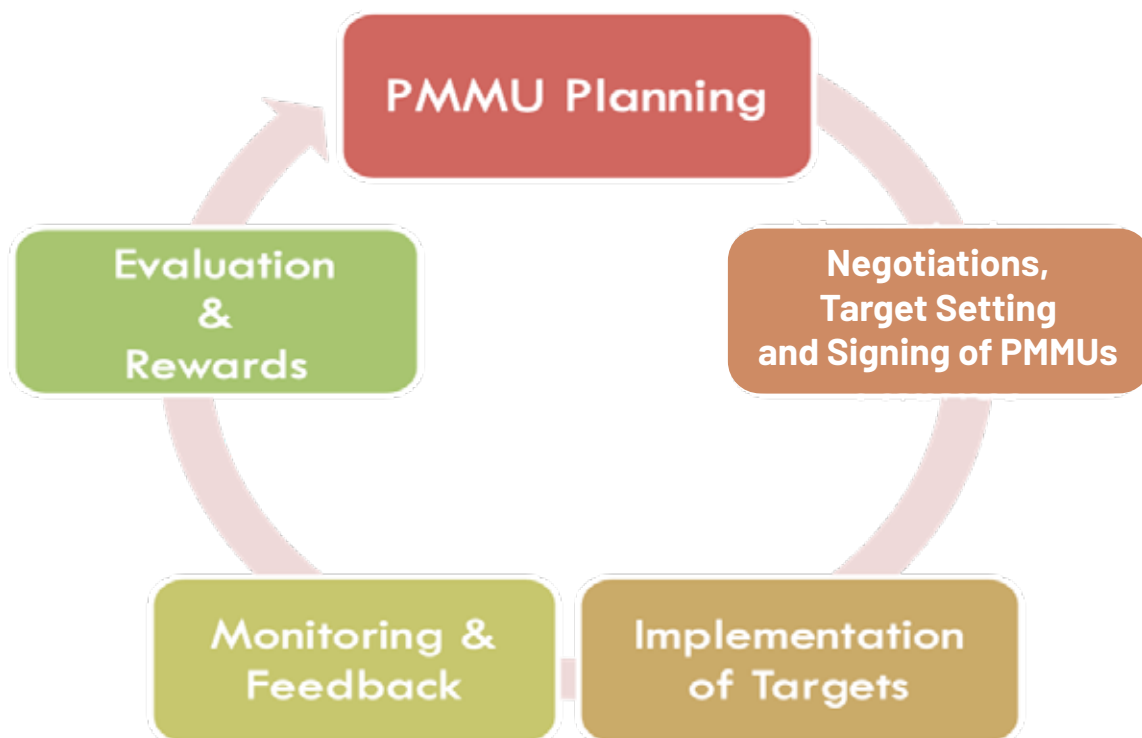
- i. **Enhancing Case Management:** implementing strategies and systems to improve expediency in handling of cases within the system
- ii. **Strengthening Internal Mechanisms and Systems:** Ensuring the robustness and reliability of internal systems and infrastructure.
- iii. **Improving Efficiency and Effectiveness:** Continuously evaluating and improving work methods and actions for optimal performance.
- iv. **Streamlining Registries:** Optimizing the functioning of court registries and proper records management for improved service delivery.

- v. **Harmonizing Service Delivery Standards:** Ensuring consistency and uniformity in practices and procedures across different courts.
- vi. **Fostering Collaboration with Stakeholders:** Building strong relationships and partnerships with stakeholders to enhance the overall justice system

The PMMU Cycle

By implementing a comprehensive performance management system, the Judiciary demonstrates its commitment to accountability, transparency and continuous improvement. Through the use of clearly defined goals, diverse tools and specific metrics, the system paves the way for a more efficient, effective, and user-centric justice system for all Kenyans. The PMMU process is cyclic involving several critical successive stages that begins with review of the guidelines which informs target setting, implementation, evaluation and the public announcement of the results. The flow chart below shows the annual PMMU cycle.

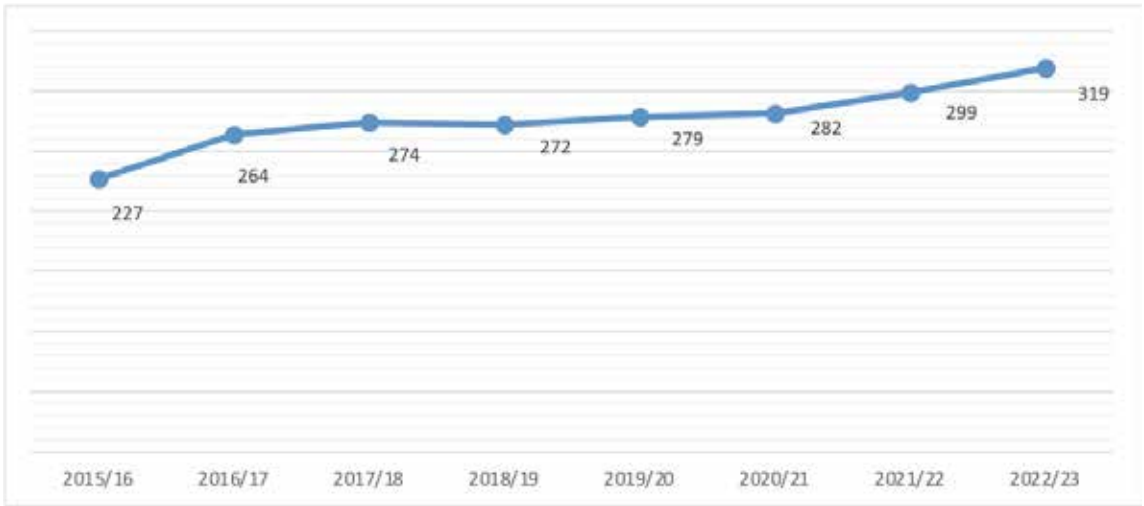
Figure 1: Annual PMMUs cycle.



1.2 The Scope of Evaluation

The PMMU implementation in the Judiciary began in 2015/16 when 227 units comprising courts and administrative offices signed targets, were evaluated and subsequently the results announced. The number of units under PMMU has increased over time to 319 in the 8th Cycle during the 2022/2023 financial year. Figure 2 shows the increase in number of units implementing PMMUs in the last 8 years.

Figure 2: Number of Units under PMMU over time



During the 8th cycle PMMU evaluation process, a total of 319 units across various levels of the Judiciary were assessed. These units included the Supreme Court, 6 Court of Appeal Stations, 45 High Court Stations and Divisions, 7 Employment and Labour Relations Courts and 36 Environment and Land Courts. The Magistrates’ Courts which constituted the largest group had 133 Stations evaluated. Additionally, 44 Kadhis’ Courts, 12 Small Claims Courts, and 13 Tribunals were also assessed. Further, the evaluation process encompassed 8 Registrars’ offices, 11 Directorates 2 administrative offices and the Kenya Judiciary Academy. Table 1 presents the number of units evaluated in 2022-2023.

Table 1: Status of the PMMUs Implementation

CATEGORY	NUMBER OF UNITS EVALUATED
Supreme Court	1
Court of Appeal	6
High Court Stations & Divisions	45
Employment & Labor Relations Court (ELRC)	7
Environment & Land Court (ELC)	36
Magistrates’ Courts	133
Kadhis’ Courts	44
Small Claims Court	12
Tribunals	13
Registrars	8
Directorates	11
Other Offices	3
Total	319

1.2.1 The Importance of Performance Evaluation

At the close of the 2022/2023 financial year, a comprehensive performance evaluation was conducted for all courts and administrative units within the Judiciary. The primary objective was to gauge the extent to which these units met their targets aligning with the overarching goal of expeditious delivery of justice as espoused in the Social Transformation Through Access to Justice (STAJ). This evaluation served multiple purposes as follows;

- i. Ascertaining service delivery levels of the various courts and units.
- ii. Establishing the overall Judiciary scorecard: A holistic assessment was carried out to create an aggregate performance scorecard for the entire Judiciary.
- iii. Measuring performance against PMMU targets: The courts and administrative units' achievements were evaluated based on agreed targets negotiated in the PMMUs.
- iv. Providing objective information for decision-making: The evaluation process generated factual data essential for informed policy and decision-making.
- v. Identifying best practices and innovations: Successful approaches and innovative practices were identified for potential replication across the Judiciary.
- vi. Recognizing high performance: Identifying outstanding performance to be acknowledged and rewarded.
- vii. Enhancing accountability and service delivery: The evaluation results facilitated accountability for results and informed strategies to enhance service delivery.

1.2.2 Evaluation Approach

To facilitate the evaluation process, the implementing units were organized into regions and assigned to 7 teams composed of members from the AJPMC (Administration of Justice and Performance Management Committee) and DPOP (Directorate of Planning and Organizational Performance). These teams meticulously assessed the allocated courts and administrative units using the performance measurement tools outlined in the PMMUs guidelines for 2022/2023. The evaluation was participatory and conducted openly at the court Stations and units' level, *in situ*, to allow for presentation and easy perusal of all relevant evidence. Additionally, 6 teams were formed to evaluate courts in Nairobi and its surrounding areas, as well as the registrars and directorates.

To ensure objectivity in scoring, the evaluation utilized DCRT/CTS performance data for specific indicators. These data points were drawn from the Annual Caseload Statistics Report 2022-2023, prepared by DPOP and verified by the courts. For other indicators, the evaluation team relied on evidence provided for each corresponding target, reviewed documents, observations made at Court level, interviewed staff while at the same time considering any extenuating factors that might have affected performance where applicable.

The evaluation process followed these steps:

- i. Evidence Collection: Heads of implementing units presented evidence of achievement for all indicators.
- ii. Use of DCRT Data: The DCRT performance data (generated from the system) was used for applicable indicators where returns were filed.
- iii. Random File Sampling: For indicators not captured in DCRT, representative random file sampling was conducted.
- iv. Evidence Review: The evaluation team thoroughly reviewed the presented evidence.
- v. Scoring Consensus: The team deliberated on the efficacy of the evidence and reached a consensus on the scores, involving both unit representatives and the evaluation team.
- vi. Automated Score Computation: Scores were populated in the automated system, determining actual performance per indicator.
- vii. Composite Score Computation: The aggregate achievement of all indicators was computed to determine the overall performance.
- viii. This comprehensive evaluation process aimed to enhance transparency, accountability, and objectivity of the exercise.

1.2.3 Classification of Indicators and Grading System

The key performance indicators were classified into three broad categories depending on their performance attributes. These are normal, declining, and special indicators. The Normal Indicators are applied in situations where performance achievements can exceed 100 per cent. For instance, where a court targeted a case clearance rate of 105 per cent but attained 130 per cent. Declining Indicators on the other hand represent situations where the achievement of a target is based on a “decrease in value” so that the lower the value from the target the better the performance. The reduction in remand custody period is an example of a declining indicator. The grading criteria for both normal and declining indicators are represented in Table 2.

Table 2: Grading Criteria- Normal & Declining Indicators

Score	Performance Grade
Above 120%	Outstanding
Between 101% and 119%	Excellent
Equal to 100%	Very Good
Between 75% and 99%	Good
Between 50% and 74%	Fair
Below 50%	Poor

Special Indicators represent parameters where the best achievement does not exceed 100 per cent. For instance, the indicator of hearing and determination of cases within 360 days of filing cannot exceed 100 per cent. The Highest performance a unit can score on all special indicators is 100%. The grading system for special indicators is shown in Table 3.

Table 3: Grading Criteria- Special Indicators

Score	Performance Grade
100%	Outstanding
Between 79% and 99%	Excellent
Between 69% and 78%	Very Good
Between 59% and 68%	Good
Between 49% and 58%	Fair
Below 48%	Poor

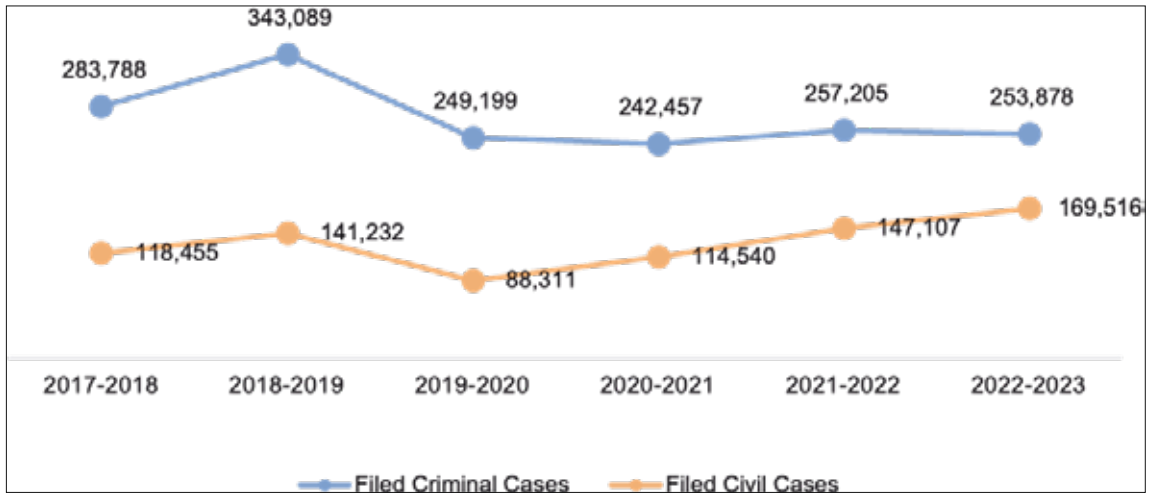
1.2.4 Caseload Statistics for Courts in FY 2022/23

Caseload statistics play a crucial role in understanding the workload and efficiency of court systems. These statistics provide valuable insights into various aspects of court activity, including the number of cases filed and resolved, categorized by case type including nature of pending cases. This breakdown helps in better planning and management of the courts including resource allocation.

1.2.5 Filed Cases and Resolved Cases

In 2022/23, a total of 423,394 cases were filed in all courts across the country while 419,262 cases were resolved. This resulted in a Case Clearance Rate (CCR) of 99 per cent, an improvement of 5 percentage points from the previous financial year. The Judiciary has for the sixth consecutive year resolved fewer cases than those filed implying an accumulation of backlog. Criminal cases continued to contribute to a larger proportion of filed cases. Although the number of filed criminal cases made up the majority of registered cases at 60 per cent, they declined marginally by 1.3 per cent compared to the previous financial year. The number of filed civil matters registered on the other hand increased by 15.2 per cent continuing with the four-year upward trend. This is illustrated in Figure 3

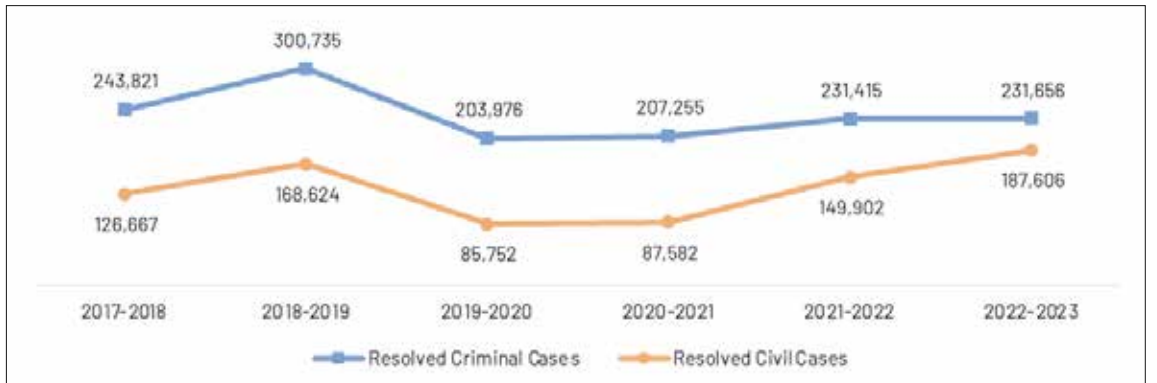
Figure 3: Filed & Resolved Cases



1.2.6 Case Resolution

During the reporting period, courts maintained an upward trend in resolution of cases which increased by 10 per cent compared to the previous reporting period. There was a slight improvement in the resolution of criminal matters compared to civil matters which increased by 25 per cent.

Figure 4: Trend Analysis Case Resolution



1.2.7 Filed and Resolved cases by court level

The majority of the filed and resolved cases were in the Magistracy and the High Court as shown in Table 4

Table 4: Filed and resolved cases by broad case type and court, FY 2022/23

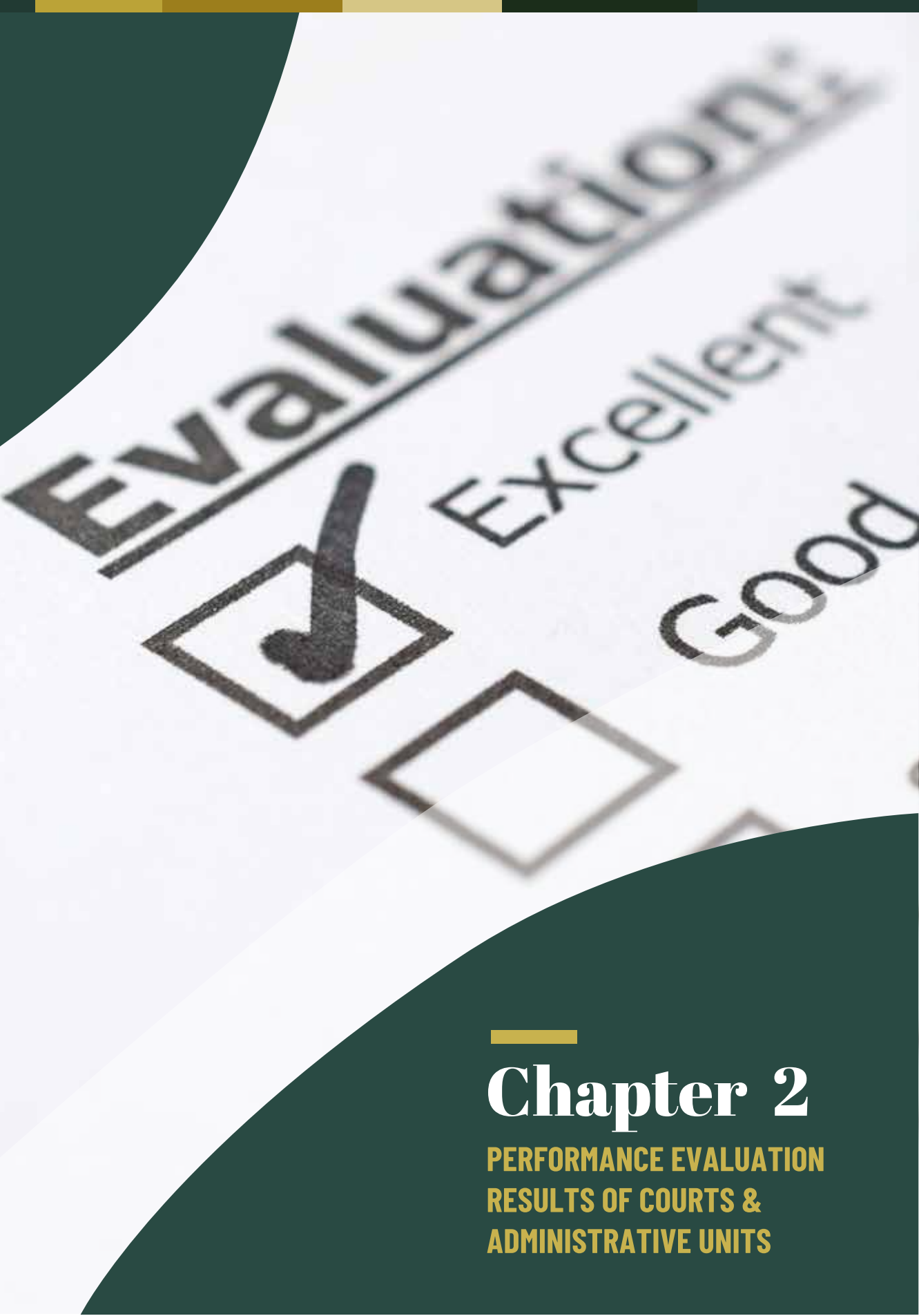
Court Type	Filed Cases			Resolved Cases		
	Criminal	Civil	ALL	Criminal	Civil	ALL
Supreme Court		75	75		95	95
Court of Appeal	413	2,943	3,356	454	1812	2,266
High Court	15,305	20,137	35,442	9,734	29,330	39,064
ELRC		3,880	3,880		5,989	5,989
ELC		6,585	6,585		9,612	9,612
Magistrate Court	238,160	88,695	326,855	221,468	98,695	320,163
Tribunals		8,190	8,190		9,373	9,373
Small Claims		27,161	27,161		21,210	21,210
Kadhi Court		11,850	11,850		11,490	11,490
All Courts	253,878	169,516	423,394	231,656	187,606	419,262

1.2.8 Case Backlog

A case backlog is a matter that remains in the court system unresolved within timeframes established by either statutes or performance standards. During the reporting period, the overall case backlog in the Judiciary went down by 19 per cent from 337,676 cases in June 2022 to 276,678 cases at the end of June 2023. The Supreme Court and Kadhis' Courts had the Highest reduction at 86 per cent and 55 per cent respectively. Table 5 shows backlog distribution across the court ranks.

Table 5: Case backlog by Court and age, 30th June , 2023

Court Rank	FY2021-22			FY 2022-23			Change
	1-3 years	Over 3 years	All ages	1-3 years	Over 3 years	All ages	
Supreme Court	28	8	36	5	-	5	-86%
Court of Appeal	4,464	2,962	7,426	3,772	3,170	6,942	-7%
High Court	33,576	19,702	53,278	17,367	28,873	46,240	-13%
ELRC	6,962	3,339	10,301	6,250	1,587	7,837	-24%
ELC	4,630	5,992	10,622	3,378	4,782	8,160	-23%
Magistrate Court	146,518	86,856	233,374	119,285	66,618	185,903	-20%
Kadhi Court	2,022	242	2,264	534	481	1,015	-55%
Tribunals	6,678	13,697	20,375	6,505	10,071	16,576	-19%
All Courts	204,878	132,798	337,676	157,096	115,582	272,678	-19%



Chapter 2

**PERFORMANCE EVALUATION
RESULTS OF COURTS &
ADMINISTRATIVE UNITS**

2.1 Introduction

The performance results for courts were derived from the actual achievements against the set targets for each indicator. These indicators encompassed the core mandates of the courts and other performance measures adopted from the International Framework of Court Excellence. They were aligned with the overarching goal of facilitating Social Transformation through access to Justice. These performance metrics were aligned to various Judiciary policies and programs aimed at fostering equitable access to justice for all individuals within the society.

2.1.1 Overall Judiciary Scorecard

In the 2022/2023 evaluation, the Judiciary demonstrated commendable progress compared to previous years. Notably, the overall performance reached an impressive 97.26 per cent, a significant improvement from the 93.71 per cent recorded in the preceding year. The Court of Appeal had the Highest improvement change with a growth, achieving a 7.97 per cent increase—from 86.82 per cent in 2021/2022 to 94.79 per cent in 2022/2023. Table 6, shows a comprehensive overview.

Table 6: Overall Judiciary Score Card

Courts/ Implementing Unit	2017/18	2018/19	2019/20	2020/21	2021 /22	2022/23		
	Performance Score (%)	Performance Score (%)	Performance Score (%)	Performance Score (%)	Performance Score (%)	Performance Score (%)	Composite Score	Performance grade
Supreme Court	98.00	64.00	88.42	100.00	100.00	100.00	3.097	Very Good
COA	92.00	77.00	79.37	94.57	86.82	94.79	3.278	Good
High Court	80.00	90.00	78.20	75.00	90.57	89.00	3.373	Good
ELRC	82.00	95.00	94.08	81.09	92.54	100.00	3.163	Very Good
ELC	90.00	93.00	84.54	85.65	97.08	96.33	3.253	Good
Magistrates' Courts	94.00	92.00	90.69	90.08	91.37	97.67	3.232	Good
Small Claims Court	-	-	-	-	77.81*	90.50	3.348	Good
Kadhis' Courts	100.00	93.00	97.52	97.89	92.91	100.00	3.173	Very Good
Tribunals	-	92.00	90.56	98.38	100.00	100.00	3.167	Very Good
All Courts	92.48	91.95	89.18	88.91	93.28	96.72	3.247	Good
Overall - Judiciary	93.15	92.35	89.81	89.03	93.71	97.26	3.238	Good

*Only 1 small Claims Court was evaluated in the FY 2021/2022

2.1.2 Overall performance score per performance grade

There was no Court or Unit which scored “Outstanding” or “Excellent” performance grades. 146 implementing units achieved a “Very Good” performance grade, 150 implementing units attained a “Good” rating and 23 implementing units attained “Fair”. Table 7 shows the performance of the implementation units.

Table 7: Distribution of performance grade

Courts/ Implementing Unit	Excellent	Very Good	Good	Fair	Poor
Supreme Court	0	1	0	0	0
COA	0	3	1	2	0
High Court	0	10	29	6	0
ELRC	0	4	2	1	0
ELC	0	16	16	4	0
Magistrates’ Courts	0	54	76	3	0
Small Claims Court	0	5	5	2	0
Kadhis’ Courts	0	29	12	4	0
Tribunals	0	8	4	1	0
Registrars	0	7	1	0	0
Directorate	0	6	4	0	0
Other implementing Units	0	3	0	0	0
Total	0	146	150	23	0

2.2 SUPREME COURT PERFORMANCE

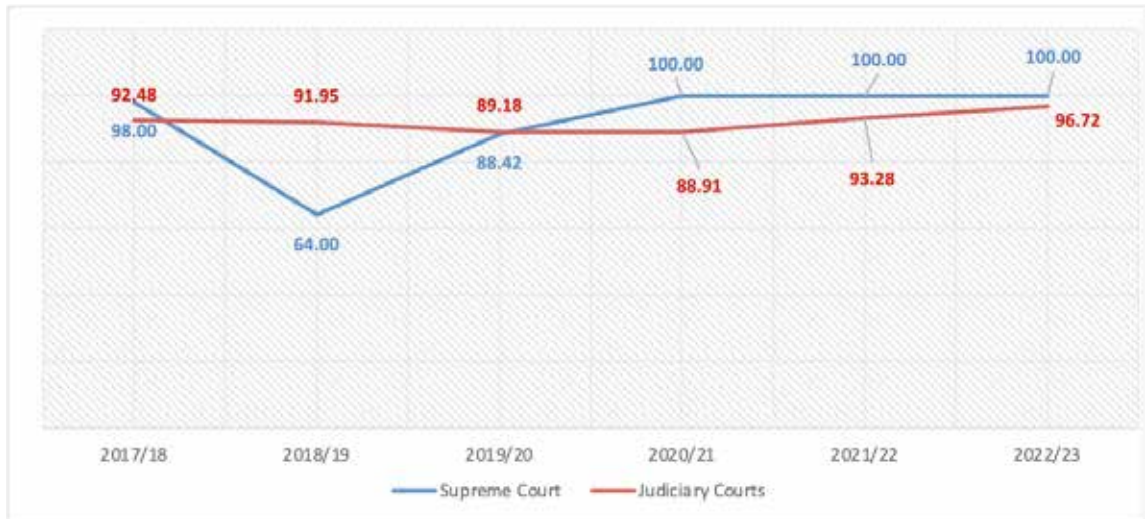
2.2.1 Introduction

The Supreme Court of Kenya is the apex court in Kenya’s Judicial system. The court is established under Article 163 of the Constitution of Kenya and it is operationalised by the Supreme Court Act No. 7 of 2011. The court has both the original jurisdiction to hear and determine disputes relating to presidential election petitions and the appellate jurisdiction to hear and determine appeals from the Court of Appeal. It also has the mandate to give advisory opinions as per the request from the national government, any state organ, or any county government as well as appeals from the tribunals constituted under Article 168(8). The court has two sub-registries in Mombasa and Kisumu.

2.2.2 Overall Performance, Supreme Court

The Supreme Court attained tremendous achievements for the last 3 consecutive years. The overall performance grade for the court for the last 3 years was “Very Good” with the percentage performance score of 100 per cent. In the FY 2017/18 and FY 2019/20, the court achieved a performance grade of “Good” with the percentage performance score of 98 and 88.42 per cent respectively. The court’s performance was above the average performance for the entire Judiciary Courts during the reporting period. Trend on overall performance of the Supreme Court over a period of 6 years is shown in Figure 5

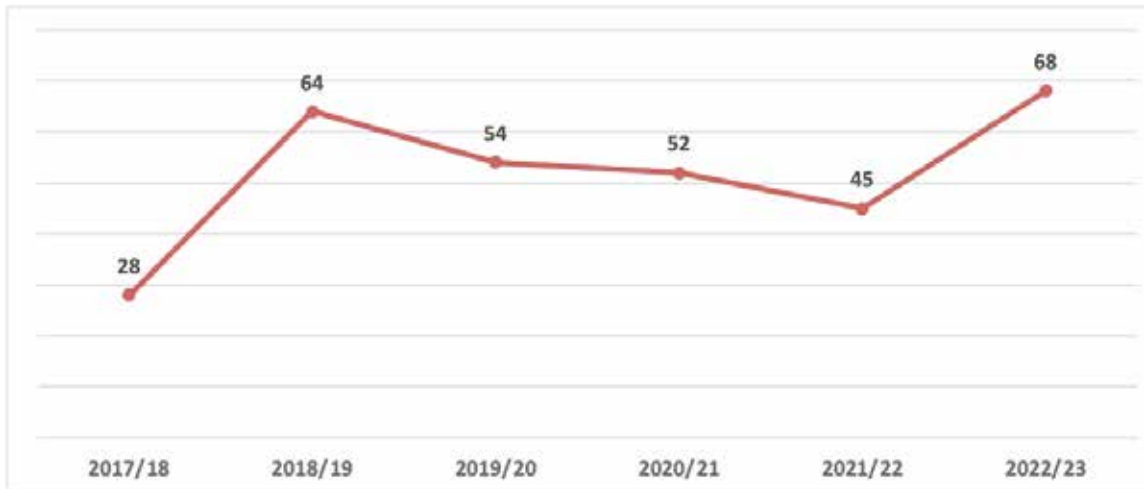
Figure 5: Trend on overall Supreme Court Performance.



2.2.3 Performance of Supreme Court on Productivity

The overall Supreme Court Judges’ bench productivity rose from 45 cases in the FY 2021/22 to 68 cases in 2022/23. There has been a constant increase in Judges’ bench productivity over a period of 6 years. In 2018/19, the court achieved Judges’ bench productivity of 64 cases, the subsequent years from 2019/20 to 2021/22, the bench productivity declined from 54 to 45 cases. The lowest Judges’ bench productivity was FY 2017/18 with 28 cases. Figure 6 depicts the trend on Judges’ bench productivity for a period of 6 years for the Supreme Court.

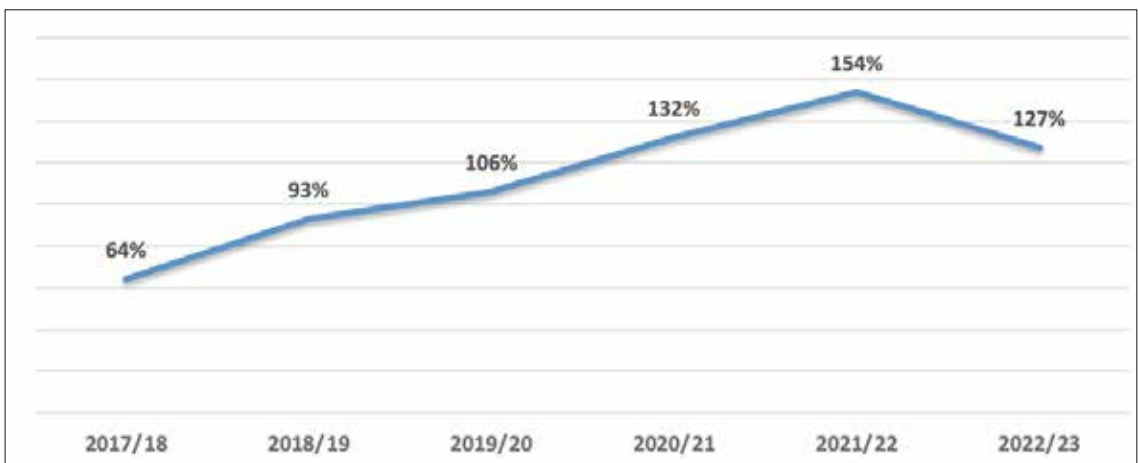
Figure 6: Trend on Judges' bench productivity for Supreme Court.



2.2.4 Performance of Supreme Court on Case Clearance Rate

The Supreme Court achieved an upward trend on Case Clearance Rate over the last 6 years except in 2022/23, where the CCR dropped to 127 per cent from 154 per cent recorded previously. The Highest CCR for the court was achieved during the 2021/22 period at 154 per cent, followed by 132 per cent and 127 per cent in 2020/21 and 2022/23 respectively. The lowest CCR of 64 per cent was recorded by the court in the 2017/18. Figure 7 Highlights the annual trend on CCR in the Supreme Court for a period of 6 years

Figure 7: Trend on Case Clearance Rate.



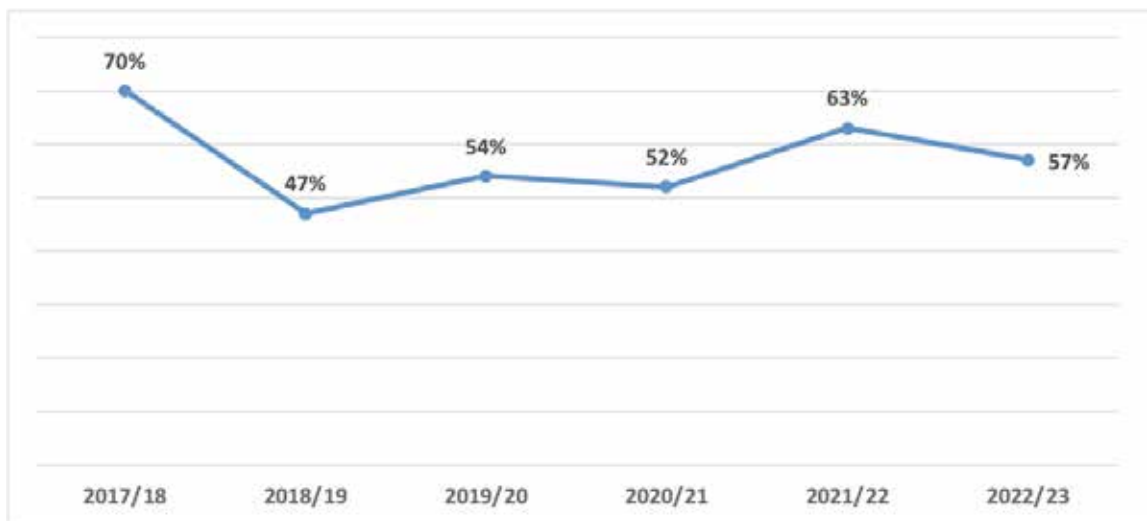
2.2.5 Performance of Supreme Court on Reduction of Case Backlog

The Supreme Court has been reducing case backlog consistently for the last 6 years except in 2020/21 where there was a rise in backlog by 24 per cent. The case backlog in the court later declined by 32 per cent and 7 per cent in 2017/18 and in FY 2018/2019 respectively. Further, the backlog reduced further by 10 per cent and 22 per cent in 2019/20 and 2021/22 respectively. During the reporting period a drastic reduction in case backlog of 86 per cent was recorded by the court.

2.2.6 Delivery of Judgment/ Rulings rendered within 90 days after close of Submissions

During the period under review, the court delivered 57 per cent of the judgments/rulings within 90 days after close of submission, which was a decline as compared to the previous year where the court attained 63 per cent. In a span of 6 years, the Highest percentage on delivery of judgments/rulings by the court was achieved in 2017/18 at 70 per cent whereas the lowest percentage was recorded in 2018/19 at 47 per cent. Figure 8 Highlights the annual trend on delivery of judgments/rulings rendered within 90 days after close of submissions.

Figure 8: Trend on delivery of Judgments/Rulings within 90 days.



2.2.7 Performance of the Supreme Court on selected performance indicators

The Supreme Court heard and determined all the presidential election petitions within 14 days during the period under review. The court achieved the Case Clearance Rate (CCR) of 127 per cent during the reference period. There was a decline in CCR as compared to the previous year's achievement from 154 to 127 per cent. On reduction of case backlog, the court managed to reduce the case backlog by 86 per cent. On advisory opinions, the court determined 67 per cent of the references within 90 days from the close of the hearing. The court successfully delivered 57 per cent of the judgments and rulings within

90 days after close of submissions. Table 8 provides a summary of the Supreme Court performance on selected indicators for the 2022/23 period.

Table 8: Performance of Supreme Court on Selected Performance Indicators FY 2022/23.

Indicator	Achievement (%)
Hearing and determination of presidential election petitions	100
Case Clearance Rate	127
Backlog reduction	-86
Advisory opinion -% of references concluded within 90 days from the close of hearing	67
Percentage of judgments/rulings rendered within 90 days after close of submission	57

+ Increase in backlog

- Reduction in backlog

2.3 COURT OF APPEAL PERFORMANCE

2.3.1 Introduction

The court derives its mandate from Article 164(3) of the Constitution of Kenya. It has the jurisdiction to hear and determine appeals from the High Court, the Environment & Lands Court and the Employment & Labour Relations Court as well as any other Tribunal as provided for in law. The court is also mandated to hear and determine cases with regard to contempt of court.

There are 6 Court of Appeal Stations across the country. They include; Nairobi, Mombasa, Nyeri, Kisumu, Nakuru and Eldoret. The Nairobi Court of Appeal station has two Divisions namely the Criminal and Civil Divisions. Nairobi Court of Appeal has 3 permanent benches 1 in the Criminal Division and 2 benches in the Civil Division. The rest of the Stations have 1 permanent bench each except Eldoret Court of Appeal station which has no permanent bench due to shortage of Judges. In enhancing access to justice, the COA has sub- registries in Malindi, Garissa, Busia, Kisii, Meru and Kakamega where matters are registered and Judges visit on circuit.

During the FY 2022/23, Nairobi - Civil Division, Nairobi-Criminal Division, Kisumu, Mombasa, Nyeri and Nakuru signed PMMUs and were evaluated on the same. Nakuru Court of Appeal was evaluated for the first time after being upgraded from the sub- registry to a substantive court. Eldoret Court of Appeal was not evaluated during the period as it did not sign the PMMU due to the fact that it was previously a sub- registry.

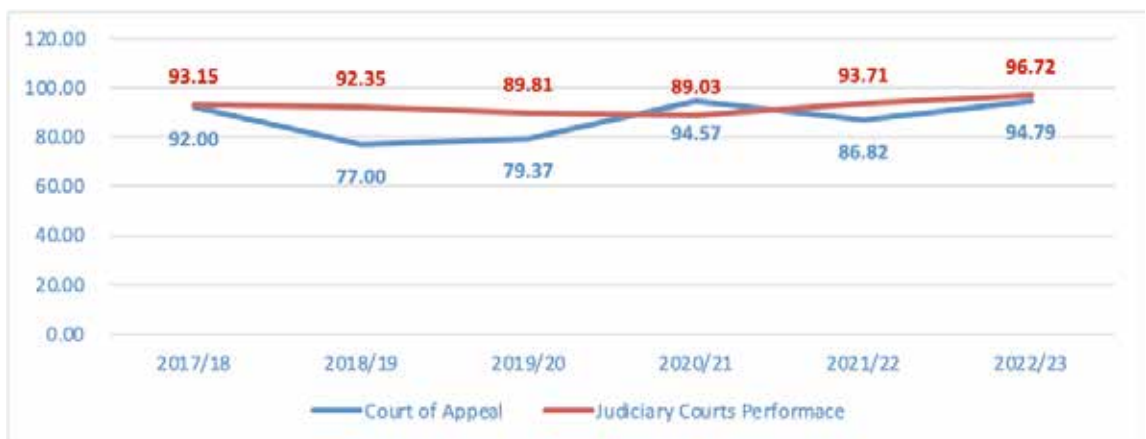
Court of Appeal was evaluated on the following indicators: -

- i). Hearing and determination of criminal appeals within 180 days of receipt of records
- ii). Hearing and determination of civil appeals within 180 days of receipt of records
- iii). Case clearance rate
- iv). Reduction of case backlog
- v). Judge’s merit bench productivity
- vi). Judges’ other bench productivity
- vii). Percentage of Judgments and rulings delivered within 120 days after close of submissions
- viii). Percentage of Judgments and rulings delivered as first scheduled

2.3.2 Overall Performance of Court of Appeal Stations

The Court of Appeal recorded best overall performance results in 2022/23 as compared to the previous period. The court achieved a performance grade of 94.79 per cent which was an improvement from 86.82 per cent recorded in the previous year but below the overall performance of the entire Judiciary Courts at 96.72 per cent. The improvement of the court may be attributed to the recruitment of more judges and the elevation of some sub- registries to substantive Court of Appeal stations which also eased administrative challenges leading to high productivity. Figure 9 highlights the overall performance trend for the Court of Appeal over a period of 6 years.

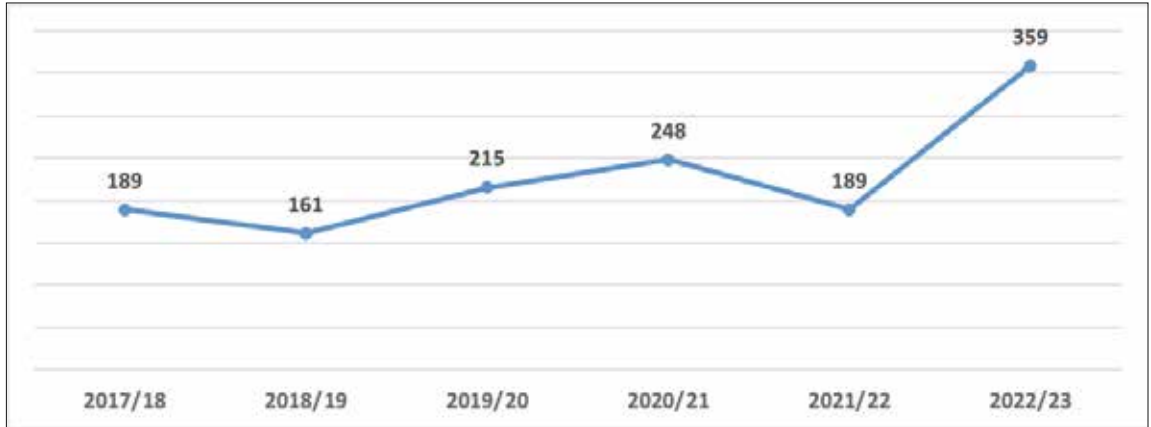
Figure 9: Trend on overall Court of Appeal Performance.



2.3.3 Judges' bench productivity

The Court of Appeal judges' bench productivity increased from 189 cases in 2021/22 to 359 cases in 2022/23. The court recorded the lowest judges' bench productivity in 2018/19 at 161 cases. The details in the judges' bench productivity is indicated in Figure 10.

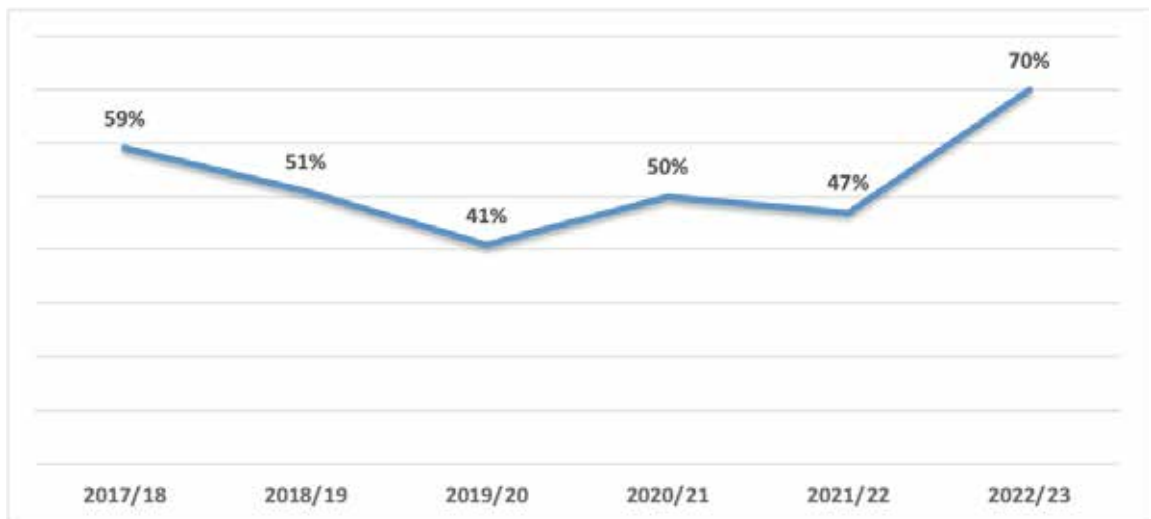
Figure 10: Trend on overall Judges' bench productivity for Court of Appeal



2.3.4 Case Clearance Rate

The Case Clearance Rate for the Court of Appeal has been fluctuating over a period of 6 years. During the reference period, the court recorded a CCR of 70 per cent which was the highest over the 6-year period. The annual trend on CCR for the court for the last 6 years is highlighted in Figure 11.

Figure 11: Trend on case clearance rate for Court of Appeal.



2.3.5 Case Backlog Reduction

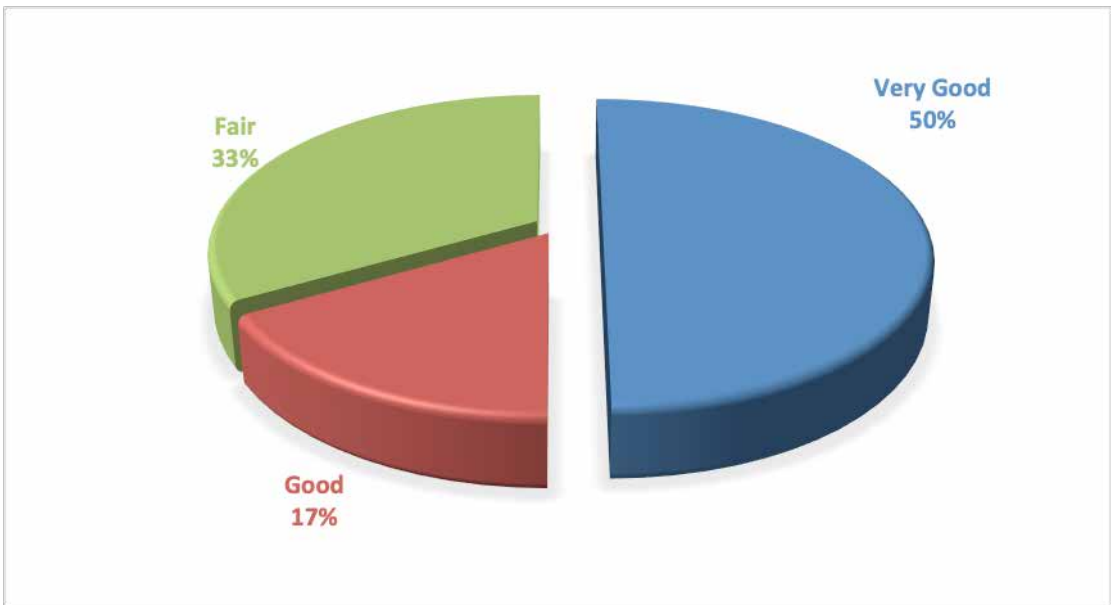
The Court of Appeal managed to reduce the case backlog for the last 2 consecutive years by

7 per cent in the FY 2022/23 and 2 per cent in FY 2021/22. In the FY 2019/20, the backlog for the court had increased by 19 per cent.

2.3.6 Overall Performance of Court of Appeal Stations/Divisions

The overall performance of Court of Appeal was “Good” with a percentage performance of 94.79. During the period under review, three Stations achieved “Very Good”, one scored station “Good” and two had “Fair” achievements. None of the courts achieved performance grade of outstanding and poor. Figure 12 Highlights the performance grades attained by Court of Appeal Stations/Divisions.

Figure 12: The overall Court of Appeal Performance.



The best performing Court of Appeal station during the review period was Nairobi- Civil Division. The court achieved the performance grade of “Very Good” with performance score of 2.734. Kisumu and Mombasa attained performance grade of “Very Good” each with the performance score of 2.979, and 3.109 respectively. Nakuru attained a performance grade of “Good” while Nairobi - Criminal Division and Nyeri had performance grade of “Fair”. The performance scores and grades for Court of Appeal Stations/Divisions for 2022/23 are presented in Table 9.

Table 9: Overall Court of Appeal Performance

Court Station/Division	Composite Score	Performance Score	Performance Grade
Nairobi Court of Appeal - Civil Division	2.734	100.00	Very Good
Kisumu COA	2.979	100.00	Very Good
Mombasa COA	3.109	100.00	Very Good
Nakuru COA	3.313	92.97	Good
Nairobi Court of Appeal - Criminal Division	3.603	74.81	Fair
Nyeri COA	3.933	54.18	Fair

2.3.7 Most Improved Court of Appeal Stations/Divisions

In the year under review, 2 Court of Appeal Stations and 1 Division improved on their previous performance. The most improved Court of Appeal station was Kisumu with 13.86 per cent followed by Nairobi - Criminal Division with 11.21 per cent. Mombasa Court of Appeal had an improvement of 4.32 per cent. The result of the most improved stations is highlighted in Table 10

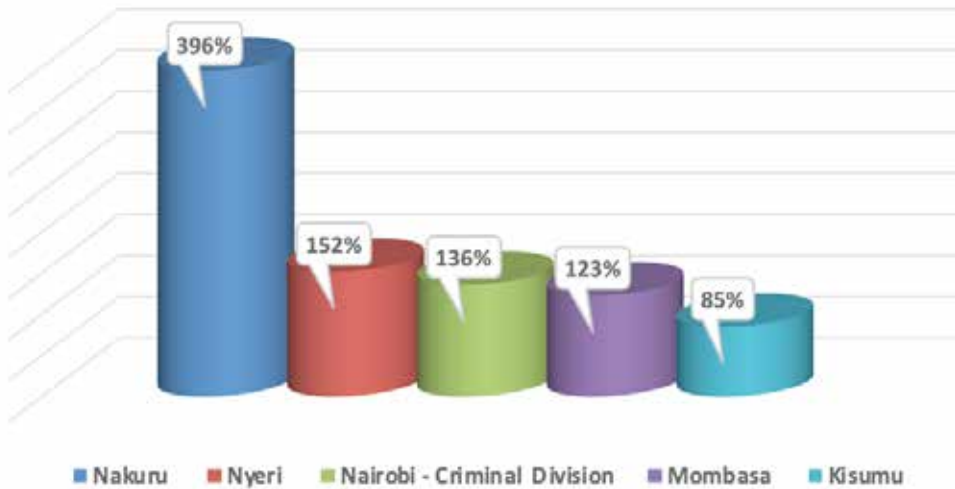
Table 10: Most Improved Court of Appeal Stations/Divisions.

Most Improved Court of Appeal Stations/Divisions	Performance score (%) FY 2021/22	Performance score (%) FY 2022/23	Improvement (%)
Kisumu	86.14	100	13.86
Nairobi - Criminal Division	63.6	74.81	11.21
Mombasa	95.68	100	4.32

2.3.8 Performance of Court of Appeal Stations/Division on Case Clearance Rate - Criminal Cases

During the FY 2022/23, four Court of Appeal Stations/Divisions had a CCR above 100 per cent in criminal cases. Nakuru Court of Appeal emerged the best performing court in Case Clearance Rate. The court achieved a CCR of 396 per cent. It was followed by Nyeri with 152 per cent and Nairobi - Criminal Division had 136 per cent. Figure 13 shows Court of Appeal performance on CCR for criminal cases.

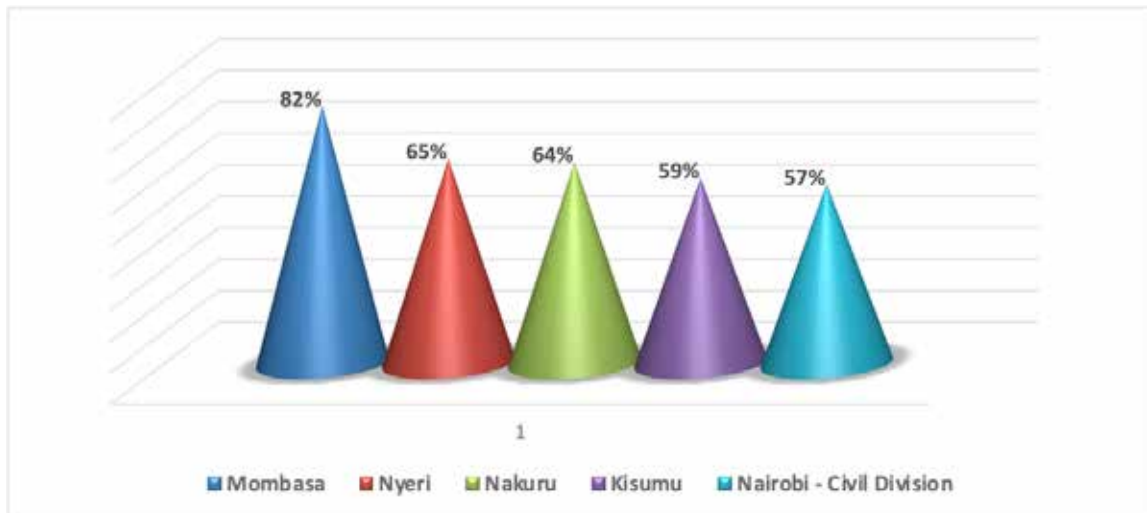
Figure 13: Best performing Court of Appeal Station/ Division on Case Clearance Rate for Criminal Cases.



2.3.9 Performance of Court of Appeal Stations/Division on Case Clearance Rate - Civil cases

All the Court of Appeal Stations/Divisions recorded the CCR of over 50 per cent on civil cases. Mombasa COA recorded the Highest CCR of 82 per cent for civil cases during the FY 2022/23. It was followed by Nyeri with 65 per cent. Nakuru, Kisumu and Nairobi Civil-Division had 64, 59 and 57 per cent respectively. Details on CCR for civil cases for Court of Appeal Stations/Division are presented in Figure14.

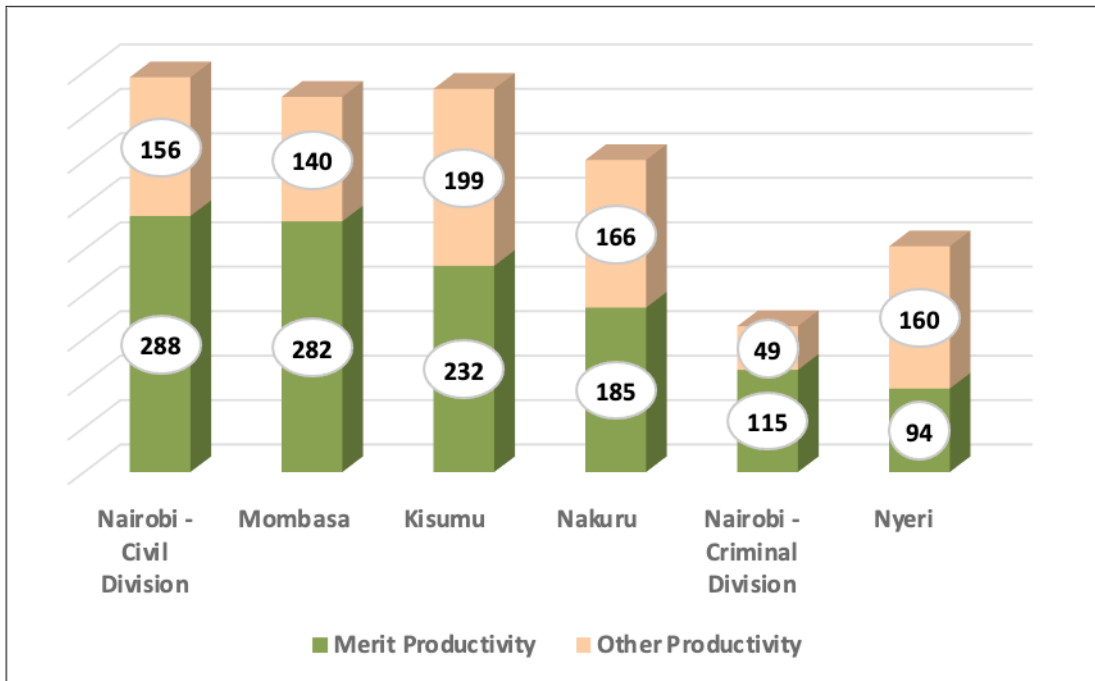
Figure 14: Best performing Court of Appeal station/Division on Case Clearance Rate for Civil Cases.



2.3.10 Performance of Court of Appeal on Productivity

The Court of Appeal Stations/Divisions performed well on Judges’ merit productivity. Nairobi- Civil Division recorded the Highest Judges’ merit bench productivity of 288. It was closely followed by Mombasa with 282. Kisumu and Nakuru attained Judges’ merit bench productivity of 232 and 185 respectively. Nairobi - Criminal Division recorded Judges’ merit bench productivity of 115 while Nyeri had 94. On the other hand, Kisumu was leading on Judges’ other productivity with 199. Figure 15 provides details on the best performing courts on Judge’s merit and other bench productivity for the Court of Appeal

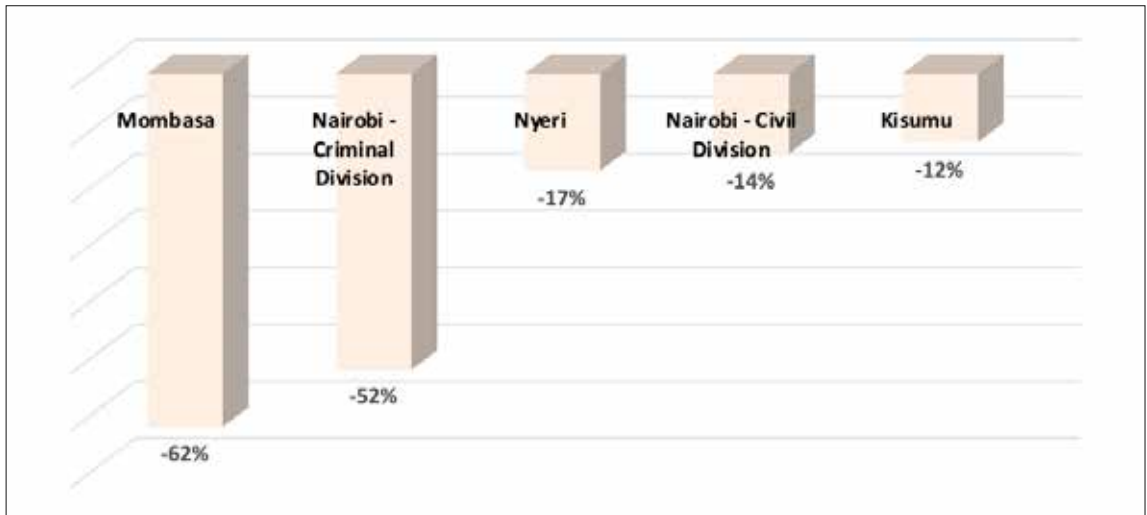
Figure 15: Best performing Court of Appeal on Judge’s merit and other bench productivity.



2.3.11 Performance of Court of Appeal on Reduction of Case Backlog

The overall reduction of case backlog in the Court of Appeal in 2022/23 was 7 per cent. All the Court of Appeal Stations/Divisions reduced the case backlog. Mombasa Court of Appeal was the best performing court on case backlog reduction. It reduced the backlog by 62 per cent. Nairobi - Criminal Division reduced the backlog by 52 per cent whereas Nyeri, Nairobi- Civil Division and Kisumu reduced the case backlog by 17, 14 and 12 per cent respectively. Figure 16 highlights reduction of case backlog among the Court of Appeal Stations/Divisions

Figure 16: Best performing Court of Appeal/Division on case backlog reduction.



+ Increase in backlog

- Reduction in backlog

2.4 HIGH COURT PERFORMANCE

2.4.1 Introduction

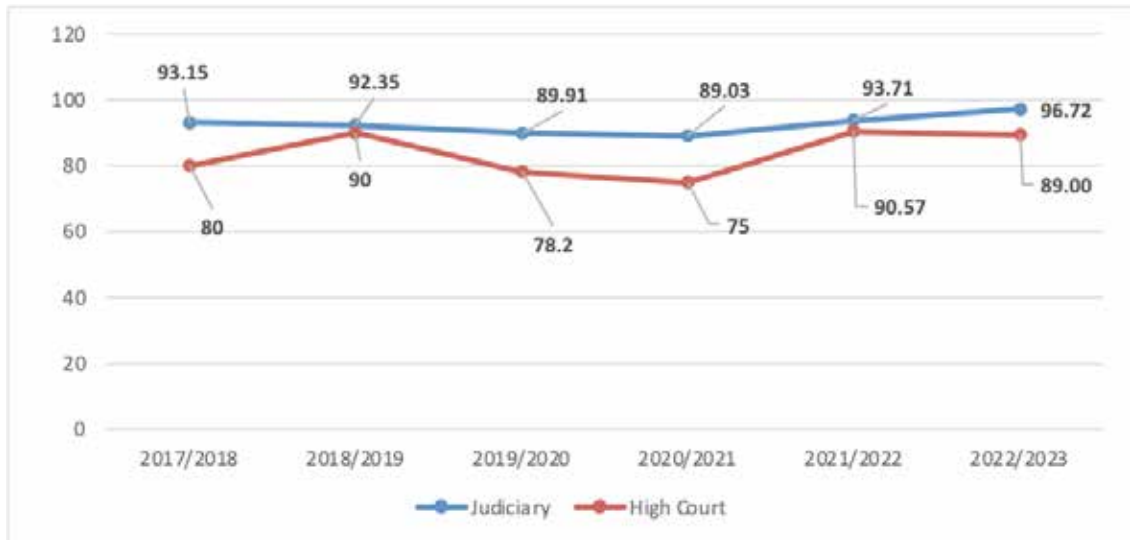
The High Court is a superior court established under Article 165 of the Constitution. The court has unlimited original jurisdiction to handle criminal and civil cases related to the violation of the Bill of Rights, appeals from lower courts, interpretation of the Constitution, and oversight over lower courts and any entity with judicial functions. During the review period, the Court had 45 stations and 5 sub-registries located nationwide among these were 7 Mililani High Court Divisions which handle specialized cases.

All the High Courts signed the 2022-2023 targets that were linked with the Judiciary goals and standard performance metrics which formed the basis of the PMMUs implementation and evaluation. The court was evaluated on the following indicators among others:

- i. Hearing and determination of civil and criminal cases within 360 days from date of filing;
- ii. Hearing and determination of criminal and civil appeals within 180 days of receipt of appeal records.
- iii. Case clearance rate for criminal and civil cases;
- iv. Case backlog reduction;
- v. Judge's merit and other Productivity
- vi. Judgments delivered within 60 days after close of submissions

The 2022/23 PMMU assessment indicates that 38 High Court stations and 7 Milimani Divisions achieved an average performance of 89.00 per cent in 2022/23. This was slightly lower than the average performance of all courts which was 96.72 per cent during the same period. The overall performance trend for the high court over the preceding 6 years is illustrated in Figure 17.

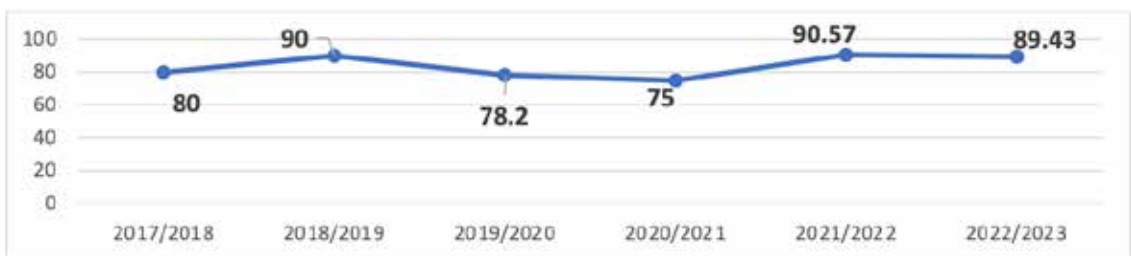
Figure 17: High Court Overall Performance Trend analysis.



2.4.2 Performance Trends of High Court Stations and Divisions

The evaluation conducted in 2022/23 revealed that the court attained an average performance of 89.43 per cent which was a slight decline compared to the previous year’s score of 90.57 per cent. The performance trend for the court over the previous 6 cycles is depicted in Figure 18.

Figure 18: Overall High Court Performance Trend.

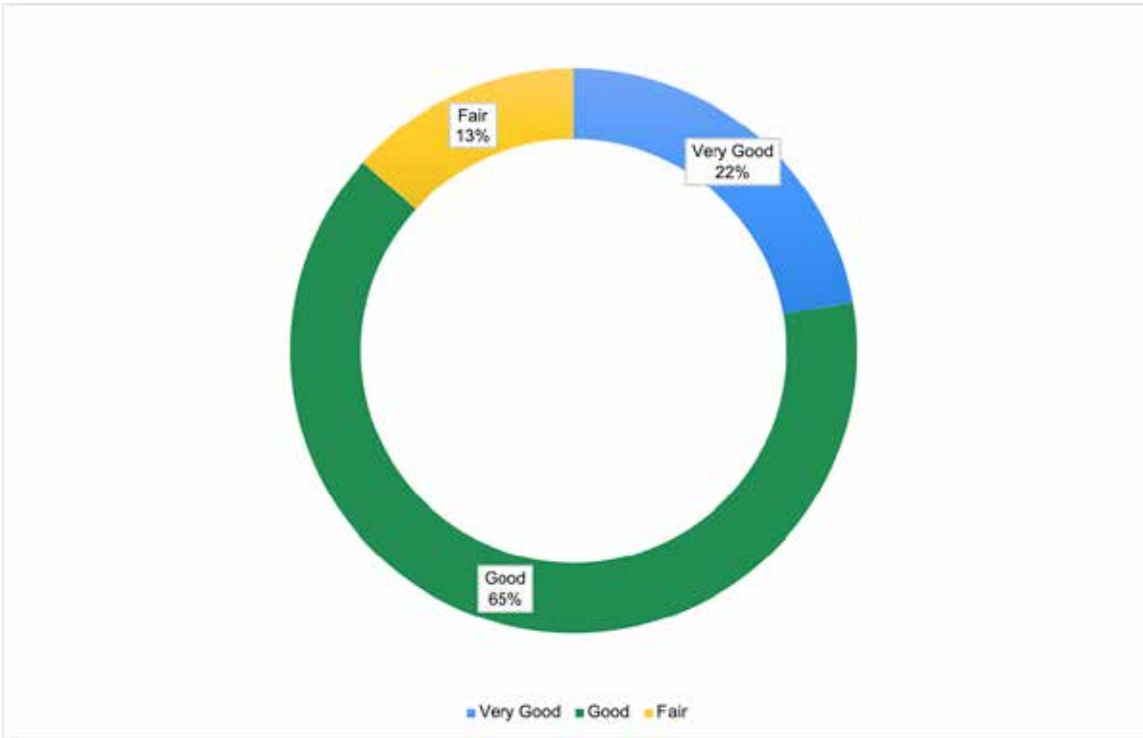


2.4.3 Overall Performance, High Court

The evaluation results show that the High Court Stations and Divisions attained a range of performance grades, from Very Good to Fair. Ten High Courts/Divisions representing 22 per cent attained a performance grade of “Very Good”, 29 High Courts/Divisions representing 65 per cent achieved

“Good”, and 6 of them representing 13 per cent got “Fair”. Figure 19 illustrates the distribution of the performance grades by the High Court stations/Divisions during the reference period.

Figure 19: Overall Performance of the High Court.



2.4.4 Overall Top Performing High Court Stations/ Divisions

The top 10 High Court Stations/Divisions achieved outstanding results, with each station receiving a performance score of 100.00 per cent. These Stations, include Vihiga, Milimani Anti-Corruption and Economic Crimes Division, Kisumu, Embu, Bomet, Kakamega, Kericho, Garissa, Voi, and Milimani Judicial Review, their overall performance grade was “Very Good.” Table 11 Highlights the performance.

Table 11: Top ten Best Performing High Court/Division.

High Court	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Vihiga	2.757	100.00	Very Good
Milimani Anti Corruption and Economic Crimes Division	2.836	100.00	Very Good
Kisumu	3.023	100.00	Very Good
Kakamega	3.100	100.00	Very Good
Embu	3.103	100.00	Very Good
Bomet	3.140	100.00	Very Good
Kericho	3.143	100.00	Very Good

High Court	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Voi	3.168	100.00	Very Good
Milimani Judicial Review	3.178	100.00	Very Good
Garissa	3.182	100.00	Very Good

2.4.5 Most Improved High Court Station/ Division

During the period under review, some of the High Court Stations/Divisions recorded remarkable improvements in their performance. The most improved High Court was Meru which achieved 42.07 per cent improvement in performance compared to the previous period. It was followed by Garissa and Nyahururu with performance improvements of 34.18 and 30.09 per cent respectively. Table 12 presents the top ten Stations/Divisions that achieved the significant improvement.

Table 12: Most Improved High Court/Division.

High Court	2021/2022 Performance (%)	2022/2023 Performance (%)	% Improvement
Meru	54.5279	96.60	42.07
Garissa	65.8228	100.00	34.18
Nyahururu	59.3469	89.43	30.09
Kerugoya	59.9066	84.22	24.31
Nanyuki	56.6887	75.66	18.97
Nyeri	76.5058	94.88	18.37
Kitale	74.6923	89.62	14.93
Voi	86.1944	100.00	13.81
Milimani Judicial Review	86.9718	100.00	13.03
Mombasa	85.8184	95.98	10.16

The number of filed cases were used in classification of courts with relatively similar caseloads for presentation of the results. In this regard, the High Courts were classified into 4 categories according to the number of cases filed while Milimani specialized divisions automatically formed their own category.:

The classification of High courts was as follows:

- i. Courts with filed cases above 800
- ii. Courts with filed cases between 400 and 800
- iii. Courts with filed cases below 400
- iv. Milimani High Court Divisions

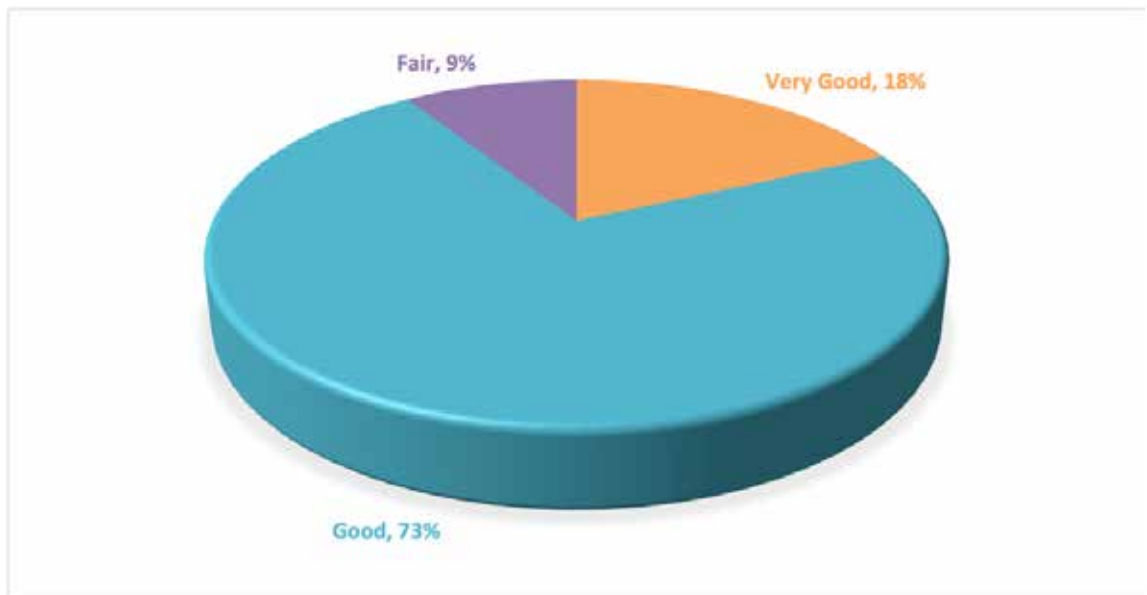
2.4.6 PERFORMANCE OF HIGH COURT STATIONS WITH CASELOAD CATEGORY OF ABOVE 800 CASES

This category comprised of 11 High Court Stations which included Bungoma, Eldoret, Kakamega, Kiambu, Kisii, Kisumu, Kitale, Machakos, Meru, Mombasa and Nakuru.

2.4.6.1 Overall Performance of High Court Stations - Caseload Category of above 800 Cases

2 High Court Stations representing 18 per cent attained a performance grade of "Very Good", 8 of them representing 73 per cent achieved "Good" and only 1 station representing 9 per cent got a performance grade of "Fair". Figure 20 illustrates the proportion of performance grades attained by the courts in this category.

Figure 20: Overall Performance of the High Court Stations - Caseload Category of above 800 cases.



2.4.6.2 Top Performing High Court Stations - Caseload Category of above 800 Cases

Kisumu High Court was the best performing court in this category. The court attained a performance grade of "Very Good" with a composite score of 3.023. It was closely followed by Kakamega High Court which had also a performance grade of "Very Good" with a composite score of 3.100. The remaining 8 courts in this category had a performance grade of "Good" with composite scores ranging between 3.254 and 3.558. The comprehensive performance of the top 10 performing courts in this category is presented in Table 13.

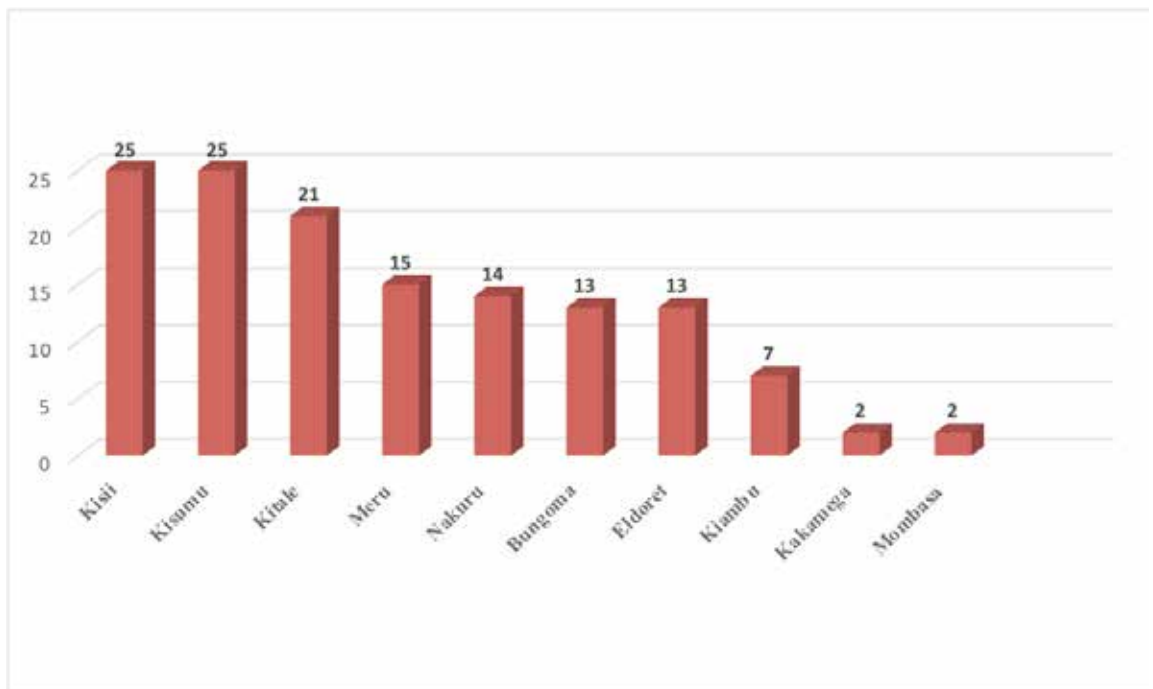
Table 13: Top performing High Court Stations – caseload category of above 800 cases.

High Court	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Kisumu	3.023	100.00	Very Good
Kakamega	3.100	100.00	Very Good
Meru	3.254	96.60	Good
Mombasa	3.264	95.98	Good
Kiambu	3.299	93.84	Good
Nakuru	3.362	89.85	Good
Kitale	3.366	89.62	Good
Kisii	3.454	84.10	Good
Machakos	3.552	78.01	Good
Bungoma	3.558	77.60	Good

2.4.6.3 Hearing and Determination of Criminal Cases within 360 days – Caseload Category of above 800 cases

On determination of criminal cases within 360 days from the date of filing, Kisii and Kisumu High Court emerged the best performing courts with an achievement of 25 per cent each. They were followed by Kitale and Meru High Courts with achievements of 21 per cent and 15 per cent respectively. Figure 21 illustrates the performance of High Court Stations in the aforementioned category.

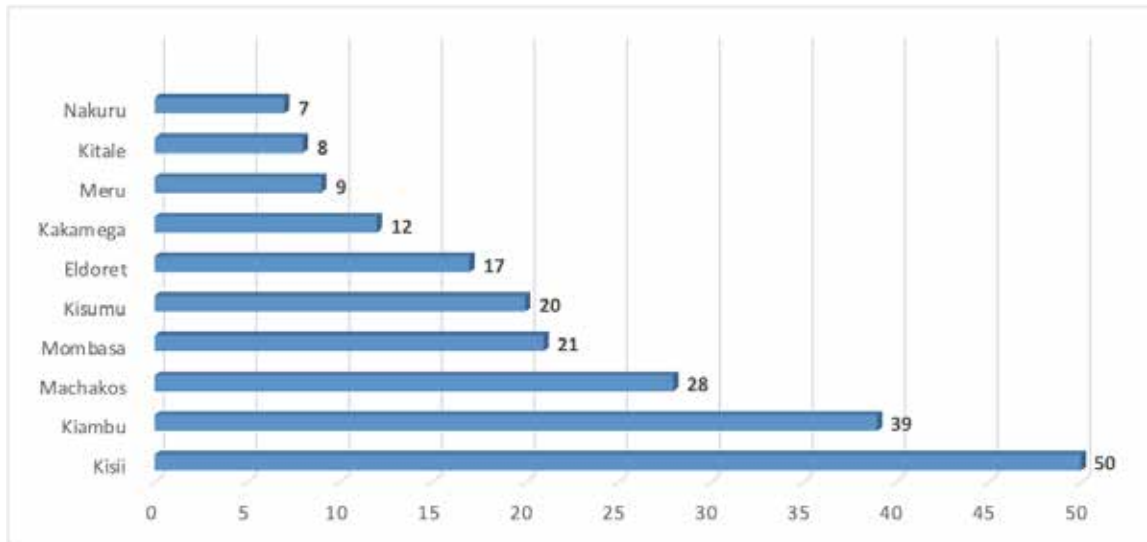
Figure 21: Top performing High Court Stations on Hearing and Determination of Criminal Cases within 360 days – caseload category of above 800 cases.



2.4.6.4 Hearing and Determination of Civil Cases within 360 days - Caseload Category of above 800 cases

Kisii High Court was the best performing court on hearing and determination of civil cases within 360 days from date of filing with an achievement of 50 per cent. Kiambu and Machakos High Court secured the second and third positions with a score of 39 and 28 per cent respectively. The results for the top 10 performing courts in this category are depicted in Figure 22.

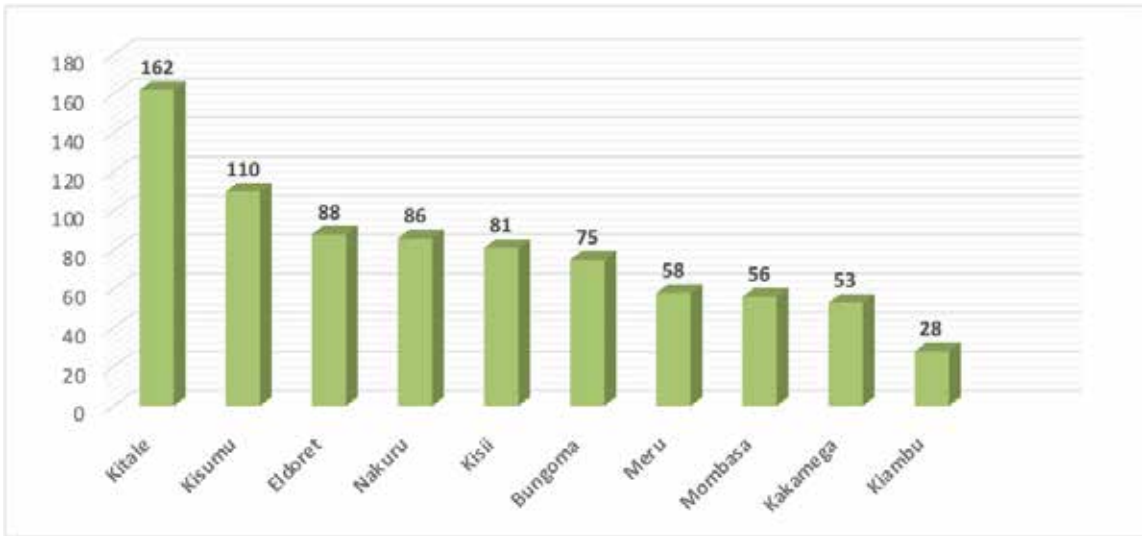
Figure 22: Top Performing High Court Stations on hearing and determination of civil cases within 360 days - caseload category of above 800 cases.



2.4.6.5 Case Clearance Rate for Criminal Cases - Caseload Category of above 800 cases

Kitale High Court emerged as the top performing court in this category with a case clearance rate of 162 per cent. Kisumu and Eldoret High Courts achieved a case clearance rate of 110 per cent and 88 per cent respectively. The results for the top 10 performing courts in this category are illustrated in Figure 23.

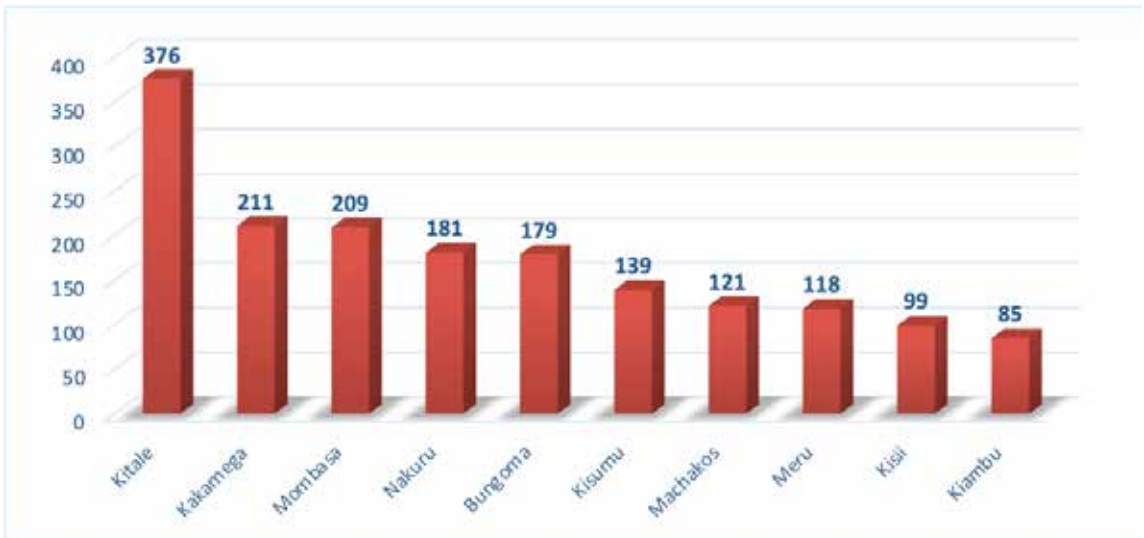
Figure 23: : Top performing High Court Stations on case clearance rate for Criminal Cases – caseload category of above 800 cases.



2.4.6.6 Case Clearance Rate for Civil Cases – Caseload Category of above 800 cases

Kitale High Court resolved the Highest number of civil cases, achieving a CCR of 376 per cent. Kakamega and Mombasa High Courts achieved a case clearance rate of 211 per cent and 209 per cent respectively. The results for the top 10 performing courts are illustrated in Figure 24.

Figure 24: Top performing High Court Stations on case clearance rate for Civil cases – caseload category of above 800 cases.

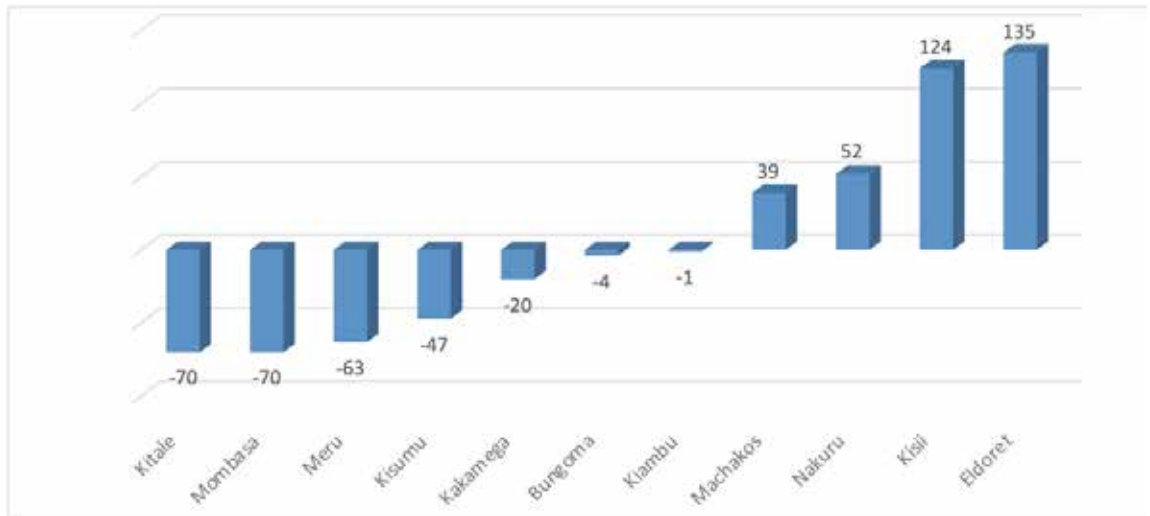


2.4.6.7 Reduction of Case Backlog – Above 800 cases

In this category, both Kitale and Mombasa High Courts achieved the Highest reduction on case backlog at 70 per cent each. Meru and Kisumu High Courts Stations reduced the case backlog by 63 per cent and 47 per cent respectively. Kakamega, Bungoma and Kiambu High Courts managed to reduce the case

backlog by 20 per cent, 4 per cent and 1 per cent respectively. Figure 25 displays the top performing courts with Highest reduction of case backlog in the caseload category of above 800 filed cases.

Figure 25: Top performing High Court Stations on reduction of case backlog –caseload category of 800 cases.

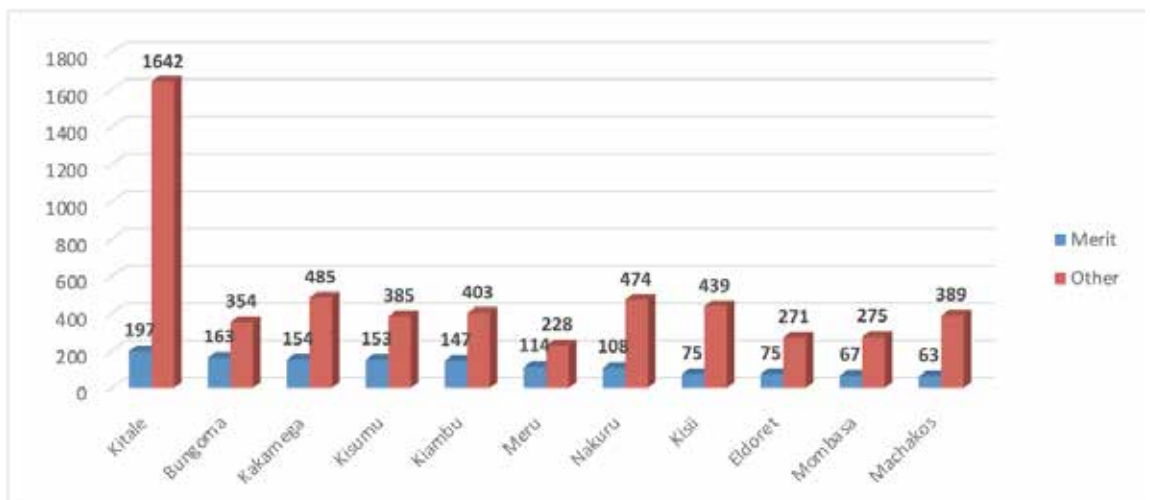


- + Increase in backlog
- Reduction in backlog

2.4.6.8 Judge’s Merit and Other Productivity - Above 800 cases

Kitale High Court demonstrated the Highest performance with 197 merit productivity followed by Bungoma and Kakamega with 163 and 154 merit productivity respectively. While again Kitale High Court had the highest other productivity at 1,642 cases most of which were criminal revisions. The findings are displayed in Figure 26.

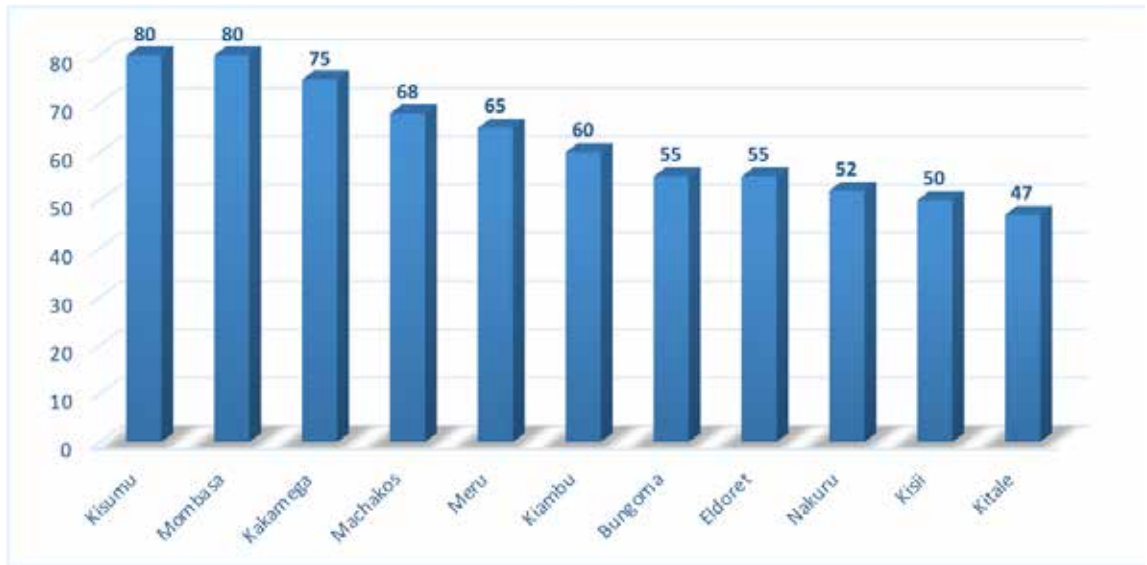
Figure 26: Judges’ Merit and Other Productivity - caseload category of above 800 cases.



2.4.6.9 Delivery of Judgments and Rulings within 60 days of conclusion of hearing - Caseload Category of above 800 cases

Mombasa and Kisumu High Court Stations emerged as the leading courts, each rendering 80 per cent of all judgments within 60 days of the conclusion of hearing. Kakamega, Machakos, and Meru High Courts followed suit with 75 per cent, 68 per cent and 65 per cent, respectively. The findings are depicted in Figure 27.

Figure 27: Top performing High Court Stations on Delivery of Judgments and Rulings within 60 days -caseload category of above 800 cases.



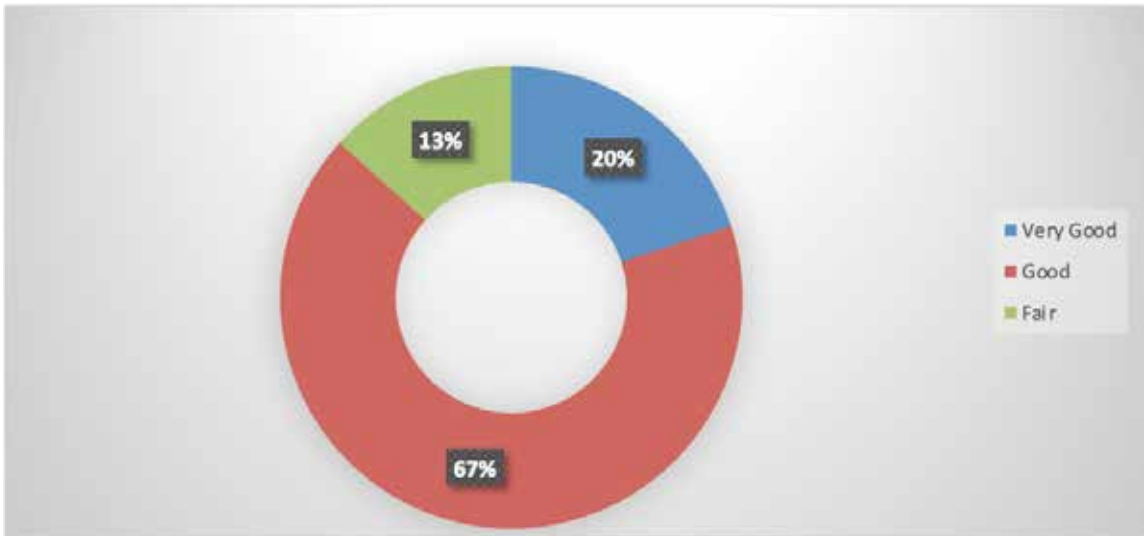
2.4.7 PERFORMANCE OF HIGH COURT STATIONS WITH CASELOAD CATEGORY BETWEEN 401 AND 800 CASES

This category comprised of 15 High Court Stations that filed cases between 401 and 800 cases. These courts included: Embu, Homabay, Kajiado, Kericho, Kerugoya, Kitui, Makueni, Malindi, Migori, Muranga, Naivasha, Nyamira, Nyeri, Siaya, and Voi High Courts.

2.4.7.1 Overall Performance of High Court Stations - caseload category between 401 and 800 Cases

In this category, 3 courts representing 20 per cent attained a performance grade of "Very Good", 10 courts representing 67 per cent achieved "Good" and 2 courts representing 13 per cent attained a performance grade of "Fair". None of the courts in this category achieved outstanding, excellent or poor. Figure 28 shows the proportion of performance grades attained by the courts in this category.

Figure 28: Overall performance of High Court Stations – caseload category between 401 and 800 Cases.



2.4.7.2 Top Performing High Court Stations – caseload category between 401 and 800 Cases

Embu High Court was the top performing court in this category. The court achieved a performance grade of “Very Good” with a composite score of 3.103. Both Kericho and Voi High Courts attained a performance grade of “Very Good” with composite scores of 3.143 and 3.168 respectively. Siaya, Nyeri, Makueni, Murang’a, HomaBay, Kitui and Nyamira High Courts all achieved a performance grade of “Good” with composite score ranging between 3.223 to 3.423. The comprehensive performance of the top 10 High Court Stations is presented in Table 14.

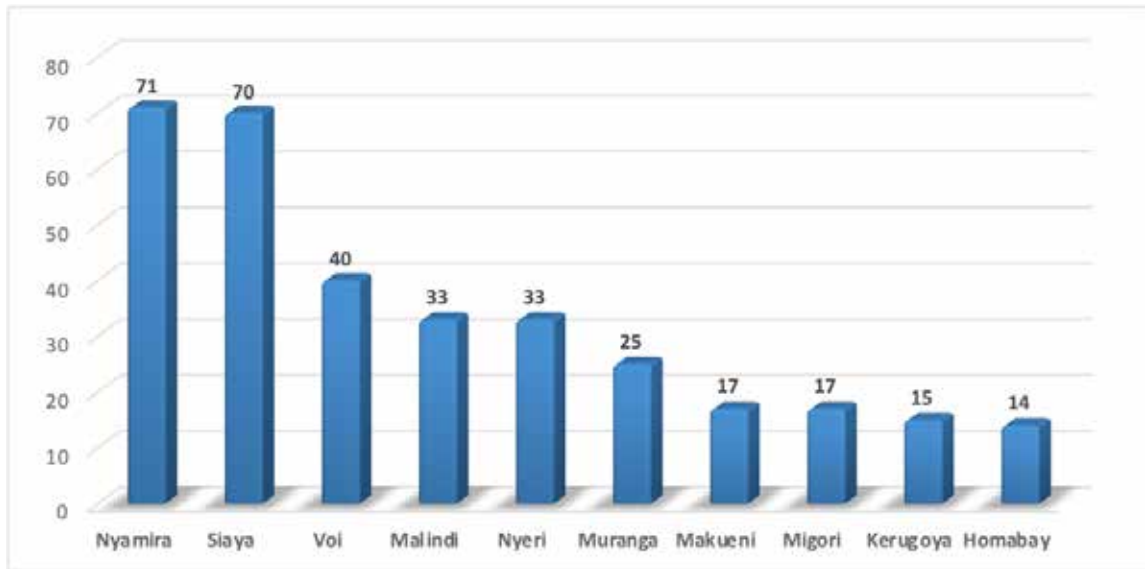
Table 14: Top performing High Court Stations – caseload category between 401 and 800 Cases.

High Court Station	Composite Score	Performance Score	Performance Grade
Embu	3.103	100.00	Very Good
Kericho	3.143	100.00	Very Good
Voi	3.168	100.00	Very Good
Siaya	3.233	97.93	Good
Nyeri	3.282	94.88	Good
Makueni	3.343	91.07	Good
Muranga	3.388	88.24	Good
Homabay	3.401	87.44	Good
Kitui	3.416	86.50	Good
Nyamira	3.423	86.04	Good

2.4.7.3 Hearing and Determination of Criminal Cases within 360 days – caseload category between 401 and 800 Cases

Nyamira High Court emerged the best performing court on hearing and determination of criminal cases within 360 days from the date of filing achieving 70 per cent. It was followed by Siaya High Court which had an achievement of 70 per cent. Voi, Malindi and Nyeri High Court Stations followed suit with achievement of 40 per cent, 33 per cent and 33 per cent respectively. Figure 29 Highlights the top best performing High Court Stations in this category

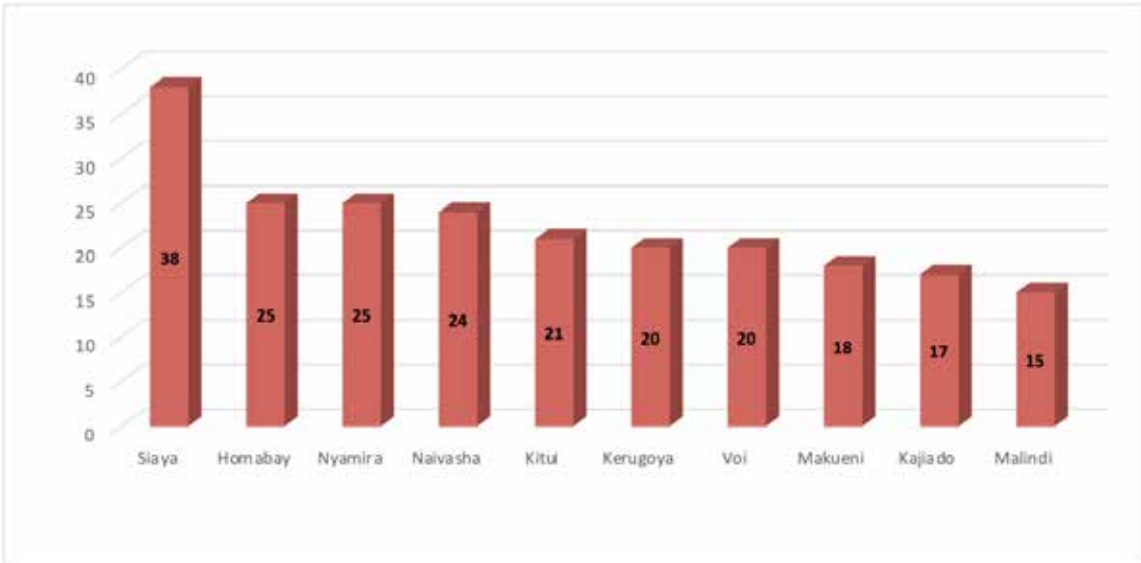
Figure 29: Top 10 Courts in hearing and determination of criminal cases within 360 days - 401 - 800 cases.



2.4.7.4 Hearing and Determination of Civil Cases within 360 days – caseload category between 401 and 800 cases

In this category, Siaya High Court emerged the top performing court. The court heard and determined 38 per cent of all the civil cases within 360 days from the date of filing. It was followed by HomaBay, and Nyamira both with an achievement of 25 per cent. The findings of the top 10 performing High Court Stations are illustrated in Figure 30.

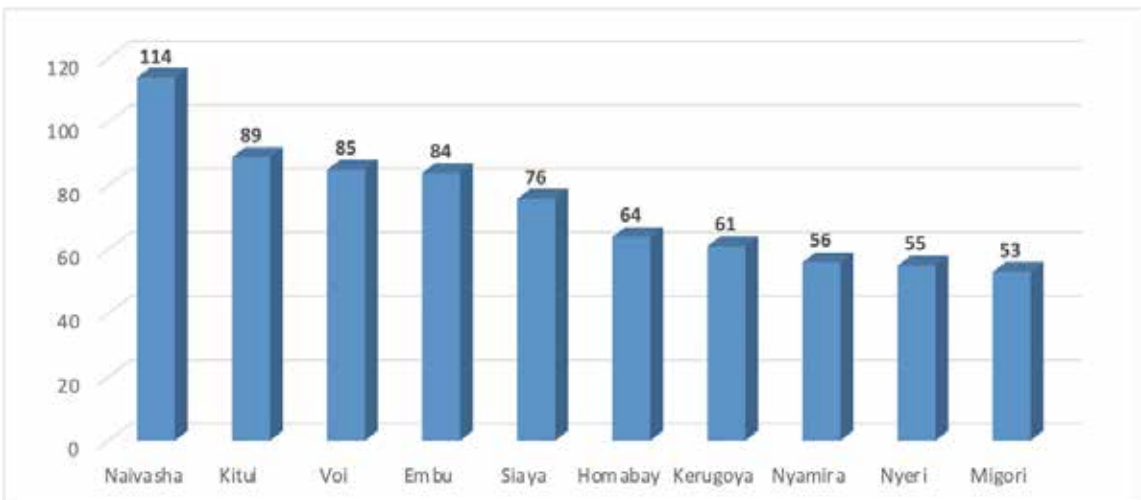
Figure 30: Top Performing High Court Stations on hearing and determination of Civil cases within 360 days - caseload category between 401 and 800 cases.



2.4.7.5 Case Clearance Rate for Criminal Cases – caseload category between 401 and 800 cases

Naivasha High Court Station achieved a case clearance rate of 114 per cent on criminal cases. While Kitui and Voi High Court achieved a case clearance rate of 89 per cent and 85 per cent respectively. Figure 31 Highlights the top performing High Court Stations on case clearance rate for criminal cases.

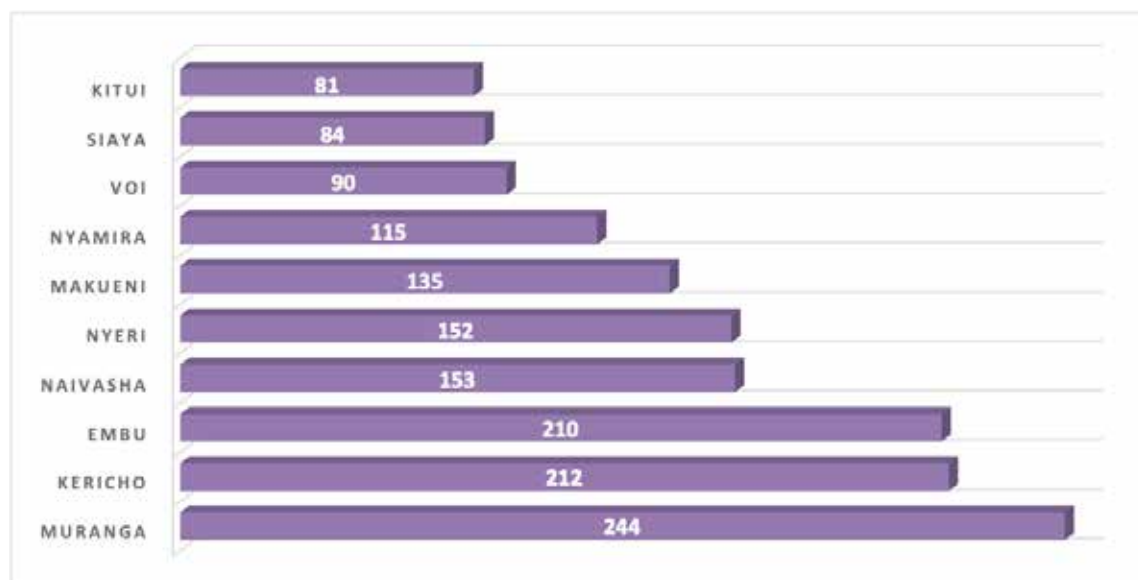
Figure 31: Top performing High Court Stations on case clearance rate for criminal cases- caseload category between 401 and 800 cases.



2.4.7.6 Case Clearance Rate for Civil Cases - caseload category between 401 and 800 cases

Seven High Court stations achieved a case clearance rate exceeding 100 per cent in this category. Among these stations, Muranga High Court Station had the highest CCR in Civil cases achieving 224 per cent. It was followed by Kericho and Embu High Courts achieving a performance score of 212 per cent and 210 per cent respectively. Figure 32 shows the top 10 performing High Courts on case clearance rate for civil cases in this category.

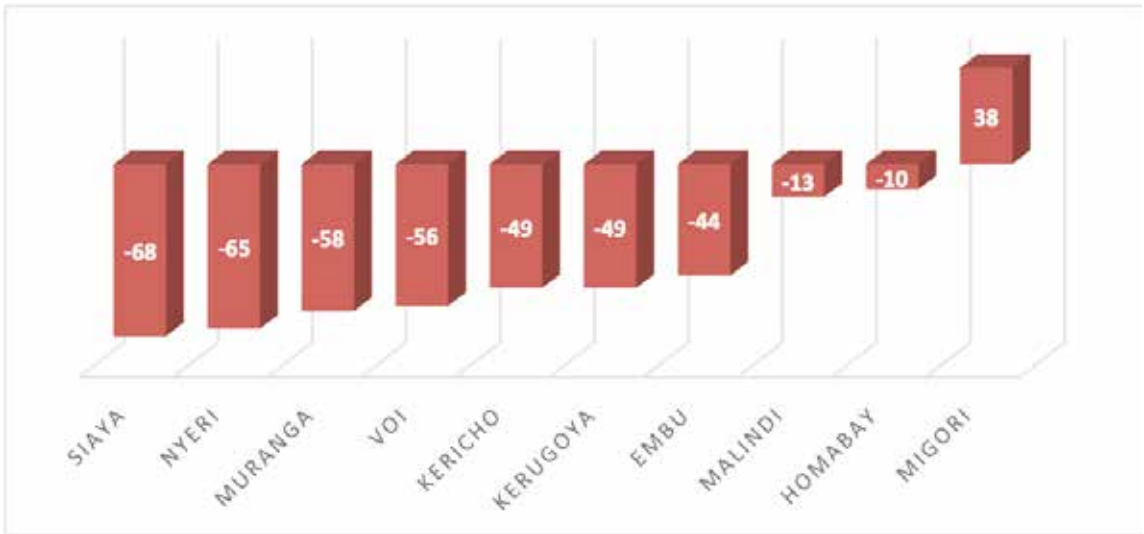
Figure 32: Top performing High Court Stations on case clearance rate for civil cases- caseload category between 401 and 800 cases.



2.4.7.7 Reduction of Case Backlog - caseload category between 401 and 800 cases

Most of the High Courts in this category managed to reduce the case backlog during the year under review. Siaya High Court emerged the best performing court as it reduced backlog by 68 per cent. It was closely followed by Nyeri High Court which reduced case backlog by 65 per cent. Murang'a and Voi High Court Stations attained 58 per cent and 56 per cent reduction in case backlog. Figure 33 shows the top performing High Courts on reduction of case backlog in this category.

Figure 33: Top performing High Court Stations on reduction of case backlog - caseload category between 401 and 800 cases.



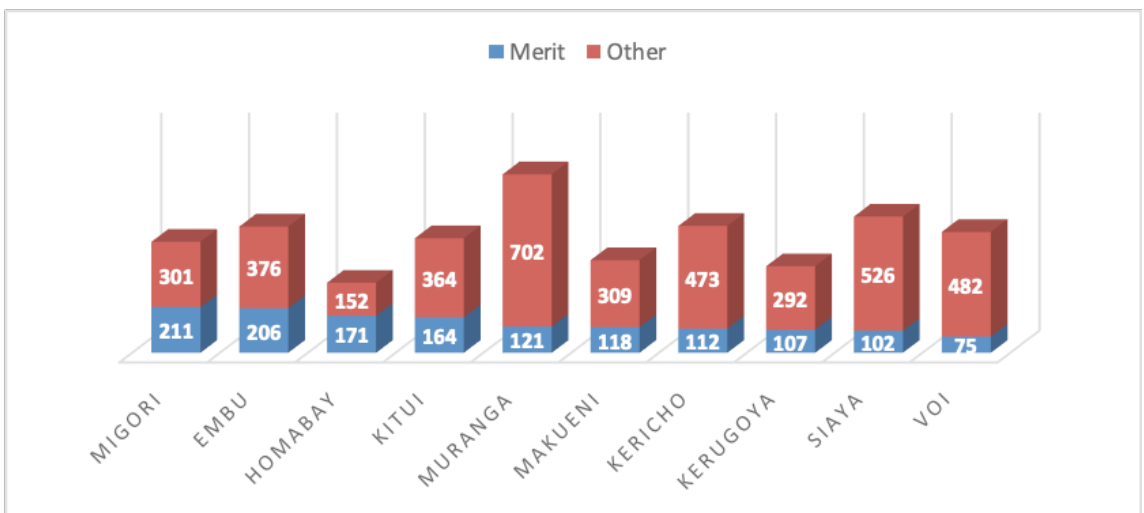
+ Increase in backlog

- Reduction in backlog

2.4.7.8 Judge’s Merit & Other Productivity - caseload category between 401 and 800 cases

Migori, Embu, HomaBay and Kitui High Court Stations achieved Judge’s merit productivity of 211, 206, 171 and 164 cases respectively. The Judge’s merit productivity for the High Court Stations in this category are shown in Figure 34.

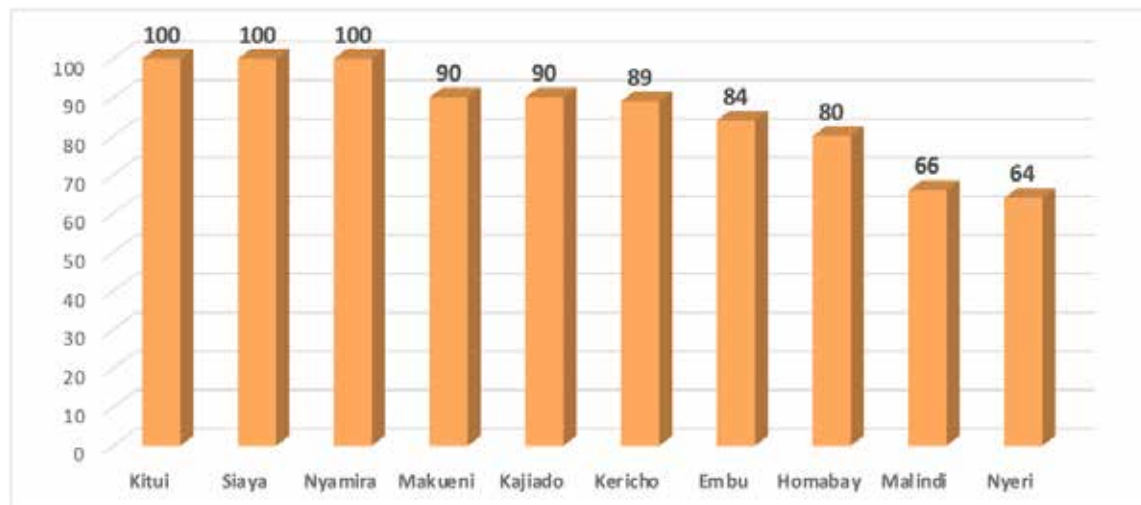
Figure 34: Top performing High Court Stations on Judges’ Merit and Other Productivity - caseload category between 401 and 800 cases.



2.4.7.9 Delivery of Judgments & Rulings within 60 days of conclusion of the hearing - caseload category between 401 and 800 cases

Siaya, Nyamira and Kitui High Court Stations successfully delivered all their Judgments and rulings within 60 days after the conclusion of hearings with a score of 100 per cent. The High Court Stations of Makueni and Kajiado followed closely with a score of 90 per cent each. Figure 35 illustrates the top 10 performing High Court Stations based on this indicator.

Figure 35: Top performing High Court Stations on delivery of Judgments and rulings within 60 days- caseload category between 401 and 800.



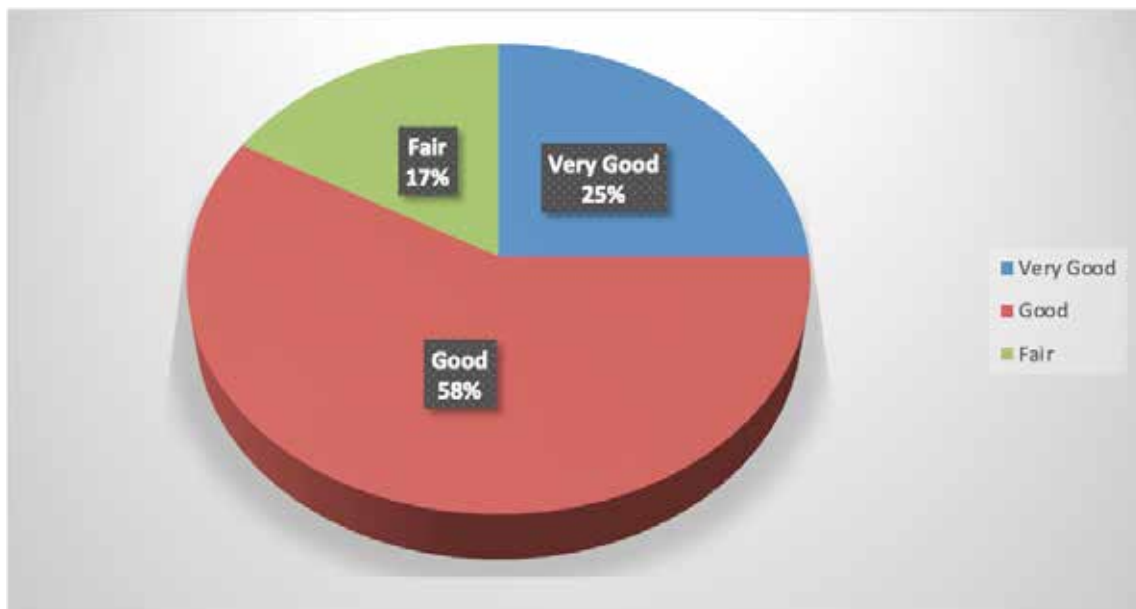
2.4.8 HIGH COURTS WITH CASELOAD CATEGORY BELOW 400 CASES

This category comprised 12 High Court Stations which included; Bomet, Busia, Chuka, Garissa, Garsen, Kabarnet, Lodwar, Marsabit, Nanyuki, Narok, Nyahururu and Vihiga.

2.4.8.1 Overall performance of High Court Stations- Caseload category of 400 Cases and below

In this category, 3 courts representing 25 per cent attained a performance grade of "Very Good", 7 courts representing 58 per cent achieved "Good" and 2 courts representing 17 per cent attained a performance grade of "Fair". None of the courts in this category achieved outstanding, excellent or poor performance grades. Figure 36 shows the proportion of performance grades attained by High Court Stations in this category.

Figure 36: Overall Performance of High Court Stations – caseload category of 400 cases and below.



2.4.8.2 Top Performing High Court Stations - Caseload Category of 400 Cases and below

Vihiga High Court was the best performing court in this category. The court achieved a performance grade of “Very Good” with a composite score of 2.757. Bomet and Garissa High Court Stations followed closely with a performance grade of “Very Good” and composite scores of 3.140 and 3.182 respectively. Chuka, Busia, Nyahururu, Kabarnet, Lodwar Narok and Nanyuki High Courts all achieved a performance grade of “Good” with composite scores ranging between 3.307 and 3. 575. Table 15 shows the top 10 performing High Court Stations in this category during the period under review.

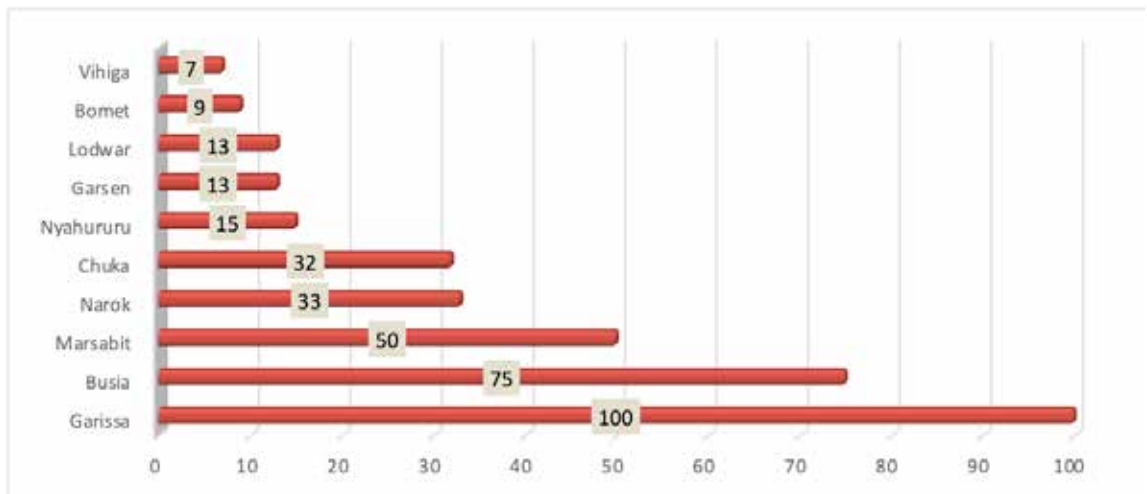
Table 15: Top performing High Court Stations – caseload category of 400 cases and below.

High Court Station	Composite Score	Performance Score	Performance Grade
Vihiga	2.757	100.00	Very Good
Bomet	3.140	100.00	Very Good
Garissa	3.182	100.00	Very Good
Chuka	3.307	93.34	Good
Busia	3.309	93.16	Good
Nyahururu	3.369	89.43	Good
Kabarnet	3.476	82.76	Good
Lodwar	3.529	79.46	Good
Narok	3.575	76.60	Good
Nanyuki	3.589	75.66	Good

2.4.8.3 Hearing and Determination of Criminal Cases within 360 days – Caseload category of 400 cases and below

Garissa High Court was able to hear and determine all the criminal cases within 360 days from the date of filing. The court achieved 100 per cent on this indicator. It was followed by Busia and Marsabit High Court Stations which achieved 75 per cent and 50 per cent respectively. Figure 37 illustrates the top 10 performing High Court Stations on hearing and determination of criminal cases within 360 days from the date of filing.

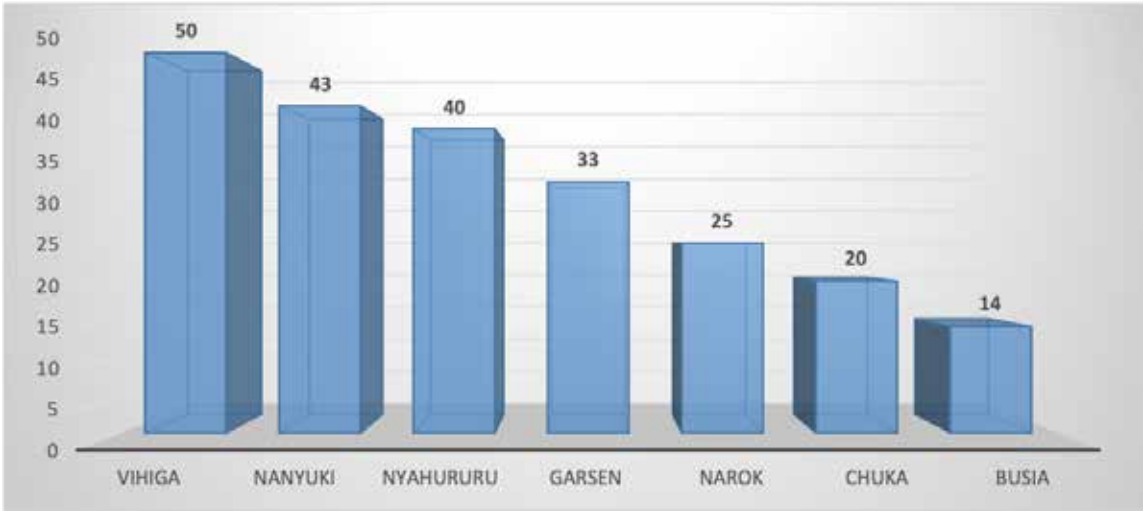
Figure 37: Top performing High Court Stations on Hearing and Determination of Criminal cases within 360 days - caseload category of 400 cases and below.



2.4.8.4 Hearing and Determination of Civil Cases within 360 days – Caseload category of 400 cases and below

Vihiga High Court achieved a score of 50 per cent, emerging as the top performing court in this category. It was followed by Nanyuki and Nyahururu High Courts attained a score of 43per cent and 40per cent respectively. Figure 38 presents the top 7 performing High Court Stations on hearing and determination of civil cases within 360 days from date of filing.

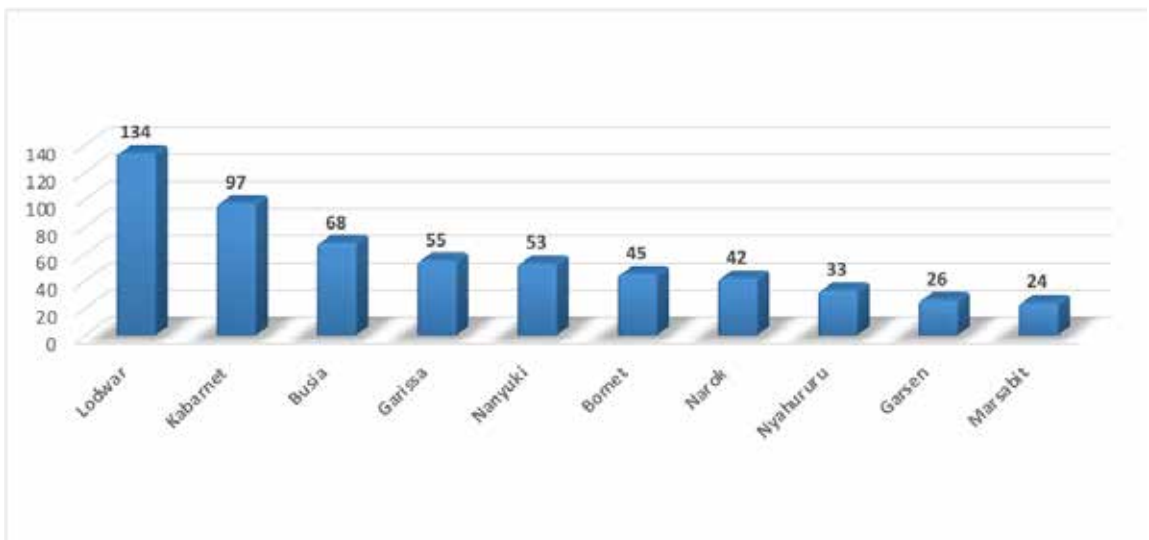
Figure 38: Top performing High Court Stations on Hearing and Determination of Civil cases within 360 days - caseload category of 400 cases and below.



2.4.8.5 Case Clearance Rate for Criminal Cases - Caseload category of 400 cases and below

Lodwar High Court had the Highest case clearance rate for criminal cases at 134 per cent. Kabarnet High Court followed with a CCR of 97 per cent, while Busia High Court achieved a case clearance rate of 68 per cent. Figure 39 displays the top performing High Court Stations on Case Clearance Rates within the category for the period under review.

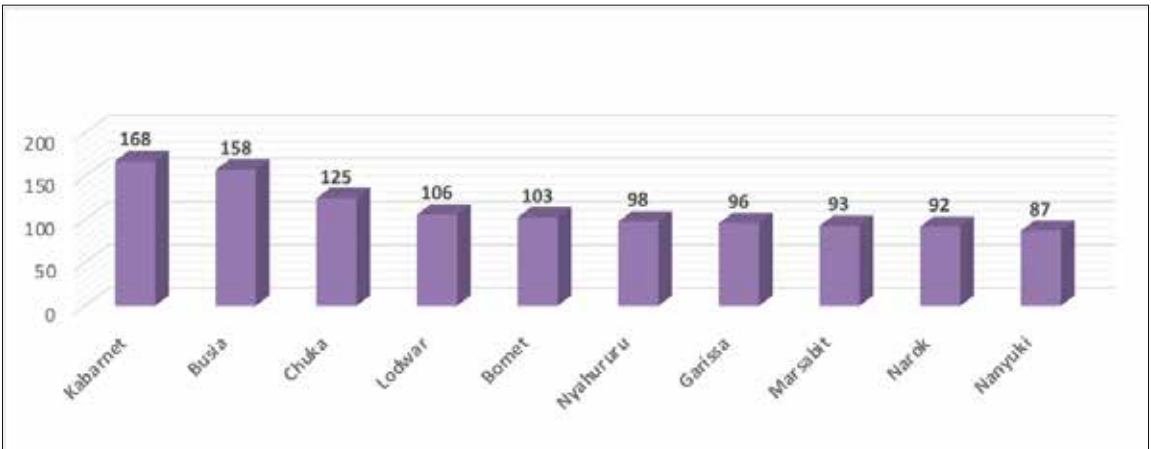
Figure 39: Top performing High Court Stations on case clearance rate for Criminal Cases - caseload category of 400 cases and below.



2.4.8.6 Case Clearance Rate for Civil Cases – Caseload Category of 400 Cases and Below

Kabarnet High Court achieved the Highest case clearance rate of 168 per cent on civil cases. It was followed by Busia High Court with an achievement of 158 per cent. While Chuka and Lodwar High Court Stations achieved a CCR of 125 per cent and 106 per cent respectively. Figure 40 presents the top 10 performing High Court Stations on CCR for civil cases in this category during the period under review.

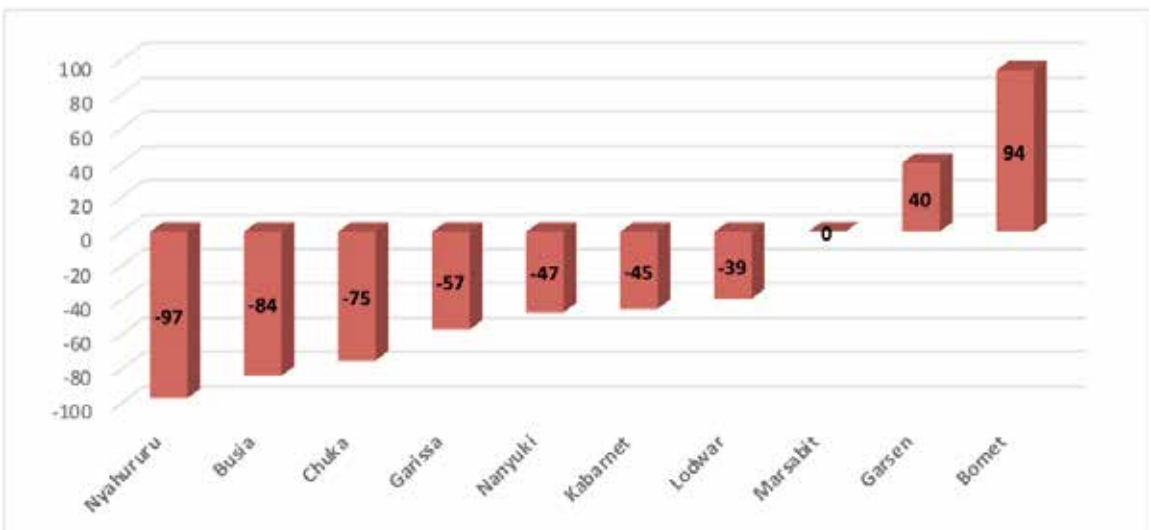
Figure 40: Top performing High Court Stations on Case clearance rate for Civil Cases – caseload category of 400 cases and below.



2.4.8.7 Reduction of Case Backlog – Caseload category of 400 cases and below.

Nyahururu High Court emerged the best performing court on case backlog reduction in this category. The court reduced the backlog by 97 per cent. It was followed by Busia High Court which reduced its backlog by 84 per cent. Figure 41 presents the top performing courts on reduction of case backlog in the category.

Figure 41 Top performing High Court Stations on reduction of case backlog - caseload category of 400 cases and below.

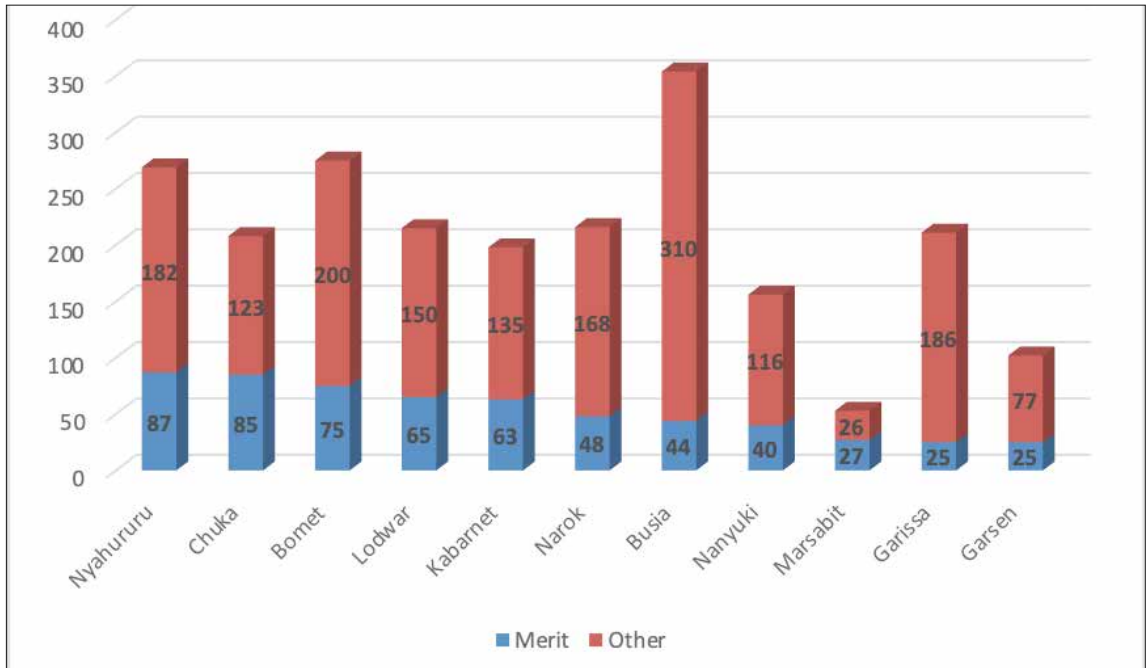


+ Increase in backlog - Reduction in backlog

2.4.8.8 Judge’s Merit Productivity – Caseload category of 400 cases and below.

With 87 cases completed per Judge, Nyahururu High Court emerged as the top performing court on Judge’s merit productivity. Chuka and Bomet High Court Stations emerged second and third as they concluded 85 and 75 cases respectively. The results on Judge’s merit and other productivity are depicted in Figure 42.

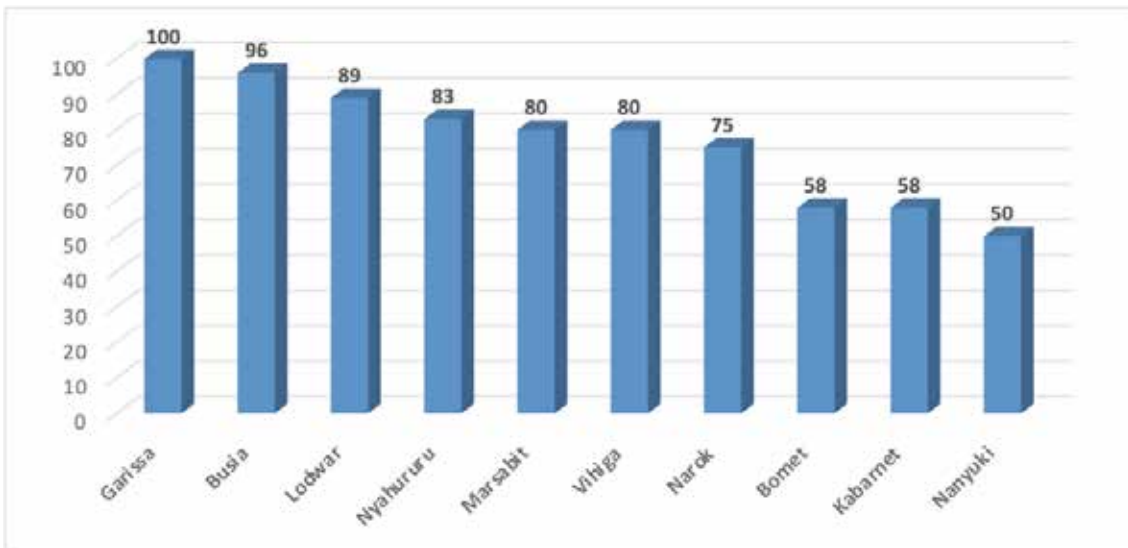
Figure 42: Top performing High Court Stations on Judge’s Merit and Other Productivity - caseload category of 400 cases and below



2.4.8.9 Delivery of Judgments and Rulings within 60 days of conclusion of the hearing – Caseload category of 400 cases and below.

Garissa High Court successfully delivered 100 per cent of all its judgments and rulings within 60 days, while Busia and Lodwar High Courts delivered 96 and 89 per cent respectively. The results for the top 10 performing High Courts on this indicator are presented in Figure 43.

Figure 43: Top performing High Court Stations on delivery of judgments and rulings within 60 days - caseload category of 400 cases and below.



Garissa Law Courts during an *Open Day*

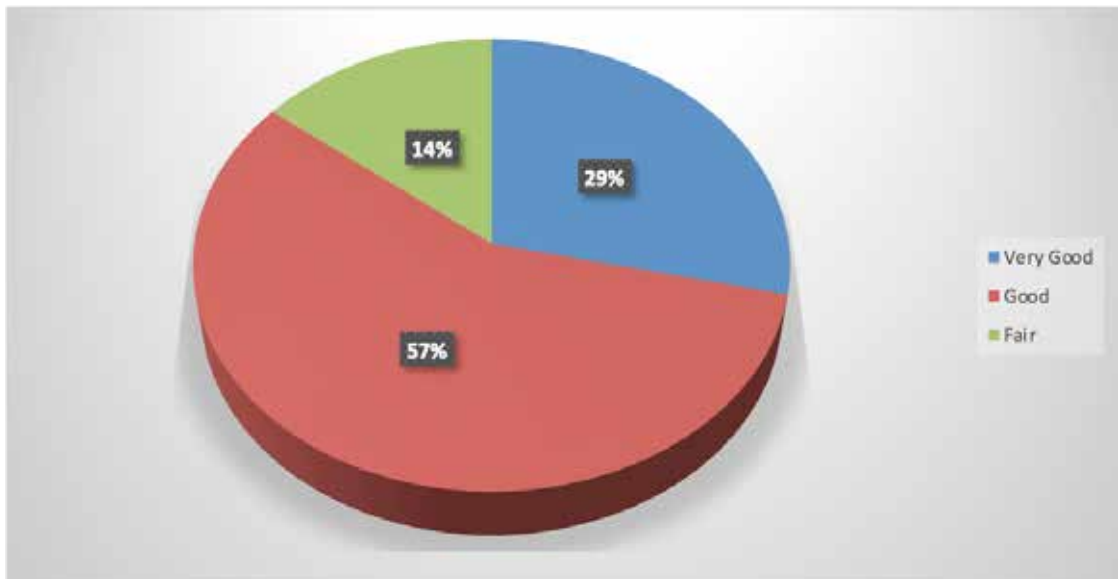
2.4.9 MILIMANI HIGH COURT DIVISIONS

2.4.9.1 Overall Performance of Milimani High Court Divisions

Milimani High Court has 7 Divisions which are; Anti-Corruption and Economic Crimes (ACEC), Judicial Reviews (JR), Criminal, Civil, Commercial and Tax, Family and Constitutional and Human Rights Division.

During the reference period, 2 out of 7 Divisions representing 29 per cent attained a performance grade of "Very Good", 4 Divisions representing 57 per cent achieved "Good" and only 1 Division representing 14 per cent attained a performance grade of "Fair". There was no High Court Division that attained a performance grade of "Outstanding, Excellent or Poor". Figure 44 shows the proportion of performance grades attained by the Milimani High Court Divisions.

Figure 44: Overall performance of Milimani High Court Divisions.



2.4.9.2 Top Performing Milimani High Court Divisions

The Anti-Corruption and Economic Crimes Division was the best performing Division during the reference period. The Division achieved a performance grade of "Very Good" with a composite score of 2.836. It was followed by Judicial Review Division which also had a performance grade of "Very Good" with a composite score of 3.178. The other Divisions which included Criminal, Civil, Commercial and Tax, and Family all attained a performance grade of "Good". The Constitutional and Human Rights Division achieved a performance grade of "Fair". Table 16 Highlights the performance of the Milimani High Court Divisions.

Table 16: Performance of Milimani High Court Divisions.

Milimani High Court Divisions	Composite Score	Performance Score	Performance Grade
Anti-Corruption and Economic Crimes	2.836	100.00	Very Good
Judicial Review	3.178	100.00	Very Good
Criminal Division	3.265	95.92	Good
Civil Division	3.346	90.85	Good
Commercial and Tax	3.429	85.68	Good
Family Division	3.429	85.66	Good
Constitution and Human Rights	3.663	71.08	Fair

2.4.9.3 Hearing and Determination of Cases within 360 days – Milimani High Court Divisions

On hearing and determination of cases within 360 days, the ACEC Division heard and determined 35 per cent of cases within 360 days from the date of filing, while the Judicial Review achieved 33 per cent. Table 17 shows the performance of Milimani High Court Divisions on this indicator during the period under review.

Table 17: Hearing and Determination of Cases within 360 days – Milimani High Court Divisions.

Milimani High Court Divisions	Case Type	Achievement (%)
Anti-Corruption and Economic Crimes	Anti-Corruption Suit	35
Judicial Review	Judicial Review	33
Commercial and Tax	Commercial Suit	17
Family	Matrimonial Case	9
Criminal	Murder	6
Civil	Civil Suit	3
Constitution and Human Rights	Constitutional Petition	0

2.4.9.4 Case Clearance Rate – Milimani High Court Divisions

The Family Division achieved the Highest case clearance rate, at 211per cent, followed by the Civil Division with 176 per cent. The performance of Milimani High Court Divisions on case clearance rate are presented in Table 18.

Table 18: Performance of Milimani High Court Divisions on Case Clearance Rate.

Milimani High Court Divisions	CCR (%)
Family	211
Civil	176
Judicial Review	154
Commercial and Tax	150
Anti-Corruption and Economic Crimes	148
Constitution and Human Rights	91
Criminal	60

2.4.9.5 Reduction of Case Backlog – Milimani High Court Divisions

The Judicial Review had the highest case backlog reduction of 53 per cent, followed by the Criminal Division with 19 per cent. Conversely, the rest of the Divisions had an increase in case backlog during the period under review. Table 19 shows the performance of Milimani High Court Divisions on reduction of case backlog.

Table 19: Performance of Milimani High Court Divisions on Reduction of case backlog.

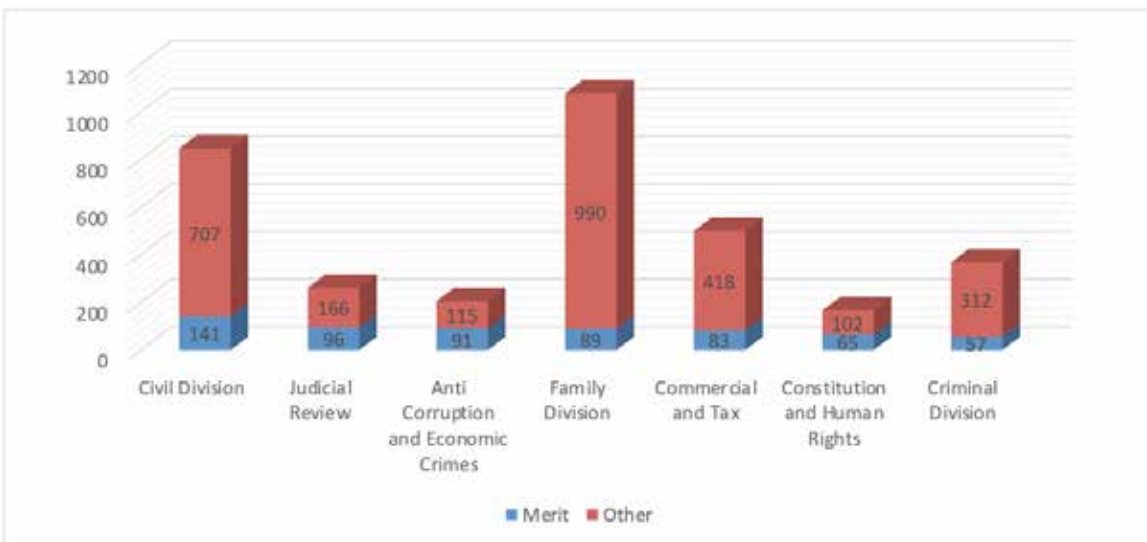
Milimani High Court Divisions	Case Backlog Reduction (%)
Judicial Review	-53
Criminal	-19
Anti-Corruption and Economic Crimes	24
Commercial and Tax	25
Civil	39
Family	100
Constitution and Human Rights	100

+ Increase in backlog - Reduction in backlog

2.4.9.6 Judge’s Productivity – Milimani High Court Divisions

The Civil Division achieved the highest judge’s merit productivity of 141 cases followed by the Family Division at 117 cases and then the Judicial Review Division with 96 cases. Additionally, with the resolution of 1,814 cases, the Family Division achieved the highest level in other Productivity per a judge. The results pertaining to the judges’ merit and other productivity for all the divisions are illustrated in Figure 45.

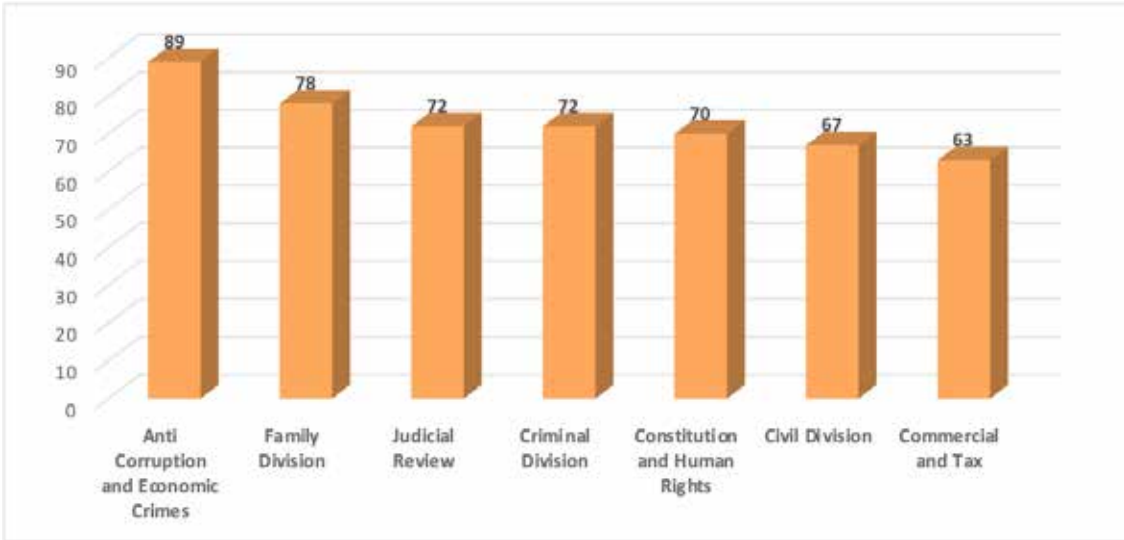
Figure 45: Performance of Milimani High Court Divisions on Judge’s Merit and Other Productivity.



2.4.9.7 Delivery of judgments and rulings within 60 days of conclusion of hearing – Milimani High Court Divisions

The Anti-Corruption and Economic Crimes Division was the top performing Division on delivery of judgments and rulings within 60 days of conclusion of the hearing. The Division delivered 89 per cent of all its judgments and rulings within the stipulated time frame. It was followed by the Family Division with 78 per cent. The Criminal and the Judicial Review Divisions had 72 per cent each. The performance of Milimani High Court Divisions on this indicator is presented in Figure 46.

Figure 46: Performance of Milimani High Court Divisions on delivery of Judgments and rulings within 60 days.



2.5 EMPLOYMENT AND LABOUR RELATIONS COURT PERFORMANCE

2.5.1 Introduction

The Employment and Labour Relations Court (ELRC) was established under Article 162 (2) of the Constitution as a specialised superior court which is mandated to resolve employment and industrial relations disputes in Kenya. There were 7 ELRC Stations that signed the 2022/23 PMMUs and were evaluated. These Stations include: Bungoma, Eldoret, Kisumu, Mombasa, Nairobi, Nakuru, and Nyeri.

Performance indicators evaluated in the ELRC included the following:

- i. Substantive claims determined within 360 days of filing
- ii. ELRC Petitions concluded within 360 days from date of filing
- iii. ELRC Judicial Reviews concluded within 90 days from date of filing
- iv. Judgments and rulings delivered within 60 days of conclusion of hearing
- v. Judgments and rulings delivered as first scheduled
- vi. Case Clearance Rate
- vii. Reduction of case backlog
- viii. Productivity

2.5.2 Performance Trend of Employment and Labour Relations Court

The ELRC achieved an overall performance score of 100 per cent. This was an improvement from the court's performance score of 92.54 per cent in the previous financial year. In addition, the ELRC achieved a higher performance score than the aggregate Judiciary court performance of 96.72.

Figure 47 illustrates ELRC's performance trend over the last six years.

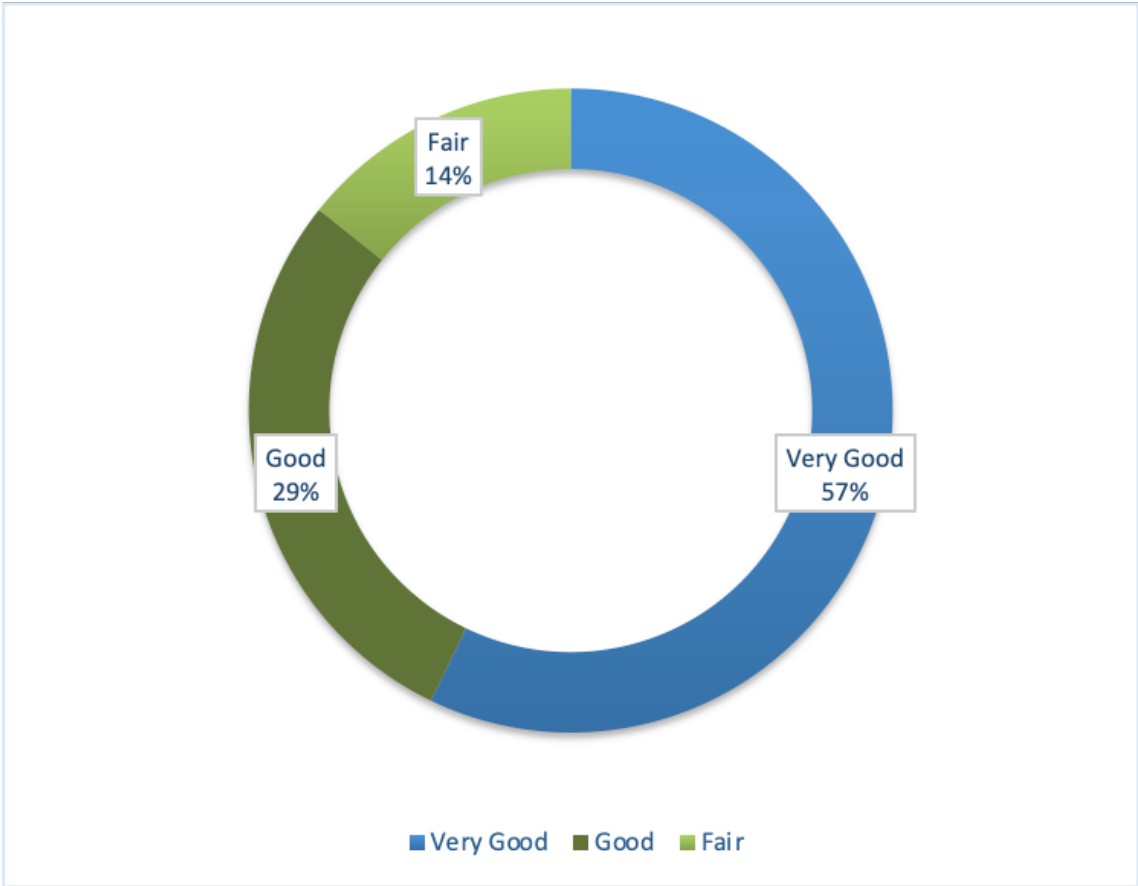
Figure 47: ELRC performance trend.



2.5.3 Overall Performance of Employment and Labour Relations Courts

Generally, the ELRC achieved performance grades ranging from “Very Good”, “Good”, and “Fair” during the period under review. Four courts representing 57 per cent achieved a performance grade of “Very Good”, 2 attained “Good” representing 29 per cent and 1 court achieved a performance grade of “Fair” representing 14 per cent. The results on proportion of performance grades attained by ELRC are illustrated in Figure 48.

Figure 48: Overall performance of ELRC.



2.5.4 Overall Top Performing ELRC Stations

Kisumu ELRC was the best performing court. The court achieved a performance grade of “Very Good” with a composite score of 2.721. Other ELRC Stations with a performance grade of “Very Good” included Bungoma, Nakuru and Eldoret with composite scores of 2.879, 2.926 and 3.187 respectively. Table 20 Highlights the overall performance of ELRC Stations during the period under review.

Table 20: Overall performance of ELRC Stations.

Court Station	Composite Score	Performance Score	Performance Grade
Kisumu	2.721	100.00	Very Good
Bungoma	2.879	100.00	Very Good
Nakuru	2.926	100.00	Very Good
Eldoret	3.187	100.00	Very Good
Nairobi	3.306	93.35	Good
Mombasa	3.517	80.18	Good
Nyeri	3.604	74.74	Fair

2.5.5 The Most Improved Employment and Labour Relations Courts

During the period under review, 4 ELRC Stations exhibited notable performance improvements ranging from 27.28 per cent to 8.11 per cent. Bungoma ELRC had the highest performance improvement as compared to the previous year. The court’s performance rose from 64.41 per cent to 91.69 per cent which translated to 27.28 per cent improvement. The detailed results on the most improved ELRC stations are presented in Table 21.

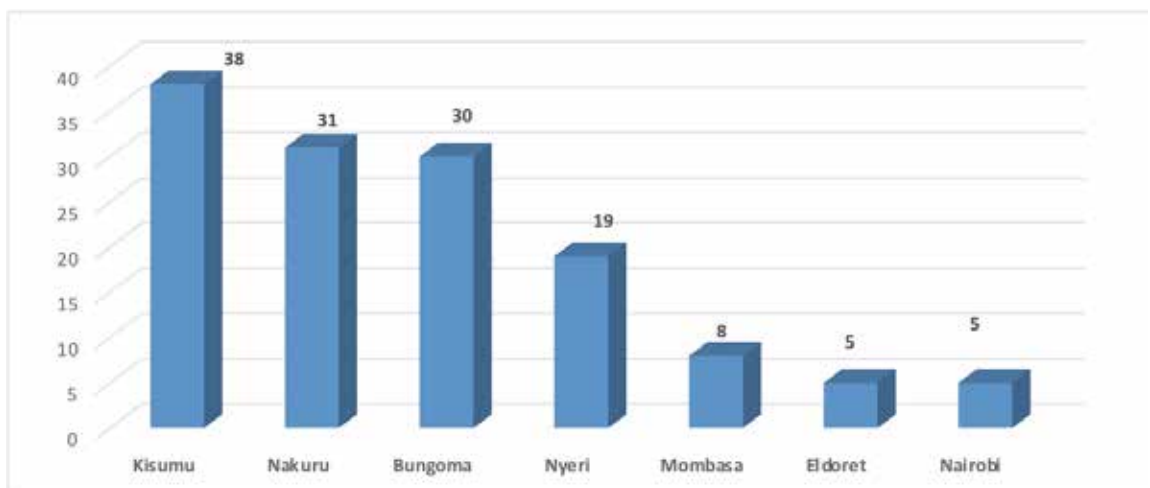
Table 21: Most Improved ELRC Stations.

Station	Performance Score 2021-22(%)	Score 2022-23(%)	Percentage Improvement
Bungoma	64.41	91.69	27.28
Nairobi	72.21	93.35	21.14
Nyeri	65.5	74.74	9.24
Eldoret	91.89	100	8.11

2.5.6 Performance of ELRC Stations on Hearing and Determination of Substantive Claims within 360 days from date of filing

Kisumu ELRC emerged the best performing court on hearing and determination of substantive claims within 360 days from date of filing. The court achieved 38 per cent on this indicator. It was followed by Nakuru and Bungoma ELRCs which attained 31 per cent and 30 per cent respectively. Figure 49 presents the performance of ELRC Stations on hearing and determination of substantive claims within 360 days.

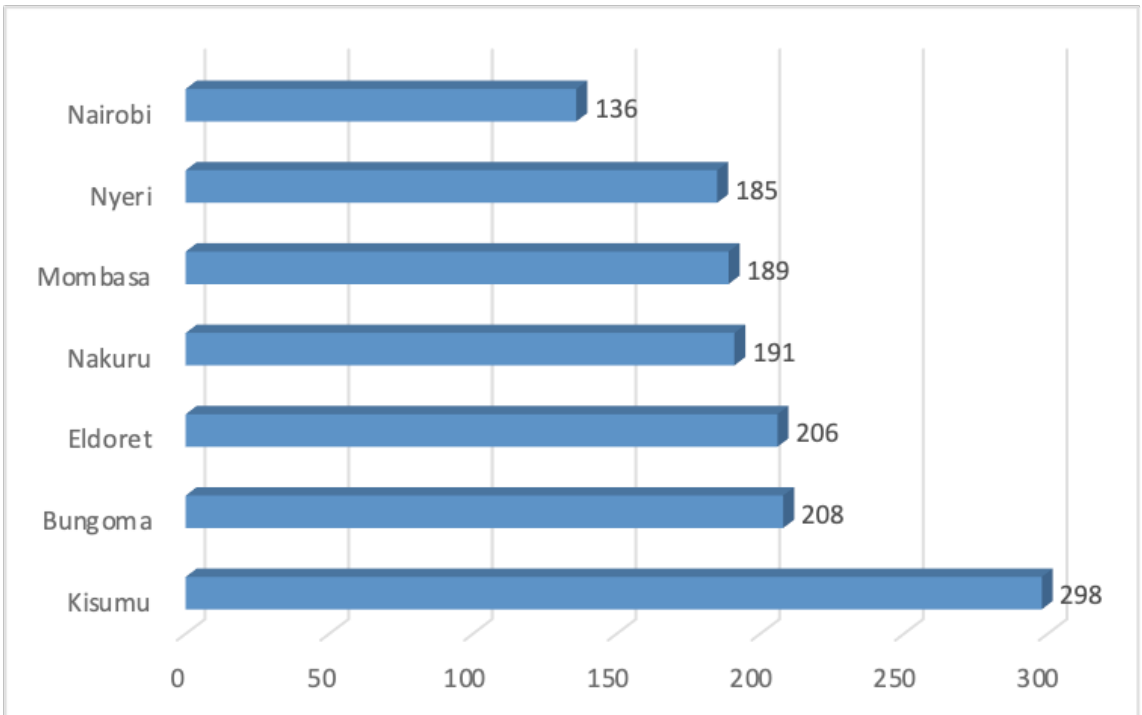
Figure 49: Performance of ELRC Stations on Hearing and Determination of substantive claims within 360 days.



2.5.7 Performance of ELRC Stations on Case Clearance Rate

Kisumu ELRC attained the Highest CCR of 298 per cent, followed by Bungoma ELRC with a CCR of 208 per cent and Eldoret ELRC with 206 per cent. The performance of ELRC Stations on case clearance rate is depicted in Figure 50.

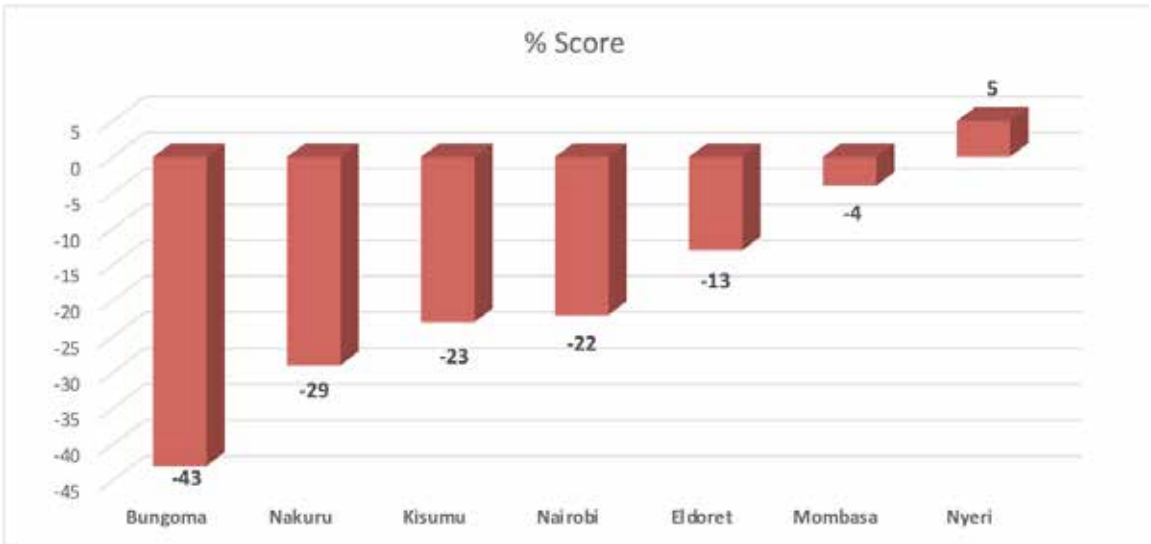
Figure 50: Performance of ELRC Stations on Case clearance rate.



2.5.8 Performance of ELRC Stations on Reduction of Case Backlog

During the period under review, all the ELRC Stations reduced case backlog except Nyeri ELRC whose backlog increased by 5 per cent. The ELRC station with Highest reduction in case backlog was Bungoma ELRC with a reduction of 43 per cent. Nakuru ELRC was second, reducing its backlog by 29 per cent followed by Kisumu ELRC which achieved a 23 per cent reduction. The evaluation results on case backlog reduction for ELRC Stations are presented in Figure 51.

Figure 51: Performance of ELRC Stations on Reduction of case backlog.

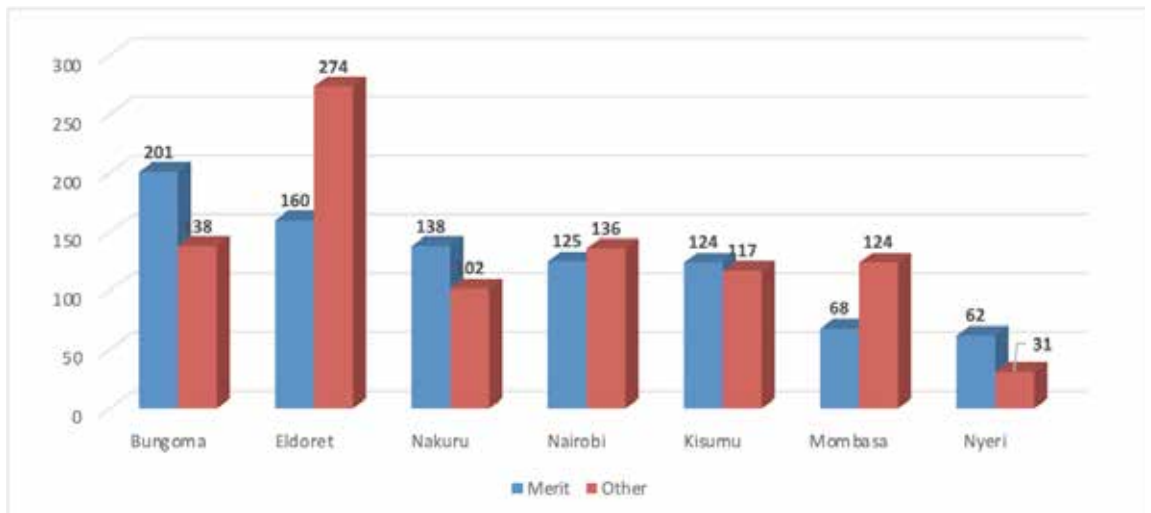


+ Increase in backlog - Reduction in backlog

2.5.9 Performance of ELRC Stations on Judge’s Merit and Other Productivity

Bungoma ELRC had the Highest Judge’s merit productivity of 201 cases. Eldoret and Nakuru ELRC achieved 160 and 138 cases respectively. In terms of Judge’s other productivity, Eldoret ELRC had 274 cases, followed by Bungoma and Nairobi ELRCs with 138 and 136 cases respectively. Figure 52 presents the performance of ELRC Stations on Judge’s merit and other productivity.

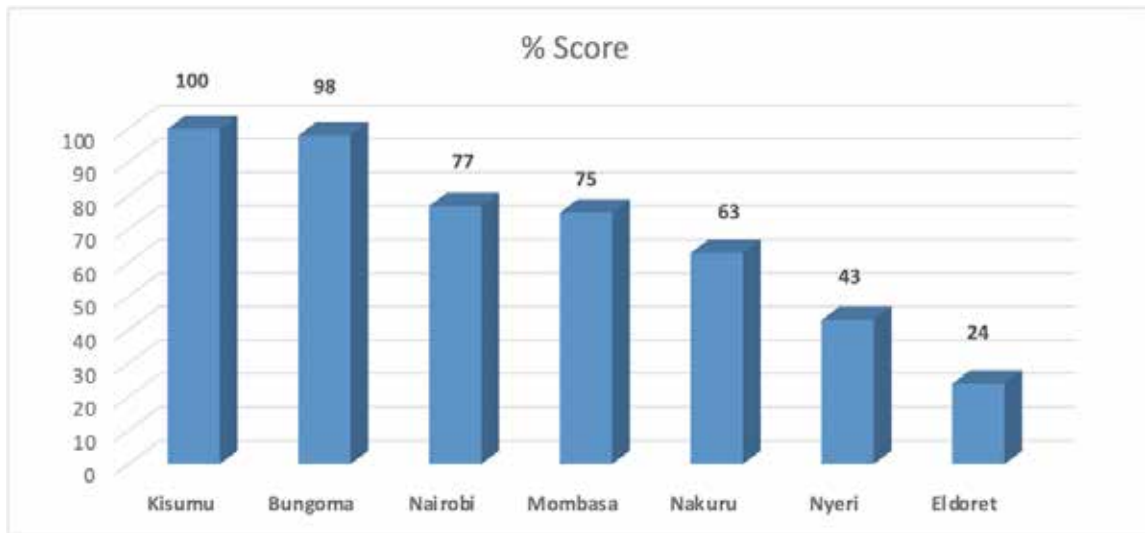
Figure 52: Performance of ELRC Stations on Judge’s Merit and Other Productivity.



2.5.10 Performance of ELRC Stations on Delivery of Judgments and Rulings within 60 days of conclusion of the hearing

Kisumu ELRC emerged the top performing court as it delivered all its judgments and rulings within the stipulated time thus achieving 100 per cent. Bungoma and Nairobi delivered 98 and 77 per cent of the judgments and rulings within 60 days respectively. The evaluation results on this indicator for ELRC stations are presented in Figure 53.

Figure 53: Performance of ELRC Stations on Delivery of Judgments and Rulings within 60 days.



2.6 ENVIRONMENT AND LAND COURT PERFORMANCE

2.6.1 Introduction

The Environment and Land Court (ELC) is a superior court of record with exclusive original jurisdiction to resolve disputes concerning the environment and land. The court also possesses appellate and supervisory powers over subordinate courts (including specialised tribunals) that handle cases within its specialised jurisdiction. The court oversees public bodies that make quasi-judicial decisions within its jurisdiction.

During the period under review, 36 ELC Stations signed PMMUs and were evaluated.

The following performance indicators were assessed for ELC Stations;

- i. Land related matters concluded within 360 days from the date of filing
- ii. Land related judicial review cases concluded within 360 days from the date of filing
- iii. Land related constitutional petitions cases concluded within 180 days from the date of filing

- iv. Judgments and rulings rendered within 60 days after close of submission
- v. Delivery of judgments and rulings as first scheduled
- vi. Case clearance rate
- vii. Case backlog reduction
- viii. Judge's merit productivity
- ix. Judge's other productivity

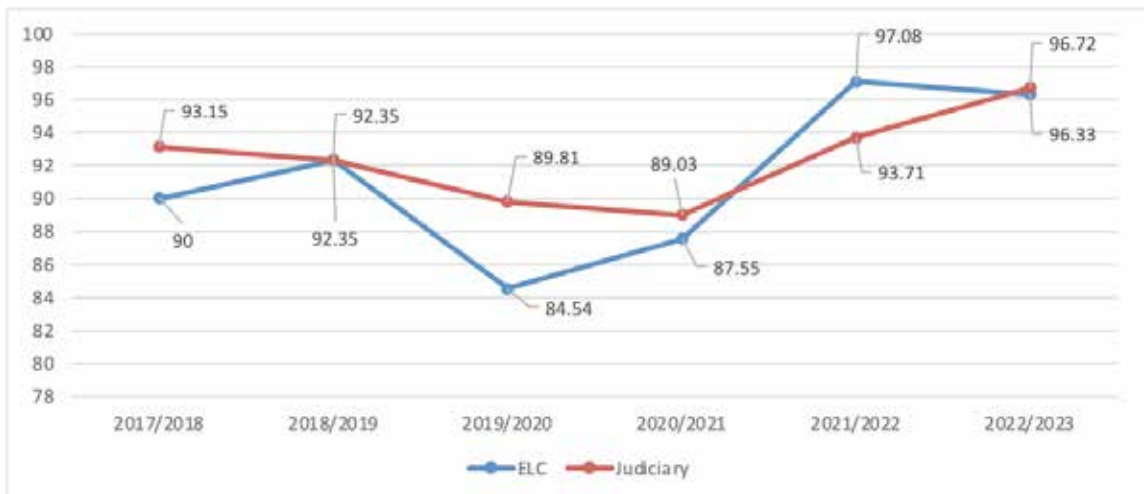
The Environment and Lands Courts were classified into three categories based on the caseload. These include;

- i. Courts with a caseload of over 200 filed cases
- ii. Courts with a caseload between 100 and 200 cases
- iii. Courts with a caseload of 100 filed cases and below

2.6.2 Performance Trends of Environment and Land Court

The evaluation carried out in the financial year 2022/2023 showed a decline in the ELC's performance, as evidenced by its mean score of 96.33 per cent, which was a decrease of 0.75 per cent compared to the average score of 97.08 per cent recorded in the preceding financial year. In addition, the ELC court performance also recorded a slight decline from the overall Judiciary court performance of 96.72 per cent. As indicated by the trends, the Figure 54 below depicts the performance trends of the ELC over the previous six cycles.

Figure 54: Performance trends of the ELC.

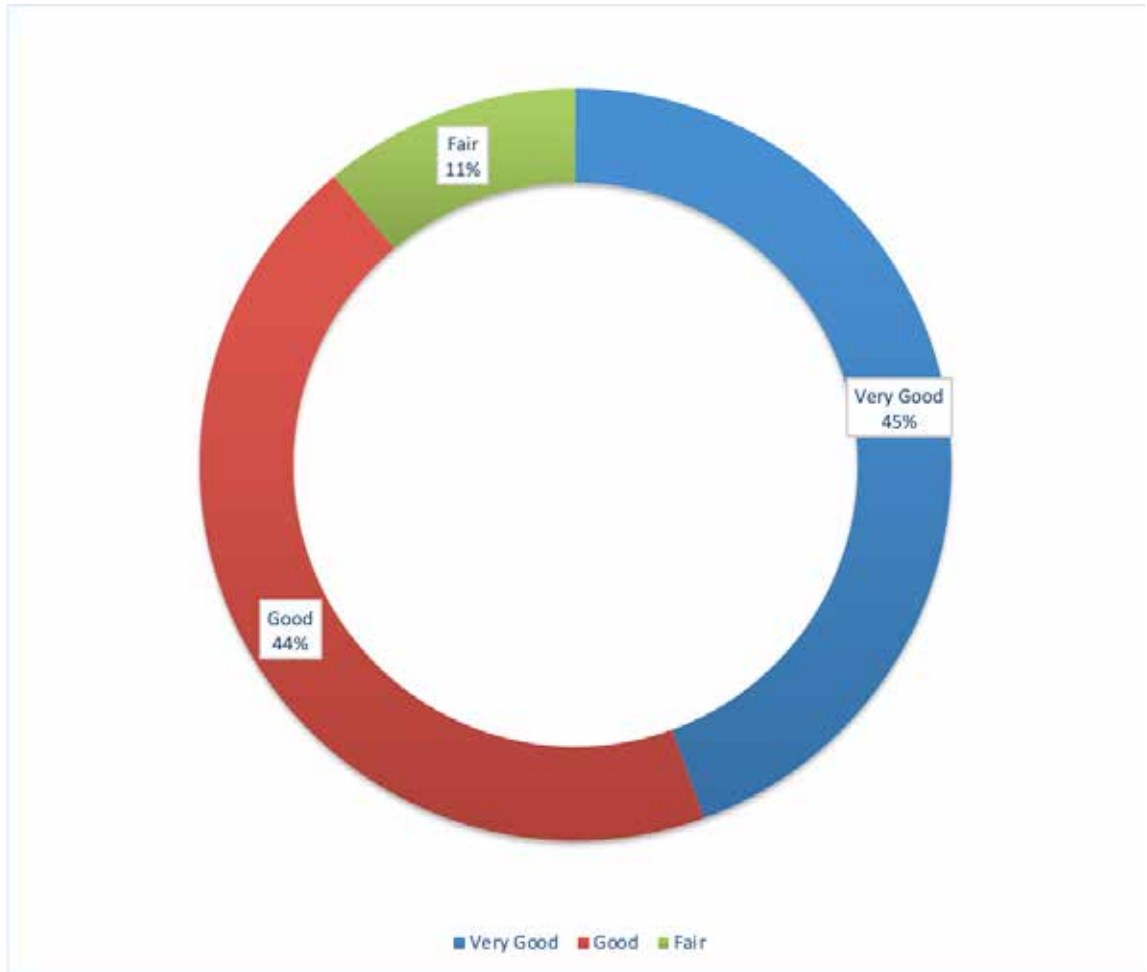


2.6.3 Overall Performance of Environment and Land Court

There was a total of 36 ELC Stations that were evaluated. Out of the 36 courts, 16 of them representing

45 per cent achieved a performance grade of "Very Good", 44 per cent achieved "Good", and 4 courts representing 11 per cent achieved a score of "Fair". There was no ELC station that achieved a performance grade of "Outstanding", "Excellent", or "Poor". Figure 55 shows the proportion of performance grades attained by the ELC Stations during the period under review.

Figure 55: Overall performance of ELC Stations.



2.6.4 Overall Top Performing ELC Stations

All the top 10 best performing ELC Stations achieved a performance grade of "Very Good" with the composite score ranging from 2.638 to 3.080. Thika ELC emerged as the best performing court with a composite score of 2.638. It was followed by Iten, Nanyuki, and Busia which achieved composite scores of 2.645, 2.895 and 2.908 respectively. Table 22 presents the top 10 best performing ELC Stations during the period under review.

Table 22: Overall Top performing ELC Stations.

ELC Court	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Thika	2.638	100.00	Very Good
Iten	2.645	100.00	Very Good
Nanyuki	2.895	100.00	Very Good
Busia	2.908	100.00	Very Good
Milimani	2.947	100.00	Very Good
Kericho	2.979	100.00	Very Good
Siaya	2.988	100.00	Very Good
Narok	3.043	100.00	Very Good
Muranga	3.070	100.00	Very Good
Machakos	3.080	100.00	Very Good

2.6.5 Most Improved Environment and Land Courts

Narok ELC was the most improved court, with a score of 100.00 per cent up from 68.90 per cent in the previous year, representing a 31.10 per cent improvement. It was followed by Kisumu ELC whose performance score rose from 71.59 per cent in the previous year to 100.00 per cent, translating to performance improvement of 28.41 per cent. Table 23 Highlights the most improved ELC Stations for the period under review.

Table 23: Most Improved ELC Stations.

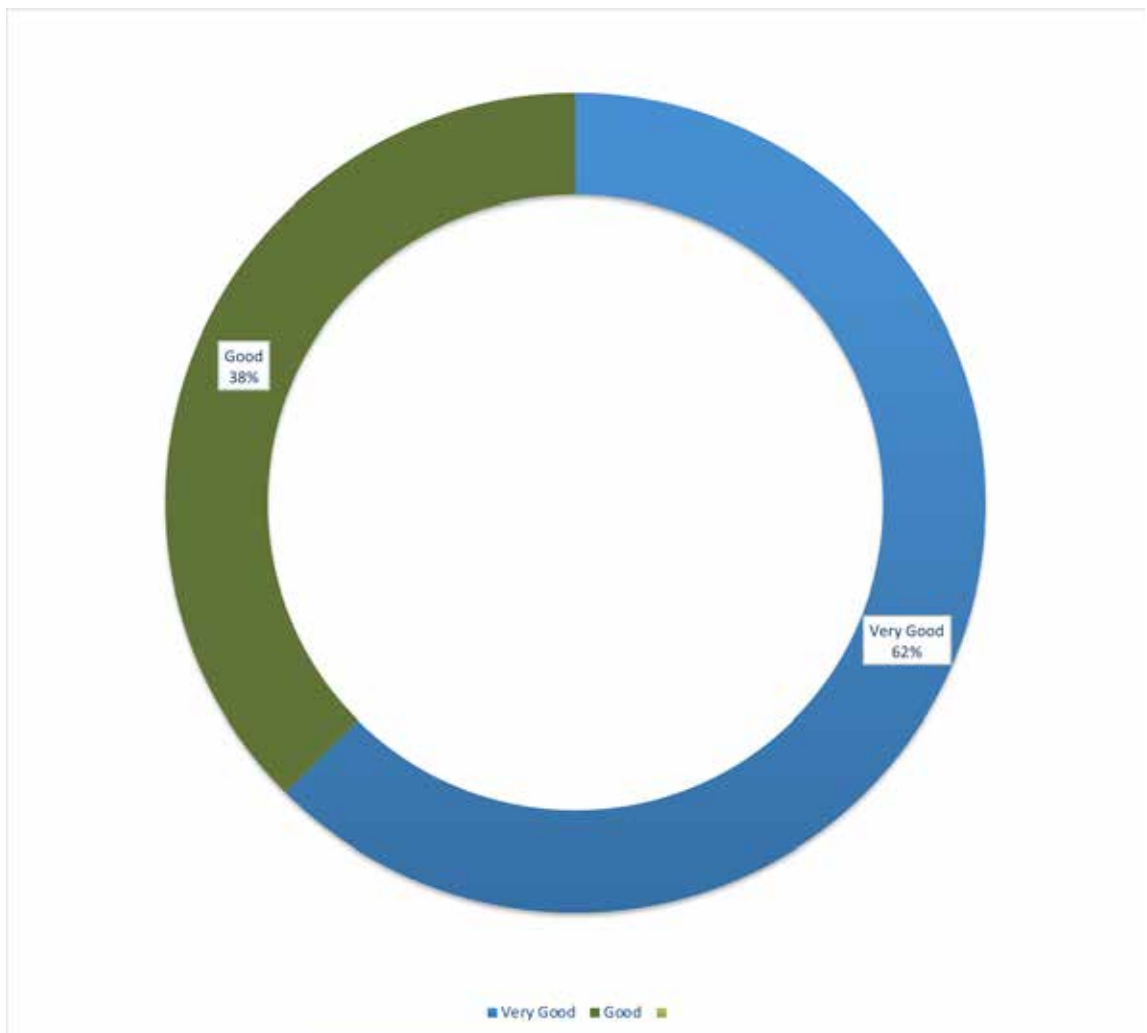
ELC Station	Performance Score (%) 2021-22	Performance Score (%) 2022-23	Improvement (%)
Narok	68.90	100.00	31.10
Kisumu	71.59	100.00	28.41
Nyahururu	50.53	73.26	22.72
Chuka	72.14	92.99	20.86
Machakos	80.06	100.00	19.94
Bungoma	74.39	93.99	19.60
Nanyuki	85.21	100.00	14.79
Milimani	85.91	100.00	14.09
Kerugoya	59.60	73.64	14.04
Kakamega	89.45	97.31	7.86

2.6.6 PERFORMANCE OF ENVIRONMENT AND LAND COURT - CASELOAD CATEGORY OF ABOVE 200 FILED CASES

2.6.6.1 Overall Performance of Environment and Land Court- Caseload Category of above 200 Cases

There was a total of 8 ELC Stations in this category out of which 5 representing 62 per cent achieved a performance grade of "Very Good" while the other 3 representing 38 per cent achieved performance grade of "Good". During the period under review, there was no ELC station that attained a performance grade of "Outstanding", "Excellent", "Fair" or "Poor" in this category. Figure 56 shows the proportion of performance grades attained by the ELC Stations.

Figure 56: Overall performance of ELC Stations - Caseload category of above 200 cases.



2.6.6.2 Top Performing ELC Stations - Caseload Category of above 200 Cases

Thika ELC was the best performing court in this category. The court achieved a performance grade of “Very Good” with a composite score of 2.638. It was followed by Milimani, Machakos, Mombasa and Nakuru which also attained a performance grade of “Very Good” each with composite scores of 2.947, 3.080, 3.123 and 3.137 respectively. Details of top performing courts in this category are presented in Table 24.

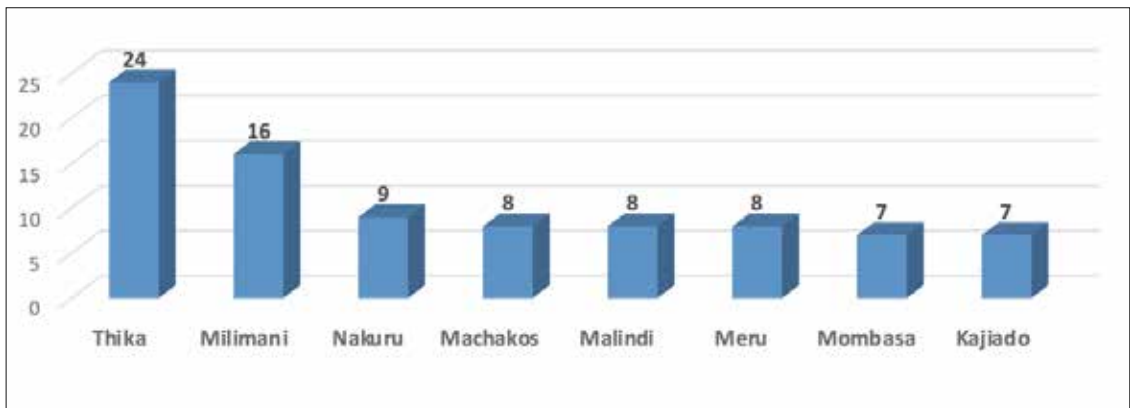
Table 24: Top performing ELC Stations - Caseload category of above 200 cases.

ELC Station	Composite Score	Performance Score	Performance Grade
Thika	2.638	100.00	Very Good
Milimani	2.947	100.00	Very Good
Machakos	3.080	100.00	Very Good
Mombasa	3.123	100.00	Very Good
Nakuru	3.137	100.00	Very Good
Meru	3.389	88.18	Good
Malindi	3.531	79.35	Good
Kajiado	3.577	76.42	Good

2.6.6.3 Performance of ELC Stations on Hearing and Determination of ELC Cases within 360 days of filing- Caseload Category of above 200 Cases

Thika ELC was the best performing court on hearing and determination of ELC suits within 360 days. The court heard and determined 24 per cent of the cases within 360 days. Milimani and Nakuru ELCs recorded 16 per cent and 9 per cent achievements respectively on this indicator. Figure 57 illustrates the performance of ELC Stations on hearing and determination of ELC cases within 360 days in this category.

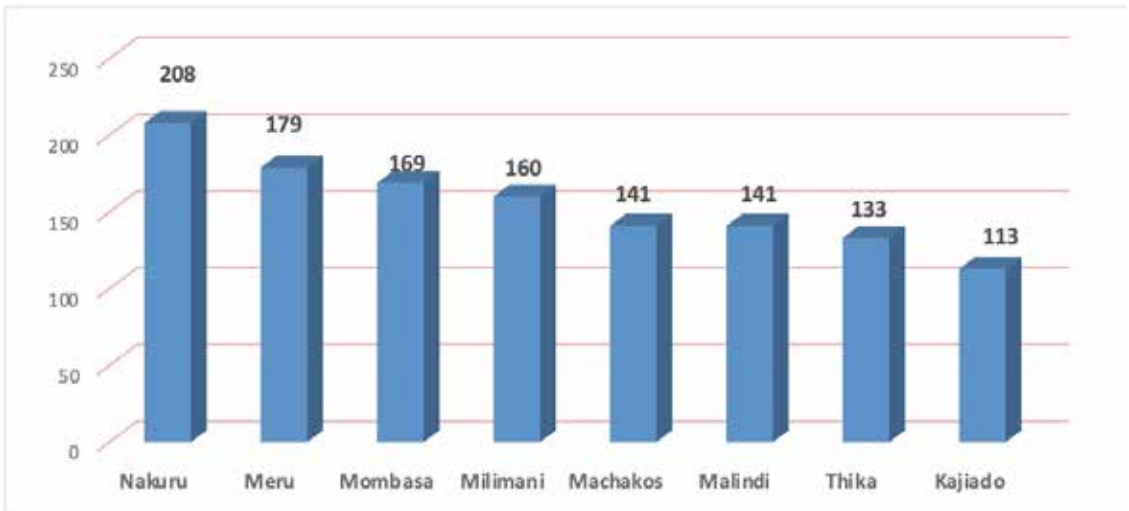
Figure 57: Performance of ELC Stations on Hearing and determination of ELC matters within 360 days - Caseload category of above 200 cases.



2.6.6.4 Performance of ELC Stations on Case Clearance Rate - Caseload Category of above 200 Cases

In this category, all the ELC Stations had a case clearance rate that was over 100 per cent. Nakuru ELC was leading with a CCR of 208 per cent. Meru, Mombasa and Milimani ELC Stations achieved a CCR of 179 per cent, 169 per cent and 160 per cent respectively. The performance of ELC Stations on case clearance rate is depicted by Figure 58.

Figure 58: Performance of ELC Stations on Case clearance rate - Caseload category of above200 cases.



2.6.6.5 Performance of ELC Stations on Reduction of Case Backlog - Caseload Category of above 200 Cases

In this category, all the courts successfully reduced their case backlog. Milimani emerged the best court achieving 55 per cent reduction in case backlog. Meru came second with an achievement of 53 per cent whereas Machakos ELC had a reduction of 47 per cent. The performance of ELC Stations on reduction of case backlog is illustrated in Figure 59.

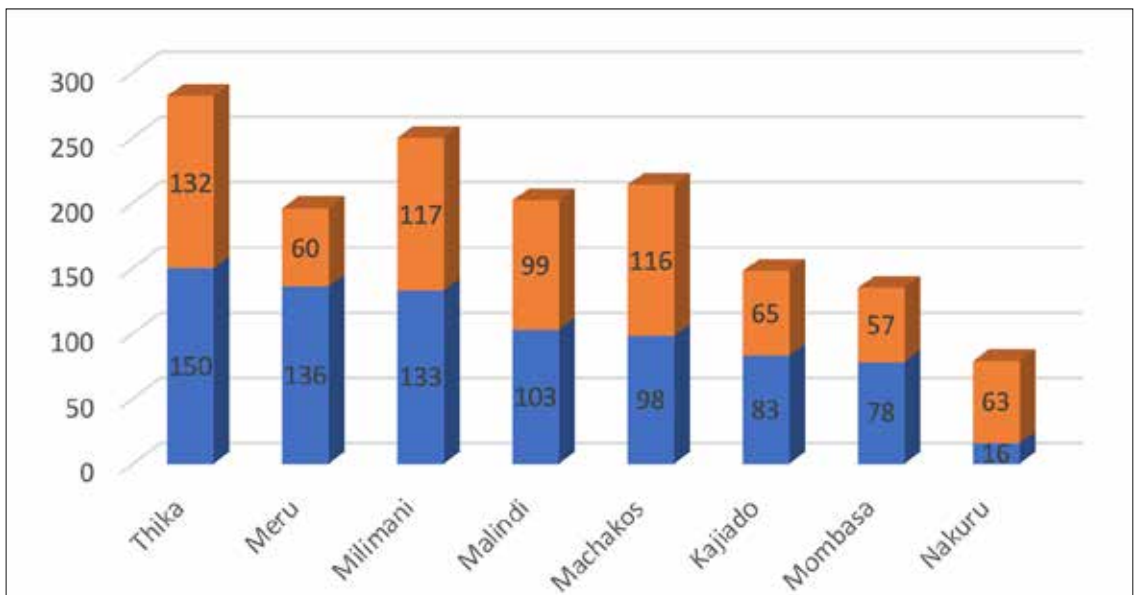
Figure 59: Performance of ELC Stations on Reduction of case backlog - Caseload category of above200 cases.



2.6.6.6 Performance of ELC Stations on Judge’s Merit and Other Productivity - Caseload Category of above 200 Cases

Thika ELC led in Judge’s merit productivity with 150 cases, followed by Meru ELC with 136 cases and Milimani ELC with 133 cases. Subsequently on the indicator of other Productivity, Thika ELC emerged as the top court with 132 cases, followed by Milimani ELC with 117 cases. Figure 60 illustrates the ELC Judge’s merit and other productivity.

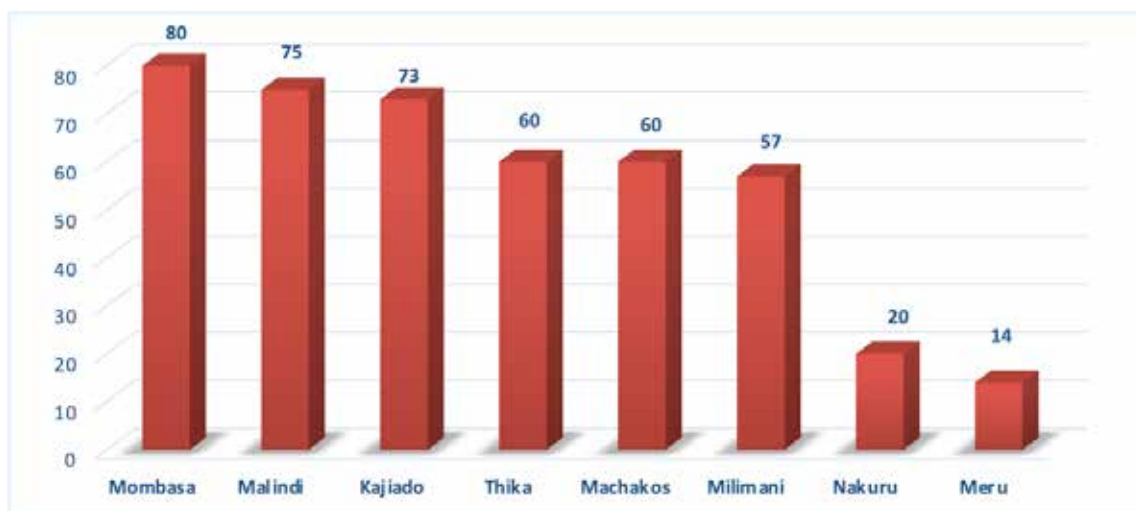
Figure 60: Performance of ELC Stations on Judge’s Merit and Other productivity - Caseload category of above200 cases.



2.6.6.7 ELC Performance of ELC Stations on Delivery of Judgments and Rulings within 60 days of Conclusion of Hearing - Caseload Category of above 200 Cases

Mombasa ELC emerged the best performing court with a score of 80 per cent for the delivery of Judgments and rulings and within 60 days. It was followed by Malindi and Kajiado ELC which attained 75 per cent and 73 per cent respectively on the same indicator. The performance of the ELC Stations on delivery of Judgments and rulings within 60 days is shown by Figure 61.

Figure 61: Performance of ELC Stations on Delivery of Judgments and rulings within 60 days - Caseload category of above 200 cases.

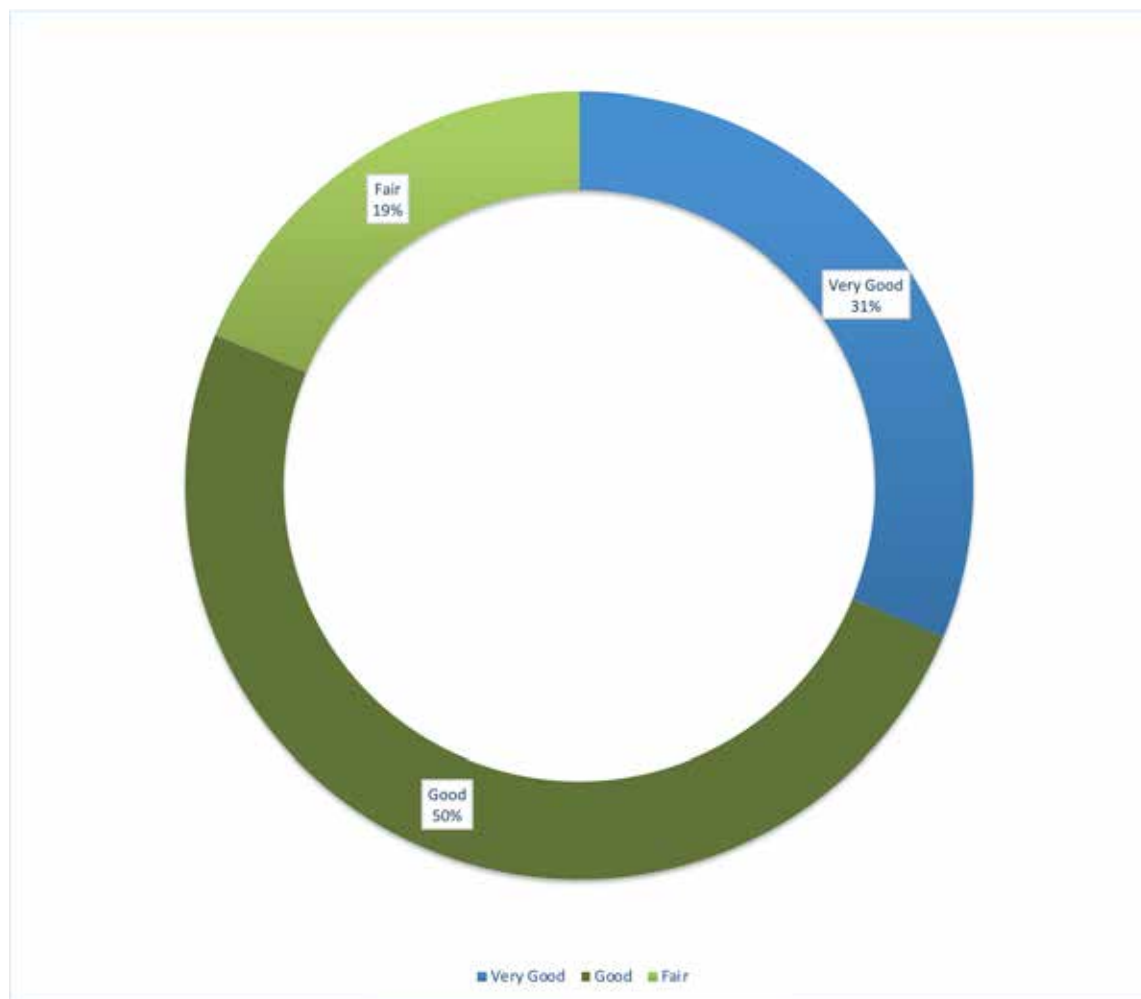


2.6.7 PERFORMANCE OF ENVIRONMENT AND LAND COURT - CASELOAD CATEGORY OF BETWEEN 100 AND 200 FILED CASES

2.6.7.1 Overall performance of ELC - Caseload Category of between 100 and 200 Cases

This category comprised of 16 courts including Busia, Siaya, Muranga, Kisumu, HomaBay, Kwale, Kakamega, Bungoma, Nyamira, Migori, Eldoret, Embu, Kitale, Kerugoya, Nyeri, and Makueni ELCs. Out of the 16 courts, 5 courts representing 31 per cent obtained "Very Good", 8 courts representing 50 per cent achieved "Good", and 3 courts representing 19 per cent attained "Fair". None of the courts in this category achieved a performance grade of "Outstanding", "Excellent" or "Poor". Figure 62 Highlights the proportion of the performance grades attained by courts in this category.

Figure 62: Overall performance of ELC Stations - caseload category of between 100 and 200 Cases.



2.6.7.2 Top Performing ELC Stations - Caseload Category of between 100 and 200 Cases

Busia ELC was the top performing court in this category. The court achieved a performance grade of “Very Good” with a composite score of 2.908. Siaya and Muranga’ ELCs came in second and third also with performance grade of “Very Good” each and composite scores of 2.988 and 3.070 respectively. The results for the top 10 performing ELC Stations in this category are shown in Table 25.

Table 25: Top Performing ELC Stations - caseload category of between 100 and 200 Cases.

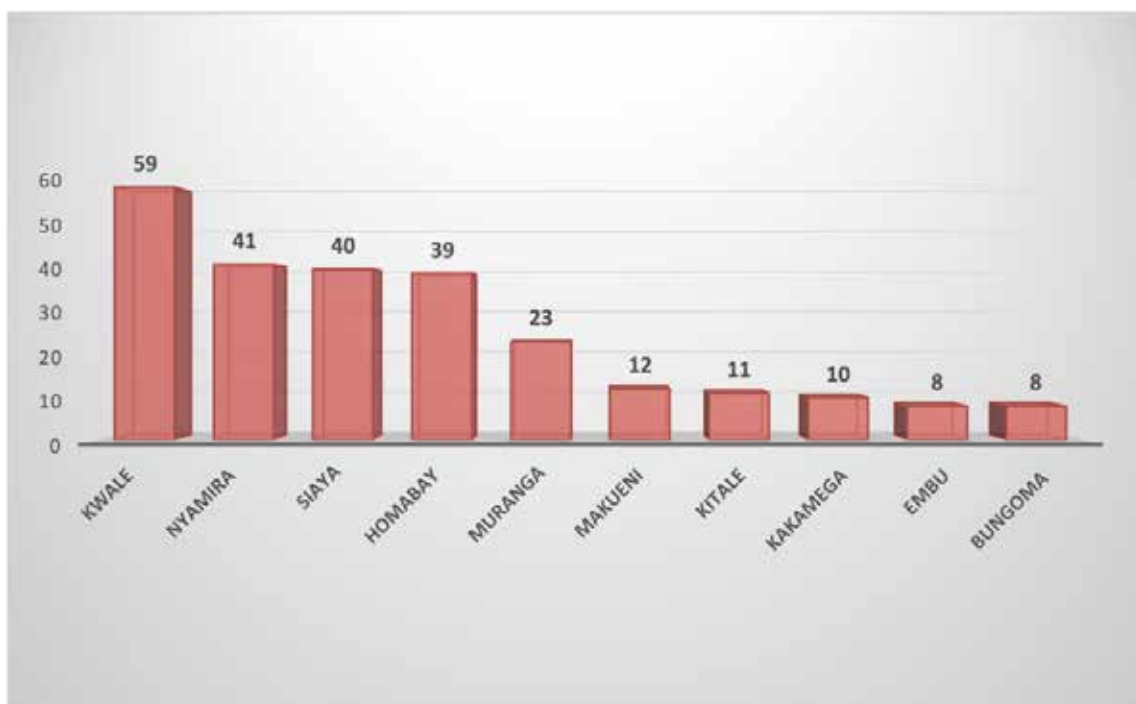
ELC Court	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Busia	2.908	100.00	Very Good
Siaya	2.988	100.00	Very Good
Muranga	3.070	100.00	Very Good

ELC Court	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Kisumu	3.096	100.00	Very Good
Homabay	3.179	100.00	Very Good
Kwale	3.242	97.38	Good
Kakamega	3.243	97.31	Good
Bungoma	3.296	93.99	Good

2.6.7.3 Performance of ELC Stations on Hearing and determination of ELC Cases within 360 days of filing- Caseload Category of between 100 and 200 Cases

Kwale was the top performing court on hearing and determination of ELC cases within 360 days. The court achieved 59 per cent. Nyamira attained 41 per cent while Siaya achieved 40 per cent. The performance of the top 10 ELC Stations is illustrated in Figure 63.

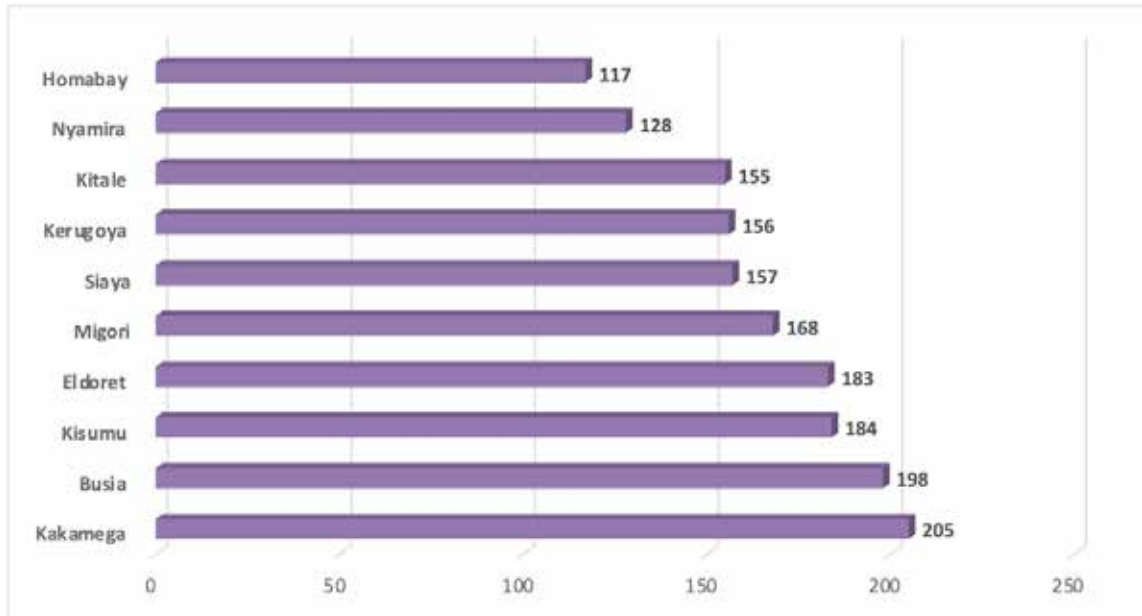
Figure 63: Performance of ELC Stations on Hearing and determination of ELC Cases within 360 days - caseload category of between 100 and 200 Cases.



2.6.7.4 Performance of ELC Stations on Case Clearance Rate - Caseload Category of between 100 and 200 Cases

The top 10 best performing ELC Stations in this category had a CCR above 100 per cent. Kakamega ELC was leading in this category with a CCR of 205 per cent. Busia and Kisumu ELCs had a CCR of 198 per cent and 184 per cent respectively. The performance of the top 10 ELC Stations in this category is presented in Figure 64.

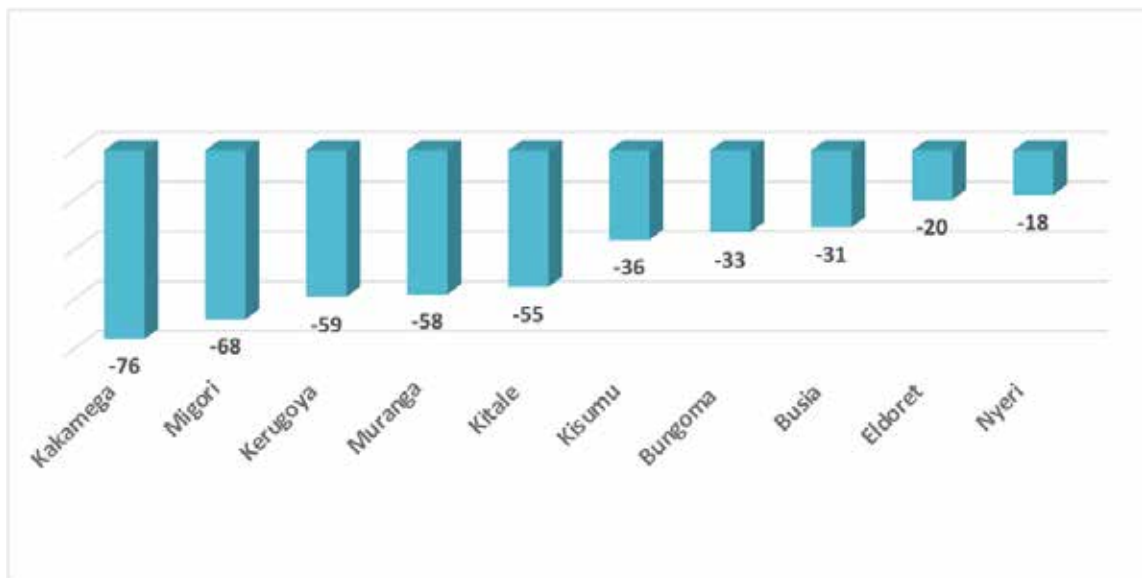
Figure 64: Performance of ELC Stations on Case Clearance Rate - caseload category of between 100 and 200 Cases.



2.6.7.5 Performance of ELC Stations on Reduction of Case Backlog –Caseload Category of between 100 and 200 Cases

Within this category, the top 10 courts successfully reduced the case backlog. Kakamega ELC reduced its case backlog by 76 per cent. Migori and Kerugoya ELCs managed to reduce the case backlog by 68 per cent and 59 per cent, respectively. Details on the reduction of case backlog by ELC Stations in this category are provided in Figure 65.

Figure 65: Performance of ELC Stations on Reduction of Case Backlog - caseload category of between 100 and 200 Cases.

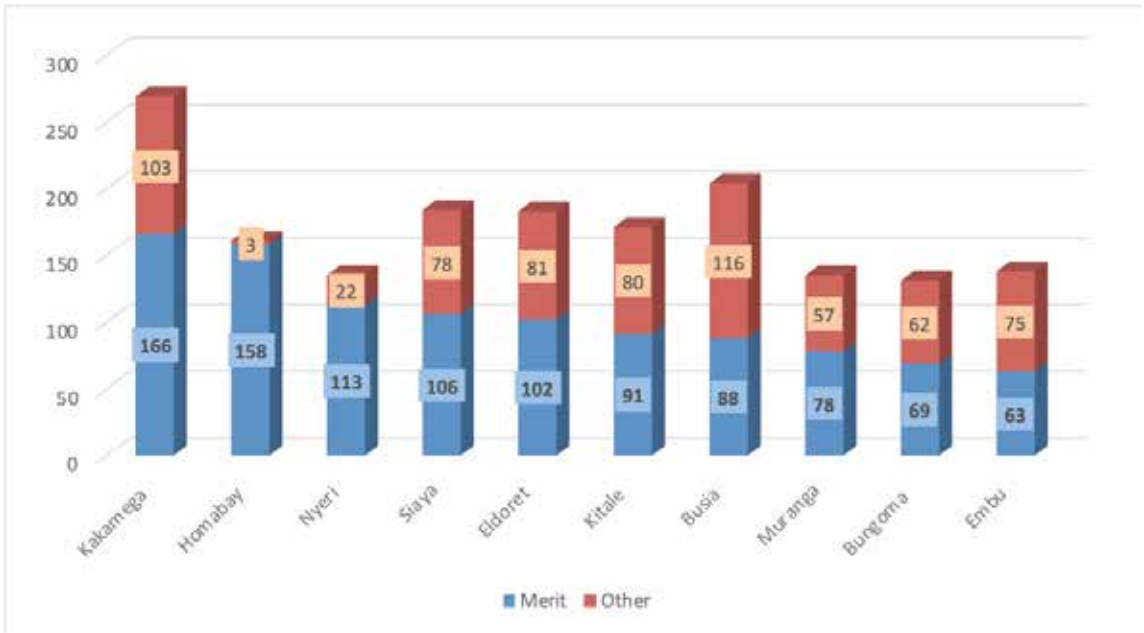


+ Increase in backlog - Reduction in backlog

2.6.7.6 Performance of ELC Stations on Judge’s Merit and Other Productivity – Caseload Category of between 100 and 200 Cases

Kakamega ELC attained the highest Judge’s merit productivity of 166 cases in the category. HomaBay and Nyeri ELCs followed achieved 158 and 133 cases respectively. The performance of ELC Stations on Judge’s merit and other productivity is depicted by Figure 66.

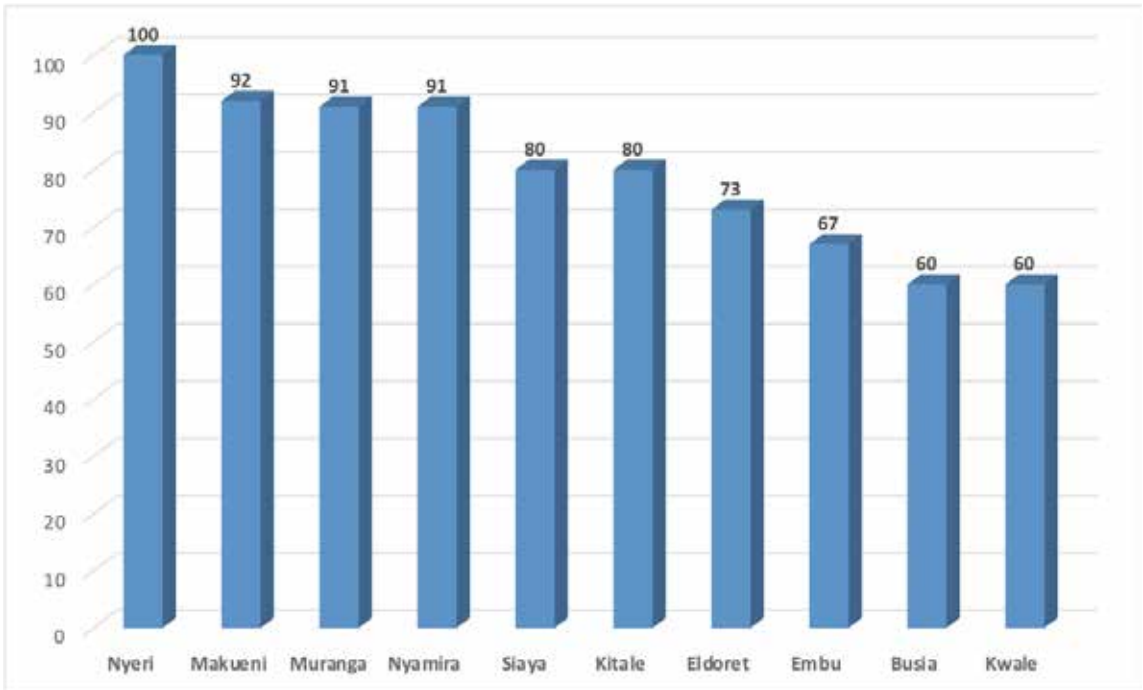
Figure 66: Performance of ELC Stations on Judge’s Merit and Other productivity- caseload category of between 100 and 200 Cases.



2.6.7.7 Performance of ELC Stations on Delivery of Judgments and Rulings within 60 days of Conclusion of Hearing – Caseload Category of between 100 and 200 Cases

Nyeri ELC was the top performing court on this indicator as it delivered all its judgments and rulings within 60 days. Makueni and Murang’a ELCs managed to deliver 92 per cent and 91 per cent of their judgments and rulings within the stipulated timeframe respectively. Figure 67 Highlights the top performing ELC Stations on Judgments and rulings within 60 days.

Figure 67: Performance of ELC Stations on Delivery of Judgments and Rulings within 60 days - caseload category of between 100 and 200 Cases.

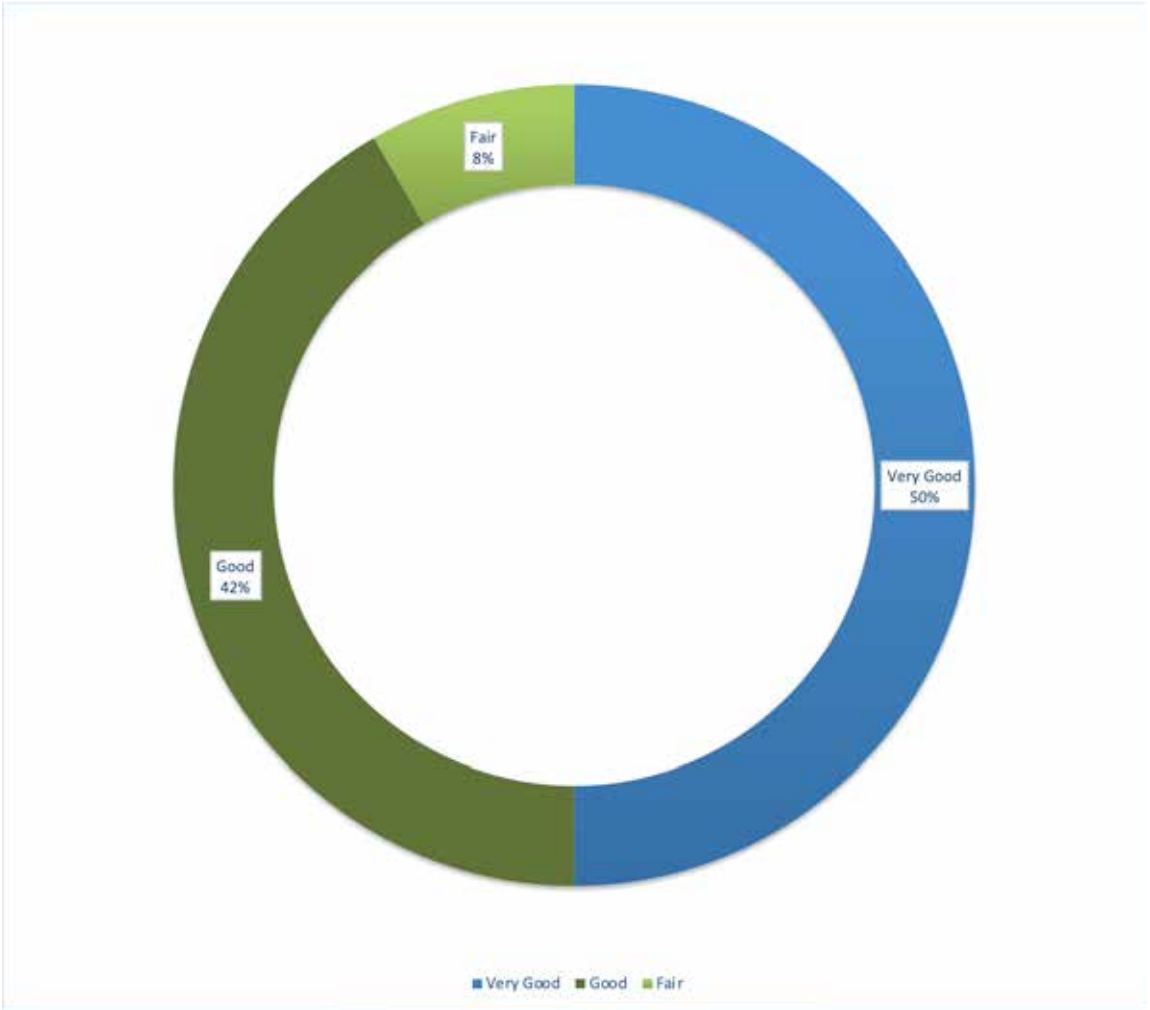


2.6.8 PERFORMANCE OF ENVIRONMENT AND LAND COURT - CASELOAD CATEGORY OF BELOW 100 FILED CASES

2.6.8.1 Overall performance of ELC - Caseload Category of below 100 Cases

This category consisted of 12 Environment and Land Court Stations, including Chuka, Isiolo, Iten, Kapsabet, Kericho, Kilgoris, Kisii, Kitui, Nanyuki, Narok, Nyahururu and Vihiga ELCs. Among the 12 courts, 6 representing 50 per cent achieved an overall performance grade of “Very Good”, 5 representing 42 per cent achieved “Good” and 1 court representing 8 per cent achieved a performance grade of “Fair.” There was no court in this category that achieved a performance grade of “Outstanding”, “Excellent” and “Poor. Figure 68 presents the proportion of performance grades attained in the category.

Figure 68: Overall performance of ELC Stations - Caseload category of below 100 cases.



2.6.8.2 Top Performing ELC Stations - Caseload Category of below 100 Cases

With a performance grade of “Very Good” and a composite score of 2.645, Iten ELC emerged as the best performing court in this category. Nanyuki and Kericho ELCs came in second and third both with performance grades of “Very Good” and composite scores of 2.895 and 2.979 respectively. Table 26 displays the top ten performing ELC Stations in this category.

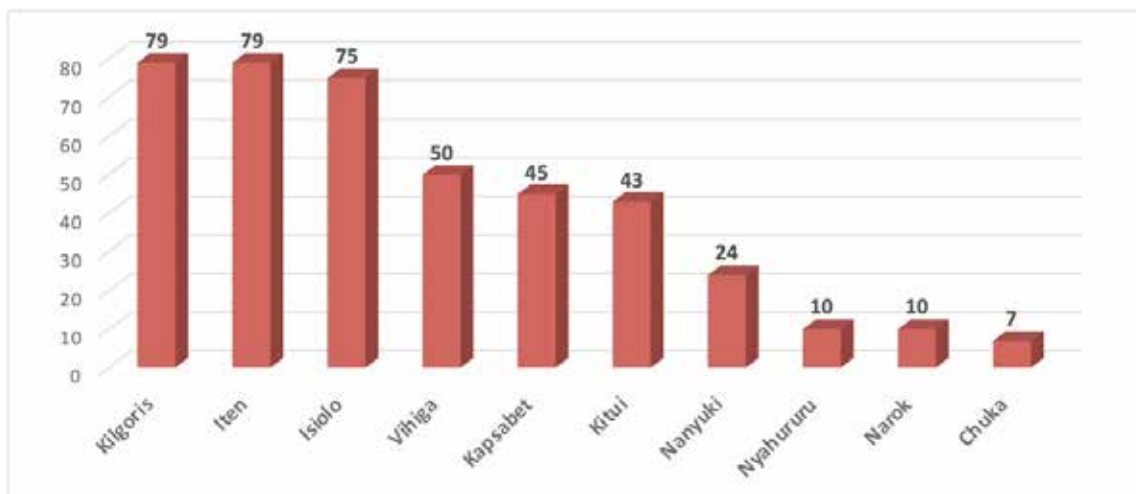
Table 26: Top Performing ELC Stations - Caseload category of below 100 cases.

ELC Station	Composite Score	Performance Score	Performance Grade
Iten	2.645	100.00	Very Good
Nanyuki	2.895	100.00	Very Good
Kericho	2.979	100.00	Very Good
Narok	3.043	100.00	Very Good
Kitui	3.100	100.00	Very Good
Kisii	3.189	100.00	Very Good
Vihiga	3.292	94.26	Good
Chuka	3.312	92.99	Good

2.6.8.3 Performance of ELC Stations on Hearing and determination of ELC Cases within 360 days of filing- Caseload Category of below 100 Cases

Iten and Kilgoris ELCs emerged as the top courts in terms of hearing and determining ELC cases within 360 days as both of them achieved 79 per cent. They were closely followed by Isiolo ELC, which attained 75 per cent. Details of the top 10 best performing ELC Stations on hearing and determination of ELC cases within 360 days from the date of filing are outlined in Figure 69.

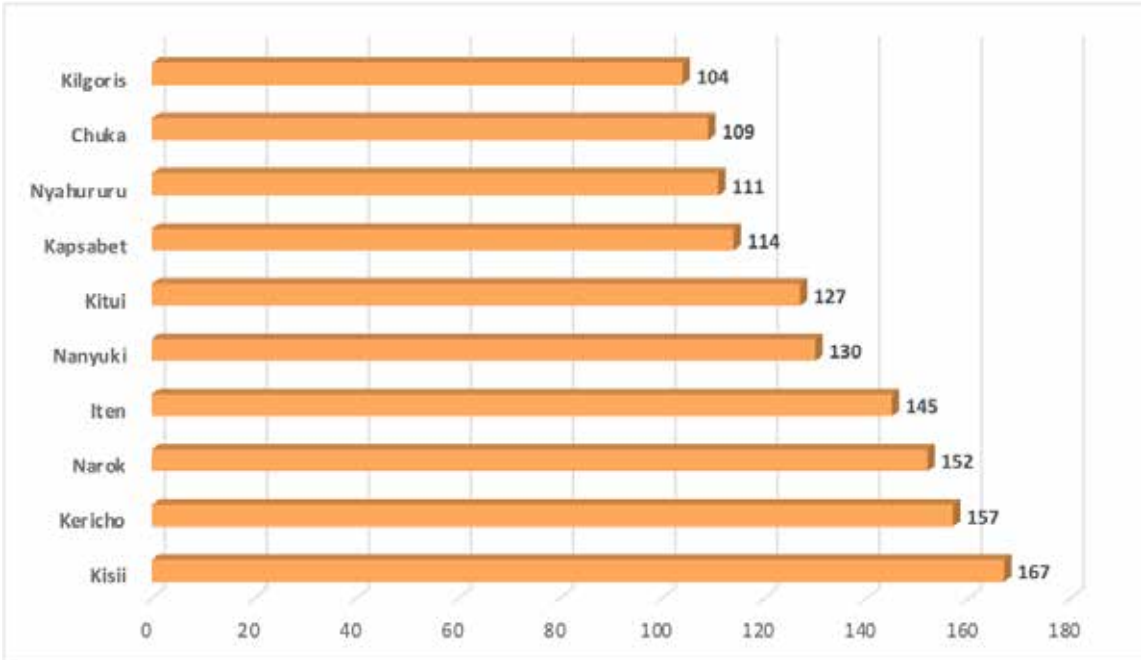
Figure 69: Performance of ELC Stations on Hearing and determination of ELC Cases within 360 days - Caseload category of below 100 cases.



2.6.8.4 Performance of ELC Stations on Case Clearance Rate - ELC, Caseload Category of below 100 Cases

All the courts in this category attained a CCR of above 100 per cent. Kisii ELC was the top performing court with a CCR of 167 per cent. It was followed by Kericho and Narok ELCs with a CCR of 157 per cent and 152 per cent respectively. Figure 70 shows the performance of ELC Stations on CCR in this category.

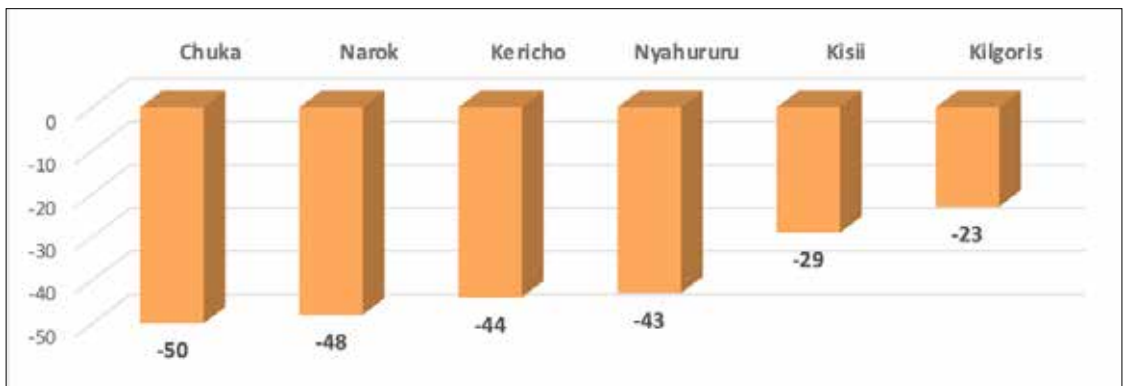
Figure 70: Performance of ELC Stations on Case Clearance Rate - Caseload category of below 100 cases.



2.6.8.5 Performance of ELC Stations on Reduction of Case Backlog - Caseload Category of below 100 Cases

Chuka ELC successfully reduced its case backlog by 50 per cent. Narok and Kericho ELCs managed to reduce the case backlog by 48 per cent and 44 per cent respectively. Figure 71 Highlights the performance of ELC Stations on reduction of case backlog during the period under review.

Figure 71: Performance of ELC Stations on Reduction of Case Backlog - Caseload category of below 100 cases.

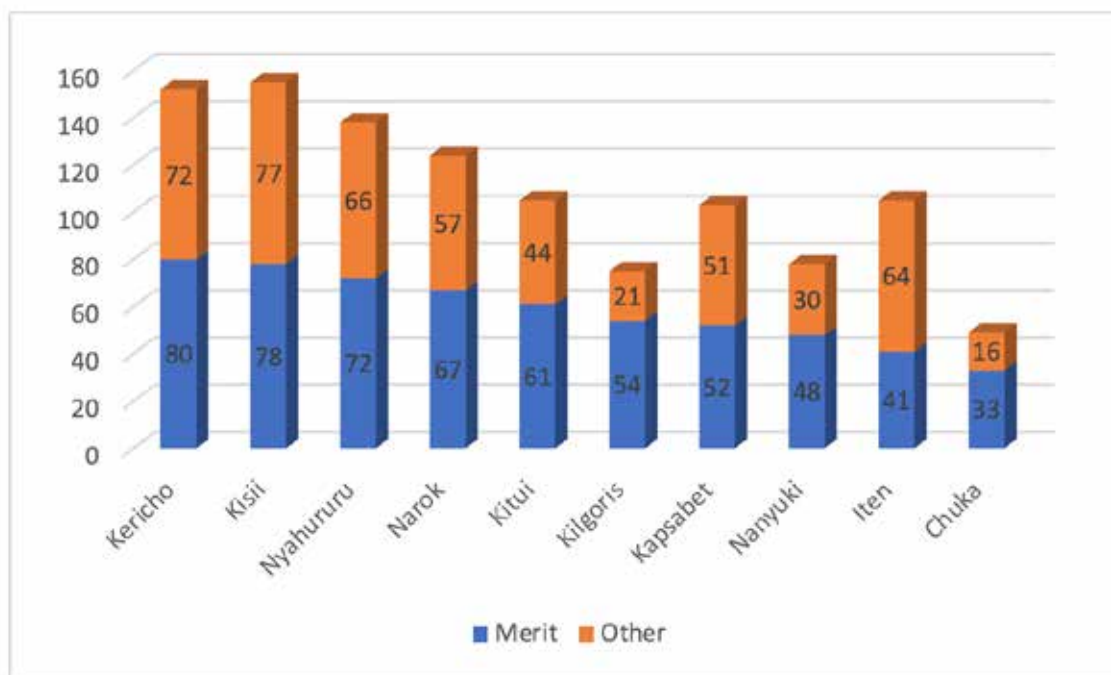


+ Increase in backlog - Reduction in backlog

2.6.8.6 Performance of ELC Stations on Judge's Merit and Other Productivity - Caseload Category of below 100 Cases

Kericho ELC had the Highest Judge's merit productivity of 80 cases. It was followed by Kisii and Nyahururu ELCs with achievements of 78 and 72 cases respectively. The performance of ELC Stations on Judge's merit and other productivity are shown in Figure 72.

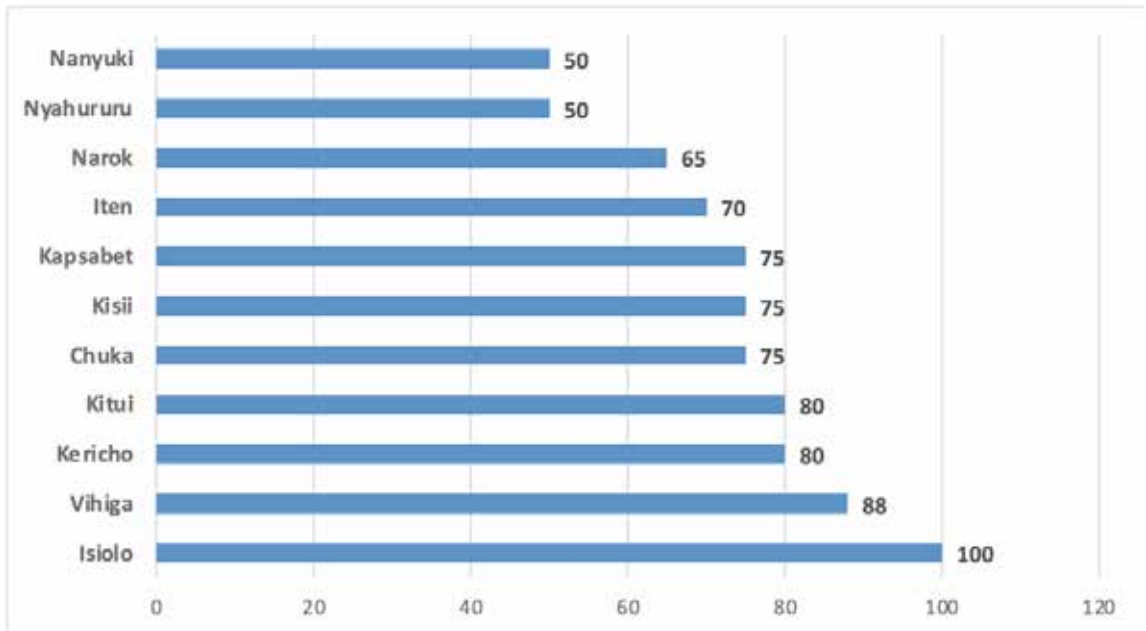
Figure 72:: Performance of ELC Stations on Judge's Merit and Other productivity - Caseload category of below 100 cases.



2.6.8.7 Performance of ELC Stations on Delivery of Judgments and Rulings within 60 days of Conclusion of Hearing - Caseload Category of below 100 Cases

Isiolo ELC delivered all their judgments and rulings within 60 days. The court achieved 100 per cent. Vihiga and Kericho ELC came in second and third with achievements of 88 per cent and 80 per cent respectively. Figure 73 shows the top performing ELC Stations on delivery of Judgments and rulings within 60 days.

Figure 73: Performance of ELC Stations on Delivery of Judgments and Rulings within 60 days - Caseload category of below 100 cases.



2.7 MAGISTRATES' COURTS PERFORMANCE

2.7.1 Introduction

The Magistrates' Courts, established under Article 169 and 23 (2) of the Constitution of Kenya 2010 as read with the Magistrates Court Act (No. 26 of 2015), hold jurisdiction and powers over both criminal and civil proceedings. To bolster access to justice, various initiatives were implemented. Notably, 6 gazetted courts in Tinderet, Ol Kalou, Kenol, Rumuruti, Kibiyet, and Madiany were operationalized during the review period. To serve marginalised and vulnerable groups, the Judiciary established 57 mobile courts throughout the country, with a majority of these in arid and semi-arid areas.

During the review period, the Judiciary also revised the Magistrates and Kadhis Courts Registry Manual to reflect significant policy, legislative and administrative changes. The Mahakama Popote initiative, which began in October 2022, allowed judicial officers in low caseload stations to adjudicate cases from courts with heavier caseloads by maximising existing resources and leveraging ICT. Consequently, a total of 6,469 cases were referred to the Mahakama Popote initiative in the reporting period leading to the resolution of 3,313 cases.

All 133 Magistrates' Courts that had signed PMMUs during the 2022/2023 period underwent evaluation. These courts were evaluated using a variety of indicators to provide a complete picture of their performance, including:

- i. Hearing and determination of criminal and civil cases within 360 days of filing
- ii. Percentage of judgments/rulings delivered on the date first scheduled for delivery
- iii. Delivery of judgments/rulings within 60 days of the conclusion of hearing
- iv. Trials/hearings held when first listed
- v. Reduction of remand custody period
- vi. Case clearance rate
- vii. Case backlog reduction
- viii. Magistrate's merit productivity
- ix. Magistrate's other productivity

2.7.2 Overall Performance of Magistrates' Courts

The evaluation results indicate that none of the 133 magistrate courts assessed achieved outstanding, excellent, or poor performance grades. In this regard, 54 courts representing 41 per cent achieved a performance grade of 'Very Good,' 76 courts representing 57 per cent attained a 'Good' and 3 courts representing 2 per cent were rated as 'Fair.' Figure 74 gives a comprehensive overview of the Magistrates' Courts' overall performance.

Figure 74: Overall Magistrates' Courts Performance Grade.

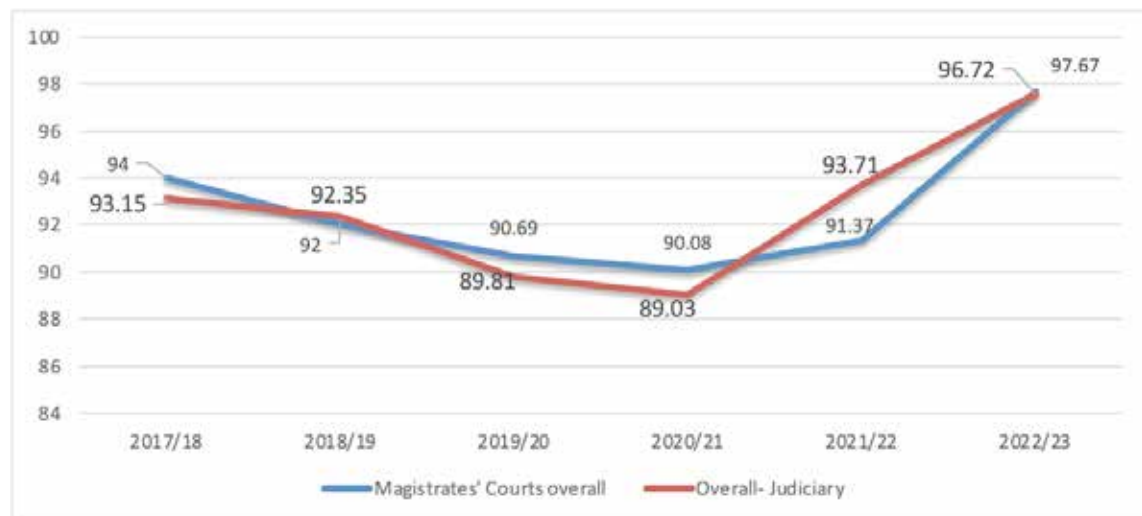


2.7.3 Overall Magistrates' Courts Performance Trend

Over the past 6 financial years, both the Magistrates' Courts and the judiciary as a whole have witnessed varying trends in performance. There have been periods of slight declines as well as notable improvements. In the earlier years, both entities experienced modest fluctuations, with occasional dips in performance. However, from 2020/21 financial year onwards, there have been a discernible upward trajectory in performance. Notably, in 2022/2023, both Magistrates' Courts and the judiciary recorded improved performances.

The trend in the overall judiciary performance was closely aligned with that of the Magistrates' courts, which represent the largest portion of the evaluated units, comprising 133 out of 319. This implies that fluctuations or improvements in Magistrates' courts' performance significantly influences the overall judiciary performance trend.

Figure 75: Overall Magistrates' Courts Performance Trend, 2017/18- 2022/23.



2.7.4 Overall Top Performing Magistrate Courts

Winam Magistrate Court was the best with a composite score of 2.7124 and a performance grade of Very Good. It was followed by Loitokitok Magistrate Court with a score of 2.8268 and Mavoko Magistrate Court with 2.8979. The top ten best-performing courts are presented in Table 27.

Table 27: Overall Top Performing Magistrates' Courts.

Unit Name	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Winam	2.7124	100	Very Good
Loitokitok	2.8268	100	Very Good
Mavoko	2.8979	100	Very Good
Ndhiwa	2.898	100	Very Good
Madiany	2.9015	100	Very Good
Ruiru	2.9137	100	Very Good
Kikuyu	2.9314	100	Very Good
Kyuso	2.9441	100	Very Good
Tononoka	2.9501	100	Very Good
Kaloleni	2.9577	100	Very Good

2.7.5 Most Improved Magistrates' Courts

Ngong Magistrates' Court was the most improved court, with a score of 100.00 per cent up from 69.72 per cent in the previous year, representing a 30.28 per cent improvement. Maralal Magistrates' Court

came in second, with a score of 100.00 per cent, up from 78.43 per cent, a 21.57 per cent improvement. Other Magistrates' Courts that have improved include Tawa, Isiolo, and Nyahururu Magistrate Courts. Table 28 lists the top ten most improved Magistrates' Courts.

Table 28: Top 10 most Improved Magistrates' Courts.

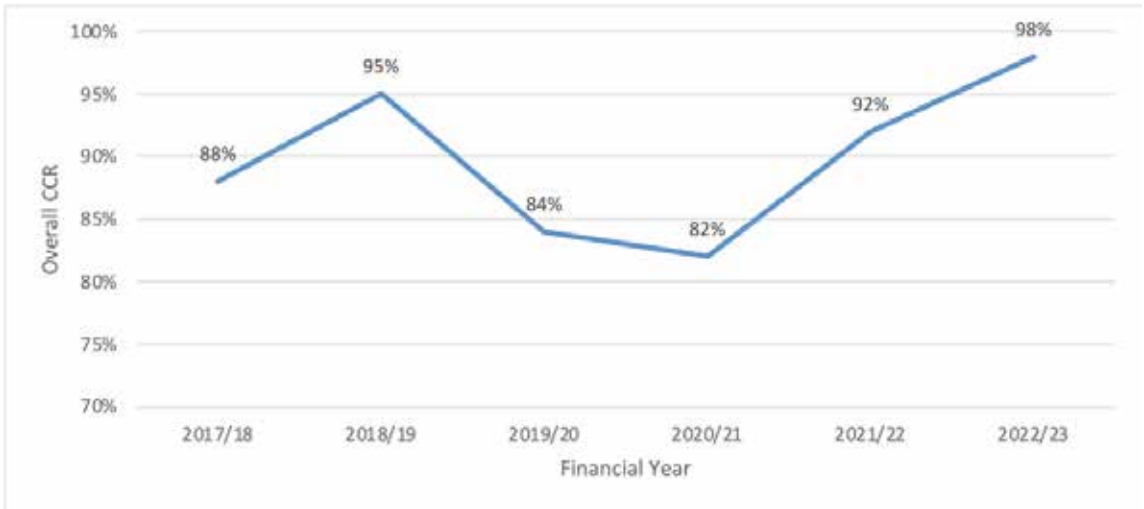
Magistrates' Court	Performance Score (%)		Improvement (%)
	2021/22	2022/23	
Ngong	69.72	100.00	30.28
Maralal	78.43	100.00	21.57
Tawa	64.86	83.98	19.12
Isiolo	76.22	95.08	18.86
Nyahururu	78.29	96.33	18.04
Bungoma	80.51	98.22	17.71
Butali	72.51	90.08	17.57
Mbita	77.54	95.06	17.51
Siaya	76.60	94.04	17.44
Sotik	83.07	100.00	16.93

2.7.6 Trends in Overall Case Clearance Rate of Magistrates' Courts

During the period under review, 320,143 cases were resolved in the Magistrates' Courts, while 326,855 cases were filed, translating to a CCR of 98 per cent.

Figure 76 shows the trend in the Magistrates' Courts' CCR over the last six years. Despite occasional declines, notably in the 2019/20 and 2020/21 periods, where the CCR dropped to 84 per cent and 82 per cent, respectively, the overall trend suggests a gradual improvement. This trend becomes particularly noticeable in the 2021/22 and 2022/23 financial years, where significant improvements in the CCR were evident.

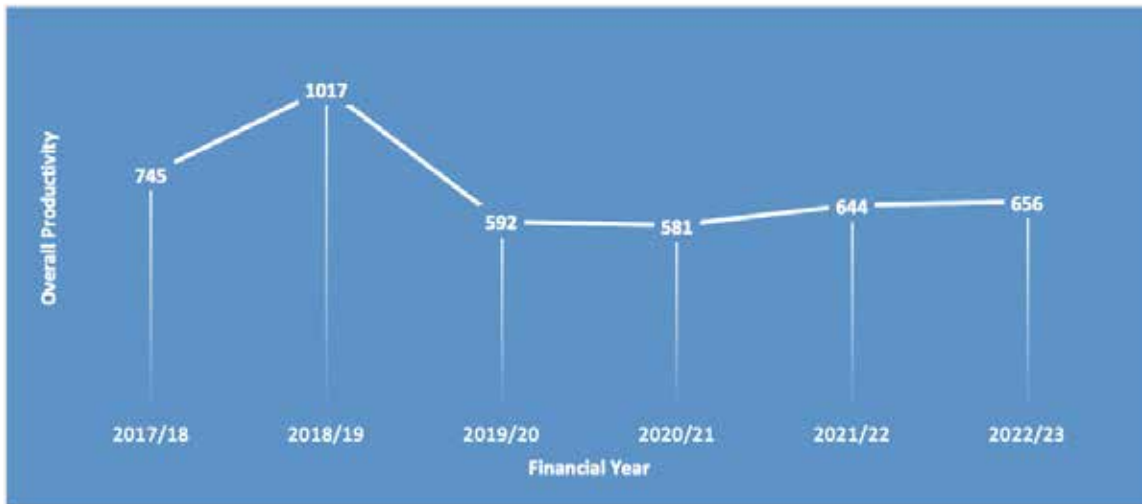
Figure 76: Magistrates' Courts Case Clearance Rate Trend, 2017/18- 2021/22.



2.7.7 Trends in Overall Productivity of Magistrates' Courts

Overall productivity in Magistrates' Courts has been fluctuating during the last six years. As shown in Figure 77, the overall productivity stood at 745 in the financial year 2017/18, but increased significantly to a High of 1,017 in 2018/19 before slumping to a low of 592 in 2019/20 and 581 in 2020/21. There has been a steady increase since then up to 656 in 2022/2023.

Figure 77: Magistrates Court Overall Performance Trend.



The Magistrates' Courts were categorized into six distinct groups based on the number and nature of filed cases during the financial year as follows:

- i. Magistrates' Courts with 3,000 filed cases and above.
- ii. Magistrates' Courts with filed cases ranging from 2,001 to 3,000.
- iii. Magistrates' Courts with filed cases between 1,001 and 2,000.
- iv. Magistrates' Courts with 1,000 cases and below.

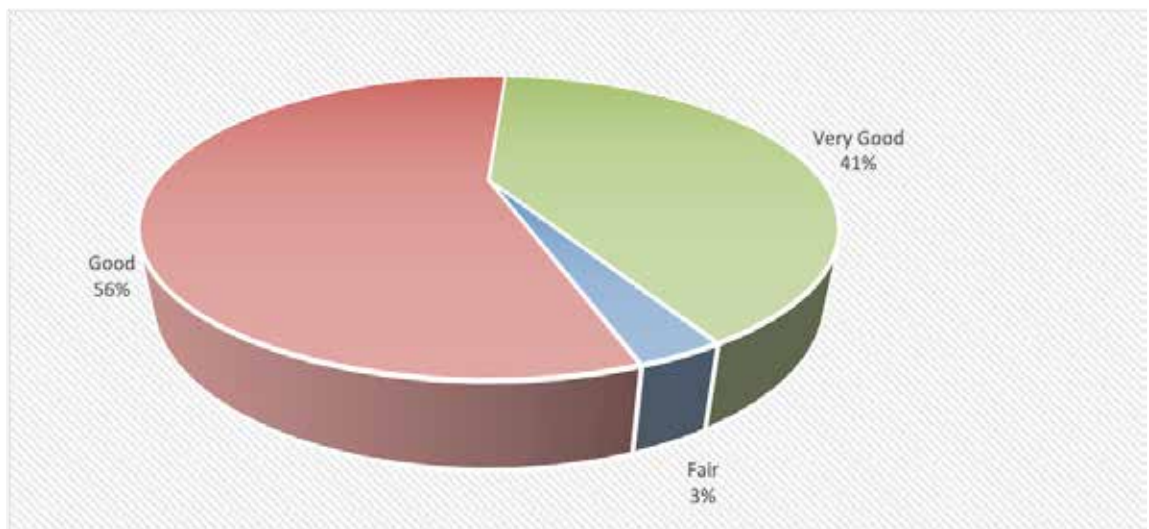
- v. Magistrates' Courts exclusively handling criminal cases.
- vi. Magistrates' Courts exclusively handling children's cases.

2.7.8 PERFORMANCE OF MAGISTRATES' COURTS – CASELOAD CATEGORY OF ABOVE 3,000 CASES

2.7.8.1 Overall Performance of Magistrates' Courts - Caseload Category of above 3,000 cases

Out of the 32 Magistrates' Courts with 3,000 cases and above, none achieved outstanding, excellent, or poor performance grades based on the evaluation results. Among them, 13 courts representing 41% achieved a "Very Good" grade, 18 courts representing 56% attained a "Good" grade, and just one court had a "Fair" grade. Figure 78 shows the overall performance of Magistrates' Courts with 3,000 filed cases and above.

Figure 78: Overall Magistrates' Courts Performance Grade - Caseload Category of 3,000 cases and above.



2.7.8.2 Top Performing Magistrates' Courts- Caseload Category of 3,000 cases and above

Mavoko Magistrate Court was the top-performing Magistrates' Court in this category, with a score of 100 per cent, corresponding to a "Very Good" grade, followed by Ruiru, Kikuyu, Limuru, Kisumu, Molo, Nyeri, Kericho, Thika, and Kisii Magistrate Courts. Table 29 displays the top ten best-performing magistrate courts in this category.

Table 29: Top Performing Magistrates' Courts- Caseload Category of 3,000 cases and above.

Magistrates Court	Composite Score	Performance Score (%)	Performance Grade
Mavoko	2.8979	100	Very Good
Ruiru	2.9137	100	Very Good
Kikuyu	2.9314	100	Very Good

Magistrates Court	Composite Score	Performance Score (%)	Performance Grade
Limuru	3.0171	100	Very Good
Kisumu	3.0316	100	Very Good
Molo	3.0394	100	Very Good
Nyeri	3.0904	100	Very Good
Kericho	3.0992	100	Very Good
Thika	3.1389	100	Very Good
Kisii	3.1522	100	Very Good

2.7.8.3 Hearing and Determination of Criminal Cases within 360 days of filing - Magistrates' Courts, Caseload Category of above 3,000 cases

Ruiru Magistrates' Court recorded the Highest score of 93 per cent for hearing and determining criminal cases within 360 days. Kericho and Molo Magistrates' Court came in second and third place, with scores of 91 per cent and 90 per cent, respectively. The top 10 courts in this category are listed in Table 30.

Table 30: Hearing and determination of Criminal Cases within 360 days - Caseload Category of 3,000 cases and above.

Magistrates' Court	Performance Score (%)
Ruiru	93
Kericho	91
Molo	90
Thika	88
Bungoma	88
Gatundu	88
Kandara	85
Nanyuki	84
Kitale	83
Nyeri	83

2.7.8.4 Hearing and Determination of Civil Cases within 360 days of filing- Magistrates' Courts, Caseload Category of above 3,000 cases

The top-performing courts in this category were Ngong and Ruiru Magistrate Courts, both with 59 per cent followed by Eldoret Magistrates' Court, with 54 per cent. Table 31 shows the performance of the top 10 courts in this category.

Table 31: Hearing and determination of Civil Cases within 360 days - Caseload Category of 3,000 cases and above.

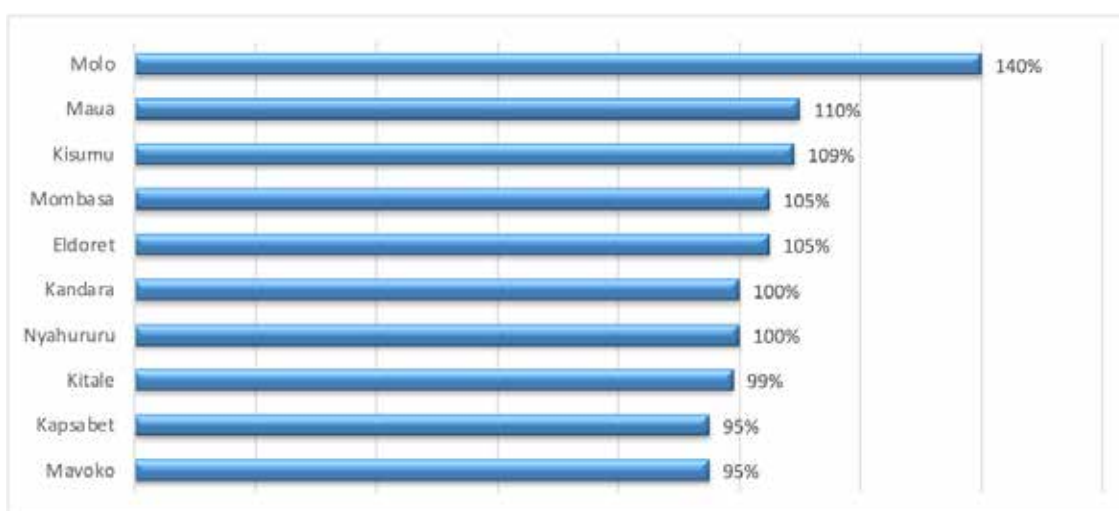
Magistrates' Court	Performance Score (%)
Ngong	59
Ruiru	59
Eldoret	54
Maua	53
Gatundu	51
Molo	50

Magistrates' Court	Performance Score (%)
Nanyuki	50
Bungoma	48
Narok	48
Kiambu	45

2.7.8.5 Case Clearance Rate, Criminal Cases - Magistrates' Courts, Caseload Category of above 3,000 cases

Molo Magistrates' Court with a case clearance rate of 140 per cent, was the leading performer in this case category. Maua and Kisumu Magistrates' Courts were second and third, with case clearance rates of 110 per cent and 109 per cent, respectively. Figure 79 shows the best performing courts in this category.

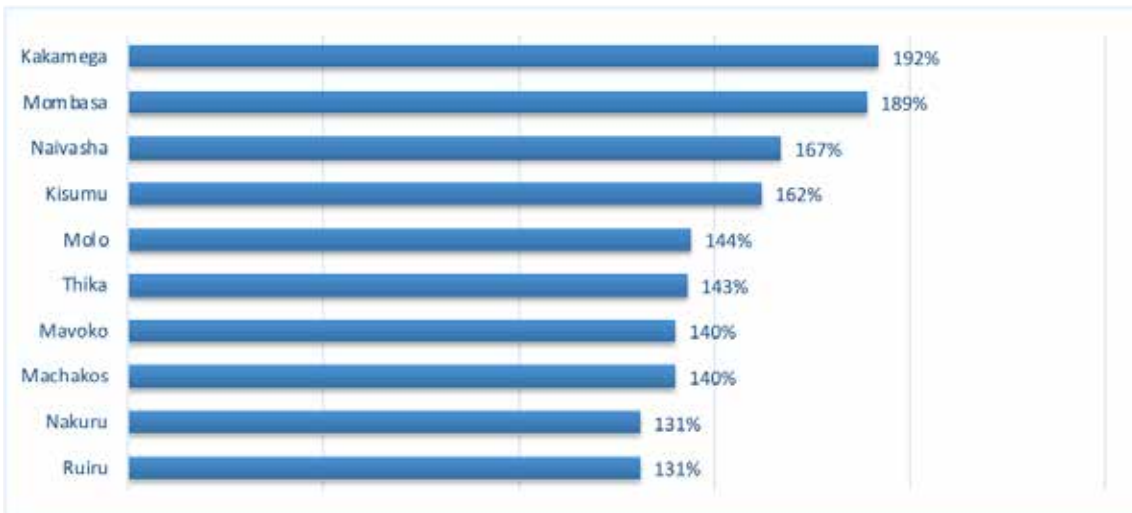
Figure 79: Case Clearance Rate, Criminal Cases - Magistrates' Courts, Caseload Category of above 3,000 cases.



2.7.8.6 Case Clearance Rate, Civil Cases - Magistrates' Courts, Caseload Category of above 3,000 cases

Kakamega, Mombasa, and Naivasha Magistrate Courts were the top-performing magistrate courts in this category, with case clearance rates of 192 per cent, 189 per cent, and 167 per cent, respectively. Figure 80 shows the best performing courts under this category.

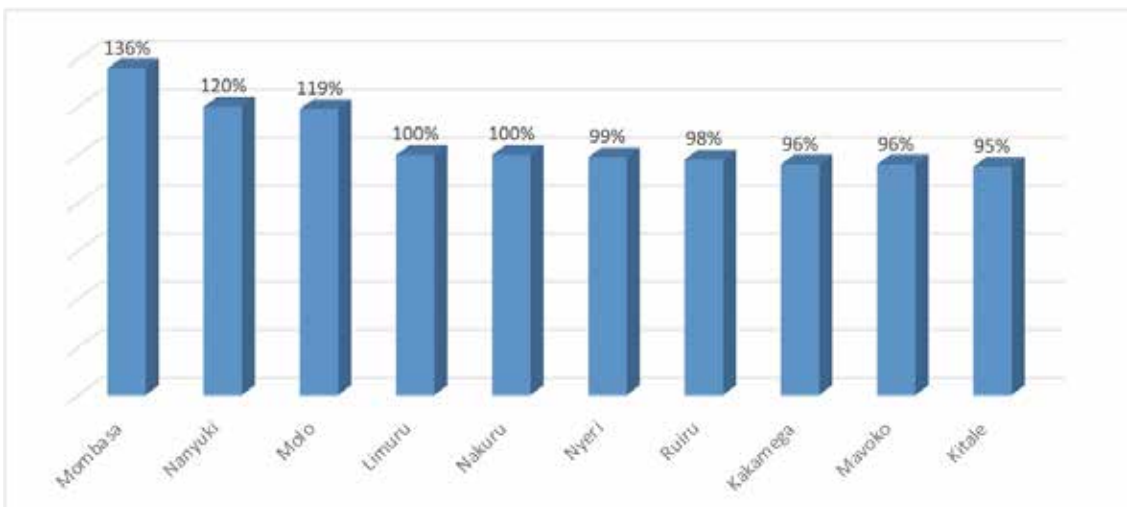
Figure 80: Best Performing Magistrates’ Courts on Case Clearance Rate, Civil Cases – Caseload Category of 3,000 cases and above.



2.7.8.7 Case Clearance Rate, Traffic cases – Magistrates’ Courts, Caseload Category of above 3,000 cases

With a case clearance rate of 136 per cent, Mombasa Magistrates’ Court achieved the Highest rate for traffic cases. Nanyuki Magistrate Court came in second with 120 per cent and Molo Magistrates’ Court third with 119 per cent. Figure 81 presents the courts with the Highest case clearance rates in this category.

Figure 81: Case Clearance Rate, Traffic Cases – Caseload Category of 3,000 cases and above.



2.7.8.8 Reduction of Case Backlog – Magistrates’ Courts, Caseload Category of above 3,000 cases

Nyeri Magistrates’ Court reduced its case backlog by 78 per cent, Kisumu Magistrates’ Court reduced its backlog by 75 per cent and Kakamega reduced its backlog by 59 per cent. These three magistrates’

courts were best performing courts in terms of backlog reduction. The top ten best-performing courts in this category are displayed in Table 32.

Table 32: Best Performing Magistrates’ Courts on Reduction of Backlog - Caseload Category of 3,000 cases and above.

Magistrates’ Court	Performance Score (%)
Nyeri	-78
Kisumu	-75
Kakamega	-59
Kisii	-50
Naivasha	-46
Ruiru	-45
Eldoret	-45
Ngong	-42
Thika	-38
Kapsabet	-37

+ Increase in backlog - Reduction in backlog

2.7.8.9 Magistrates’ Productivity- Magistrates’ Courts, Caseload Category of above 3,000 cases

Mavoko Magistrates’ Court was the best-performing Magistrates’ Court, with a merit productivity of 359 cases per magistrate. Following closely were Milimani Commercial and Nakuru Magistrates’ Courts, where each magistrate concluded 328 and 308 cases, respectively. The merit productivity of the top 10 courts in this category is displayed in Figure 82.

Figure 82: Magistrates’ Productivity - Caseload Category of 3,000 cases and above.



2.7.8.10 Delivery of Judgments and Rulings within 60 days of Conclusion of Hearing – Magistrates’ Court, Caseload Category of above 3,000 cases

Among the Magistrates’ Courts in this category, Nanyuki and Nyeri Magistrates’ Court delivered all judgments and rulings within 60 days of the hearing. Nyahururu and Kisii Magistrate Court were second with 92 per cent, each as shown in Table 33.

Table 33: Best Performing Magistrates’ Courts on Delivery of Judgments and Rulings within 60 days of Conclusion of Hearing – Caseload Category of 3,000 cases and above.

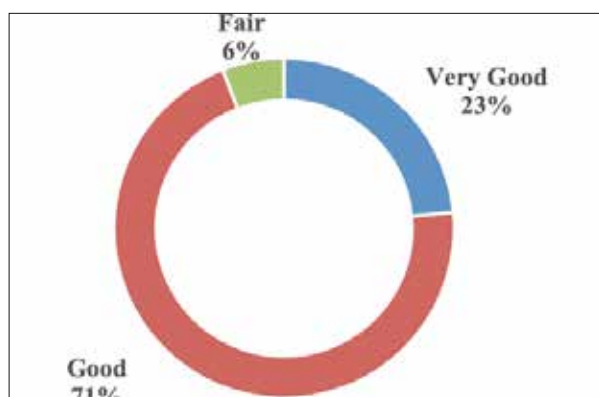
Magistrates’ Court	Performance Score(%)
Nanyuki	100
Nyeri	100
Nyahururu	92
Kisii	92
Kericho	91
Ruiru	87
Mavoko	87
Narok	87
Molo	80
Gatundu	80

2.7.9 PERFORMANCE OF MAGISTRATES’ COURTS - CASELOAD CATEGORY OF BETWEEN 2,001 AND 3,000 CASES

2.7.9.1 Overall Performance of Magistrates’ Courts - Caseload Category of Between 2,001 and 3,000 Cases

There were 17 Magistrates’ Courts in the category of courts with caseload of between 2,001 and 3,000 cases. The evaluation results show that 4 courts attained a performance grade of “Very Good”, 12 courts had a grade of “Good” and one court attained “Fair”. No court achieved an “Outstanding”, “Excellent” or “Poor” performance grade. The overall performance of the courts in this category is represented in Figure 83.

Figure 83: Overall Performance of Magistrates’ Courts - Caseload Category of between 2,001 and 3,000 Cases.



2.7.9.2 Top Performing Magistrates' Courts - Caseload Category of Between 2,001 and 3,000 Cases

On overall performance, Malindi Magistrates' Court was the best-performing court under this category with a percentage score of 100 per cent and a performance grade of "Very Good". Kenol and Oyugis Magistrates' Courts were second and third respectively, both achieving a performance grade of "Very Good". The results of the performance of the best ten courts in this category are represented in Table 34.

Table 34: Best Performing Magistrates' Courts - Caseload Category of Between 2,001 and 3,000 Cases.

Magistrates' Court	Composite Score	Performance Score (%)	Performance Grade
Malindi	2.9749	100.00	Very Good
Kenol	2.9751	100.00	Very Good
Oyugis	2.9941	100.00	Very Good
Muranga	2.9955	100.00	Very Good
Baricho	3.2005	99.97	Good
Kitui	3.2126	99.21	Good
Bomet	3.2212	98.68	Good
Kerugoya	3.2562	96.49	Good
Makindu	3.2694	95.66	Good
Garissa	3.2870	94.56	Good

2.7.9.3 Hearing and Determination of Criminal Cases within 360 days of filing - Magistrates' Courts, Caseload Category of between 2,001 and 3,000 Cases

Kenol Magistrates' Court was the best performing court on hearing and determination of criminal cases within 360 days of filing. The court had an achievement of 100 per cent while Tigania and Bomet Magistrates' Courts achieved 92 per cent and 90 per cent respectively. The best ten performing courts in this category are shown in Table 35.

Table 35: Best Performing Magistrates' Court on Hearing and Determination of Criminal Cases within 360 days of filing -Caseload Category of between 2,001 and 3,000 Cases

Magistrates' Court	Achievement (%)
Kenol	100.00
Tigania	92.00
Bomet	90.00
Muranga	87.00
Kithimani	85.00
Keroka	84.00
Kangundo	83.00
Vihiga	82.00
Garissa	81.00
Baricho	79.00

2.7.9.4 Hearing and Determination of Civil Cases within 360 Days of filing- Magistrates' Courts, Caseload Category of between 2,001 and 3,000 Cases

The best performing court on hearing and determination of civil cases within 360 days of filing in this caseload category was Kenol Magistrates' Court. The court had an achievement of 100 per cent. Garissa Magistrates' Courts was second with an achievement of 72 per cent. The performance of the best ten courts in this category are shown in Table 36.

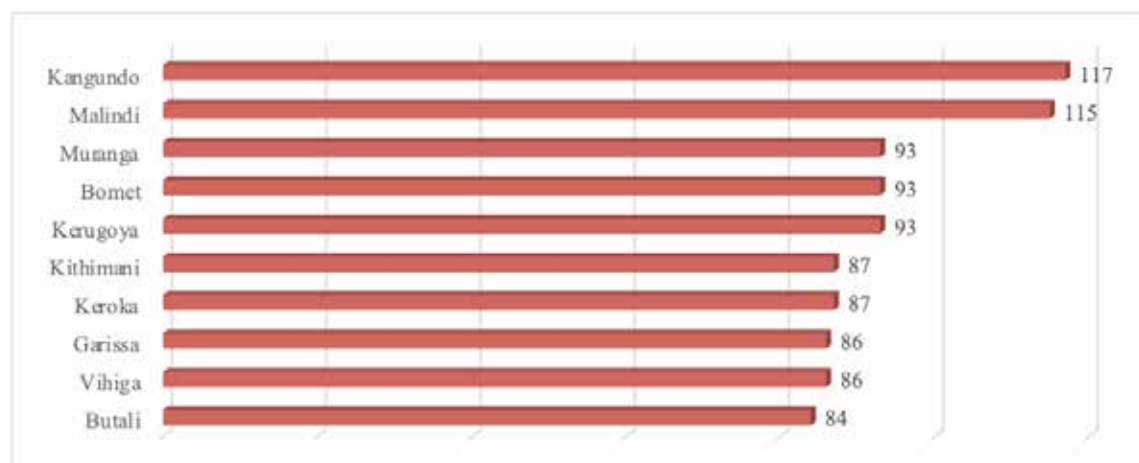
Table 36: Best Performing Magistrates' Court on Hearing and Determination of Civil Cases within 360 days of filing -Caseload Category of between 2,001 and 3,000 Cases.

Magistrates' Court	Achievement (%)
Kenol	100.00
Garissa	72.00
Keroka	55.00
Kilifi	53.00
Tigania	52.00
Bomet	51.00
Oyugis	46.00
Kangundo	44.00
Kerugoya	43.00
Muranga	37.00

2.7.9.5 Case Clearance Rate, Criminal Cases - Magistrates' Courts, Caseload Category of between 2,001 and 3,000 cases

Kangundo Magistrates' Court was the best performing court in this category on case clearance rate for criminal cases. The court achieved a case clearance rate of 117 per cent while Malindi Magistrates' Court came second with 115 per cent. The performance of the best ten courts in this category is shown in Figure 84.

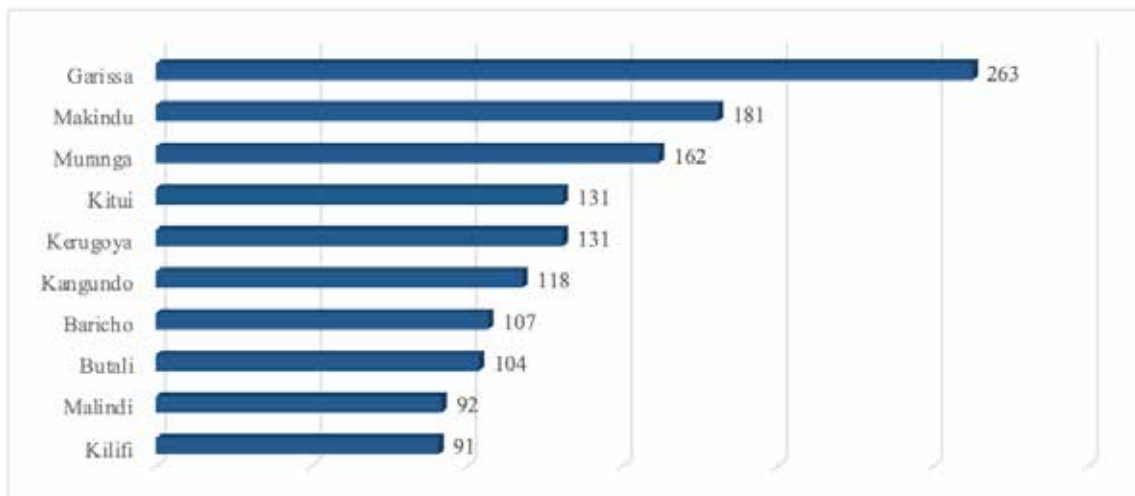
Figure 84: Best Performing Magistrates' Court on Case Clearance Rate, Criminal Cases -Caseload Category of between 2,001 and 3,000 Cases.



2.7.9.6 Case Clearance Rate, Civil Cases – Magistrates’ Courts, Caseload Category of between 2,001 and 3,000 Cases

The best performing court on case clearance rate for civil cases in this caseload category was Garissa Magistrates’ Court. The court had an achievement of 263 per cent. Makindu Magistrates’ Courts was second with an achievement of 181 per cent. The performance of the best ten courts in this category is shown in Figure 85.

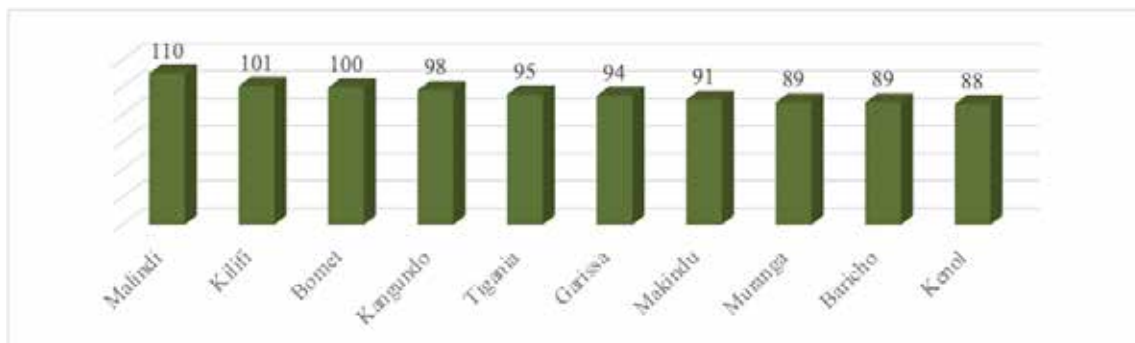
Figure 85: Best Performing Magistrates’ Court on Case Clearance Rate, Civil Cases –Caseload Category of between 2,001 and 3,000 Cases.



2.7.9.7 Case Clearance Rate, Traffic cases – Magistrates’ Courts, Caseload Category of between 2,001 and 3,000 cases

Malindi Magistrates’ Court was the best performing court in this category on case clearance rate for traffic cases. The court achieved a case clearance rate of 110 per cent while Kilifi Magistrates’ Court achieved 100 per cent. The performance of the best ten courts in this category is shown in Figure 86.

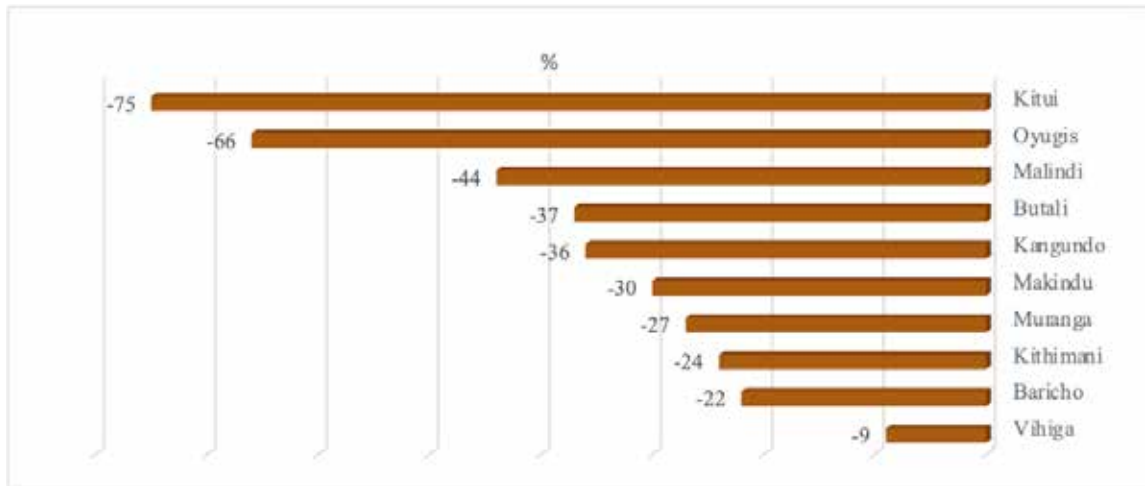
Figure 86: Best Performing Magistrates’ Court on Case Clearance Rate, Traffic Cases –Caseload Category of between 2,001 and 3,000 Cases.



2.7.9.8 Case Backlog – Magistrates’ Courts, Caseload Category of between 2,001 and 3,000 Cases

The best performing court on case backlog reduction in this caseload category was Kitui Magistrates’ Court. The court reduced case backlog by 75 per cent. Oyugis Magistrates’ Court was second on reducing case backlog by 66 per cent. The performance of the best performing courts on case backlog reduction in this category is shown in Figure 87.

Figure 87: Best Performing Magistrates’ Court on Reduction of Case Backlog –Caseload Category of between 2,001 and 3,000 Cases.



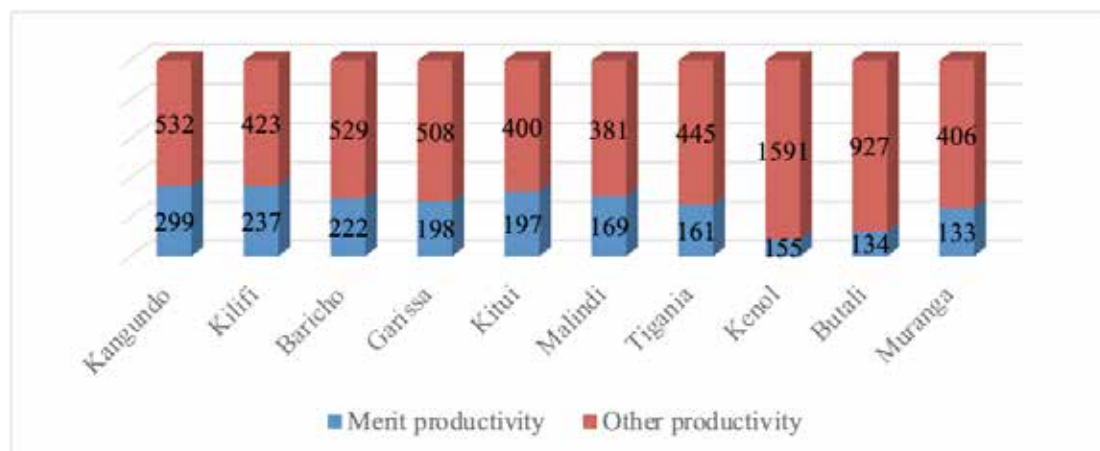
+ Increase in backlog

- Reduction in backlog

2.7.9.9 Magistrates’ Courts Productivity - Caseload Category of between 2,001 and 3,000 cases

Kangundo Magistrates’ Court was the best performing court on merit productivity under this category. The court achieved a merit productivity of 299 cases. Kilifi Magistrates’ Court was second with a merit productivity of 237 cases while Baricho Magistrates’ Court achieved a merit productivity of 222 cases. The performance of the best performing courts on productivity in this category is shown in Figure 88.

Figure 88: Best Performing Magistrates’ Court on Productivity –Caseload Category of between 2,001 and 3,000 Cases.



2.7.9.10 Delivery of Judgments and Rulings within 60 days of Conclusion of Hearing - Magistrates’ Court, Caseload Category of between 2,001 and 3,000 cases

Kenol and Baricho Magistrates’ Courts were able to deliver all their judgments and rulings within 60 days from conclusion of hearings thus achieving 100 per cent. Oyugis and Kerugoya Magistrates’ Courts achieved 96 per cent and 94 per cent respectively. The performance of the best performing courts in this category is shown in Table 36.

Table 37: Best Performing Magistrates’ Court on Delivery of Judgments and Rulings within 60 days of Conclusion of Hearing - Caseload Category of between 2,001 and 3,000 Cases.

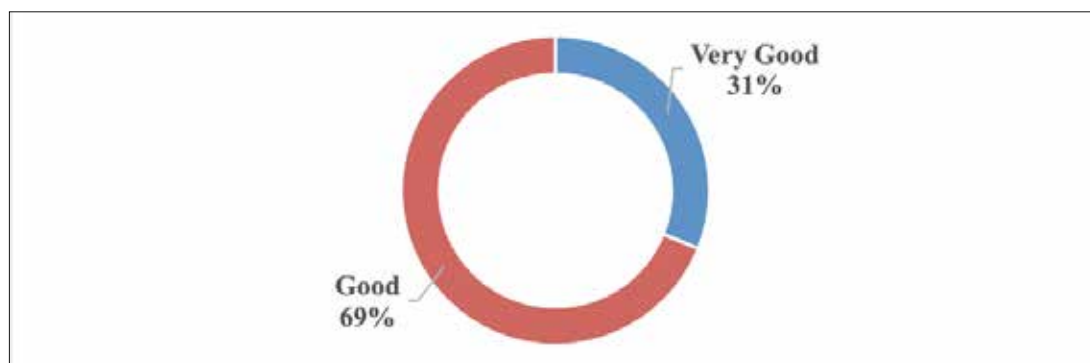
Magistrates’ Court	Achievement (%)
Kenol	100.00
Baricho	100.00
Oyugis	96.00
Kerugoya	94.00
Keroka	92.00
Kangundo	88.00
Muranga	87.00
Bomet	85.00
Kitui	78.00
Kithimani	73.00

2.7.10 PERFORMANCE OF MAGISTRATES’ COURTS - CASELOAD CATEGORY OF BETWEEN 1,001 AND 2,000 CASES

2.7.10.1 Overall Performance of Magistrates’ Courts - Caseload Category of Between 1,001 and 2,000 Cases

There were 45 Magistrates’ Courts in the caseload category of between 1,001 and 2,000 cases. The evaluation results of the review period show that 14 courts in this category achieved a performance grade of “Very Good” while 31 courts achieved a performance grade of “Good”. There was no court that achieved “Outstanding”, “Excellent”, “Fair” or “Poor” performance grade. as shown in Figure 89.

Figure 89: Overall Performance of Magistrates' Courts - Caseload Category of between 1,001 and 2,000 Cases.



2.7.10.2 Top Performing Magistrates' Courts - Caseload Category of Between 1,001 and 2,000 Cases

On overall performance, Winam Magistrates' Court was the best performing Court under this category with a percentage score of 100 and a performance grade of "Very Good". The court achieved a composite score of 2.712. Engineer and Mariakani Magistrates' Courts were second and third respectively, both achieving a performance grade of "Very Good". The results of the performance of the best performing courts in this category are presented in Table 38

Table 38: Best Performing Magistrates' Courts - Caseload Category of Between 1,001 and 2,000 Cases.

Magistrates' Court	Composite Score	Performance Score (%)	Performance Grade
Winam	2.712	100.00	Very Good
Engineer	2.959	100.00	Very Good
Mariakani	2.989	100.00	Very Good
Kigumo	3.028	100.00	Very Good
Migori	3.048	100.00	Very Good
Rongo	3.090	100.00	Very Good
Homabay	3.137	100.00	Very Good
Makueni	3.147	100.00	Very Good
Voi	3.147	100.00	Very Good
Bondo	3.153	100.00	Very Good

2.7.10.3 Hearing and Determination of Criminal Cases within 360 days of filing - Magistrates' Courts, Caseload Category of between 1,001 and 2,000 cases

Othaya and Taveta Magistrates' Courts were the best performing courts on hearing and determination of criminal cases within 360 days. The court heard and determined 97 per cent of the criminal cases within 360 days of filing. Makueni Magistrates' Court was third with 95 per cent. The results of the performance of courts on hearing and determination of criminal cases within 360 days in this caseload category are shown in Table 39.

Table 39: Best Performing Magistrates' Court on Hearing and Determination of Criminal Cases within 360 days of filing –Caseload Category of between 1,001 and 2,000 Cases.

Magistrates' Court	Achievement (%)
Othaya	97.00
Taveta	97.00
Makueni	95.00
Iten	93.00
Kilungu	93.00
Voi	91.00
Engineer	90.00
Bondo	89.00
Runyenjes	89.00
Githunguri	88.00

2.7.10.4 Hearing and Determination of Civil Cases within 360 days of filing- Magistrates' Courts, Caseload Category of between 1,001 and 2,000 cases

The best performing court on hearing and determination of civil cases within 360 days of filing in this caseload category was Lodwar Magistrates' Court. The court had an achievement of 78 per cent. Kapenguria Magistrates' Courts was second with an achievement of 69 per cent. The performance of the best ten courts in this category are shown in Table 40.

Table 40: Best Performing Magistrates' Court on Hearing and Determination of Civil Cases within 360 days of filing –Caseload Category of between 1,001 and 2,000 Cases.

Magistrates' Court	Achievement (%)
Lodwar	78.00
Kapenguria	69.00
Taveta	67.00
Homabay	58.00
Runyenjes	57.00
Chuka	56.00
Nyamira	55.00
Kilgoris	55.00
Bondo	55.00
Iten	54.00

2.7.10.5 Case Clearance Rate, Criminal Cases – Magistrates' Courts, Caseload Category of between 1,001 and 2,000 cases

Winam Magistrates' Court was the best performing court in this category on case clearance rate for criminal cases. The court achieved a case clearance rate of 182 per cent while Mariakani Magistrates' Court became second with 146 per cent. The performance of the best ten courts in this category is shown in Figure 90.

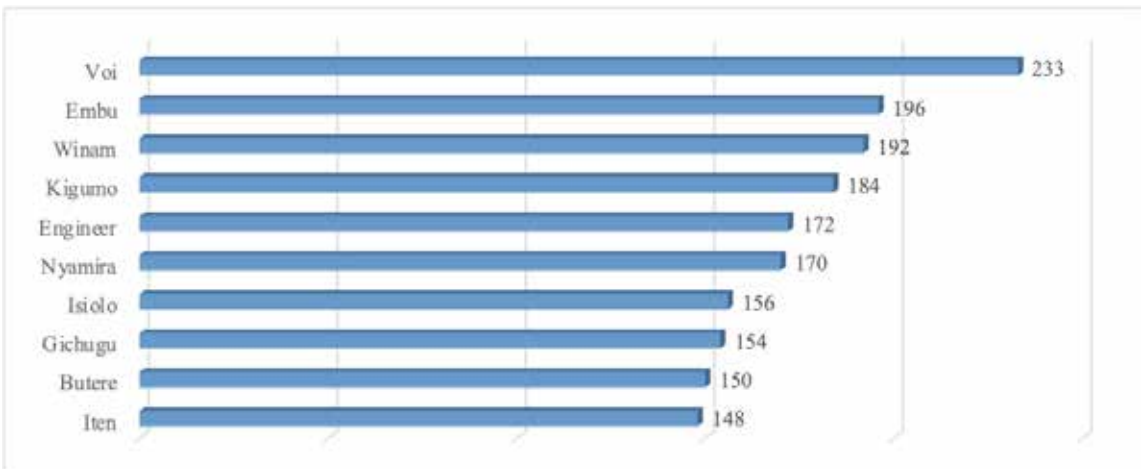
Figure 90: Best Performing Magistrates’ Court on Case Clearance Rate, Criminal Cases –Caseload Category of between 1,001 and 2,000 Cases.



2.7.10.6 Top Ten Courts on Case Clearance Rate, Civil Cases - Magistrates’ Courts, Caseload Category of between 1,001 and 2,000 cases

The best performing court on case clearance rate for civil cases in this caseload category was Voi Magistrates’ Court. The court had an achievement of 233 per cent. Embu Magistrates’ Courts was second with an achievement of 196 per cent. The performance of the best performing courts in this category is shown in Figure 91.

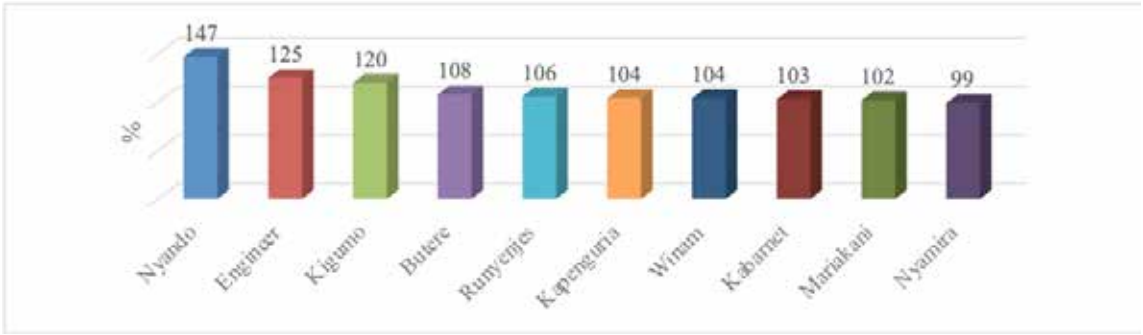
Figure 91: Best Performing Magistrates’ Court on Case Clearance Rate, Civil Cases –Caseload Category of between 1,001 and 2,000 Cases.



2.7.10.7 Case Clearance Rate, Traffic cases - Magistrates’ Courts, Caseload Category of between 1,001 and 2,000 cases

In terms of case clearance rate for traffic cases, Nyando Magistrates’ Court performed the best in this category. The court achieved a case clearance rate of 147 per cent, followed by Engineer Magistrates’ Court at 125 per cent. Figure 92 shows the best performing courts in this category.

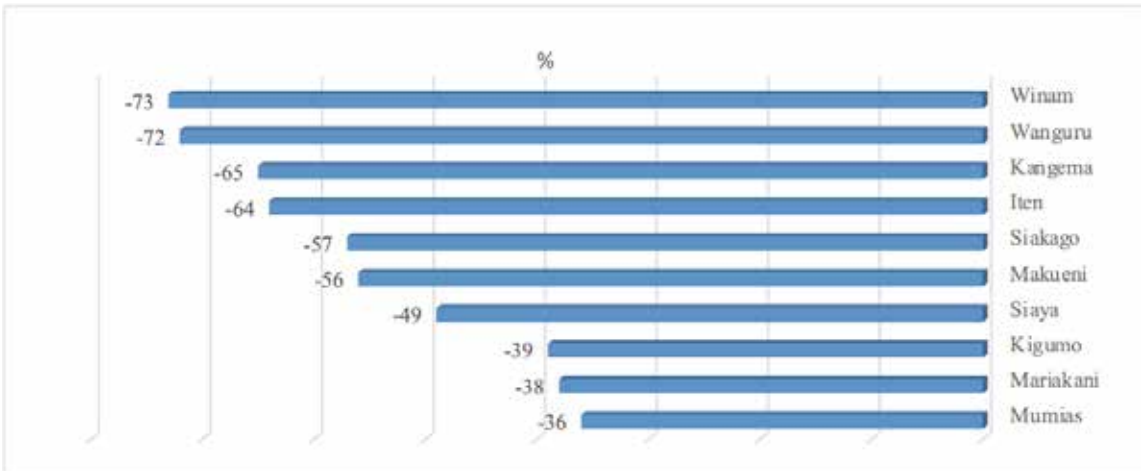
Figure 92: Best Performing Magistrates’ Court on Case Clearance Rate, Traffic Cases –Caseload Category of between 1,001 and 2,000 Cases.



2.7.10.8 Reduction of Case Backlog – Magistrates’ Courts, Caseload Category of between 1,001 and 2,000 cases

The best performing court on case backlog reduction in this caseload category was Winam Magistrates’ Court. The court reduced case backlog by 73 per cent. Wanguru Magistrates’ Court was second on reducing the case backlog by 72 per cent. The performance of the best performing courts on case backlog reduction in this category is shown in Figure 93.

Figure 93: Best Performing Magistrates’ Court on Reduction of Case Backlog –Caseload Category of between 1,001 and 2,000 Cases.

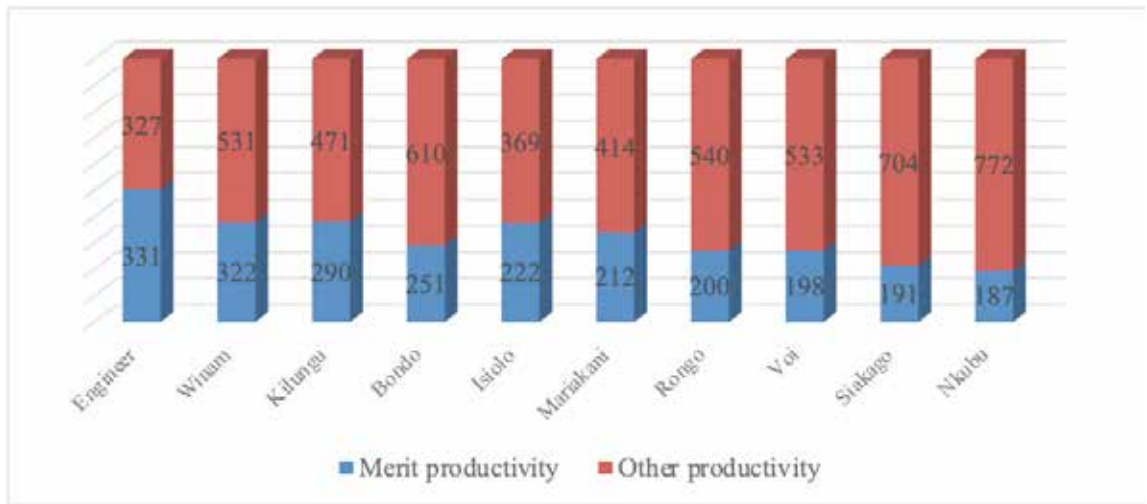


+ Increase in backlog - Reduction in backlog

2.7.10.9 Magistrates’ Courts Productivity- Caseload Category of between 1,001 and 2,000 cases

In this caseload category, Engineer Magistrates’ Court was the best performing court on merit productivity. The court achieved a merit productivity of 331 cases. Winam Magistrates’ Court was second with a merit productivity of 322 cases while Kilungu Magistrates’ Court achieved a merit productivity of 290 cases. The performance of the best performing courts on merit productivity in this category is shown in Figure 94.

Figure 94: Best Performing Magistrates’ Court Productivity –Caseload Category of between 1,001 and 2,000 Cases.



2.7.10.10 Delivery of Judgments and Rulings within 60 days of Conclusion of Hearing – Magistrates’ Court, Caseload Category of between 1,001 and 2,000 cases

In this category, Karatina and Othaya Magistrates’ Courts were able to deliver all their judgments and rulings within 60 days from conclusion of hearings thus achieving 100 per cent. Isiolo and Migori Magistrates’ Courts achieved 97 per cent and 92 per cent respectively. The performance of the best performing courts in this category is shown in Table 41.

Table 41: Best Performing Magistrates’ Court on Delivery of Judgments and Rulings within 60 days of Conclusion of Hearing –Caseload Category of between 1,001 and 2,000 Cases.

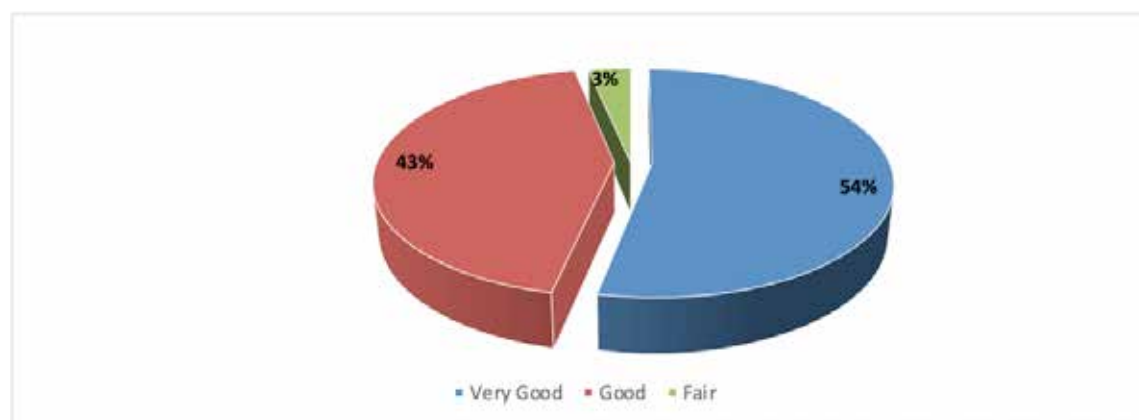
Magistrates’ Court	Achievement (%)
Karatina	100.00
Othaya	100.00
Isiolo	97.00
Migori	92.00
Nyamira	91.00
Kehancha	90.00
Gichugu	90.00
Rongo	90.00
Siakago	89.00
Winam	89.00

2.7.11 PERFORMANCE OF MAGISTRATES' COURTS - CASELOAD CATEGORY OF BELOW 1,000 CASES

2.7.11.1 Overall Performance of Magistrates' Courts - Caseload Category of 1,000 cases and Below

The caseload category included 30 courts, with 16 achieved a performance grade of "Very Good," 13 receiving a performance grade of "Good," 2 achieved a performance grade of "Fair," and none achieved outstanding or excellent ratings. Figure 96 shows the overall grading of the courts.

Figure 95: Overall performance Grade - Caseload category of 1,000 cases and below.



2.7.11.2 Top performing Magistrates court- Caseload category of 1,000 cases and below

The best performing Magistrates' Courts were Loitoktok, Ndhiwa and Madiany Magistrates' Courts with an overall performance grade of "Very Good" with a composite score of 2.827 and 2.898 respectively. The best performing magistrates' courts are presented in Table 42.

Table 42: Top Performing Magistrates' court- Caseload category of 1,000 cases and below.

Magistrates' Court	Composite Score	Performance Score	Performance Grade
Loitoktok	2.827	100.00	Very Good
Ndhiwa	2.898	100.00	Very Good
Madiany	2.902	100.00	Very Good
Kyuso	2.944	100.00	Very Good
Kaloleni	2.958	100.00	Very Good
Mpeketoni	2.968	100.00	Very Good
Rumuruti	3.016	100.00	Very Good
Lamu	3.060	100.00	Very Good
Kakuma	3.123	100.00	Very Good
Msambweni	3.126	100.00	Very Good

2.7.11.3 Hearing and Determination of Criminal Cases within 360 days of filing - Top ten Magistrates' Courts, Caseload Category of 1,000 cases and below

Madiany, Rumuruti and Ol Kalou Magistrates' Courts shared the top spot in this category, all achieving a score of 100 per cent in hearing and determining criminal cases. Kibiyet Court followed with a score of 98 per cent success rate. Table 43 presents a list of the top ten courts in this category.

Table 43: Hearing and Determination of Criminal Cases within 360 days of filing- Caseload category of 1,000 cases and below.

Magistrates' Court	Achievement (%)
Madiany	100.00
Rumuruti	100.00
Oi Kalou	100.00
Kabiyet	98.00
Tinderet	97.00
Wajir	97.00
Loitokitok	96.00
Kakuma	96.00
Wundanyi	95.00
Mukurwe-ini	93.00

2.7.11.4 Hearing and Determination of Civil Cases within 360 days of filing- Top Ten Magistrates' Courts, Caseload Category of 1,000 cases and below

Rumuruti and Oi Kalou Magistrates' Courts achieved a 100 per cent in resolving cases within 360 days of filing. Loitokitok and Kakuma Magistrates' Courts followed by resolving 89 per cent and 88 per cent of cases, respectively within the prescribed timeframes, as shown in Table 44.

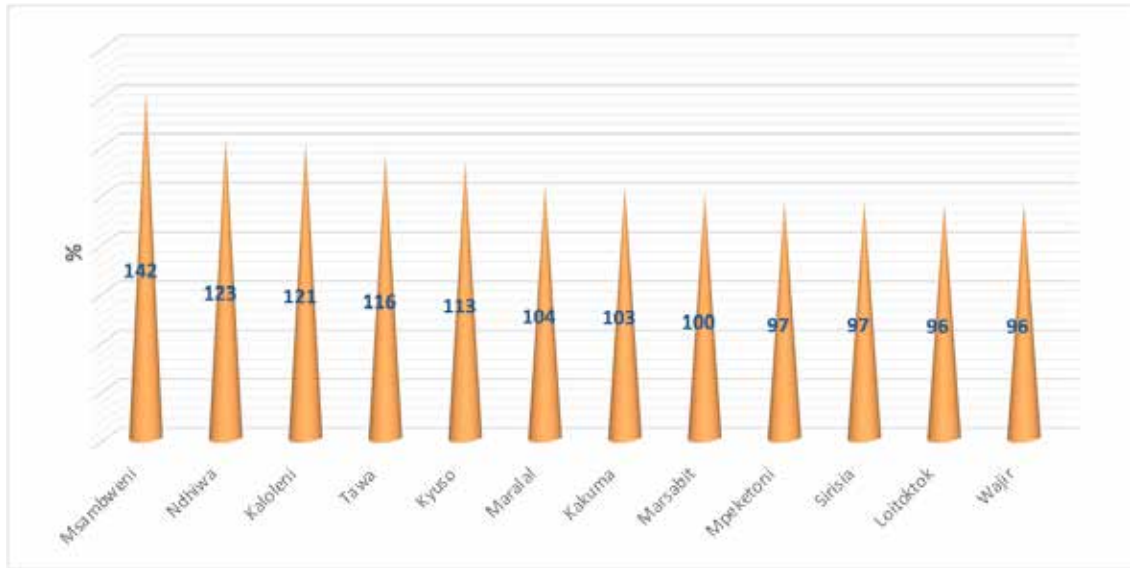
Table 44: Hearing and Determination of Civil Cases within 360 days of filing- Caseload category of 1,000 cases and below.

Magistrates' Court	Achievement
Rumuruti	100.00
Oi Kalou	100.00
Loitokitok	89.00
Kakuma	88.00
Kabiyet	86.00
Mandera	83.00
Madiany	79.00
Moyale	78.00
Wajir	75.00
Tinderet	71.00

2.7.11.5 Case Clearance Rate, Criminal Cases - Top Ten Magistrates' Courts, Caseload Category of 1,000 cases and below

Msambweni Magistrates' Court had the Highest case clearance rate at 142 per cent, followed by Ndhiwa Magistrates' Court at 123 per cent and Kaloleni Magistrates' Court at 121 per cent. Figure 96 shows the top performing courts in this category.

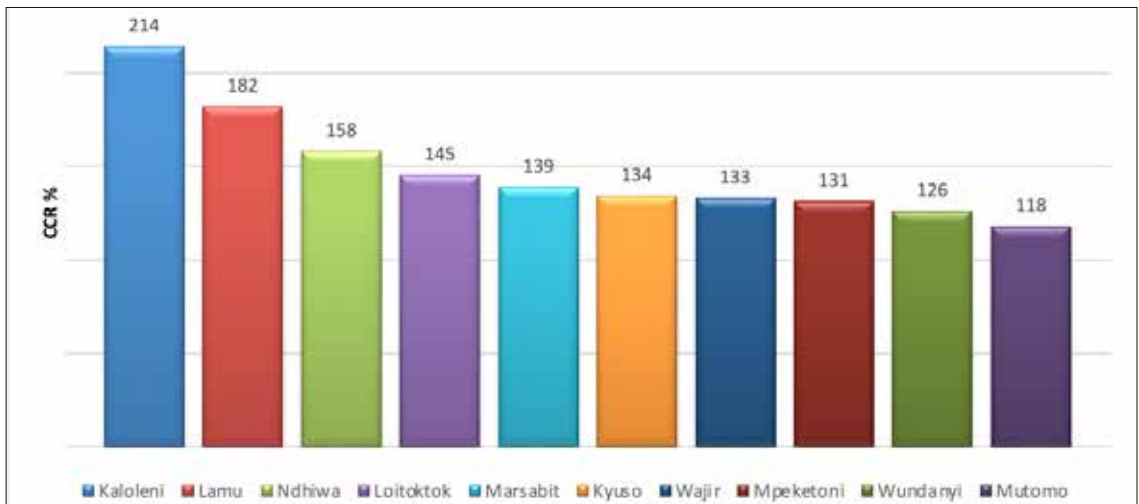
Figure 96: Case Clearance Rate, Criminal cases- Caseload category of 1,000 cases and below.



2.7.11.6 Case Clearance Rate, Civil Cases - Top Ten Magistrates' Courts, Caseload Category of 1,000 cases and below

The court with the Highest case clearance rate on civil matters was Kaloleni Magistrates' Court 214 per cent, followed by Lamu Magistrates' Court 182 per cent and Ndhwa Magistrates' Court 158 per cent as shown in Figure 97.

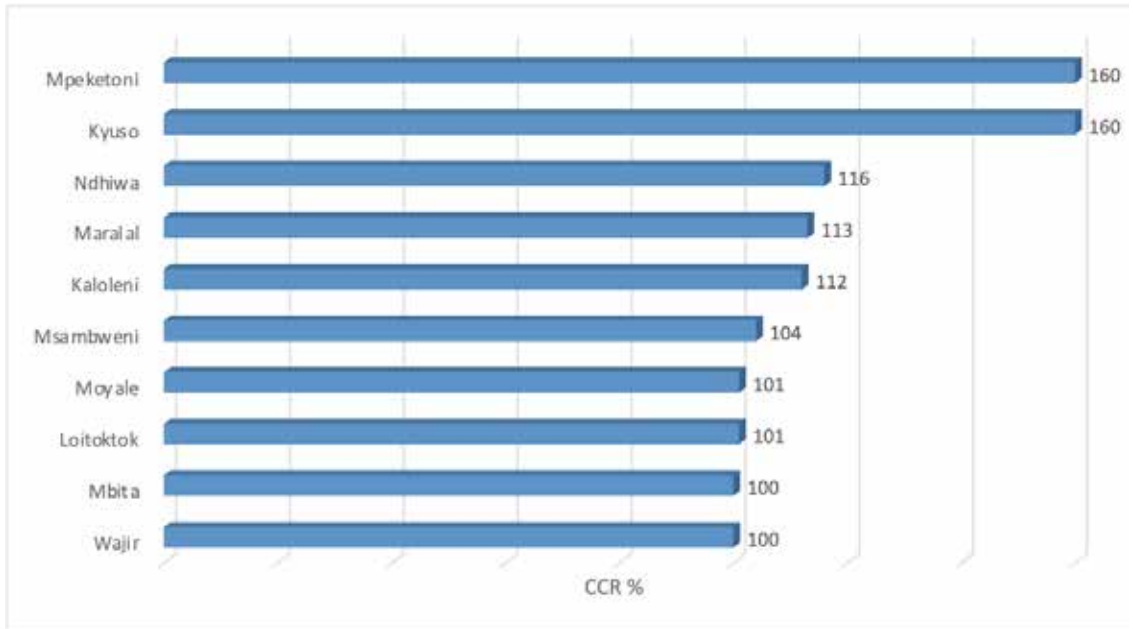
Figure 97: Case Clearance Rate, Civil cases- Caseload Category of 1,000 Cases and below.



2.7.11.7 Case Clearance Rate, Traffic cases - Top Ten Magistrates' Courts, Caseload Category of 1,000 cases and below

Mpeketoni and Kyuso Magistrates' Court had the Highest Case Clearance Rate at 160 per cent, followed by Ndhwa Magistrates' Court and Maralal Magistrates' Court at 116 per cent and 113 per cent, respectively. Figure 98 represents courts in this category.

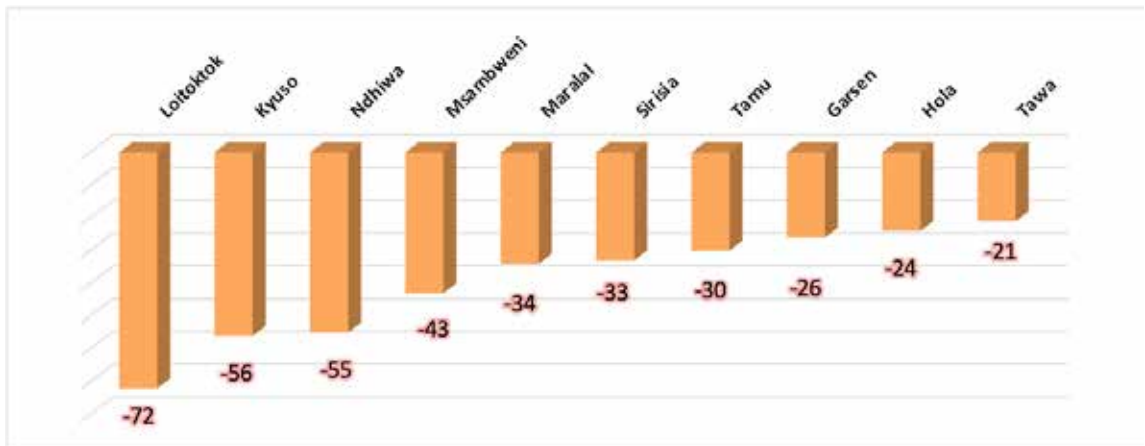
Figure 98: Case Clearance Rate, Traffic cases- Caseload Category of 1,000 Cases and below.



2.7.11.8 Reduction of Case Backlog - Top Ten Magistrates' Courts, Caseload Category of above below 1,000 cases

Loitokitok Magistrates' Court reduced its backlog by 72 per cent and was the first, followed by Kyuso at 56 per cent. Figure 99 lists top ten best performing courts in this category.

Figure 99: Reduction of backlog- Caseload category of 1,000 cases and below.



+ Increase in backlog - Reduction in backlog

2.7.11.9 Magistrates' Productivity- Top Ten Magistrates' Courts, Caseload Category of 1,000 cases and below

Kaloleni Magistrates' Court was the top court in this category, with a merit productivity of 562. Msamwani and Loitokitok Magistrates' Courts ranked second, with 174 and 163 cases, respectively. Figure 100 presents the top ten courts in this category.

Figure 100: Performance of Magistrates' Courts on Productivity- Caseload category of 1,000 cases and below.



2.7.11.10 Delivery of Judgments and Rulings within 60 days of Conclusion of Hearing - Top Ten Magistrates' Court, Caseload Category of 1,000 cases and below

Rumuruti court led in delivering judgments and rulings within 60 days of the conclusion of hearing with 100 per cent, followed by Kaloleni, Loitokitok, Wundanyi Magistrates' Courts at 94 per cent and 93 per cent, respectively. Table 45 shows the best-performing courts under this category.

Table 45: Delivery of Judgments and Rulings within 60 days of Conclusion of Hearing - Top Ten Magistrates' Court, Caseload Category of 1,000 cases and below.

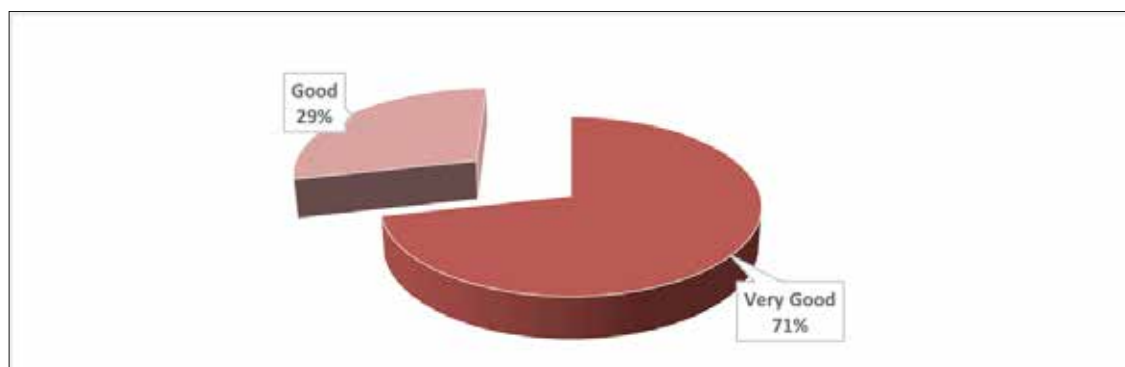
Magistrates' Court	Achievement (%)
Rumuruti	100
Kaloleni	94
Loitokitok	93
Wundanyi	93
Wajir	90
Ndhiwa	89
Hola	83
Mukurwe-ini	83
Madiany	82
Mbita	80

2.7.12. PERFORMANCE OF MAGISTRATES' COURTS HANDLING CRIMINAL CASES ONLY

2.7.12.1. Overall Performance of Magistrates' Courts handling Criminal Cases only

There were 7 courts in this category, 71 per cent attained a "Very Good" performance grade, with the remaining 29 per cent receiving a "Good" grade. Figure 101 shows how this performance distribution is represented.

Figure 101: Overall Performance - Magistrates' Courts handling Criminal Cases only.



2.7.12.2 Best performing Magistrates court - Courts Handling Criminal Cases Only

The JKIA Magistrates' Court emerged as the best performing court in this category, achieving a "Very Good" performance grade with a composite score of 2.964. Following closely was the Milimani Criminal Court and Milimani Anti-Corruption Magistrates' Courts with composite scores of 3.001 and 3.016 respectively. This ranking is detailed in Table 46.

Table 46: Top Overall Performing Magistrates Court- Courts handling Criminal cases Only.

Magistrates' Court	Composite Score	Performance Score	Performance Grade
JKIA	2.964	100	Very Good
Milimani Criminal	3.001	100	Very Good
Milimani Anti-Corruption	3.016	100	Very Good
Kahawa	3.078	100	Very Good
Kibera	3.152	100	Very Good
Makadara	3.288	94.48	Good
Shanzu	3.541	78.67	Good

2.7.12.3 Hearing and Determination of Criminal Cases within 360 days of filing - Magistrates' Courts handling Criminal Cases

Kahawa Magistrates' Court emerged the best performer in this category having resolved 89 per cent of criminal cases within 360 days. It was followed by Kibera and Makadara Magistrates' Courts, who resolved 62 per cent and 60 per cent of their cases respectively. A ranking of the top performing courts is provided in Table 47.

Table 47: Hearing and Determination of Criminal Cases within 360 days of filing - Magistrates' Courts handling Criminal Cases- Courts Handling Criminal Cases Only.

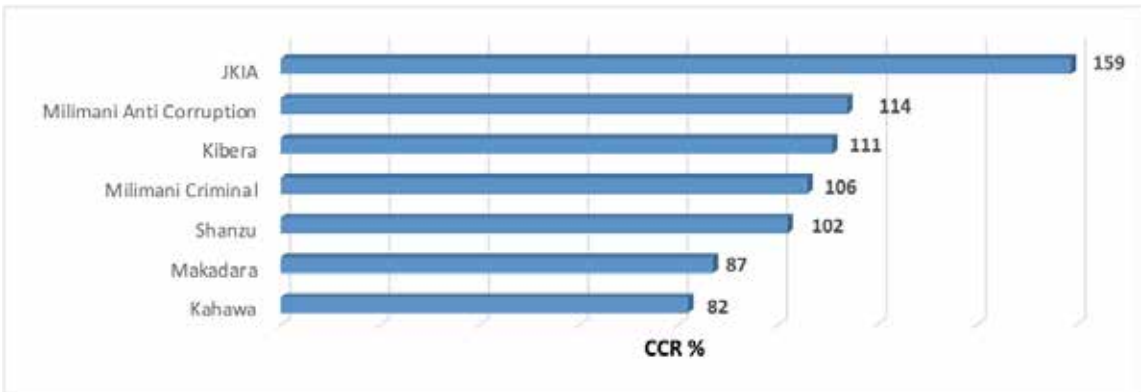
Magistrates' Court	Achievement (%)
Kahawa	89
Kibera	62
Makadara	60
Shanzu	58

Magistrates' Court	Achievement (%)
JKIA	55
Milimani Criminal	38
Milimani Anti-Corruption	21

2.7.12.4 Case Clearance Rate, Criminal cases - Magistrates' Courts handling criminal cases only

JKIA Magistrates' Court had the highest CCR among courts that only handle criminal cases, at 159 per cent, followed by the Milimani Anticorruption Court, which had a rate of 114 per cent. The performance of courts in this category is shown in Figure 102.

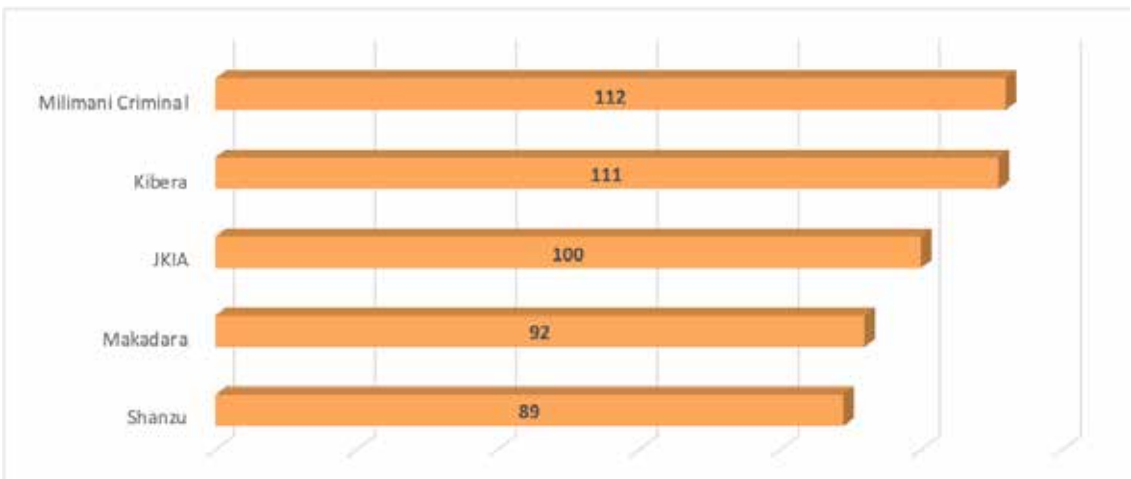
Figure 102: Case Clearance Rate, Criminal cases- Magistrates' Courts handling criminal cases only.



2.7.12.5 Case Clearance Rate for Traffic cases - Magistrates' Courts handling Criminal Cases only

Milimani Criminals' Magistrates' Court led with a clearance rate of 112 per cent followed by Kibera Magistrates' Court with 111 per cent and JKIA Magistrates' Court at 100 per cent. The distribution of performance for traffic cases is illustrated in Figure 103.

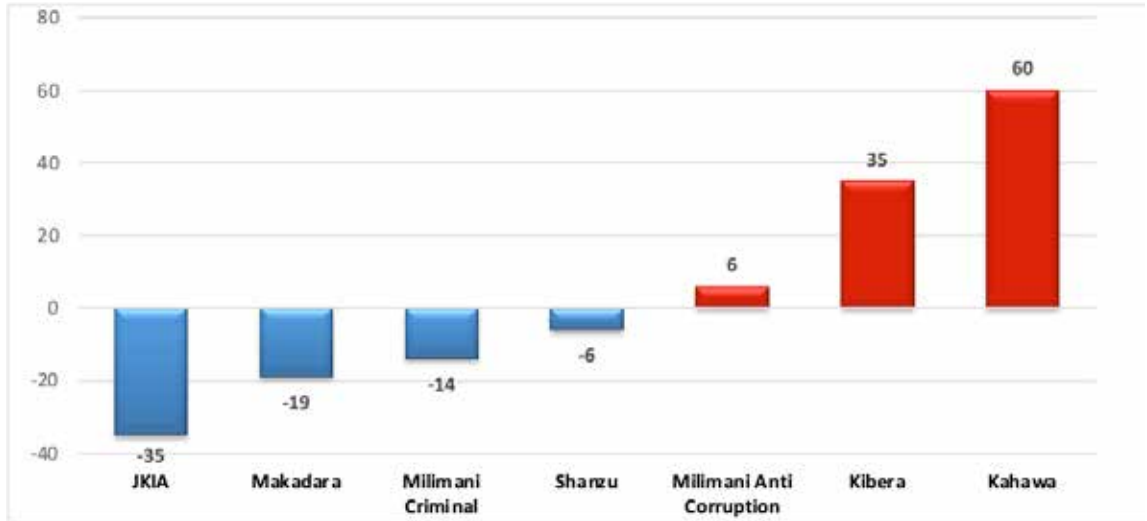
Figure 103: Case Clearance Rate, Traffic cases- Magistrates' Courts handling criminal cases only.



2.7.12.6 Reduction of Case Backlog - Magistrates' Courts handling criminal cases only

The court with the best performance in this category was JKIA Magistrates' Court, which reduced its case backlog by 35 per cent, followed by Makadara and Milimani Magistrates' Courts, which reduced backlog by 19 per cent and 14 per cent respectively. Figure 104 displays the performance of courts in this category.

Figure 104: Performance of Magistrates' Courts handling Criminal Cases only on Reduction of Case Backlog.

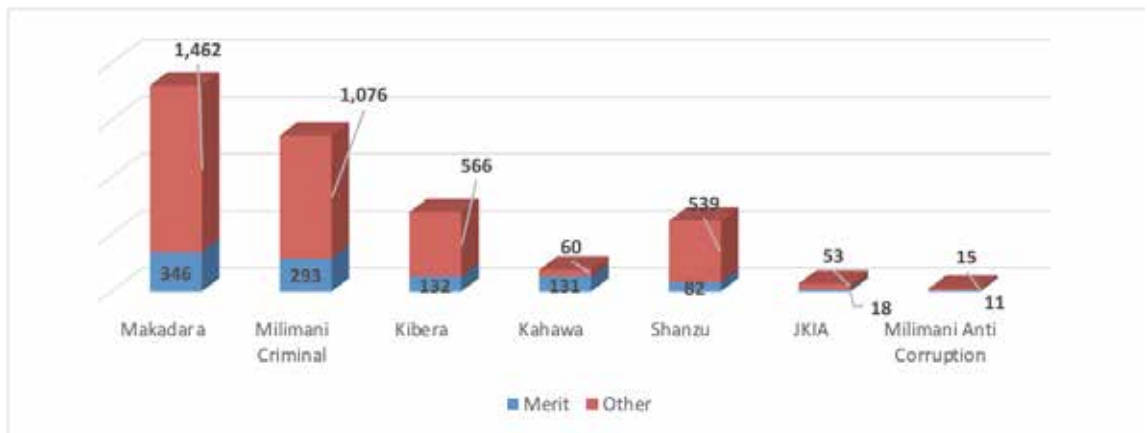


+ Increase in backlog - Reduction in backlog

2.7.12.7 Magistrate's Merit and Other Productivity - Magistrates' Courts handling Criminal Cases only

Makadara Magistrates' court had the Highest merit productivity with 346 cases followed by Milimani Criminal Magistrates' Court with 293 cases as shown in Figure 105 below.

Figure 105: Magistrate's Merit and Other Productivity for Courts handling Criminal Cases only.



2.7.12.8 Delivery of Judgments and Rulings within 60 days of Conclusion of Hearing – Top ten Magistrates’ Courts handling criminal cases only

Kahawa Magistrates’ Court was the top performer in this category, delivering 87 per cent of Judgments and rulings within 60 days of conclusion of hearings. Milimani Criminal Magistrates’ Court and Shanzu Magistrates’ Court followed, with 83 per cent and 80 per cent, respectively. Table 48 provides a breakdown of each court’s performance in this category.

Table 48: Performance of Magistrates’ Courts handling Criminal cases on Delivery of Judgments and Rulings within 60 days of conclusion of the hearing.

Magistrates’ Court	Achievement (%)
Kahawa	87
Milimani Criminal	83
Shanzu	80
Milimani Anti-Corruption	79
JKIA	73
Makadara	68
Kibera	58

2.7.13 PERFORMANCE OF MAGISTRATES’ COURTS HANDLING CHILDREN CASES ONLY

2.7.13.1 Overall Performance - Magistrates’ Courts Handling Children Cases only

Milimani and Tononoka Children’s Courts are the only specialized courts handling children’s cases. Milimani was the best in this category by retaining “Very Good” performance from the previous cycle, while Tononoka followed by improving from “Good” to “Very Good,” as shown in Table 49.

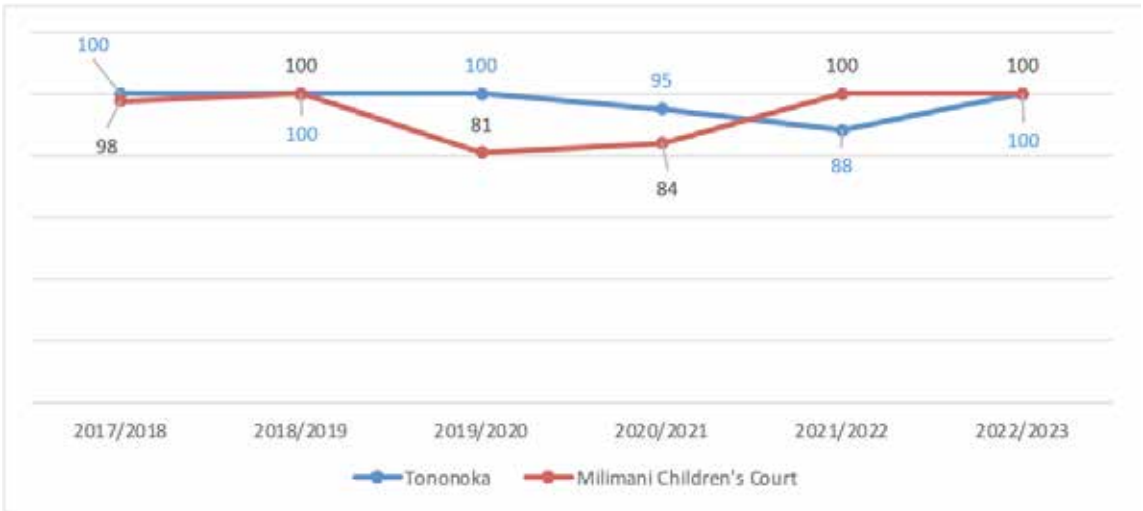
Table 49: Overall Performance - Magistrates’ Courts Handling Children Cases only.

Magistrates’ Court	Composite Score	Performance Score	Performance Grade
Tononoka	2.95	100.00	Very Good
Milimani Children	2.993	100.00	Very Good

2.7.13.2 Performance Trend of Courts Handling Children Cases

Performance trends indicate that Tononoka children’s court consistently attained 100 per cent from 2017/2018 to 2019/2020 after which it started fluctuating. Milimani Children’s Courts’ performance has experienced a steady improvement for the last two years. Figure 106 illustrates the performance trends of both courts over the past 6 years.

Figure 106: Overall Performance Trend for magistrate courts handling children matter.



2.7.13.3 Performance on selected indicators of Magistrates’ Courts handling Children Cases only

Tononoka Children’s Court had the best performance in hearing and determining both criminal and civil matters within 360 days of filing, achieving 41 per cent and 69 per cent respectively. However, Milimani Children’s Court had the best CCR for criminal cases, at 308 per cent. Tononoka also had a higher reduction in backlog at 55 per cent compared to Milimani Children’s Court. It also led in delivering judgments and rulings within 60 days of conclusion of hearing, achieving 89 per cent compared to Milimani Children’s Court which achieved 73 per cent. Table 50 shows the performance of these courts on select performance indicators.

Table 50: Performance on selected indicators of Courts handling Children Cases only.

Indicator	Actual Achievement	
	Tononoka	Milimani
Hearing and determination of Criminal cases -% of cases concluded within 360 days of filing	41	17
Hearing and determination of Civil cases -% of cases concluded within 360 days of filing	69	60
Delivery of Judgments & Rulings -% of judgments & rulings delivered within 60 days of conclusion of the hearing	89	73
Case clearance rate for Criminal Cases	100	308
Case clearance rate for Civil Cases	110	106
Percentage reduction of backlog	-55	-33
Productivity	Merit	183 cases
	Other	417 cases
		532 cases
		166 cases

+ Increase in backlog - Reduction in backlog

2.8 SMALL CLAIMS COURT'S PERFORMANCE

2.8.1 Introduction

The Judiciary operationalised SCC in line with the Small Claims Court Act of 2016. The underpinning logic is to enhance access to and expeditious delivery of justice and to further provide platform within the justice system where civil and commercial disputes whose value do not exceed 1 million Kenya shillings are dealt with in a simple, efficient and cost-effective manner.

The court aims to improve access to justice by swiftly delivering judgments, as outlined in Article 48 of the Constitution.

Some of the indicators that formed the basis of the evaluation of small claims court include the following;

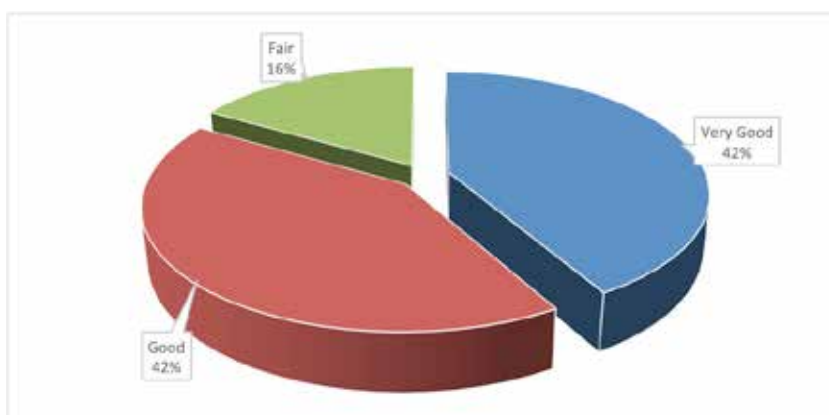
- a) Hearing and determination of Civil Cases within 60 days of filing
- b) Delivery of Judgments & Rulings within 3 days from the date of final determination
- c) Trial/hearings held when first listed
- d) Case clearance rate
- e) Case backlog reduction
- f) Judicial officer's merit and other productivity

2.8.2 Overall Performance of Small Claims' Courts

The evaluation results showed that the performance of the small claims courts has been commendable. Specifically, 5 courts, representing 42 per cent of the total, achieved a performance grade of "Very Good." Similarly, another 5 courts, also constituting 42 per cent, were graded as "Good." While 2 courts, accounting for 16 per cent, achieved a performance grade of "Fair."

The overall performance of the small claims courts stands at 90.5 per cent. Figure 107 represents the overall performance grades of the small claims courts.

Figure 107: Overall Performance of Small Claims' Courts.



2.8.3 Individual Performance of Small Claims court.

The overall ranking show that Meru Small Claims’ Court scored 100 per cent and emerged the best among the 12 with a composite score of 2.969 and a performance grade of “Very Good. It was followed closely by Thika and Nyeri Small Claims’ Courts with composite scores of 3.004 and 3.094, respectively. Table 50 provides a summary of the overall performance of Small Claims’ courts.

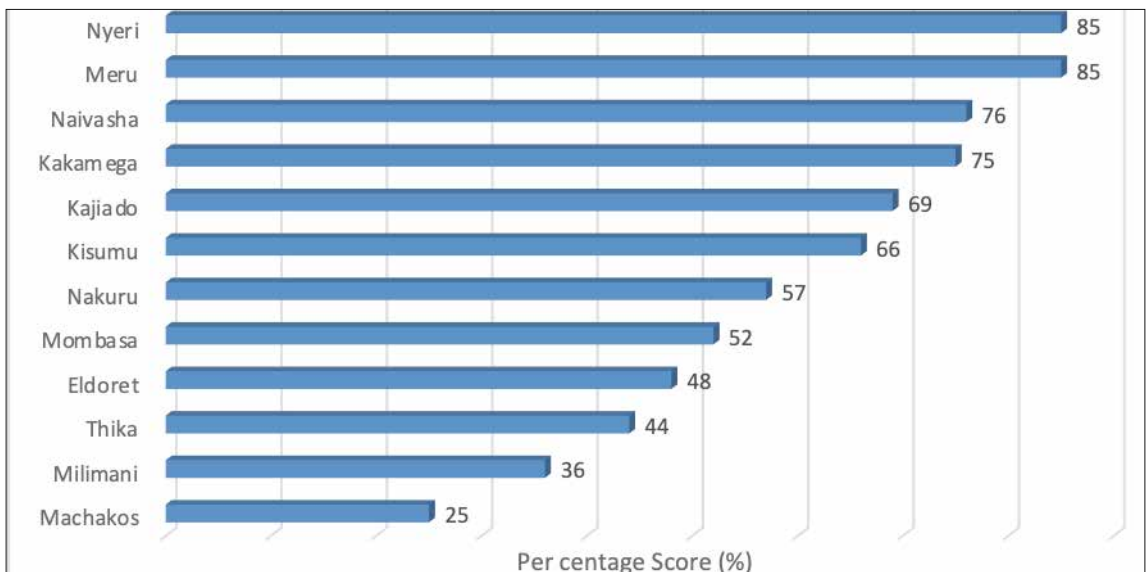
Table 51: Performance of Small Claims.

Small Claims Court	Composite Score	Performance Score (%)	Performance Grade
Meru	2.969	100.00	Very Good
Thika	3.004	100.00	Very Good
Nyeri	3.094	100.00	Very Good
Kakamega	3.097	100.00	Very Good
Naivasha	3.149	100.00	Very Good
Machakos	3.205	99.70	Good
Kisumu	3.463	83.56	Good
Mombasa	3.541	78.67	Good
Eldoret	3.564	77.27	Good
Milimani	3.577	76.43	Good
Nakuru	3.734	66.65	Fair
Kajiado	3.781	63.67	Fair

2.8.4 Hearing and Determination of Cases within 60 days of filing

In this category, Nyeri and Meru Small Claims’ Courts resolved 85 per cent of the cases within 60 days of filing, with Naivasha and Kakamega Small Claims’ Courts followed closely at 76 and 75 per cent, respectively. These results are illustrated in Figure 108.

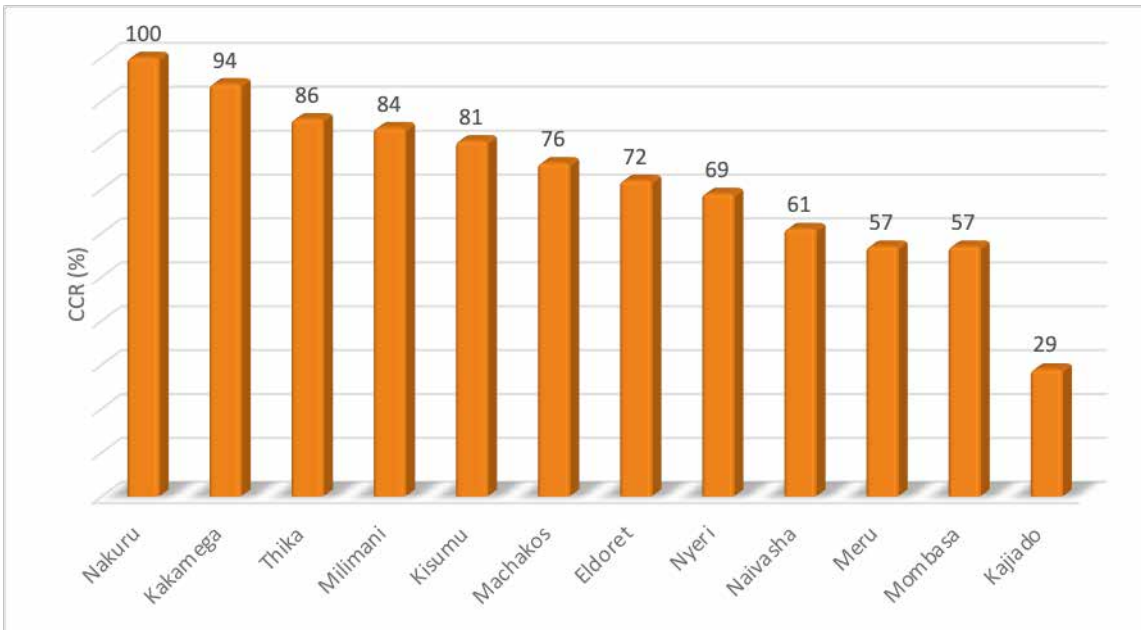
Figure 108: Determination of cases within 60 days of filing.



2.8.5 Case Clearance Rate for Commercial Cases

The court with the highest CCR was Nakuru Small Claims' Court at 100 per cent, followed by Kakamega Small Claims' Court at 94 per cent and then Thika Small Claims' Court, with a CCR of 86 per cent. Figure 110 provides a summary performance of all the small claims courts on this indicator.

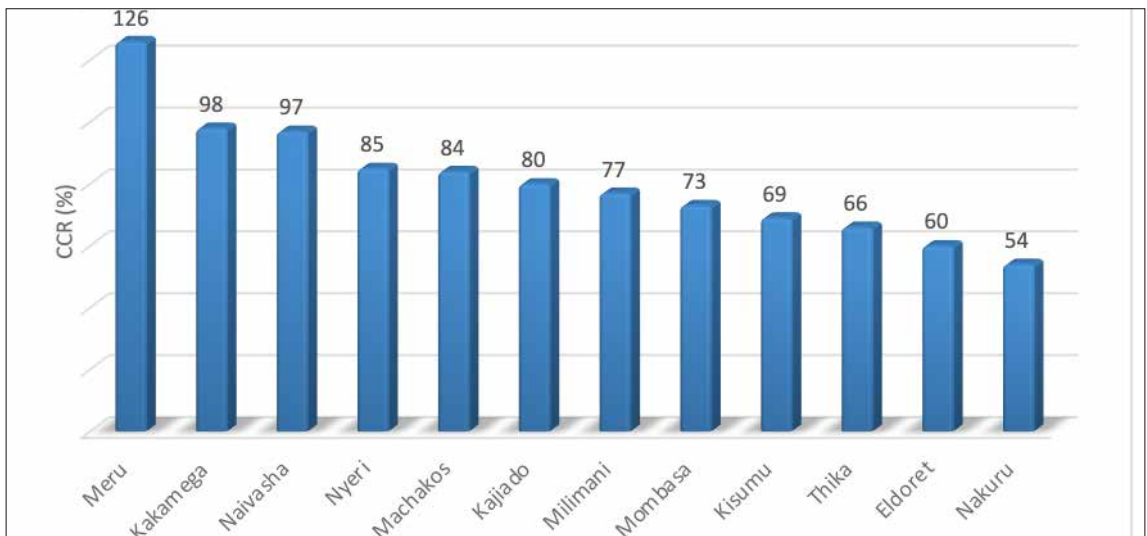
Figure 109: Case Clearance Rate Commercial Cases.



2.8.6 Case Clearance Rate for Civil Cases

The court with the highest CCR was Meru Small Claims' Court, which achieved 126 per cent. Kakamega and Naivasha Small Claims' Courts came second and third with an achievement of 98 and 97 per cent respectively. Figure 110 provides a summary performance of all the 12 Small claims courts

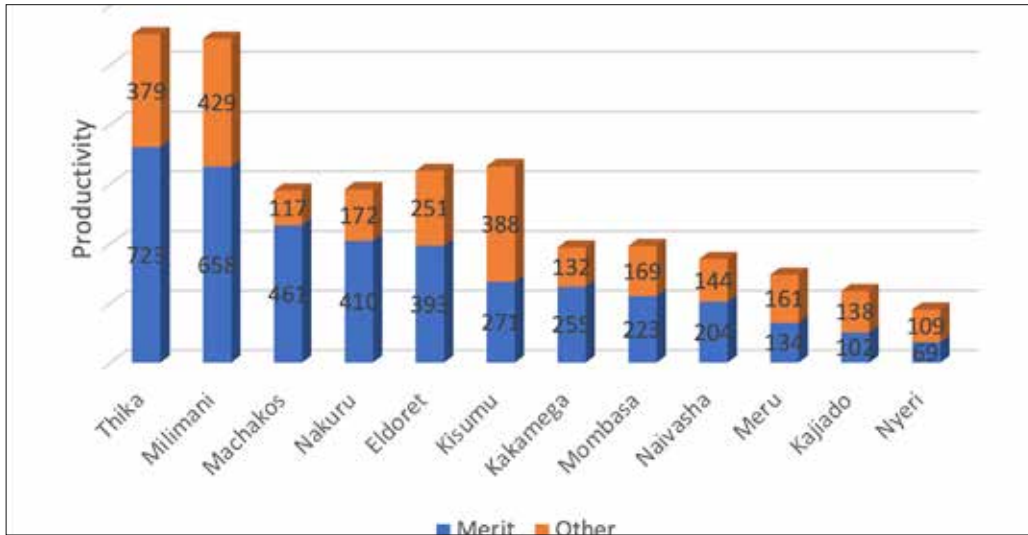
Figure 110: Case Clearance Rate Civil Cases.



2.8.7 Court's Merit Productivity

Thika Small Claims' court had the Highest merit productivity with 723 cases, followed by Milimani Small Claims' Court at 658 cases. On other productivity, Nairobi Small Claims' Court had the Highest achievement at 429 cases. Figure 111 illustrates productivity in Small Claims'.

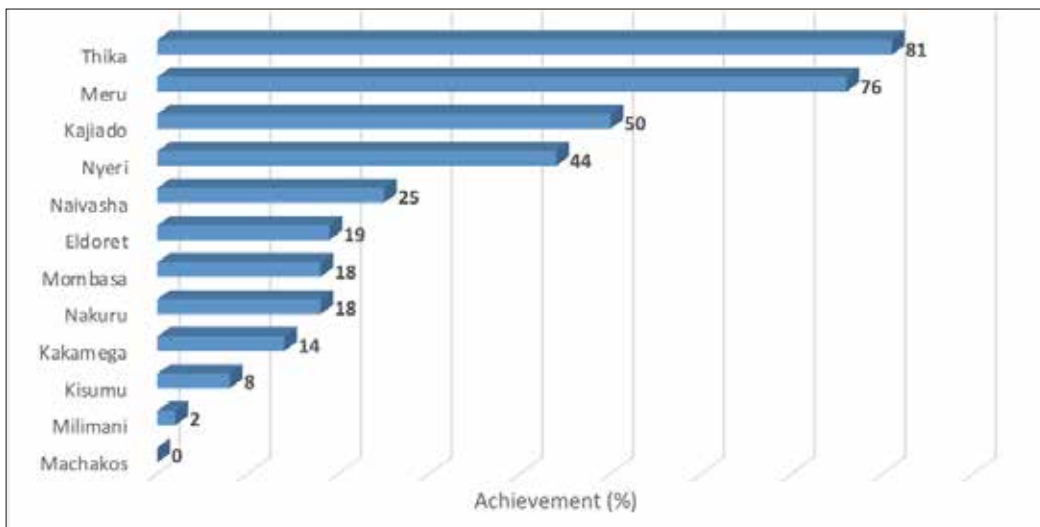
Figure 111: Court's Merit Productivity.



2.8.8 Delivery of Judgments and Rulings within 3 days of Conclusion of Hearing

Thika Small Claims Court was the highest performer in delivering judgments and rulings within 3 days from conclusion of hearing achieving an 81 per cent rating. Following closely were Meru and Nyeri Small Claims Courts, which achieved rates of 76 percent and 50 percent, respectively. The performance of these courts is listed in Figure 112.

Figure 112: Judgments & Rulings Delivered within 3 days.



2.9 KADHIS' COURTS PERFORMANCE

2.9.1 Introduction

Article 170 of the Constitution of Kenya establishes the Kadhis' Courts and grants them jurisdiction limited to the determination of questions of Islam law relating to personal status, marriage, divorce or inheritance in proceedings in which all the parties profess Islam religion and submit to the jurisdiction of the Kadhis' courts.

The evaluation of Kadhis' courts was based on the following indicators, among others:

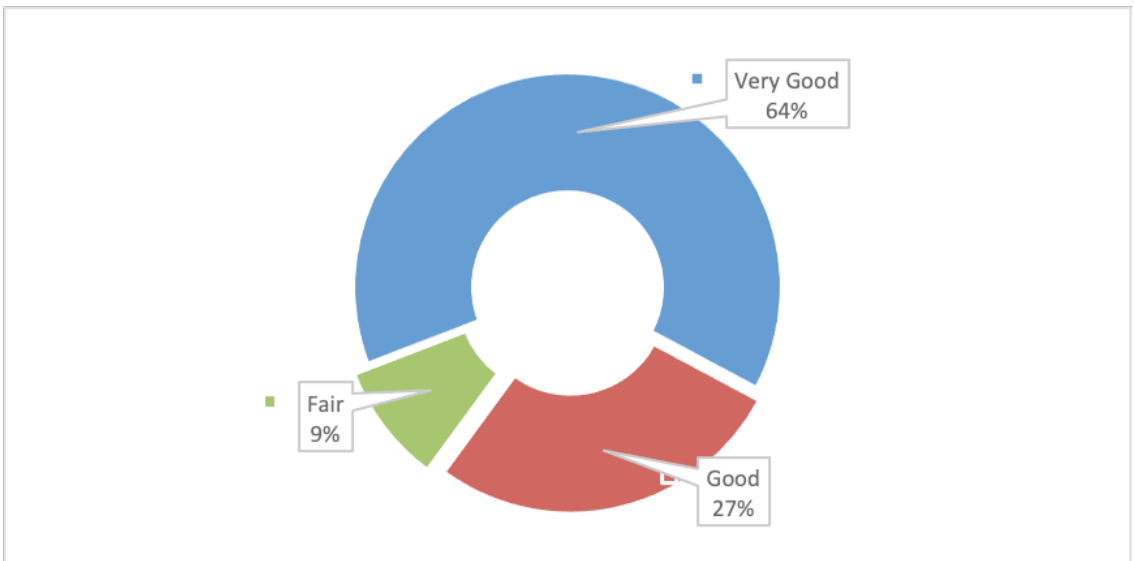
- a) Hearing and determination of matrimonial, divorce, succession and matters of personal status
- b) Judgments/rulings delivered on the date first scheduled for delivery
- c) Delivery of judgments/ rulings/ advisory opinions delivered within 60 days of conclusion of the hearing
- d) Trials/hearings held when first listed
- e) Case clearance rate
- f) Case backlog reduction
- g) Kadhis' productivity

During the financial year 2022/2023, 45 Kadhis' courts PMMUs were evaluated.

2.9.2 Overall Performance of Kadhis' Courts

The results of the evaluation indicated that 29 courts representing 64 per cent attained "Very Good" performance grade, 12 courts achieved "Good" while 4 courts achieved "Fair" performance grade. This performance is shown in Figure 113.

Figure 113: Overall Performance of Kadhis Courts.



Overall, Kibera Kadhis' Court emerged the best Kadhis' Court with an achievement of "Very Good" with a composite score of 2.811, followed by Mombasa and Kilifi Kadhis' Court at 2.877 and 2.886 respectively. Table 52 provides a summary of the overall performance of Kadhis' courts.

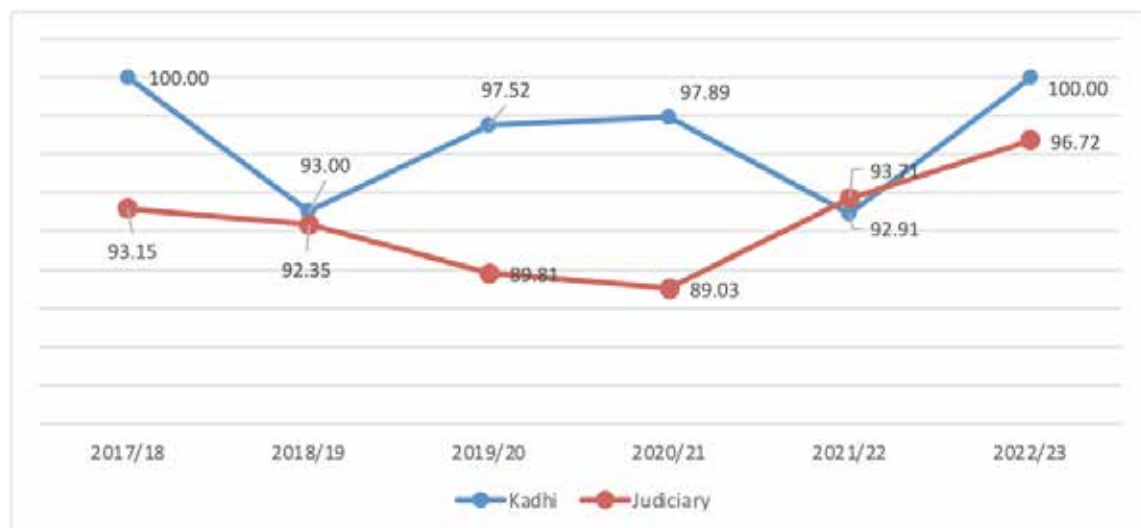
Table 52: Overall Performance of Kadhis' Courts.

Kadhi Court	Composite Score	Performance Score (%)	Performance Grade (%)
Kibera	2.811	100.00	Very Good
Mombasa	2.877	100.00	Very Good
Kilifi	2.886	100.00	Very Good
Mandera	2.887	100.00	Very Good
Mariakani	2.927	100.00	Very Good
Lamu	2.962	100.00	Very Good
Busia	2.971	100.00	Very Good
Kakuma	2.985	100.00	Very Good
Isiolo	3.001	100.00	Very Good
Kwale	3.007	100.00	Very Good

2.9.3 Performance Trend, Kadhis' Courts

The evaluation results show that the Kadhis' court's overall performance improved from 92.91 per cent in 2021/2022 to 100 per cent in the period under review. The trend analysis of Kadhis' Courts' overall performance during the previous six cycles is shown in Figure 115.

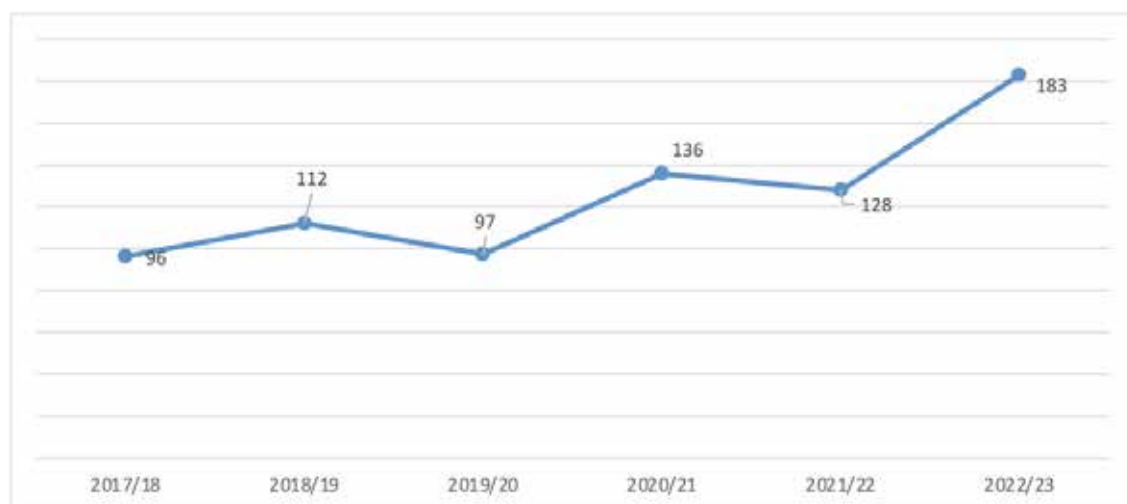
Figure 114: Overall Performance Trend Kadhis' Courts.



2.9.4 Productivity Trend, Kadhis' Courts

The evaluation Highlighted a significant improvement in the overall productivity of the Kadhis' court, with the number of cases rising from 128 in the financial year 2021/22 to 183 during the review period. Figure 115 illustrates the trend analysis for Kadhis' productivity.

Figure 115: Productivity Trend Analysis.



2.9.5 Most Improved Kadhis’ Courts

The findings showed that Machakos Kadhis Court demonstrated the most significant improvement, increasing from 67.33 per cent in 2021/2022 to a score of 100.00 per cent in 2022/2023, marking a 32.67 per cent improvement. Ijara and Eldas Kadhis’ Courts showed improvements of 25.04 per cent and 22.52 per cent, respectively. Table 53 lists the top 10 most improved Kadhis courts.

Table 53: Most Improved Kadhis Court.

Kadhis’ Court	Performance Score (%) FY2021/22	Performance Score (%) FY2022/23	Improvement (%)
Machakos	67.33	100.00	32.67
Ijara	69.89	94.93	25.04
Eldas	76.67	99.19	22.52
Habaswein	79.23	100.00	20.77
Kibera	81.08	100.00	18.92
Meru	82.63	98.20	15.58
Merti	83.51	98.91	15.39
Nakuru	87.17	100.00	12.83
Mandera	87.91	100.00	12.09
Garissa	89.50	100.00	10.50

The Kadhis’ Courts were classified into 3 categories based on case load;

- i). Kadhis’ courts with caseload category of above 300 filed cases
- ii). Kadhis’ courts with caseload category of between 101 and 300 filed cases
- iii). Kadhis’ courts with caseload category of 100 filed cases and below

2.9.6 PERFORMANCE OF KADHIS' COURTS - CASELOAD CATEGORY OF ABOVE 300 CASES

Ten Kadhi courts had a caseload of over 300 cases, including Garissa, Kakuma, Kibera, Kwale, Lamu, Mandera, Mombasa, Msambweni, Nairobi, and Wajir Kadhis' Courts.

2.9.6.1 Overall Performance of Kadhis' courts - Caseload Category of above 300 cases

Under this category all 10 courts representing 100 per cent achieved a performance grade of "Very Good" as displayed in Table 54.

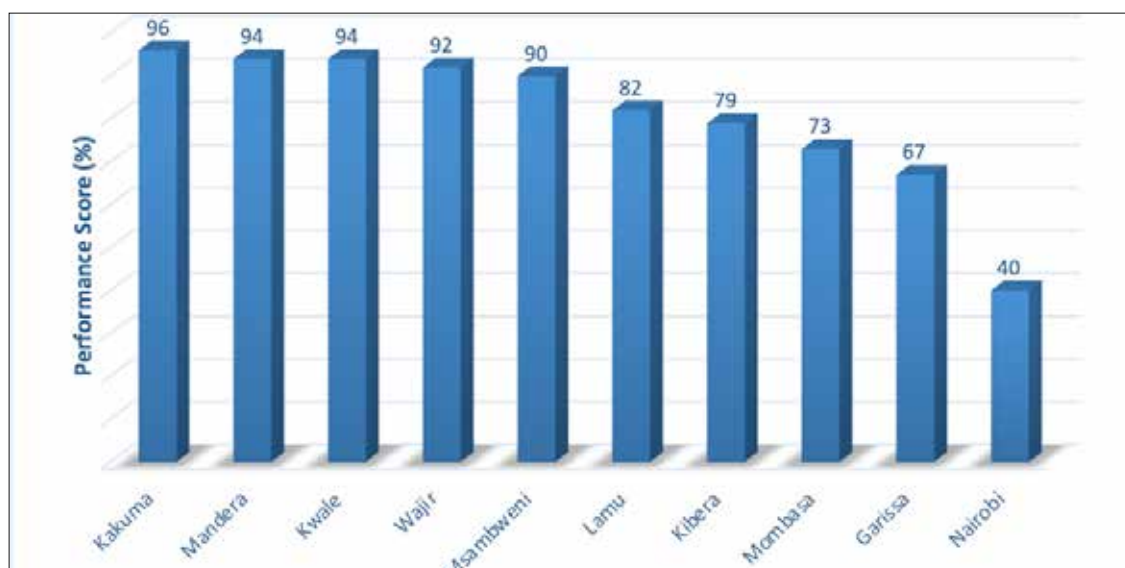
Table 54: Overall Performance of Kadhis' Court- Caseload Category of above 300 cases.

Kadhis' Court	Performance Score (%)	Performance Grade (%)
Kibera	100.00	Very Good
Mombasa	100.00	Very Good
Mandera	100.00	Very Good
Lamu	100.00	Very Good
Kakuma	100.00	Very Good
Kwale	100.00	Very Good
Msambweni	100.00	Very Good
Nairobi	100.00	Very Good
Garissa	100.00	Very Good
Wajir	100.00	Very Good

2.9.6.2 Hearing and Determination of Divorce and Succession Cases concluded within 360 days from date of filing - Caseload Category of above 300 cases

In this category, Kakuma Kadhis' Court concluded 96 per cent of its cases within 360 days from the date of filing. It was followed by Mandera and Kwale Kadhis' Courts at 94 per cent each. The findings on hearing and determination of cases within 360 days in this category are as illustrated in Figure 117.

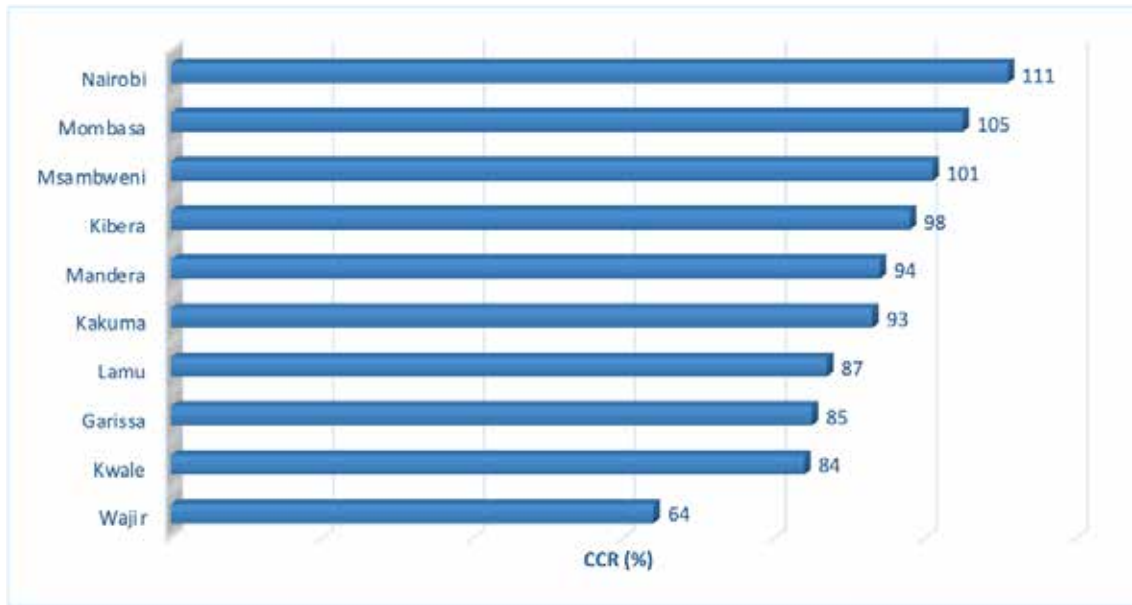
Figure 116: Hearing and Determination of Divorce and Succession Cases concluded within 360 days from date of filing - Caseload Category of above 300 cases.



2.9.6.3 Case Clearance Rate, Kadhis' Courts - Caseload Category of above 300 cases

The evaluation results indicated that Nairobi Kadhis' court had a Case Clearance Rate of 111 per cent followed by Mombasa and Msambweni Kadhis' courts at 105 per cent and 101 per cent respectively. The achievements of the courts in this category are as presented in Figure 117.

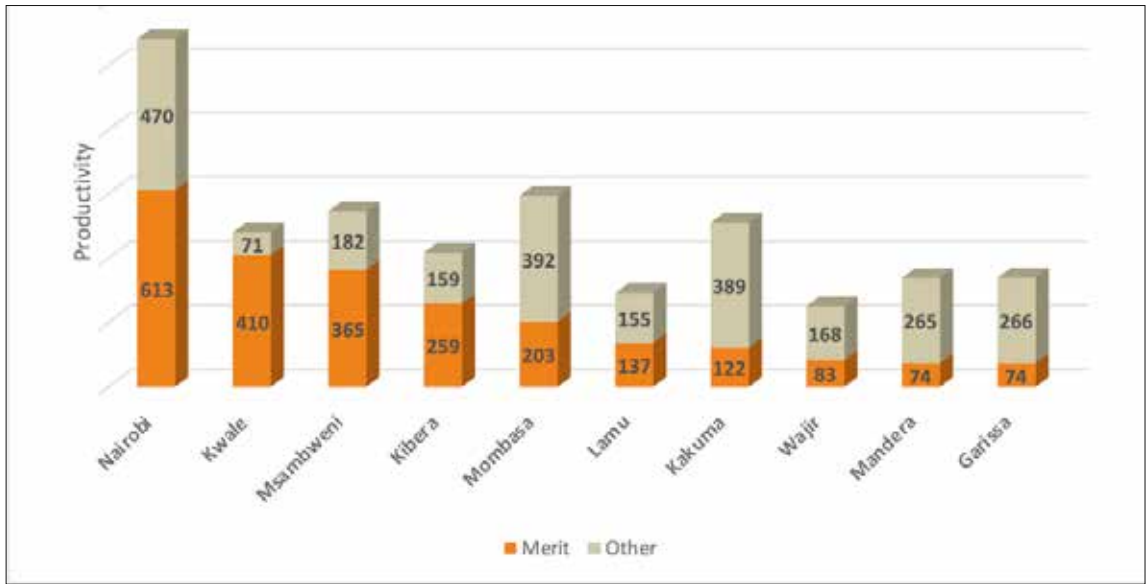
Figure 117: Case Clearance Rate, Kadhis' Courts - Caseload Category of above 300 cases.



2.9.6.4 Kadhis' Productivity - Caseload Category of above 300 cases

Nairobi Kadhis' court had the Highest merit productivity in this category with 613 cases, followed by Kwale Kadhis' Court at 410 cases. On other productivity, Nairobi and Mombasa Kadhis' Court had the Highest achievement at 470 and 392 cases respectively. Figure 119 illustrates productivity in Kadhis' Courts with a caseload of above 300 cases.

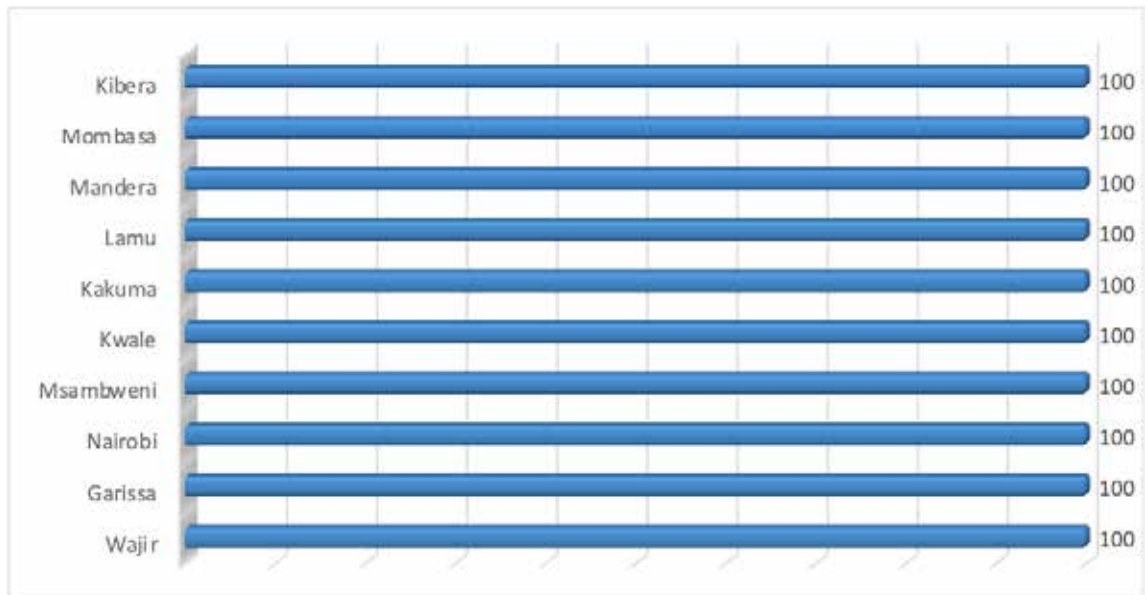
Figure 118: Kadhis' Productivity - Caseload Category of above 300 cases.



2.9.6.5 Delivery of Judgments and Rulings within 60 days of Conclusion of Hearing - Caseload Category of above 300 cases

The evaluation results revealed that all courts in this category met the requirement of delivering judgments and rulings within 60 days of conclusion of the hearing. Figure 119 provides the achievement of Kadhis' courts in delivery of judgments and rulings within 60 days.

Figure 119: Delivery of Judgments and Rulings within 60 days of Conclusion of Hearing - Caseload Category of above 300 cases.



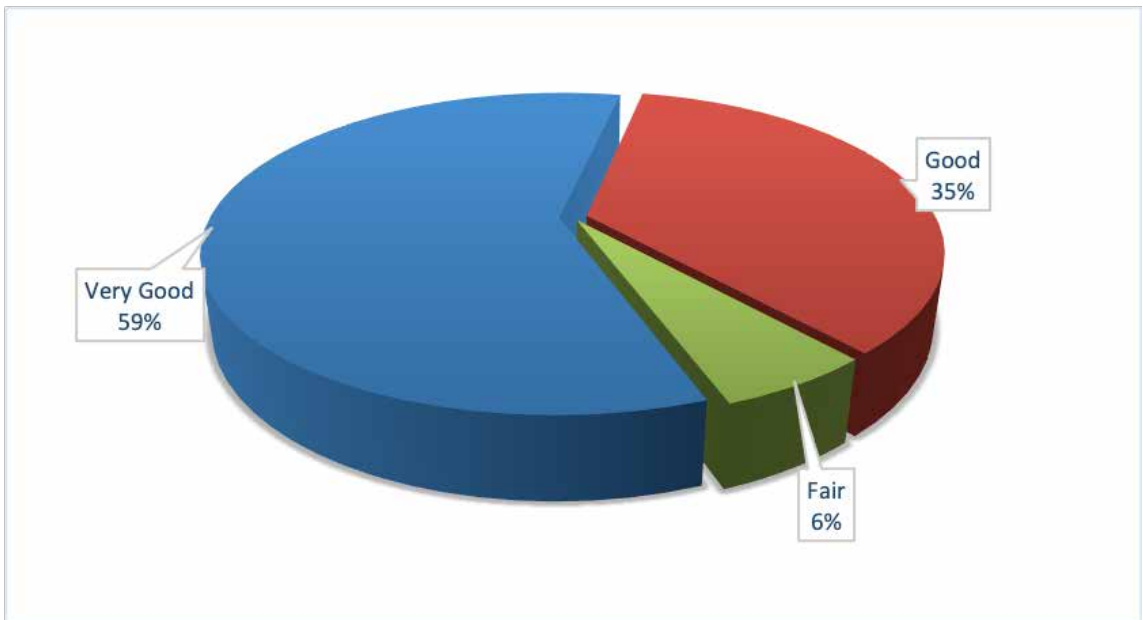
2.9.7 PERFORMANCE OF KADHIS' COURTS - CASELOAD CATEGORY OF BETWEEN 101 AND 300 FILED CASES

There were 17 Kadhis courts with a caseload of between 101 and 300 cases. These courts are Kilifi, Mariakani, Isiolo, Garsen, Habaswein, Dadaab, Voi, Malindi, Nakuru, Takaba, Meru, Moyale, Ijara, Elwak, Witu, Eldoret and Marsabit Kadhis' courts.

2.9.7.1 Overall Performance of Kadhis' courts - caseload category of between 101 and 300 filed cases

The evaluation revealed that 10 out of the 17 courts representing 59 per cent of courts in this category achieved a performance grade of 'Very Good', 6 courts achieved a grade of "Good" while 1 court achieved a performance grade of "Fair". Figure 120 provides the achievements of these courts.

Figure 120: Overall Performance of Kadhis' courts - caseload category of between 101 and 300 filed cases.



The evaluation further revealed that Kilifi Kadhis' Court was the best performing in this category with 100 per cent achievement and a composite score of 2.886 followed by Mariakani Kadhis' Court at 100 per cent and a composite score of 2.927 as shown in Table 55

Table 55: Best performing Kadhis' courts - caseload category of between 101 and 300 filed cases.

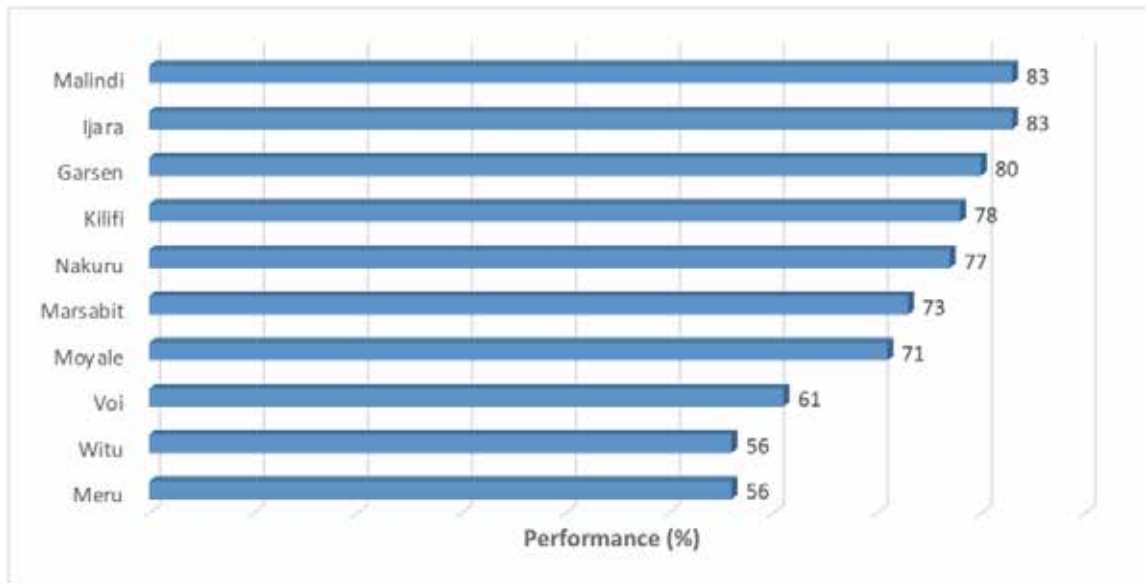
Kadhi Court	Composite Score (%)	Performance Score (%)	Performance Grade
Kilifi	2.886	100.00	Very Good
Mariakani	2.927	100.00	Very Good
Isiolo	3.001	100.00	Very Good
Garsen	3.014	100.00	Very Good
Habaswein	3.035	100.00	Very Good
Dadaab	3.047	100.00	Very Good

Kadhi Court	Composite Score (%)	Performance Score (%)	Performance Grade
Voi	3.095	100.00	Very Good
Malindi	3.103	100.00	Very Good
Nakuru	3.164	100.00	Very Good
Takaba	3.182	100.00	Very Good

2.9.7.2 Hearing and Determination of Divorce and Succession Cases concluded within 360 Days from Date of Filing - Caseload Category of between 101 and 300 Filed Cases

Results from the evaluation indicate that Malindi and Ijara Kadhis’ courts achieved a score of 83 per cent each in the hearing and determination of divorce and succession matters within 360 days. They were followed by Garsen Kadhis’ court at 80 per cent. Figure 121 illustrates hearing and determination of cases within 360 days for best the 10 courts in this category.

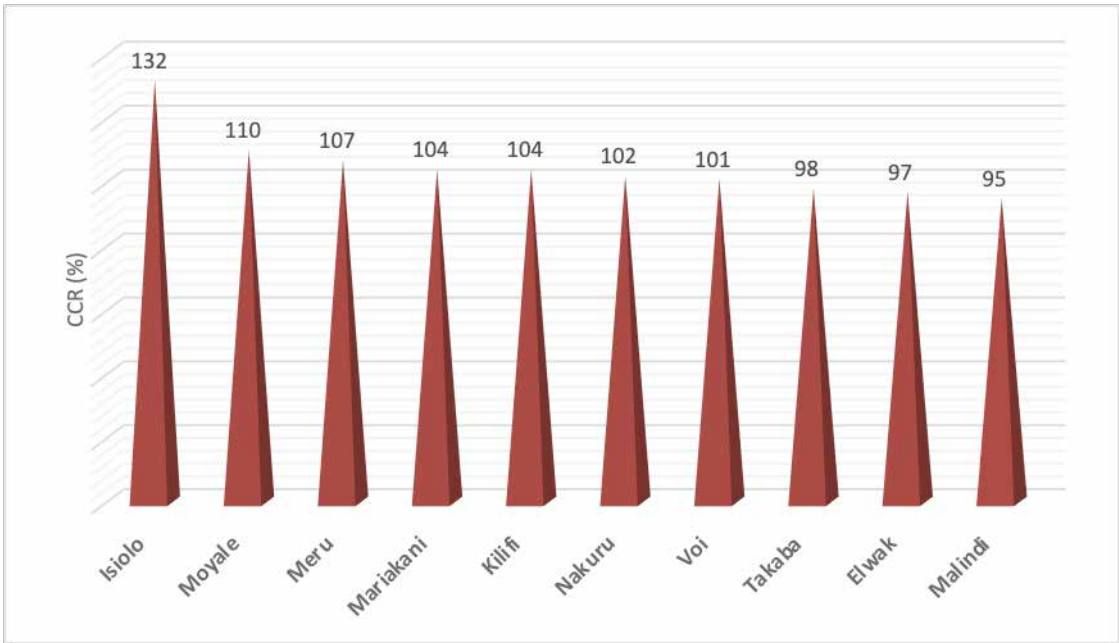
Figure 121: Hearing and Determination of Divorce and Succession Cases concluded within 360 Days from Date of Filing - Caseload Category of between 101 and 300 Filed Cases.



2.9.7.3 Case Clearance Rate, Kadhis’ courts - Caseload Category of between 101 and 300 Filed Cases

The evaluation results showed that the Kadhis’ courts in Isiolo and Moyale Kadhis’ Court had a case clearance rate of 132 per cent and 110 per cent respectively. Meru Kadhis’ court was also close behind with a rate of 107 per cent. These findings are described in Figure 122.

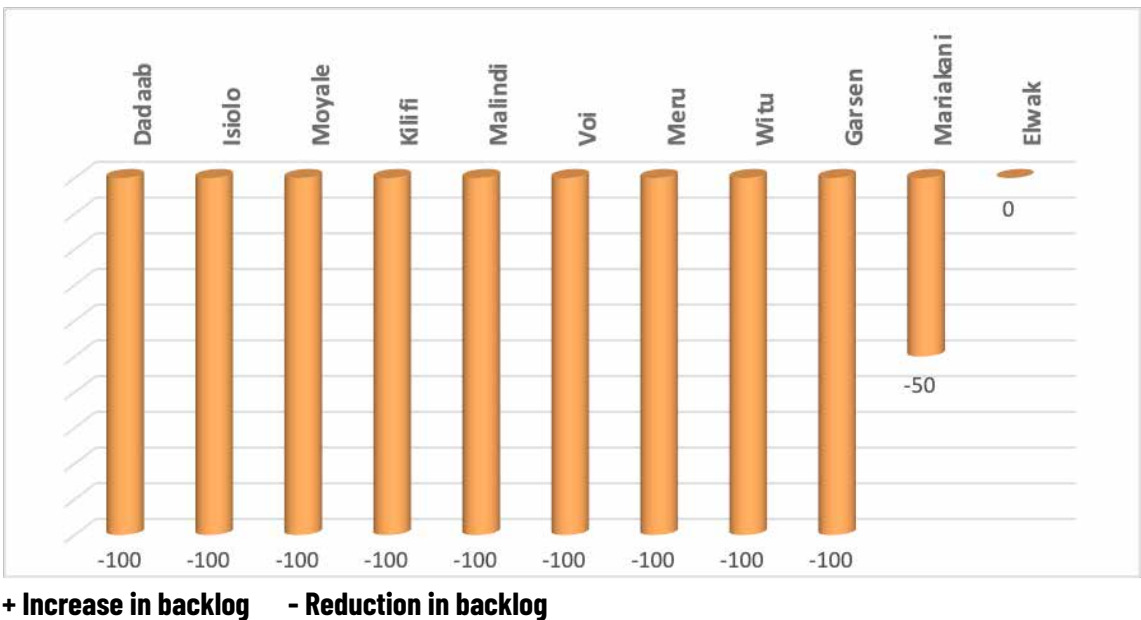
Figure 122: Case Clearance Rate, Kadhis' courts - Caseload Category of between 101 and 300 Filed Cases.



2.9.7.4 Reduction of Case Backlog, Kadhis' courts - Caseload Category of between 101 and 300 Filed Cases

The evaluation results showed that 8 courts in this category successfully reduced their backlog by 100 per cent. The performance of the top 10 courts in this regard is illustrated in Figure 123.

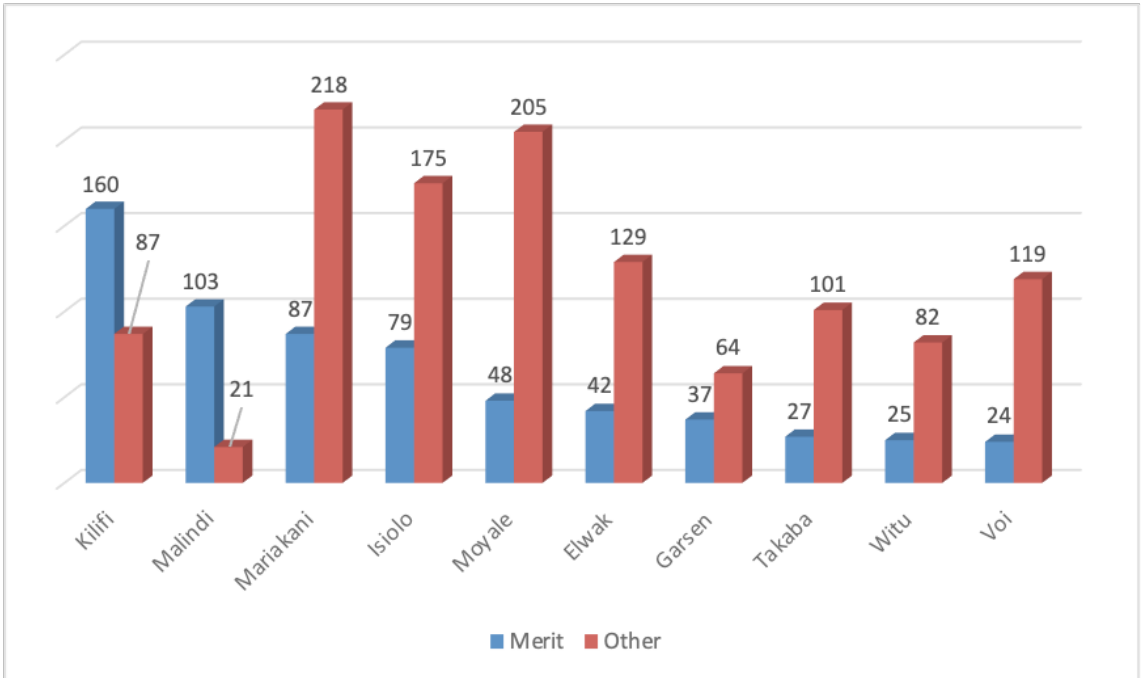
Figure 123: Reduction of Case Backlog, Kadhis' courts - Caseload Category of between 101 and 300 Filed Cases.



2.9.7.5 Kadhis' Productivity - Caseload Category of between 101 and 300 Filed Cases

Kilifi Kadhis' Court achieved the Highest merit productivity in this category with 160 cases, followed by Malindi and Mariakani Kadhis' Courts with 103 and 87 cases, respectively. Mariakani and Moyale Kadhis' Courts had the Highest achievement in Kadhis other productivity, with 218 and 205 cases, respectively. Figure 124 illustrates the productivity in Kadhis' Courts with a caseload of between 101 and 300 cases.

Figure 124: Kadhis' Productivity - Caseload Category of between 101 and 300 Filed Cases.



2.9.7.6 Delivery of Judgments and Rulings within 60 days of conclusion of Hearing - Caseload Category of between 101 and 300 filed cases

The evaluation results showed that all courts in this category except Marsabit Kadhis' court met the statutory requirement of delivering judgments and rulings within 60 days of concluding the hearing.

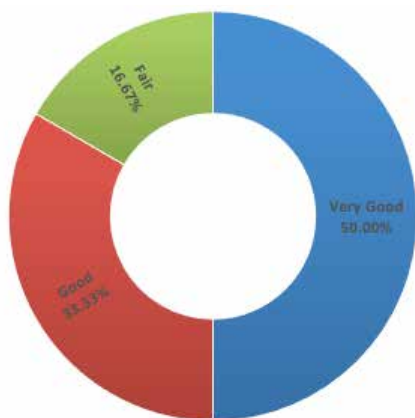
2.9.8 PERFORMANCE OF KADHIS' COURTS - CASELOAD CATEGORY OF 100 CASES AND BELOW

There were 18 Kadhis courts with a caseload of between 100 and 500 cases. These courts are Busia, Hola, Bura/Fafi, Vihiga, Machakos, Kakamega, Kericho, Kisumu, Balambala, Eldas, Merti, Modogashe, Bute, Kajiado, Nyeri, Kitui, Bungoma and Garbatulla Kadhis' courts.

2.9.8.1 Overall Performance of Kadhis' courts - Caseload Category of 100 cases and below

Based on the evaluation results, 9 out of 18 courts in this category, representing 50 per cent, achieved a performance grade of 'Very Good'. 6 courts attained a grade of 'Good', while 3 courts received a performance grade of 'Fair'. Figure 125 provides the achievements of these courts.

Figure 125: Overall Performance of Kadhis’ courts - Caseload Category of 100 cases and below.



Busia Kadhis’ Court was the best performing in this category with 100 per cent achievement and a composite score of 2.971 followed by Hola Kadhis’ Court at 100 per cent and a composite score of 3.044. These results are as illustrated in Table 56.

Table 56: Best performing Kadhis’ courts - Caseload Category of 100 cases and below.

Kadhi Court	Composite Score (%)	Performance Score (%)	Performance Grade (%)
Busia	2.971	100.00	Very Good
Hola	3.044	100.00	Very Good
Bura/Fafi	3.060	100.00	Very Good
Vihiga	3.130	100.00	Very Good
Machakos	3.134	100.00	Very Good
Kericho	3.150	100.00	Very Good
Kakamega	3.152	100.00	Very Good
Kisumu	3.168	100.00	Very Good
Balambala	3.186	100.00	Very Good
Eldas	3.213	99.19	Good

2.9.8.2 Hearing and Determination of Divorce and Succession Cases concluded within 360 days from date of filing - Caseload Category of 100 cases and below

Eight Kadhis’ courts in this category were able to hear and determine all the divorce and succession cases within 360 days. Modogashe and Busia Kadhis’ Courts achieved 98 per cent and 96 per cent, respectively, on this indicator. Table 57 illustrates the hearing and determination of cases within 360 days for the top 10 courts in this category.

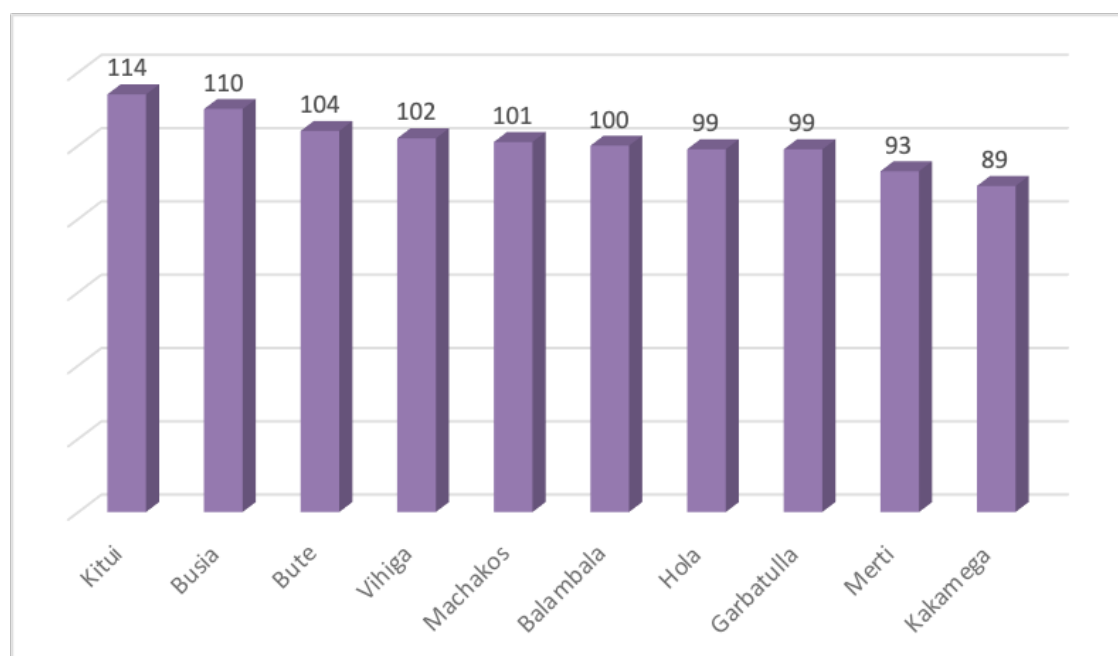
Table 57: Hearing and Determination of Divorce and Succession Cases concluded within 360 days from date of filing - Caseload Category of 100 cases and below.

Kadhis' Court	Achievement (%)
Bura/Fafi	100.00
Vihiga	100.00
Balambala	100.00
Eldas	100.00
Merti	100.00
Kajiado	100.00
Bungoma	100.00
Garbatulla	100.00
Modogashe	98.00
Busia	96.00

2.9.8.3 Case Clearance Rate, Kadhis' Courts – Caseload Category of 100 cases and below

The evaluation results highlight that Kitui Kadhis' Court achieved an impressive CCR of 114 per cent leading in this category. Following closely were Busia and Bute Kadhis' Courts, with CCRs of 110 per cent and 104 per cent, respectively. Figure 126 provides a visual representation of these findings.

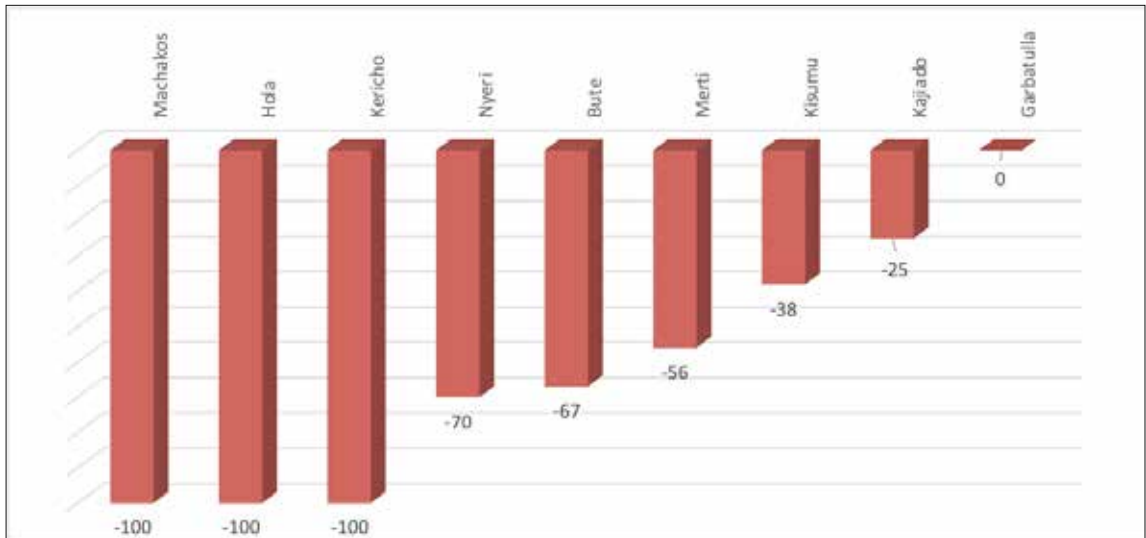
Figure 126: Case Clearance Rate, Kadhis' Courts – Caseload Category of 100 cases and below.



2.9.8.4 Reduction of Case Backlog, Kadhis' Courts - Caseload Category of 100 cases and below

The results of the evaluation revealed that Machakos, Hola and Kericho Kadhis' courts reduced backlog by 100 per cent followed by Nyeri and Bute Kadhis' Courts at 70 and 67 per cent respectively. Details on case backlog reduction in this category is as illustrated in Figure 127.

Figure 127: Reduction of Case Backlog, Kadhis' Courts - Caseload Category of 100 cases and below.

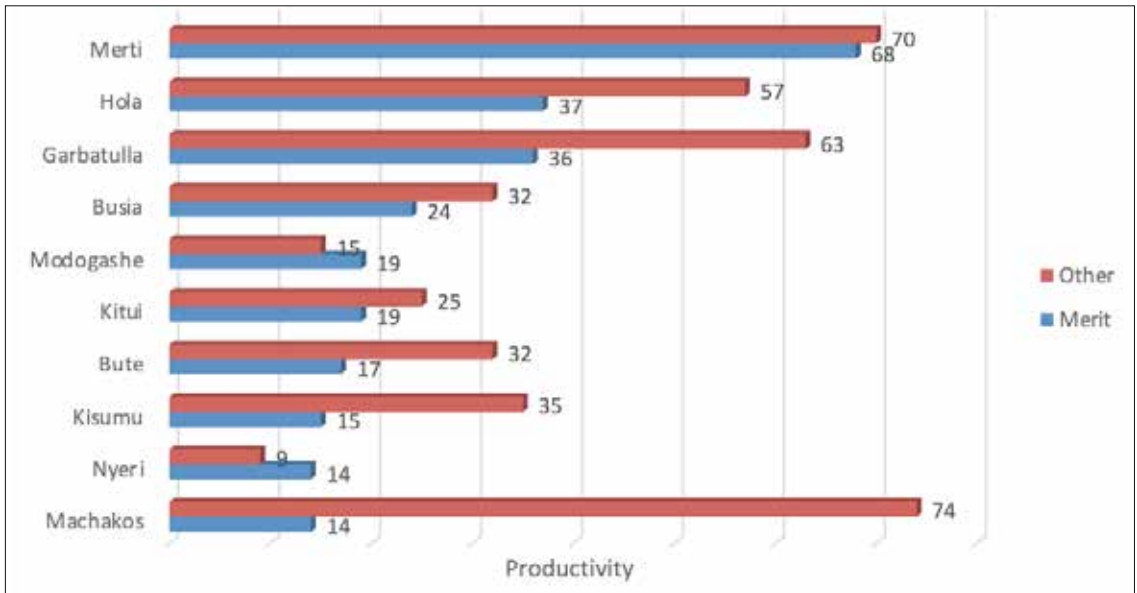


+ Increase in backlog - Reduction in backlog

2.9.8.5 Kadhis Productivity - Caseload Category of 100 cases and below

Merti Kadhis' Court had the Highest Kadhis merit productivity in this category with 68 cases, followed by Hola and Garbatulla Kadhis' at 37 and 36 cases respectively. Machakos Kadhis' Court had the Highest achievement in Kadhis other productivity of 74 cases, followed by Merti Kadhis' Court at 70 cases. Figure 128 illustrates productivity in Kadhis' Courts with a caseload of between 100 and 500 cases.

Figure 128: Kadhi's Productivity - Caseload Category of 100 cases and below.



2.9.8.6 Delivery of Judgments and Rulings within 60 days of Conclusion of Hearing - Caseload Category of 100 cases and below

The results reveal that 13 Kadhis' courts in this category achieved 100 per cent on delivery of judgments and rulings within 60 days of conclusion of the hearing. Table 58 provides the achievement of the Kadhis' courts on delivery of judgments and rulings within 60 days under this category.

Table 58: Delivery of Judgments and Rulings within 60 days of Conclusion of Hearing - Caseload Category of 100 cases and below.

Kadhis' Court	Achievement (%)
Machakos	100.00
Hola	100.00
Kericho	100.00
Nyeri	100.00
Bute	100.00
Merti	100.00
Kisumu	100.00
Kakamega	100.00
Bungoma	100.00
Busia	100.00
Vihiga	100.00
Bura/Fafi	100.00
Modogashe	100.00
Balambala	93.00
Kajiado	80.00
Eldas	80.00
Garbatulla	75.00
Kitui	71.00

2.10 TRIBUNALS PERFORMANCE

2.10.1 Introduction

Tribunals serve as subordinate courts with dual roles, exercising both judicial and quasi-judicial functions. Established in accordance with Article 169 of the constitution and enacted legislation, their primary purpose is to provide an expeditious and affordable forum for resolving disputes in specialized areas. Serving as critical doorways of access to justice in Highly specific domains, they play a crucial role in ensuring there is fair and prompt resolution of disputes.

During the FY 2022/23, 13 Tribunals were evaluated on Performance Management and Measurement Understandings (PMMUs). These include the Business Premises Rent Tribunal (BPRT), Rent Restriction Tribunal (RRT), Co-operative Tribunal, Tax Appeals Tribunal (TAT), Sports Disputes Tribunal (SDT), Communication & Multimedia Appeals Tribunal (CAMAT), Political Parties Dispute Tribunal (PPDT), Legal Education Appeals Tribunal (LEAT), Micro and Small Enterprises Tribunal (MSET), Energy and Petroleum Tribunal (EPT), Industrial Property Tribunal (IPT), Standards Tribunal (ST) and Transport and Licensing Board Tribunal (TLAB).

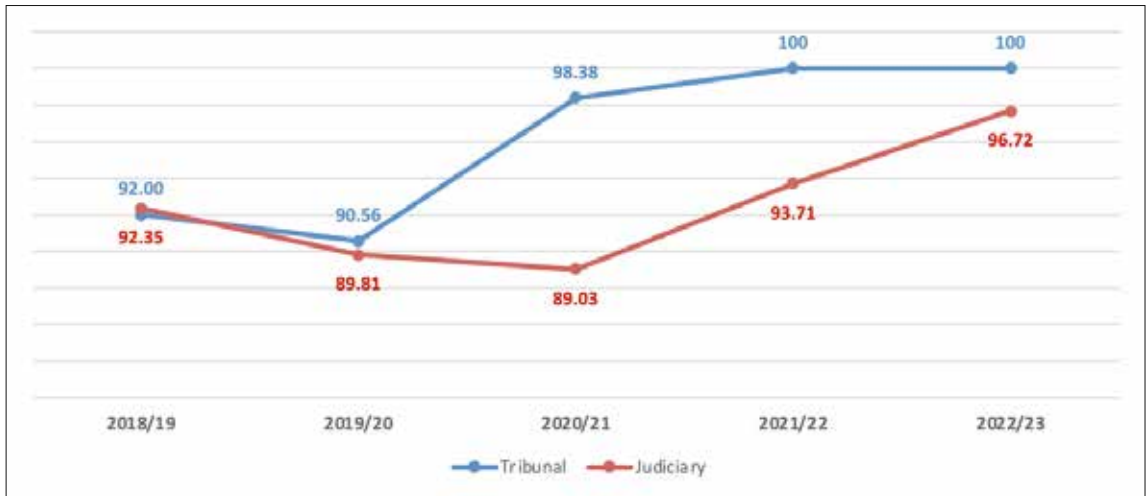
Tribunals were evaluated on various performance indicators during the period under review, including:

- i. Hearing and determination of cases within 360 days from the date of filing
- ii. Case Clearance rate
- iii. Reduction of case backlog
- iv. Merit and other bench productivity
- v. Delivery of judgments and rulings within 60 days from date of conclusion hearing

2.10.2 Overall Performance Trends of Tribunals

Over the past four years, there has been a noticeable trend of improvement in the overall performance of Tribunals, with performance score of 100 per cent recorded in the review period. Except in 2018/2019, the Tribunals have consistently performed above the overall Judiciary performance. The trend on overall performance of the Tribunals compared to the Judiciary is highlighted in Figure 129.

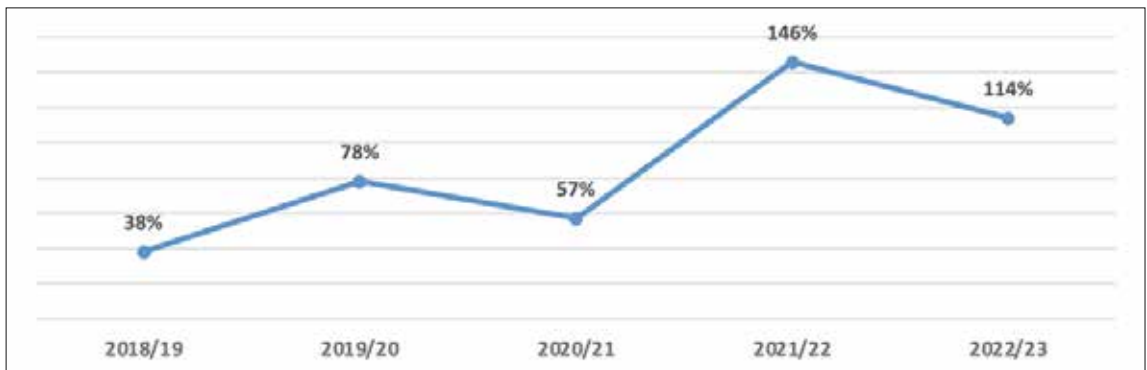
Figure 129: Trend on overall Tribunal Performance.



2.10.3 Performance of Tribunals on Case Clearance Rate

The CCR for the Tribunals decreased from 146 per cent to 114 per cent during the financial year 2022/23 compared to the previous year. This decline may be attributed to factors such as the lack of membership in some of the tribunals. Notably, there has been fluctuations in the CCR over the past years, with increases observed in 2019/20 and 2021/22, which dropped in 2022/23. The overall trend in CCR for the tribunals is shown in Figure 130.

Figure 130: Trend on Case Clearance Rate for the Tribunal.



2.10.4 Performance of Tribunals on Productivity

During the period under review, the overall productivity of Tribunal members' benches was 428 cases. This total productivity consisted of 94 cases attributed to merit bench productivity and 334 cases attributed to other bench productivity.

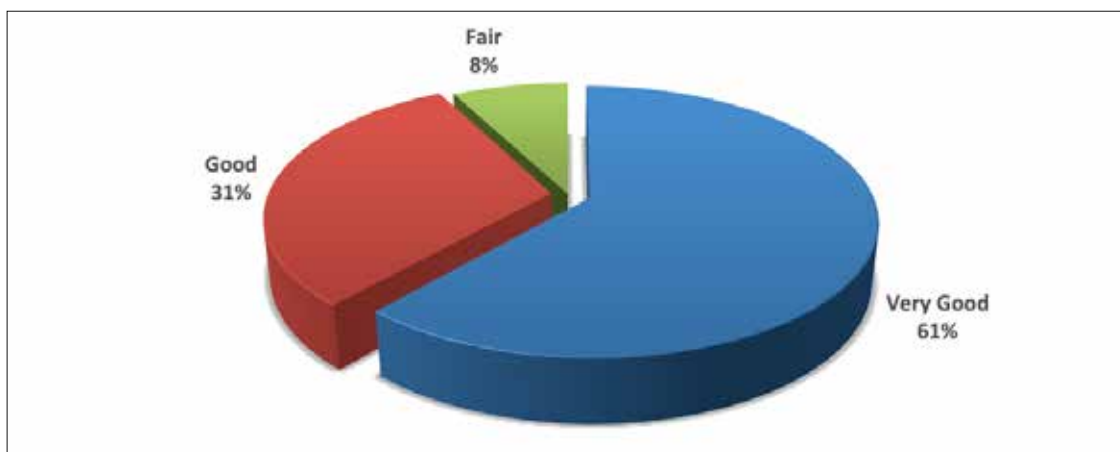
2.10.5 Performance of Tribunals on Reduction of case backlog

On average the Tribunals managed to reduce the case backlog by 19 per cent during the reporting period.

2.10.6 Overall Performance of Tribunals

The overall performance of Tribunals indicates that 8 out of 13 Stations attained performance grade of "Very Good", 4 achieved "Good", and 1 got "Fair". The proportion of performance grade for the Tribunals is shown in Figure 131.

Figure 131: Overall Tribunal Performance.



2.10.7 Most Improved Tribunals

In the year under review, the Industrial Property Tribunal was the most improved Tribunal. The Tribunal's performance increased from 96.27 per cent in FY 2021/22 to 99.34 per cent during the reporting period, marking an improvement of 3.06 per cent.

The Tribunals were categorized into two groups based on their filed Cases. These categories included:

- i. Tribunals with caseload of over 500 filed cases
- ii. Tribunals with caseload of 500 filed cases and below

2.10.8 TRIBUNALS - CASELOAD CATEGORY OF ABOVE 500 CASES

2.10.8.1 Overall Performance of Tribunals- Caseload Category of above 500 Cases

This category comprised 4 Tribunals, with 2 achieving a performance grade of "Very Good", while the others attained "Good" and "Fair" performance grades. In FY 2022/23, the Tax Appeals Tribunal emerged the best performer within this category, with a composite score of 2.810 and a performance grade of "Very Good". The Rent Restriction Tribunal was second with a composite score of 2.908 and a performance grade of "Very Good". Table 59, provides the performance of the Tribunals in the Caseload Category of above 500 cases.

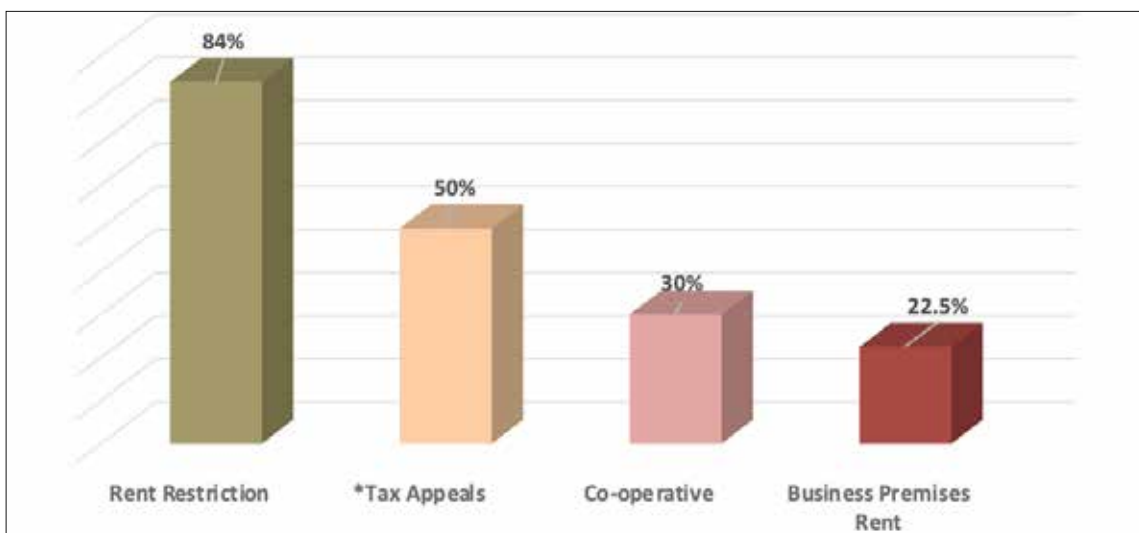
Table 59: Overall Performance of Tribunals – Caseload Category of above 500 cases.

Tribunal	Composite Score	Performance Score (%)	Performance Grade
Tax Appeals	2.810	100.00	Very Good
Rent Restriction	2.908	100.00	Very Good
Co-operative	3.368	89.50	Good
Business Premises Rent	3.624	73.48	Fair

2.10.8.2 Performance of Tribunals on Hearing and Determination of Filed Cases /Appeals within 360 days of filing- Caseload Category of above 500 Cases

The Rent Restriction Tribunal was the best performing Tribunal on Hearing and Determination of filed cases /appeals within 360 days of filing, resolving 84 per cent of cases within the specified timeframe. This was followed by Tax Appeals Tribunals with resolution rates of 50 per cent. Figure 132 shows the performance of Tribunals on hearing and determination of filed cases/appeals within 360 days of filing - Caseload category of above 500 cases.

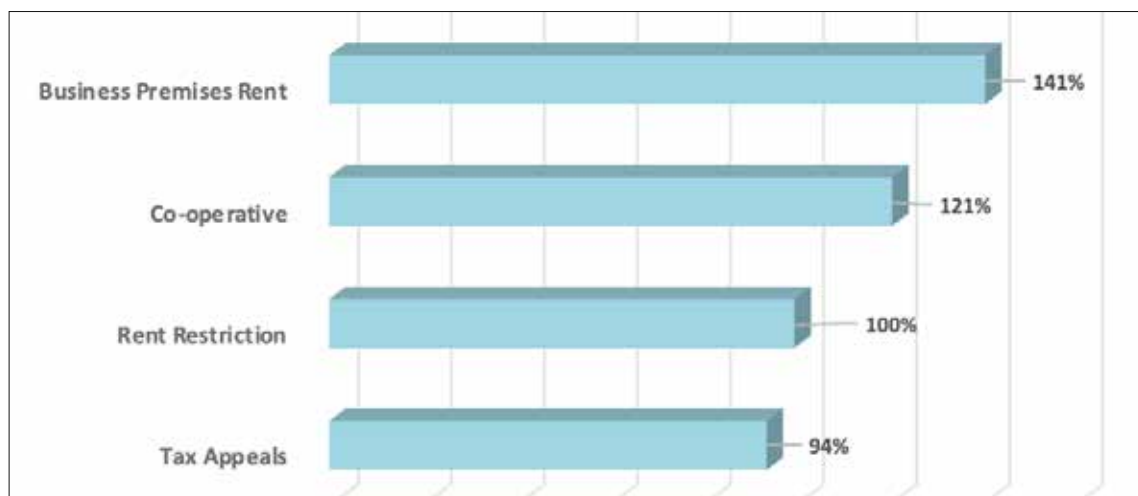
Figure 132: Performance of Tribunals on Hearing and Determination of filed Cases/Appeals within 360 days of filing - Caseload category of above 500 cases.



2.10.8.3 Performance of Tribunals on Case Clearance Rate - Caseload Category of above 500 Cases

The Business Premises Rent Tribunal was the best performing Tribunal in this category with a CCR of 141 per cent. It was followed by Co-operative Tribunal with a CCR of 121 per cent. The performance of the Tribunals on case clearance rate is shown in Figure 133.

Figure 133: Best performing Tribunal on case clearance rate- Caseload category of above 500 cases.



2.10.8.4 Performance of Tribunals on Reduction of Case Backlog – Caseload Category of above 500 Cases

Among the Tribunals in this category, three successfully reduced their case backlogs. The Co-operative Tribunal excelled as the top performer in backlog reduction during FY 2022/23, achieving a reduction of 56 per cent. The Business Premises and Rent Restriction Tribunals also reduced their case backlog by 31 per cent. Table 60 shows the performance of Tribunals on the reduction of case backlog.

Table 60: Performance of Tribunals on Case Backlog Reduction – Caseload Category of above 500 Cases.

Tribunal	Achievement (%)
Co-operative Tribunal	-56.00
Business Premises Rent Tribunal	-31.00
Rent Restriction Tribunal	-11.00

+ Increase in backlog - Reduction in backlog

2.10.8.5 Performance of Tribunals on Productivity – Caseload Category of above 500 Cases

The Co-operative Tribunal emerged the best on merit bench productivity with 365 cases. The Business Premises Rent Tribunal achieved merit bench productivity of 120 cases. Table 61 presents Tribunal merit and other bench productivity.

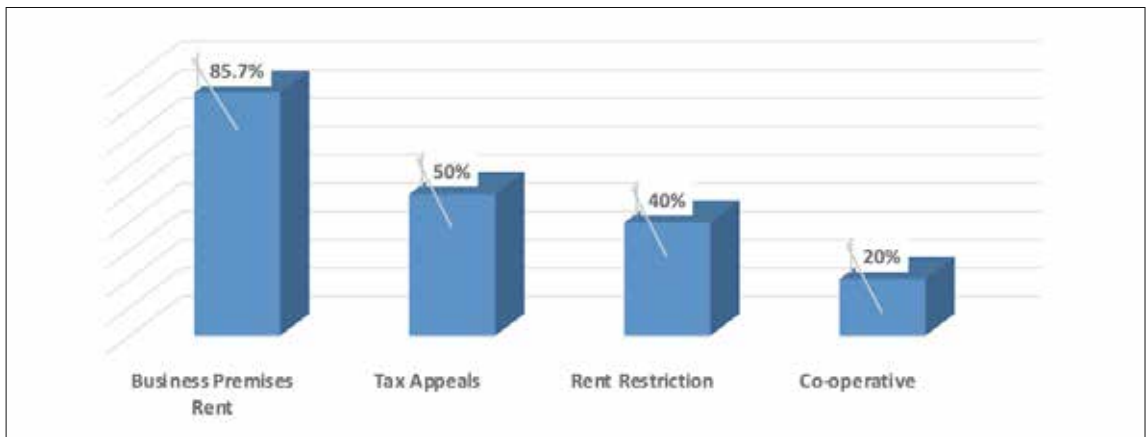
Table 61: Performance of Tribunals on Merit and Other Bench Productivity- Caseload Category of above 500 Cases.

Tribunal	Merit bench productivity	Other bench Productivity
Co-operative	365	333
Business Premises Rent	120	756
Tax Appeals	71	155
Rent Restriction	51	1401

2.10.8.6 Performance of Tribunals on Delivery of Judgments and Rulings within 60 days of Conclusion of Hearing - Caseload Category of above 500 Cases

The Business Premises Rent Tribunal was the best performing Tribunal delivering 85.7 per cent of judgments and rulings within 60 days after the conclusion of the hearing. The Tax Appeals Tribunal emerged second and delivered 50 per cent of the judgments/rulings within timelines. Figure 134 shows the performance of Tribunals on delivery of Judgments and rulings within 60 days of conclusion of hearing.

Figure 134: Best performing Tribunal on delivery of Judgments/Rulings within 60 days of conclusion of hearing - Caseload category of above 500 cases.

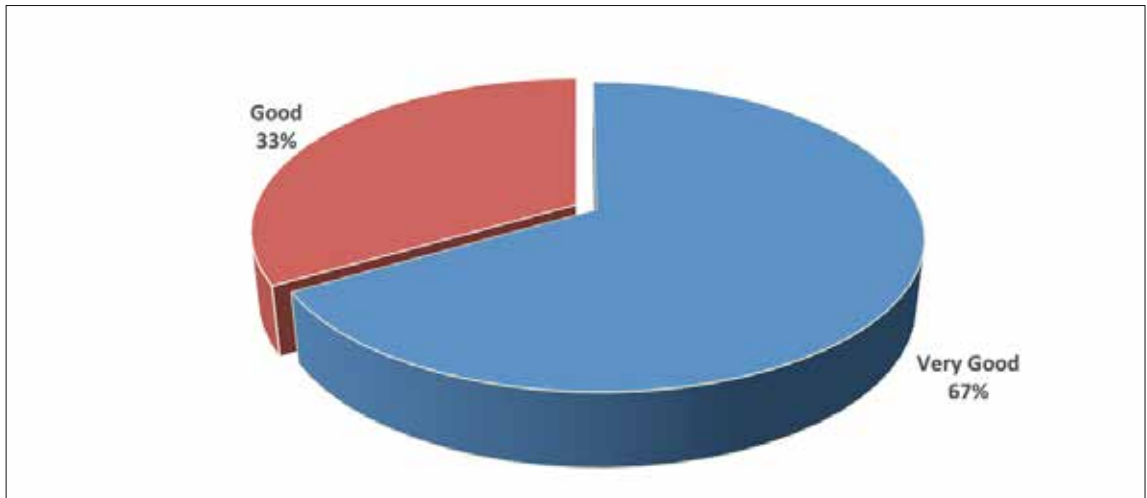


2.10.9 TRIBUNALS - CASELOAD CATEGORY OF 500 CASES AND BELOW

2.10.9.1 Overall performance of Tribunals - Caseload Category of 500 Cases and below

This category comprised 9 Tribunals, namely Sports Disputes, Communication & Multimedia Appeals, Political Parties Disputes, Legal Education Appeals, Micro and Small Enterprises, Energy and Petroleum, Industrial Property, Standards, and Transport and Licensing Board Tribunals. Among these, 6 Tribunals achieved a performance grade of 'Very Good', while 3 attained a performance grade of 'Good'. The Overall Performance of Tribunals - Caseload Category of 500 cases and below is shown in Figure 135.

Figure 135: Overall Performance of Tribunals – Caseload Category of 500 cases and below.



The Sports Disputes Tribunal emerged the best performing Tribunal in this category achieving a performance grade of ‘Very Good’ and a composite score of 2.995. The Communications and Multimedia Appeals and Political Parties Disputes came in second and third respectively. Details on the overall performance of the Tribunals in this category are provided in Table 62.

Table 62: Overall Performance of Tribunals – Caseload Category of 500 cases and below.

Tribunal	Composite Score	Performance Score (%)	Performance Grade
Sports Disputes	2.995	100.00	Very Good
Communications and Multimedia Appeals	3.019	100.00	Very Good
Political Parties Disputes	3.113	100.00	Very Good
Legal Education Appeals	3.123	100.00	Very Good
Micro and Small Enterprises	3.133	100.00	Very Good
Standards	3.153	100.00	Very Good
Energy & Petroleum	3.207	99.56	Good
Industrial Property	3.211	99.33	Good
Transport Licensing Appeals Board	3.509	80.71	Good

2.10.9.2 Performance of Tribunals on Hearing and Determination of Filed Cases /Appeals within 360 days from the date of filing- Caseload Category of 500 Cases and below

7 out of the 9 Tribunals successfully heard and determined filed cases/appeals within the stipulated 360-day timeline. However, the remaining two Tribunals in this category did not meet the specified timelines. Table 63 provides details on performance of the Tribunals on hearing and determination of filed cases/appeals in the Caseload Category of 500 Cases and below.

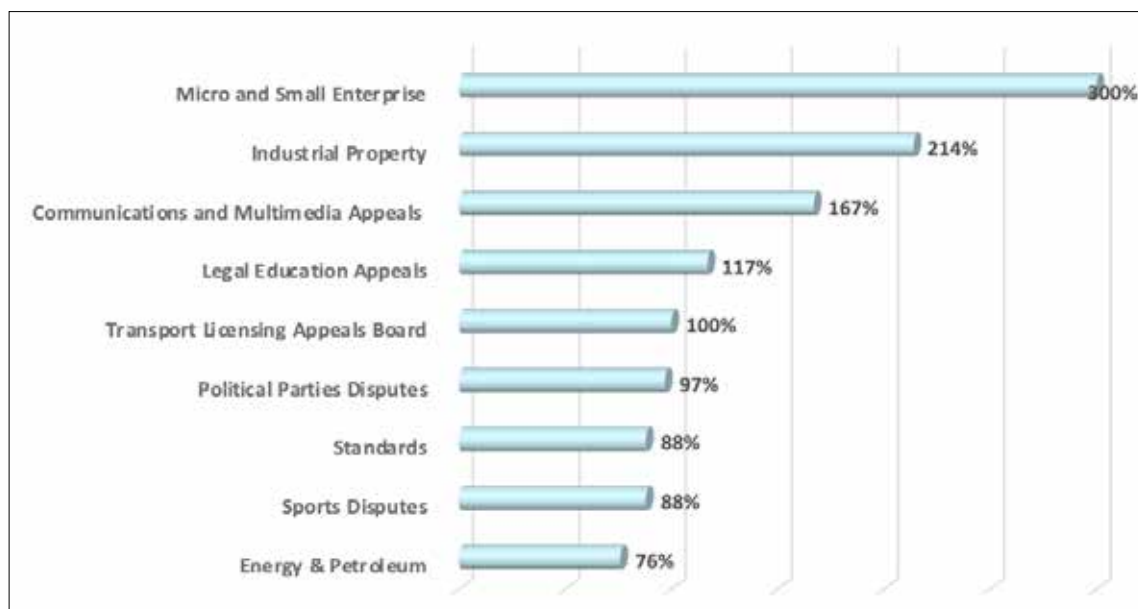
Table 63: Performance of Tribunals on hearing and determination of filed cases/appeals within 360 days from the date of filing- Caseload Category of 500 Cases and below.

Tribunal	Achievements (%)
Sports Disputes	100
Communications and Multimedia Appeals	100
Political Parties Disputes	100
Legal Education Appeals	100
Micro and Small Enterprises	100
Standards Tribunal	100
Energy & Petroleum	100
Transport Licensing Appeals Board	76
Industrial Property	29

2.10.9.3 Performance of Tribunals on Case Clearance Rate - Caseload Category of 500 Cases and below

In terms of CCR, the Micro and Small Enterprises Tribunal performed best, achieving a CCR of 300 per cent. It was followed by the Industrial Property and Communication and Multimedia Appeals Tribunals with CCRs of 214 per cent and 167 per cent respectively. Figure 136 presents details on CCR for the Tribunals in the category.

Figure 136: Performance of Tribunals on Case Clearance Rate - Caseload Category of 500 Cases and below.



2.10.9.4 Performance of Tribunals on Reduction of Case Backlog - Caseload Category of 500 Cases and below

On reduction of case backlog in this category, 2 tribunals managed to reduce the case backlog. The reduction was Highest at the Industrial Property Tribunal at 82 per cent followed by Standards Tribunal at 29 per cent. The rest of the tribunals in this category increased their case backlog.

2.10.9.5 Performance of Tribunals on Productivity – Caseload Category of 500 Cases and below

During the financial year under review, the Political Parties Disputes Tribunal led in merit bench productivity. The Tribunal achieved a merit bench productivity of 113 cases, followed by the Sport Disputes Tribunal at 56 cases. Details on merit and other bench productivity for the Tribunals in this category are shown in Table 64.

Table 64: Performance of Tribunals on Merit and Other bench Productivity- Caseload Category of 500 cases and below.

Tribunal	Merit Productivity	Other Productivity
Political Parties Disputes	113	34
Sports Disputes	56	20
Legal Education Appeals	33	1
Energy & Petroleum	24	5
Transport Licensing Appeals Board	19	3
Industrial Property	14	1
Micro and Small Enterprises	11	4
Standards	5	0
Communications and Multimedia Appeals	4	1

+ Increase in backlog - Reduction in backlog

2.10.9.6 Performance of Tribunals on Delivery of Judgments and Rulings within 60 days of Conclusion of Hearing – Caseload Category of 500 Cases and below.

On delivery of Judgments/rulings within 60 days of conclusion of the hearing, 8 out of 9 Tribunals in this category successfully delivered all their judgments/rulings within this timeframe, while one was unable. Table 65 provides details on delivery of judgments/rulings within 60 days of conclusion of hearing for the Tribunals in this category.

Table 65: Performance of Tribunals on Delivery of Judgments/Rulings within 60 days of conclusion of hearing- Caseload Category of 500 cases and below.

Tribunal	Achievements (%)
Sports Disputes	100
Communications and Multimedia Appeals	100
Political Parties Disputes	100
Legal Education Appeals	100
Micro and Small Enterprises	100
Standards	100
Energy & Petroleum	100
Industrial Property	100
Transport Licensing Appeals Board	43

2.11 PERFORMANCE OF ADMINISTRATIVE UNITS

2.11.1 Introduction

Kenya's Judiciary system is made up of various administrative units that facilitates the courts and tribunals to function more efficiently. These components include the Office of the Chief Registrar, the Judiciary Ombudsman, the Kenya Judiciary Academy, 8 Registrars, and 10 Directorates. Each of these units contributes in different ways to ensuring that courts and tribunals carry out their functions effectively. This report also covers the performance of the administrative units during the year under review.

2.11.2 OFFICE OF THE CHIEF REGISTRAR OF THE JUDICIARY

The Office of the Chief Registrar plays a pivotal role in maintaining the seamless operations of the courts and administrative units. By adeptly managing day-to-day operations, providing funds and overseeing human resources deployment and performance. The office ensures efficient delivery of justice across the country. Moreover, through strategic planning, development, and organization of Judges, Judicial officers and staff, it enhances the effectiveness of judicial processes. Additionally, the office serves as a vital link between the judiciary and the public, offering support, facilitating easy access to justice for all, and expanding doorways of justice to secure social transformation.

The performance trend analysis reveals fluctuations during the financial years 2017/18, 2018/19, and 2019/20. However, there was an overall upward trajectory in performance, particularly in the last 2 years. Figure 137 provides a comprehensive overview of the overall performance trajectory within the office.

Figure 137: Trend of OCRJ performance.



The performance evaluation of the Chief Registrar encompassed the Core Mandate, Financial, Customer, Innovation & Learning, and Internal Process perspectives. Each perspective was informed by specific indicators derived from the constitutional mandate, the Social Transformation through Access to Justice (STAJ), and annual work plans. By analysing performance through this multi-dimensional lens, the evaluation process ensured alignment with strategic objectives, key functions, and service delivery standards thereby facilitating an overall assessment of the Chief Registrar's performance and fostering continuous improvement within the judiciary.

During the review year, the office achieved an overall performance grade of "Very Good," translating to a performance score of 100 per cent. Table 66 outlines the performance scores across various perspectives.

Table 66: OCRJ Core mandate performance.

Perspective	2019/20	2020/21	2021/22	2022/23	
	Performance Score (%)	Performance Score (%)	Performance Score (%)	Performance Score (%)	Performance Grade
Core business	100	100	100	100	Very Good
Financial perspective	100	100	100	100	Very Good
Customer perspective	100	100	100	100	Very Good
Innovation & learning	81	35.19	100	50	Fair
Internal Process	100	97	100	100	Very Good
Overall	100	95	100	100	Very Good

The performance assessment of the Office of the Chief Registrar Judiciary (OCRJ) indicates that the entity met its targets in 11 out of 15 key indicators within its core mandate, each attaining a performance score of 100 per cent. Table 67 provides a detailed overview of the OCRJ's performance indicators under its core mandate.

Table 67: OCRJ Core Mandate Indicators performance.

CORE MANDATE	Performance Score (%)	Performance Grade
Access to Justice	85	Good
Expeditious Disposal of Court Cases	100	Very Good
Management of the Advocates Section	100	Very Good
Maintenance of Sexual Offenders Register	60	Fair
Development of court infrastructure	80	Good
Asset Management	90	Very Good
Improved employee levels and capacity	100	Very Good
Assumption of Office	100	Very Good
Timely submission of quarterly management report	100	Very Good
Increase funding for Judiciary	100	Very Good
Operations of the Judiciary Fund	100	Very Good
Improved Project Completion rate and timelines	100	Very Good
Compliance with audit recommendations	100	Very Good
Improvement of Performance of Registrars and Directorates	100	Very Good
Improvement in the administration of court Stations	100	Very Good

2.11.3 PERFORMANCE OF OFFICES OF REGISTRARS

The Registrar’s offices hold a central position within the judicial systems functioning across different levels of the courts. Their duties include a wide range of administrative functions crucial for effective operations of the courts. This includes managing court registries, overseeing the processing, transmission, and custody of legal documents and records including ensuring the efficient conduct of court proceedings. Additionally, the registrars are tasked with upholding local requirements and procedures, and facilitating Judges and Magistrates in expeditious disposal of cases.

2.11. 3.1 Trend & Overall Performance of the Registrar

The Offices of the Registrars have navigated through varying levels of performance in recent financial years, witnessing fluctuations, particularly notable in 2017/18 through to 2019/20. Since then, there have been a turnaround in 2021/2022 and 2022/2023, during which all the offices achieved an average performance score of 100 per cent. Figure 138 illustrates the overall trend analysis for the performance of the offices of the registrars.

Figure 138: Trend analysis Overall Performance- Registrar.



During the year under review, the Office of the Registrar Court of Appeal emerged the best among other Registrars with a composite score of 2.993 and a ‘Very Good’ performance rating. The Office of the Registrar Tribunal was the second best with a composite score of 3.015 and a ‘Very Good’ performance grade. Table 68 summarises the detailed trend and overall performance of Registrar Offices.

Table 68: Overall Performance- Registrar.

Office of Registrar	2019/20	2020/21	2021/22	2022/23		
	Performance Score (%)	Performance Score (%)	Performance Score (%)	Composite Score	Performance Score (%)	Performance grade
Court of Appeal	98	96.66	100	2.993	100.00	Very Good
Tribunals	100	90.38	100	3.015	100.00	Very Good
High Court	100	92.42	100	3.030	100.00	Very Good
Employment and Labour Relations Court	100	97.65	100	3.060	100.00	Very Good
Magistrates Courts	100	100	100	3.081	100.00	Very Good
Supreme Court	98	100	100	3.120	100.00	Very Good
Environment and Land Court	92	90.88	100	3.149	100.00	Very Good
Small Claims Court	-	-	100	3.212	99.28	Good
All Registrars	98.53	95.68	100	3.036	100.00	Very Good

2.11. 3.2 Core Mandate

The key performance indicators for the Registrars’ core mandate include ensuring Access to Justice, maintaining Court Infrastructure, expediting Case Disposal, preserving Court File Integrity, and providing Certainty in Trial and Delivery Dates.

According to the PMMU assessment results, all registrars did well. Overall, core mandate performance maintained a 100 per cent performance score. The Registrar Court of Appeal had the highest composite score of 2.989 for the core mandate indicators. This was followed by 5 Registrars of Supreme Court, Registrar High Court, Registrar ELRC, Registrar Magistrates Courts, and Registrar Tribunals all with a composite score of 3.00 and Very Good grade. The performance of the Registrars’ Offices on Core mandate is shown in Table 69.

Table 69: Registrars Core Mandate Performance.

Office of Registrar	2019/20	2020/21	2021/22	2022/23		
	Performance Score (%)	Performance Score (%)	Performance Score (%)	Composite Score	Performance Score (%)	Performance grade
Court of Appeal	95	96.66	100	2.989	100	Very Good
Supreme Court	100	95.5	100	3.000	100	Very Good
High Court	100	85.4	100	3.000	100	Very Good
Employment and Labour Relations Court	100	93.7	100	3.000	100	Very Good
Magistrates Courts	99	90.6	100	3.000	100	Very Good
Tribunals	100	77.5	100	3.000	100	Very Good
Environment and Land Court	100	92.8	100	3.029	100	Very Good
Small Claims Court			100	3.043	100	Very Good
All Registrars	99	77	100	3.008	100	Very Good

2.11. 3. 3 Access to Justice

Under the perspective of Access to Justice, the offices of the registrars set various targets, including ensuring timely payment for pro bono services, conducting reviews of court fees, disseminating court procedures, and providing crucial administrative support to judges, among other initiatives. The performance results reflect a remarkable achievement, with a perfect score of 100 per cent attained in meeting these objectives. The performance of the Access to Justice for the registrars’ perspective is shown in Table 70.

Table 70: Registrar’s Performance on Access to Justice.

Office of Registrar	2019/20	2020/21	2021/22	2022/23		
	Performance Score (%)	Performance Score (%)	Performance Score (%)	Composite Score	Performance Score (%)	Performance grade
Court of Appeal	100	100	100	2.98	100	Very Good
Supreme Court	88	100	100	3.00	100	Very Good
High Court	100	97	100	3.00	100	Very Good
Employment and Labour Relations Court	100	100	100	3.00	100	Very Good
Environment and Land Court	100	95	100	3.00	100	Very Good
Magistrates Courts	100	100	100	3.00	100	Very Good
Tribunals	100	79	100	3.00	100	Very Good
Small Claims Court	N/A	N/A	100	3.10	100	Very Good

2.11. 3.4 Court Infrastructure

Registrars are pivotal in fortifying the infrastructure necessary for the seamless operation of courts, thereby enhancing the efficiency and effectiveness of justice administration. Through setting targets for the enhancement, refurbishment, maintenance, and modernization of court facilities and assets, the Registrars’ Offices contribute significantly to these objectives. The performance outcomes pertaining to court infrastructure are detailed in Table 71.

Table 71: Registrar’s Performance on Court Infrastructure.

Office of Registrar	2019/20	2020/21	2021/22	2022/23		
	Performance Score (%)	Performance Score (%)	Performance Score (%)	Composite Score	Performance Score (%)	Performance grade
Supreme Court	100	100	100	3.00	100	Very Good
Court of Appeal	100	81	100	3.00	100	Very Good
High Court	100	100	100	3.00	100	Very Good
Employment and Labour Relations Court	100	100	100	3.00	100	Very Good
Environment and Land Court	100	100	100	3.00	100	Very Good
Magistrates Courts	100	96	100	3.00	100	Very Good
Tribunals	100	100	100	3.00	100	Very Good
Small Claims Court	N/A	N/A	100	3.00	100	Very Good

2.11. 3.5 Expedient Disposal of Justice

The Registrars’ Offices are instrumental in expediting the administration of justice, playing a crucial role in streamlining processes and reducing adjournments. During the review period, they committed to several key initiatives aimed at enhancing efficiency, including the implementation of a case management system, conducting service weeks to reduce case backlog and facilitating Alternative Dispute Resolution (ADR) mechanisms among others. The performance of the Registrars’ Offices in executing these responsibilities is detailed in Table 72.

Table 72: Registrar’s Performance on Expedient Disposal of Justice.

Office of Registrar	2019/20	2020/21	2021/22	2022/23		
	Performance Score (%)	Performance Score (%)	Performance Score (%)	Composite Score	Performance Score (%)	Performance grade
Supreme Court	92	73	100	3.00	100	Very Good
High Court	84	100	118	3.00	100	Very Good
Employment and Labour Relations Court	99	50	100	3.00	100	Very Good
Environment and Land Court	98	100	100	3.00	100	Very Good
Magistrates Courts	81	50	110	3.00	100	Very Good
Tribunals	75	100	100	3.00	100	Very Good
Small Claims Court	N/A	N/A	100	3.00	100	Very Good
Court of Appeal	65	100	100	N/A	N/A	N/A

2.11. 3.6 Court File Integrity

Court file integrity indicators include essential characteristics such as courts record management, file retrieval, and overall court file organisation and completeness. The offices activities in this section included establishing and translating streamlined court procedures, enhancing registries, and simplifying the recording and timely submission of accurate caseload data in courts, among other endeavours. Notably, all offices achieved 100 per cent performance score translating to a “Very Good” performance rating. Table 73 provides detailed information on the performance of court file integrity for the registrars’.

Table 73: Registrar’s Performance on Court File Integrity.

Office of Registrar	2019/20	2020/21	2021/22	2022/23		
	Performance Score (%)	Performance Score (%)	Performance Score (%)	Composite Score	Performance Score (%)	Performance grade
Supreme Court	100	100	100	3.00	100	Very Good
Court of Appeal	100	94.08	100	3.00	100	Very Good
High Court	100	100	100	3.00	100	Very Good
Employment and Labour Relations Court	100	100	100	3.00	100	Very Good
Magistrates Courts	100	100	91	3.00	100	Very Good
Tribunals	100	100	100	3.00	100	Very Good
Small Claims Court	N/A	N/A	100	3.00	100	Very Good
Environment and Land Court	100	87.31	100	3.2	100	Very Good

2.11. 3.7 Performance in Other Perspectives

Other perspectives include finance management, customer satisfaction, innovation and learning; and internal processes. Financial indicators required registrars to ensure budget compliance, usage of funds in accordance with annual work plans, and adherence to financial and accounting rules and practices. They were to boost court users’ and customers’ satisfaction ratings by supporting courts in establishing customer care desks, training staff in customer service, and adopting court user recommendations.

Registrars focused on increasing personnel’ capacity and ability to do their tasks effectively, as well as developing and implementing new techniques that increase the speed with which justice is delivered in courts and administrative units. The registrars were expected to help courts train staff

and judicial officials to improve their skills and encourage courts to come up with innovative ways in the dispensation of justice. Table 74 provides information on the financial, customer, innovation and learning, and internal process indicators' performance.

Table 74: Registrars Other Perspective Performance.

Office of Registrar	Perspective			
	Finance	Customer	Innovation	Internal
Supreme Court	100	100	50	100
Court of Appeal	100	100	100	100
High Court	100	100	93.46	100
Employment and Labour Relations Court	100	100	75	100
Environment and Land Court	100	100	42.60	100
Magistrates Courts	100	100	62.31	100
Tribunals	100	100	100	100
Small Claims Court	83.95	100	35.79	100

2.11. 4 PERFORMANCE OF SEMI-AUTONOMOUS JUDICIARY AGENCIES

2.11. 4.1 Kenya Judiciary Academy (KJA)

The Kenya Judiciary Academy (KJA), formerly known as the Judiciary Training Institute (JTI), was established in 2008 with the primary objective of providing judicial education to Judges and magistrates. Following the enactment of the 2010 Constitution of Kenya, the Judicial Service Commission (JSC) was tasked with preparing and implementing ongoing education and training programs for Judges and other judicial officers.

In fulfilling this delegated mandate, the KJA is entrusted with meeting the training, research, and capacity development needs of Judiciary staff through a variety of programs, seminars, and research initiatives. Serving as the Judiciary's premier institute of Higher learning, the KJA plays a pivotal role in advancing jurisprudence and judicial practice, thereby enhancing the professionalism and effectiveness of the Kenyan Judiciary.

The Kenya Judiciary Academy's (KJA) performance over the past few years has shown a distinct pattern. The FY 2021/2022, saw a minor decline in performance, with the overall score falling to 81 per cent from 100 per cent attained previously. Despite this brief setback, the academy bounced back, continuing on a steady upward trajectory and ultimately earning a performance score of 100 per cent. Notably, the performance increased from 81 per cent to a 100 per cent in the review period. Table 74 summarizes the KJA performance.

Table 75: Overall KJA Performance.

Perspective	Performance score (%) 2019/20	Performance score (%) 2020/21	Performance score (%) 2021/22	2022/23		
				Weighted score	Performance score (%)	Performance grade
Core business	100	100	79	3.00	100	Very Good
Financial perspective	100	100	100	3.00	100	Very Good
Customer perspective	100	100	100	3.00	100	Very Good
Innovation & learning	37	81	50	2.25	111.68	Excellent
Internal Process	100	100	90	3.00	100	Very Good
Overall	100	100	81	2.926	100	Very Good

2.11. 4.2 The KJA performance on Core mandate

The Kenya Judiciary Academy attained an overall performance grade of 'Very Good', and a score of 100 per cent, on indicators within its core mandate as shown in Table 76.

Table 76: KJA Core Mandate Performance.

Indicator Name	Performance (%)	Performance Grade
Develop annual training master calendar aligned to the STAJ vision for FY 2023/2024	100	Very Good
Utilize the e-learning platform for training	100	Very Good
Implement the master calendar	100	Very Good
Hold Annual colloquia for Judges and Judicial officers	100	Very Good
Monitor and evaluate training programs	100	Very Good
Develop Code of Conduct for Legal Researchers	100	Very Good
Develop Code of Conduct for Court Interpreters	100	Very Good
Development of Judicial Performance Evaluation Toolkit (JPE)	100	Very Good
Submit four developed documents to JSC	100	Very Good
Maintain Partnerships and Linkages	100	Very Good
Promote and publicize the Academy	100	Very Good
Conduct midterm review of the KJA Strategic plan	100	Very Good
Coordinate implementation of Performance Management Systems	100	Very Good
Develop a draft KJA ICT Policy guidelines	100	Very Good
Review the KJA ERP System user requirements	100	Very Good
Improve work environment through provision of ICT equipment	100	Very Good

2.11.4.3 Office of Judiciary Ombudsman

The Office of the Judiciary Ombudsman (OJO), operating under the Chief Justice’s office, seeks to rebuild trust in the Judiciary by gathering public feedback and addressing complaints against the Judiciary, judicial officers, and staff. Through its operations, the OJO aims to enhance transparency, accountability, and public confidence while encouraging greater efficiency and effectiveness with judicial matters.

The Ombudsman’s Office signed a PMMU after negotiating and setting goals in the financial year under review. During the assessment, the office achieved an overall performance score of 100 per cent and a “Very Good” performance grade. A breakdown of the achievements is shown in Table 77.

Table 77: Overall OJO Performance.

Perspective	Performance score (%) 2019/20	Performance score (%) 2020/21	Performance score 2021/22	2022/23		
				Composite Score	Performance score (%)	Performance grade
Core business	74.00	97.00	100	3.03	100.00	Very Good
Financial perspective	85.00	100.00	100	3.00	100.00	Very Good
Customer perspective	100.00	71.00	50	3.10	100.00	Very Good
Innovation & learning	62.00	100.00	100	3.25	96.54	Good
Internal Process	50.00	100.00	100	3.00	100.00	Very Good
Overall	76.00	99.60	100	3.05	100.00	Very Good

2.11.4.4 OJO Performance on Core Mandate

In pursuit of its core mandate, the Office maintained a consistent performance score of 100 per cent, similar to the achievement in the previous year. Table 78 gives a summary of the performance indicators within the OJO’s core mandate.

Table 78: OJO Core Mandate Performance.

Indicator	Performance score (%)	Performance Grade
Complaints handling from the public against the Judiciary	100	Very Good
Complaints handling from employees against mal- administration	100	Very Good
Implementation of anti-corruption strategy for the Judiciary	100	Very Good

Indicator	Performance score (%)	Performance Grade
Enhance public confidence within Judiciary	100	Very Good
Improve transparency and accountability within the Judiciary	100	Very Good
Institutionalize Complaints Handling System	100	Very Good
Timely submission of quarterly management reports	80	Good

2.11.5 PERFORMANCE OF DIRECTORATES

2.11.5.1 Overall Performance of Directorates and Departments

In 2022/2023, ten Directorates and Administrative Units set PMMU targets and were evaluated. The Directorates achieved an overall performance score of 100 per cent, resulting in a performance grade of “Very Good”. This marks a notable improvement from the previous year’s overall performance score of 92.66 per cent.

Among the Directorates, the Directorate of Public Affairs & Communication emerged the best with a composite score of 3.0274, achieving a performance grade of “Very Good”. Following closely was Supply Chain Management Directorate with a composite score of 3.0291 and a corresponding “Very Good” performance grade. Table 79 summarizes the Directorates’ results.

Table 79: Overall Performance of Directorates.

Directorate	Performance Score (%) 2018/19	Performance Score (%) 2019/20	Performance Score (%) 2020/21	Performance Score (%) 2021/22	2022/23		
					Composite Score	Performance Score (%)	Performance Grade
Public Affairs & Communication	100	100	100	100	3.027	100.00	Very Good
Supply Chain Management	100	100	100	100	3.029	100.00	Very Good
Internal Audit & Risk Mgt	100	100	94	100	3.11	100.00	Very Good
Finance and Accounts	-	100	100	100	3.12	100.00	Very Good
Library Services	100	99.06	61	80.94	3.17	100.00	Very Good
Information & Comm. Technology	90	73.32	73.14	50.43	3.245	97.18	Good
Building Services	98	85.34	59.72	85.98	3.257	96.44	Good
Administration and security service	-	86.57	100	97.63	3.267	95.83	Good
Human Resource Management	72	97.71	96.54	100	3.329	91.94	Good
All Directorates	73.33	93.56	89.71	92.66	3.16	100	Very Good

2.11.5.2 Directorates' Performance on Core Mandate

Seven Directorates achieved a performance grade of "Very Good," while 2 attained "Good" rating. Among them, the Public Affairs & Communication Directorate attained the highest composite score of 3.000 on its core mandate. The detailed performance scores of the Directorates on the core mandates are outlined in Table 80.

Table 80 : Directorates' core mandate performance.

Directorate	Performance Score (%) 2018/19	Performance Score (%) 2019/20	Performance Score (%) 2020/21	Performance Score (%) 2021/22	2022/23		
					Composite Score	Performance Score (%)	Performance Grade
Public Affairs & Communication	92	100	100	100	3.000	100.00	Very Good
Supply Chain Management	100	100	100	100	3.006	100.00	Very Good
Internal Audit & Risk Mgt	100	100	97	100	3.034	100.00	Very Good
Library Services	100	100	64	64	3.100	100.00	Very Good
Building Services	100	100	54	54	3.100	100.00	Very Good
Finance and Accounts	-	100	100	100	3.119	100.00	Very Good
Administration and security service	-	100	100	100	3.154	100.00	Very Good
Information & Comm. Technology	100	100	72	72	3.229	97.86	Good
Human Resource & Administration	100	100	100	100	3.295	93.80	Good
All Units	99	100	99	94	3.10	100.00	Very Good

2.11.5.3 Financial Perspective

During 2022/2023, all Directorates demonstrated unwavering commitment to upholding compliance with budgetary allocations, annual work plans, as well as financial and procurement regulations and procedures. The overall performance score across all these units remained at 100 per cent. Table 81 provides a detailed breakdown of the Directorates' performance concerning financial perspectives.

Table 81 : Directorates' Financial Perspective Performance.

Directorate	Performance Score (%) 2018/19	Performance Score (%) 2019/20	Performance Score (%) 2020/21	Performance Score (%) 2021/22	2022/23		
					Composite Score	Performance Score (%)	Performance Grade
Finance and Accounts	-	100	100	100	3.008	100.00	Very Good
Public Affairs & Communication	92	100	100	100	3.024	100.00	Very Good
Library Services	100	100	100	100	3.024	100.00	Very Good
Internal Audit & Risk Mgt	100	100	100	100	3.03	100.00	Very Good
Supply Chain Management	100	100	100	100	3.036	100.00	Very Good
Information & Comm. Technology	100	100	100	76	3.084	100.00	Very Good
Human Resource & Administration	100	100	100	100	3.108	100.00	Very Good
Administration and security service	-	100	100	100	3.314	92.60	Good
Building Services	100	100	87	100	3.35	90.38	Good
All Units	99	100	99	100	3.1108	100	Very Good

2.11.5.4 Customer Perspective

The customer perspective serves as a crucial measure of the organization's capacity to deliver efficient services that lead to elevated customer satisfaction levels. It is imperative for the directorates to ensure adherence to service delivery charter standards and promptly implement feedback from court users or customers to enhance the services they offer. There has been a notable improvement in the directorates' performance over the years, as evident by the rise from 91.86 per cent in 2017/18 to a performance score of 100 per cent in 2022/23. Table 81 provides a detailed overview of the directorates' performance in the customer perspective.

Table 82 : Directorates' Customer Perspective performance.

Directorate	Performance Score (%) 2018/19	Performance Score (%) 2019/20	Performance Score (%) 2020/21	Performance Score (%) 2021/22	2022/23		
					Composite Score	PerformanceScore (%)	Performance Grade
Administration and security service	-	100	97	100	3.00	100	Very Good
Public Affairs & Communication	100	100	100	100	3.00	100	Very Good
Supply Chain Management	94.64	100	100	100	3.00	100	Very Good
Finance and Accounts	-	100	100	91	3.00	100	Very Good
Information & Comm. Technology	100	75	63	87.55	3.00	100	Very Good
Library Services	100	100	37	10	3.00	100	Very Good
Internal Audit & Risk Mgt	100	100	97	100	3.08	100	Very Good
Human Resource & Administration	81.15	100	100	100	3.2	100	Very Good
Building Services	97.15	100	37	100	4	50	Fair
All Units	96.13	97.5	83.1	88.86	3.128	100	Very Good

2.11.5.5 Innovation & Learning Perspective

The Innovation & Learning Perspective focuses on cultivating innovation and creativity to improve service delivery, while also nurturing employee capabilities to strengthen their skills set. The outcomes of this perspective are outlined in Table 83

Table 83: Directorates' Innovation & Learning Perspective performance.

Directorate	Performance Score (%) 2018/19	Performance Score (%) 2019/20	Performance Score (%) 2020/21	Performance Score (%) 2021/22	2022/23		
					Composite Score	Performance Score (%)	Performance Grade
Public Affairs & Communication	50	50	62	50	3.25	96.54	Good
Finance and Accounts	-	95.68	42	52.46	3.3	93.46	Good
Supply Chain Management	75	62.31	100	81.15	3.4	87.31	Good
Internal Audit & Risk Mgt	50	30.15	50	50	3.79	62.92	Fair
Library Services	50	43.57	42	50	3.79	62.92	Fair
Building Services	100	40.23	75	50	3.8	62.31	Fair
Human Resource & Administration	22	50	46	50	4	50.00	Fair
Administration and security service	-	10	10	40.23	4	50.00	Fair
Information & Comm. Technology	93.5	34.18	42	23.3	4.2	42.24	Poor
All Units	73.00	82.00	66.50	70.90	3.673	70.12	Fair

2.11.5.6 Internal Processes Perspective

During the review period, the Directorates set targets aimed at improving internal processes. These initiatives included promoting employee well-being, integrating feedback from the Employee Satisfaction and Work Environment Survey, and combatting corruption within the Directorates. The evaluation results reveal that 6 Directorates achieved “Very Good” performance rating, while 3 attained “Good” rating in this aspect. There was an overall performance improvement within the internal process perspective, rising from 97.55 per cent to 100 per cent.

Table 84 : Directorates’ Internal Processes Perspective performance.

Directorate	Performance Score (%) 2019/20	Performance Score (%) 2020/21	Performance Score (%) 2021/22	2022/23		
				Composite Score	Performance Score (%)	Performance Grade
Internal Audit & Risk Mgt	100	100	100	3.00	100.00	Very Good
Public Affairs & Communication	100	87	100	3.00	100.00	Very Good
Library Services	100	75	87.31	3.00	100.00	Very Good
Supply Chain Management	-	100	100	3.02	100.00	Very Good
Human Resource & Administration	100	94	100	3.04	100.00	Very Good
Finance and Accounts	100	87	78.45	3.20	100.00	Very Good
Building Services	100	87	100	3.24	97.15	Good
Information & Comm. Technology	53.93	82	50	3.34	91.25	Good
Administration and security service	100	87	100	3.55	78.20	Good
All Units	100.00	87.33	95.77	3.15	100.00	Very Good

2.11.6 DIRECTORATE OF PLANNING AND ORGANIZATIONAL PERFORMANCE

The Directorate’s mandate is to coordinate the implementation of performance management systems within the Judiciary. Specifically, it oversees the planning, monitoring, and evaluation of Judiciary programs and projects. The Directorate advises on economic planning to ensure alignment with national priorities, objectives, and strategies, and provides essential support to the courts. Additionally, it conducts research and handles the collection, analysis, and dissemination of case load data and statistics. The Directorate also coordinates organizational performance, implements quality management systems, and promotes innovations to enhance service delivery.

2.11.6.1 Overall DPOP Performance

The evaluation results indicate that for the period under review, the directorate achieved 100 per cent with a composite score of 3.0434 and “Very Good” performance grade. DPOP has consistently performed well achieving “Very Good” over the last 5 cycles. Table 85 summarizes the directorate’s performance by perspective.

Table 85: Overall DPOP Performance.

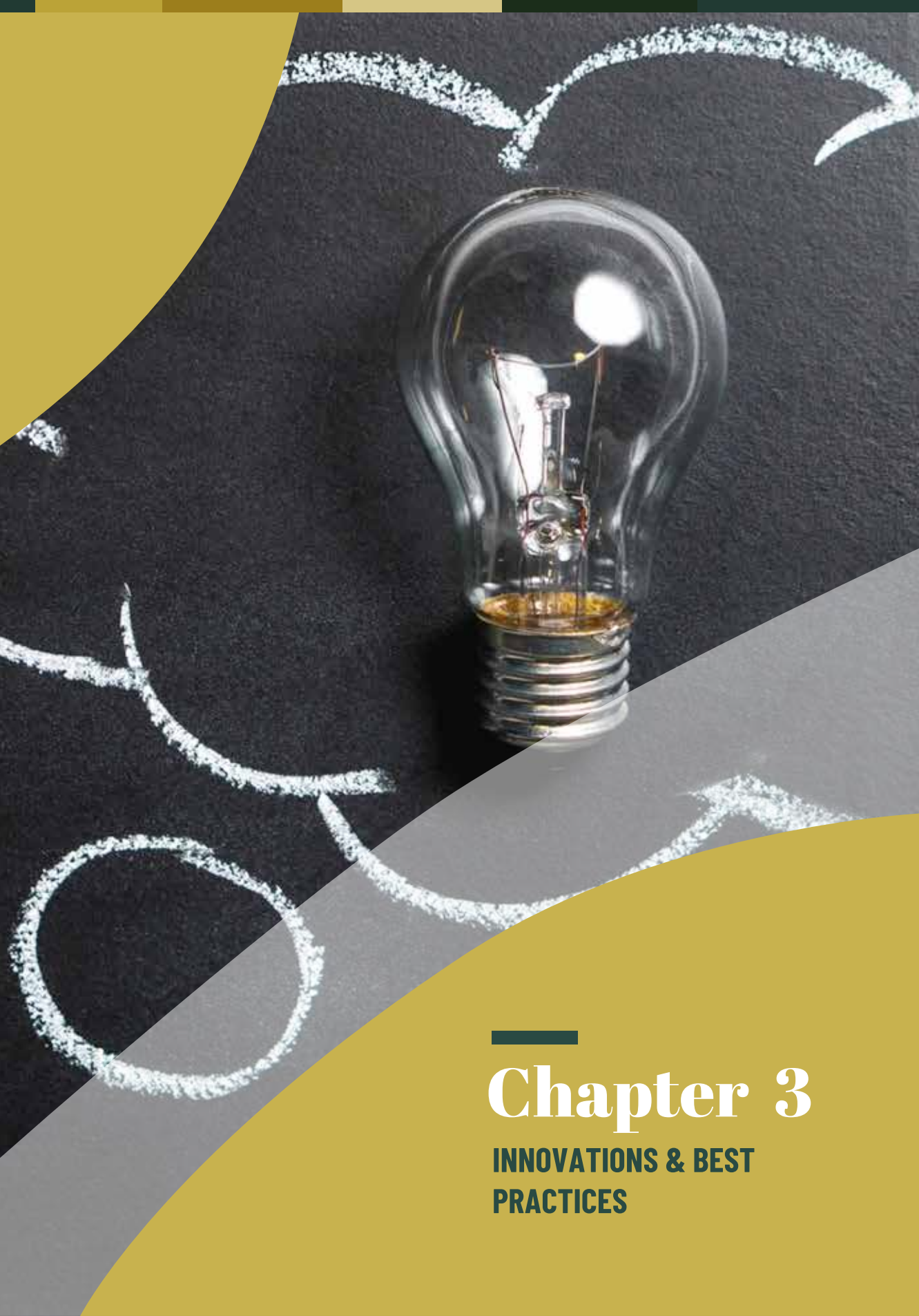
Perspective	% Performance Score 2018/19	% Performance Score 2019/20	% Performance Score 2020/21	% Performance Score 2021/22	2022/23		
					Composite Score	% Performance Score	Perform Grade
Core Mandate	100.00	100.00	100.00	100.00	3.003	100.00	Very Good
Financial Mandate	100.00	100.00	100.00	100.00	3.130	100.00	Very Good
Customer Perspective	90.00	100.00	100.00	100.00	3.00	100.00	Very Good
Innovation & Learning	94.00	120.00	62.00	100.00	3.2	100.00	Very Good
Internal Processes	100.00	100.00	87.00	95.68	3.16	100.00	Very Good
All Indicators	100.00	100.00	100.00	100.00	3.0434	100.00	Very Good

2.11.6.2 Performance on core mandate

Under its core mandate, the Directorate is committed to implementing 7 key result areas, including institutionalizing performance management in the Judiciary, improving data management, institutionalizing monitoring and evaluation, coordinating strategic planning, research and development, quality management systems, and gathering court user and employee feedback. The Directorate’s performance in these areas, including trend analysis, is highlighted in Table 86.

Table 86 :Core Mandate Performance.

Core mandate Indicators	% Performance Score 2018/19	% Performance Score 2019/20	% Performance Score 2020/21	% Performance Score 2020/21	2022/2023	
					% Performance Score	Performance Grade
Institutionalizing of Performance Management in the Judiciary	97.00	100.00	100.00	100.00	100.00	Very good
Enhancement of data management in the Judiciary	75.00	100.00	100.00	96.63	100.00	Very Good
Institutionalizing Monitoring & Evaluation in the Judiciary	65.00	67.60	56.00	84.23	100.00	Good
Strategic Planning in the Judiciary	100.00	100.00	100.00	100.00	100.00	Very good
Research and Development.	-	100.00	100.00	100.00	100.00	Very good
Quality Management System in the Judiciary	100.00	81.50	100.00	100.00	100.00	Very good
Court user & Employee feedback	80.00	100.00	100.00	100.00	100.00	Very good
All indicators	88.00	94.00	100.00	100.00	100.00	Very Good



Chapter 3

**INNOVATIONS & BEST
PRACTICES**

3.1 Innovations

1. Office of the Registrar Court of Appeal

Court of Appeal e-Archive Repository System

a. Introduction

The Court of Appeal for a long period-maintained paper-based records and information for its case files. During filing and registration of cases the counsels and litigants involved in civil appeals had to manually duplicate all the required records. This entailed producing 4 sets of copies; one for each of the three Judges on the bench and an additional copy for the court registry. For criminal appeals, 4 copies were also prepared at the High Court Stations where the case originated and submitted to the Court of Appeal during registration of the case. This resulted in accumulation of huge volumes of paper files without corresponding storage facilities. As a stop gap measure some of the files were stored in court rooms while others were moved to the leased Judiciary go-down at Mombasa road making retrieval extremely difficult when need arose.

The Judiciary blue-print of Social Transformation Through Access to Justice (STAJ) emphasizes on utilization of technology for Justice Administration which includes implementation of virtual courts, digitization of records, case tracking system, e-filing and automation of all judicial and administrative processes. The Court of Appeal is implementing initiatives aimed at making it paperless in its operations. One such initiative is the e-archive repository system that was developed to ensure easy availability of complete and secure digital files for both concluded and active matters.

b. Description

The e-archive is a digital repository that is a component of the e-registry system designed to store and organize concluded appeals files and records of the Court of Appeal in an electronic format. The system is designed to centrally manage all the files from the 6 Court of Appeal Stations, to provide preservation and long term storage while providing authorized access to Judges, judicial officers and staff to the digital content. Currently the e-archive serves as a repository for all concluded digital e-files and is also complementing the existing old physical archives as the court transitions to being paperless.

c. Impact

The initiative has improved service delivery in all Court of Appeal Stations in the country by enabling the Judges, Registrars and Staff to easily access, retrieve and view the court files and information remotely, and at their convenience from any location. The courts are able to preserve their records in electronic formats that are less susceptible to physical damage and degradation which has also enhanced safety, security and integrity of the data. The digital files stored in e-archives repositories

have freed physical space for use in other purposes while reducing the cost of shelving, maintaining and managing huge volumes of paper.

d. Replicability

The e-archive repository system can be replicated in all courts across the country, especially those that have digitized the case files.

2. Court Automation Services

Judiciary Desks at Huduma Centre

a. Introduction

The Judiciary in Kenya is undergoing a digital change thanks to the STAJ blueprint, which emphasizes on automation of judicial services. The Judiciary and the Huduma Kenya secretariat collaborated to establish Judiciary Desks in particular Huduma Centres with the aim of ensuring that vulnerable litigants who encounter difficulties with online filing and gaining access to virtual courts receive assistance with digital and registry matters from these desks.

b. Description

In July 2020, the Honourable Chief Justice launched e-filing of documents and pleadings for all courts in Nairobi County. Since then, 12 other counties in Kenya adopted the e-filing system. However, a significant number of litigants, particularly the indigent and self-representing, are disadvantaged due to digital illiteracy and lack of access to digital infrastructure, making it difficult for them to utilize these digital services. To address this gap, the Judiciary, in collaboration with the Huduma Kenya secretariat, set up Judiciary desks at six Huduma Centres in Nairobi and Thika.

The trained Judiciary staff at these desks assist litigants in filing their cases in any court station. They are also equipped to provide virtual court support and other related services. These desks operate under a global Case Tracking System (CTS) account, which acts as a super registry, facilitating efficient processing of cases.

c. Impact

The establishment of Judiciary desks at Huduma Centres has significantly improved access to justice for vulnerable and marginalized groups. These individuals, who would have otherwise been disenfranchised by digital solutions, now have support in navigating the legal system. This initiative, under the STAJ framework, demonstrates a commitment to inclusivity and responsiveness to the needs of all citizens.

Moreover, the collaboration between the Judiciary and the Huduma Kenya secretariat has enhanced

the efficiency and effectiveness of service delivery. By providing personalized support to litigants, the desks contribute to a more accessible and people-centred justice system.

d. Replicability

The success of the Judiciary desks at Huduma Centres in Nairobi and Thika Highlights the potential for replication in other parts of Kenya. With six desks already operational, there is an opportunity to expand this program to the remaining 46 Huduma Centres, and later, to the constituency digital innovation hubs. This expansion would further extend the reach of the Judiciary's services and ensure that all Kenyans have equal access to justice.

3. Milimani - Environment and Land Court (ELC)

Nairobi Land Justice Working Group

a. Introduction

The Nairobi Land Justice Working Group was established to tackle the challenges surrounding land disputes in Nairobi, which have impeded the city's development and prosperity. These challenges are a result of systematic issues worsened by rapid urbanization, population growth, and limited land availability.

b. Description

The Milimani - Environment and Land Court (ELC) in Nairobi has been grappling with a growing number of land cases, leading to prolonged legal proceedings. Post-judgment applications and appeals, as well as cases re-emerging with new parties or reframed as fresh cases, have contributed to prolonged disputes and uncertainty. The emotive nature of land in Nairobi and Kenya exacerbates these challenges.

These prolonged legal battles have had widespread effects, affecting individuals, entities, and government projects. Property owners are unable to utilize or benefit from their assets, while entities and governments experience financial losses and disruptions of development initiatives. Moreover, the uncertainty and delays associated with land disputes increase the cost of litigation, exacerbate social tensions, erode trust in the justice system, and hinder the efficient allocation and utilization of land resources.

The Nairobi Land Justice Working Group is an innovative approach in people-centred justice, aiming to address systemic challenges in land dispute resolution. It is a collaborative effort between the Milimani ELC Court User Committee (CUC) and various stakeholders in the Nairobi Land Justice Sector, including

Judges, government agencies, the Law Society of Kenya (LSK), and development partners. The group champions the rights and interests of the people by addressing complex challenges surrounding land justice in Nairobi and facilitating equitable access to land resources.

c. Impact

The working group has made significant strides in addressing various land-related challenges and advancing justice and equity in Nairobi. It facilitates more effective resolution of land disputes through collaboration with key stakeholders and duty-bearer institutions. It also improves access to legal resources and assistance for individuals and communities facing land disputes, advocates for policy reforms to enhance transparency, accountability, and fairness in land governance, and aids in dispute resolution through alternative dispute mechanisms.

This initiative impacts the public, as well as actors in the land justice chain, including the Lands Ministry, Lands Registrar's Office, Survey Department, Directorate of Criminal Investigations, LSK, Institute of Surveyors in Kenya, Kenya Institute of Planners, civil society, and academia. These efforts have improved efficiency and effectiveness in service delivery, enhance partnerships with stakeholders in the justice chain, are responsive to vulnerable and marginalized groups, and improve court user satisfaction.

d. Replicability

This innovative approach can be replicated in Environment and Land Courts (ELCs) across the country by establishing similar working groups. Replication should be based on sectoral analysis highlighting systemic challenges in each region.

3.2 Good Practices

1. Meru High Court/Office of Registrar High Court

Supervisory visit guidelines and questionnaire

Introduction

The Constitution of Kenya, 2010 provides that the High Court has supervisory jurisdiction over the subordinate courts and over any person, body or authority exercising a judicial or quasi-judicial function, but not over a superior court. The STAJ blueprint has emphasized the need for shared leadership across all levels.

To enhance implementation of the vision on this initiative, the High Court Advisory Committee through the formation of regional clusters and conveners has decentralized its supervisory engagement to

enhance deepened partnerships in the administration of justice. This has created more impetus to the Judges of the High Court who have been undertaking perennial supervisory visits to magistrate courts, Kadhis courts and small claims courts within their jurisdiction either quarterly, bi-annually or annually and measured through PMMU targets.

Description

In the past there was no structured way of conducting the supervisory visits leaving each Judge to come up with their own plans and activities for the visit. This created disparities in the manner of undertaking the visits while it was difficult to establish whether the objectives were met. To enhance efficiency and effectiveness and make them meet the objectives, the High Court Advisory Committee has developed guidelines which provide a structured and standardized way of conducting the visits.

In furtherance of this initiative, the High Court of Meru developed an extensive questionnaire covering critical administration of justice thematic areas such as constitutional and statutory imperatives, administrative imperatives, stakeholder engagements, staff relations and general miscellaneous issues of concern to be addressed by the visiting Judge.

Impact

The use of the Supervisory Visit guidelines and Questionnaire have enhanced accountability and standardized the supervisory roles and reporting mechanisms. The tools have enabled the visiting Judges to engage meaningfully on interventions of the courts towards case clearance rates, backlog reduction, state of pending cases, revision of cases, efficiency in typing and submission of proceedings and level of engagements with court users and other stakeholders among other key areas.

These tools have also enhanced the level of compliance with High Court practice directions and other institutional policy documents. The decentralization of the supervisory visits to regional clusters and High Court Station Judges have saved cost and time of the High Court Advisory Committee members who otherwise would be undertaking this initiative.

Replicability

The tool and guidelines can be replicated across all High Courts in the country.

2. Winam Magistrates Court

Sexual Offenders Statements (SO)

Introduction

Under Chapter Four of the Constitution of Kenya, all individuals are assured their rights to dignity, equality, and freedom from discrimination, as well as access to justice and a fair hearing. Additionally, the Constitution guarantees freedom and security of the person by mandating justice, fair trial procedures, and prohibiting torture and any form of violence from both public and private sources. Sexual violence inflicts profound trauma, compromising the health, dignity, security, and autonomy of its victims. It imposes immediate and long-lasting consequences on the victim's physical and mental well-being, encompassing physical, psychological, social, and economic dimensions. Sexual offenses are to be concluded within 6 months of filing

Description

On the day of plea in a Sexual Offense (SO) case, the investigating officer presents the offender in court with witness statements and copies of documentary evidence, while the complainant and the parent/guardian are already present. The accused is granted time to review the statements after the plea. Subsequently, the evidence of the victim and parent/guardian is collected while the traumatic experience is still fresh in the victim's mind.

Impact

The expedited testimony of witnesses has significantly improved the swift hearing and resolution of Sexual Offense (SO) cases within a period of six months. This approach offers several advantages: victims are spared the need to repeatedly encounter perpetrators, interference with witnesses is minimized, and there's a notable reduction in case backlog.

Replicability

The initiative can be replicated in all other courts and in matters pertaining to gender-based violence.

3. Bondo Magistrates Court

Registry Link for fixing dates when court is not sitting

Introduction

The Social Transformation through access to Justice envisions a Judiciary that is accessible, efficient and protects the rights of all especially the vulnerable. The Judiciary is leveraging technology for productivity through virtual court services, e-filing, case management and automated feedback and update mechanisms.

Unforeseen circumstances often disrupt daily cause lists, leading to adjournments.

Description

The court has gone virtual in handling its civil cases. The court takes parties particulars when civil cases are registered. Parties are then encouraged to join the court WhatsApp group for ease of communication. In the event the court is not sitting, parties are notified in the WhatsApp group, or called and the court shares a Teams-Registry link and time when dates will be taken. Parties then log in and take dates convenient to them and available to the court.

Impact - which include the category

Dates are issued consultatively with the knowledge of parties hence impeding further adjournments.

Replicability

The initiative can be replicated in any court within the republic.

4. Othaya Magistrate Court

Mahakama Hub

Introduction

Access to justice is a fundamental prerequisite for rule of law and fulfilment of fundamental human rights. This procedural right is of particular importance for people living in poverty and marginalized groups who may often not be aware of their legal rights, lack legal protection and access to mechanisms to remedy their grievances, or face other barriers, resulting in their increased vulnerability. The vulnerable group: children, survivors of SGBV, people with health conditions, the elderly, remanded litigants and indigent members of society, may lack ICT gadgets, internet connectivity, or ICT knowledge, hence face difficulty in filing pleadings and challenges in accessing virtual courts for hearing of their cases.

Description

Noting these challenges, the court sourced and received funding from the constituency fund and purchased ICT equipment and furniture. The court established a platform, **Mahakama Hub**, which has strengthened access to virtual courts by vulnerable groups promoting access to justice.

Impact

The hub has enhanced accessibility to virtual courts and online filing system to vulnerable groups at no cost.

It has also protected survivors of SGBV from traumatization caused by facing accused persons in court.

Replicability

It can be replicated across all courts in Kenya.

5. Kenya Judiciary Academy

The Automated E-Learning Registration System

Introduction

The Kenya Judiciary Academy (KJA) stands as a foundation of the Kenyan judicial system, firmly anchored within the provisions of the Kenyan Constitution of 2010. Specifically, its establishment finds foundation in sections pertaining to the promotion of justice, impartiality, and professional development. Mandated with the task of providing comprehensive training for Judges and Judicial officers, the KJA plays a pivotal role in realizing the vision outlined in STAJ. Through its initiatives, the KJA endeavours to bolster legal expertise, uphold judicial integrity, and ensure equitable access to justice for all citizens

Description

Before the introduction of the automated registration system, the Kenya Judiciary Academy (KJA) faced the lengthy task of manually enrolling participants for its training programs. This process involved thorough physical registration by the KJA secretariat, followed by the tedious task of transferring data to the e-learning platform for record-keeping. However, with the introduction of an innovative application compatible with mobile devices and scanners, the KJA has revolutionized this process. The application enables seamless scanning of barcodes on various mediums, including invitation letters, name tags, or desk tents, facilitating real-time registration during training sessions. This automated system ensures the accuracy of attendance records, mitigating the risk of erroneous data entry and enhancing overall efficiency in managing training logistics.

A consultant who had been engaged by the KJA to develop the e-learning platform assisted in the development of the **“Automated E-Learning Registration System”** application.

Impact

The implementation of the automated registration application has had a profound impact on the operational efficiency of the Kenya Judiciary Academy (KJA). By eliminating the need for manual data entry, the application has significantly streamlined the process of marking attendance, particularly during large-scale training events. This innovation not only addresses concerns regarding data accuracy but also safeguards the integrity of attendance records. Additionally, by reducing administrative burden and minimizing the likelihood of errors, the system enhances accountability and transparency within the judicial system. Furthermore, the automated registration system aligns with broader initiatives aimed at improving service delivery, optimizing resource utilization, and ultimately, advancing the overarching goals of the Judiciary Kenya blueprint for Social Transformation through Access to Justice (STAJ).

Replicability

The innovative automated registration system can serve as a model for replication within the Directorate of Supply Chain Management. This system has the potential to revolutionize asset management by automating the registration of assets within the integrated asset management framework. The impact of implementing such a system would be significant. It would enhance the efficiency of asset management processes, reduce the likelihood of errors, and improve overall accountability and transparency in asset management.

6. Office of the Judiciary Ombudsman

“Streamlining Complaint Resolution” (OJO’S Happy Hour)

Introduction

The Office of the Judiciary Ombudsman (OJO) is an administrative office under the Office of the Chief Justice. The Office aims to rebuild confidence in the Judiciary from the people it serves and assess the institution’s performance from the public point of view by obtaining feedback from the public.

The OJO plays a pivotal role in upholding accountability and transparency within the Kenyan judicial system, as enshrined in the provisions of the Kenyan Constitution of 2010. Positioned as a critical oversight body, the OJO serves as a beacon of justice, ensuring adherence to ethical standards and procedural fairness. Anchored within STAJ, the OJO’s mandate extends beyond mere grievance resolution, aiming to foster trust and confidence in the Judiciary among citizens.

Description

Prior to the implementation of OJO's Happy Hour initiative, the office grappled with a backlog of unresolved complaints aggravated by delays in responses from Heads of Stations, Deputy Registrars, or Heads of Units. To address this challenge, the Head of the Secretariat devised a proactive strategy: dedicating one hour every Friday, from 11am to 12pm, to assist OJO staff in tackling problematic tickets. During this time, the Head personally reaches out to concerned respondents via phone calls, text messages, or emails, eliciting prompt responses and expediting the resolution of outstanding tickets.

Impact

The implementation of OJO's Happy Hour initiative has yielded tangible benefits, notably in reducing the backlog of unresolved tickets and enhancing the turnaround time for processing complaints. By fostering direct communication between OJO staff and respondents, the initiative has streamlined the resolution process, promoting efficiency and effectiveness in service delivery. Moreover, by promptly addressing grievances and expediting resolution, OJO's Happy Hour contributes to overall court user satisfaction, aligning with broader initiatives aimed at improving leadership, governance, and public trust in the Judiciary.

Replicability

The success of OJO's Happy Hour initiative underscores its potential for replication across all court Stations and administrative units across the Judiciary.

7. Directorate of Planning and Organizational Performance

Facts and Figures Report 2023

Introduction

The Judiciary Performance Management System was implemented to improve access to justice and expedite the delivery of judicial services. The system provides performance measures and indicators for the Judiciary that help to promote service quality. A key component of this system is effective data collection, analysis and reporting which informs the Judiciary's management on the performance of courts, Judges, judicial officers, and staff. The Judiciary Facts and Figures is a publication that presents the caseload statistics of the Judiciary for a period of six years, since the introduction of performance management. This is the 1st edition which was compiled by the Directorate of Planning and Organizational Performance but reflects contributions from Courts and other actors.

Description

The situation before the development of Facts and Figures Report was characterized by a reliance on subjective judgment, limited data availability, and reactive decision-making. The Judiciary faced challenges in optimizing their operations and achieving sustainable growth. The development of facts and Figures reports has helped address these challenges by providing decision-makers with actionable insights, empirical evidence, and a data-driven framework for informed decision-making and strategic planning.

The Facts and Figures Report 2023 provides an overview of crucial facts and Figures pertaining to the Judiciary. The report draws its caseload statistics from the Annual State of the Judiciary and Administration of Justice Reports (SOJAR) and the Annual Judiciary Caseload Statistics Reports. The caseload statistics cover data from the financial years 2016/2017 to 2021/2022. The statistical tables and Figures show the historical caseload of the Kenyan courts. The data was compiled and trends presented by county. It provides the courts distribution by court rank and litigation rate per county. Further, the report provides county maps with distribution of courts and photographs of all the courts buildings. This shows the state of Judiciary infrastructure.

Impact

The Judiciary Facts and Figures, 2023 is another milestone by the Judiciary in providing information to the public on caseload statistics. The report is a useful, usable and reference resource for a variety of information needs. Indeed, it is a handy reference on the performance of the Judiciary as an information tool for Judicial Service Commission, Judiciary Management, Presiding Judges, Heads of Stations and Judiciary stakeholders, as well as researchers and students.

Replicability

The use of Facts and Figures Reports can be replicated in administrative units in the Judiciary where quantitative data plays a crucial role in decision-making, analysis, and strategic planning.

8. Meru Magistrate Court

Case Withdrawal Form

Introduction

A case may be terminated by act of the parties, by reconciliation under section 176 of the Criminal Procedure Code, withdrawal of charge by the complainant (Section 204 of the CPC) or by the prosecutor (Art.157 (6) (c) of the constitution. Normally for one to withdraw a case in court, parties are advised to make formal application during the hearing or mentions of the case for the court to consider. All these processes take time as the applications are not considered instantly. Meru Magistrate Court came up with this initiative to help the court save time and expedite the disposal of cases.

Description

A case withdrawal form is a document used to formally request the withdrawal of a legal case or matter from the court. It typically includes details such as the case number, the names of the parties involved, the reason for the withdrawal, and any supporting documentation. By submitting a case withdrawal form, the party initiating the withdrawal formally notifies the court of their decision to cease pursuing the case. This might occur for various reasons, such as a settlement between the parties, a change in circumstances, or a decision to no longer pursue legal action.

Impact

The use of case withdrawal forms in the court is an initiative that improves efficiency and effectiveness in the service delivery. It has helped the courts to expeditiously dispose of cases and reduced case backlog.

Replicability

This initiative can be replicated in all courts, especially the courts with High case backlog.

9. Meru Small Claims Court

Uploading of Judgments and Orders from the SCC in the e-filing portal - 19

Introduction

The e-filing System has been rolled out in most of the courts in the country including the Small Claims Court. It provides a platform for litigants to initiate and complete the process of filing cases and access other documents from courts remotely.

Description

This initiative is basically the uploading of Judgments and orders from the Small Claims Court to the e-filing portal. Before this initiative, litigants would crowd the SCC registries to get judgments and orders printed manually. Since the judgments and orders from the SCC are free of charge, the court came up with this initiative to save time and reduce registry crowding as the litigants could access the documents from their e-filing portal.

Impact

The initiative has significantly reduced the workload of the registry staff who needed to type and proofread judgments and orders. Furthermore, it has reduced the registry crowd as the litigants do not come to the registry to collect judgments and orders.

Replicability

This initiative can be replicated in all Small Claims Courts since the judgments and orders in these courts are free of charge.

10. Eldoret Small Claims Court

Simplified Document Requisition Form

Introduction

The operationalization of the Small Claims Court is aimed at improving access and promoting equity and social inclusion by ensuring equal access to fair and timely justice for all. However, a significant portion of the population, particularly the marginalized, faces challenges in accessing necessary documentation, creating a gap in their ability to engage in the legal process effectively.

Description

In Eldoret Small Claims Court, marginalized court users faced challenges in accessing court documents, hindering their access to justice. Many resorted to costly means, such as use of cyber cafes or advocate firms that charged a fee, to obtain documents, while others became discouraged and abandoned their cases. To address this, the court introduced standardized document forms that allowed litigants to visit the registry and receive assistance from staff to fill in required information, which was then approved by the registry in-charge. This initiative eliminated obstacles and frustration, creating a more seamless judicial process for the marginalized litigants seeking access to justice.

Impact

By providing a simplified process for accessing necessary documents, particularly for marginalized groups, the initiative by the court removes barriers and ensures that all litigants have equal access to justice, aligning with the court's objective of promoting equality and social inclusion. The availability of standardized document forms directly addresses the issue of costly alternatives and the frustration experienced by litigants. This can lead to a more efficient and cost-effective legal process, encouraging litigants to pursue their cases without unnecessary obstacles.

Replicability.

This initiative can be replicated in other courts with comparable challenges related to access to justice for marginalized groups.

11. Tribunals' Secretariat, Legal Education Appeals Tribunal, Micro & Small Enterprises Tribunal, Communication & Multimedia Appeals Tribunal

Use of QR Codes to Access Information

Introduction

Public access to information is a fundamental right in Kenya, enshrined in the Constitution (2010) and the Access to Information Act (2016). Every citizen is guaranteed the right to access any record held by the State, including the Judiciary, in any form, including written, visual, or electronic. Despite these provisions, access to information by the public is hindered by, among others, the huge printing and distribution costs.

Description

The Tribunals Secretariat has developed various IEC materials that are intended to share crucial information with target audiences in an accessible and engaging way. *Know Your Tribunals* was designed to raise awareness about all Tribunals in the Judiciary, outlining their respective mandates, jurisdictions, contact addresses, and physical locations. Considering the number of Tribunals, the *Know Your Tribunals* document is bulky which makes printing and distributing physical copies expensive and limiting. The Secretariat adopted the use of a Quick Response (QR) code which has made accessing the document instant, cost-efficient, and universal reach.

QR code is a two-dimensional matrix barcode that encodes a link to a document. When scanned with a smartphone or a QR code scanner, it provides direct access to the embedded content, whether a PDF, Word file, spreadsheet, or multimedia presentation. As digital transformation accelerates, the use of

document QR codes has grown significantly, as this technology allows for quick document sharing and retrieval. It also provides a long-term alternative to paper-based approaches, facilitating information transmission.

Impact

Using document QR codes to disseminate information is a space-saving and cost-effective option for the Secretariat and the Tribunals. Printing and distribution expenses have been reduced by a significant margin as a result of this, and physical storage space saved. With the ability to link to extensive digital content, the use of QR codes provided a cost-effective method to share large volumes of information without the constraints and expenses of traditional print media.

Replicability

The initiative can be replicated across the Judiciary as the use of QR codes offers a flexible and user-friendly way to access documents in various contexts. Their versatility, security benefits, and potential for data tracking make them a valuable tool for the Judiciary and the public. QR codes can be adopted in all Judiciary posters, documents, brochures, and manuals. This can also be expanded to court files.

12. Embu and Kimilili Magistrates' Court

Integrity and Corruption Anthem Song.

Introduction

The STAJ Blueprint emphasizes the need of transparency and accountability in ensuring that individuals and communities, particularly the marginalized and vulnerable, have a stake in the justice system as both seekers and actors. This outcome can be achieved through strategies aimed at strengthening integrity, addressing efficiency and efficacy, promoting accountability, ensuring the independence of the Judiciary, and upholding the provisions, principles, and spirit of the Constitution, which recognises judicial authority as the delegated sovereignty of the Kenyan people.

According to STAJ, implementing innovative methods within the Judiciary is critical for increasing public trust and confidence in the judicial system. Two notable efforts were Highlighted during the innovation screening process, demonstrating the courts' commitment to fostering transparency, accountability, and integrity.

Description

The Embu Law Court has taken a proactive step to create a corruption and integrity anthem song that encapsulates the Judiciary's service delivery mandate, common citizen rights (Wanjiku), and an overall prayer for the Judiciary. This effort reflects the court's commitment to fostering ethical values and integrity within its sphere of influence, thereby establishing a good example for both court users and judicial staff.

Kimilili Law Courts has creatively translated the Ethics and Anti-Corruption Commission's (EACC) corruption anthem song into the local dialect: Bukusu. The initiative demonstrates the court's dedication to engaging with the community by making anti-corruption messages more accessible and relatable to a broader audience.

These two initiatives, which are aligned with STAJ, demonstrate a commitment to promoting ethical values and integrity within the Judiciary, engaging with the community and making judicial messaging more accessible and relatable, and working to foster public trust and confidence in the judicial system through proactive and innovative approaches.

Impact - Initiatives that improve efficiency and effectiveness in service delivery and Initiatives in leadership and governance

The anthems have reinforced the courts' dedication to promoting Judiciary's organizational values, signalling a strong stance against corruption and a dedication to serving the public with integrity. This alignment with organizational values has a positive impact on staff morale and public perception.

Replicability.

A well-structured integrity and corruption anthem can be adopted for the Judiciary and can serve as an impactful and multifaceted tool, not only in educating and informing both the public and Judiciary staff about integrity issues but also in promoting a culture of ethics and integrity within the Judiciary, enhancing communication, and strengthening public perception and staff engagement.

13. Tononoka Children’s Court

Court Proceedings/Ruling & Judgement Certificate

Introduction

Tononoka Children’s Court, which is dedicated to improving the efficiency and effectiveness of its service delivery, introduced a creative approach called “Court Proceedings/Ruling and Judgement Certificate.” This effort tackles a long-standing issue in the court system: the difficulty of monitoring files requested for appeal. Recognizing the significance of expediting the appeal process and guaranteeing timely and accurate tracking of appeal files, this invention seeks to promote transparency, accessibility, and accountability within the judicial system.

Description

The Court Proceedings/Ruling and Judgement Certificate initiative implemented at Tononoka Children’s Court is designed to provide a systematic and standardized approach to documenting court proceedings, rulings, and judgments. Under this initiative, a detailed record of each court case is carefully maintained, including key information such as case number, appeal number, dates of request for appeal among others. In response to the difficulty in tracking files requested for appeal, the Judgment Certificate plays a pivotal role.

Impact

The Court Proceedings/Ruling and Judgement Certificate has significantly improved the tracking of files requested for appeal at the Tononoka Children’s Court. With the issuance of the Judgment Certificate, the court has seen increased efficiency in managing appeal requests, less delays in processing files/requests for appealed matters, and a lower risk of errors or discrepancies in tracking appeal files. Moreover, it has helped to create a more effective and simplified appellate procedure, minimizing delays and enhancing overall access to justice for children and families involved in legal cases.

Replicability

The Court’s creative way to implement the Court Proceedings/Ruling and Judgement Certificate program can be replicated in all courts. The standardization of the Judgment Certificate makes it adaptable to different courts, ensuring consistency in monitoring files requested for appeal across the country. By applying this unique method, courts may efficiently solve the widespread issue of tracking appeal files, regardless of size or caseload.

14. The Office of the Registrar High Court (ORHC)

First Aid Room

Introduction

The Office of the Registrar High Court (ORHC) is committed to improving the safety, convenience, and well-being of court users and employees. Recognizing the pressures and uncertainties inherent in the court environment, ORHC has introduced the “First Aid Room” initiative. The proposed initiative intends to address the requirement for rapid and effective response to emergency circumstances on court grounds, ensuring that court personnel are prepared to handle emergency medical situations and injuries within court facilities.

Description

The court environment in the justice sector is frequently High with tension and stress, which can be made worse by the unpredictable nature of case results. Despite this, the ability to respond quickly in emergency situations had not been effectively established. Injuries had taken place, but were frequently left ignored due to a lack of sufficient safety precautions and first aid facilities within the court building. In response to this essential shortcoming, ORHC launched the First Aid Room, which began with the creation of a designated first aid room in Milimani Law Court’s room 225.

Personnel were identified and trained to respond promptly to emergency situations within the Milimani Law Court premises. The First Aid Room is stocked with essential supplies and equipment to address a wide range of medical emergencies or injuries that may arise. This initiative ensures that individuals in need of medical attention receive prompt care in a comfortable and private environment, away from the public areas of the court building.

Impact

The introduction of the First Aid Room initiative by ORHC has had a profound impact on the court community’s preparedness and responsiveness to emergency situations within the court building. By providing a designated space equipped with essential first aid supplies and trained personnel, the initiative has significantly improved the ability to address medical emergencies promptly and effectively. Individuals who require medical attention can now receive immediate care, enhancing their safety and well-being while within the court premises. Furthermore, the initiative has contributed to a more secure and supportive work environment, fostering greater confidence and satisfaction among court users and employees.

Replicability

The adoption of the First Aid Room program can be replicated in other courts. ORHC and other court administrations can maintain consistent safety and emergency preparedness standards across the courts by implementing similar procedures in all courts, tailored to the unique demands and requirements of each court station.

15. Nairobi Environment and Land Court

Enhanced Filing System

Introduction

The Environment and Land court was established through an act of parliament under Article 162(2)(b) to hear and determine disputes relating to the environment and the use and occupation of, and title to, land, and to make provision for its jurisdiction functions and powers, and for connected purposes.

Since its establishment in 2011, the ELC has seen a steady increase in the number of cases being litigated. Commensurate to this the number of physical files at the registry has grown. The previous filing system created a bottleneck when it came to file retrieval.

Description

In an effort to improve efficiency and effectiveness of service delivery at the registry, the court adopted a system of filing where court files are put in bundles according to dates. Each file in the bundle is listed on the cover and tagged.

Impact

The time taken to trace and retrieve a file in the registry has greatly improved. The issue of missing or misplaced files has otherwise been eliminated. This has also improved the litigants' satisfaction levels as well the mood of the staff.

Replicability

The filing system can be adopted across all court registries across the country.

16. Molo Law Courts

WhatsApp Video Conference virtual courts

Introduction

Virtual court sessions, also known as remote hearings or online court proceedings, have become increasingly important in improving access to justice by removing barriers related to physical presence. Leveraging on technology and a myriad platform with video-conferencing capabilities has allowed the conducting of virtual court sessions which offer numerous benefits. These include improved accessibility, efficiency, flexibility, safety, and sustainability, making them an important component of modernizing and improving the justice system. The Practice Directions for Virtual Court Sessions, 2023 issued vide Gazette Notice No.7032, provides that Microsoft Teams, Skype, Zoom, Go-to Meeting or any other platform as directed by the Judiciary, are the official media of conducting virtual court sessions

Description

Molo law court is leveraging the social media WhatsApp group video-conferencing capabilities to conduct virtual court sessions. This has ensured that litigants can attend virtual court sessions when other virtual platforms are inaccessible and ensured cases proceed as scheduled. This has addressed the perennial challenge of frequent adjournments due to the unreliable internet and other virtual platforms.

Impact

This initiative has improved access to justice by removing barriers related to physical presence. Participants, including litigants, witnesses, and legal representatives, can attend hearings from anywhere with an internet connection, reducing the need to travel to courtrooms, especially for those living in remote areas or with mobility constraints.

Replicability

This initiative can be replicated in all court Stations. However, it's essential to address challenges related to technology access, digital literacy, privacy concerns, and ensuring equal access to justice for all court users.

17. Directorate of Finance

Automation of Expenditure Requisition Form

Introduction

The Constitution confers on the Judiciary responsibility of ensuring that access to and expeditious delivery of Justice is guaranteed to all irrespective of status. To achieve this, the Judiciary must be alive to an ever-changing environment and embrace new methodologies of service delivery including automation of processes. Automating expenditure request forms offers significant advantages in terms of efficiency, accuracy, transparency, compliance, data analysis, and cost savings, making it a valuable investment for organizations seeking to optimize their financial processes. The data generated can be leveraged to gain insights into spending patterns, identify areas for cost savings or optimization, and make informed decisions about resource allocation

Description

The innovation entails the automation of the manual expenditure requisition form in the JFMIS system that allows all spending units to view their balances after every expenditure. It grants the AIE holder the ability to plan activities based on the balances available real time prior to approving any activity. It also generates digital records of expenditure requests, which can be easily stored, accessed, and analysed.

Impact

The Automated form has aided in reducing errors that often occur with manual data entry. The built-in validation checks ensure that all required fields are completed correctly and that the information provided is accurate. This reduces the likelihood of mistakes, such as incorrect calculations or missing information, which can lead to delays and issues with budget tracking. It has also reduced complaints about utilization of spending units' funds without approvals while streamlining the process of handling requests promptly. Additionally, it has reduced the time and effort required to complete and process expenditure requests.

Replicability

This can be implemented in all court Stations to monitor absorption of funds real time and aid in planning and scheduling of activities based on the available resources.

3.3 Notable Mentions

The Judiciary must adjust and adapt to the ever-shifting societal expectations and needs. By engaging in socially transformational projects, the Judiciary continues to stay attuned to emerging trends, address emerging challenges, and tailor judicial responses to meet the needs of diverse communities. Moreover, taking part in socially transformational projects is consistent with the Judiciary's overarching responsibility to advance justice, preserve the rule of law, and safeguard human rights. The Judiciary must therefore actively participate in initiatives aimed at addressing injustice, discrimination, and social inequality, which advances a just, inclusive, and democratic society. All of these initiatives are essential in helping the Judiciary carry out its duties of upholding the law, defending individuals' rights, and furthering the interests of the marginalized and disadvantaged groups in society by addressing systemic inequalities.

The implementation of standardized processes, leveraging technology, and promoting innovative approaches, has allowed the Judiciary to enhance its capacity to deliver fair, timely, and accessible justice for all. Below is list of notable mention initiatives being implemented by court Stations and administrative units in the Judiciary;

1. **Children Welfare Kitty- Isiolo Law Courts**

This initiative provides pooled funding or resources dedicated to the welfare and protection of children involved in legal proceedings. By ensuring that children have access to necessary material support, resources and specifically food, the Judiciary upholds their rights and welfare while protecting their dignity and allowing them to withstand long court sessions. This initiative is responsive to vulnerable and marginalized groups as provided for in the STAJ vision. However, this needs to be institutionalized to make it sustainable.

2. **Let's Plant a Tree Initiative Meru Kadhis Court & Office of the Registrar ELC**

This initiative entails efforts to ensure Trees are planted in Judiciary court building compounds and demonstrates Judiciary's commitment to environmental sustainability and community engagement in line with the Greening Judiciary Strategy. This is geared towards improving work environment & court user satisfaction while fostering positive relationships with the community and Justice sector stakeholders. Additionally, it is aimed at promoting environmental stewardship, sensitization on effects of climate change and contributing to the overall well-being of society while participating in the national vision of increasing forest cover with the aim of mitigation effects of climate change.

3. Maintenance & Child Custody Claim Form -Kabarnet Law Courts

The form standardizes the process for filing maintenance and child custody claims, ensuring that relevant information is collected consistently and efficiently. By providing clear guidelines and documentation requirements, this simplified form helps to streamline proceedings, reduce errors, and facilitate timely resolution of family law matters, ultimately serving the best interests of children and families involved. This initiative is responsive to vulnerable and marginalized groups as provided for in the STAJ vision

4. Judicial Officers Transfer Management Tool - Office of the Registrar Magistrates Courts

This tool gives an indication of when a Judicial Officer is due for transfer based on the Judiciary Transfer Policy. Additionally, it provides information on when a Judicial Officer was posted to and how long they have served in a court station. It has helped in addressing the dependency on request for transfers to a more predictable process and eased the process of re-organization in the Magistracy and Kadhi while fostering the ethos of shared leadership. By automating and centralizing the transfer process, the Judiciary can ensure smooth transitions, maintain staffing levels, and optimize resource allocation across different court Stations. Effective management of judicial officer transfers contributes to the efficient functioning of the Judiciary and supports continuity in service delivery.

5. CUC Special Cause List Template - Nyahururu Law Courts and Malindi Law Courts

This initiative entails capturing of details of police station, police case number and name of investigating officer in a special cause list shared with members of Court Users Committee on the WhatsApp platform. It is meant to avoid delays in availing police files while ensuring attendance of court by Investigating officers in case of summons. The investigating officers are able to follow-up on their respective matters and bond witnesses in good time. The ODPP is also able to organize and ensure the files are available in good time. This has helped prosecutors to effectively and efficiently handle cases before their respective courts.

These special cause lists help prioritize and schedule court cases based on urgency complexity, or other criteria. This has helped in enhancing judicial efficiency, reducing case delays & backlog, and improving access to justice for litigants. These special cause lists can aid the Judiciary to efficiently allocate court resources, expedite the resolution of time-sensitive matters, and ensure that critical cases receive appropriate attention and priority.



Chapter 4

**GENERAL OBSERVATIONS
& RECOMMENDATIONS**

During the PMMU implementation for 2022-2023 period several challenges were encountered by the courts which need to be addressed to enhance service delivery. These include the following;

4.1 Shortage of Judges, Judicial Officers, Adjudicators and Prosecutors

Observation:

- a) **Shortage of Judges:** The High Court Stations and courts of equal status had shortage of Judges due to High caseloads as a result of many cases being filed while there is also backlog of several years. In some courts, there's only one Judge handling multiple Stations as visiting Judge who visits in a few days of the Month which affects the timely conclusion of cases. Additionally, both criminal and civil Divisions are experiencing a shortage of Judges, impacting the resolution of cases.

Similarly, the Court of Appeal is also facing challenges with High caseloads, with some Stations having only one bench to handle a substantial number of cases. Therefore, there is a need to recruit more Judges in the Superior courts to address the High caseload and ensure timely justice delivery

- b) **Shortage of Judicial Officers:** Several magistrate courts reported experiencing shortage of Judicial Officers owing to High number of cases in those courts. In some instances, courts had only two judicial officers handling an average of 800 cases while in others there was only one judicial officer in a station. A few situations were encountered with only one Deputy Registrar serving a High Court and ELC besides also handling cases in a magistrate court. There is need for the office of Chief Registrar of the Judiciary and the Registrar Magistrate Courts to ensure rationalization of judicial officers across board and seek for ways to address this issue either through recruitment or deployment of other judicial officers.
- c) **Shortage of Adjudicators:** Some of the Small Claims Courts such as Milimani, Kisumu, Eldoret, Naivasha and Mombasa faced a challenge of inadequate adjudicators against huge caseload in terms of pending cases of 3,159, 188, 744, 131 and 477 cases respectively. Some adjudicators in these Stations are also allocated cases in Milimani Small Claims Court which compounds their work load. Due to this workload most small claims courts are not able to conclude cases within 60 days of filing nor are they able to deliver Judgments within 3 days of conclusion of hearing as provided for under Small Claims Court Act.
- d) **Shortage of Prosecution Counsels:** This was another factor hindering effective dispensation of justice as several courts reported having a shortage of prosecutors which affected the criminal proceedings. Some courts had two judicial officers but only one prosecutor who was also based far away from the station. Other courts just relied on Prosecution Counsels from neighbouring courts which was not effective. Therefore, this situation was affecting hearing and determination of criminal cases in various courts and need to be addressed urgently in liaison with ODPP.

e) Shortage of pro bono Advocates:

Observation: It was noted that there were few advocates who were willing to offer pro bono services in some Stations while in others there were delays in payment of pro bono advocates who had rendered their services. This was noted as a huge challenge affecting the indigent clients.

Recommendation: There is need to fast track the payments of pro-bono advocates in cases where they have rendered their services. The Judiciary can explore ways of working with other development partners to provide pro-bono legal support to the indigent clients.

f) Slow uptake of Alternative Dispute Resolution Mechanisms Including AJS.

Observation: It was noted that the Alternative Dispute Resolution (ADR) mechanism was working well in some courts. However, in other instances courts were facing challenges of accepting the use of ADR/AJS in dispute resolution while in others the process would take inordinately long before finally returning the matter to court to start the process all over again.

This greatly impacted negatively on the resolution of cases within the specified timelines from filing.

Recommendation: There is need for more advocacy and sensitization during CUC meetings and to the general public to promote ADR in the resolution of cases as this could enhance harmony and cohesiveness among the litigants. The judicial officers need also to be sensitized on proper techniques for implementation of ADR to improve successful case settlement rates.

g) Handling Land Matters and Injunctions:

Observation: Some courts were encountering several challenges in handling land matters and injunctions related to Environmental and Land Court (ELC) cases. These complexities led to longer processing times, often prolonging the resolution of disputes in these areas leading to backlog especially in courts with High caseloads.

Recommendation: Such courts may require additional Judges to help reduce backlog and ensure faster resolution of cases while holding regular meetings with CUCs to help address challenges of smooth workings with various players in the justice chain.

4.2 Data Inaccuracy challenges

Data accuracy, reliability and completeness is critical for courts and indeed the whole Judiciary. Most decisions are now data driven on areas of resource allocation, promotions, deployments and performance. This creates impetus to ensure that the data is correct and accurate at all times.

i) Data Discrepancies and Case Tracking System (CTS) Issues

Observation: Concerns were raised by several courts on issues of discrepancies in filed, resolved, pending and backlog of cases including Judgement resolutions.

A substantial discrepancy existed between cases filed in the registers and those captured using the Daily Court's Returns Template (DCRT) or the Case Tracking System (CTS). Courts which are the primary source of data collection sometimes failed to capture all filed cases in the DCRT/CTS, resulting in inconsistencies of actual number of registered cases. This issue was cross cutting among most courts.

Several courts reported challenges in the data captured through the CTS. There were some instances where double entry of cases was noted, cases with missing outcomes, entry of erroneous outcomes among others that affected the data accuracy.

Recommendation: There is need to implement robust interventions among the key units that deal with data collection and management in the Judiciary. To assist the Courts, there is a need for more collaboration between DICT and DPOP to enhance Data Integrity. These 2 Directorates are key in eliminating data discrepancies. Other measures will entail development and implementation of standardized data capture protocols across all courts, training of data liaison staff on data entry procedures, regular data audits, and immediate follow ups and verification with courts to address any gaps.

Furthermore, the implementation of the data management policy and the caseload statistics guidelines which were approved recently by JSC will assist in enhancing data accuracy. These among other steps will enhance the CTS's functionality, accuracy, and user-friendliness, ultimately improving service delivery within the court system.

ii) Integrity on case outcomes:

Observation: There were instances noted of wrongful data capture of case outcomes in some courts including instances where matters concluded by other means of resolution other than merit productivity are captured as judgment delivered or ruling delivered case closed. This has a potential of distorting data especially on productivity which cannot be clearly supported during evaluation. Whereas this also inflates the performance of a court showing very High merit productivity without actual achievement on the ground to support this scenario.

Recommendation: There is need for courts to ensure correct capture and entry of actual case outcomes without distorting information. The courts will need to upload all Judgments delivered and rulings delivered which close a case in the system to allow for ease of verification where necessary. There is also need to strengthen monitoring and feedback mechanisms to prevent data manipulation. Continuous follow up, verification and training of data liaison officers will also go a long way to ensure proper capture of outcomes. Any intentional manipulation of data should be dealt with accordingly.

4.3 Unreliable internet

Observation: Some courts still were found to encounter fluctuations in internet connectivity. Unreliable Wi-Fi access or poor internet connectivity presented a considerable barrier to technology-reliant operations such as virtual court hearings, e-filing and on-line case processing and data submission. The dependence on technology for communication and case management requires robust infrastructure to support it. Without reliable internet access, the affected courts' ability to efficiently manage cases and communicate with all stakeholders was affected.

Recommendation: The Judiciary will need to invest in reliable Wi-Fi infrastructure and modern communication systems to ensure smooth provision of services especially in courts where the challenge exists.

4.4 Documentation and Records Management

Observation: Lack of documentation and proper record-keeping in some court Stations was an obstacle towards providing quality services. The failure in updating or maintaining court registers and other records, compromised the reliability and efficiency of the Judiciary's knowledge and records management systems, especially in the context of ongoing digitization efforts. This affected the quick retrieval and ease of reference of the documents which are very critical especially the case files.

Recommendation: There is need to develop and standardize record-keeping protocols mainstreaming of knowledge management as well as provision of continuous training of staff on proper record-keeping.

Resource Allocation Challenges:

i. Inadequate staff:

Observation:

- a) **Shortage of Office Administrators:** There was a shortage of Office Administrators across courts which was hampering the smooth process of typing of proceedings and documentation processes, thus leading to substantial backlogs in submission to appellate courts. This situation has been occasioned by lack of recruitment of the secretarial cadre for many years.

b) Shortage of staff: The daily operations of the courts were also hampered due to shortage of staff in various areas such as process servers, Court Administrators, Accountants, Supply chain Officers, Office Administrators and Information and Communication Technology (ICT) Officers among others.

Recommendation: There is need for the Judiciary to recruit Office Administrators and other staff where there are shortages to ensure optimal staffing levers and enhance service delivery. The Directorate of Human Resource Management need to undertake staff rationalization and ensure that staff are well distributed in all Stations countrywide to address staff shortages

ii. Power outages:

Observation: Some courts were grappling with power outages in various regions across the country. This was negatively impacting on the virtual court sessions, submission of returns and overall operational efficiency, especially in this era of technology-reliant operations. The outages were experienced in some courts for a few days sometimes going to weeks in a few instances.

Recommendation: The Judiciary need to invest in alternative power sources, such as solar power or back-up generators to ensure uninterrupted supply even when there are outages. It is also necessary to conduct regular maintenance checks on electrical systems to minimize the faults.

iii. Shortages of equipment:

Observation: Several courts indicated shortage of equipment such as desktop computers, laptops and printers especially those newly established Stations and this hindered the daily operations and processes in these courts. A few of them relied on borrowing from other departments which was not sustainable.

Recommendation: The Directorate of ICT to procure more computers/laptops and prioritize the courts with serious needs especially those that were newly established.

4.5 Resourcing of Court Stations

a) Inadequate financing of courts

Several courts indicated that they had insufficient resources and low budget allocations that at times was inadequate to purchase enough materials including files and other court necessities. This issue was crosscutting among most of the Magistrates' Courts.

There is need to critically assess the actual financial resources required to run these court Stations effectively with a view to increasing the budgets. The courts and other administrative units quite often raise issues of challenges of low budgets which cannot deliver on all the planned programs and projects.

b) Late disbursement of funds to courts

It was also observed that some of the courts received their budgetary allocation late into the end of the financial year leaving them with little time to utilize the allocations. This led to low fund absorption rates in such Stations. The late disbursement of funds and additional disbursements not planned for negatively affected the Stations spending because the money was not utilized and the absorption rate would not be the optimum.

Recommendation: There is need to enhance budgetary allocations across the Judiciary to address the shortages in courts and other units. There is also need for the Chief Registrar of the Judiciary together with the Directorate of Finance to streamline the budgetary process and ensure proper allocation as per the work plan and timely disbursements to avoid low funds absorption.

4.6 Capacity building of Staff

l) Inadequate Training and Support for staff

Observation: There is inadequate training for court staff to enhance their skills to perform various functions including those dealing with capturing of court statistics. Many staff have never been trained despite requesting to be considered for training through the Judiciary Staff Training Committee (JSTC) every year. This was observed across all courts where most of the staff indicated that they have never been considered for training nor were they clear on the eligibility requirements.

Recommendation: The Judiciary need to allocate more funding to the training vote to enable implementation of a comprehensive training program for staff across all courts. There is need also to encourage courts and other units to liaise with stakeholders to assist in funding additional trainings for staff. The courts and units can organize their own internal trainings on various areas of need such as records management, CTS, data management, disaster management among others to ensure continuous improvement of skills among the staff. The directorate of Human Resources Management and Administration to continue sensitizing staff on the eligibility requirements to enable staff apply for relevant courses.

ii) Training of Court Administrators:

Observation: It was noted that all the court administrators had not been inducted several years after being appointed to the position and yet they play a critical role in addressing various administration issues in the courts.

Online Training/induction of Judiciary staff can be arranged as it saves on cost and time. However, HRM&D should consider hybrid (online & physical) training to achieve quality services from Judiciary staff.

There is need for the JSTC and HRM&D to put strategies in place and ensure that all court administrators are sensitized and trained to enhance their skills in the respective roles.

Inadequate Infrastructure:

Observation: It was observed that some courts still faced the challenge of inadequate infrastructure in terms of shortage of court rooms, chambers, registries and wash rooms among others. There was also a slow pace in completion of ongoing court constructions in other areas while other Stations were operating in borrowed premises.

Recommendation: There is need to step up efforts towards completing stalled court projects and those ongoing while commencing new constructions in areas where there is need.

SGBV Courts:

Observation: Operationalization of SGBV Courts: The Judiciary has established SGBV courts in Shanzu, Siaya, Kisumu, Homa-Bay, Kibera and Kiambu. However, rising instances of feticide and other forms of gender-based violence underscore the importance of sustaining the impact of these courts. There were challenges that were noted in the operationalization of these courts such as resource constraints, inadequate training, procedural complexities, and limited interagency collaboration among various justice sector actors. Operationalization of these courts is on-going and the specific case types are being defined to ensure ease of tracking of the status of these cases across the courts

Recommendation: To enhance the effectiveness of SGBV courts, it is imperative to allocate adequate resources, provide specialized training for judicial officers and staff, foster closer collaboration among relevant stakeholders, streamline procedural mechanisms, implement robust monitoring and evaluation systems, and promote community awareness initiatives.

4.7 Register for Convicted Sexual Offenders:

There were instances where some courts had not updated the register for convicted sexual offenders and this makes it difficult to consolidate the actual numbers and necessary details to track these cases.

The Courts need to be made aware of the need for regular updates of the register and submission of the returns both convictions and nil returns to the office of the CRJ immediately after convictions.

4.8 Increased Performance and Productivity

Observation: The implementation of PMMU's strategies has led to continued performance improvements and productivity in many courts. Case clearance rates, backlog reduction and High case resolutions, Judgments delivered among Judges and Judicial officers and the increased use of data are clear outcomes of effective implementation of the system.

Recommendation: However, there is need for continuous improvement, monitoring and feedback for accurate and fair performance assessment including Higher target setting to avoid courts and units setting low targets that are overachieved without significant improvements on service delivery.

Further review and enhancing of the indicators and targets and ongoing training and support to staff on performance improvement is required.

4.9 Audit Reports Implementation:

Observation: It was observed that most of the Stations were audited 5 or 6 years ago and therefore they had already implemented the recommendations. Additionally, some courts that were recently audited had not been furnished with the audit reports to enable them implement the recommendations. Other courts Highlighted that they were not getting feedback from the Directorate of Internal Audit despite implementing what was required by the station and submitting quarterly reports.

Recommendation: The Chief Registrar of the Judiciary (CRJ) and the Directorate of Risk and Audit Management should follow up on the audit reports to ensure smooth implementation of the recommendations. This will avoid situations where court Stations are submitting reports in vain without receiving any feedback. The Directorate to step up efforts to ensure more audits are carried out specially to courts that had been audited many years back.

4.10 Lack of Station vehicle

There were issues raised by some courts that they do not have a station vehicle while others indicated that when station vehicles developed mechanical problems it took inordinately long to get them repaired.

Recommendation: There is need to ensure that each station is allocated with a vehicle for effective transportation while the Directorate of administration and internal security should follow up to ensure that faulty vehicles are promptly repaired

4.11 Conclusion

The observations made during the recent evaluation exercise have Highlighted several critical challenges that are affecting the efficiency and effectiveness of the courts. However, the proposed recommendations provide actionable steps to address these challenges with a view to improve court operations. By implementing these recommendations, the courts can enhance their functionality, ensure timely case processing, and maintain data accuracy. It is crucial for all stakeholders to work together to implement these recommendations and support the overall improvement of the judicial system.



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Appendices

Annex 1: Court of Appeal Performance on Select Indicators

Court of Appeal	Criminal Appeals-% of appeals concluded within 180 days from date of receipt of records of Appeal	Civil Appeals-% of appeals concluded within 180 days from date of receipt of records of Appeal	Case clearance rate for Civil Cases	Case clearance rate for Criminal Cases	Per centage reduction of backlog	Merit Productivity	Other Productivity	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Nairobi Court of Appeal - Civil Division	N/A	13	57	N/A	-14	288	156	2.734	100.00	Very Good
Kisumu	24	37	59	85	-12	232	199	2.979	100.00	Very Good
Mombasa	3	1.5	82	123	-62	282	140	3.109	100.00	Very Good
Nakuru	0	1.1	64	396	-	185	166	3.313	92.97	Good
Nairobi Court of Appeal - Criminal Division	0	N/A	N/A	136	-52	115	49	3.603	74.81	Fair
Nyeri	0	0	65	152	-17	94	160	3.933	54.18	Fair

+ Increase in backlog

- Reduction in backlog

Annex 2: High Court Performance on Select Indicators

	Hearing & Determination of Constitutional Petitions concluded within 180 days from date of filing	Hearing & Determination of Judicial Review cases concluded within 180 days from date of filing	Hearing & determination of Criminal cases concluded within 360 days from date of filing	Hearing and determination of civil cases including contested Succession causes concluded within 360 days from date of filing	Hearing and determination of Civil Appeals concluded within 180 days from the receipt of the record of appeal	Hearing and determination of Criminal Appeals concluded within 180 days from the receipt of the record of appeal	Delivery of judgments and rulings within 60 days of conclusion of the hearing	Reduced No. Of days spent in Remand Custody	Case clearance rate for Civil Cases	Case clearance rate for Criminal Cases	Percentage reduction of backlog	Merit Productivity	Other productivity	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Bomet	50	0	9	10	40	57	58	338	103	45	94	75	200	3.140	100.00	Very Good
Bungoma	20	80	13	10	14	13	55	86	179	75	-4	163	354	3.558	77.60	Good
Busia	30	-	75	10	40	50	96	85	158	68	-84	44	310	3.309	93.16	Good
Chuka	90	30	32	20	7	18	46	100	125	23	-75	85	123	3.307	93.34	Good
Eldoret	10	10	13	20	57	71	55	243	79	88	135	75	271	3.623	73.58	Fair
Embu	40	50	3	10	74	94	84	97	210	84	-44	206	376	3.103	100.00	Very Good
Garissa	40	100	100	0	0	46	100	212	96	55	-57	25	186	3.182	100.00	Very Good
Garsen	70	0	13	30	42	38	0	90	55	26	40	25	77	3.838	60.10	Fair
Homabay	70	30	14	30	100	100	80	97	75	64	-10	171	152	3.401	87.44	Good
Kabarnet	0	0	4	0	25	67	58	210	168	97	-45	63	135	3.476	82.76	Good
Kajiado	10	30	14	20	8	4	90	-	35	15	225	56	99	3.689	69.42	Fair
Kakamega	30	20	2	10	27	32	75	209	211	53	-20	154	485	3.100	100.00	Very Good
Kericho	63	33	6	10	71	56	89	312	212	38	-49	112	473	3.143	100.00	Very Good
Kerugoya	30	60	15	20	8	0	15	291	79	61	-49	107	292	3.453	84.22	Good
Kiambu	30	30	7	40	77	33	60	168	85	28	-1	147	403	3.299	93.84	Good
Kisii	30	0	25	50	50	67	50	285	99	81	124	75	439	3.454	84.10	Good

	Hearing & Determination of Constitutional Petitions concluded within 180 days from date of filing	Hearing & Determination of Judicial Review cases concluded within 180 days from date of filing	Hearing & determination of Criminal cases concluded within 360 days from date of filing	Hearing and determination of civil cases including contested Succession causes concluded within 360 days from date of filing	Hearing and determination of Civil Appeals concluded within 180 days from the receipt of the record of appeal	Hearing and determination of Criminal Appeals concluded within 180 days from the receipt of the record of appeal	Delivery of Judgments and rulings within 60 days of conclusion of the hearing	Reduced No. Of days spent in Remand Custody	Case clearance rate for Civil Cases	Case clearance rate for Criminal Cases	Per centage reduction of backlog	Merit Productivity	Other productivity	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Kisumu	20	40	25	20	39	80	222	139	110	-47	153	385	3.023	100.00	Very Good	
Kitale	10	20	21	10	100	47	156	376	162	-70	197	1642	3.366	89.62	Good	
Kitui	10	33	7	20	93	100	-	81	89	122	164	364	3.416	86.50	Good	
Lodwar	70	30	13	-	17	89	283	106	134	-39	65	150	3.529	79.46	Good	
Machakos	20	0	0	30	50	68	141	121	27	39	63	389	3.552	78.01	Good	
Makueni	30	70	17	20	21	90	-	135	24	345	118	309	3.343	91.07	Good	
Malindi	70	0	33	30	10	66	154	46	61	-13	38	169	3.479	82.59	Good	
Marsabit	100	0	50	0	25	80	155	93	24	0	27	26	3.763	64.80	Fair	
Meru	60	20	15	10	81	65	101	118	58	-63	114	228	3.254	96.60	Good	
Migori	40	44	17	10	83	30	114	74	53	38	211	301	3.586	75.90	Good	
Milimani-ACEC division	N/A	N/A	0	35	N/A	N/A	89	148	197	24	91	115	2.836	100.00	Very Good	
Milimani- Civil Division	N/A	N/A	N/A	3	N/A	N/A	67	176	N/A	39	141	707	3.346	90.85	Good	
Milimani Commercial & Tax Division	N/A	N/A	N/A	17	N/A	N/A	63	145	N/A	25	83	418	3.429	85.68	Good	

	Hearing & Determination of Constitutional Petitions concluded within 180 days from date of filing	Hearing & Determination of Judicial Review cases concluded within 180 days from date of filing	Hearing & determination of Criminal cases concluded within 360 days from date of filing	Hearing and determination of civil cases including contested Succession causes concluded within 360 days from date of filing	Hearing and determination of Civil Appeals concluded within 180 days from the receipt of the record of appeal	Hearing and determination of Criminal Appeals concluded within 180 days from the receipt of the record of appeal	Delivery of judgments and rulings within 60 days of conclusion of the hearing	Reduced No. Of days spent in Remand Custody	Case clearance rate for Civil Cases	Case clearance rate for Criminal Cases	Per centage reduction of backlog	Merit Productivity	Other productivity	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Milimani Const & Human Rights Division	N/A	N/A	N/A	N/A	N/A	N/A	N/A	70	91	N/A	100	65	102	3.663	71.08	Fair
Milimani Criminal Division	N/A	N/A	6	N/A	N/A	78	151	72	N/A	61	-19	57	312	3.265	95.92	Good
Milimani-Family Division	N/A	N/A	N/A	9	N/A	N/A	N/A	78	211	N/A	100	89	990	3.429	85.66	Good
Milimani-Judicial Review Division	N/A	N/A	N/A	N/A	N/A	N/A	N/A	72	154	N/A	-53	96	166	3.178	100.00	Very Good
Mombasa	10	10	2	21	55	71	80	200	209	56	-70	67	275	3.264	95.98	Good
Muranga	10	10	25	6	20	17	0	354	45	244	-58	121	702	3.388	88.24	Good
Naivasha	0	0	0	24	7	36	55	390	153	114	157	54	584	3.819	61.33	Fair
Nakuru	10	10	14	7	67	33	52	230	181	86	52	108	474	3.362	89.85	Good
Nanyuki	20	0	0	43	0	22	50	-	87	53	-47	40	116	3.589	75.66	Good
Narok	30	50	33	25	0	36	75	319	92	42	320	48	168	3.575	76.60	Good

	Hearing & Determination of Constitutional Petitions concluded within 180 days from date of filing	Hearing & Determination of Judicial Review cases concluded within 180 days from date of filing	Hearing & determination of Criminal cases concluded within 360 days from date of filing	Hearing and determination of civil cases including contested Succession causes concluded within 360 days from date of filing	Hearing and determination of Civil Appeals concluded within 180 days from the receipt of the record of appeal	Hearing and determination of Criminal Appeals concluded within 180 days from the receipt of the record of appeal	Delivery of Judgments and rulings within 60 days of conclusion of the hearing	Reduced No. Of days spent in Remand Custody	Case clearance rate for Civil Cases	Case clearance rate for Criminal Cases	Per centage reduction of backlog	Merit Productivity	Other productivity	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Nyahururu	40	100	15	40	50	30	83	169	98	33	-97	87	182	3.369	88.43	Good
Nyamira	70	80	71	25	60	40	100	338	115	56	48	73	117	3.423	86.04	Good
Nyeri	20	30	33	13	0	43	64	428	152	55	-65	44	247	3.282	94.88	Good
Siaya	90	100	70	38	100	100	100	108	84	76	-68	102	526	3.233	97.93	Good
Vihiga	30	100	7	50	50	50	80	-	35	17	187	10	60	2.757	100.00	Very Good
Voi	10	70	40	20	33	33	61	420	90	85	-56	75	482	3.168	100.00	Very Good

+ Increase in backlog - Reduction in backlog

Annex 3: Employment and labour Relations Courts Performance on Select Indicators

ELRC	per centage of ELRC Petitions concluded within 360 days from date of filing	Hearing & determination of ELRC Appeals -% of ELRC Appeals concluded within 180 days from date of filing	Hearing & determination of substantive claims -% of substantive claims determined within 360 days of filing	Hearing and determination of ELRC Judicial Reviews -% of ELRC Judicial Reviews concluded within 90 days from date of filing	Delivery of Judgments and rulings -% of Judgement/rulings delivered within 60 days of conclusion of the hearing	Case clearance rate	Per centage reduction of backlog	Merit Productivity	Other Productivity	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Bungoma ELRC	32	63	30	17	98	208	-43	201	138	2.88	100.00	Very Good
Eldoret ELRC	8	50	5	50	24	206	-13	160	274	3.19	100.00	Very Good
Kisumu ELRC	50	71	38	67	100	298	-23	124	117	2.72	100.00	Very Good
Mombasa ELRC	28	55	8	13	75	189	-4	68	124	3.52	80.18	Good
Nairobi Employment and Labour Relations Court	41	77	5	9	77	136	-22	125	136	3.31	93.35	Good
Nakuru ELRC	19	56	31	43	63	191	-29	138	102	2.93	100.00	Very Good
Nyeri ELRC	26	50	19	50	43	185	5	62	31	3.60	74.74	Fair

+ Increase in backlog - Reduction in backlog

Annex 4: Environment and Land Courts Performance on Select Indicators

ELC	Per centage of ELC cases concluded within 360 days from date of filing	Per centage of Land related constitutional petitions concluded within 180 days from date of filing	Per centage of Judicial Review cases concluded within 360 days from date of filing	Per centage of appeals concluded within 360 days	Per centage of Judgement/rulings delivered within 60 days of conclusion of the hearing	Case clearance rate	Per centage reduction of backlog	Merit Productivity	Other Productivity	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Bungoma	8	0	100	67	50	111	-33	69	62	3.30	93.99	Good
Busia	3	50	80	30	60	198	-31	88	116	2.91	100.00	Very Good
Chuka	7	0	67	80	75	109	-50	33	16	3.31	92.99	Good
Eldoret	7	11	38	-	73	183	-20	102	81	3.33	91.77	Good
Embu	8	0	25	7	67	110	-15	63	75	3.38	88.63	Good
Homabay	39	11	75	80	50	117	0	158	3	3.18	100.00	Very Good
Isiolo	75	0	0	64	100	51	4100	4	20	3.49	81.74	Good
Iten	79	37	94	43	70	145	-	41	64	2.65	100.00	Very Good
Kajiado	7	0	60	-	73	113	-20	83	65	3.58	76.42	Good
Kakamega	10	0	50	27	0	205	-76	166	103	3.24	97.31	Good
Kapsabet	45	0	97	60	75	114	100	52	51	3.53	79.58	Good
Kericho	2	0	50	14	80	157	-44	80	72	2.98	100.00	Very Good
Kerugoya	5	0	0	14	13	156	-59	40	157	3.62	73.64	Fair
Kilgoris	79	37	75	57	17	104	-23	54	21	3.50	81.26	Good
Kisii	3	0	100	80	75	167	-29	78	77	3.19	100.00	Very Good
Kisumu	7	0	67	25	40	184	-36	58	99	3.10	100.00	Very Good
Kitale	11	14	-	25	80	155	-55	91	80	3.48	82.42	Good
Kitui	43	0	38	48	80	127	-	61	44	3.10	100.00	Very Good
Kwale	59	28	20	100	60	89	100	59	69	3.24	97.38	Good
Machakos	8	0	36	45	60	141	-47	98	116	3.08	100.00	Very Good

ELC	Per centage of ELC cases concluded within 360 days from date of filing	Per centage of Land related constitutional petitions concluded within 180 days from date of filing	Per centage of Judicial Review cases concluded within 360 days from date of filing	Per centage of appeals concluded within 360 days	Per centage of Judgement/rulings delivered within 60 days of conclusion of the hearing	Case clearance rate	Per centage reduction of backlog	Merit Productivity	Other Productivity	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Makueni	12	0	33	9	92	67	-7	45	67	3.76	64.72	Fair
Malindi	8	4	24	0	75	141	-12	103	99	3.53	79.35	Good
Meru	8	6	43	17	14	179	-53	136	60	3.39	88.18	Good
Migori	5	0	0	67	50	168	-68	14	59	3.52	79.85	Good
Milimani	16	29	47	75	57	160	-55	133	117	2.95	100.00	Very Good
Mombasa	7	1	29	50	80	169	-27	78	57	3.12	100.00	Very Good
Muranga	23	33	100	56	91	89	-58	78	57	3.07	100.00	Very Good
Nakuru	9	6	31	67	20	208	-46	16	63	3.14	100.00	Very Good
Nanyuki	24	0	100	42	50	130	0	48	30	2.90	100.00	Very Good
Narok	10	10	75	0	65	152	-48	67	57	3.04	100.00	Very Good
Nyahururu	10	0	60	30	50	111	-43	72	66	3.63	73.26	Fair
Nyamira	41	0	100	80	91	128	100	61	39	3.30	93.79	Good
Nyeri	1	0	0	0	100	114	-18	113	22	3.67	70.38	Fair
Siaya	40	0	71	88	80	157	-	106	78	2.99	100.00	Very Good
Thika	24	26	25	64	60	133	-46	150	132	2.64	100.00	Very Good
Vihiga	50	67	-	40	88	77	300	19	8	3.29	94.26	Good

+ Increase in backlog - Reduction in backlog

Annex 5: Magistrates' Courts Performance on Select Indicators

Magistrates' Court	Per centage of Criminal cases concluded within 360 days of filing	Per centage of Civil cases concluded within 360 days of filing	Per centage of judgments & rulings delivered within 60 days of conclusion of the hearing	Reduced no. of days spent in remand custody f	Case clearance rate for Criminal Cases	Case clearance rate for Civil Cases	Case Clearance Rate for Traffic Cases	Per centage reduction of backlog	Merit Productivity	Other productivity	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Baricho	79	34	100	454	63	107	89	-22	222	529	3.20	99.97	Good
Bomet	90	51	85	95	93	55	100	-3	128	552	3.22	98.68	Good
Bondo	89	55	80	130	114	131	98	-31	251	610	3.15	100.00	Very Good
Bungoma	88	48	65	150	76	52	90	-26	108	455	3.23	98.22	Good
Busia	78	26	35	321	40	60	38	0	95	404	3.77	64.31	Fair
Butali	60	32	61	146	84	104	73	-37	134	927	3.36	90.08	Good
Butere	81	24	75	113	101	150	108	-31	140	553	3.20	100.00	Very Good
Chuka	71	56	71	114	104	72	82	-14	73	305	3.51	80.87	Good
Dadaab	82	50	61	18	73	7	-	23	11	72	3.73	67.17	Fair
Eldama Ravine	86	32	64	114	89	95	94	-4	81	630	3.52	79.76	Good
Eldoret	61	54	69	120	105	126	93	-45	223	715	3.16	100.00	Very Good
Embu	77	29	71	66	96	196	94	38	142	427	3.36	89.92	Good
Engineer	90	52	80	28	131	172	125	-20	331	327	2.96	100.00	Very Good
Garissa	81	72	44	131	86	263	94	-2	198	508	3.29	94.56	Good
Garsen	89	62	69	64	84	94	95	-26	135	98	3.14	100.00	Very Good
Gatundu	88	51	80	89	52	87	69	75	120	621	3.21	99.24	Good
Gichugu	81	20	90	446	83	154	98	-29	106	499	3.22	98.45	Good
Githongo	84	54	67	85	92	108	69	-19	140	772	3.45	84.30	Good
Githunguri	88	35	73	99	71	100	82	15	68	687	3.27	95.62	Good
Hamisi	77	44	65	115	103	75	78	-20	97	468	3.28	94.92	Good
Hola	87	67	83	70	89	94	50	-24	63	119	3.15	100.00	Very Good
Homabay	84	58	84	27	84	89	84	-35	92	148	3.14	100.00	Very Good

Magistrates' Court	Per centage of Criminal cases concluded within 360 days of filing	Per centage of Civil cases concluded within 360 days of filing	Per centage of Judgments & rulings delivered within 60 days of conclusion of the hearing	Reduced no. of days spent in remand custody f	Case clearance rate for Criminal Cases	Case clearance rate for Civil Cases	Case Clearance Rate for Traffic Cases	Per centage reduction of backlog	Merit Productivity	Other productivity	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Isiolo	67	50	97	94	99	156	93	-11	222	369	3.28	95.08	Good
Iten	93	54	65	110	90	148	99	-64	82	827	3.20	99.97	Good
JKIA	55	-	73	27	159	-	100	-35	18	53	2.96	100.00	Very Good
Kabarnet	86	49	53	70	92	107	103	-36	67	412	3.31	93.33	Good
Kabiyet	98	86	42	110	54	65	67	-	50	373	3.28	94.99	Good
Kahawa	89	-	87	27	82	-	-	60	131	60	3.08	100.00	Very Good
Kajiado	73	38	53	118	75	127	82	-20	163	459	3.51	80.88	Good
Kakamega	75	34	54	111	92	192	96	-59	115	477	3.20	99.84	Good
Kakuma	96	88	76	33	103	80	93	9	129	718	3.12	100.00	Very Good
Kaloleni	79	49	94	49	121	214	112	-20	562	354	2.96	100.00	Very Good
Kandara	85	41	74	118	100	67	92	0	139	1560	3.22	98.48	Good
Kangema	82	27	76	144	104	70	94	-65	89	482	3.24	97.46	Good
Kangundo	83	44	88	101	117	118	98	-36	299	532	3.34	91.25	Good
Kapenguria	87	69	74	66	101	70	104	-3	58	453	3.40	87.53	Good
Kapsabet	73	25	60	200	95	77	80	-37	104	669	3.37	89.15	Good
Karatina	80	38	100	368	92	93	92	-16	171	471	3.39	87.82	Good
Kehancha	79	50	90	64	95	141	85	-22	145	627	3.23	98.35	Good
Kenol	100	100	100	173	81	12	88	-	155	1591	2.98	100.00	Very Good
Kericho	91	42	91	45	74	90	86	-18	89	540	3.10	100.00	Very Good
Keroka	84	55	92	168	87	40	87	100	127	650	3.47	83.33	Good
Kerugoya	78	43	94	224	93	131	86	-4	118	359	3.26	96.49	Good
Kiambu	79	45	65	112	91	77	91	79	111	759	3.31	92.88	Good
Kibera	62	-	58	128	111	-	111	35	132	566	3.15	100.00	Very Good
Kigumo	58	37	76	182	139	184	120	-39	184	924	3.03	100.00	Very Good

Magistrates' Court	Per centage of Criminal cases concluded within 360 days of filing	Per centage of Civil cases concluded within 360 days of filing	Per centage of judgments & rulings delivered within 60 days of conclusion of the hearing	Reduced no. of days spent in remand custody f	Case clearance rate for Criminal Cases	Case clearance rate for Civil Cases	Case Clearance Rate for Traffic Cases	Per centage reduction of backlog	Merit Productivity	Other productivity	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Kikuyu	63	44	79	90	83	123	92	-29	261	834	2.93	100.00	Very Good
Kilgoris	81	55	67	45	88	71	89	100	81	392	3.24	97.36	Good
Kilifi	60	53	65	155	78	91	101	-5	237	423	3.61	74.10	Fair
Kilungu	93	41	75	68	79	88	91	-22	290	471	3.16	100.00	Very Good
Kimilili	88	33	85	72	76	140	95	-17	112	399	3.20	100.00	Very Good
Kisii	68	24	92	95	93	103	84	-50	226	441	3.15	100.00	Very Good
Kisumu	68	31	67	85	109	162	82	-75	126	318	3.03	100.00	Very Good
Kitale	83	44	77	73	99	103	95	-1	145	636	3.28	94.90	Good
Kithimani	85	29	73	178	87	66	82	-24	92	829	3.44	85.12	Good
Kitui	68	27	78	182	75	131	86	-75	197	400	3.21	99.21	Good
Kwale	59	35	65	50	89	136	85	-23	111	267	3.29	94.09	Good
Kyuso	84	55	67	116	113	134	160	-56	71	164	2.94	100.00	Very Good
Lamu	88	55	66	25	83	182	94	4	72	178	3.06	100.00	Very Good
Limuru	78	33	78	136	66	109	100	-24	138	701	3.02	100.00	Very Good
Lodwar	86	78	76	46	98	109	95	3	56	297	3.44	84.76	Good
Loitoktok	96	89	93	29	96	145	101	-72	163	526	2.83	100.00	Very Good
Machakos	67	43	56	68	83	140	92	13	208	533	3.24	97.65	Good
Madiany	100	79	82	84	79	19	-	-	46	237	2.90	100.00	Very Good
Makadara	60	-	68	187	87	-	92	-19	346	1462	3.29	94.48	Good
Makindu	72	26	62	106	83	181	91	-30	131	645	3.27	95.66	Good
Makueni	95	49	74	72	86	126	94	-56	88	306	3.15	100.00	Very Good
Malindi	56	36	69	75	115	92	110	-44	169	381	2.97	100.00	Very Good
Mandera	88	83	75	115	95	95	99	-20	33	248	3.33	92.00	Good
Maralal	88	58	71	161	104	108	113	-34	56	255	3.16	100.00	Very Good

Magistrates' Court	Per centage of Criminal cases concluded within 360 days of filing	Per centage of Civil cases concluded within 360 days of filing	Per centage of judgments & rulings delivered within 60 days of conclusion of the hearing	Reduced no. of days spent in remand custody f	Case clearance rate for Criminal Cases	Case clearance rate for Civil Cases	Case Clearance Rate for Traffic Cases	Per centage reduction of backlog	Merit Productivity	Other productivity	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Mariakani	55	49	80	90	146	116	102	-38	212	414	2.99	100.00	Very Good
Marimanti	80	45	67	91	79	70	74	-20	52	372	3.54	78.53	Good
Marsabit	87	64	74	92	100	139	88	-19	39	223	3.33	92.13	Good
Maseno	60	34	62	142	107	143	88	-4.48	59	659	3.39	87.98	Good
Maua	58	53	49	97	110	86	82	-12	128	533	3.44	85.17	Good
Mavoko	77	36	87	56	95	140	96	-31	359	699	2.90	100.00	Very Good
Mbita	73	50	80	140	91	111	100	-13	36	278	3.28	95.06	Good
Meru	78	36	71	108	92	114	86	-15	164	381	3.37	89.17	Good
Migori	80	28	92	21	77	143	75	-26	145	344	3.05	100.00	Very Good
Milimani Anticorr	N/A	N/A	79	131	N/A	N/A	N/A	6	11	15	3.02	100.00	Very Good
Milimani Childrens	17	60	73	43	308	106	N/A	-33	532	166	2.99	100.00	Very Good
Milimani CM	38	N/A	83	184	106	N/A	112	-14	293	1076	3.00	100.00	Very Good
Milimani Commercial	N/A	22	67	N/A	N/A	87	N/A	-17	328	179	3.58	76.25	Good
Molo	90	50	80	75	140	144	119	-24	140	1067	3.04	100.00	Very Good
Mombasa	70	31	73	108	105	189	136	-8	207	370	3.23	97.95	Good
Moyale	92	78	46	54	91	86	101	72	45	223	3.41	86.76	Good
Mpeketoni	88	54	64	48	97	131	160	-16	50	106	2.97	100.00	Very Good
Msambweni	65	55	73	150	142	110	104	-43	174	311	3.13	100.00	Very Good
Mukurwe-ini	93	45	83	135	75	102	84	-2	60	319	3.37	89.44	Good
Mumias	84	34	79	62	78	119	81	-36	139	296	3.26	96.25	Good
Muranga	87	37	87	107	93	162	89	-27	133	406	3.00	100.00	Very Good

Magistrates' Court	Per centage of Criminal cases concluded within 360 days of filing	Per centage of Civil cases concluded within 360 days of filing	Per centage of judgments & rulings delivered within 60 days of conclusion of the hearing	Reduced no. of days spent in remand custody f	Case clearance rate for Criminal Cases	Case clearance rate for Civil Cases	Case Clearance Rate for Traffic Cases	Per centage reduction of backlog	Merit Productivity	Other productivity	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Mutomo	80	47	46	68	92	118	99	-17	54	313	3.22	98.75	Good
Mwingi	77	32	74	139	97	97	99	-36	131	601	3.38	88.93	Good
Nairobi City Court	73	100	84	70	99	100	-	-52	2283	24	3.33	91.78	Good
Naivasha	78	28	73	158	86	167	93	-46	194	473	3.19	100.00	Very Good
Nakuru	65	41	54	149	85	131	100	-5	308	473	3.23	97.91	Good
Nanyuki	84	50	100	471	73	81	120	-12	156	558	3.44	85.09	Good
Narok	75	48	87	64	88	75	95	-23	75	604	3.21	99.50	Good
Ndhiwa	59	38	89	68	123	158	116	-55	153	410	2.90	100.00	Very Good
Ngong	64	59	54	158	93	59	95	-42	151	1074	3.20	100.00	Very Good
Nkubu	74	43	67	77	101	127	97	283	187	772	3.42	86.12	Good
Nyahururu	72	41	92	137	100	112	79	-21	94	547	3.26	96.33	Good
Nyamira	80	55	91	79	108	170	99	0	155	447	3.22	98.97	Good
Nyando	68	37	75	100	97	127	147	-26	131	527	3.34	91.43	Good
Nyeri	83	41	100	108	89	120	99	-78	148	320	3.09	100.00	Very Good
Ogembo	82	41	51	111	86	44	82	-13	193	880	3.44	84.78	Good
Oi Kalou	100	100	76	145	51	8	64	-	20	395	3.19	100.00	Very Good
Othaya	97	51	100	206	67	66	76	15	60	335	3.37	89.40	Good
Oyugis	75	46	96	153	83	85	63	-66	94	519	2.99	100.00	Very Good
Rongo	76	34	90	58	104	148	97	-14	200	540	3.09	100.00	Very Good
Ruiru	93	59	87	116	86	131	98	-45	259	1233	2.91	100.00	Very Good
Rumuruti	100	100	100	166	64	22	82	-	54	346	3.02	100.00	Very Good
Runyenjes	89	57	84	49	96	130	106	2	154	476	3.35	90.88	Good
Shanzu	58	-	80	200	102	-	89	-6	82	539	3.54	78.67	Good
Siakago	82	46	89	140	94	103	98	-57	191	704	3.42	86.53	Good

Magistrates' Court	Per centage of Criminal cases concluded within 360 days of filing	Per centage of Civil cases concluded within 360 days of filing	Per centage of judgments & rulings delivered within 60 days of conclusion of the hearing	Reduced no. of days spent in remand custody f	Case clearance rate for Criminal Cases	Case clearance rate for Civil Cases	Case Clearance Rate for Traffic Cases	Per centage reduction of backlog	Merit Productivity	Other productivity	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Siaya	64	42	68	165	86	113	70	-49	104	374	3.30	94.04	Good
Sirisia	73	27	71	184	97	77	92	-33	89	303	3.30	93.91	Good
Sotik	81	54	61	72	94	51	90	-25	86	631	3.16	100.00	Very Good
Tamu	92	57	76	22	94	90	80	-30	130	230	3.18	100.00	Very Good
Taveta	97	67	63	52	83	122	97	15	57	503	3.45	84.23	Good
Tawa	72	52	75	99	116	70	87	-21	99	228	3.46	83.98	Good
Thika	88	34	65	135	88	143	89	-38	198	801	3.14	100.00	Very Good
Tigania	92	52	69	85	69	57	95	-4	161	445	3.54	79.03	Good
Tinderet	100	97	34	-	57	59	-	-	36	193	3.25	96.76	Good
Tononoka	41	69	89	-	100	110	-	-55	183	417	2.95	100.00	Very Good
Ukwala	68	45	68	51	95	59	100	0	66	259	3.47	82.84	Good
Vihiga	82	35	37	111	86	54	75	-9	102	360	3.41	86.94	Good
Voi	91	36	67	72	93	233	84	-2	198	533	3.15	100.00	Very Good
Wajir	97	75	90	35	96	133	100	17	66	342	3.18	100.00	Very Good
Wanguru	75	31	82	998	90	101	88	-72	145	705	3.32	92.63	Good
Webuye	65	27	75	86	106	117	94	-36	169	465	3.39	87.97	Good
Winam	60	42	89	19	182	192	104	-73	322	531	2.71	100.00	Very Good
Wundanyi	95	54	93	98	85	126	93	8	86	701	3.35	90.86	Good

+ Increase in backlog - Reduction in backlog

Annex 6: Small Claims Court

Small Claims Court	Hearing and determination of Commercial cases - % of cases concluded within 60 days from date of filing	Hearing and determination of Civil Cases - % of cases concluded within 60 days from date of filing	Delivery of Judgement & Rulings = % of Judgement delivered with 3 days from date of final determination	Case clearance rate for Commercial Cases	Case clearance rate for Civil Cases	Per centage Reduction of Case backlog	Merit Productivity	Other Productivity	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Eldoret	48	74	19	72	60	-	644	-	3.56	77.27	Good
Kajiado	69	80	50	29	80	-	102	138	3.78	63.67	Fair
Kakamega	75	84	14	94	98	-	255	132	3.10	100.00	Very Good
Kisumu	66	64	8	81	69	-	271	388	3.46	83.56	Good
Machakos	25	18	0	76	84	59	461	117	3.20	99.70	Good
Meru	85	100	76	57	126	0	134	161	2.97	100.00	Very Good
Milimani	36	48	2	84	77	386	658	429	3.58	76.43	Good
Mombasa	52	64	18	57	73	-	223	169	3.54	78.67	Good
Naivasha	76	95	25	61	97	-	204	144	3.15	100.00	Very Good
Nakuru	57	45	18	100	54	139	410	-	3.73	66.65	Fair
Nyeri	85	85	44	69	85	-	69	109	3.09	100.00	Very Good
Thika	44	47	81	86	66	150	723	379	3.00	100.00	Very Good

+ Increase in backlog - Reduction in backlog

Annex 7: Kadhi Courts Performance on Select Indicators

Kadhis Court	Per centage of matrimonial, divorce, succession and matters of personal status concluded within 360 days of filing	Per centage of judgments and rulings delivered within 60 days of conclusion of the hearing	Case Clearance Rate	Per centage reduction of backlog	Merit Productivity	Other Productivity	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Balambala	100	93	100	-	7	65	3.19	100.00	Very Good
Bungoma	100	100	21	100	7	14	3.65	71.85	Fair
Bura/Fafi	100	100	70	-	5	21	3.06	100.00	Very Good
Busia	96	100	110	-	24	32	2.97	100.00	Very Good
Bute	86	100	104	-67	17	32	3.33	91.88	Good
Dadaab	86	100	78	-100	5	71	3.05	100.00	Very Good
Eldas	100	80	88	-	2	36	3.21	99.19	Good
Eldoret	100	100	50	-	13	45	3.44	84.88	Good
Elwak	99	100	97	0	42	129	3.30	93.87	Good
Garbatulla	100	75	99	0	36	63	3.66	71.18	Fair
Garissa	67	100	85	-22	74	266	3.18	100.00	Very Good
Garsen	80	100	89	-100	37	64	3.01	100.00	Very Good
Habaswein	100	100	90	-	24	91	3.04	100.00	Very Good
Hola	69	100	99	-100	37	57	3.04	100.00	Very Good
Ijara	83	100	84	-	18	128	3.28	94.93	Good
Isiolo	100	100	132	-100	79	175	3.00	100.00	Very Good
Kajiado	100	80	74	-25	3	23	3.38	88.92	Good
Kakamega	89	100	89	0	5	21	3.15	100.00	Very Good
Kakuma	96	100	93	-100	122	389	2.98	100.00	Very Good
Kericho	83	100	88	-100	15	6	3.15	100.00	Very Good
Kibera	79	100	98	-100	259	159	2.81	100.00	Very Good
Kilifi	78	100	104	-100	160	87	2.89	100.00	Very Good
Kisumu	73	100	88	-38	15	35	3.17	100.00	Very Good
Kitui	51	71	114	100	19	25	3.64	72.40	Fair
Kwale	94	100	84	-15	410	71	3.01	100.00	Very Good
Lamu	82	100	87	-100	137	155	2.96	100.00	Very Good
Machakos	45	100	101	-100	14	74	3.13	100.00	Very Good
Malindi	83	100	95	-100	103	21	3.10	100.00	Very Good
Mandera	94	100	94	-42	74	265	2.89	100.00	Very Good
Mariakani	91	100	104	-50	87	218	2.93	100.00	Very Good
Marsabit	73	92	42	158	19	47	3.72	67.32	Fair
Merti	100	100	93	-56	68	70	3.22	98.91	Good

Kadhis Court	Per centage of matrimonial, divorce, succession and matters of personal status concluded within 360 days of filing	Per centage of judgments and rulings delivered within 60 days of conclusion of the hearing	Case Clearance Rate	Per centage reduction of backlog	Merit Productivity	Other Productivity	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Meru	56	100	107	-100	9	21	3.23	98.20	Good
Modogashe	98	100	69	-	19	15	3.28	94.87	Good
Mombasa	73	100	105	-100	203	392	2.88	100.00	Very Good
Moyale	71	100	110	-100	48	205	3.27	95.63	Good
Msambweni	90	100	101	-7	365	182	3.02	100.00	Very Good
Nairobi	40	100	111	-100	613	470	3.11	100.00	Very Good
Nakuru	77	100	102	-	13	99	3.16	100.00	Very Good
Nyeri	12	100	88	-70	14	9	3.38	88.90	Good
Takaba	100	100	98	100	27	101	3.18	100.00	Very Good
Vihiga	100	100	102	-	2	40	3.13	100.00	Very Good
Voi	61	100	101	-100	24	119	3.10	100.00	Very Good
Wajir	92	100	64	-100	83	168	3.18	100.00	Very Good
Witu	56	100	89	-100	25	82	3.33	91.81	Good

+ Increase in backlog - Reduction in backlog

Annex 8: Tribunals

Tribunal	Hearing and determination of Urgent applications -% of applications certified urgent concluded within 45 days of filing (No application)	Hearing and determining of filed cases/Appeals % of cases /Appeals concluded within 360 days of filing	Delivery of judgments/rulings- % of judgments delivered 60 days of conclusion of the hearing	Case clearance rate	Per centage reduction of backlog	Merit Productivity	Other Productivity	Overall Composite Score	Overall Performance Score	Overall Performance Grade
Business Premises Rent Tribunal	N/A	N/A	85.7	141	-31	120	756	3.62	73.49	Fair
Co-operative Tribunal	50	30	20	121	-56	365	333	3.37	89.50	Good
Communications and Multimedia Appeals Tribunal	100	100	100	167	0	4	1	3.02	100.00	Very Good
Energy & Petroleum Tribunal	60	100	100	76	100	24	5	3.21	99.56	Good
Industrial Property Tribunal	100	29	100	214	-82	14	1	3.21	99.34	Good
Legal Education Appeals Tribunal	N/A	100	100	117	100	33	1	3.12	100.00	Very Good
Micro and Small Enterprises Tribunal	94	N/A	100	300	100	11	4	3.13	100.00	Very Good
Political Parties Disputes Tribunal (PPDT)	100	100	100	97	100	113	34	3.11	100.00	Very Good
Rent Restriction Tribunal	100	84	40	100	-11	51	1401	2.91	100.00	Very Good
Sports Disputes Tribunal	100	N/A	100	88	67	56	20	2.99	100.00	Very Good
Standards Tribunal	100	100	100	88	-29	5	0	3.15	100.00	Very Good
Tax Appeals Tribunal	N/A	N/A	50	94	0	71	155	2.81	100.00	Very Good
Transport Licensing Appeals Board Tribunal	100	76	43	100	0	19	3	3.51	80.71	Good

+ Increase in backlog - Reduction in backlog



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